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CONGRESSIONAL RECORD:

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CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

FIFTY-FOURTH CONGRESS, FIRST SESSION.

VOLUME XXVIII.

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VOLUME XXVIII, PART VII.

CONGRESSIONAL RECORD AND APPENDIX,

FIFTY-FOURTH CONGRESS, FIRST SESSION.

The American people are alive to this question, and if the Republican party, the great party that it has been, is of the opinion that it can hold in its folds the great mass of intelligent people in the Northwest who have voted its ticket, who have defended its interests, who have believed in its principles, with the gold standard incorporated in its platform they never made a greater mistake. If they choose to adopt the gold standard, as the demand now is that they shall, they will see their vote in this Chamber disappearing, because there are States in the West which have maintained the Republican flag here and kept the party in power in this body for twenty years which will not longer send men here who will regard the tariff question as the paramount one when it comes to legislation.

What the Republican party will do at St. Louis I do not know, but I believe I know enough of the public sentiment of the great West, I believe I know enough of the public sentiment of the plain people, the honest people, to know that the party which inscribes on its banner "The gold standard" inscribes on its banner "Defeat."

Mr. BURROWS obtained the floor.

Mr. BROWN. I should like to ask the Senator from Colorado a single question.

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Utah?

Mr. BURROWS. Certainly.

Mr. BROWN. I wish to ask the Senator from Colorado if he thinks the sole test of devotion to silver is to vote against the Senator from Vermont [Mr. MORRILL] or the Senator from Ohio [Mr. SHERMAN]?

Mr. TELLER. Oh!

Mr. BROWN. If they should propose a silver measure or be in favor of it or vote for it should we as silver men vote against it?

Mr. TELLER. That question is not worth answering.

Mr. CULLOM. Will the Senator from Michigan allow me to put a few facts into the RECORD?

Mr. BURROWS. Certainly.

Mr. CULLOM. The Senator from Colorado [Mr. TELLER] has referred to Illinois lands and property. I desire simply to put their value into the RECORD. The farm values in Illinois were, in 1850, $96,133,000; in 1860, $408,944,000; in 1870, $920,506,000; in 1880, $1,009,594,000; in 1890, $2,262,870,000. The value of lands in Illinois is not declining very rapidly.

Mr. TELLER. I should like to say one word. I did not go into the details. The authorities state that in Pennsylvania there has been a shrinkage of $120,000,000 in farm values. In the products of farm and field in the United States in the last five years there has been a shrinkage of $1,400,000,000.

Mr. BURROWS. Mr. President I scarcely possess the assurance at this late hour, when I know how impatient the Senate is to vote upon the pending proposition, to ask the attention of the Senate to anything I may have to say, and I desire to assure Senators at the outset that I shall not detain the Senate long to state the reasons why I can not give the pending measure my support.

The bill presented by the Senator from North Carolina [Mr. BUTLER], and which has engaged the attention of the Senate for many days, involves the consideration of only three propositions, namely: First, the terms of the existing law; second, the proposed change; and third, the probable effect which would follow such change. It in no way involves directly the silver question, and I shall not, therefore, discuss that issue.

THE EXISTING LAW.

The existing law which it is proposed to modify is the act of January 14, 1875, commonly known as the resumption act. I beg to insert it here in my remarks:

ACT OF JANUARY 14, 1875.

An act to provide for the resumption of specie payments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and required, as rapidly as practicable, to cause to be coined, at the mints of the United States, silver coins of the denominations of 10, 25, and 50 cents, of standard value, and to issue them in redemption of an equal number and amount of fractional currency of similar denominations, or, at his discretion, he may issue such silver coins through the mints, the subtreasuries, public depositaries, and post-offices of the United States; and, upon such issue, he is hereby authorized and required to redeem an equal amount of such fractional currency, until the whole amount of such fractional currency outstanding shall be redeemed.

SEC. 2. That so much of section 3524 of the Revised Statutes of the United States as provides for a charge of one-fifth of 1 per cent for converting standard gold bullion into coin is hereby repealed; and hereafter no charge shall be made for that service.

SEC. 3. That section 5177 of the Revised Statutes, limiting the aggregate amount of circulating notes of national banking associations be, and is hereby, repealed; and each existing banking association may increase its circulating notes in accordance with existing law without respect to said aggregate limit; and new banking associations may be organized in accordance with existing law without respect to said aggregate limit; and the provisions of law for the withdrawal and redistribution of national bank currency among the several States and Territories are hereby repealed. And whenever, and so often, as circulating notes shall be issued to any such banking association, so increasing its capital or circulating notes, or so newly organized as aforesaid, it shall be the duty of Secretary of the Treasury to redeem the legal-tender United States notes in excess only of $300,000,000, to the amount of 80 per cent of the sum of national-bank notes so issued to any such banking association as aforesaid and to continue such redemption as such circulating notes are issued until there shall be outstanding the sum of $300,000,000 of such legal-tender United States notes, and no more. And on and after the 1st day of January, A. D. 1879, the Secretary of the Treasury shall redeem in coin the United States legal-tender notes then outstanding on their presentation for redemption at the office of the assistant treasurer of the United States in the city of New York in sums of not less than $50. And to enable the Secretary of the Treasury to prepare and provide for the redemption in this act authorized or required he is authorized to use any surplus revenues, from time to time, in the Treasury not otherwise appropriated, and to issue, sell, and dispose of, at not less than par, in coin, either of the descriptions of bonds of the United States described in the act of Congress approved July 14, 1870, entitled "An act to authorize the refunding of the national debt," with like qualities, privileges, and exemptions, to the extent necessary to carry this act into full effect, and to use the proceeds thereof for the purposes aforesaid. And all provisions of law inconsistent with the provisions of this act are hereby repealed.

It will be observed by the express provisions of this act it is declared that on and after the 1st day of January, 1879, the Government of the United States would undertake to redeem in coin, on demand, all its outstanding United States notes, commonly known as "greenbacks."

At the close of the war, in 1865, it was found that the Government of the United States had outstanding $400,000,000 of paper currency, or promises-to-pay "dollars," worth at one time only 35 cents on the dollar. At that time there was no expectation in the public mind, nor any other course suggested, than to pay these obligations at an early day. It was the only honest thing to do. Secretary McCullough but reflected public sentiment when, in 1865, he recommended, as Secretary of the Treasury, the payment and retirement of these outstanding notes.

On the 12th of April, 1866, Congress approved of the recommendation of the Secretary by passing the following act:

ACT OF APRIL 12, 1866.

To amend an act entitled "An act to provide ways and means to support the Government," approved March 3, 1865.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to provide ways and means to support the Government," approved March 3, 1865, shall be extended and construed to authorize the Secretary of the Treasury, at his discretion, to receive any Treasury notes or other obligations issued under any act of Congress, whether bearing interest or not, in exchange for any description of bonds authorized by the act to which this is an amendment; and also to dispose of any description of bonds authorized by said act, either in the United States or elsewhere, to such an amount, in such manner, and at such rates as he may think advisable, for lawful money of the United States, or for any Treasury notes, certificates of indebtedness, or certificates of deposit, or other representatives of value, which have been or which may be issued under any act of Congress, the proceeds thereof to be used only for retiring Treasury notes or other obligations issued under any act of Congress; but nothing herein contained shall be construed to authorize any increase of the public debt: *Provided*, That of the United States notes not more than $10,000,000 may be retired and canceled within six months from the passage of this act, and thereafter not more than $4,000,000 in any one month: *And provided further*, That the act to which this is an amendment shall continue in full force in all its provisions, except as modified by this act.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury shall report to Congress at the commencement of the next session the amount of exchanges made or money borrowed under this act, and of whom, and on what terms, and also the amount and character of indebtedness retired under this act and the act to which this is an amendment, with a detailed statement of the expense of making such loans and exchanges.

Under the operation of this law the Secretary had retired only about $44,000,000, when there arose a public clamor that the further retirement of these notes should cease. Not only this, but a demand was made that the Government, instead of paying its outstanding obligations of irredeemable paper, should increase its volume until, in the popular phrase, it should be "equal to the demands of trade," whatever that might be.

In the campaign of 1868 the issue was fought upon these lines, and all sorts of financial schemes were devised and suggested to avoid the honest payment of our national obligations. The idea took possession of the public mind that an inflated and irredeemable cheap currency meant increased prices and enlarged prosperity. It was even proposed to pay the 5-20 interest-bearing bonds in United States notes, discharging interest obligations with noninterest obligations, and some people actually believed one debt could be liquidated by another. All sorts of financial vagaries were rife, including the theory that a "stamp made money," and that therefore all that was necessary to secure sufficient currency to meet the "demands of trade" was to issue paper stamped as money, redeemable in nothing and payable to nobody. That was a popular idea in some portions of the country. As General Butler, one of the leaders of this faction, said: "As in the beginning God said, 'Let there be light,' and there was light; so might the Government of the United States say 'Let there be money,' and there is money." I have been astonished to hear that same sentiment repeated in this Chamber during the progress of this debate. But such was the public apprehension that the Government of the United States was about to embark upon the perilous and boundless sea of irredeemable paper money that even the public-credit act of March, 1869, which declared:

The United States solemnly pledges its faith to make provision, at the earliest practicable period, for the redemption of the United States notes in coin—

even this did not serve to allay public apprehension or avert the panic of 1873. With that panic came, of course, hard times and

low prices, and the demand became more violent for an increased issue of irredeemable paper, and Congress, yielding to this demand, by the act of 1874 directed a reissue of the $44,000,000 of greenbacks which had previously been retired.

This act was promptly vetoed by President Grant, with the declaration that the road to prosperity was not paved with irredeemable paper money.

The people at last learned in the severe school of experience that there could be no assured and permanent prosperity until the Government returned to a sound financial basis.

Hence the resumption act of 1875.

By the terms of that act the Government promised on the 1st day of January, 1879, to redeem in coin all its outstanding notes, and the holders of these notes, which heretofore bore no date of payment, were authorized to write in the body of these obligations "January 1, 1879," so that they should read: "The United States will pay the bearer ——— dollars January 1, 1879."

In order to enable the Secretary of the Treasury to make good this public declaration, he was authorized not only to use all the surplus revenues of the Government not otherwise appropriated, but was also empowered to issue, sell, and dispose of the bonds of the Government for the purpose of securing coin with which to keep faith with the public. This power to borrow money, conferred upon the Secretary, knew no limit save the credit of the nation, and it was given him for the very purpose of making the resumption of specie payment a certainty, and place it beyond the possibility of failure.

The propriety of conferring upon the Secretary this extraordinary and unusual power for the purpose indicated was never objected to in the debate in either House during the consideration of the resumption act either by Senator Thurman, Senator Schurz, or any gentleman in either House participating in the debate, but on the contrary it was deemed absolutely essential to insure a return to specie payment.

Under this act and by virtue of it alone the 1st day of January, 1879, saw the Treasury of the United States with $133,000,000 of gold, and prepared for resumption.

It is worthy of mention that this condition of the Treasury was secured by the sale of bonds only to the extent of $95,500,000, and such was the confidence of the public in the intention and ability of the Government to resume and maintain specie payments, that before the day of resumption arrived every United States note was at par with gold, and the "gold room" in New York City closed forever.

From the 1st day of January, 1879, to this hour the Government has not permitted one of its $346,000,000 of outstanding United States notes to go to protest, but has kept them at all times as good as gold and convertible into gold on demand. It is also worthy of note in this connection that from the 1st of January, 1879, to February, 1894—a period of fifteen years—the Government was not compelled to issue a single bond for redemption purposes. Such was the confidence in the purpose and ability of the Government to maintain specie payments that during the first year after the date of resumption only $11,000,000 were presented for payment, and from January 1, 1879, to July 14, 1890—a period of eleven years—there were presented only $28,250,000; while since July 14, 1890, to June 1, 1896, there have been presented for redemption over $390,000.000.

I beg to submit the following table in support of this statement. The total redemptions of notes in gold and the exports of that metal during each fiscal year since the resumption of specie payments have been as follows:

Fiscal year.	United States notes.	Treasury notes of 1890.	Total.	Exports of gold.
1879	$7,976,698	----------	$7,976,698	$4,587,614
1880	3,780,638	----------	3,780,638	3,639,025
1881	271,750	----------	271,750	2,565,132
1882	40,000	----------	40,000	32,587,880
1883	75,000	----------	75,000	11,600,888
1884	590,000	----------	590,000	41,081,957
1885	2,222,000	----------	2,222,000	8,477,892
1886	6,863,699	----------	6,863,699	42,952,191
1887	4,224,073	----------	4,224,073	9,701,187
1888	692,596	----------	692,596	18,376,234
1889	730,143	----------	730,143	59,952,285
1890	732,386	----------	732,386	17,274,491
1891	5,986,070	----------	5,986,070	86,302,654
1892	5,352,243	$3,773,600	9,125,843	50,195,327
1893	55,319,125	46,781,220	102,100,345	108,680,844
1894	68,242,408	16,599,742	84,842,150	76,978,061
1895	109,783,800	7,570,398	117,354,198	66,131,183
1896 (3 months)	36,461,249	1,307,097	37,768,346	37,958,844
Total	309,343,878	76,032,057	385,375,935	679,103,689
Total June 1, 1896	416,304,929	79,757,922	469,062,851	----------

This in outline is the existing law and the result of its enforcement.

THE PROPOSED CHANGE.

It will be observed that under the terms of the resumption act the Secretary of the Treasury was empowered to obtain coin for redemption purposes from two sources, viz, the surplus revenues of the Government and from the sale of United States bonds. And I declare here if it had not been for the power vested in the Secretary of the Treasury to sell bonds, as we are without surplus revenues, all the United States notes and the Treasury notes of 1890 would have gone to protest long ago and the Treasury of the United States been forced to suspend. The measure under consideration—and this brings me to the second point—proposes virtually an amendment to the resumption act by striking out—

And to issue, sell, and dispose of, at not less than par, in coin, either of the descriptions of bonds of the United States described in the act of Congress approved July 14, 1870, entitled "An act to authorize the refunding of the national debt," with like qualities, privileges, and exemptions, to the extent necessary to carry this act into full effect, and to use the proceeds thereof for the purposes aforesaid. And all provisions of law inconsistent with the provisions of this act are hereby repealed—

and inserting the following so it will read:

And to enable the Secretary of the Treasury to prepare and provide for the redemption in this act authorized or required, he is authorized to use any surplus revenues, from time to time, in the Treasury not otherwise appropriated but—

In the language of the Senator's bill—

the issuance of interest-bearing bonds of the United States for any purpose whatever without further authority of Congress is hereby prohibited.

Such is the startling modification proposed by the Senator from North Carolina.

THE PROBABLE EFFECT.

If it were possible, Mr. President, to so modify the resumption act as suggested by the Senator from North Carolina, then the only reliance of the Government for a resumption fund would be upon its surplus revenues. But it is conceded we have no surplus revenues. Look at the Treasury exhibit. Our deficiency June 30, 1894, was $69,800,000; June 30, 1895, it was $42,800,000; and June 30, 1896, this very month (thirty days estimated), will be over $30,000,000, aggregating during the three years of this Administration a deficit of $142,000,000.

So it will be observed that the power to maintain resumption from the surplus revenues is utterly destroyed.

NO GOLD REVENUES.

Without this power to sell bonds, gold redemption is absolutely impossible, for our gold revenues are reduced practically to nothing. Where are we to secure gold without the power to borrow? I hold in my hand a statement showing the percentage of gold received for customs during the fiscal years from 1890 to 1896:

Statement showing the percentage of gold received for customs during the fiscal years from 1890 to 1896 (nine months).

Period.	Receipts from customs.	Amount paid in gold.	Per centage of gold received for customs.
Fiscal year—			
1890	$229,668,584.57	$178,988,528.00	77.9
1891	219,522,205.23	147,835,416.50	67.3
1892	177,452,964.15	47,584,479.00	26.8
1893	203,355,016.73	20,747,888.50	10.2
1894	131,818,530.62	27,885,538.80	21.3
1895	152,158,617.45	6,938,368.50	4.6
1896 (9 months)	126,288,486.74	5,069,638.50	4
Total	1,240,264,405.49	435,049,857.80	35.1

OFFICE OF TREASURER UNITED STATES, *May 23, 1896.*

It would seem, therefore, that we have no way of securing gold from our customs revenue and we have no other source of supply. With only a hundred and six millions, in round numbers, of gold in the Treasury, including the reserve, and that constantly decreasing, and without the power to purchase gold, and with substantially no revenues payable in gold, it is perfectly apparent that under the measure proposed gold redemption would have to be abandoned. But if the Senator's bill should become a law it would inaugurate a raid upon the Treasury for the redemption of the outstanding "greenbacks" which would not cease until the last dollar of gold had been drawn from the Treasury and the Government forced to close its doors and suspend specie payments.

Mr. STEWART. Will the Senator from Michigan allow me to ask him a question?

Mr. BURROWS. I do not care to yield.

Mr. STEWART. Suppose they should pay silver first?

Mr. BURROWS. I will come to that. But the answer is as suggested this moment by the Senator from Nevada, we will redeem in silver. That, of course, means a silver basis at once. But we could not even maintain redemption in silver for any considerable time, for we have only twenty-eight millions of free silver, which would hardly be regarded a sufficient sum to redeem on demand nearly five hundred millions of outstanding paper. So it is seen to what condition we would be reduced. With no

power to purchase either gold or silver, and with no surplus revenues at our command in either coins, the suspension of specie payments would become inevitable.

But it is stated that this power has been abused by the present Administration. Grant it if you please. That is no reason why it should be wholly withdrawn. All power is subject to abuse, but that is no reason why its legitimate exercise should be withheld. And I repeat if this power had not existed under this Administration, and had not been exercised with vigor and courage the doors of the Treasury would have been closed long ago and our paper gone to protest. But let me suggest in this connection that the exercise of the power to sell bonds to the extent of more than $260,000,000 has been made necessary by the free-trade policy of this Administration, by which the revenues of the Government have been cut off and reduced far below the necessary expenses of the Government.

From 1879, the day of resumption, to March 4, 1893, when this Administration came into power with its policy of free trade, there was no complaint and there was no "endless chain" drawing the gold out of the Treasury, because we always were in possession of a surplus revenue.

As I have already stated, there were no bond sales to secure a redemption fund from 1879 to 1894, and not until the revenues under this Administration became insufficient to meet the ordinary expenses of the Government was public apprehension aroused lest the Government would be unable to meet its demand paper. So the "endless chain" was set in motion, which, from July 14, 1890, until June 1, 1896, this very month, drew more than $390,000,000 of gold from the Treasury.

How far the apprehension that we are to go to a silver basis has contributed to this disaster I shall not now stop to inquire.

THE SENATE'S PATRIOTISM?

One word more and I am done. It is said no harm will come, although we have no means of securing gold or silver. It is said that no harm will come, because Congress can be convened at any time and its patriotism can be relied upon to meet any emergency. Several Senators have given expression to such a sentiment. It might be responded to gentlemen who express such unbounded confidence in the patriotism of Congress as was said of old, "I have not seen such faith; no, not in Israel."

The patriotism of the people in the end will settle this question, and settle it rightly, but I fear if we depend upon the patriotism of Congress it will be found that we lean upon a broken reed. Rely upon the patriotism of Congress! If there was ever a time in the history of this Government when there was an opportunity for the exhibition of patriotism and business judgment it has been during the last six months, while this Congress has been in session, when the Treasury has been depleted and the public credit imperiled.

Unfortunately the course of the present Congress, so far as the Senate is concerned, has not been such as to inspire public confidence either in the patriotism or financial wisdom of this body. The House of Representatives, within thirty days after its organization, proposed and passed a measure to increase the revenues of the Government by $40,000,000. The Senate referred that bill to its Committee on Finance, which committee loaded it down with a proposition for the free and unlimited coinage of silver, knowing when they did it that as thus amended it could never pass the House of Representatives, or if it did it could not receive Executive approval. Was that patriotic? The Senate then refused to even take the measure up for consideration, and I am safe in saying that it never will be considered by this body.

This is the patriotic response of Congress to the demand to replenish an exhausted Treasury. Neither can the patriotism of Congress, so far as this Senate is concerned, be relied upon to confer upon the Secretary of the Treasury the power to issue bonds to acquire coin for the purpose of maintaining the public credit. The House of Representatives at the present session very promptly passed an act authorizing the Secretary of the Treasury to issue and sell bonds bearing interest at 3 per cent, and requiring him to use the proceeds from such sale for the redemption of United States legal-tender notes, and for no other purpose, so as to avoid the abuse of that power, and also to issue $50,000,000 of certificates of indebtedness, drawing a like rate of interest, for the purpose of meeting any temporary deficiency.

What was the "patriotic response" of this Senate to that proposition? Free and unlimited coinage of silver—the same proposition that was attached to the tariff bill—the coinage of the seigniorage in the Treasury, and providing for the issuing of silver certificates for the same in advance of its coinage. The Senate could not wait even for the coinage; and then, to cap the climax, providing for the redemption of the United States and Treasury notes in gold or silver, at the option of the Government. So much for the patriotism of the Senate of the United States.

But, I repeat, this measure is a proposition to force this Government to a silver basis by cutting off the revenues and then depriving the Secretary of the Treasury of the power to purchase coin.

Take from the Secretary of the Treasury the power to sell bonds for the purpose of obtaining coin for the maintenance of specie payments and convene this Congress for the purpose of reinvesting him with such power, and I hazard nothing in saying the only response that would be made would be a proposition for the free and unlimited coinage of silver and the payment of our outstanding demand obligations in either gold or silver at the option of the Government.

If it is not the purpose of the author and supporters of this measure to secure this end, the effect of it will surely be to force the Government to a silver basis.

But fortunately for the country this proposition can not receive, whatever may be its fate here, the approval of the House of Representatives or the sanction of the Executive. It will be most unfortunate if it shall receive the approval of a majority of the United States Senate. It is to be deplored that this great body, regarded as the most august legislative assembly on earth, should attempt to strip the Government of all power to maintain its credit, even in times of profound peace.

If it were possible for such a proposition as this to receive legislative approval and Executive sanction, bringing upon the nation financial distress and dishonor, for myself I had rather it had gone down in the awful storm of war than to survive a hissing and a byword among the nations of the earth.

Unfortunate for the country, most unfortunate for our financial reputation and good name, if this bill shall pass the Senate. Each Senator, however, must act and will act upon his own responsibility to the State which he represents, and I hope, in a higher sense, upon his responsibility to the whole country.

We are approaching a crisis in our financial affairs fraught with incalculable danger, which I trust and believe the sober second thought of the American people will avert. For myself, however, whatever the outcome and whatever the consequences to me personally, I will never lend a hand to remove the last prop by which the public credit of my country is sustained.

Mr. PALMER obtained the floor.

Mr. BUTLER. I wish to ask the Senator from Michigan a question before he yields the floor. Will the Senator from Illinois allow me to ask a question of the Senator from Michigan?

Mr. PALMER. I yield to the Senator from North Carolina for that purpose.

Several SENATORS. Let us vote.

The PRESIDING OFFICER. The Senator from Illinois has been recognized.

Mr. BUTLER. The Senator from Illinois has yielded for a question of the Senator from Michigan. I wish to ask the Senator from Michigan a question. He has seen fit to criticise the American Senate with severe strictures, and upon these criticisms he makes the astounding statement that he could not trust the judgment and patriotism of this body to say when bonds shall or shall not be issued. He would rather see this country plunged into war than to see Congress consulted about this vital matter. I should like to ask him if he can trust the judgment and patriotism of the Democratic Executive rather than the will of the people as expressed in the legislative branch of the Government? Will he investigate with the same scrutiny the actions of the Administration and then say that he can trust the patriotism of the Executive before he can trust the patriotism of the Senate? If he votes against this bill, then he is willing to take from Congress the most important and tremendous legislative power and put it into the hands of one man; not only that, but into the hands of a man who is responsible for the secret bond deal, the most indefensible and disgraceful action in the history of this or of any other Government. He will be equally responsible for the wrong already done by the President and for any wrong that may be done in bond transactions in the future.

The Senator from Michigan has, however, done the country a valuable service in one respect at least. He has shown that you can not get gold from revenue. Then his proposition is——

Mr. PALMER. I did not yield to the Senator from North Carolina for a speech.

Mr. BUTLER. One sentence only, and I am through. You can not, according to your own admission, get gold from revenue. The gold standard must be maintained. You can not maintain it from revenue raised by taxation, no matter if you had a thousand millions of surplus revenue. Therefore your only hope and method for maintaining the gold standard must be by selling bonds. You do not expect to do it in any other way, and that is why you are opposed to this bill; that is why you do not want to intrust the credit and honor of the country in the hands of Congress. You know, first, that Congress will never authorize the maintenance of the gold standard and, second, that Congress will adopt the bimetallic standard and provide for meeting all of the coin obligations of the Government with gold and silver coin, according to the letter and spirit of the contract. You know Congress can and would do this without selling bonds. But you are anxious for bonds to be sold, therefore you are opposed to this bill.

Mr. PALMER. Mr. President, I observe around me such a desire to vote upon this question that if I could be assured that a vote would be taken at once I would not weary the Senate by any extended remarks certainly, and I shall not detain the Senate now beyond a single point. I have before me the bill prepared by the Senator from North Carolina [Mr. BUTLER]. Its language is—

That the issuance of interest-bearing bonds of the United States for any purpose whatever without further authority of Congress is hereby prohibited.

I understand that the Senator by this bill intends to affirm or confirm all the issues that have heretofore been made, and that the $260,000,000 that have been issued are, in his judgment, supported by existing legislation.

I have before me the amendment proposed by the Senator from Utah [Mr. BROWN] and the amendment proposed by the Senator from West Virginia [Mr. ELKINS]. I understand the Senator from Utah desires nothing more than to establish what my friend from Nebraska [Mr. ALLEN] terms the proposition of notice, and that the reason why the Senator from Utah desires that this measure shall be voted upon by the Senate is simply that notice may be given. Caveat emptor, I think my friend from Nebraska said, is the proper term; and I will remark to my friend from Nebraska that that term in Illinois has an official interpretation. Governor Reynolds, of Illinois, was once asked by a young lawyer, "What is the meaning of 'caveat emptor'?" He said: "My young friend, it signifies 'flee from the wrath to come.'" [Laughter.] I understand, therefore, that the Senator from Nebraska has himself by a resolution or by some speech he has made warned the purchasers of bonds to flee from the wrath to come, and that the Senator from Utah has done no more by his proposed amendment.

Mr. President, in view of the urgent desire of Senators present to vote upon this proposition, it seems to me that I ought to limit my remarks to a very narrow extent. I understand, and I fully sympathize with that view, that this bill is not only intended—I will not say intended, but that the effect of this bill will be to shut up the public Treasury. We all know that the revenues of the Government are not sufficient now to pay its current expenses; we all know that if the public debt is met at all, whether in silver or in gold, it can only be done by borrowing money for that purpose.

Senators say that we ought to have had laws, we ought to have had legislation that would have afforded abundant revenues for the Government. We have no such legislation. It is not important now to inquire whose fault it is. We are called upon to meet this particular question, Shall we strip the Secretary of the Treasury of all power to borrow money? I say it is not important whose fault all this is, or what legislation has produced this result. Can the Senator from North Carolina [Mr. BUTLER] say that he desires now that the Secretary of the Treasury shall be stripped of all means of maintaining the public credit either by the payment of gold or silver? Undoubtedly the latent motive which dictates the support of this bill is the desire that by some means or other we shall reach the point of free coinage of silver.

Mr. President, I have great respect for my Democratic friends who favor the free coinage of silver, but I am astonished that they should seek to accomplish that result by indirection; that they should seek to bankrupt the Treasury, deprive it of all means of raising temporary supplies, if it be so regarded, and that they should by that means not establish the free coinage of silver, but endeavor to reach the free coinage of silver through the bankruptcy of the public Treasury.

We know, I know, and I assert that bankruptcy of the Treasury would result if it were possible for this bill to pass, which, thank God, it is not, because this debate is only intended to affect the approaching election. Nobody expects the bill to become a law. It is pressed here merely that men may commit themselves; but still I say I rejoice that it can not become a law. I rejoice, too, that the authors of the bill do not expect it to become a law. It is intended as a mere part of the agencies by which Presidential elections are to be influenced, if not controlled.

Mr. President, having thus expressed my own views on this subject, having asserted that this is an essential, necessary power to be retained by the Secretary of the Treasury, and being earnestly desirous to avoid bankruptcy, earnestly desirous to avoid the discredit of the Government by an inability to pay, I can only say that I shall, with the greatest satisfaction, vote against this bill.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Rhode Island [Mr. ALDRICH].

Mr. BACON. Let the amendment be read.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to add at the end of the bill the following:

Unless in case of an emergency it is necessary, in the opinion of the President of the United States and the Secretary of the Treasury, to issue such bonds, in accordance with the provisions of existing law, to preserve the public credit or to meet obligations of the United States created by such existing law which can not otherwise be met, and all such bonds when so issued shall first be offered at public sale.

Mr. ALLEN. I move to lay the amendment on the table.

The PRESIDING OFFICER. The Senator from Nebraska moves to lay the amendment of the Senator from Rhode Island on the table.

Mr. HILL and Mr. LODGE called for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. ALLISON (when his name was called). I am paired on all the votes on this question with the Senator from Missouri [Mr. COCKRELL].

Mr. BERRY (when his name was called). On this question I am paired with the Senator from Delaware [Mr. GRAY]. If he were present, he would vote "nay" and I should vote "yea."

Mr. PASCO (when Mr. CALL's name was called). My colleague [Mr. CALL] is paired on all these votes with the Senator from Vermont [Mr. PROCTOR].

Mr. CARTER (when his name was called). I am paired on all matters relating to this question with the junior Senator from Maryland [Mr. GIBSON].

Mr. GEAR (when his name was called). I am paired with the senior Senator from Georgia [Mr. GORDON]. If he were present, I should vote "nay."

Mr. CARTER (when Mr. MANTLE's name was called). I desire to announce that my colleague [Mr. MANTLE] is paired on all phases of this question with the Senator from West Virginia [Mr. ELKINS]. My colleague is in favor of the bill of the Senator from North Carolina, and if present would vote "yea" on the pending question and the Senator from West Virginia would vote "nay."

Mr. HILL. Perhaps I might as well call attention right here to a fact, to which I invite the attention of the Senator from Nevada [Mr. STEWART]. Last week the Senator from Nevada asked me to have my colleague [Mr. MURPHY] paired upon this question with his colleague [Mr. JONES], which I did. I merely call attention to it.

Mr. STEWART. My colleague is here now.

Mr. HILL. He is here, but my colleague is not, and the Senator's colleague [Mr. JONES of Nevada] has voted.

Mr. STEWART. Then the Senator's colleague [Mr. MURPHY] is not paired.

Mr. HANSBROUGH. On this question the Senators in charge of the pairs have arranged a pair between the Senator from Wyoming [Mr. CLARK] and the Senator from New York [Mr. MURPHY].

Mr. HILL. The pair, then, with my colleague has been transferred to the Senator from Wyoming?

Mr. HANSBROUGH. Yes; on this question.

Mr. HILL. Very well.

Mr. JONES of Nevada. I understood the pair had been transferred before I voted.

Mr. HILL. That is all right, then.

Mr. MITCHELL of Wisconsin (when his name was called). I am paired with the Senator from New Jersey [Mr. SEWELL], but as we are agreed on this subject, I vote "nay."

Mr. PASCO. I will state that the pair of the Senator from New Jersey [Mr. SEWELL] has been transferred to the Senator from Louisiana [Mr. BLANCHARD], which permits the Senator from Wisconsin [Mr. MITCHELL] to vote.

Mr. PERKINS (when his name was called). Upon this question and all of its different phases I am paired with the Senator from Maryland [Mr. GORMAN]. If present, he would vote "nay" while I should vote "yea."

Mr. PRITCHARD (when his name was called). I have a general pair with the Senator from Louisiana [Mr. BLANCHARD], but inasmuch as we agree on this proposition, I exercise my choice and vote "yea."

Mr. PUGH (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. HOAR]. On this question I transfer my pair with him to the junior Senator from Virginia [Mr. MARTIN] and vote "yea."

Mr. SHOUP (when his name was called). I announce on all phases of this question that I am paired with the Senator from Ohio [Mr. SHERMAN].

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Nebraska [Mr. THURSTON], who is absent. With the consent of the Senator from Florida [Mr. PASCO], who has charge of the pairs on this side of the Chamber, I will transfer that pair to the Senator from North Dakota [Mr. ROACH] and vote "yea."

Mr. ALLEN. My colleague [Mr. THURSTON] is detained from the Senate by sickness in his family.

Mr. HALE (when Mr. VOORHEES's name was called). My colleague [Mr. FRYE] is paired with the Senator from Indiana [Mr. VOORHEES]. If present, my colleague would vote "nay" and the Senator from Indiana, I presume, would vote "yea."

The roll call was concluded.

Mr. BURROWS. I desire to announce that my colleague [Mr.

McMILLAN] is paired with the senior Senator from Kentucky [Mr. BLACKBURN]. If present, my colleague would vote "nay."

Mr. HARRIS. I have a general pair with the Senator from Vermont [Mr. MORRILL]. If he were present, I suppose he would vote "nay" upon this motion, and I should vote "yea." I will, however, transfer that pair to the senior Senator from South Carolina [Mr. IRBY], and record my vote "yea."

Mr. GALLINGER. I rise to announce that on this vote and on all votes relating to this bill the junior Senator from Kansas [Mr. BAKER] is paired with the Senator from South Dakota [Mr. KYLE].

Mr. BERRY. I am paired with the Senator from Delaware [Mr. GRAY], and the Senator from Iowa [Mr. ALLISON] is paired with the Senator from Missouri [Mr. COCKRELL]. By transferring our pairs the Senator from Iowa and I will be at liberty to vote. I vote "yea."

Mr. ALLISON. Assenting to that arrangement, the Senator from Delaware [Mr. GRAY] will stand paired with the Senator from Missouri [Mr. COCKRELL], and I vote "nay."

The result was announced—yeas 32, nays 25; as follows:

YEAS—32.

Allen,	Daniel,	Mitchell, Oreg.	Teller,
Bacon,	Dubois,	Morgan,	Tillman,
Bate,	George,	Pasco,	Turpie,
Berry,	Hansbrough,	Peffer,	Vest,
Brown,	Harris,	Pettigrew,	Walthall,
Butler,	Jones, Ark.	Pritchard,	Warren,
Cannon,	Jones, Nev.	Pugh,	White,
Chilton,	Mills,	Stewart,	Wolcott.

NAYS—25.

Aldrich,	Davis,	Lodge,	Smith,
Allison,	Faulkner,	McBride,	Vilas,
Brice,	Gallinger,	Mitchell, Wis.	Wetmore,
Burrows,	Hale,	Nelson,	Wilson.
Caffery,	Hawley,	Palmer,	
Chandler,	Hill,	Platt,	
Cullom,	Lindsay,	Quay,	

NOT VOTING—32.

Baker,	Elkins,	Irby,	Proctor,
Blackburn,	Frye,	Kyle,	Roach,
Blanchard,	Gear,	McMillan,	Sewell,
Call,	Gibson,	Mantle,	Sherman,
Cameron,	Gordon,	Martin,	Shoup,
Carter,	Gorman,	Morrill,	Squire,
Clark,	Gray,	Murphy,	Thurston,
Cockrell,	Hoar,	Perkins,	Voorhees.

So the amendment was laid on the table.

Mr. ALDRICH. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the end of the bill it is proposed to insert the following:

Provided, however, That nothing contained in this act shall be construed to impair the obligation of the United States to redeem in coin upon presentation, as now required by law, outstanding United States legal-tender notes and Treasury notes, nor to restrict or lessen the authority now given by law to the Secretary of the Treasury to obtain the necessary coin for the purposes of such redemption.

Mr. ALDRICH. Mr. President, I do not intend to detain the Senate by discussing this amendment, but it is important that this bill should be clearly understood and that its purpose should be clearly defined. If it is the purpose of the Senate in passing this bill to stop the redemption of United States notes and Treasury notes in coin, they should be willing to say so in definite set terms, and I therefore ask that a vote may be taken on the amendment by yeas and nays.

Mr. MILLS. I move to lay the amendment on the table.

The PRESIDING OFFICER. The question is on the motion of the Senator from Texas.

Mr. ALDRICH. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. HALE (when Mr. FRYE's name was called). My colleague [Mr. FRYE] would vote "nay" if here. He is paired with the Senator from Indiana [Mr. VOORHEES].

Mr. GEAR (when his name was called). I am paired, as I before stated, with the Senator from Georgia [Mr. GORDON]. Were he present, I should vote "nay."

Mr. HARRIS (when his name was called). Being paired with the Senator from Vermont [Mr. MORRILL], and supposing he would vote "nay" upon this motion, I transfer my pair to the senior Senator from South Carolina [Mr. IRBY] and vote "yea."

Mr. LODGE (when Mr. HOAR's name was called). My colleague [Mr. HOAR] now stands paired with the Senator from Virginia [Mr. MARTIN]. If my colleague were present, he would vote "nay."

Mr. BURROWS (when Mr. McMILLAN's name was called). I make the same announcement in regard to my colleague [Mr. McMILLAN] that I before made.

Mr. PERKINS (when his name was called). I desire again to announce my pair with the senior Senator from Maryland [Mr. GORMAN].

Mr. PRITCHARD (when his name was called). I am paired with the Senator from Louisiana [Mr. BLANCHARD]. If he were present, I should vote "nay."

Mr. TILLMAN (when his name was called). I make the same announcement as to pairs, and I will vote. I vote "yea."

The roll call was concluded.

Mr. BERRY. I am paired on this question with the Senator from Delaware [Mr. GRAY]. If the Senator from Delaware were present, he would vote "nay." With the consent of the Senator from Iowa [Mr. ALLISON], we will make the same arrangement, and I will transfer the pair with the Senator from Delaware to the Senator from Missouri [Mr. COCKRELL]. I will vote "yea."

Mr. ALLEN. It is due to the junior Senator from South Dakota [Mr. KYLE] to say that he stands paired on this question with the junior Senator from Kansas [Mr. BAKER].

The result was announced—yeas 31, nays 25; as follows:

YEAS—31.

Allen,	Daniel,	Mitchell, Oreg.	Tillman,
Bacon,	Dubois,	Morgan,	Turpie,
Bate,	George,	Pasco,	Vest,
Berry,	Hansbrough,	Peffer,	Walthall,
Brown,	Harris,	Pettigrew,	Warren,
Butler,	Jones, Ark.	Pugh,	White,
Cannon,	Jones, Nev.	Stewart,	Wolcott.
Chilton,	Mills,	Teller,	

NAYS—25.

Aldrich,	Davis,	Lodge,	Smith,
Allison,	Faulkner,	McBride,	Vilas,
Brice,	Gallinger,	Mitchell, Wis.	Wetmore,
Burrows,	Hale,	Nelson,	Wilson.
Caffery,	Hawley,	Palmer,	
Chandler,	Hill,	Platt,	
Cullom,	Lindsay,	Quay,	

NOT VOTING—33.

Baker,	Frye,	McMillan,	Sewell,
Blackburn,	Gear,	Mantle,	Sherman,
Blanchard,	Gibson,	Martin,	Shoup,
Call,	Gordon,	Morrill,	Squire,
Cameron,	Gorman,	Murphy,	Thurston,
Carter,	Gray,	Perkins,	Voorhees.
Clark,	Hoar,	Pritchard,	
Cockrell,	Irby,	Proctor,	
Elkins,	Kyle,	Roach,	

So the amendment was laid on the table.

Mr. HILL. I offer an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to add at the end of the bill:

It is further provided that upon the redemption of any United States notes the Secretary of the Treasury shall not reissue the same.

Mr. MILLS. I move to lay the amendment on the table.

Mr. HILL. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. HARRIS (when his name was called). I again announce my pair with the Senator from Vermont [Mr. MORRILL], and for the last time. I transfer my pair to the senior Senator from South Carolina [Mr. IRBY]. I vote "yea," and shall continue to vote hereafter upon these questions, making that transfer without further statement.

Mr. MITCHELL of Wisconsin (when his name was called). I am paired with the senior Senator from New Jersey [Mr. SEWELL]. I understand that the Senator from North Carolina [Mr. PRITCHARD] is paired with the Senator from Louisiana [Mr. BLANCHARD].

Mr. PRITCHARD. I am so paired.

Mr. MITCHELL of Wisconsin. If it is agreeable to the Senator from North Carolina, we will transfer our pairs.

Mr. PRITCHARD. That is perfectly agreeable.

Mr. MITCHELL of Wisconsin. I vote "nay."

Mr. PERKINS (when his name was called). I desire again to announce my pair with the senior Senator from Maryland [Mr. GORMAN].

The roll call was concluded.

Mr. ALLISON. I am paired with the Senator from Missouri [Mr. COCKRELL], but understanding that he would vote "yea" on this vote, I am at liberty to vote. I vote "yea."

Mr. GEAR. I am paired with the Senator from Georgia [Mr. GORDON]. If he were present, I should vote "yea."

The result was announced—yeas 43, nays 12; as follows:

YEAS—43.

Allen,	Daniel,	Lindsay,	Stewart,
Allison,	Davis,	McBride,	Teller,
Bacon,	Dubois,	Mills,	Tillman,
Bate,	Gallinger,	Mitchell, Oreg.	Turpie,
Berry,	George,	Morgan,	Vest,
Brown,	Hale,	Nelson,	Walthall,
Butler,	Hansbrough,	Pasco,	Warren,
Cannon,	Harris,	Peffer,	White,
Chandler,	Hawley,	Pettigrew,	Wilson,
Chilton,	Jones, Ark.	Pritchard,	Wolcott.
Cullom,	Jones, Nev.	Pugh,	

NAYS—12.

Brice,	Hill,	Palmer,	Smith,
Caffery,	Lodge,	Platt,	Vilas,
Faulkner,	Mitchell, Wis.	Quay,	Wetmore.

NOT VOTING—34.

Aldrich,	Cockrell,	Irby,	Roach,
Baker,	Elkins,	Kyle,	Sewell,
Blackburn,	Frye,	McMillan,	Sherman,
Blanchard,	Gear,	Mantle,	Shoup,
Burrows,	Gibson,	Martin,	Squire,
Call,	Gordon,	Morrill,	Thurston,
Cameron,	Gorman,	Murphy,	Voorhees.
Carter,	Gray,	Perkins,	
Clark,	Hoar,	Proctor,	

So the amendment was laid on the table.

Mr. QUAY. I offer an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to add at the end of the bill:

When any Treasury note shall be received at the Treasury for redemption it shall be canceled, and it shall be the duty of the Secretary of the Treasury to issue in lieu thereof a note of similar denomination, payable in gold, at the option of the United States, and receivable for all debts, public and private, except duties upon imports and interest on the public debt.

Mr. HARRIS. I move to lay the amendment on the table.

Mr. CHANDLER. I ask that the amendment may again be read.

The Secretary again read the amendment.

Mr. PLATT. I should like to be advised as to what a Treasury note is.

Mr. ALDRICH. Treasury notes issued under the act of 1890.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee to lay on the table the amendment offered by the Senator from Pennsylvania.

The motion was agreed to.

Mr. HILL. I wish to make one more motion before the final vote is taken. I move to postpone the further consideration of the pending bill until the first Monday in December next.

The PRESIDING OFFICER. The Senator from New York moves to postpone the further consideration of the bill until the first Monday in December next.

Mr. HILL. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. GEAR (when his name was called). I am paired with the Senator from Georgia [Mr. GORDON]. If he were present, I should vote "yea."

Mr. BERRY (when Mr. GRAY's name was called). The Senator from Delaware [Mr. GRAY] is paired with the Senator from Missouri [Mr. COCKRELL]. If the Senator from Delaware were here, he would vote "yea," in favor of postponement, and the Senator from Missouri would vote "nay."

Mr. LODGE (when Mr. HOAR's name was called). My colleague [Mr. HOAR] is paired with the Senator from Virginia [Mr. MARTIN]. If my colleague were present, he would vote "yea."

Mr. PERKINS (when his name was called). I desire again to announce my pair with the senior Senator from Maryland [Mr. GORMAN].

The roll call was concluded.

Mr. BURROWS. My colleague [Mr. MCMILLAN] is paired with the Senator from Kentucky [Mr. BLACKBURN]. If my colleague were present, he would vote "yea."

The result was announced—yeas 24, nays 32; as follows:

YEAS—24.

Aldrich,	Cullom,	Hill,	Palmer,
Allison,	Davis,	Lindsay,	Platt,
Brice,	Faulkner,	Lodge,	Quay,
Burrows,	Gallinger,	McBride,	Smith,
Caffery,	Hale,	Mitchell, Wis.	Vilas,
Chandler,	Hawley,	Nelson,	Wetmore.

NAYS—32.

Allen,	Daniel,	Mitchell, Oreg.	Teller,
Bacon,	Dubois,	Morgan,	Tillman,
Bate,	George,	Pasco,	Turpie,
Berry,	Hansbrough,	Peffer,	Vest.
Brown,	Harris,	Pettigrew,	Walthall,
Butler,	Jones, Ark.	Pritchard,	Warren,
Cannon,	Jones, Nev.	Pugh,	White,
Chilton,	Mills,	Stewart,	Wolcott.

NOT VOTING—33.

Baker,	Frye,	McMillan,	Sherman,
Blackburn,	Gear,	Mantle,	Shoup,
Blanchard,	Gibson,	Martin,	Squire,
Call,	Gordon,	Morrill,	Thurston,
Cameron,	Gorman,	Murphy,	Voorhees,
Carter,	Gray,	Perkins,	Wilson.
Clark,	Hoar,	Proctor,	
Cockrell,	Irby,	Roach,	
Elkins,	Kyle,	Sewell,	

So the motion was not agreed to.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr HILL and Mr. HAWLEY called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. PASCO (when Mr. CALL's name was called). I wish to announce that my colleague [Mr. CALL] is paired with the Senator from Vermont [Mr. PROCTOR]. If my colleague were present he would vote for the passage of the bill, and he would have voted against all the amendments which have been offered.

Mr. HALE (when Mr. FRYE's name was called). My colleague [Mr. FRYE] would vote "nay," if he were here. He is paired with the Senator from Indiana [Mr. VOORHEES].

Mr. GEAR (when his name was called). I will again announce my pair with the senior Senator from Georgia [Mr. GORDON]. If he were present, I should vote "nay."

Mr. BERRY (when Mr. GRAY's name was called). Upon this question the Senator from Delaware [Mr. GRAY] is paired with the Senator from Missouri [Mr. COCKRELL]. If the Senator from Delaware were present, he would vote "nay," and the Senator from Missouri would vote "yea."

Mr. LODGE (when Mr. HOAR's name was called). My colleague [Mr. HOAR] is paired with the Senator from Virginia [Mr. MARTIN]. If my colleague were present, he would vote "nay."

Mr. ALLEN (when Mr. KYLE's name was called). The junior Senator from South Dakota [Mr. KYLE] is paired with the junior Senator from Kansas [Mr. BAKER], and would vote "yea" if he were present.

Mr. HILL (when Mr. MURPHY's name was called). My colleague [Mr. MURPHY] is paired with the Senator from Wyoming [Mr. CLARK]. If my colleague were present, he would vote "nay."

Mr. PERKINS (when his name was called). I again announce my pair with the senior Senator from Maryland [Mr. GORMAN]. If he were present, he would vote "nay" and I should vote "yea."

The roll call was concluded.

Mr. SMITH. My colleague [Mr. SEWELL] is paired with the Senator from Louisiana [Mr. BLANCHARD]. If my colleague were present, he would vote "nay."

Mr. BURROWS. My colleague [Mr. MCMILLAN] would vote "nay" if he were here. He is paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. WARREN. My colleague [Mr. CLARK] is detained from the Chamber and is paired with the Senator from New York [Mr. MURPHY]. If present, he would vote "yea."

The result was announced—yeas 32, nays 25; as follows:

YEAS—32.

Allen,	Daniel,	Mitchell, Oreg.	Teller,
Bacon,	Dubois,	Morgan,	Tillman,
Bate,	George,	Pasco,	Turpie,
Berry,	Hansbrough,	Peffer,	Vest,
Brown,	Harris,	Pettigrew,	Walthall,
Butler,	Jones, Ark.	Pritchard,	Warren,
Cannon,	Jones, Nev.	Pugh,	White,
Chilton,	Mills,	Stewart,	Wolcott.

NAYS—25.

Aldrich,	Davis,	Lodge,	Smith,
Allison,	Faulkner,	McBride,	Vilas,
Brice,	Gallinger,	Mitchell, Wis.	Wetmore,
Burrows,	Hale,	Nelson,	Wilson.
Caffery,	Hawley,	Palmer,	
Chandler,	Hill,	Platt,	
Cullom,	Lindsay,	Quay,	

NOT VOTING—32.

Baker,	Elkins,	Irby,	Proctor,
Blackburn,	Frye,	Kyle,	Roach,
Blanchard,	Gear,	McMillan,	Sewell,
Call,	Gibson,	Mantle,	Sherman,
Cameron,	Gordon,	Martin,	Shoup,
Carter,	Gorman,	Morrill,	Squire,
Clark,	Gray,	Murphy,	Thurston,
Cockrell,	Hoar,	Perkins,	Voorhees.

So the bill was passed.

REGULATIONS CONCERNING FILLED CHEESE.

Mr. ALLISON, Mr. BROWN, and others addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Iowa.

Mr. ALLISON. I move, in accordance with an understanding and at the request of the Senator from Ohio [Mr. SHERMAN], to take up the bill known as the filled-cheese bill, not, however, with a view of proceeding with its consideration to-night.

Mr. HARRIS. I hope the Senator will let that motion go over until to-morrow. It is now a little after 7 o'clock.

Mr. ALLISON. I will state to the Senator from Tennessee that the Senate is now very full. It was understood that this should be the next order of business, and I hope that arrangement will not be disturbed.

Mr. HARRIS. I do not know that there was any understanding that it should be the next order of business; and it will require a majority vote of the Senate to make it such.

Mr. ALLISON. I move that the Senate proceed to the consideration of the bill.

Mr. HARRIS. Very well.

The PRESIDING OFFICER. The Senator from Iowa moves to proceed to the consideration of a bill the title of which will be read.

The SECRETARY. A bill (H. R. 8008) defining cheese, and also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of filled cheese.

Mr. HARRIS. I move, at 5 minutes after 7 o'clock, that the Senate do now adjourn.

The PRESIDING OFFICER. The Senator from Tennessee moves that the Senate do now adjourn.

The motion was not agreed to.

The PRESIDING OFFICER. The question recurs on the motion of the Senator from Iowa to proceed to the consideration of the bill indicated by him.

The motion was agreed to.

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole.

Mr. VEST, Mr. HILL, and others addressed the Chair.

Mr. HILL. I was going to move that the Senate adjourn.

Mr. ALLISON. I ask the Senator from New York to wait one moment. The Senator from Missouri wishes to say a word.

Mr. VEST. I renew the notice I gave, that to-morrow morning after the routine business is finished I shall move that the Senate proceed to the consideration of the river and harbor bill and the veto message upon it.

I move that when the Senate adjourn to-day it be to meet at 11 o'clock to-morrow.

The motion was agreed to.

Mr. HILL. I move that the Senate adjourn.

The motion was agreed to; and (at 7 o'clock and 7 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, June 3, 1896, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *June 2, 1896.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read.

The SPEAKER. The Journal should have contained the statement: "A quorum appearing, the Speaker caused the Journal to be read." With that modification, in the absence of objection, the Journal will be approved.

HOUR OF DAILY MEETING.

Mr. HENDERSON. Mr. Speaker, I am instructed by the Committee on Rules to present the privileged report which I send to the desk.

The report was read, as follows:

The Committee on Rules, to whom was referred the following resolution: "*Resolved*, That during the remainder of the present session the hour of the daily meeting of the House will be 11 o'clock a. m.," have had the same under consideration, and ask leave to report it with the recommendation that it be agreed to.

The resolution was agreed to.

Mr. HENDERSON. Mr. Speaker, in connection with this report, I would like to have the gentleman from Maine, the chairman of the Committee on Ways and Means, make a statement to the House.

Mr. DINGLEY. Mr. Speaker, I desire simply to call the attention of members of the House to the condition of the business of this body. There remain seven of the general appropriation bills in conference, on several of which there are disagreements between the House and the Senate which appear to be causing considerable delay, and on which some votes are likely to be called for in the House. I desire, therefore, to call attention to the importance of preserving a quorum, especially on account of these remaining appropriation bills, and to warn members who are leaving, as I notice many are inclined to do, that, in view of the condition of business in the House, it will undoubtedly be necessary to have a quorum for the purpose of closing up the business. I therefore hope that members who are intending to leave will bear in mind that in the absence of a quorum it may become necessary to send for them through the Sergeant-at-Arms.

Mr. CANNON. Mr. Speaker, I desire to supplement what the chairman of the Committee on Ways and Means has said with this statement: I am constantly asked for an opinion as to when this session will come to an end. In my judgment there is no prospect of the present session of Congress ending before Wednesday of next week, and more probably it will not end until Friday or Saturday.

Mr. HENDERSON. But the adjournment will be expedited by keeping an effective quorum on hand.

Mr. CANNON. Oh, if there is not a quorum in attendance we shall not get away in a month from now.

The SPEAKER. The Chair desires to add that he trusts that quorum keeping will commence each day at 11 o'clock precisely.

GAS IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I desire to present a conference report.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6994) relating to the sale of gas in the District of Columbia, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the first and second amendments of the Senate, and agree to the same amended so that the first section of the bill, down to the proviso, shall read as follows:

"That the Washington Gas Light Company of the District of Columbia is authorized to charge and collect, after the 1st day of July, 1896, for illuminating gas furnished to and paid for by private consumers in the District of Columbia at the rate of not exceeding $1.10 per thousand cubic feet until the 1st day of July, 1901, after which last-named date the rate shall not exceed $1 per thousand cubic feet; and that after the 1st day of July, 1896, the Washington Gas Light Company of the District of Columbia shall furnish to the United States Government and the District of Columbia gas at the rate of $1 per thousand cubic feet."

And that the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 3 and 4, and agree to the same amended so that the second section of the bill, down to the proviso, shall read as follows:

"SEC. 2. That the Georgetown Gas Light Company, doing business in that part of the District of Columbia formerly known as Georgetown, is authorized to charge and collect, after the 1st day of July, 1896, for illuminating gas furnished to and paid for by private consumers in that part of the District of Columbia at the rate of not exceeding $1.35 per thousand cubic feet until the 1st day of July, 1901, after which last-named date the rate shall not exceed $1.25 per thousand cubic feet; and that after the 1st day of July, 1896, the said Georgetown Gas Light Company shall furnish to the United States Government and the District of Columbia gas at the rate of $1.25 per thousand cubic feet."

And that the Senate agree to the same.

That the House recede from its disagreement to the fifth, seventh, and eighth amendments of the Senate, and agree to the same.

That the House recede from its disagreement to the sixth amendment of the Senate, and agree to the same amended as follows: In lieu of the words "twenty-four" insert the words "twenty-five"; and that the Senate agree to the same.

That the House recede from its disagreement to the ninth amendment of the Senate, and agree to the same amended so that section 5 shall read as follows:

"SEC. 5. That neither the Washington Gas Light Company nor the Georgetown Gas Light Company shall hereafter issue any greater number of shares of stock than shall be equal to the actual cash value of said plants and necessary cost of the construction of future extensions or future enlargement of plants, which cash value and cost of extensions shall first be ascertained and authorized upon petition therefor to the supreme court of the District of Columbia, under such regulations as the chief justice and the justices thereof shall prescribe; also, if either of the said corporations shall desire hereafter to issue bonds upon their property, secured by mortgage or otherwise, upon petition therefor to said court, setting forth the necessity thereof and the amount of stock issued and outstanding, it may and shall be lawful for said court, or the chief justice and justices thereof, as the case may be, or one of them, upon public notice, to be prescribed by the rules of said court, to permit the issuance of such bonds and mortgage as desired: *Provided*, That the amount of stock and bonds issued shall not exceed the actual cash value of said plants and the cost of such extensions or enlargement of plant: *And provided further*, That the Washington Gas Light Company is hereby authorized to issue such additional amount of capital stock as will provide for the conversion into such stock of its outstanding certificates of indebtedness, which conversion of said certificates is hereby authorized to an amount not exceeding $600,000."

And that the Senate agree to the same.

That the Senate recede from its tenth amendment.

That the House recede from its disagreement to the eleventh amendment of the Senate, and agree to the same amended so that said amendment shall stand as section 6; and that the Senate agree to the same.

J. W. BABCOCK,
B. B. ODELL,
JAMES D. RICHARDSON,
Managers on the part of the House.

JAMES MCMILLAN,
CHAS. J. FAULKNER,
J. H. GALLINGER,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The effect of the bill agreed upon by the Senate and House conference committees will be as follows:

1. To reduce the price of gas to the United States Government and to the District of Columbia to $1 per thousand, to take effect July 1, 1896.

2. To reduce the price of gas to private consumers to $1.10 per thousand, commencing July 1, 1896, and continuing until July 1, 1901, when it will reach a basis of $1 per thousand.

3. We have fixed the standard of gas at 25 candlepower, measured by the methods in common use. Under the present methods in use in the District for testing gas this will show about 21 candlepower, or an increase over the present law of about 5 candles.

4. The effect of this bill will be to save to the consumers of gas in the District of Columbia $120,000 per year, based upon the consumption of gas for 1895. As the consumption of gas increases, as it is likely to do at this reduced price, the saving will be greater, and, in the opinion of your committee, will reach a sum equal to $150,000 within the next five years.

This conclusion has been reached after numerous conferences with the Senate committee, and the report has been unanimously agreed upon at a full meeting of the conference committee.

Mr. HEPBURN. Mr. Speaker, I think a mistake will be made if the amendments of the Senate to this bill are agreed to with reference to the price of gas and in regard to the ninth proposition, authorizing the increase of the capital stock of this company. I hold in my hand a copy of the hearings before a subcommittee of the Senate Committee on the District of Columbia as to the price of gas furnished by the Washington Gas Light Company. In these hearings, had in 1886, it was shown by the testimony of the then president of the company that coal gas was being made

in this city by his company at a cost of 42 cents a thousand feet, and water gas at a cost of 39.6 cents per thousand feet. That is the price at which it was put into the reservoir, the cost of distribution being 14 cents a thousand feet, making the total cost of manufacturing the gas and delivering it to the consumer 56 cents for coal gas and less than that for the water gas.

Mr. BABCOCK. Does the gentleman mean 56 cents or 76 cents?

Mr. HEPBURN. Fifty-six cents. That was at a time when the material used for the manufacture of gas cost the company as much as or more than it does now, and when no part of the residuum was sold because of the want of a market for it in this place. That was the cost when a little over 500,000,000 feet were manufactured in a year. Now more than 900,000,000 feet are made, and of course at a large reduction of cost for distribution.

It was shown in that investigation that every dollar of the original capital stock that had been paid into this company had been returned in extraordinary dividends—dividends above and beyond 10, 12½, or 15 per cent annually. It was shown that for the first thirty-one and a half years of the existence of the company there had been an annual dividend of 19 per cent upon the alleged capital stock, and from the expiration of that period down to this time it is capable of being shown that the dividends have been even larger.

At that time it was shown that one-third of the gas used was water gas. It has been recently shown that since that period, through new processes adopted, the water gas can be manufactured for about one-half of the then cost, and that in the manufacture of the composition that is distributed to this city the company, instead of using one-third of the cheaper quality as they did then, use now a much larger percentage.

There is no reason in the world, Mr. Speaker, why gas might not be sold in the city of Washington at 75 cents a thousand feet and yet yield a handsome dividend upon all of the alleged capital invested in this corporation. It can be done. There has been testimony before this committee showing that fact; and I am confident that it is the opinion of the chairman of the House committee that gas can be manufactured in this city for less than 65 cents a thousand feet.

Now, I am content to believe that our conferees have up to this time done all that they could do, without a further expression on the part of the House, to secure gas at a just and proper price; and I think that the House ought to express itself now in a positive way in the direction of demanding some recognition of the rights of the people of Washington at the hands of this corporation.

Mr. Speaker, I want to remind the conferees that we are not powerless in this matter; that there is in the District appropriation bill a provision on the subject of gas, and that even if this bill should fail (which I suppose the gas company would desire) we still have the possibility of compelling something like a proper agreement on this subject. If the House will stand firm we can compel dollar gas in the District appropriation bill, for the Senate will not dare to lose that bill in the effort to serve the interest of a gas corporation at the expense of the rights of the people of this District.

Mr. Speaker, I object to this measure as now reported for the further reason that it will fix the price of gas at $1.10 for the next five years; for it will be said that this act is in the nature of a compromise; that some of the obligations of contract are created by this stipulation; and we shall not be able to change the price during that period.

Again, sir, I object to the ninth proposition in this report allowing capital stock to be issued to the full value of the plant of this company. I make the statement without the fear of contradiction that every dollar that was placed in this enterprise has been returned in the shape of extraordinary dividends—dividends of 50 per cent at one time, of 50 per cent at another time, of 40 per cent at another time, of 30 per cent at another time. Dividends of this class have returned to the original projectors every dollar of the $2,000,000 of alleged stock. Further, let me say that well on to a million dollars has been put into the permanent improvements of the company out of the earnings of the company, in addition to the payment of all these dividends.

Now, what will be the result of the adoption of this provision with reference to the issue of additional capital stock? Under the terms of this bill you will allow the issue of stock to the amount of $1,200,000 now represented by certificates of indebtedness, because that enters into the cost. Provision is made for the issuance of stock to that amount. There will be $2,400,000 of additional stock. Then all these betterments that have been made out of current earnings will be capitalized in the same way; and under the terms of this bill I undertake to say there may be issued not less than $5,000,000 of stock, not one dollar of which is represented now in the plant of the concern excepting the present certificates and bonds of a million two hundred thousand dollars. I do not believe that it is wise or right or fair to the people of this District—who must pay the dividends on this stock—75 per cent of which will be water—who it will be insisted must do so in order to be honest—to adopt the provision suggested by the conference committee.

Mr. BABCOCK. Mr. Speaker, if I can have the attention of the House for a few moments I will make a fair and accurate statement of this report.

In answer to the gentleman from Iowa [Mr. HEPBURN], I would say that he brings before the House a report upon this subject which was made in 1886. He might have gone back ten years further, for Congress has handled the subject for twenty years and never yet has been able to pass a bill changing the price of gas in the District.

This bill, if passed, will make a saving to the consumers of gas in the District of Columbia of from $120,000 to $150,000 a year. And I desire to say on behalf of the conference committee of the House that we have persistently maintained the position and views of the House on this subject; and only at the end of four conferences and after a full and thorough consideration of the subject, when it became evident that it was this or nothing, have we agreed to accept the Senate provision which is embodied in this report. We have insisted on our bill for dollar gas all the way through, until we have reached the point where, as I have said, it is this bill or nothing.

The gentleman well said that the gas company of the District would like to see this bill fail. Undoubtedly they would, for it would be a saving to them of from $120,000 to $130,000 a year—just that much money in their pockets—if the House refuses to adopt the report.

As to the continuing price for five years, I would say that the bill contains the full repealing clause, and it is entirely in the power of Congress to change it at any time.

Now, in reference to the stock; some years ago this company issued $600,000 worth of certificates that draw interest at 6 per cent. These certificates state on their face that they are redeemable in stock at the option of the holders. The company simply asks authority now to take up the certificates of indebtedness and issue stock in their stead, and to which the holders are entitled by the terms of the agreement. They also ask authority to go before the supreme court of the District of Columbia, when desiring to make extensions or betterments of their plant, or at any other time they can show that the cash value of their plant is in excess of the present capitalization, and issue stock to the amount of such cash value at the rate of 100 cents on the dollar.

Mr. HEPBURN. If the gentleman will permit me, these certificates bear interest at 6 per cent——

Mr. BABCOCK. Yes.

Mr. HEPBURN. And there are $1,200,000 instead of $600,000.

Mr. BABCOCK. I beg the gentleman's pardon; there are $600,000 of certificates and $600,000 of bonds.

Mr. HEPBURN. And the stock is worth nearly 3 to 1.

Mr. BABCOCK. About 2 to 1. It is 45 now for each twenty-dollar share.

Mr. HEPBURN. Oh, a good deal more than that.

Mr. BABCOCK. The stock is selling at $45 per share.

Mr. HEPBURN. I have seen it quoted at $49 a share quite recently. It would be a good investment if the certificates held by the present stockholders should be converted into this high interest or dividend bearing stock, would it not?

Mr. BABCOCK. The certificates are worth 150 cents on the dollar to-day. They can not be bought really at any price.

Now, this is the proposition we lay before the House, as I have explained it. It is the very best we can do. We have maintained and backed up the position of the House to the fullest extent; and, gentlemen, now we put it in your own hands. If the House thinks there should be no legislation on the subject, then take the responsibility and relieve the committee. We have reported this proposition, which is the only proposition, in our judgment, that it is possible to pass, or, at all events, the best that can be had. It will relieve the citizens of the District to the extent of $120,000 to $150,000 a year as a saving on gas bills.

I ask a vote on the adoption of the report.

Mr. HEPBURN. I would like a vote on the two propositions separate.

The SPEAKER. It is not possible to divide the report and have two votes upon it. It must be accepted or rejected as a whole.

Mr. RICHARDSON. Mr. Speaker, before the question is taken I desire to say a word or two (as I have been serving on the committee of conference on the part of the House) to gentlemen on this side of the Chamber.

We have sought in every possible way to reduce the cost of gas to the people of the District to $1 per thousand feet. We have had four or five conferences—four I think—with the Senate, and have reached this agreement at $1.10 per thousand feet for the term prescribed in the bill, that is, five years, after which the price shall be $1 per thousand. I agree with what the chairman of the

Committee on the District of Columbia has so well said, that this is all we can do. I think it likely the gas company would be glad to have the report voted down, for they will make a large saving thereby. The cut made in the price of gas will cost them more than $120,000 a year each year for five years, making a total of over $600,000 within that period. At the same time the District of Columbia and the Government of the United States will immediately get gas at $1 per thousand feet instead of about $1.25 which they are now paying. I believe that it is the very best we can do, and we feel safe in advising the House to accept the report of the conference committee.

Mr. COOPER of Florida. Mr. Speaker, I should like a little further light, before voting on this question, as to why this is the best that the House committee can do? Reference has been made by the chairman of the Committee on the District of Columbia [Mr. BABCOCK] to the fact that the report read by the gentleman from Iowa [Mr. HEPBURN] was made in 1886. I hold in my hand a report made in 1894, upon full investigation, made by the Committee on the District of Columbia.

Mr. BABCOCK. One moment. I desire to ask the gentleman if Congress has ever succeeded in passing any regulation in regard to the price of gas for twenty years?

Mr. COOPER of Florida. No; but this House has passed such a bill several times. In 1894 that matter was fully investigated. I was on the District Committee and one of the subcommittee that made that report. I went into that investigation as devoid of prejudice as a man could possibly be. I examined it simply as I would have examined any proposition of law or business in my office. We gave an impartial and careful hearing to all parties in interest, and we determined and reported that at $1 a thousand the gas company could pay all its fixed charges, pay the interest upon its bonds and certificates of indebtedness, pay 10 per cent per annum upon its stock, and have an ample surplus for contingencies. That was demonstrated by the facts and the figures.

The House passed a bill then reducing the price of gas to a dollar a thousand. It passed it again at this session. There is no reason that I know why the law should not fix the price at that, except that it is said that we can not pass it through the Senate. I think that the House should make one more effort at least, should instruct its conferees to further insist on making the price of gas at a just and reasonable figure. The extension to $1.10, together with the provision for a term of years, is simply yielding to compulsion, for which justice makes no demand. I know that the chairman of the District Committee [Mr. BABCOCK] sympathizes with the demand for gas at $1 a thousand. I know that he believes that it is a reasonable demand. I think this House should emphasize it, in justice to the people of this District, in justice to the Government, and that if this gas company is to go on with this blackmail it shall do it over the emphasized and repeated protests of this House at least.

Mr. BABCOCK. Mr. Speaker, I desire to say that this House has emphasized its position on this matter for twenty years, and has accomplished nothing, and I believe that unless the House adopts this report the whole legislation will fall, and we shall still pay a dollar and a quarter for gas.

On this question, Mr. Speaker, I ask the previous question.

The previous question was ordered.

The question was taken on agreeing to the conference report; and on a division (demanded by Mr. HEPBURN) there were—ayes 126, noes 29.

Accordingly the conference report was agreed to.

On motion of Mr. BABCOCK, a motion to reconsider the last vote was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8109) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes, had further insisted upon its remaining amendments, had agreed to the conference asked for by the House of Representatives; and had appointed Mr. ALLISON, Mr. HALE, and Mr. GORMAN as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 819) granting a pension to Catherine Leary.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 1342) granting an increase of pension to Lena D. Smith.

The message also announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 5946) granting an increase of pension to Abraham H. Parker;

A bill (H. R. 6221) granting an increase of pension to Mary E. Chamberlin; and

A bill (H. R. 3582) to remove the charge of desertion now standing against Henry H. Bailey.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 1291) granting an increase of pension to Celeste A. Boughton, widow of Bvt. Brig. Gen. Horace Boughton; asked a conference with the House on the disagreeing votes of the two Houses thereon; and had appointed Mr. GALLINGER, Mr. PALMER, and Mr. HANSBROUGH as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8293) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes, had further insisted upon its amendments numbered 14, 24, 25, 27, 30, 31, 37, 74, 79, 80, 81, 82, 83, 103, 104, 105, 106, 122, 137, 147, 148, 190, 192, 200, 207, and 208, disagreed to by the House of Representatives; had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. ALLISON, and Mr. COCKRELL as the conferees on the part of the Senate.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 3161) amending and extending the provisions of an act of Congress entitled "An act approving, with amendments, the funding act of Arizona," approved June 25, 1890, and the act amendatory thereof and supplemental thereto, approved August 3, 1894;

A bill (S. 807) granting a pension to Charles Williamson;

A bill (S. 997) granting a pension to Ella D. Cross;

A bill (S. 1672) granting a pension to Lue R. Brown;

A bill (S. 819) granting a pension to Catherine Leary;

A bill (S. 148) granting a pension to Catharine Dillon;

A bill (S. 804) granting a pension to Mrs. Eleanor Carroll Poe;

A bill (S. 1247) to establish and provide for the maintenance of a free public library and reading room in the District of Columbia;

A bill (H. R. 3578) granting a pension to Elmira E. Dustin; and

A bill (H. R. 7578) granting the Flagstaff and Canyon Railroad Company right of way for railroad purposes through the Grand Canyon Forest Reserve in northern Arizona.

RETURN OF A BILL FROM THE PRESIDENT.

Mr. BABCOCK. Mr. Speaker, I desire to call up a privileged resolution on the Speaker's desk, with reference to the return of a bill.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the President be requested to return to the House the bill (H. R. 3279) to authorize the reassessment of water-main taxes, and for other purposes.

The resolution was agreed to.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. HOOKER. Mr. Speaker, I am directed by the Committee on Rivers and Harbors to report back the bill (H. R. 7977) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, with the veto message of the President, and the recommendation that the bill pass notwithstanding the disapproval of the Executive. On that, Mr. Speaker, I desire to send up the report of the committee.

The SPEAKER. Does the gentleman desire the report read as a part of his remarks?

Mr. HOOKER. I do.

The Clerk read as follows:

The Committee on Rivers and Harbors, to which was referred House bill 7977, together with the message of the President of the United States, dated May 29, 1896, disapproving the same, have had the same under consideration and beg leave to report the same back with the unanimous recommendation of the committee that said bill do pass, the veto of the President to the contrary notwithstanding.

Your committee feel that they would be remiss in their duty to the House of Representatives if they should fail to make some statement regarding the merits of said bill, and especially as the same may be affected by the criticism thereof contained in the message of the President. It may be well to state at the outset that of the 417 items of appropriations contained in the bill all of them except 27 are for projects contained in river and harbor bills heretofore enacted into law, and which projects now and for some years have been in process of construction and completion by the Government. No new projects were added to the river and harbor bill of 1894. It will thus be seen that the principal work of the Committee on Rivers and Harbors has been the investigation and examination of works of improvement to which Congress has by repeated acts committed itself. The river and harbor bill of 1892 also contained a very limited number of new projects. The river and harbor bill of 1890 appropriated $25,136,295, and placed certain works under the contract

system, which involved the additional expenditure of $15,282,980. It appears, therefore, from this statement that by far the greater number of projects appropriated for in this bill were also appropriated for in the bill of 1890 and which are not yet completed. That bill was referred by President Harrison to Gen. Thomas L. Casey, then Chief of Engineers, who was noted for his rugged honesty, his great executive capacity, and his superb mastery of all matters coming under his supervision, for his opinion as to the merits of the several projects therein contained. After an examination of the bill he reported to President Harrison that only eight items in the bill, in his judgment, seemed to be of limited or local benefit. The gross amount appropriated for these items was $72,500. All other items in that bill were considered by him to be in the interest of commerce. From this it will be seen that by far the larger part of the projects contained in the present bill passed the scrutiny and received the approval of General Casey and have gone unchallenged until now. The bills of 1890 and 1892 were approved by President Harrison, and the bill of 1894 was permitted by the present Executive to become a law by limitation.

The President in his message states:

"Many of the objects for which it appropriates public money are not related to the public welfare, and many of them are palpably for the benefit of limited localities or in aid of individual interests."

Your committee is not advised as to the objects against which this criticism is directed. They can only state that this bill was prepared after a most careful examination of the reports of the engineers and after giving hearings to delegations and others interested in the various projects named in the bill, and they respectfully submit that they were careful to avoid making provision for any objects which were not directly related to the public welfare and in the interests of commerce.

The President also states that—

"On the face of the bill it appears that not a few of these alleged improvements have been so improvidently planned and prosecuted that after an unwise expenditure of millions of dollars new experiments for their accomplishment have been entered upon."

Your committee, in the absence of any direct information upon this point, have concluded that this criticism is based upon a misconception of the language used with regard to quite a number of the projects named in the bill. It has often occurred that after a project had been adopted in accordance with certain defined plans submitted by the engineers the interests of commerce required that a greater and more effective improvement than that first contemplated should be made. In such cases it has long been the custom of Congress, amply justified by results, to order from time to time new surveys and estimates to be made with a view to enlarging the scope of these projects. In making appropriations for these enlarged projects the bill often directs that the money appropriated shall be expended in accordance with the modified or enlarged projects submitted by the engineers. It may be that the President inferred from the language so used that the original plans had been improvident and ill advised and the money expended upon them had been wasted, whereas the truth is that the money expended upon the original plans was judiciously expended and would have been expended even if the modified or enlarged plans had been originally adopted, the work under the original plans being in all cases included in that embraced in the modified plans. Instances of these so-called modified or enlarged projects may be found in the cases of Baltimore Harbor; Portland Harbor, Maine; Newtown Creek, which is a part of New York Harbor; Wilmington, Del.; St. Johns River, Florida; Savannah Harbor, and many others.

The President also states:

"I learn from official sources that there are appropriations contained in the bill to pay for work which private parties have actually agreed with this Government to do in consideration of their occupancy of public property."

When this bill was originally reported your committee were not aware that it contained such appropriations as those described by the President. Since the reception of his message they have reexamined the bill and made diligent inquiry to ascertain if in fact it does contain such appropriations, and they feel justified in asserting and do assert that the information upon which the President bases this charge is wholly without foundation. There is nothing in the reports of the engineers or in any information laid before your committee from any source whatsoever calculated to suggest even a suspicion that any such appropriations as indicated by the President are contained in the bill.

The President states that this bill—

"Directly appropriates or provides for the immediate expenditure of nearly $14,000,000 for river and harbor work."

In so far as this statement is calculated to produce the impression that it is contemplated that the whole amount of cash appropriated by this bill is to be immediately expended it is an error. It is well understood that only one river and harbor bill is passed by each Congress. The cash appropriated therefore by this bill is intended to cover the expense of the prosecution of works named in the bill, except as to those placed under the contract system, for the whole of the two fiscal years ending June 30, 1898. The actual cash appropriation carried by this bill is $12,621,800, which includes the cash appropriation amounting to $2,525,500 for projects placed under the continuous contracts in the bill.

After alluding to the $3,000,000 carried by the sundry civil bill for works heretofore placed under contract the President adds:

"The result is that the contemplated immediate expenditure for the objects mentioned amounts to about $17,000,000."

For the reason already given, it is obvious that this statement is an error. As already stated, $12,621,800 is intended to be expended during the two fiscal years ending June 30, 1898.

The President is also mistaken in his statement that this bill authorizes contracts for river and harbor work amounting to more than $62,000,000. The true amount for which such contracts are authorized is $59,616,404.91.

The President also states in connection with his discussion of these contract works:

"Of the remainder, nearly $20,000,000 will fall due during the fiscal year ending June 30, 1898, and amounts somewhat less in the years immediately succeeding."

This is also an error for the reason that if all the contracts authorized by this bill are promptly entered into by the Secretary of War for the full amounts estimated for the completion of each by the Chief of Engineers the maximum amount that can be expended under the limitations of this bill in any one fiscal year is $16,612,873.91.

The President also says:

"There is no ground to hope that in the face of persistent and growing demands the aggregate of appropriations for the smaller schemes not covered by contracts will be reduced or even remain stationary. For the fiscal year ending June 30, 1898, such appropriations, together with the installments on contracts which will fall due in that year, can hardly be less than $30,000,000."

The President here falls into the error of assuming that there will be another appropriation for the "smaller schemes" not covered by contracts to be expended during the fiscal year ending June 30, 1898. As a matter of fact, the next river and harbor bill, should one be passed, will only cover the cost of prosecuting these smaller works for the two fiscal years ending June 30, 1900, and no additional appropriations for the smaller works will be made for the fiscal year ending June 30, 1898.

The accusation of extravagance in this bill is most effectually disproved by a comparison with the appropriations for river and harbor improvements already made for the six years ending June 30, 1896:

There has been appropriated, commencing with the river and harbor bill of 1890, including $3,000,000 carried in the pending sundry civil bill	$100,200,000.00
Or an average per annum of	16,700,000.00
The amount carried under contract in the present bill, which will be distributed over a period of six years, is	59,616,404.91
Our experience with the contract system in the past, together with positive statements laid before your committee, justify the expectation that these contract works will be completed for at least 30 per cent less than the amount stated, or in round figures, say	42,000,000.00
To this should be added necessary to complete harbor works hitherto undertaken	4,000,000.00
And it is safe to assume that the river and harbor bills which will probably be passed in 1898 and 1900 will each carry not exceeding	10,000,000.00
Add to this cash appropriated in the present bill	12,621,800.00
And it may be estimated that during the ensuing six years there will be expended for river and harbor improvements in all	78,621,800.00
This would involve the expenditure during each of the next six years of	13,100,000.00
As against	16,700,000.00

during each of the past six years. This does not include the item for probable expenditure under condemnation proceedings authorized for dams and locks upon the Monongahela River. This amount can not be definitely stated.

It should be borne in mind that the sum of $59,000,000 and more embraced in these continuous contracts provided for in this bill are the estimates of the engineers upon the old plan of doing the work by piecemeal, and that these estimates were many of them made three, four, five, or more years ago, when the cost of construction was much greater than it is now; that in formulating this bill we have limited in all cases the cost of any projects put upon the continuous-contract plan to the estimates of the engineers, and there is every reason to believe that the experience of the past will be the experience of the future in the saving upon these contracts; and when we say that we believe these contracts will all be completed for $42,000,000 we think we are easily within the range of accurate statement.

Your committee can not too strongly recommend the adoption of the continuing contract system in the prosecution of public works. It has already been tried, and official estimates carefully prepared have shown a saving differing in amount somewhat, but averaging 30 per cent when compared with the estimates furnished by the engineers. So far from this method affording opportunities for the concealment of the magnitude of projects, as would seem to be intimated by the message of the President, we regard it as much more open to examination and to understanding than the old method of making appropriations. Under the method formerly employed appropriations were made from year to year without an adequate understanding as to the ultimate cost of the project. Under the continuing contract system the total cost is stated in each bill and a limit fixed beyond which the officers controlling the work are not allowed to go. On this subject Secretary Lamont, in his last annual report, states:

"The policy some time ago adopted by Congress in respect to certain of the more important river and harbor improvements for which fixed projects have been adopted for the completion of the work results in much economy of money and, what is more important, secures to the country early and appreciable benefits from the expenditures. In the main the objects for which such provision has been made are those which so eminently promote the enlargement of our commerce as to commend themselves to liberal consideration, and the extension of that policy to embrace other worthy improvements is earnestly commended."

Your committee confidently assert that the old system by which appropriations for river and harbor improvements were made biennially resulted in extravagance and waste. The continuing contract system secures more prompt and satisfactory results. It avoids the exasperating delay incident to the old system, provides for the completion of contracts entered into at a greatly diminished cost, and secures the early utilization of useful improvements. This system is a distinctive feature of the present bill, and your committee strongly recommend its continuation.

After a full consideration of the message of the President and a reexamination of the principal features of the bill your committee are satisfied that it should be passed notwithstanding the veto, and that no good reason has been assigned why the House should recede from its action with regard to the bill. It must not be forgotten that if this bill should fail there are hundreds of useful projects of improvement that have been in process of completion for a number of years and against which the most captious critic could urge no objection, which would be suspended, whereby great waste would be incurred and great loss sustained.

Notwithstanding all that has been said against the bill, your committee make bold to assert that if it should become a law it would yield most substantial benefit to the farmers, the producers, the consumers, the merchants, and the business communities of this country and contribute largely to general prosperity.

APPENDIX.

Amounts appropriated in river and harbor appropriation acts, Forty-eighth to Fifty-third Congresses:

Forty-eighth Congress, first session	$13,949,200.00
Forty-ninth Congress, first session	14,473,900.00
Fiftieth Congress, first session	22,397,616.00
Fifty-first Congress, first session	25,136,295.00
Fifty-second Congress, first session	21,154,218.00
Fifty-third Congress, first session	11,643,180.00
Fifty-fourth Congress, pending bill	12,621,800.00

Mr. HOOKER. Mr. Speaker, I move to pass the bill, the objections of the President to the contrary notwithstanding. I desire to say in behalf of the committee that we were of the opinion that the message of the President raised all the possible objections to the bill that could be raised. We have endeavored, in the report which has just been read, to cover every objection which he has raised to the pending measure.

There are a large number of members who have applied to me for time to discuss this measure, and had I yielded to them and allotted to them the time that they have asked, it would consume

two, three, or four days. It has been thought best by the committee, under the circumstances, to submit to the House the question whether or not we desire to engage upon a long and exhaustive debate upon this measure, and for the purpose of testing the sense of the House, without in any manner expressing the views of the committee or myself on the subject, I demand the previous question. [Applause.]

Mr. DOCKERY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. DOCKERY. I ask the gentleman to yield to me for a moment.

Mr. HOOKER. Regular order!

Mr. DOCKERY. The gentleman agreed with me yesterday that we should have debate upon this bill, and it is unfair, it is unjust, and it is unmanly to pursue this course. [Great confusion on the floor.]

The SPEAKER. The House will please be in order. Gentlemen will take their seats.

Mr. CATCHINGS. The gentleman from New York——

The SPEAKER. The gentleman from Mississippi is not in order. This is a matter for the House to determine. The gentleman from New York [Mr. HOOKER] asks for the previous question. If the previous question is ordered, the House will proceed immediately to vote on the question of reconsideration.

Mr. DOCKERY. Mr. Speaker, will the Chair allow me to ask the gentleman from New York a question?

The SPEAKER. The gentleman demands the regular order. [Cries of "Regular order!"]

Mr. DOCKERY. I desire to say—— [Cries of "Regular order!"] I desire to state that the gentleman had agreed that we should have debate. [Renewed cries of "Regular order!"]

The SPEAKER. The question is on ordering the previous question.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. RICHARDSON and Mr. DOCKERY. Division.

The House divided; and there were—ayes 178, noes 60.

Mr. DOCKERY. The yeas and nays.

The question was taken on ordering the yeas and nays.

The SPEAKER. Forty-six gentlemen have arisen—not a sufficient number [applause]; the yeas and nays are refused, and the previous question is ordered. The question now is: Will the House upon reconsideration agree to pass the bill; and on this question the yeas and nays, by the Constitution, are to be taken.

Mr. DOCKERY. I desire to know whether there will be any debate under the rules on this question of reconsideration?

The SPEAKER. There will not be.

Mr. DOCKERY. Then, on a proposition to reconsider as required by the Constitution, no debate is permitted under the policy pursued by the gentleman from New York.

The SPEAKER. Provided the House of Representatives so vote.

Mr. DOCKERY. And they have so voted——

Mr. HENDERSON. Regular order!

Mr. DOCKERY (continuing). To stifle debate.

The SPEAKER. The Clerk will call the roll.

The question was taken; and there were—yeas 219, nays 61, not voting 74; as follows:

YEAS—219.

Acheson,	Clarke, Ala.	Fowler,	Hurley,
Adams,	Cobb,	Gamble,	Jenkins,
Aldrich, Ala.	Codding,	Gardner,	Johnson, Cal.
Aldrich, Ill.	Coffin,	Gibson,	Johnson, N. Dak.
Apsley,	Colson,	Gillet, N. Y.	Joy,
Arnold, Pa.	Cook, Wis.	Gillett, Mass.	Kendall,
Arnold, R. I.	Cooke, Ill.	Goodwyn,	Kerr,
Atwood,	Cooper, Fla.	Graff,	Kiefer,
Avery,	Cooper, Tex.	Griffin,	Kirkpatrick,
Babcock,	Cooper, Wis.	Griswold,	Knox,
Baker, Md.	Crowther,	Grosvenor,	Kulp,
Bankhead,	Crump,	Grow,	Kyle,
Barham,	Culberson,	Hadley,	Lacey,
Barney,	Cummings,	Halterman,	Latimer,
Barrett,	Curtis, N. Y.	Hardy,	Lefever,
Beach,	Dalzell,	Harmer,	Leisenring,
Belknap,	Danford,	Harris,	Lester,
Bennett,	Daniels,	Hartman,	Lewis,
Berry,	Dayton,	Hatch,	Linton,
Bingham,	Denny,	Heatwole,	Little,
Bishop,	De Witt,	Hemenway,	Lorimer,
Blue,	Dingley,	Henderson,	Loudenslager,
Boutelle,	Dinsmore,	Henry, Conn.	Low,
Brewster,	Dolliver,	Henry, Ind.	Mahany,
Broderick,	Doolittle,	Hermann,	Marsh,
Bromwell,	Dovener,	Hicks,	McCall, Mass.
Brosius,	Eddy,	Hilborn,	McCormick,
Brumm,	Ellett, Va.	Hill,	McCulloch,
Buck,	Elliott, S. C.	Hooker,	McLachlan,
Bull,	Ellis,	Hopkins,	McMillin,
Burton, Mo.	Evans,	Howe,	McRae,
Burton, Ohio	Fairchild,	Howell,	Mercer,
Cannon,	Faris,	Hubbard,	Meyer,
Catchings,	Fenton,	Huff,	Miller, W. Va.
Chickering,	Fischer,	Hulick,	Milliken,
Clark, Iowa	Fitzgerald,	Huling,	Minor, Wis.
Clark, Mo.	Fletcher,	Hunter,	Mondell,
Money,	Reeves,	Strait,	Walker, Va.
Moody,	Reyburn,	Sulloway,	Wanger,
Mozley,	Robertson, La.	Taft,	Warner,
Murphy,	Robinson, Pa.	Talbert,	Washington,
Northway,	Russell, Conn.	Tawney,	Watson, Ohio
Odell,	Sauerhering,	Tayler,	Wellington,
Ogden,	Shannon,	Terry,	White,
Otjen,	Simpkins,	Thomas,	Wilber,
Owens,	Smith, Ill.	Towne,	Williams,
Parker,	Smith, Mich.	Tracey,	Willis,
Payne,	Southard,	Treloar,	Wilson, Idaho
Phillips,	Spalding,	Turner, Ga.	Wilson, N. Y.
Poole,	Sparkman,	Tyler,	Wilson, Ohio
Powers,	Sperry,	Underwood,	Wilson, S. C.
Price,	Stahle,	Van Horn,	Wood,
Prince,	Stewart, N. J.	Van Voorhis,	Woodman,
Pugh,	Stewart, Wis.	Wadsworth,	Wright.
Quigg,	Stone, C. W.	Walker, Mass.	

NAYS—61.

Allen, Miss.	Dockery,	Long,	Sherman,
Allen, Utah	Erdman,	Maguire,	Skinner,
Anderson,	Grout,	McCall, Tenn.	Sorg,
Andrews,	Hager,	McClellan,	Stallings,
Baker, Kans.	Hainer, Nebr.	McClure,	Strode, Nebr.
Baker, N. H.	Hall,	McDearmon,	Strowd, N. C.
Bartlett, N. Y.	Harrison,	McEwan,	Sulzer,
Bell, Colo.	Hart,	Pearson,	Tate,
Bell, Tex.	Hendrick,	Pendleton,	Tracewell,
Black, Ga.	Hepburn,	Pitney,	Tucker,
Brown,	Jones,	Richardson,	Turner, Va.
Calderhead,	Kem,	Sayers,	Updegraff,
Clardy,	Kleberg,	Scranton,	Walsh.
Cockrell,	Layton,	Settle,	
Connolly,	Leighty,	Shafroth,	
De Armond,	Linney,	Shaw,	

NOT VOTING—74.

Abbott,	Foss,	Meiklejohn,	Rusk,
Aitken,	Hanly,	Meredith,	Russell, Ga.
Bailey,	Heiner, Pa.	Miles,	Shuford,
Bartholdt,	Hitt,	Miller, Kans.	Snover,
Bartlett, Ga.	Howard,	Milnes,	Southwick,
Black, N. Y.	Hull,	Miner, N. Y.	Spencer,
Bowers,	Hutcheson,	Morse,	Steele,
Burrell,	Hyde,	Moses,	Stephenson,
Corliss,	Johnson, Ind.	Neill,	Stone, W. A.
Cousins,	Lawson,	Newlands,	Strong,
Cowen,	Leonard,	Noonan,	Swanson,
Cox,	Livingston,	Otey,	Thorp,
Crisp,	Lockhart,	Overstreet,	Watson, Ind.
Crowley,	Loud,	Patterson,	Wheeler,
Curtis, Iowa	Maddox,	Perkins,	Woodard,
Curtis, Kans.	Mahon,	Pickler,	Woomer,
Downing,	McCleary, Minn.	Raney,	Yoakum.
Draper,	McCreary, Ky.	Ray,	
Foote,	McLaurin,	Royse,	

Mr. BAILEY. Mr. Speaker, I am paired with the gentleman from Georgia, Mr. BARTLETT. I desire to withdraw my vote.

Mr. LOUD. Mr. Speaker, I am requested by my colleague, Mr. BOWERS, who is detained at home by illness, to state that if he were present he would vote "nay."

Mr. BARRETT. Mr. Speaker, my colleague. Mr. MORSE, who is unavoidably absent, was very anxious to be paired on this question. I thought I had arranged a pair for him with the gentleman from Vermont, Mr. GROUT, but that gentleman informs me today that he deems it his duty to vote on the bill. It is now too late for me to pair my colleague, and I desire to state that if Mr. MORSE were present he would vote in the affirmative.

Mr. SWANSON. Mr. Speaker, I am paired with the gentleman from Georgia, Mr. CRISP. If he were present he would vote to pass the bill over the veto, while I would sustain the veto.

The following pairs were announced:

Until further notice:

Mr. WOOMER with Mr. RUSSELL of Georgia.

Mr. COUSINS with Mr. LIVINGSTON.

Mr. BOWERS with Mr. MINER of New York.

Mr. SNOVER with Mr. MADDOX.

Mr. CORLISS with Mr. MOSES.

Mr. JOHNSON of Indiana with Mr. COX.

Mr. PICKLER with Mr. MILES.

Mr. MEIKLEJOHN with Mr. CROWLEY.

Mr. FOSS with Mr. MCLAURIN.

Mr. FOOTE with Mr. HUTCHESON.

For this day:

Mr. RANEY with Mr. WHEELER.

Mr. WILLIAM A. STONE with Mr. MCCREARY of Kentucky.

On this question:

Mr. HYDE with Mr. DOWNING.

Mr. ROYSE with Mr. WOODARD.

Mr. SPENCER with Mr. CURTIS of Kansas.

Mr. DRAPER with Mr. LOCKHART.

Mr. COWEN with Mr. WASHINGTON.

Mr. BARTLETT of Georgia with Mr. BAILEY.

Mr. CRISP with Mr. SWANSON.

Mr. MAHON with Mr. OTEY.

Mr. BLACK of New York with Mr. LAWSON.

Mr. STEPHENSON with Mr. MILNES.

Mr. OVERSTREET with Mr. PATTERSON.

Mr. STEELE with Mr. RUSK.

Mr. NEILL, to pass over veto, with Mr. ABBOTT, to sustain veto.

Mr. THOMAS. Mr. Speaker, I desire to say that my colleagues, Mr. CORLISS and Mr. SNOVER, who are unavoidably absent, would have voted for the bill if they had been present.

Mr. ABBOTT. Mr. Speaker, I am paired with the gentleman from Arkansas, Mr. NEILL. I want the RECORD to show that I would vote to sustain the veto, and Mr. NEILL would vote against the veto.

The SPEAKER. On this question the yeas are 220, the nays are 60. [Applause.] Two-thirds having voted in the affirmative, the House determines, upon reconsideration, to pass the bill.

Mr. HOOKER. Mr. Speaker, I desire the present consideration of a resolution which I send to the Clerk's desk to be reported.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the resolution which will be reported.

The Clerk read as follows:

Resolved, That there be printed, for the use of members of the House, 10,000 copies of the message of the President and the report of the committee on the river and harbor bill.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. DOCKERY. Is that privileged?

The SPEAKER. It is not. The Chair asks if there is objection.

Mr. DOCKERY. I will not object.

The SPEAKER. Does the gentleman object?

Mr. DOCKERY. I do not.

Mr. STROWD of North Carolina. I do.

The SPEAKER. Objection is made.

MEMORIAL ASSOCIATION OF THE DISTRICT OF COLUMBIA.

The SPEAKER. Under the act of June 14, 1892, the Chair appoints the following members of the Memorial Association of the District of Columbia: Mr. W. D. Davidge and Mr. A. T. Britton.

CONTESTED-ELECTION CASE—MITCHELL AGAINST WALSH.

Mr. LONG. Mr. Speaker, I call up for consideration the contested-election case of Mitchell against Walsh, and I ask that the resolutions be read.

The Clerk read as follows:

Resolved, That James J. Walsh was not elected a Representative to the Fifty-fourth Congress from the Eighth Congressional district of New York, and is not entitled to his seat.

Resolved, That John Murray Mitchell was elected a Representative to the Fifty-fourth Congress from the Eighth Congressional district of New York, and is entitled to his seat.

Mr. MAGUIRE. I desire to offer a substitute for the resolutions.

The Clerk read as follows:

Resolved, That James J. Walsh was duly elected a Representative in Congress from the Eighth Congressional district of the State of New York at the election held on the 6th day of November, 1894, and is entitled to the seat which he now holds as such Representative.

Mr. LONG. Mr. Speaker, before proceeding with the discussion of this case, I would like to know from the opposite side whether we can agree upon the time at which this debate shall close. Will the gentleman from California [Mr. MAGUIRE] who represents the minority agree that a vote may be had on these resolutions at 4 o'clock?

Mr. MAGUIRE. It is impossible to discuss a case of this kind in one hour on each side—utterly impossible. There is a record of some 1,400 pages and the charges are fraud and bribery. The evidence is voluminous and is largely hearsay. To attempt to discuss it in an hour as it should be discussed before decision would be perfectly idle. I stated to the gentleman from Kansas the other day, when we tried to agree on time, that less than two hours on a side would be unreasonable.

Mr. LONG. Then the gentleman declines to agree?

Mr. MAGUIRE. I can not agree that we shall take the vote at 4 o'clock.

Mr. LONG. I will state to the House that it is the intention of the committee that a vote shall be had on these resolutions before adjournment this evening.

This case, Mr. Speaker, involves the right to the seat from the Eighth Congressional district of the State of New York. James J. Walsh is the sitting member, and has a returned majority of 367. The district is composed of certain election districts in the Second, Third, Seventh, Eighth, Ninth, Tenth, Eleventh, and Twelfth assembly districts of the State of New York. An assembly district is a subdivision of that State which is entitled to a representative in the State assembly, which is the lower branch of the State legislature. This contest is confined to the Second assembly district. There are 34 election districts in the Second assembly district. An election district is the smallest subdivision of the State for election purposes, and corresponds to a precinct in the majority of the States. All these 34 districts were attacked by the contestant for fraud and bribery, but by the report of the committee the controversy relates to but five election districts—the twenty-fifth, thirtieth, thirty-fifth, thirty-sixth, and forty-fourth.

It certainly will be gratifying to the House, after its experience in the contested election case of Johnston *vs.* Stokes, in which the committee that reported that case was divided into four sections, each with different views as to the law and the facts, to be informed that in this case there is no division in the committee as to the law, and but very little controversy as to the facts. The majority of the committee find that an organization to bribe the electors existed in these five election districts. The minority of the committee admit that it existed in one, the forty-fourth, and take issue as to its existence in the other four.

Mr. MAGUIRE. Will the gentleman permit a suggestion?

Mr. LONG. Certainly.

Mr. MAGUIRE. The minority does not concede the existence of fraud in the forty-fourth district, but admits that the failure on the part of the contestee to call one witness (Thomas Dineen) who should have been called leaves unanswered a prima facie showing that some men were bribed to vote the Democratic ticket in that election district, and makes it inexpedient to contest that question here.

Mr. LONG. Very well. Then upon the record and upon the report of the minority, from which I shall read, I will leave it to the House to decide whether or not the minority do concede the existence of this organization in the forty-fourth election district. This is probably the first time, Mr. Speaker, in a contested election case in this House where the views and conclusions of the majority of the committee are fortified and reenforced by the report of the minority, and I will shortly call attention to that report.

This organization that existed in these five districts was known as Tammany Hall. In its inception it appears to have been a charitable institution, but for some years it has neglected its original purpose and design [laughter], has devoted itself exclusively to the management and control of politics in the city of New York, and has interested itself in the success of the Democratic party and its candidates. However, it still appears to be a nonpolitical organization. [Laughter.] This organization, outside of its general officers, had a "leader" in each assembly district and a "captain" in each election district. The leader in the Second assembly district was Patrick Divver. There was a captain in each one of the five election districts in controversy. The election law of the State of New York provided for official ballots, not one official ballot, as in a majority of States, but a number of them. It appears that there were nine official ballots used in the Second assembly district. Under certain regulations any organization might have an official ballot, and Tammany Hall had one, and it was the Democratic ticket from governor down, including contestee for Congress. It may be well to observe that the contestee in this case was a vice-president of the Tammany Hall organization.

Mr. MAGUIRE. Will the gentleman state where that evidence is and what it is?

Mr. LONG. It is in the record.

Mr. WALSH. In what part of the record? Produce it.

Mr. LONG. The gentleman appears to question the finding of the majority in regard to the contestee being a vice-president of Tammany Hall. Do you [Mr. Walsh] deny being a vice-president of that organization?

Mr. WALSH. I do deny being a vice-president of the Tammany organization in 1894.

Mr. LONG. Then you deny the record.

Mr. WALSH. Produce the record. I would be proud to have been a vice-president of that organization at that time, but you can not produce the record to show that I was.

Mr. LONG. I have here the original record in this case. [Exhibiting a large volume.] In it is a book containing the names of the members of the "Democratic-Republican general committee of the city of New York, Tammany Hall, 1894. New York, Tammany Hall Print, 1894."

Mr. WALSH. What month? [Laughter.]

Mr. LONG. Here, on page 4 of this book, I find the name of "James J. Walsh, 27 City Hall," in the list of vice-presidents. Is that your name?

Mr. WALSH. My name is James J. Walsh.

Mr. LONG. Do you reside at 27 City Hall?

Mr. WALSH. I do not.

Mr. LONG. Did you then?

Mr. WALSH. I did, in 1893.

Mr. LONG. In 1894, also?

Mr. WALSH. I did until after the election, when I moved.

Mr. LONG. Then you ceased to be a vice-president before the election came off?

Mr. WALSH. The general committee is elected four months before election. The members of the committee whose names are contained in that book that you have there were elected in 1893, before the election in question. But it is immaterial.

Mr. LONG. Oh, it is?

Mr. WALSH. Yes, entirely so.

Mr. MAGUIRE. Is that all the evidence the gentleman has of the fact?

Mr. LONG. This is the record, showing that the contestee is a vice-president of the organization.

Mr. MAGUIRE. I deny that there is any evidence of that fact. All you have shown is that somebody printed a book containing those names. That is not evidence.

Mr. LONG. This was introduced in evidence by a witness. It is Exhibit L of the contestant's evidence, and it is in this record and unrefuted.

Mr. MAGUIRE. So are several newspaper interviews, but they are not evidence.

Mr. QUIGG. Will the gentleman from Kansas permit a question?

Mr. LONG. Certainly.

Mr. QUIGG. Did the gentleman discover in his investigation of this case that gentlemen in this House connected with Tammany Hall felt themselves humiliated by the representation that they were officials of that body? [Laughter.]

Mr. LONG. Outside of the contestee in this case I have not found it so.

Mr. WALSH. Speaking for myself, I will say that I am proud of my membership in Tammany Hall, and always will be.

Mr. LONG. Yes, but you do not like to be called a vice-president. [Laughter.]

Mr. WALSH. Not when the fact is not so.

Mr. LONG. Now, Mr. Speaker, when I was interrupted I was speaking in regard to the law providing for a number of official ballots. Tammany Hall had an official ballot, which was the Democratic ticket. The law also provided for what is known as a "paster." The voter could take any one of the official ballots and use a paster on it. He could place the paster over the name of any one candidate or over the entire face of any official ballot, and could vote that instead of an official ballot, and could return the unused official ballots to the election officers. The paster might have but one name on it, or the names of all the candidates that were to be voted for at that election.

This nonpolitical organization, this nonpartisan organization (because it is referred to here as the Democratic-Republican organization), this "charitable institution" had a paster, and it was known as the Tammany paster. It was identical with the Democratic ticket, and in these five districts it was used exclusively in the corruption of the voters. This is the way it was done: The Tammany captain had his headquarters near the voting booth. He had his "inside" workers and his "outside" workers. The outside workers brought the voters to his place of business. The voter was there instructed how to prepare his ballot. The instruction consisted in handing him a Tammany Hall paster, and informing him that he could paste that on any official ballot, and he was instructed to do so. He was then taken to the election booth, where he received all of the official ballots. He retired to the election booth and prepared his ballot—placed the Tammany paster over one of the official ballots. It did not make any difference which he got it on. He came out and returned the unused ballots to the election officer. Having voted an official ballot with the Tammany paster on its face, he was then taken to the headquarters, the captain was informed that he was "all right," and he received the money agreed upon in advance—usually a dollar or two dollars.

This was carried on all day in these five election districts under the leadership of Tammany captains. It was done in these five districts principally because in these districts were found many of the lodging houses of New York City. In these lodging houses beds could be obtained at from 10 to 25 cents a night. They were occupied largely by transients who had no fixed abode. These were the places where the Tammany Hall organization did its work. The managers of these houses were generally members of the organization. The clerks took an interest in the registration of the lodgers, and saw on election day that they voted. These lodgers only take an interest in elections when they are paid for it. They have no fixed opinions on political questions, and they vote as they are paid. The only organization that is there to see that they are paid is Tammany Hall.

To show the extent of the vote from these lodging houses it is only necessary to state that in four of these districts, the thirtieth, thirty-fifth, thirty-sixth, and forty-fourth, 837 persons registered from 20 lodging houses. The contestee in these four districts received 582 votes, and 558 voters gave as their places of residence these lodging houses. The committee believe it fair to assume that nearly all of these lodging-house voters voted for the contestee, for the reason that they voted only when purchased and for the reason that his organization was the only one that was there to do the purchasing.

The returned vote of the contestant is not attacked in any particular. There is not a particle of evidence that indicates that the contestant or his political adherents were in any manner connected with obtaining votes by bribery.

A great deal of evidence was introduced by the contestant relative to the manner of carrying on the operations in those five districts. He went down and secured the evidence of the men who were purchased—the evidence of the men who assisted the Tammany Hall workers. They came upon the witness stand and confessed to their own infamy. Their evidence is in the record, and we have referred to a part of it in the report of the committee.

Allow me now to call attention to what the minority report states in relation to one of these districts—the forty-fourth. Remember the evidence in regard to all these districts is similar; it came from the men who were engaged in the proceedings I have described. It was the only kind of evidence that could be produced under the circumstances. Let me read what the minority say in regard to the forty-fourth district; and I wish to call the special attention of the gentleman from California [Mr. MAGUIRE] to the statements in this minority report which warranted me in believing and saying that we did not differ on the evidence in relation to the forty-fourth district. I refer to page 14 of the minority report:

> In the forty-fourth election district there is a prima facie showing of bribery committed by Dineen and Grant and Parmlee in the interest of the Democratic ticket, from which the contestee, if his name was on the Democratic ticket, may have reaped an advantage.

His name was on the Democratic ticket.

Mr. MAGUIRE. It was not. It was on but one official ballot—the Tammany ballot. Your own evidence shows that it was not on the official Democratic ticket.

Mr. LONG. I call the gentleman's attention to page 211 of the record, where the official ballots are printed. There is the Tammany Hall ticket—No. 4 on that page.

Mr. MAGUIRE. Yes; Mr. Walsh's name is on that ticket.

Mr. LONG. The head of that ticket is DAVID B. HILL, for governor; then follows the full Democratic ticket, and down further is, "For Representative in Congress for the Eighth Congressional district, James J. Walsh."

Mr. MAGUIRE. And on page 211, Exhibit E, the New York State Democratic ticket will be found with the name of Congressman omitted.

Mr. LONG. That is not the Democratic ticket of the State of New York. That is the ticket of the New York State Democracy, an organization in opposition to Tammany Hall. [Applause on the Republican side.] But it was not the New York State Democratic ticket, and you know it. The contestee will not dare to stand up in his place and say that he was not the Democratic candidate for Congress in that district. If he does I am willing to yield to him the time to make the declaration now.

Mr. MAGUIRE. We do not propose to try the case here. That proposition belongs to the province of what may be called pettyfogging.

Mr. LONG. If the contestee will stand up in his place and say that he was not the candidate on the Democratic ticket——

Mr. MAGUIRE. I say his name was not on any official ticket that was denominated "Democratic."

Mr. LONG. There is a difference between the New York Democratic ticket and the ticket of the New York State Democracy. The State Democracy is a local organization in the city of New York, and the contestee's name was not on their ticket, although he was indorsed by them. Tammany Hall was the regular Democratic organization in that district, and contestee was the candidate on their ticket for Congress, and he will not deny it.

Mr. MAGUIRE. You are evidently referring to the Democratic State ticket. The official designation of the ticket on which Mr. Walsh's name appears was the "Tammany Hall" ticket.

Mr. LONG. But that was the Democratic ticket, and the gentleman knows it.

Mr. MAGUIRE. It was the Tammany Hall ticket.

Mr. LONG. Was it not the Democratic ticket?

Mr. MAGUIRE. It does not so appear from the evidence. [Derisive laughter on the Republican side.]

Mr. LONG. Of course, the contestee was not on the Democratic State ticket, for he was running for Congress, but he was on the Democratic ticket of the State of New York, the only Democratic ticket there on which his name could be. And it is a strange position for Tammany Hall and their representative here, the gentleman from California in charge of this case, that after all the claims of regularity which they set up in New York at that election they now come in and say that there was not a regular Democratic organization in that district. [Applause on the Republican side.]

Mr. MAGUIRE. The gentleman is mistaken. I do not represent Tammany Hall nor the New York State Democracy on this floor. I am here in a judicial capacity to pass on the question presented here on the evidence submitted; and I say to you that if you unseat Mr. Walsh you will not do so on the evidence in this case.

Mr. LONG. Allow me to call your attention to page 133 of the record.

Mr. MAGUIRE. I will be pleased to examine it.

Mr. LONG. I find this admission on the part of the contestee:

The contestee admits that he resides at No. 27 City Hall Place, in the city of New York, in the Eighth Congressional district.

Contestee admits that he was nominated for Representative in Congress of the Eighth Congressional district at the last election, held November 6, 1894, and was indorsed by what was known as the State Democracy and the Empire State Democracy. All other organizations were opposed to him.

The contestee concedes that the regular Democratic organization is commonly called Tammany Hall.

[Applause.]

There is the record admitted by the contestee himself in the taking of the evidence in this case. I call the attention of the gentleman from California to it.

Mr. HEPBURN. Of course that makes no difference to him. [Laughter.]

Mr. LONG. Of course it makes no difference to him. He will be denying the minority report before we get through with this case. [Laughter.]

Mr. MAGUIRE. I would suggest that I have not yet done so, and there will be time enough to make such prophecies when the gentleman has better grounds on which to proceed.

Mr. LONG. No; you have not yet denied it, but when you deny matters that are clearly in evidence in the record——

Mr. MAGUIRE (interrupting). I do not.

Mr. LONG (continuing). It is to be presumed that before you get through you will be found denying your own minority report.

Now, I return to this report of the minority because, as I before stated, probably this is the first instance in the history of contested election cases where the views of the majority of the committee are reenforced and strengthened by the report of the minority. Let me read again what is said in the minority report relative to the forty-fourth district:

In the forty-fourth election district there is a prima facie showing of bribery committed by Dineen and Grant and Parmlee in the interest of the Democratic ticket, from which the contestee, if his name was on the Democratic ticket, may have reaped an advantage.

His name was there. There is not any question about it. The Dineen here referred to was the Tammany captain of the forty-fourth election district. Here follows a criticism or aspersion on the witnesses. Then follows this:

But if this House of Representatives is disposed to accept such testimony to unseat a member, then by giving credit to it the House may hold that a prima facie case has been made against contestee, so far as the forty-fourth election district is concerned, and, under the rule set forth in Payne on Elections, section 491, cited in the majority report, and which we concede to be correct, namely, "When evidence of bribery by an active supporter of respondent is shown, the court will draw unfavorable conclusions from the neglect or refusal of the person so charged to explain his conduct in the witness box," would justify the exclusion of the vote cast in that precinct from consideration.

I call your attention to the closing part of the report of the minority:

We submit that there is no justification whatever for disregarding or excluding from consideration the votes cast in any of the election districts in question, save and except the votes cast in the forty-fourth election district, and, in our opinion, even votes cast in that district ought not to be thrown out, because, while there is nominally testimony to justify a finding of general bribery in favor of the Democratic ticket, including contestee's office, in that precinct, the testimony is shown by the witnesses themselves to be utterly unworthy of credence and utterly insufficient in point of credibility to justify the making of any finding based upon it. The throwing out of the entire vote cast in that precinct, however, may be conceded, thus reducing contestee's returned plurality from 367 to 255, leaving contestee still elected by a plurality of 255.

There is the position of the minority. They say, "Throw out the forty-fourth district." Why? Because of the bribery that was carried on there by the Tammany Hall captain and his assistants. The majority of the committee go further. They say that it is a reflection upon the ability and shrewdness of the great Tammany Hall organization to say that, while it was interested in electing one of its vice-presidents to Congress, it confined its operations to one little insignificant election district and did not operate in other districts that were near it. For remember that four of these districts, the twenty-fifth, thirtieth, thirty-fifth, and thirty-sixth, are contiguous. They are on the Bowery. The forty-fourth is separated from these districts by a block only, and it is on the Bowery. And these five districts, as I have stated before, take in the lodging houses of the city of New York.

There is no difference, then, between the majority and the minority as to the rule to be followed. There was no evidence introduced which proved that the contestee received bribed votes equal to the number of votes that were returned for him in the forty-fourth district. There was a showing that in that district there existed an organization to bribe, carried on under the leadership of a Tammany Hall captain, and that it was impossible to determine the extent of the bribery or how far it extended, and the committee were of the opinion—and we have followed the precedents in this House—that it was right and proper to exclude the vote of that district from the count, as it was impossible to separate the bribed votes from the legal votes. That was done in the forty-fourth district, and on the same kind of evidence the twenty-fifth, thirtieth, thirty-fifth, and thirty-sixth were excluded by the majority of the committee.

I want to call the attention of this House to the fact that the contestant placed upon the witness stand witnesses to prove the bribery and the existence of this organization to bribe in these five election districts. Remember that the contestee did not go upon the stand and deny these charges. Remember that not a Tammany Hall captain in any election district upon whom the crime of bribery was fixed by the evidence went upon the stand and testified that he was not engaged in corrupting the voters. Remember that from the beginning of this record to the end of it not a particle of evidence was introduced by the contestee to disprove or dispute in any way any of the evidence introduced by the contestant showing that bribery was practiced in these districts by Tammany Hall.

The exclusion of the entire vote of these five districts will elect the contestant by 76 majority. If you adopt the other theory, that only the votes of the contestee should be excluded, there being no evidence of bribery on the part of the contestant, the contestant will be elected by 343 majority.

[Mr. MAGUIRE addressed the House. See Appendix.]

Mr. TAYLER. Mr. Speaker, the judicial posture which the gentleman from California [Mr. MAGUIRE] assumes respecting the right of a member of this House to consider matters of public knowledge is novel, especially coming from that side of the House. I suppose that the gentleman from California ought to be informed of the fact that there is such an organization in the city of New York as Tammany Hall; that it is a political organization, and that it is popularly known to be the place of abode of all the civic virtues. It is the asylum for all retired members of good-government clubs. It is an organization that produced and is about to canonize Dr. Parkhurst; it is the organization that brought out Colonel Strong as a candidate for mayor, and that gave a start, life, and vitality to the committee of one hundred, and it is intended that two great sons of New York shall be lifted up as models to the American generations, and Tammany Hall's representative will be Mr. Patrick Divver.

Now, the gentleman from California insists, with an ignorance that is absolutely appalling, that we have no right to consider facts that are facts within the common knowledge of the people. The fact is that the contestee in this case was the only Democratic candidate for Congress in the Eighth Congressional district of New York. He was the Democratic candidate, and recognized as such. He is here as a Democratic member, proud of his Democracy and of his association with Tammany Hall, and he now and here nods his head in admiring assent to the proposition I have just laid down. The ticket that Tammany Hall gave out was indorsed "Tammany Hall," for there is little of Democracy in the city of New York except Tammany Hall.

I am only going to detain this House a moment. I am going to answer an inquiry that was put by the gentleman from California [Mr. MAGUIRE] to any lawyer in this House. I may truthfully say that I am "any lawyer," even if I am not much of a lawyer. The first proposition that I want to speak about, and that but for a moment, is as to the sufficiency of William A. Hoar as an officer before whom testimony could be taken. I am not going to discuss the question as to whether William A. Hoar was a notary public when these witnesses stood up before him, holding up their hands and swearing before Almighty God that they would tell the truth. It was supposed that Mr. Hoar was a notary. All of the parties to this controversy acted upon the theory that he was a notary. He signed himself as a notary. If he was not a notary, it was the duty of those who now question his notarial capacity to have known it then. They were chargeable with knowledge of the status of William A. Hoar as a notary, and it is now too late for them to object to his capacity to thus act.

Mr. MAGUIRE. Will the gentleman permit a question?

Mr. TAYLER. I would, cheerfully, if I had more than a moment.

Mr. MAGUIRE. I call attention to the fact that I yielded frequently to the gentleman from Kansas and others.

Mr. TAYLER. I will yield to the gentleman.

Mr. MAGUIRE. If Mr. Hoar was not a notary, could the witnesses before him be prosecuted for perjury?

Mr. TAYLER. I am coming right to that. I am not going to dally with the proposition, but will meet it squarely. It is my judgment as a lawyer to the extent which qualifies me to enter into this discussion, that not one of these witnesses who testified before William A. Hoar during the time that he pretended to act as a notary could to-day be prosecuted for perjury. That is merely a personal opinion of mine, but it bears not at all upon the question as to the sufficiency of the testimony for the consideration of this House. And that is precisely the proposition I was coming to. What is this House? It is a body charged by the Constitution with the power to pass upon the elections, qualifications, and returns of its own members. It may determine that question in any way

it sees fit. This House, acting as a House, will look at such facts as come before it. What were the facts? A crowd of witnesses came before one who not only held himself out as a notary public, but whom every party to this controversy, the contestant and the contestee, and the horde of lawyers about them, treated as though he were a notary public. The witnesses held their hands up as solemnly as if the chief justice of the Supreme Court was administering the oath, and took an oath to tell the truth, the whole truth, and nothing but the truth. Therefore, even though a witness does not come here subject to the charge of perjury, he comes here under all the solemnity that the most solemn oath could give his testimony, and therefore, since the witnesses come before this House, testifying, as they believed, under the sanctity of an oath, the testimony comes into this House with a sufficient solemnity to justify this House in considering it.

Mr. DANIELS. If the gentleman will allow me to interrupt him, in the case of the People against Cook, which was reported in 4 Selden, New York, the officers of election were sworn upon a copy of Watts's Hymns, and the court of appeals decided that that would be sufficient to bind them in the discharge of their duties.

Mr. MAGUIRE. But the oath was administered by a person competent to administer oaths.

Mr. DANIELS. Yes; but upon a copy of Watts's Hymns.

Mr. MAGUIRE. In California they can be sworn without any book.

Mr. TAYLER. But I regard that as entirely immaterial. This House is not a court of law created by statute. It is a court that is self-created. It is the product of the Constitution, and in its own way it seeks to do right, and no man can say that for this House to consider this testimony, precisely as if it had been sworn to by one qualified to administer oaths, would be departing one hair's breadth from the path that the House ought to follow, seeking to do justice and to act judicially, as it must act under its constitutional duty. The question here is not as to whether this notary was a notary de facto, with the right to administer oaths. But as I take it, that is a question entirely unimportant. I would rather stand upon the other principle, as sustaining the dignity and the power of this House to take that which came before it with all the solemnity that any testimony could have, and pass upon the question.

But the gentleman says that there is not a word of testimony here showing that these men were Tammany captains, or that these witnesses were bribed, or that they saw anybody bribed, or that, if bribed, they voted for the Democratic ticket, or that Mr. Walsh's name was on it.

Mr. MAGUIRE. There is no evidence that they voted for the contestee.

Mr. TAYLER. I understand Mr. Walsh to admit by the fact that he is here that he ran as a candidate at that election.

Now, I want to give to this House the testimony of one witness, which is merely typical of a vast volume of testimony which leads to the same effect, and speaks respecting all of the five precincts to which we have given consideration. We have examined other branches of the testimony, and we have examined other questions. There were certain technical objections made to certain returns. I imagine that if they had been pressed, or if the committee had been compelled to pass upon them, they would have demanded that we entirely exclude certain returns. But we do not do that. We simply say this: In five precincts in which the majority for Mr. Walsh exceeds his majority in the entire district, an organized system of bribery was carried on in nearly every instance by men who were described and known to be leaders, to be captains of Tammany Hall election districts. These witnesses who testify respecting these various violations of law were not witnesses of the highest character. They came from the gutter. We had to take them from the gutter, and such character as that class of people have must be allowed to them. They came from this eleemosynary institution.

Mr. MAGUIRE. That was at New London—the eleemosynary institution. [Laughter.]

Mr. TAYLER. The New London eleemosynary institution was probably no better than any other. But as to these five precincts the witnesses testified with particularity. They pointed their fingers at a Tammany captain and said: "You bought my vote," or "I saw you buy 5 or 10 or 15 or 20 votes; I saw you give the men pasters and instruct them to vote the Democratic ticket." That specific testimony is given by witnesses as to each one of these five precincts.

Mr. MAGUIRE. I deny that there is any such evidence in the case.

Mr. TAYLER. I can not be interrupted further, Mr. Speaker. I would yield if I had time. The testimony of these witnesses, I say, is as specific as I have stated in relation to these five precincts. Now, I repeat that the character of these witnesses is not of the best. Their testimony is unreliable. They are not witnesses of the most truthful character. But after all, let the House consider that no man lives but can at times tell the truth, and when the meanest and the lowest creature testifies that a certain thing transpired respecting another person, reflecting on that other person, and when that other person, with full opportunity, with every inducement under heaven to deny it, declines to deny it, then I say the testimony of the most unreliable witness is entitled to full credence. Now, that is the case here. Witnesses testify respecting these five precincts. They name the men who bribed the voters. Let me read, as typical of these five and others, this testimony:

Q. Do you know Dan O'Rourke?
A. Yes, sir.
Q. Is he the Tammany captain of that district?
A. Yes, sir.
Q. Did you see him on election day?
A. Yes, sir.

My friend from California [Mr. MAGUIRE] says this witness is a liar, but he is the only man that has ever had the temerity to call him a liar. Why did not Dan O'Rourke call him a liar?

Mr. MAGUIRE. Hermin himself——

Mr. TAYLER. This is not Hermin. This is John Reilly, and Mr. O'Rourke, thus referred to by name and referred to as a Tammany captain, and, as will be seen later on in the testimony of Reilly, charged with doing certain things, never denied this testimony.

Mr. WALSH. Did John Reilly ever sign his testimony?

Mr. TAYLER. I do not care whether John Reilly ever signed his testimony or not. Did Dan O'Rourke ever deny that he had bribed voters?

Mr. WALSH. Why should he deny something that was not sworn to? Reilly never signed his testimony and never swore to it.

Mr. TAYLER. Did O'Rourke know that?

Mr. WALSH. I do not know whether he did or not. He was not there.

Mr. TAYLER. Did you tell him?

Mr. WALSH. No, sir.

Mr. TAYLER. Well, O'Rourke was here charged by a witness who testifies in this case seriously, declaring that O'Rourke did these things, and O'Rourke went away. How far did he go? Did he go to where indictments could not reach him?

Now, Reilly goes on and testifies that he was given Tammany pasters. Let me say here that the Australian ballot exists in New York only in name. There is an official ballot, but there is an unofficial "paster" which can be plastered all over the ballot, so that when a Tammany captain wanted to see that his man voted right he would give him a paster and say to him, "Go to the polls and plaster that on anything you please and that will be a Democratic vote." It was a blanket paster covering everything—all of the candidates. Reilly testifies on this point as follows:

Q. You went in and voted the Democratic paster?
A. Yes, sir.
Q. Did you see O'Rourke after he had voted?
A. Yes, sir.
Q. Did he give you anything?
A. Yes, sir.
Q. What did he give you?
A. One dollar.
Q. Did you see any other men around there on election day that received any money from O'Rourke?
A. Yes, sir.
Q. How many men did you see?
A. Well, there was about fifteen, I would think.
Q. Fifteen men?
A. Yes, sir.
Q. You saw O'Rourke giving them money?
A. Yes.
Q. Had you seen any of these men going into the voting place?
A. Yes, sir.

Now, it is assumed that because, by some technical effort, it is made to appear that Mr. William A. Hoar was not a notary, or because it is said this witness, John Reilly, did not sign his name to the transcript of his testimony, therefore Mr. O'Rourke was not bound to deny this charge thus made under oath. If that gives comfort to gentlemen on the other side, they are welcome to it.

Mr. QUIGG. Let me ask the gentleman how many witnesses of whom Reilly is a type were examined in this case?

Mr. TAYLER. There are two, I believe, cited in the report, and the evidence is multiplied in every precinct. I can not answer the gentleman's question exactly, because I have not analyzed the testimony for the purpose of determining just how many witnesses testified with respect to each precinct. But the important thing is this: We have got in this record all that a court or a jury would need for the purpose of coming to the conclusion that bribery was carried on in these five precincts to such an extent as to invalidate the returns from them, because it is brought home to the parties themselves. Every one of the parties charged had an opportunity to testify. Not one of them was even called as a witness. Not one of them even undertook to shield himself behind his privilege on the ground that this testimony might tend to criminate him. Not an excuse was offered why these persons

should not testify, except, perhaps, in the case of Dineen, who was under indictment.

The failure of these persons to speak when they ought to have spoken is affirmative testimony supporting contestant's witnesses. Any cloud on the veracity of contestant's witnesses was dispelled by the silence of these Tammany captains. Not an excuse is offered why these people should not testify, except that Dineen was then under indictment and others were not. Let me say that as to the forty-fourth precinct, where Dineen was the Tammany captain, the evidence is absolutely overwhelming; there is a vast cloud of testimony upon the proposition that Dineen was there bribing witnesses, and also as to the other four. But the report of the minority admits our contention respecting the forty-fourth precinct, and therefore we have given it no attention.

But it must be borne in mind that these other four precincts were in the immediate vicinity of the forty-fourth precinct, and were themselves contiguous. Those four precincts besides the forty-fourth did not cover the area of half of this Capitol square, and the same means which were resorted to in one were resorted to in the others. They were all down on the Bowery, where "they say such things and they do such things" on election day. [Laughter.]

As I said, there is a certain probative force in any man's declaration, however slight may be his means of information, however reckless may be his manner of statement, or however vile may be his character, when set up against the statement of a truthful man; and whenever a man in whom we have not the highest confidence makes a statement we are apt to discount the value of his statement, not because he is intrinsically not entitled to credence, but because we discount in advance the denial of the party who is charged with some impropriety by him. But these witnesses who testify were at least of as high character as the Tammany captains themselves; and they testify here that they were bribed, that they were offered bribes, that they saw bribes given. And no Tammany captain thus specifically charged with committing this crime had the courage to come and testify, or was even called and asked to testify by the contestee in this case.

So I say, Mr. Speaker, that if there were nothing in this case but the testimony of men whose character was such that you would not take their statement against the statement of anybody else, yet when they themselves under the supposed solemnity of an oath swear to a certain fact, and the people concerning whom they testify do not come forward and deny it, it makes a case that is absolutely complete, both in philosophy and in law and in the common sense of life, which would compel this House to say that this contestee must be unseated.

Mr. QUIGG. I should like to ask the gentleman a question or two, simply to identify this election. The election was in 1894, and there was elected in the city of New York at that time a mayor, was there?

Mr. TAYLER. Yes, sir.

Mr. QUIGG. This election was the one held immediately after the Lexow investigation?

Mr. TAYLER. Precisely.

Mr. QUIGG. And it was the election at which Tammany Hall was defeated and Colonel Strong elected mayor?

Mr. TAYLER. Yes, sir. I might add that this election showed Tammany Hall at the nadir of its power, because there was at that time an honest board of elections, or one supposed to be such, in each election district; and therefore Tammany Hall—I trust I may be pardoned for making so offensive a use of that name—Tammany was compelled, in order to carry those elections in the lower districts, to resort to bribery and the use of pasters, for it could no longer stuff ballot boxes or use the judges of the election.

Mr. QUIGG. And the five contiguous election districts which have been described in this case were in a down-town assembly district, and these five election districts contained a number of lodging houses, as I understand?

Mr. TAYLER. A large number—far more lodging houses than any other quarter of the city of the same size. The center of the four districts other than the forty-fourth is the Five Points of New York, in the neighborhood of Chatham Square.

Mr. SULZER addressed the Chair.

The SPEAKER pro tempore (Mr. GROSVENOR). For what purpose does the gentleman rise?

Mr. SULZER. I ask for recognition.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. SULZER. Mr. Speaker, in discussing this case I do not desire to go beyond the record. I have no disposition to discuss the local politics of New York City other than as they may apply to the case. In my judgment there are only two questions in this case which should be considered by the members of this House, and I will confine myself to a discussion of those two questions.

At the election held in the city of New York in 1894 Mr. Walsh was the candidate of the Democratic party and Mr. Mitchell was the candidate of the Republican party in the Eighth Congressional district of the State of New York. I know something about that election; I know something about the politics of New York city; and I stand here and say—and I defy any New York representative to successfully contradict me—that the election in New York City of 1894 was as honest and as fair an election as ever was held in this country. It was so admitted at the time by the candidates and the representatives of all parties. No charge was made of fraud, bribery, intimidation, or corruption.

In that election Mr. Walsh received 9,466 votes; Mr. Mitchell received 9,099 votes, giving Mr. Walsh a very clear and decisive majority. No one doubted the election of Mr. Walsh the morning after the election. There was not a Republican newspaper in the city of New York that challenged the validity of his election when the votes were counted. This contestant did not challenge the honesty of that election at the time, and he did not begin the contest until the day before the expiration of the time under the statute. At first he seems to have been satisfied he was not elected. What finally induced him to institute this proceeding does not appear in the record, but no one can doubt that it was an afterthought, and prompted by the hope that a Republican House would give him the seat on the slightest pretext. So the contest was begun. How the alleged testimony in the case was procured I will discuss later on.

Just a word or two at this time in regard to the way in which elections are held in the city of New York. No man can vote in New York City until he has registered. He has got to register according to law. That registration law compels the elector on one of four several days, either one of which he may choose, to go to the designated voting place in the election district in which he lives and have his name written on the registry books. There is no question in this case regarding the honesty of the registration. The registration was fair; it was honest; it was correct and according to law. No claim is made, I believe, that it was otherwise. So much for the registration.

Now, in regard to the election. I was amused by hearing the gentleman from Kansas [Mr. LONG] tell all he knew, or rather all he did not know, about Tammany Hall. He said that Mr. Walsh was the regular Democratic nominee of Tammany Hall; that he was the vice-president of Tammany Hall. He seemed inclined to rest his case on those two allegations, and on them demand Mr. Walsh's seat. Well, suppose Mr. Walsh was the regular Democratic nominee. Suppose he was the vice-president of Tammany Hall. Does that make any difference? That is quibbling, is it not? Let us be fair and honest. It makes no difference what organization nominated you; it makes no difference what party you belong to; it makes no difference what your political affiliations may be, if you get a majority of the votes in your Congressional district and the election was fair and honest under the law and under the Constitution, you are entitled to a seat in this House. That is the position of Mr. Walsh; that is what I claim, and it is on that line that I intend to argue the question presented here to-day by the record in this case. If I can not convince any fair-minded and honest Representative here that Mr. Walsh was duly elected and is entitled to retain his seat, then I am inclined to believe that this is no longer a representative body, where election cases and questions are decided according to law and according to the facts, but rather according to politics. Then you are going to unseat Mr. Walsh, not because he was not honestly elected, not because he is not entitled to the seat he now occupies, but because, forsooth, he is a Democrat and the man who wants his seat is a Republican.

Mr. Speaker, I know something about Mr. Walsh's district. It adjoins mine. Part of this Congressional district involved in the pending controversy I had the honor to represent five times in the legislature of the State of New York. Many of the persons mentioned in the record I know. Let us see how this district went. That was a peculiar election, if you remember aright—one of the most peculiar elections ever held in this country. It was a tidal wave against the Democracy. Districts that had always been Democratic before went Republican. The State of New York went Republican that year; New York City elected a Republican mayor that year. There are men here to-day sitting in this House who were elected Republican members from strong Democratic districts, districts that were overwhelmingly Democratic, districts that had always been Democratic, and districts that will be Democratic next fall.

In that election there is no question about the honesty of the registration, as I have already shown. There can be no question about the counting of the votes. The Republican party was represented equally with the Democratic party on the boards of registration; the Republican party was represented equally with the Democratic party on the day of election in the voting booths; the Republican party was represented equally with the Democratic party after the polls were closed and the vote counted; and after that vote had been fairly, honestly, and legally counted the returns were signed by the Republicans and Democrats and were sent to the police commissioners, to the county clerk, and to the clerk of the board of aldermen. These returns showed Mr. Walsh

duly elected. The board of aldermen, according to the law of the State of New York, is the board of county canvassers. They canvass the votes and declare the result of the election.

That board canvassed the vote, went over every figure, line upon line, and declared Mr. Walsh elected. The State board of canvassers subsequently canvassed the same vote in the same way and declared the same result. The State board of canvassers was a Republican board, every one a Republican, and that board gave the certificate of election to James J. Walsh, and if you take away his seat you override that Republican board of State canvassers and reverse the decision of the Republican county board of canvassers, and you deprive the people of the Eighth Congressional district of their chosen Representative. There was no doubt when this canvass was made regarding the election of Mr. Walsh. No one appeared before these boards of canvassers and contested the validity of his election. No one appeared for the contestant and claimed his election. At that time every Republican on these boards conceded and declared officially that Mr. Walsh was duly, fairly, and honestly elected; but the day before the time expired under the Federal statute for the contestant to file the notice of contest he did so.

Now, I submit to you, as men of logical minds, as men of intelligence, if the contestant thought that he was so surely elected, why did he not make a contest before the county board of canvassers? Or why did he not file his protest before the State board of canvassers? But no; he never claimed in any way whatever in any newspaper, before any of these boards, or to a single human being that I know of, that he, the contestant, was elected or claimed he was elected. This contest was an afterthought. So much for that. Now let us see what there is in the record. As I said, there are only two points in this case. The two points are in regard to the validity of the testimony taken and in regard to the character of that testimony. One is a question of law; the other is a question of fact. Both points should be determined in favor of the contestee.

Let me discuss the legal aspect of the case briefly. The eloquent presentation of that part of the case by the distinguished gentleman from California [Mr. MAGUIRE] is unanswerable and conclusive. I claim as a matter of law, and it is conceded by the committee, that part of the testimony taken in this case by the contestant is entitled to no credence, is irregular, and should be stricken from the record. It is invalid, and it was, in my judgment, the duty of the committee to throw out that testimony. That testimony was taken before a man named Hoar who was not a notary public. He claimed to be a notary public, but by reason of his removal from Kings County to New York County he vacated his office. This is admitted by all. Every bit of that testimony should be expunged from the record. The gentleman from Ohio [Mr. TAYLER], in his remarks, conceded and admitted that Mr. Hoar, when he took this testimony, was not a notary. He practically admitted that no witness who appeared before Mr. Hoar and was sworn could be indicted for perjury if he swore falsely. That is undoubtedly so, and there can be no question about it. The committee in its majority report, conceding that this man was not a notary under the law, conceding that he had no right to take this testimony, conceding that this testimony could not be used in a case under that exception in any court of record in any State in this Union, conceding that no witness who testified before that notary, if he swore falsely, could be indicted and convicted of perjury, says this:

The Revised Statutes of the United States, section 110, provides that the contestant may apply for a subpœna to any notary public—among others—who may reside in the Congressional district in which the contested election was held.

It is provided, in section 120, that all witnesses who attend the examination shall be examined under oath.

It appears that William A. Hoar was, in 1893, a resident of Kings County, N. Y., and, as a resident of that county, was appointed a notary public.

The statutes of New York provide that a notary public, appointed for the county of Kings—as well as for some other counties—upon filing a certified copy of his appointment, etc., in the clerk's office of New York County, may exercise all the functions of his office in that county, as well as in the "county in which he resides and for which he was appointed." In compliance with this provision, Hoar filed a certified copy of his appointment in the clerk's office of New York County.

Prior to the taking of testimony in this case Hoar removed from Kings County and took up his residence in the Congressional district in which this contested election was held, which is in the city and county of New York.

The statute of New York, section 20, chapter 681, laws of 1892, provides, among other things, that an office shall be vacant when an incumbent, if he is a local officer, ceases to be an inhabitant of the political subdivision of which he is required to be a resident when chosen. The courts of New York have held that a notary public is an officer within the meaning of the statute.

The contestee made no claim as to any infirmity in Hoar as a notary public, or as to any want of validity in his acts as such, until after the taking of contestant's testimony in chief was completed.

The several notices to take testimony served upon the contestee described Hoar as a resident of the Eighth Congressional district of New York, while the transcripts of testimony, copies of which were from time to time served on the contestee, described Hoar as a "notary public of Kings County, certificate filed in New York County."

When Hoar commenced taking testimony in rebuttal objection was made on the ground that he was not a notary with power to administer oaths.

We are of opinion that the testimony taken before William A. Hoar ought to be considered by the committee and the House, for the reasons following:

1. Because it is too late for the contestee to be permitted to object on this ground. He knew, or, what is the same in legal effect, he was charged with knowledge of the fact as to whether Hoar was a notary authorized to administer oaths. He knew that the notary was described, in the notice, as residing in the Eighth Congressional district, and in his signatures to the transcript of testimony, as notary of Kings County, with certificate filed in New York County. To say the least, he was put upon inquiry.

The contestee is in the same position as if he and the contestant had agreed that the testimony might be taken before a person who was not, by any law, authorized to administer oaths. It is true that such an agreement might not be recognized by the House of Representatives. It might abrogate that, as it might any other agreement between parties. But it does not lie in the mouth of either party who has, either in fact or constructively, so agreed, to object to the validity of testimony so taken.

That is ridiculous. It is a well-settled proposition of law known to every lawyer in this House that on the taking of depositions before an officer authorized to take them, if you fail to object at the time of the taking of the testimony you have a right to object in court when the testimony is offered in evidence.

If this testimony were offered in a court of justice under an objection it would be excluded. We should exclude it here. Do so and the contestant has not a leg to stand on. Do so and Mr. Walsh retains his seat.

The committee say that the contestee was at least put upon inquiry. The contestee could not be put upon inquiry in a matter of this kind. How could he know? How could he find out? The man claimed to be a notary. He was held out to be a notary by the contestant. He was sitting there in a quasi judicial capacity, and it was not for the contestee to ascertain whether he was the proper officer to take this testimony or not, but it was the duty of the contestant to know that he was the proper officer, and if he was not the contestant must suffer the consequences.

Throw out that testimony taken before that notary, and the case of the contestant falls to the ground. He has no standing in court. And remember, if you follow the two reports, the report of the minority and the report of the majority, you can honestly and consistently throw out all of this testimony, because btoh concede that he had no right to take it, that he was not a notary, and that the testimony was not taken according to the statutes of the United States. This testimony should be excluded, and we should vote to retain Mr. Walsh in his seat.

Now, in regard to the second proposition—the question of fact. I suppose there is not a member of this House whose seat would be safe if some few tramps in his Congressional district should come forward and swear, to hearsay testimony, that there had been bribery in his Congressional district. Take this hearsay testimony as it appears in the record. If the members of this House will read the testimony and decide this case as a jury would decide a case of fact submitted to it in a court of justice, Mr. Walsh will keep his seat. The witnesses who testified for the contestant are not entitled to belief. If you could see them that would be enough to discredit them. They were from the cheap lodging houses of the Bowery, men without honor or homes, outcasts of humanity, drunkards; men with several names, bums, the scum of the earth, the worst people you could pick up anywhere in the United States from one end to the other; men who gravitate to the Bowery; men who have no homes, no local habitation; men who live in lodging houses where they only pay 5, 10, or 15 cents a night for lodging, and when they have not that to pay they sleep on the benches in the parks.

These are the kind of witnesses that the contestant has brought before this alleged notary to prove his case. Read the character of these men, read their antecedents, read how the contestant got them. If you are honest, if you are fair, and if you are not going to decide this case on account of politics, you will keep out of Congress the man who procured these witnesses and relies on their testimony and you will allow Mr. Walsh to remain in his seat. The contestant has failed to prove his case. No fair man who will examine the case can possibly doubt it. If you unseat a man on this kind of perjured testimony no man's seat is safe.

How did the contestant get these witnesses? The gentleman from Kansas [Mr. LONG] does not know. The gentleman from Ohio [Mr. TAYLER] does not know. The members from New York know how he got them, and how anybody could get them, under the same or similar circumstances. Get a lawyer who has not very many scruples. Have him pay these poor creatures, feed them, get them drunk, and tell them what to testify to, and they will do it. That was what was done in this case. That is how this testimony was procured. The contestant's lawyer went to these men, he intoxicated them, he gave them money, he gave them clothes, he took them up to Connecticut and kept them in a hotel up there and fed them, gave them all they could drink, did all of these mean, contemptible things, which in my judgment—and I say it deliberately—are just as much bribery as if he had paid them so much money to go on the stand before this alleged notary and swear to what he told them to swear to. Let me give you a few samples of this testimony:

It appears that Morris, Nathan, Fitzpatrick, and others in the employ of Rawson, who was the attorney for contestant in this case, went about the Bowery scouring it for witnesses who were willing to testify that they themselves had sold their votes on election day, and had seen others sell their votes on that day, at from $1 to $2 apiece; that inducements were offered to those

vote sellers in the way of board and lodging and beer and money (page 535) to give affidavits and testimony in support of contestant's charges in this case; that these witnesses were herded by agents of contestant in various places; that they were boarded and lodged at the expense of contestant for a considerable period before giving their testimony. (See record, pages 534 to 541, 546 to 548, 549 to 569, 512 to 514, 525 to 530. See also the extraordinary questions asked by Mr. Rawson himself of the witness Fitzpatrick, on page 541.)

"Q. (By Mr. RAWSON.) Didn't I very often trust you to give the men (witnesses) a few dollars here and there?

"A. That is right.

"Q. Didn't I place every confidence in you?

"A. That is proper.

* * * * * * *

"Q. Did you see any of the witnesses get drunk in our office?

"A. I never seen them get drunk because it was always in the other room. I never seen anybody get full there.

"Q. Wasn't the beer given to them with the lunch now and then?

"A. I know there was plenty of beer given to them.

"Q. You didn't take any that time yourself at all?

"A. Oh, yes; I did. I didn't take any when I first started in.

"Q. Afterwards you had some?

"A. Yes, sir; everybody had some.

"Q. And cigars?

"A. Oh, yes.

* * * * * * *

"Q. You were never promised anything for trying to get Mr. Bobolsky or Mr. Bernstein or Mr. Nathan away from us?

"A. No, sir; not a cent.

"Q. Nor attempted it?

"A. No; I did not promise them anything. They were always, week after week, hanging after me.

"Q. Did you ever tell them if they came up and worked for the other side there would be a good deal more in it for them?

"A. No, sir; I never told them that. I never seen these people."

The extraordinary thing about these questions is that they should have been asked by Mr. Rawson himself of one of the agents who had been in his employ and under his direction during a large portion of the period covered by the contest. It reveals the legal methods pursued by Mr. Rawson in the contest as hardly any other showing could reveal them. It may be urged that as the events concerning which contestant was obliged to produce testimony occurred in the Bowery region of New York, that he was obliged to rely upon the testimony of such people as usually frequent that quarter, and upon the methods which alone can procure either the testimony or the votes of such people, but that explanation can not establish the credit of such witnesses testifying under such circumstances, nor justify this Congress or any court or tribunal on earth in determining any great question of right upon such utterly disreputable and unworthy testimony.

Here is another piece of testimony, given by a Mr. Hermin (see pages 549 and 550 of the record):

I was picked up by a man named Nathan. Asked me to come and have a drink. We had several drinks and he brought me down and said, "If you come down here you will make all kinds of money. Come down to 44 Pine street—to Rawson's office, attorney for John Murray Mitchell." Had several drinks before I went there. Half drunk when I got there. I had a bottle of beer in the office of Mr. Rawson. * * * Nathan said that I could make $10 to $50 and a suit of clothes out of it before the thing got through. Nathan paid for my lodging that night. We had several drinks together; went to bed pretty well drunk. Saw him next morning. Had drinks with him. He brought me down to Rawson's office. He called me one side and asked me, "Don't you want to go up to New London?" Saw Nathan following day. Took me down to Rawson's office. Said when he left, "I guess I will take care of you again to-night." He showed me a two-dollar bill and a one. Saw him next morning. Went again to Rawson's office. Had several drinks on the way down. I had a bottle of whisky in my pocket when I got to Rawson's office. Nathan bought it for me at No. 9 Bowery. And when I went into the office I was pretty well full; and in that condition I gave my testimony. After that I went to New London; four men with me—McDonald, Bernstein, Paddy Ryan, and another. Saw Mr. Mitchell when I came down. He treated me to a couple of whiskies and one cigar, three rounds. I received a dollar that night from Mr. Corcoran, a witness in this case. The following Sunday Corcoran gave three of us a half dollar apiece to come down the following Wednesday. Went down the following Wednesday. Bernstein gave me half a dollar. I had a couple of drinks before I signed my testimony—Bernstein and I. At New London I stopped at the Hoffman House with a man named Ryan—Lynch, Bernstein, McDonald, and myself. We were all pretty well drunk up there.

I saw plenty of beer in Mr. Rawson's office. We had all we wanted to drink at New London. I did not pay a cent for it. Mr. Rawson's agents paid for it. I do not know what ticket I voted election day. I was too drunk. I don't know whether I voted at all.

That is the kind of testimony on which the contestant relies. This man Rawson—and if you will read the testimony you will see what kind of a man he is—gathered up these tramps, this miserable scum of humanity. He took them to Connecticut to a nice hotel, with beautiful rooms. Why, they had not had such a good time in years, not since their earlier days, when they first began to go wrong and journey down the broad highway that leads to ruin and destruction. Oh, what a sight that was for representative government! How insecure every man's seat on the floor of this House would be if those things were resorted to by every contestant. He took these witnesses to Connecticut, paid their fare from New York, got them into a nice hotel owned by the contestant's lawyer. There he got them drunk, so they did not know anything. He gave them everything they wanted to eat and drink. He admits that he gave them money. And after he got them in a receptive mood—to use a very gentle phrase—he no doubt intimated to them what to swear to when they went on the stand before this alleged notary.

Accept this kind of testimony under all the surrounding circumstances, and you will establish a precedent that will rise up frequently in the future to plague and harass you.

The way this testimony was procured and the nature of it is, to say the least, discreditable to the agents of the contestant. We should not take away a man's seat on such flimsy statements.

We should not mince words in denouncing this kind of testimony. It is best to be honest and aboveboard. You all know I am telling the truth, and if I am not strictly according to the printed record of the case I want some member who seeks to take away Mr. Walsh's seat to get up and say so. I pause for an answer. You have made aspersions, gentlemen, all outside of the the record, however, but you can not asperse my colleague's character; you can not show by any testimony in the record that he did anything wrong or discreditable in the whole case.

You can not show that he did anything wrong at the election, but I regret that the same can not be said for the agents of the contestant. I refer to the way in which he got this testimony. These witnesses came down from that hotel in Connecticut after they had been fed, wined, clothed, given everything they wanted; and they went on the stand and testified to what? I have not time to read their testimony in detail. I wish I had. If I had the time to read this testimony before the members of this House, there is not an honest man here whose cheek would not flush with mad indignation. These poor wretches, outcasts of humanity, men who would testify to almost anything and for anybody, provided you treated them well and paid them for it—these men came down to the office of the contestant's lawyer, where this testimony was to be taken, and there they had 600 bottles of beer!

No witness testified there who was not under the influence of liquor; no witness testified who would be believed in any court; no witness testified who was not a disgrace to civilization. If you could see them and hear them you would not believe them; and if you will read the testimony of these men in the record I am satisfied you will not believe it even in its printed form. They told of the way they had been induced to give their testimony. And what did they say—all hearsay, all hearsay; nothing direct, nothing positive. All, with the exception, I believe, of three or four witnesses in this case, testified to matters of hearsay. All of them when they were put on the stand afterwards in a criminal trial refused to testify to what they had testified to in this record. You will remember it has been said that Mr. Dineen, one of the election district captains, was indicted for bribery on the testimony given by these three witnesses on their examination in this case.

These witnesses went before the grand jury and the grand jury found an indictment. Mr. Dineen was subsequently tried on that indictment. The jury saw these men and heard them testify. These witnesses did not testify on the trial against Mr. Dineen as they testified in this case. They could not identify him; they refused to say that he was the man they had referred to; they went back on their previous testimony, and the jury without leaving their seats acquitted Mr. Dineen. That is the whole story. Those are the facts. That is the kind of case you have. That is all you have got to support your case. Do you want to take away my colleague's seat upon such a state of facts and on the testimony of such witnesses? I hope not; I trust not. Remember the precedent you establish here will frequently rise to taunt you, and, like Banquo's ghost, it will not down. Mr. Walsh was fairly and honestly elected, and should retain his seat. As he desires to speak in his own behalf, I take great pleasure in yielding to him the balance of my time.

Mr. WALSH rose.

The SPEAKER pro tempore (Mr. GROSVENOR). The gentleman is recognized for the remaining time of the gentleman from New York, Mr. SULZER.

Mr. WALSH. How much time is that, Mr. Speaker?

The SPEAKER pro tempore. Twenty minutes.

Mr. WALSH. Am I not entitled to one hour in my own right?

The SPEAKER pro tempore. Not at this time.

Mr. WALSH. I ask for recognition in my own right.

Mr. SULZER. Mr. Speaker, as I understood it, I was entitled to one hour's time.

The SPEAKER pro tempore. That is correct.

Mr. SULZER. And my friend and colleague on the committee, Mr. MAGUIRE, suggested that I turn over the balance of my time to my colleague from New York, Mr. WALSH.

The SPEAKER pro tempore. The Chair has recognized the gentleman's right to yield his time to his colleague.

Mr. SULZER. Now, as my colleague is to be given an hour in his own right, I would like to conclude my argument.

The SPEAKER pro tempore. The gentleman from New York, Mr. WALSH, has been recognized for the remaining time of his colleague from New York, Mr. SULZER, so that the latter gentleman has no time left.

Mr. WALSH. Mr. Speaker, I recognize the delicate situation in which any man is placed who stands in a body of this kind to argue his own case, and I would be very diffident about accepting the responsibility were it not for the fact that some statements in the majority report which have not yet been referred to by the

gentlemen who have argued the case on the other side are made to reflect personally on me. It is therein stated that I threw every obstacle in the way of the contestant procuring his evidence. That statement is not justified by a single line of testimony in the record, yet it was made as boldly as any other finding in the majority report. But, Mr. Speaker, I will not stop to waste time upon personal matters, when we are all so much concerned in the rights of a member to his seat. I appeal to you as a judicial tribunal to determine this question. If it is determined after just consideration adversely to me, I promise you that no one will be less complaining than I, because I would not voluntarily occupy for one moment a seat that did not belong to me by the right of the vote of the people.

In 1894, in the State of New York, we had one of the most important elections that ever took place in that State. On the Republican ticket was Governor Morton, whose election meant that he would probably be the candidate of his party in that State for the Presidency of the United States. On the Democratic side the candidate was DAVID B. HILL, whose election at that time almost certainly meant that he would be the candidate of his State, if not of his national party, for President of the United States. The parties were deeply interested in those elections. Congressional fights were forgotten. The main bent of all the parties in that State that year was toward the election of the Democratic or the Republican State ticket. In the city of New York we had a contest the like of which had not been seen in forty years.

William L. Strong was the candidate for mayor of that city; and it was whispered about at that time that his election as mayor was one stroke toward the nomination of McKinley for President of the United States. Against him the forces on the other side were arrayed behind Hugh J. Grant; and the winning of that election determined for at least five or six years to come who should control the vast patronage in the city of New York. Yet this committee would have you find that the Democratic party turned aside from these great questions, from these important matters, to bribe a few voters in the lodging houses in one Congressional district to vote for a Representative of humble capacity who they could not believe could help them much in this representative body; that neglecting the candidacy of Morton and HILL, the candidacy of Strong against Grant; neglecting the canvass of CUMMINGS, one of our colleagues on this floor, who was running that year against Mr. Shannon, and who had rendered valuable services to his party on this floor; neglecting the canvass of Mr. BARTLETT, who had been a useful member of this House; neglecting the canvass of Sickles and of every important candidate for Congress, they turned in to bribe voters for me at that election. That is the position of the majority of the committee.

Mr. QUIGG. Will my colleague yield a moment?

Mr. WALSH. I have not much time.

Mr. QUIGG. I will ask only one question.

Mr. WALSH. Certainly.

Mr. SULZER. Will the gentleman agree to extend the time of the contestee?

Mr. QUIGG. Of course I would be delighted to do so.

Mr. SULZER. I suppose that everybody on your side will agree to the same thing.

Mr. QUIGG. There is a single question which I would like the contestee to answer, and I tell him frankly that his answer will control my vote. If there was bribery done in the interest of the Democratic ticket in that election district, was not the gentleman the beneficiary of it just as much as any other candidate on that ticket?

Mr. WALSH. No; and I will tell the gentleman why. I was nominated by the Tammany Hall Democracy. I am a Tammany Hall man yet. But my colleague [Mr. QUIGG] asked the question of a gentleman heretofore occupying the floor: Was not Tammany Hall a part of the regular State Democratic organization? I state frankly that it has been so recognized in State conventions. But there is another organization there which claims to be regular and which also nominated me; and my name should have gone on the official ballots of that organization. The gentleman knows as well as I do there should have been two official ballots for every voter who was registered; 46,000 official ballots should have been at the polls, so that the voters of that organization might be able to select their ballot from those official ballots and to vote for me if they desired to do so. Those 46,000 ballots were sent to the polls and not a single ballot contained my name. Yet the majority of this committee would have you believe that I was not elected and that my opponent was elected by only 76 majority.

How much was I hurt by the failure to produce those 46,000 ballots at the polls? Was I hurt 76 votes? There were 675 blank votes cast at that election. How many of those were State Democratic ballots? Why was not my name on them? I had complied with every requirement of the law; the record shows that; it is conceded that I was the State Democratic candidate, and my name should have been on those ballots. Yet 46,000 of them were sent to the polls, and my name not on a single ballot; and that according to the contestant's testimony—not mine.

Mr. QUIGG. That was the State Democratic ticket, I understand?

Mr. WALSH. Well, as much the State Democratic ticket as any other.

Mr. QUIGG. But on the Tammany ticket—the regular ticket—your name appeared?

Mr. WALSH. On the Tammany ticket my name appeared.

Mr. QUIGG. The regular ticket?

Mr. WALSH. Do you want me to decide which is the regular Democracy?

But, gentlemen, I do not want you to take my word as to the condition of things at that election. I hold in my hand the report of the Lexow committee which was sitting in New York at that time—the committee that investigated the election and the police department as thoroughly as any committee could. Remember, it is complained here that my majority was abnormally large in the second district, because I received a majority of 1,675 votes over Mitchell. Why, sir, the year before the Democratic majority was 9,900. It is claimed that fraud was committed in the forty-fourth election district of the Second assembly district because these scamps come forward and testify that they heard other people say that they had received money for voting. The truth is that Mr. Mitchell ran 17 votes ahead of the vote for the Republican governor in that district, and 17, 18, or 20 votes ahead of every other Republican candidate in that district. And that is the district where I am charged, and my party is charged, with fraud by the majority of this committee. But I ask you to consider this Lexow report for a little while. They allude in this citation which I will make to the election of 1893 as compared with the election of 1894, as being far less important than the election of 1894. They say that in 1893 there was only a judge of the court of appeals to be elected, while in 1894 there was the governor and many other important State officers on the ticket to be elected. They say—

> In 1893 the judge of the court of appeals and minor State officers only were candidates. In 1894 the governorship, lieutenant-governorship, the judge of the court of appeals, and mayoralty of the city were in the balance, and yet the vote cast in 1894 in the district referred to was smaller by more than 4,000 votes, or by more than 25 per cent of the total votes cast, than that cast in 1893; while in view of the greater importance of the issues involved, there should normally have been a large increase in the number of votes polled, indicating that in 1893 more than 4,000 fraudulent votes were cast and counted in a single assembly district of the city. It was due to the presence of and the revelations before your committee that similar frauds were not enacted at the late election.

They sat in New York City during that election. It is not disputed here that there was a nonpartisan board of election. There were two Republicans and two Democrats on every election board, appointed by a board of police commissioners composed of two Republicans and two Democrats, and when I name the Republicans you will see that they were absolutely impartial boards, appointed by such dyed-in-the-wool Republicans as Charles Murray and Michael Kirwin.

They were the Republicans on the board, and the law provides that the minority representation on the board, otherwise the Republicans, shall be appointed by the members of the board in the minority party, and that the Democratic members of the board of election inspectors, there being two, shall be appointed by the majority; that is to say, the Democrats and Republicans combining for their appointment. That is the law of 1894. That board of election in this case was honestly constituted. There has never been any question of that. There is an absence of every indication of corruption or fraud, an absence of every motive for fraud in regard to the matter, and yet there is a finding on the part of this committee, in the majority report, that this formidable antagonist who was contesting a seat with me in that district, who had never been heard of before, was so dangerous in a district that never sent a Republican to this House that Tammany Hall devoted all of her strength in the Eighth Congressional district for the purpose of defeating him by fraud.

Just think of it. A man who had never been regarded as formidable to overcome! Is such a statement reasonable? Is it consistent with the facts or with the course of affairs that the great Tammany organization should have done such a thing as that under such circumstances? Where was the motive for it? What reasons could have been assigned for it? Where was the formidable competitor to vanquish that the entire strength of this organization should be turned aside from Presidential politics—from vast local issues—for the purpose of sending to this body its most humble representative? And yet they tell us that there was a conspiracy; a conspiracy without naming a single perpetrator who was engaged in it. That Tammany Hall was a conspirator, a great secret organization they say, and yet not a line of evidence to sustain such an allegation. There is—and they forget to make the distinction—there is a distinction between Tammany Hall and the Tammany Society. I am not a member of the Tammany Society,

which is a secret society, as I understand. Tammany Hall, of which I am a member, is a political society. I am a member of the Tammany Hall committee. Tammany Society is a charitable organization; Tammany Hall is a political one, and I trust her banners may long wave! [Laughter and applause.] We conflict with gentlemen on the other side, but only on questions of principle. I do not think that our opponents will ever say that we give anything but a square and honest fight. And I trust in my career, at least, that I shall never see her downed again, though a couple of years ago she got a pretty bad smash. [Laughter.]

Now, my friends, there are 23,000 voters in this Congressional district. They called about 50 witnesses out of the whole number as to that conspiracy to bribe voters of which they speak. How many of the voters out of the 23,000 did they name? How many out of the whole registered number have you named to establish your allegations of bribery? Just 6! Out of 23,000, 6 were named, and one witness, a man who swore to 4 as having voted, John Hendrick by name, never returned to sign his testimony; and we find on an investigation of the record that it is in evidence that one of the men he swore was bribed registered and did not vote at all, and that the other three were never registered even, and did not vote. That is the kind of testimony on which you are asked to unseat me. That is the kind of testimony that this committee presents for the purpose of giving the seat to another. John Riley, whose testimony was referred to by the gentleman from Ohio [Mr. TAYLER], got on the witness stand. He was on the stand, and one of the contestant's own employees swore that while he was on the witness stand a note was passed to him by the witness, telling him to get out of the room, because his presence embarrassed this witness Riley, because he was swearing under a false name and sent this note for the purpose of getting this man Fitzpatrick, who knew him, to leave the room during his testimony. Fitzpatrick left the room, and it seems that Mr. Mitchell's attorney followed him and asked him what the trouble was, and he said that the man testified in the name of Riley; that he knew the witness' name was not Riley but Phelon; and that the witness knew that he knew it, and passed this note to him requesting him to leave the room so that he might not be embarrassed pending the delivery of his perjured testimony.

Riley did not return to sign his testimony at all; and yet this testimony of a man who was guilty of perjury is the only testimony on which you are asked to throw out over 200 votes in that one district. The only testimony in the district on which you are to throw out over 200 votes of honest voters, who are to be disfranchised, is the testimony of a man who did not even sign the testimony that he undertook to swear to—a man who committed perjury before a notary public; practically admitted that he committed perjury; who was convicted of perjury by Mitchell's own witness, and who never dared return to sign his own testimony.

And the same is true as to John Hendrick. He was caught in perjury, and he never returned to sign his testimony. You may cry, "Fraud, fraud!" and you may think it a convenient cry, considering the repeated slanders on Tammany Hall in recent years; but it will not do. There is a constituency beyond you that we can appeal to. We are with them always. We are in touch with them. They have better opportunities for observing us than you have, and they will observe us; and we shall hear from the appeal in the future.

Now, gentlemen, I am not here to beg. I am here to demand my rights, and not mine alone, but the rights of my people of the Eighth Congressional district. I believe as firmly as I stand here that by an honest majority of the votes cast in that district I was elected as their Representative in Congress. Since I have been here I have tried in my humble way to serve those people faithfully. If it is true that I was not elected, I hope that the mistake has made no difference to them. At the same time, I believe that I was elected, and I believe that you are establishing a precedent that will be awfully dangerous to you in saying that a man can be unseated on testimony taken before an officer who is not authorized to administer oaths, hearsay testimony in most cases, testimony of a character such as this is, purchased testimony, bribed testimony, suborned testimony, testimony that no reasonable man and no reasonable court can accept. I will not trouble you with the details of this case. They are to be found in the minority report, in the brief, and in the record. I can not believe that you have read them all through, because the record is the most voluminous which has been submitted in any contested election case at this session of Congress. I will say that, whatever your action may be—and I am afraid, from the partisan character of the House, that it is going to be adverse—you do not do me half as great a wrong as you do the people who sent me here, and I shall take pains that they know it. [Applause.]

Mr. LONG. One word only in answer to the Tammany representative [Mr. SULZER], who spoke before the contestee rose. The threat of that gentleman does not have the effect to cause me to change my position in this case, which I believe to be right. The fact remains that the majority of the committee find that an organization to bribe existed in five districts. The minority of the committee concede that it existed in one—the forty-fourth. The same kind of evidence was introduced as to all these districts. The majority of the committee believe that it was sufficient to exclude the five districts from consideration.

Talk about the downfall of Tammany Hall! The records of this House prove that it has retrograded. In the Fifty-second Congress there stood on this floor a Tammany chieftain who stated what he thought the rule should be in reference to bribery and bribed votes. I refer to the Hon. Bourke Cockran. I read his language, in the contested election case of Noyes *vs.* Rockwell:

> Why, sir, if there were no contest before the House, if Mr. Noyes sat in this seat, and nobody appeared to question his right to represent his district, and it became apparent to the members of this body that one single vote cast for him had been purchased; that he was the beneficiary of one single vote acquired by corrupt and discreditable methods, it would be the duty of this House, and it would be the duty of every member of it, under the Constitution, to expel him as something too unclean for contact with honorable men.

Probably that rule is too severe, but in the closing part of that speech Mr. Cockran made use of this language, in which he agrees with the position of the committee in this case:

> I hope that when this vote is recorded there will be found some men on this side of the House [the Republican side] to declare their belief that purchased votes can not be considered as the expression of the popular will, and that no title to a seat can be maintained upon a record tainted with bribery, corruption, and fraud, and which seeks to establish itself not by denial of crime, but by an attempt to shelter itself behind a technicality unfairly and improperly injected into the case by the report of the majority.

Mr. SULZER. Will the gentleman permit a question?

Mr. LONG. Certainly.

Mr. SULZER. I have no fault to find with that language——

Mr. LONG. I am pleased to know that you indorse it.

Mr. SULZER. But what is your opinion about a man who seeks admittance on this floor who concedes that he has purchased, or that his agents have purchased, testimony?

Mr. LONG. There is no such admission.

Mr. MAGUIRE. Read page 141 of the record.

Mr. SULZER. Read the record.

Mr. LONG. I have read the record, and you have not. You have not denied the bribery. You have not put a witness on the stand to disprove the evidence that was taken by the contestant. I believe that this House should adopt the report of the committee and seat the contestant, who received a majority of the legal votes cast at the election.

Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Kansas [Mr. LONG] moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the substitute.

Mr. SULZER. I make the point of order that there is no quorum.

The SPEAKER. That will develop, if there is none.

The substitute was rejected.

The SPEAKER. The question is on the original resolution.

Mr. RICHARDSON. I should like to have the resolution reported.

The SPEAKER. It has been reported.

Mr. RICHARDSON. When was it reported?

The SPEAKER. Reported when the discussion commenced.

Mr. SULZER. I ask that this resolution that we are to vote on may be read for the information of the House.

The SPEAKER. The Clerk will read it, if there be no objection.

Mr. KEM. I object, Mr. Speaker. [Laughter.]

The SPEAKER. The question is on agreeing to the resolution.

Mr. SULZER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SULZER. My point is, that no proposition should be put before a legislative body that anybody in that legislative body does not know what he is voting on. I do not presume that any man——

The SPEAKER. The gentleman will please be in order. The gentleman started to make some inquiry, but the Chair thinks he has not made one yet. [Laughter.]

Mr. SULZER. I ask, then, Mr. Speaker, whether it is not in order that this resolution, which I know nothing about and have not heard, may now be read for the information of the House.

The SPEAKER. The resolution was reported to the House.

Mr. SULZER. At what time?

The SPEAKER. At the time the case was brought up for consideration, and the proposed amendment was also reported.

Mr. SULZER. I did not hear it.

The SPEAKER. Was the gentleman present?

Mr. SULZER. I do not think I was present, Mr. Speaker. [Laughter.]

The question being taken on the resolution reported by the committee, the Speaker declared that the ayes seemed to have it.

Mr. MAGUIRE. I ask for a division.

The House divided; and there were—ayes 138, noes 32.

Mr. SULZER. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 162, nays 39, not voting 153; as follows:

YEAS—162.

Acheson,	Danford,	Kem,	Scranton,
Adams,	Daniels,	Kerr,	Shafroth,
Aldrich, Ala.	Dayton,	Kiefer,	Shannon,
Aldrich, Ill.	De Witt,	Kirkpatrick,	Sherman,
Anderson,	Dingley,	Kulp,	Simpkins,
Andrews,	Dolliver,	Lacey,	Smith, Ill.
Apsley,	Doolittle,	Lefever,	Southard,
Arnold, Pa.	Dovener,	Leisenring,	Spalding,
Arnold, R. I.	Faris,	Leonard,	Sperry,
Avery,	Fischer,	Linton,	Stahle,
Baker, N. H.	Gamble,	Long,	Steele,
Barham,	Gardner,	Lorimer,	Stewart, N. J.
Barney,	Gibson,	Marsh,	Stewart, Wis.
Beach,	Gillet, N. Y.	McCall, Mass.	Stone, C. W.
Bennett,	Goodwyn,	McClure,	Strode, Nebr.
Bingham,	Graff,	McCormick,	Strong,
Bishop,	Griffin,	McEwan,	Strowd, N. C.
Blue,	Griswold,	McLachlan,	Sulloway,
Boutelle,	Grosvenor,	Mercer,	Taft,
Brewster,	Grow,	Miller, W. Va.	Tayler,
Broderick,	Hadley,	Milliken,	Thomas,
Bromwell,	Hager,	Milnes,	Tracewell,
Brosius,	Hainer, Nebr.	Minor, Wis.	Tracey,
Brown,	Halterman,	Mondell,	Updegraff,
Brumm,	Hardy,	Moody,	Van Horn,
Bull,	Hatch,	Mozley,	Van Voorhis,
Burton, Mo.	Henry, Conn.	Otjen,	Walker, Mass.
Burton, Ohio	Henry, Ind.	Overstreet,	Walker, Va.
Calderhead,	Hepburn,	Parker,	Wanger,
Cannon,	Hilborn,	Payne,	Warner,
Chickering,	Hill,	Pearson,	Watson, Ohio
Clark, Iowa	Hooker,	Phillips,	White,
Codding,	Hopkins,	Pitney,	Wilber,
Connolly,	Howe,	Poole,	Willis,
Cook, Wis.	Howell,	Powers,	Wilson, Idaho
Cooke, Ill.	Hulick,	Prince,	Wilson, N. Y.
Crowther,	Hunter,	Pugh,	Wilson, Ohio
Crump,	Hurley,	Quigg,	Wood,
Curtis, Iowa	Jenkins,	Reeves,	Woodman.
Curtis, Kans.	Johnson, Cal.	Russell, Conn.	
Curtis, N. Y.	Joy,	Sauerhering,	

NAYS—39.

Allen, Miss.	Dockery,	Maguire,	Sorg,
Bailey,	Erdman,	McClellan,	Sulzer,
Bankhead,	Fitzgerald,	McCulloch,	Terry,
Bartlett, N. Y.	Hart,	McDearmon,	Tucker,
Bell, Tex.	Hendrick,	McRae,	Turner, Ga.
Buck,	Jones,	Meyer,	Tyler,
Clardy,	Kleberg,	Ogden,	Underwood,
Cummings,	Kyle,	Pendleton,	Wheeler,
De Armond,	Layton,	Richardson,	Wilson, S. C.
Denny,	Little,	Sayers,	

NOT VOTING—153.

Abbott,	Ellett, Va.	Lester,	Robertson, La.
Aitken,	Elliott, S. C.	Lewis,	Robinson, Pa.
Allen, Utah	Ellis,	Linney,	Royse,
Atwood,	Evans,	Livingston,	Rusk,
Babcock,	Fairchild,	Lockhart,	Russell, Ga.
Baker, Kans.	Fenton,	Loud,	Settle,
Baker, Md.	Fletcher,	Loudenslager,	Shaw,
Barrett,	Foote,	Low,	Shuford,
Bartholdt,	Foss,	Maddox,	Skinner,
Bartlett, Ga.	Fowler,	Mahany,	Smith, Mich.
Belknap,	Gillett, Mass.	Mahon,	Snover,
Bell, Colo.	Grout,	McCall, Tenn.	Southwick,
Berry,	Hall,	McCleary, Minn.	Sparkman,
Black, Ga.	Hanly,	McCreary, Ky.	Spencer,
Black, N. Y.	Harmer,	McLaurin,	Stallings,
Bowers,	Harris,	McMillin,	Stephenson,
Burrell,	Harrison,	Meiklejohn,	Stone, W. A.
Catchings,	Hartman,	Meredith,	Strait,
Clark, Mo.	Heatwole,	Miles,	Swanson,
Clarke, Ala.	Heiner, Pa.	Miller, Kans.	Talbert,
Cobb,	Hemenway,	Miner, N. Y.	Tate,
Cockrell,	Henderson,	Money,	Tawney,
Coffin,	Hermann,	Morse,	Thorp,
Colson,	Hicks,	Moses,	Towne,
Cooper, Fla.	Hitt,	Murphy,	Treloar,
Cooper, Tex.	Howard,	Neill,	Turner, Va.
Cooper, Wis.	Hubbard,	Newlands,	Wadsworth,
Corliss,	Huff,	Noonan,	Walsh,
Cousins,	Huling,	Northway,	Washington,
Cowen,	Hull,	Odell,	Watson, Ind.
Cox,	Hutcheson,	Otey,	Wellington,
Crisp,	Hyde,	Owens,	Williams,
Crowley,	Johnson, Ind.	Patterson,	Woodard,
Culberson,	Johnson, N. Dak.	Perkins,	Woomer,
Dalzell,	Kendall,	Pickler,	Wright,
Dinsmore,	Knox,	Price,	Yoakum.
Downing,	Latimer,	Raney,	
Draper,	Lawson,	Ray,	
Eddy,	Leighty,	Reyburn,	

The following additional pairs were announced:

Until further notice:

Mr. DALZELL with Mr. CRISP.

Mr. ALLEN of Utah with Mr. TALBERT.

Mr. STEPHENSON with Mr. NEILL.

Mr. MAHON with Mr. PATTERSON.

Mr. BLACK of New York with Mr. LAWSON.

Mr. SMITH of Michigan with Mr. BERRY.

Mr. PERKINS with Mr. HALL.

Mr. GILLETT of Massachusetts with Mr. COWEN.

Mr. DRAPER with Mr. SPENCER.

Mr. HEATWOLE with Mr. DINSMORE.

Mr. LOUD with Mr. SWANSON.

Mr. BURRELL with Mr. COCKRELL.

Mr. BARTHOLDT with Mr. COOPER of Florida.

Mr. COLSON with Mr. KENDALL.

Mr. FOOTE with Mr. HUTCHESON.

Mr. ROYSE with Mr. TURNER of Virginia (except on the Tucker-Yost election case).

On this question:

Mr. HUFF with Mr. STALLINGS.

Mr. HEINER of Pennsylvania with Mr. LOCKHART.

Mr. HARRIS with Mr. CULBERSON.

Mr. RANEY with Mr. COBB.

Mr. HICKS with Mr. ABBOTT.

Mr. HUBBARD with Mr. ROBERTSON of Louisiana.

Mr. HARMER with Mr. CLARKE of Alabama.

Mr. TRELOAR with Mr. MCCREARY of Kentucky.

Mr. EDDY with Mr. YOAKUM.

Mr. HEMENWAY with Mr. WILLIAMS.

Mr. MCCLEARY of Minnesota with Mr. BLACK of Georgia.

Mr. ODELL with Mr. WASHINGTON.

Mr. LOW with Mr. CATCHINGS.

Mr. ELLIS with Mr. OTEY.

Mr. TAWNEY with Mr. SPARKMAN.

Mr. WELLINGTON with Mr. TATE.

Mr. FAIRCHILD with Mr. LESTER.

Mr. HENDERSON with Mr. MCMILLIN.

Mr. LOUDENSLAGER with Mr. OWENS.

Mr. MCCALL of Tennessee with Mr. WOODARD.

Mr. BARRETT with Mr. SHAW.

Mr. HULL with Mr. STRAIT.

Mr. TOWNE with Mr. ELLETT of Virginia.

Mr. EVANS with Mr. RUSK.

Mr. FOWLER with Mr. BARTLETT of Georgia (on all election cases except Underwood's).

Mr. MCLAURIN with Mr. JOHNSON of North Dakota (also Murray-Elliott election case).

Mr. TALBERT. Mr. Speaker, I have voted, but I withdraw my vote, being paired with the gentleman from Utah, Mr. ALLEN.

Mr. LOUDENSLAGER. Mr. Speaker, I voted in the affirmative, but I withdraw my vote, being paired with the gentleman from Kentucky, Mr. OWENS.

Mr. EVANS. Mr. Speaker, I am paired upon this question, but wish to be noted as present.

The result of the vote was then announced as above recorded.

SWEARING IN OF A MEMBER.

Mr. LONG. Mr. Speaker, Mr. Mitchell is present and desires to take the oath.

Mr. Mitchell appeared at the bar of the House, and the oath of office was administered by the Speaker.

BILLIARD AND POOL TABLES, DISTRICT OF COLUMBIA.

Mr. CURTIS of Iowa. Mr. Speaker, I desire to present a conference report.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5490) to license billiard and pool tables in the District of Columbia, and for other purposes, having met, after a full and free conference respectfully report that they have been unable to reach an agreement.

G. M. CURTIS,
A. MILNES,
J. H. HULING,
Managers on the part of the House.

ISHAM G. HARRIS,
GEORGE P. WETMORE,
Managers on the part of the Senate.

Mr. CURTIS of Iowa. Mr. Speaker, I move that the House insist on its disagreement and ask for a further conference.

The motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6994) relating to the sale of gas in the District of Columbia.

The message also announced that the Senate had passed the bill (S. 3184) granting an increase of pension to James H. Kile; in which the concurrence of the House was requested.

The message also announced that the Senate had agreed to the concurrent resolution of the House requesting the President to return to the House the bill (H. R. 3279) to authorize the reassessment of water-main taxes, and for other purposes.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, the following Senate bill was taken from the Speaker's table and referred by the Speaker as follows:

A bill (S. 3184) granting an increase of pension to James H. Kile—to the Committee on Invalid Pensions.

ELECTION CONTEST—MARTIN VS. LOCKHART.

Mr. BAILEY. I ask unanimous consent to file and have printed the views of a minority of the Committee on Elections in the case of Martin *vs.* Lockhart.

The SPEAKER. Is there objection?

Mr. KEM. I object.

The SPEAKER. Objection is made by the gentleman from Nebraska [Mr. KEM].

NAVAL APPROPRIATION BILL.

Mr. BOUTELLE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference, have agreed to recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 53.

That the House recede from its disagreement to the amendments of the Senate numbered 33, 34, 35, 36, 37, and 38, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: Restore the matter stricken out by said Senate amendment; and the Senate agree to the same.

On the amendments of the Senate numbered 32, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, and 52 the committee of conference have been unable to agree.

C. A. BOUTELLE,
JOHN B. ROBINSON,
AMOS J. CUMMINGS,
Managers on the part of the House.

EUGENE HALE,
M. S. QUAY,
A. P. GORMAN,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The Senate conferees recede from their amendment numbered 53, which was a provision for finishing one of the gunboats heretofore authorized as a training ship for the use of the Naval Academy.

The House conferees recede from their disagreement to the Senate amendments numbered 33 to 38, inclusive, relating to character, speed, and cost of the torpedo boats authorized.

The House conferees recede from their disagreement to the Senate amendment numbered 2, and agree to the same with an amendment restoring the provision of the House bill, that all officers of the Navy or Marine Corps after service in a different corps shall have all the benefits of their service in the same manner as if said appointments were a reentry into the Navy or Marine Corps. The Senate amendment thus agreed to provides further, "That hereafter no payment shall be made from appropriations made by Congress to any officer in the Navy or Marine Corps on the active or retired list while such officer is employed, after June 30, 1897, by any person or company furnishing naval supplies or war material to the Government; and such employment is hereby made unlawful after said date."

The committee of conference have been unable to agree upon Senate amendment numbered 32, which proposed to reduce the number of battle ships from four to two, and upon amendments numbered 39 to 49, inclusive, which relate to the location and conditions of the construction of the battle ships and torpedo boats, and to price to be paid for armor plate, and amendments numbered 51 and 52, which are simply changes in the totals of appropriations to conform to proposed amendments.

Mr. BOUTELLE. I move the adoption of the conference report.

The report was adopted.

Mr. BOUTELLE. I move that the House further insist on its disagreement to the Senate amendments still in controversy, and ask a further conference with the Senate.

The motion was agreed to.

The SPEAKER. The Chair appoints the same conferees.

FORTIFICATIONS APPROPRIATION BILL.

Mr. HAINER of Nebraska submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8109) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 9, and 10.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 6, 18, 19, and 20, and agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"Gun and mortar batteries: For construction of fortifications, $2,500,000; of which sum not exceeding $100,000 may be expended for the construction of necessary buildings connected therewith: *Provided*, That contracts may be entered into, under the direction of the Secretary of War, for materials and work for construction of fortifications, to be paid for as appropriations may from time to time be made by law, to an additional sum in the aggregate not to exceed $2,500,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,205,038"; and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 7 and 8, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"In all, $3,770,076: *Provided*, That the following sums, to meet payments as they become due for the afore-mentioned objects under armament of fortifications, are hereby appropriated, namely."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$650,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$750,000": and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$300,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$200,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,075,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$650,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: After the word "guns," in line 1 of said amendment, insert the following: "of American manufacture"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment, after the word "fortifications," insert the words "in its discretion"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "That in the act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, approved February 18, 1893, the paragraph beginning with the words 'Of the $110,000' and providing for terms of payment for the 12-inch elevating gun carriage to be contracted for with A. H. Emery under the provisions of said act be, and is hereby, amended to read as follows:

"Of the $110,000 to be paid for the carriage and its foundations, 85 per cent shall be paid in partial payments as the work progresses, in accordance with the proposals submitted by A. H. Emery to the Board in his letter of January 21, 1893. And no bond shall be required for the return of this money if the carriage is not accepted, nor shall the said Emery be required to return the money paid, and the carriage shall belong to the United States when the tests are completed. The balance of the $110,000 shall be paid as soon as said carriage shall have been completed in all respects according to contract, and shall also have undergone and endured a test satisfactory to the Board of Ordnance and Fortification. Of the $20,000 to be paid for testing of the carriage, three-eighths shall be paid the contractor when the preliminary tests are completed, and the other five-eighths shall be paid to him proportionally as the 50 rounds for proof are furnished. And the Secretary of War is hereby authorized and directed to enter into a supplemental contract with the contractor for this carriage for the supply by him of a loading apparatus to go with and belong to the carriage and to be furnished therewith as a part thereof, and the carriage shall be so constructed that a part of the work of recoil can be used for the horizontal traverse of the carriage and the working of the loading apparatus, and the payment for the work so furnished under this supplementary contract shall be $10,000, which sum shall be due and payable when said loading apparatus is completed in all respects according to contract, and shall also have undergone and endured said test hereinbefore mentioned, to make which payment the sum of $10,000 is hereby appropriated."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"To enable the Board of Ordnance and Fortification to procure and test one 8-inch caliber high-power gun, cast in one piece, on the plan of R. J. Gatling; and the Secretary of War is hereby authorized and directed to contract with said Gatling for said gun, without advertisement, which gun shall be constructed according to the plans and specifications prepared by said Gatling and under his supervision, and to be subjected to the same test now applied to the built-up gun of the same caliber, and the sum of $40,000 is hereby appropriated to pay for said gun, of which sum 85 per cent shall be paid in partial payments as the work progresses, in accordance with the contract to be entered into between the Secretary of War and the said Gatling, and the remainder upon the completion and test of said gun: *Provided*, That before said contract is entered into the plans and specifications for said gun shall be deposited with the Secretary of War, which plans and specifications may be modified, in the discretion of said Gatling, from time to time as the work progresses: *And provided further*, That the said gun shall conform in general form and dimensions to modern ordnance, and shall not, therefore, differ materially in form and dimensions from service guns, in order that it may admit of being mounted on a service carriage and in a service emplacement or fortification."

And the Senate agree to the same.

E. J. HAINER,
WILLIAM W. GROUT,
FRANKLIN BARTLETT,
Managers on the part of the House.

GEORGE C. PERKINS,
W. B. ALLISON,
A. P. GORMAN,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8109) making appropriations for fortifications, submit the following written statement in explanation of the action agreed upon and recommended in the accompanying conference report on each of the Senate amendments, namely:

On amendments numbered 1 and 2: Appropriates $2,500,000, instead of $1,885,000, as proposed by the House, and $5,000,000, as proposed by the Senate, for construction of fortifications, and authorizes contracts for materials and work additional to said sum to the amount of $2,500,000, instead of $3,375,000, as proposed by the House.

On No. 3: Appropriates $500,000, as proposed by the Senate, instead of $250,000, as proposed by the House, for sites for fortifications and seacoast defenses.

On Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15: Appropriates $2,075,000 instead of $1,729,000, as proposed by the House, and $2,576,000, as proposed by the Senate, for the various objects under "Armament of fortifications"; authorizes contracts for a sum additional to said amount of $1,695,076, instead of $2,167,276, as proposed by the House, and $1,079,076, as proposed by the Senate; authorizes the procurement of forgings for one type 16-inch gun, as proposed by the House, and limits the price under contracts for steel for high-power coast-defense guns and mortars to not exceeding 24 cents per pound.

On No. 16: Appropriates $650,000, instead of $497,449, as proposed by the House, and $1,000,000, as proposed by the Senate, for payment for 8, 10, and 12 inch guns manufactured by contract under the fortification acts of 1890 and 1891.

On No. 17: Appropriates $35,000, as proposed by the Senate, for purchase of machine guns of American manufacture, including $15,000 for such guns of approved musket caliber.

On No. 18: Appropriates $50,000, as proposed by the Senate, instead of $66,500, as proposed by the House, for projectiles, including shrapnel for issue to the service.

On No. 19: Provides, as proposed by the Senate, that hereafter the ordnance storekeeper on duty in Washington as disbursing officer and assistant to the Chief of Ordnance shall have the rank of major.

On No. 20: Appropriates $150,000, instead of $100,000, as proposed by the House, for expenses under the Board of Ordnance and Fortification.

On No. 21: Authorizes the Board of Ordnance and Fortification, in their discretion, to procure and test, as proposed by the Senate, one 10-inch counterpoise carriage of the type patented by Commodore J. A. Howell, of the United States Navy.

On No. 22: Inserts the provision proposed by the Senate, modifying the fortification act of 1893 as to authority to contract with A. H. Emery for a gun carriage, the full text of which is set forth in the conference report.

On No. 23: Inserts a provision of which the full text is set forth in the conference report, to enable the Board of Ordnance and Fortification to procure and test one 8-inch caliber high-power gun, cast in one piece, on the plan of R. J. Gatling.

The bill as it passed the House appropriated $5,845,837 and authorized contracts additional to that sum to the amount of $5,542,276, making in all, for fortifications and authorizations, $11,384,613. The bill as it passed the Senate appropriated $10,763,888 and authorized contracts additional thereto to the amount of $1,079,076, making in all, for appropriations and authorizations, $11,842,964.

The bill as agreed upon by the conference committee appropriates $7,377,888 and authorizes contracts additional thereto to the amount of $4,195,076, making in all, appropriations and authorizations, $11,572,964,

E. J. HAINER,
WILLIAM W. GROUT,
FRANKLIN BARTLETT,
Managers on the part of the House.

Mr. HAINER of Nebraska. I move the adoption of the report.

Mr. DINGLEY. One question before that is done. As I understand, the amount of appropriations and authorizations taken together is substantially the same in the bill as agreed to in conference as in the bill passed by the House.

Mr. HAINER of Nebraska. A trifle reduced.

Mr. DINGLEY. But the appropriations of money from the Treasury are larger in the bill as now agreed on than in the bill as passed by the House.

Mr. HAINER of Nebraska. That is correct.

Mr. DINGLEY. How much have the appropriations been increased in amount?

Mr. HAINER of Nebraska. Very nearly a million and a half of dollars.

Mr. DINGLEY. And that increase is taken off the amount of the authorizations?

Mr. HAINER of Nebraska. Yes, sir.

Mr. DINGLEY. In other words, having an abundance of money, we have increased the appropriations!

Mr. HAINER of Nebraska. We agreed in conference as best we could. The bill is not in as good condition now as when it left the House; but it is in better shape than at one time we feared it might be.

Mr. STEELE. What is the style of this Gatling gun for which the sum of $40,000 is appropriated? It is not the old rapid-firing gun, is it?

Mr. HAINER of Nebraska. No, sir; this is a gun of new device. It is intended to be cast in a vacuum. It is a cast-steel gun, which the Senate thought it would be very advisable to try.

Mr. STEELE. Is it made on the plan of cooling the gun from the inside first, instead of casting it solid and then boring it out?

Mr. HAINER of Nebraska. Yes, sir.

The SPEAKER (having put the question on agreeing to the conference report). The ayes seem to have it.

Mr. KEM. No quorum, Mr. Speaker.

The SPEAKER. Does the gentleman demand a division?

Mr. KEM. Yes, sir.

The House divided; and there were—ayes 83, noes none.

Mr. KEM. No quorum.

Mr. HAINER of Nebraska. I move that the House adjourn.

The SPEAKER (having put the question). The motion is agreed to; and the House, in accordance with the order already adopted, stands adjourned until to-morrow morning at 11 o'clock.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of W. T. Ratcliff, administrator of Mrs. Nancy Wells, deceased, against The United States, was taken from the Speaker's table, referred to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. CURTIS of New York, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 8443) to amend section 4878 of the Revised Statutes, relating to burials in national cemeteries, reported the same without amendment, accompanied by a report (No. 2127); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2420) entitled "An act to regulate the pay of noncommissioned officers in the Army," reported the same without amendment, accompanied by a report (No. 2128); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BARNEY, from the Committee on the Public Lands, to which was referred the joint resolution of the House (H. Res. 154) providing for an investigation by the Secretary of the Interior of the claims of certain homestead entrymen in the State of Wisconsin for loss occasioned by the subsequent cancellation of their entries, and appropriating a sum of money to pay the expenses thereof, reported the same without amendment, accompanied by a report (No. 2130); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CUMMINGS, from the Committee on the Library, to which was referred the joint resolution of the Senate (S. R. 27) granting permission for the erection of a monument in Washington, D. C., for the ornamentation of the national capital and in honor of Samuel Hahnemann, reported the same without amendment, accompanied by a report (No. 2131); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GRIFFIN, from the Committee on Military Affairs, to which was referred House bill No. 9024, reported in lieu thereof a bill (H. R. 9289) to amend an act entitled "An act to promote the administration of justice in the Army," approved October 1, 1890, and for other purposes, accompanied by a report (No. 2132); which said bill and report were referred to the House Calendar.

Mr. SHERMAN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 8814) to authorize the construction by the Duluth and North Dakota Railroad Company of two bridges across the Red River of the North between the States of Minnesota and North Dakota, reported the same without amendment, accompanied by a report (No. 2133); which said bill and report were referred to the House Calendar.

Mr. PAYNE, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill of the House (H. R. 9253) to amend an act approved August 19, 1890, entitled "An act to adopt regulations for preventing collisions at sea," reported the same without amendment, accompanied by a report (No. 2134); which said bill and report were referred to the House Calendar.

Mr. ALLEN of Utah, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 2047) entitled "An act extending the time within which the University of Utah shall occupy lands heretofore granted to it," reported the same without amendment, accompanied by a report (No. 2135); which said bill and report were referred to the House Calendar.

Mr. QUIGG, from the Committee on the Library, to which was referred the bill of the Senate (S. 1922) entitled "An act creating an art commission of the United States, and for other purposes," reported the same without amendment, accompanied by a report (No. 2136); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7860) making an appropriation for the erection of a monument to commemorate the services and achievements of the private soldiers and sailors of the United States in the late war of the rebellion, reported the same with amendment,

accompanied by a report (No. 2137); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PARKER, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 9151) to authorize the Secretary of War and the Secretary of the Navy to make certain disposition of condemned ordnance, guns, and cannon balls in their respective Departments, reported the same without amendment, accompanied by a report (No. 2163); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. HURLEY, from the Committee on War Claims, a resolution (House Res. No. 396) to refer the bill (H. R. 2466) for the relief of John Carney, with all accompanying papers, to the Court of Claims, reported in lieu of House bill No. 2466. (Report No. 2129.)

By Mr. ANDERSON, from the Committee on Invalid Pensions: The bill (H. R. 7504) granting an increase of pension to Charles McAllister. (Report No. 2139.)

By Mr. ANDREWS, from the Committee on Invalid Pensions: The bill (S. 916) entitled "An act granting an increase of pension to Mrs. Cornelia I. Skiles." (Report No. 2140.)

The bill (S. 2401) entitled "An act granting a pension to Mrs. Hattie E. Redfield, of Omaha, Nebr." (Report No. 2141.)

By Mr. KIRKPATRICK, from the Committee on Invalid Pensions:

The bill (H. R. 4622) granting a pension to Mrs. J. J. Woods. (Report No. 2142.)

The bill (H. R. 6464) granting a pension to John S. Dukate, late assistant surgeon, Fifty-third Regiment Indiana Veteran Volunteers. (Report No. 2157.)

The bill (H. R. 8094) granting a pension to Alfred D. Johnson. (Report No. 2158.)

The bill (S. 248) entitled "An act granting a pension to Martha Allen." (Report No. 2159.)

By Mr. McCLELLAN, from the Committee on Invalid Pensions: The bill (H. R. 6419) granting an increase of pension to Maj. Samuel P. Dill. (Report No. 2143.)

By Mr. PICKLER, from the Committee on Invalid Pensions: The bill (H. R. 9089) granting a pension to Benjamin F. Whitehouse. (Report No. 2144.)

The bill (H. R. 9090) granting an increase of pension to Jacob Stebler. (Report No. 2160.)

By Mr. POOLE, from the Committee on Invalid Pensions:

The bill (H. R. 2961) for the relief of Angus McVigor. (Report No. 2145.)

The bill (H. R. 3845) granting a pension to Eunice Taylor. (Report No. 2146.)

By Mr. SULLOWAY, from the Committee on Invalid Pensions: The bill (S. 3245) entitled "An act granting a pension to Elvira Bachelder." (Report No. 2138.)

The bill (H. R. 5851) to increase the pension of Edward O. Fisher. (Report No. 2148.)

The bill (H. R. 6946) granting a pension to Maria Kenney. (Report No. 2147.)

The bill (H. R. 9294) granting a pension to James Donovan, reported in lieu of the bill H. R. 4811. (Report No. 2149.)

By Mr. WOOD, from the Committee on Invalid Pensions:

The bill (H. R. 5718) granting a pension to Malinda Kelly, of Jackson County, Ill. (Report No. 2150.)

The bill (H. R. 1187) granting a pension to Rev. J. M. Madding. (Report No. 2151.)

The bill (H. R. 7663) to increase the pension of Jesse Sims. (Report No. 2152.)

The bill (H. R. 7283) granting pension to Mary Dozha. (Report No. 2161.)

By Mr. FENTON, from the Committee on Military Affairs: The bill (H. R. 2308) for the relief of John L. Jefferies, late a captain in the One hundred and tenth Regiment Pennsylvania Volunteer Infantry. (Report No. 2153.)

By Mr. BISHOP, from the Committee on Military Affairs: The bill (H. R. 1937) for the relief of Robert McFarland. (Report No. 2154.)

By Mr. GRIFFIN, from the Committee on Military Affairs: The bill (H. R. 4853) for the relief of John Duncan. (Report No. 2155.)

By Mr. HARDY, from the Committee on Pensions: The bill (H. R. 7206) granting a pension to Frank Stay. (Report No. 2156.)

By Mr. PARKER, from the Committee on Military Affairs: The bill (H. R. 8364) for the relief of Capt. Henry C. Seaman. (Report No. 2162.)

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. LACEY: A bill (H. R. 9287) to enforce obedience to subpœnas in criminal cases—to the Committee on the Judiciary.

By Mr. MEREDITH (by request): A bill (H. R. 9288) to promote aerial navigation for military purposes—to the Committee on Military Affairs.

By Mr. DENNY: A bill (H. R. 9290) for the purchase of a site at Congress Heights, D. C., to be used as a summer residence for the President of the United States, and for other purposes—to the Committee on Public Buildings and Grounds.

By Mr. HICKS: A bill (H. R. 9291) granting 4 condemned cannon and 100 cannon balls to Lieutenant S. C. Potts Post, No. 62, and Fred C. Ward Post, No. 468, Grand Army of the Republic, of Altoona, Pa.—to the Committee on Naval Affairs.

By Mr. ROBINSON of Pennsylvania: A bill (H. R. 9292) for the erection of a public building at Phœnixville, Pa.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9293) to provide for the construction of a public building at West Chester, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. CHARLES W. STONE: A joint resolution (H. Res. 194) extending the scope of the investigations by the Agricultural Department in the matter of the improvement of public roads—to the Committee on Agriculture.

By Mr. CATRON: A resolution (House Res. No. 388) for special order for consideration of House bill No. 4052 and Senate bill No. 2022—to the Committee on Rules.

By Mr. SHERMAN: A resolution (House Res. No. 397) requesting the Secretary of the Treasury to furnish information in reference to defaulted bonds formerly belonging to Indian funds and assumed by the United States Government—to the Committee on Indian Affairs.

By Mr. ODELL: A resolution (House Res. No. 398) authorizing the appointment of Daniel J. McKeever as an additional page—to the Committee on Accounts.

By Mr. SMITH of Michigan: A resolution (House Res. No. 399) relative to the President notifying the Governments of Mexico, Brazil, etc., for the purpose of considering and recommending to each Government some measures for arbitration, etc.—to the Committee on Foreign Affairs.

By Mr. BARRETT: A resolution (House Res. No. 400) relative to the employment of an extra laborer in the Doorkeeper's department—to the Committee on Accounts.

By Mr. HOOKER: A resolution (House Res. No. 401) authorizing the printing of 10,000 copies of the message of the President and the report of the Committee on Rivers and Harbors—to the Committee on Printing.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred as follows:

The bill (H. R. 2939) for the relief of John E. Welch, a citizen of the United States—Committee on Invalid Pensions discharged, and referred to the Committee on Claims.

The bill (H. R. 3995) granting a pension to George K. Knowlton, late of United States Navy—Committee on Invalid Pensions discharged, and referred to the Committee on Naval Affairs.

The bill (H. R. 9211) to grant a pension to Mrs. Charles B. Gatewood, widow of Charles B. Gatewood, late first lieutenant, Sixth United States Cavalry—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. HARRIS: A bill (H. R. 9295) granting a pension to Sturgis O. Lovell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9296) granting a pension to William H. Zombro—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9297) for the relief of Leonard B. Johnson, of Sandusky, Ohio, for the use of his land for a Confederate military cemetery—to the Committee on Claims.

Also, a bill (H. R. 9298) to reimburse Henry Gregg for moneys expended at the last sickness and burial of a deceased soldier—to the Committee on Claims.

By Mr. HICKS: A bill (H. R. 9299) to correct the military record of Joseph Albert Miles—to the Committee on Military Affairs.

Also, a bill (H. R. 9300) to increase the pension of Henry D. Roger, of Belsano, Pa.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9301) to correct the military record of Joseph P. Swope—to the Committee on Military Affairs.

By Mr. HUNTER: A bill (H. R. 9302) granting a pension to W. H. Dunbar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9303) granting a pension to John A. Loudon—to the Committee on Invalid Pensions.

By Mr. JOY: A bill (H. R. 9304) for the relief of Cass Avenue Distilling Company—to the Committee on Claims.

By Mr. MARSH: A bill (H. R. 9305) to grant an honorable discharge to Peter Hoots—to the Committee on Military Affairs.

By Mr. McCREARY of Kentucky: A bill (H. R. 9306) granting a pension to Amanda Woodcock—to the Committee on Invalid Pensions.

By Mr. MEYER: A bill (H. R. 9307) for the relief of the heirs of Pierre Sauvé—to the Committee on War Claims.

Also, a bill (H. R. 9308) for the relief of the New Orleans Gas Light Company—to the Committee on War Claims.

Also, a bill (H. R. 9309) for the relief of John F. Kranz—to the Committee on War Claims.

By Mr. MEREDITH: A bill (H. R. 9310) for the relief of the estate of Phillip Otterback, and for other purposes—to the Committee on the District of Columbia.

By Mr. PICKLER: A bill (H. R. 9311) granting a pension to Daniel Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9312) granting an increase of pension to Stephen H. Morse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9313) granting a pension to Charles Stow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9314) granting a pension to Newman C. Nash—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9315) granting a pension to H. R. Draper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9316) granting an increase of pension to Isaac Smouse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9317) granting an increase of pension to George W. Bolster—to the Committee on Invalid Pensions.

By Mr. STEELE: A bill (H. R. 9318) granting an increase of pension to Catherine Clifford—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: A bill (H. R. 9319) granting a pension to Malachi Salters, a sergeant of Company F, Ninth Regiment Illinois Volunteer Cavalry—to the Committee on Invalid Pensions.

By Mr. FARIS: A bill (H. R. 9320) to correct the military record of Henry W. Prince—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARRETT: Resolutions of the board of aldermen of the city of Chelsea, Mass., protesting against the adoption of the so-called Pasco amendment to the Post-Office appropriation bill, now pending—to the Committee on the Post-Office and Post-Roads.

By Mr. BROMWELL: Memorial of Wyoming Chapter, Daughters of the American Revolution, concerning the publication of papers of the American Continental Congress—to the Committee on Printing.

By Mr. BULL: Paper to accompany House bill to promote Lieut. William McCarty Little—to the Committee on Naval Affairs.

By Mr. CRUMP: Resolutions of the Board of Trade of Chicago, Ill., remonstrating against the adoption of House bill No. 8536 and Senate bill No. 2967, being amendments to the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, petition of Rev. C. T. Patchell and 300 members of the Congregational church of Bay City, Mich., favoring the enactment of a Sunday-rest law for the District of Columbia—to the Committee on the District of Columbia.

By Mr. COCKRELL: Petition of the Woman's Christian Temperance Union of Iowa Park, Tex., favoring the Denny bill, prohibiting the issuance of United States liquor permits in prohibition districts—to the Committee on Alcoholic Liquor Traffic.

By Mr. FARIS: Papers to accompany House bill No. 9080, for the relief of William H. Wood—to the Committee on Military Affairs.

By Mr. HARDY: Papers to accompany House bill No. 9279, for the relief of Wesley Porter—to the Committee on Military Affairs.

By Mr. KERR: Petition of Wolfersberger & Page, protesting against the passage of House bill No. 4566, amending the postal laws—to the Committee on the Post-Office and Post-Roads.

By Mr. MEIKLEJOHN: Petition of the common council of Columbus, Nebr.; also of the delegates to the Democratic State convention, asking for the passage of the bill providing for the transmississippi and international exposition at Omaha—to the Committee on Ways and Means.

By Mr. RICHARDSON: Papers relating to the claim of Rice A. Coffey, of Jackson County, Ala.—to the Committee on War Claims.

By Mr. SKINNER (by request): Petition of certain citizens of Washington, D. C., in relation to irregularities in the administration of education within the District—to the Committee on the District of Columbia.

By Mr. TURNER of Virginia: Petition of George W. Fisher, for pay for extra services—to the Committee on Accounts.

By Mr. WHEELER: Papers relating to the claim of Jesse Jefferson—to the Committee on War Claims.

Also, papers relating to the claim of John Haynes—to the Committee on War Claims.

Also, papers relating to the claim of Benjamin Carter—to the Committee on War Claims.

Also, papers relating to the claim of Cyrus Jones—to the Committee on War Claims.

Also, papers relating to the claim of David Vincent—to the Committee on War Claims.

Also, papers relating to the claim of William S. Kerr—to the Committee on War Claims.

SENATE.

WEDNESDAY, *June 3, 1896.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. HALE, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, in response to a resolution of the 29th ultimo, directing him to transmit a report of Special Employee T. A. Byrne, relative to an investigation of the alleged undervaluation of merchandise imported into this country, stating that the report has been transmitted to the United States attorney at New York, with the request that proper proceedings be taken, etc.; which was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Attorney-General, in response to a resolution of the 2d instant, calling for a list of all final judgments rendered in Indian depredation claims since the 21st day of May, 1896, transmitting a list of judgments rendered in the Court of Claims in favor of claimants on June 1, 1896; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

MRS. JANE STEWART WHITING.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1511) granting a pension to Mrs. Jane Stewart Whiting.

The amendment of the House of Representatives was, in line 5, before the word "dollars," to strike out "seventy-five" and insert "thirty."

Mr. MITCHELL of Wisconsin. I move that the Senate nonconcur in the amendment of the House of Representatives.

The motion was agreed to.

Mr. MITCHELL of Wisconsin. I move that the Senate request a conference with the House of Representatives on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. GALLINGER, Mr. CANNON, and Mr. MITCHELL of Wisconsin were appointed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes; further insisted upon its disagreement to the amendments to the bill numbered 32, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, and 52; asked a further conference with the Senate on the disagreeing votes of the two Houses thereon; and had appointed Mr. BOUTELLE, Mr. ROBINSON of Pennsylvania, and Mr. CUMMINGS managers at the conference on the part of the House.

PETITION.

Mr. PRITCHARD presented the petition of Rev. Z. Sams and sundry other citizens of Madison County, N. C., praying for the enactment of legislation to amend the military record of Stephen Rice, of Company A, Second North Carolina Mounted Infantry; which was referred to the Committee on Military Affairs.

BILL INTRODUCED.

Mr. SHERMAN introduced a bill (S. 3256) to remove the charge of desertion from James H. Troy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

MARITIME CANAL OF NORTH AMERICA.

On motion of Mr. HANSBROUGH, it was

Ordered, That 2,000 additional copies of Senate Report No. 1094, on S. 3049, to incorporate the Maritime Canal of North America, and for other purposes, be printed.

ELIZABETH W. SUTHERLAND.

Mr. GALLINGER submitted the following resolution; which was considered by unanimous consent, and agreed to.

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1420) granting an increase of pension to Elizabeth W. Sutherland.

METRIC SYSTEM OF WEIGHTS AND MEASURES.

Mr. CANNON. I submit the following resolution, and ask for its present consideration.

The resolution was read, as follows:

Resolved, That the Committee on Finance collect and have printed for the use of the Senate all obtainable information on the subject of a metric system of weights and measures, the expense for the collection and preparation of such data to be paid from the contingent fund of the Senate.

The VICE-PRESIDENT. The resolution will, under the rule, have to go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. HALE. If it is a matter of any magnitude it should first go to the Committee on Printing.

Mr. CANNON. Very well.

The VICE-PRESIDENT. The resolution will be referred to the Committee on Printing.

RIVER AND HARBOR BILL—VETO MESSAGE.

Mr. SHERMAN. I move to proceed to the consideration of House bill 8008, known as the cheese bill.

Mr. VEST. Mr. President——

The VICE-PRESIDENT. The Chair has recognized the Senator from Ohio.

Mr. VEST. I beg pardon. Some one had called my attention away at the moment. The understanding was yesterday that the filled-cheese bill should become the regular order of business and should be laid aside for appropriation bills, and I stated then that at the end of the routine business this morning I would move to reconsider the river and harbor bill, that the President's veto message might be laid before the Senate.

Mr. SHERMAN. I did not know when I made the motion that the cheese bill is the unfinished business, to come up at 1 o'clock.

The VICE-PRESIDENT. The Chair so understands.

Mr. SHERMAN. In that case I will give way for any other business until that time.

Mr. VEST. I move to reconsider the bill.

Mr. GEAR. Will the Senator from Missouri yield to me a moment to call up the bill (H. R. 3771) for the relief of Stratton B. Bencoster?

Mr. VEST. Certainly.

Mr. PETTIGREW. I ask to have the conference report on the Indian appropriation bill laid before the Senate. I suppose it takes precedence over other business.

The VICE-PRESIDENT. The Chair will submit the motion of the Senator from Missouri. It is for the Senate to determine as to the precedence of the two measures.

Mr. PETTIGREW. I wish to say that there will be another conference necessary, and it is very important, it appears to me, that the first business we should transact is to dispose of the report now before the Senate. It seems to lead to some discussion. I think we can dispose of it this morning, however, and thus be enabled to hold another conference, which will be upon the question of Indian sectarian schools, and may lead to another controversy in the Senate. I hope that the Senator from Missouri will not insist upon taking up this measure until the conference report is disposed of.

Mr. VEST. The trouble is that the debate threatens to be almost interminable upon the Indian appropriation bill. There is a great deal of feeling in regard to it, and it is very evident that a number of Senators propose to address the Senate upon it, the Senator from Mississippi [Mr. GEORGE] having only commenced his remarks. If we are to act upon the river and harbor bill and the veto message of the President, it is very obvious that it should be done as speedily as possible. No question can be presented to the Senate outside of the national honor which can be more important to the people of the United States than to know whether the great works of improvement are to be suspended, a large number of them destroyed, or whether in the contingency that the veto is sustained we should proceed and attempt to enact another river and harbor bill at the present session. That question ought to be determined now, and it seems to me that it is largely superior to any appropriation for Indian schools or any other provisions in the Indian appropriation bill, however important they may be.

Mr. GEORGE. Will the Senator from Missouri allow me to interrupt him?

Mr. VEST. Certainly.

Mr. HALE. I call for the regular order.

Mr. GEORGE. I desire to state to the Senator from South Dakota that it would probably facilitate the passage of the Indian appropriation bill, at least it would not obstruct it, if he would allow a vote to be taken upon the river and harbor bill.

The VICE-PRESIDENT. The Chair submits to the Senate the motion of the Senator from Missouri to reconsider the river and harbor bill.

Mr. PETTIGREW. On that motion I demand the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. GEAR (when his name was called). I have a general pair with the Senator from Georgia [Mr. GORDON]. Knowing how he would vote on this question, I vote "yea."

Mr. MITCHELL of Wisconsin (when his name was called). I am paired with the Senator from New Jersey [Mr. SEWELL], but as we agree on this question, I vote "yea."

Mr. WHITE (when his name was called). I am paired with the Senator from Idaho [Mr. SHOUP], but we agree upon this question, and I vote "yea."

The roll call was concluded.

Mr. BROWN (after having voted in the negative). I wish to withdraw my vote. I am paired with the Senator from Maine [Mr. FRYE].

Mr. CULLOM. I have a general pair with the Senator from Delaware [Mr. GRAY], but I feel satisfied that he would vote "yea" if present, and I will therefore vote. I vote "yea."

Mr. BURROWS (after having voted in the affirmative). I am paired with the senior Senator from Louisiana [Mr. CAFFERY], but I am advised that he would vote in the affirmative. So I will let my vote stand.

Mr. PALMER. Has the Senator from North Dakota [Mr. HANSBROUGH] voted?

The VICE-PRESIDENT. He has not voted, the Chair is advised.

Mr. PALMER. I withhold my vote. I should vote "nay" if the Senator from North Dakota were present.

Mr. BROWN. At the request of friends of the Senator from Maine [Mr. FRYE], with whom I am paired, I will vote to make a quorum. I renew my vote "nay."

Mr. GALLINGER (after having voted in the affirmative). I have a general pair with the senior Senator from Texas [Mr. MILLS], who has not voted. I will transfer that pair to the Senator from Connecticut [Mr. HAWLEY] and allow my vote to stand.

Mr. PALMER. As my vote is probably necessary to make a quorum, I will take the liberty of voting. I vote "nay."

The result was announced—yeas 38, nays 10; as follows:

YEAS—38.

Aldrich,	Faulkner,	McBride,	Quay,
Allison,	Gallinger,	Mitchell, Oreg.	Sherman,
Berry,	Gear,	Mitchell, Wis.	Smith,
Burrows,	George,	Morgan,	Turpie,
Cannon,	Gorman,	Nelson,	Vest,
Carter,	Hale,	Pasco,	Walthall,
Chandler,	Hill,	Peffer,	White,
Cullom,	Jones, Ark.	Perkins,	Wolcott.
Davis,	Lindsay,	Platt,	
Dubois,	Lodge.	Pugh,	

NAYS—10.

Bate,	Harris,	Pettigrew,	Vilas.
Brown,	Morrill,	Pritchard,	
Chilton,	Palmer,	Teller,	

NOT VOTING—41.

Allen,	Cockrell,	Jones, Nev.	Squire,
Bacon,	Daniel,	Kyle,	Stewart,
Baker,	Elkins,	McMillan,	Thurston,
Blackburn,	Frye,	Mantle,	Tillman,
Blanchard,	Gibson,	Martin,	Voorhees,
Brice,	Gordon,	Mills,	Warren,
Butler,	Gray,	Murphy,	Wetmore,
Caffery,	Hansbrough,	Proctor,	Wilson.
Call,	Hawley,	Roach,	
Cameron,	Hoar,	Sewell,	
Clark,	Irby,	Shoup,	

So the motion was agreed to; and the Senate proceeded to reconsider the bill (H. R. 7977) making appropriations for the

construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The VICE-PRESIDENT. The Chair lays before the Senate the veto message of the President, which will be read.

Mr. GEAR. I understood that the Senator from Missouri agreed to yield to me to call up a private bill.

Mr. HALE. I call for the regular order.

The VICE-PRESIDENT. Objection is interposed. The message will be read.

The Secretary read the message, as follows:

To the House of Representatives:

I return herewith without approval House bill No. 7977, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes."

There are 417 items of appropriation contained in this bill, and every part of the country is represented in the distribution of its favors.

It directly appropriates or provides for the immediate expenditure of nearly $14,000,000 for river and harbor work. This sum is in addition to appropriations contained in another bill for similar purposes amounting to a little more than $3,000,000, which have already been favorably considered at the present session of Congress.

The result is that the contemplated immediate expenditures for the objects mentioned amount to about $17,000,000.

A more startling feature of this bill is its authorization of contracts for river and harbor work amounting to more than $62,000,000. Though the payments on these contracts are in most cases so distributed that they are to be met by future appropriations, more than $3,000,000 on their account are included in the direct appropriations above mentioned. Of the remainder, nearly $20,000,000 will fall due during the fiscal year ending June 30, 1898, and amounts somewhat less in the years immediately succeeding. A few contracts of a like character, authorized under previous statutes, are still outstanding, and to meet payments on these more than $4,000,000 must be appropriated in the immediate future.

If, therefore, this bill becomes a law, the obligations which will be imposed on the Government, together with the appropriations made for immediate expenditure on account of rivers and harbors, will amount to about $80,000,000. Nor is this all. The bill directs numerous surveys and examinations which contemplate new work and further contracts, and which portend largely increased expenditures and obligations.

There is no ground to hope that in the face of persistent and growing demands the aggregate of appropriations for the smaller schemes not covered by contracts will be reduced or even remain stationary. For the fiscal year ending June 30, 1898, such appropriations, together with the installments on contracts which will fall due in that year, can hardly be less than $30,000,000; and it may reasonably be apprehended that the prevalent tendency toward increased expenditures of this sort and the concealment which postponed payments afford for extravagance will increase the burdens chargeable to this account in succeeding years.

In view of the obligation imposed upon me by the Constitution, it seems to me quite clear that I only discharge a duty to our people when I interpose my disapproval of the legislation proposed.

Many of the objects for which it appropriates public money are not related to the public welfare, and many of them are palpably for the benefit of limited localities or in aid of individual interests.

On the face of the bill it appears that not a few of these alleged improvements have been so improvidently planned and prosecuted that after an unwise expenditure of millions of dollars new experiments for their accomplishment have been entered upon.

While those intrusted with the management of public funds in the interest of all the people can hardly justify questionable expenditures for public work by pleading the opinions of engineers or others as to the practicability of such work, it appears that some of the projects for which appropriations are proposed in this bill have been entered upon without the approval or against the objections of the examining engineers.

I learn from official sources that there are appropriations contained in the bill to pay for work which private parties have actually agreed with the Government to do in consideration of their occupancy of public property.

Whatever items of doubtful propriety may have escaped observation or may have been tolerated in previous Executive approvals of similar bills, I am convinced that the bill now under consideration opens the way to insidious and increasing abuses, and is in itself so extravagant as to be especially unsuited to these times of depressed business and resulting disappointment in Government revenue. This consideration is emphasized by the prospect that the public Treasury will be confronted with other appropriations made at the present session of Congress amounting to more than $500,000,000.

Individual economy and careful expenditure are sterling virtues which lead to thrift and comfort. Economy and the exaction of clear justification for the appropriation of public moneys by the servants of the people are not only virtues but solemn obligations.

To the extent that the appropriations contained in this bill are instigated by private interests and promote local or individual projects, their allowance can not fail to stimulate a vicious paternalism and encourage a sentiment among our people, already too prevalent, that their attachment to our Government may properly rest upon the hope and expectation of direct and especial favors, and that the extent to which they are realized may furnish an estimate of the value of governmental care.

I believe no greater danger confronts us as a nation than the unhappy decadence among our people of genuine and trustworthy love and affection for our Government as the embodiment of the highest and best aspirations of humanity, and not as the giver of gifts, and because its mission is the enforcement of exact justice and equality and not the allowance of unfair favoritism.

I hope I may be permitted to suggest, at a time when the issue of Government bonds to maintain the credit and financial standing of the country is a subject of criticism, that the contracts provided for in this bill would create obligations of the United States amounting to $62,000,000 no less binding than its bonds for that sum.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 29, 1896.*

The VICE-PRESIDENT. The question is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. VEST. Mr. President, there are statements in the President's message, however great may be my respect for him and his high office, that make it absolutely necessary that something should be said in defense of the action of the two Houses of Congress in passing this bill. I shall endeavor to say just as much as I deem necessary, and no more.

While unquestionably the President of the United States has the constitutional power to exercise his veto prerogative as to any measure enacted by Congress, I must be permitted to state that in my judgment the spirit of the Constitution is not consistent with the idea that the veto power should be exercised as one of the ordinary instrumentalities in administering the Government.

The debates of the Convention that framed the Constitution and the practice of the earliest Presidents show beyond question that the intention in giving this power to the President was that it should be exercised only in extraordinary emergencies when Congress had enacted an unconstitutional measure or when, through popular passion or prejudice, there had been hasty and ill-advised legislation.

During the Administrations of Washington, Adams, Jefferson, and Madison, embracing twenty-eight years of our history, the veto power was exercised seven times—twice by Washington and five times by Madison. It was never exercised by John Adams in his four years of administration, nor by Thomas Jefferson during the eight years he presided over the executive department. This convinces me beyond question how the men who were nearest to the Constitution in an era of experimental legislation when great difficulties and dangers confronted the infant Republic understood this grant of power to the Chief Executive.

Mr. President, with great respect for the President and his high office, manifest injustice has been done to the two Houses of Congress. I speak as one familiar with the details of this legislation. I wish to say frankly that there is much in this bill which I do not approve. I agree with the venerable Senator from Ohio [Mr. SHERMAN], who stated some time ago in this Chamber that he had never voted for a river and harbor bill or a tariff bill that met his entire approval.

Without elaborating the idea, the very nature of this legislation prohibits the possibility of all its details being acceptable to every legislator. It must be the result of compromise, or else there is no legislation at all. I have very little respect for the judgment of any man engaged in legislating for a country with such divers interests and immense geographical area as the United States who expects ever to find a river and harbor bill or a tariff bill, with all the conflicting interests that come together in such an enactment, absolutely harmonious and approved by his judgment.

Now, in this veto message, going into particulars, the President states, in the first place, that there is about $14,000,000 of direct appropriations contained in the bill. Without intending to be hypercritical, I submit that with all the official data before him, and the entire Bureau of Engineers at his command, the President of the United States, before criticising the action of Congress in the face of our constituency, should have stated exactly the amount of direct appropriation in the bill. Instead of being about $14,000,000, it is by actual computation $12,608,900, making a difference between the statement of the President and the actual figures in the bill of $1,391,100. Familiarity with large measures and expenditures may have brought the Executive mind to the conclusion that $1,391,100 was too inconsiderable to make him pause; but it is a large amount, and it shows that the message was drawn, not with that accuracy which generally characterizes the emanations from Mr. Cleveland, but that it is rather the result of the general trend of his mind, having never served in a representative body in his life, to minimize the sense of responsibility that rests upon a Representative or Senator as to the relations with his constituency.

Again, the Chief Executive says that the continuing contracts in the bill amount to $62,000,000. As a matter of fact they amount to $59,656,404, being a difference between the statement of the President and the bill itself of $2,343,596.

The President, in general terms, rhetorically charges Congress with extravagance. Mr. President, if he had turned to the river and harbor bills which we have enacted for the last six years he would have discovered that considering the size of the country, considering the demands of the internal commerce of the country, the largest in the world, this bill is comparatively economical. For instance, by the official report—I shall place this table in the RECORD—in 1889 we appropriated $22,397,616.96 for the two years 1889 and 1890. In 1891 we appropriated $25,136,295; and in addition to this there was $1,951,200 in the sundry civil bill, which must be added to the amount I have already given. In 1894 there was appropriated for rivers and harbors $14,166,153. It must be remembered, which was entirely overlooked obviously by the President, that these appropriations are not for one year but for two, and that the direct appropriations which we make in the pending measure must go for the next fiscal year and the year succeeding. So we have actually appropriated, instead of $14,000,000, as the President says, for the next fiscal year a little over $6,000,000, being one-half of the $12,608,900 which I have enumerated already.

RIVER AND HARBOR BILLS.

1877 to 1886, inclusive.		1887 to 1896, inclusive.	
1877	$5,015,000.00	1887	$14,473,900.00
1878	----------	1888	----------
1879	8,201,700.00	1889	22,397,616.90
1880	7,846,600.00	1890	----------
1881	8,951,500.00	1891	25,136,295.00
1882	11,441,300.00	1892	*1,951,200.00
1883	18,738,875.00	1893	*814,000.00
1884	----------		21,154,218.00
1885	13,949,200.00		21,968,218.00
1886	----------	1894	*14,166,153.00
Total	74,144,175.00	1895	11,643,180.00
			*8,400,000.00
			20,043,180.00
		1896	*11,462,115.00
		Total	131,598,677.90

*This amount for rivers and harbors, appropriated in sundry civil bill, is included here under river and harbor bill and deducted from sundry civil bill.

Total amount, 1877 to 1896, inclusive, $205,742,852.90.

Again, it is stated by the President that there is $3,000,000 appropriated in the sundry civil bill at this session, which must be added in addition to the $14,000,000 appropriated, as he said, by the pending bill. This is obviously unjust to the river and harbor bill, because that is the result of legislation already had in 1890. That $3,000,000 is absolutely necessary to preserve the faith of the Government, and this Congress is no more responsible for it than will be the Congress ten or twenty years hence.

The President also says that under this bill there will be appropriated or expended $30,000,000 for the fiscal year 1898, and he states that during that year $20,000,000 will be necessary, under the provisions of this bill, in order to meet these appropriations. As a matter of fact, the amount of continuing appropriations in 1898, instead of being $20,000,000, will be $16,612,873, a difference of $3,387,327 between the estimate of the President and the actual facts. If we add to this $6,000,000 in round numbers, being one-half of the direct appropriations for this year in the bill, we have in the year 1898, which carries the largest of all the expenditures under the continuing contracts, a little over $19,000,000, or, say, $20,000,000 in round numbers, instead of $30,000,000, as stated in the Executive message.

The President states in his message, and I shall not misquote him, that work has been entered upon without the approval of the Board of Engineers. There is no law of the United States which makes the recommendation of the Corps of Engineers imperative or coercive upon Congress. The general statutes of the United States provide that the local engineer shall first make an estimate, which shall be forwarded to the division engineer, who shall revise and pass upon it, and his report shall go to the Chief of Engineers, who shall revise that report and give such recommendations or views—that is the language of the law—such views as he may entertain upon the subject to the Secretary of War, who transmits them to Congress. There is nothing imperative, therefore, and the President so admits in his message.

But I am at a loss to know why the President, when vetoing a bill of this size and importance, did not specify the items of the bill that were obnoxious to the Executive prerogative. I have no disposition to do his excellency injustice, and therefore, upon seeing this veto message, I addressed, as the senior Senator in service upon the Commerce Committee, and in the absence of the chairman [Mr. FRYE], the following communication to the Chief of Engineers, from whom Mr. Cleveland must have obtained the information upon which he based this message. I ask that it be read.

The VICE-PRESIDENT. The Secretary will read as indicated.

The Secretary read as follows:

UNITED STATES SENATE, *Washington, D. C., May 30, 1896.*

MY DEAR SIR: As Senator FRYE has left Washington for the session, I find myself, as the oldest Senator in service upon the Commerce Committee, in charge of the river and harbor bill, and as the President has vetoed the measure I desire to call your attention to certain statements in his message, with a view to ascertaining upon what official information these statements are made, the President alleging in his message that he is officially informed of the facts which he communicates to Congress.

In his message the President says: "It appears that some of the projects for which appropriations are proposed in this bill have been entered upon without the approval or against the objections of the examining engineers." Again he says: "I learn from official sources that there are appropriations contained in the bill to pay for work which private parties have actually agreed with the Government to do in consideration of their occupancy of public property."

As the President must have obtained his information in regard to this bill from the Corps of Engineers, whose duty it is to make recommendations in regard to the improvements of rivers and harbors and superintend the expenditure of appropriations made for that purpose, I have no hesitation in asking from you a statement of the facts upon which the President based his charges.

I was not present in the Committee on Commerce at the time you first appeared before it, but Senator FRYE and other members of the committee informed me that you explained the discrepancy between the estimates of the local engineers and of yourself, as Chief of the Engineer Corps, by saying that you had been requested by the Secretary of War to make your estimates as low as possible, and you had therefore estimated for the smallest possible amount in each case.

Senator FRYE also stated to me, on the eve of leaving Washington, that you had said to him after the bill had passed both Houses of Congress that it was a good measure, and not amenable to the criticism which had been made against it.

I would be very much obliged if you could give me the information requested in this letter at once, as the veto message will probably come up for discussion in the Senate on Tuesday next.

Very respectfully,

G. G. VEST.

Brig. Gen. W. P. CRAIGHILL,
Chief of Engineers, United States Army, Washington, D. C.

Mr. VEST. As the date of that communication shows, it was addressed to the Chief of the Corps of Engineers last Saturday morning. Not receiving any reply to it, upon Monday afternoon late I telephoned just before 4 o'clock, when the Department closed, to the Chief of Engineers, asking him if he had received my communication and if he proposed to answer it. I received from him a telephonic message to the effect that my communication had been referred to the Secretary of War for instruction and that he knew nothing more in regard to it. I have up to this date received no information, and I take it, therefore, that for reasons best known to the Administration it is not considered necessary to enter into details in regard to this bill, but to indulge in general and rhetorical declamation against the extravagance and favoritism that is charged to exist in it.

Mr. President, we are now confronted with one proposition overwhelming in its character. I have already said there are details in the bill to which I did not assent except in order to procure the larger advantages which I thought would come to the whole country from these improvements. As a committeeman I was confronted with the proposition whether there should be no river and harbor bill or one with all the details of which I could not agree. We are now individually and collectively confronted with the same proposition. Are we to stop all the improvements that are so necessary to the internal commerce of this country because a creek here and a branch there have received appropriations which we think should not be made, because the Corps of Engineers have not seen proper, in their discretion, to recommend these appropriations, and because individual Senators and Representatives with local knowledge have brought such facts before the committee and caused them to recommend the appropriations?

If this bill be vetoed the probability is there will be no other enactment in this direction during the present session of Congress. What will be the result? The millions of dollars that we have appropriated heretofore upon continuing improvements will possibly go for nothing. The action of the elements, the wear and tear and decay will obliterate all that has been done heretofore by the watchful care of Congress. Because of the twenty-five or thirty or forty thousand dollars which for the sake of the argument I grant is thrown away, we are to waste millions. The great works of the country which are absolutely necessary to its internal commerce, the Mississippi River, the Baltimore Harbor—all these large improvements are to be stopped now because there are details in the bill which the Executive does not think proper to lay before Congress, but upon which he bases a veto.

I do not know and I would not be authorized to speculate as to what items of the bill are so obnoxious to the President. There is in the message one singular expression. The President says that although private parties have been heretofore permitted to go into possession of public property, we are now paying them large sums in violation of the contract originally made. I have puzzled myself as to what his Excellency refers, and I can in the wildest conjecture think of nothing else than the improvement at Brunswick, in Georgia, which is sui generis and stands upon its own foundation. In 1892 a gentleman named Goodyear, a lawyer by profession, advanced the idea that by the use of dynamite he could destroy the obstructive bar at Brunswick, Ga., a place of the largest commercial importance next to Pensacola in the Southern States. He brought his project before the Bureau of Engineers, who rejected it, as I am informed.

It was then brought by the Senators and Representatives from Georgia before the Congress of the United States. The offer was based on the idea upon which the jetties at the mouth of the Mississippi River were successfully constructed; in homely verbiage, "No cure, no pay." He was to secure 21 feet of water, for which he was to receive $30,000 or nothing. It was a mere experiment. But the bar was there, commerce was obstructed, and Congress was liberal enough, in this age of advance and invention, to give to this man the opportunity to make good what he

believed to be a great idea. He went to work and put all his means into it, borrowed and begged like these inventors generally do, and he secured within a fraction of 21 feet, amidst difficulties unparalleled and the stern, unyielding opposition by the Corps of Engineers, who, like all close corporations, resent invasion from any outsider upon their domain.

He came to Congress in 1894 with an adverse report from the investigating engineers as to the depth of water, and after hearing him, and in consideration of the great misfortune that had come upon Brunswick, financially and otherwise, and believing Goodyear to be an absolutely honest man, who had sacrificed all his estate in this venture, we recommended on the part of the Senate that the $30,000 should be paid to him, and we extended his contract. He was then to obtain 23 feet, for which he was to receive $40,000 at this session of Congress, provided he had achieved that result. He had sold his library, let me mention, to show how earnest his belief was in the idea which he had brought to light.

He came back to this Congress with another adverse report against him. The Senators and Representatives from Georgia appeared before our committee and before that of the House and urged the efficacy of the improvement. They showed 8 feet of water upon the bar in addition to what had been there when the original contract was made; and I stand here to-day, in the face of the Bureau of Engineers, and say that it is the cheapest harbor improvement ever made in the United States, one of the most worthy, done by a private citizen with his own means, done in the face of this professional opposition, as the jetties at the mouth of the Mississippi were built, in face of the criticism and opposition of the entire Bureau of Engineers. Eight feet additional water have been obtained for a cost of $30,000, a thing unheard of before in the engineering of the United States. We extended his contract in the conference committee, making it 200 feet width of channel instead of 100 feet, and paying him in the same proportion for every foot obtained.

I am here to defend this. It was right. I say there should be no monopoly, even of engineering talent, in this free country of ours, and if any private citizen comes to me as a legislator and shows where he can do work better than the Corps of Engineers and more economically I am prepared, for one, to face their criticism and to defend my action. We put that clause in the pending bill, and I stand by it, and I believe the result will be the absolute destruction of the bar at a cost below what has ever been that of any other similar work in the United States.

I shall not go further into the details, because I would enter into the field of conjecture. The result upon the great Mississippi River, in which all the Western States are peculiarly interested, would be most disastrous if the veto should be sustained. There are 16 agricultural States—and I shall not detain the Senate by statistics—immediately tributary to this great river. These 16 States produced in 1895 1,686,000,000 bushels of corn, or 78 per cent of all the corn produced in the entire United States. In 1895 they produced 325,774,000 bushels of wheat, or 68 per cent of all the wheat produced in the United States. In 1895 they produced 629,667,000 bushels of oats, or 78 per cent of all the oats produced in the United States. And I will ask permission of the Senate, without detaining them, to put into my remarks a most interesting statement made by a constituent of mine from St. Louis, Mr. Web. M. Samuel, who has studied the enormous commerce on the Mississippi River, and how it has increased from year to year, even under the partial improvement of that great stream made by Congress:

The sharp competition of other countries to supply the markets of eastern Europe has brought about this era of low prices, and these countries mainly employ their interior waterways, as is evidenced by the great awakening in their improvement in carrying their heavy products to market. A result of the condition of low water prevailing during recent years can be seen by the following statement of tonnage shipped by river from St. Louis since 1882, and it is officially recorded that the river tonnage registered at St. Louis is larger than at any other points on the Mississippi River:

	Tons.		Tons.
1882	769,905	1889	712,930
1883	677,340	1890	601,862
1884	574,910	1891	512,930
1885	534,175	1892	502,215
1886	561,895	1893	436,900
1887	637,060	1894	363,080
1888	510,115	1895	303,358

Shipment of bulk grain St. Louis to New Orleans by river since 1876.

[Reported by Geo. H. Morgan, Secretary Merchants' Exchange, St. Louis, Mo.]

	Bushels.		Bushels.
1876	1,774,379	1886	8,834,924
1877	4,101,353	1887	11,556,799
1878	5,451,603	1888	7,252,578
1879	6,164,838	1889	14,158,046
1880	15,762,664	1890	10,217,244
1881	12,993,947	1891	8,468,546
1882	8,333,417	1892	8,414,940
1883	11,059,508	1893	7,004,168
1884	6,647, 58	1894	3,481,350
1885	8,667,919	1895	1,690,417

A statement of the St. Louis and Mississippi Transportation Company, which has a larger equipment for moving grain than any on the entire river, the tonnage capacity of their 90 model barges exceeding 100,000 tons, gives the movement of grain down the river for five years as follows:

	Bushels.		Bushels.
1891	10,281,083	1894	3,650,954
1892	12,716,735	1895	2,590,045
1893	9,926,796		

For the same period the total bulk-grain tonnage movement of this company has been—

	Tons.		Tons.
1891	413,789	1894	171,229
1892	456,081	1895	161,095
1893	348,825		

No complete record of interior commerce has been collected which I can find since 1890, but the following statement of tonnage business of New Orleans has been compiled with great care by a reliable authority, and is as follows:

Report, January 25, 1894, port of New Orleans.

	Tonnage.	Value.
Sea commerce:		
1876	1,908,114	$137,136,873
1892 *	3,333,658	233,178,068
Railroad commerce:		
1880	878,494	99,761,708
1892 †	3,980,996	245,492,900
River commerce:		
1876	3,313,014	173,826,434
1892 ‡	1,934,925	72,760,956

* Increase, 70 per cent.
† Increase, 350 per cent tonnage; 150 per cent value.
‡ Decrease, 41½ per cent tonnage; 59 per cent value.

These evidences of the rapid decline of the commerce of this great river are certainly not attributable to the abandonment of water transportation, but can only be attributable to the obstacles to navigation which appear at the season of the year when most needed.

In marked contrast with the falling off of tonnage on the Mississippi River, we will state the effects of improvement in water transportation by the lakes since the completion of the St. Marys or Soo Canal, and the removal of obstructions at other points connecting the lakes. In 1886 the deepening of the St. Marys Canal was completed, securing a depth of from 12 to 16 feet. The amount of freight carried through it in 1881 was 1,878,000 tons; it was increased to 3,070,000 tons in 1886, and 9,400,000 tons in 1891. The United States engineer in charge, Major Poe, reported that it reduced the carrying rate on grain 3½ to 4 cents per bushel, and the saving on wheat alone was $2,600,000 for 1886, nearly the entire cost of the improvement.

The further increase of the depth of the locks of this canal to 20 feet has resulted in a further augmentation of tonnage to over 13,000,000 in 1894. A corresponding increase is shown in the movement of freight along the entire length of the lake route. The large reduction from 2.3 mills per ton per mile in 1887 to 0.999 mills per ton per mile in 1895 is shown as the great beneficial result. The freight traffic of the canals, according to the latest official compilation of the whole country, shows an increase from 21,044,296 tons in 1880 to 48,668,325 tons in 1890. It would be impossible to furnish a more effective argument in favor of the economy of improvements to make water carriage safe, easy, and cheap than that afforded by the almost marvelous results that have attended the deepening of the Soo Canal; and as the laws of trade are the same all over the country, on the Mississippi and on the lakes, it is strictly warrantable to assume that the deepening of the low-water channel on the river would be attended by similar results.

It should also be considered that this canal is open only, on an average, seven months in the year.

Previous to 1880 climatic difficulties were urged against grain moved by way of the Gulf; the successful movement of large quantities at all seasons and the large increased movement by rail have long since disproved this illusion. What, therefore, except the existence during the most useful period for navigation of obstacles to its easy navigation, can have produced the results of the past decade? In marked contrast with the falling off in shipment of grain down the river, you will find an astonishing increase of export of corn during the single month of December at New Orleans, carried there by rail. Her exports of corn during this month was 3,175,000 bushels. Contrasted with other leading ports of the United States, the export of corn for that month was as follows:

	Bushels.
New Orleans	3,173,111
Baltimore	2,393,168
New York	1,735,694
Philadelphia	683,000
Boston	202,647

I take these figures from a recent and most elaborate editorial in the Manufacturers' Record, of Baltimore, a paper most reliable in all its statements. Commenting upon the facts, it says:

"It will be seen that New Orleans has steadily advanced as a corn exporting port, and during the past month of December led all the American cities and handled one-third of all the corn shipped out of the country."

There are two explanations of this remarkable turn of the tide southward.

First. While the river channel south of St. Louis during the last fall, when freight engagements were made for the coming season, was blockaded by sand bars, the river from New Orleans to the Gulf, by reason of the great success of the Eads jetties, was open for the steamships of the world.

Second. In the movement of their grain, the producers of the Mississippi Valley, being unable to use their natural cheap waterways, still found the cheapest outlet by rail to tide water at that seaport.

The result is an enormous and unnecessary tax upon the people of the grain-producing States in shape of increased transportation rates.

It has been shown in the memorial of the Merchants' Exchange that, on a fair navigable stage of water, grain has been moved from St. Louis to New Orleans for $1.60 per ton for the distance, or 1.30 mills per ton per mile, while the rail rate for the whole country for last year was 8.30 mills per ton per mile. The present schedule rate of transportation from St. Louis to New Orleans is 12 cents per bushel; the rate per bushel by river, supposing the river channel is in ordinary stage, is 4 cents per bushel; thus you see a difference of 8 cents in favor of the river. The total export of wheat and corn

alone from the United States during the year 1894 was 230,772,658 bushels, the main part of which was produced in the States resting upon the Mississippi and its navigable tributaries. If only one-fourth of this was shipped by New Orleans for export, the annual saving would be $4,615,353; but this is only the direct saving, as you are well aware. Waterways regulate the transportation rate of railways running parallel and across them, as has been demonstrated time and again by the experience of the Erie Canal, the Lakes, etc. If, therefore, the Mississippi reduces directly by 8 cents per bushel the rates of shipments down the valley, it is fair to presume they will reduce the rates at least 4 cents per bushel on the remaining three-fourths of the 230,772,658 bushels transported to the seaboard for export. This would make a saving of $6,900,000 additional. There is, however, at least 200,000,000 bushels of this product that goes into our interior commerce and to consumers in sections where the consumption exceeds the production.

This would add another saving of $8,000,000; the surplus we have to sell for export regulates the price of that which finds a home market, and the amount of saving in freight charges adds to the value of all that remains, and considering this increased value only half of the above, or 2 cents per bushel, on the remaining 2,200,000 bushels, which finds a home market and enters into the production of food products, you can easily see that you would save to the producers of this valley in one year over $25,000,000 on their grain crop alone. This estimate includes but a small portion of the traffic of the vast valley tributary to its navigable rivers, the tonnage of grain referred to being only 25,000,000 tons, while it is estimated that from the combined industries of this valley there is placed annually upon the distributive market of the world 150,000,000 tons freight, and considering a small saving on this whole amount, which would be produced by the active competition of an improved and regular navigable channel, it is certainly safe to assert that the benefit would exceed $50,000,000 annually, and so closely are we bound in commercial relations it would be felt in every portion of our country.

Mr. President, who can overstate the importance of the waterways of the United States? Take the great Soo Canal, for which we commenced appropriating in the years before 1886. The Soo Canal, according to the official reports, was completed in 1886, procuring a depth of from 12 to 16 feet. The amount of freight carried in 1881 was 1,878,000 tons. It was increased to 3,070,000 tons in 1886, and to 9,400,000 tons in 1891. These enormous figures are beyond any logic, beyond any statement in regard to the effect of an improved waterway upon the internal commerce of the country. The amount of freight carried through it in 1881, as I have stated, was 1,878,000 tons, which was increased to 3,070,000 tons in 1886, and to 9,400,000 tons in 1891. The United States officer in charge, Major Poe, reported that it reduced the carrying rate on grain 3½ to 4 cents per bushel, and the saving on wheat alone was $2,600,000 for 1886, nearly the entire cost of the improvement. We went on with this improvement, under appropriations from Congress, to deepen the canal, and the result has been an enormous increase in the tonnage. I could go on until my strength was exhausted proving mathematically that every dollar judiciously expended upon the great waterways of the country comes back tenfold in advantage to the people of this country.

Mr. President, I know it is usual with cheap talk in both Houses of Congress to fill the public press with criticisms of macadamized streams and insignificant creeks and branches that are unworthy of improvement. This has gone on for years; but here in one single item is a mathematical demonstration of the fact that cheap water transportation is absolutely necessary and is becoming more so each day to the people of this country. Go to Europe and look at what those great nations have done and have been compelled to do on account of the necessity for economizing in transportation. We have now brought down railroad transportation to a minimum cost in this country. It can go no lower without placing the railroads in bankruptcy. We must turn now to what nature has given us in the great rivers of the continent. I prophesy—and I hope that "coming events cast their shadows before"—that in a very few years the attention of the legislators of the United States will be drawn to the necessity of improving these waterways in order that we may give to the people of the United States economical and cheaper transportation.

Have Senators noticed the revolution in the grain traffic of the United States as illustrated by the exports from the harbor at New Orleans? In December last—and I shall not detain the Senate longer with statistics—there passed through the harbor of New Orleans outward bound 3,173,111 bushels of grain; in the same month at Baltimore, 2,393,168; at New York, 1,735,694, and at Boston, 202,647 bushels. The grain trade of the United States to Europe has been revolutionized as to transportation. This grain did not go down the Mississippi River to New Orleans. It went by rail, because we have not sufficiently improved that great river to give a uniform depth from Cairo to the mouth. It went by rail. On account of the construction of the jetties below New Orleans, against the opposition of the Bureau of Engineers, New Orleans has been made the nearest point upon tidewater for the outgoing grain of the Northwest.

Mr. President, the Chief Executive alludes in the closing part of his message to the fact that the $62,000,000 of continuing appropriations contained in the bill are just as obligatory upon the people of the United States as the bonds which have been issued by the Government, as he says, to sustain the public credit. If I were disposed to inject a financial proposition into this debate, which I shall not, I would mildly suggest that there is no interest upon the $62,000,000 which we propose to pay for these continuing improvements; that we do not propose to mortgage posterity, to use an expression in one of his messages, but we are simply providing for cheaper and more economical transportation for the people of the United States at this time and in the immediate future.

The President says that these continuing appropriations furnish concealment for extravagance. Upon the other hand, they have the exact opposite effect. Under the old system there was a scramble at each session of Congress for as large appropriations as possible for specific objects. Under the continuing-contract system every dollar to be expended is nominated in the law, and the Bureau of Engineers have no right to expect any other appropriation at the hands of Congress than that already made. The advantage of the system, as known to every intelligent man, is that the Bureau can see ahead exactly upon what they must depend, and their work is graduated and measured according to the means which Congress has put at their disposal. Every engineer officer who has come before our committee or made a report has indorsed in the warmest terms the contract system. The Secretary of War, in his last report, spoke of it in the highest terms, and said it had saved an enormous amount of money to the Treasury of the United States. It has been stated by intelligent engineers that 30 per cent is saved by the continuing contracts. Where is the extravagance in making them? It is safe to assume that of the $62,000,000, taking the estimate of the President as correct, there will be only $42,000,000 expended to finish these projects which are contained in the continuing contracts.

From what quarter comes the assault upon continuing contracts? Not from the Bureau of Engineers; not from the Secretary of War, who has officially indorsed the system. Has it originated with the President of the United States? I will not assume that the President has the slightest idea of opposing the improvement upon these great rivers and waterways. In his first message to Congress, when elected the first time, he warmly, eloquently, enthusiastically indorsed the improvement of the great waterways of the United States. In the platform upon which he was first elected President there was a clause put by the Democratic national convention in our platform specifically indorsing the improvement of the Mississippi River, and Mr. Cleveland accepted the nomination upon that platform, and, as I have always understood, has remained upon it ever since.

This, Mr. President, is all I propose to say in regard to the pending bill. If Congress see proper to sustain the Chief Executive and to stop these improvements, as a matter of course they fully appreciate the responsibility assumed; but I do not believe that any such purpose is entertained.

Mr. SHERMAN. Mr. President, I shall very briefly state, for I do not wish to detain the Senate, the reasons why I shall vote for the passage of the bill, the opinions of the President to the contrary notwithstanding. In fact, I believe no appropriation bill like this ought ever to be vetoed under any circumstances. This bill does not contain mandatory provisions. It is an appropriation by the people of the United States, through their Representatives and Senators, setting aside or designating so much money for the various improvements of rivers and harbors throughout the United States. That the improvements are of vital necessity and great benefit to the people of the United States there can be no doubt.

It is true, as the President states, that sometimes appropriations are made for insignificant objects, but they are generally for small amounts, and even they are very important to the people affected by them. All of these great improvements for the Mississippi and other rivers and the lakes and the Atlantic coast are vitally important. They add to the wealth of our people; they add to our commerce. Without them this country could not have advanced at the enormous rate that it has done within the last fifty or sixty years. In every country in the world, and among the most intelligent countries on earth, much larger sums are expended for this purpose than we spend. The islands of Great Britain, the whole of which could be embraced within a portion of the Atlantic coast, expend vast sums of money on their harbors. They are wonderful works of art; they are of immense advantage to the commerce of that great nation.

Then there is another reason why the President never ought to veto an appropriation bill. These appropriation bills are not mandatory. Let me read the beginning of the pending bill:

> That the following sums of money be, and are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to be immediately available, and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the construction, completion, repair, and preservation of the public works hereinafter named.

It is not a mandatory appropriation of so much money that must be expended by the Secretary of the Treasury under the direction of the Secretary of War, but it is merely permissive; and in the case of every one of these appropriations, if the Secretary of the Treasury should say he has no money for this purpose that is not otherwise appropriated, as a matter of course he is not bound to expend it. The President of the United States has complete control over all these various subjects. Therefore I can not conceive a case where one of the ordinary regular appropriation bills should

be vetoed by the President, for, after all, it is a mere permission granted by Congress to the executive officers to do certain things. It does not require them to do it, but only permits them to do it, and authorizes the money to be paid out of the common Treasury of the United States for that purpose. But if the officers who are allowed discretion in the matter say, "There is no money in the Treasury for that purpose; it is otherwise appropriated," or if the President of the United States should see proper to say, "That object of appropriation is not a wise one; I do not concur that the money ought to be expended," that is the end of it. There is no occasion for the veto power in a case of that kind.

The provision in regard to contracts is a vitally important one. Every man of business knows that if he were about to build a house or any other structure he would make careful estimates in detail; he would apply to a contractor to build the house or whatever the improvement might be, and the contractor would make his contract and go on and build the work. That is all right. There is a contract, but here there is no demand, no direction, no requirement in the law; there is not a single feature of it that requires the President or the heads of the Departments to make the contracts ahead of time. But the bill says uniformly they may do it. It leaves the entire discretion to the officer, and therefore the Secretary of War, as the officer authorized to make the contracts, is not bound to make them. He is merely authorized to make them. If, in his judgment, the situation of the Treasury or other causes combine to render the improvement important he makes the contract in advance. That recent stipulation and provision put in laws has been very beneficial indeed, not only in this branch of the public service but in every other branch of it where permission is given ahead of time to make complete contracts for any given work.

Under these circumstances it seems to me the House of Representatives and the Senate of the United States ought to stand by their undoubted and exclusive power to appropriate money, leaving it to the President to expend it according to the terms of the law only when there is sufficient money in the Treasury for that purpose, or when the Executive authorities concur with the Congress of the United States as to the appropriation. There is a wide distinction between a mandatory law, which is binding upon the President and all the Departments and all the people of the United States, and the mere permission to expend so much money for a particular object.

I can not imagine a veto of any bill of this kind which I would support, because the veto is rather a dangerous power to confide in anybody. It is confided to the President of the United States, and it is the greatest mark of confidence that the people of the United States could possibly repose in the President of the United States. That power ought never to be abused. It ought never to be exercised except in a clear case where an unconstitutional act has been passed or a mandatory provision has been made which the President of the United States thinks is against the public policy and the good of the people. The veto power ought to be watched. It has been exercised of late years, it seems to me, with too much latitude. As the Senator from Missouri [Mr. VEST] properly says, in the early period of our history it was a rare event to have a veto message come to us, while in modern times we have them almost every week or so or almost every day or two.

We ought to curb or check, if possible, the exercise of this power, unless it is exercised only in those great cases contemplated by the Constitution, when the President may, appealing to the people of the United States, say Congress in this measure has gone wrong; it has required what ought not to be done, and therefore he can interpose his veto. But it should only be applied to cases like that, which come within the plain meaning and object of the grant of the veto power to the President of the United States.

Mr. SMITH. Mr. President, after listening to the speeches of the Senator from Missouri [Mr. VEST] and the Senator from Ohio [Mr. SHERMAN], two of the most able, astute, and adroit Senators in this body, favoring the bill as they do, I hesitate to offer views which differ from theirs. In doing so, however, I feel that I am but carrying out what I believe to be right and proper.

I desire to say at the outset, for the benefit of the Senator from Ohio and the Senator from Missouri, that the question of Executive veto is not new in this Chamber. It is not of recent origin. It dates back to the days of Andrew Jackson, when he vetoed a similar bill, followed by President Tyler, President Polk, and President Pierce, and coming down to the protest of General Grant, which, I think, it would not be amiss for me to read at this time. In 1876, when Congress had passed a bill which did not amount to one-fifth of the present measure, he said:

> There is very great necessity for economy of expenditure at this time growing out of the loss of revenue likely to arise from a deficiency of appropriation to insure a thorough collection of same. The reduction of the revenue districts, diminution of special agents, and total abolition of supervisors may result in great falling off of the revenue. It may be a question to consider whether any expenditure can be authorized under the river and harbor appropriation further than to protect works already done and paid for. Under no circumstances will I allow its expenditure upon works not clearly national.

With Jackson, Tyler, Polk, Pierce, Grant, and coming down to President Arthur, these bills have met Executive disapproval. I do not believe we need any stronger argument than the fact that these men believed it necessary to veto such bills to show that there is something wrong, and has been practically from their inception.

I desire to say, so far as concerns the present veto, that a difference has arisen between the figures of the President and those of the Senator from Missouri. The estimates of one, no doubt, have been computed and compiled by the engineers of the Government, while the Senator from Missouri, who is as efficient as they are, has arrived at figures which differ with them.

But both are entitled to consideration. So far as the continuing-contract system is concerned, no one, so far as I know, undertakes to find fault with that system, provided any is to be followed. I am not opposed to the improvement of the great highways of navigation in the way of river and harbor appropriations; but at a time like this in the history of this country, such as has never been known before, when this committee appears before this body with a bill carrying $10,500,000 for objects concerning the worthiness of which the judgment of the Engineer Corps has not been asked, and when $1,500,000 is appropriated for objects which the engineers have reported to be unworthy, making a total of $12,000,000 which this bill carries which does not meet the approval of the engineers, or as to which their judgment or opinion has not been asked, I say, Mr. President, with these facts before us, and with the present condition of the revenues of this Government, we are not justified in making extraordinary appropriations of this character without providing some means for their payment.

Mr. WHITE. Will the Senator yield to me for a question?

Mr. SMITH. Certainly.

Mr. WHITE. Will the Senator furnish the items constituting the sums to which he has just alluded? He has made a statement that there is a large amount of money appropriated by this bill for objects deemed unworthy, and has summed the whole amount up. I hope he will be more particular than the President in that regard, as the members of the committee are anxious to get some information.

Mr. SMITH. I should suppose that the members of the committee would not want any information regarding the $10,500,000 for improvements for which the engineers have not reported or as to which their opinion has not been asked.

Mr. WHITE. What are the items which constitute those sums?

Mr. SMITH. They no doubt will be furnished by the engineers.

Mr. VEST. The Senator from New Jersey is laboring under a misapprehension, and the Corps of Engineers will so inform him. Under the general statute passed in 1894, after the regular surveys which were authorized by the river and harbor bill, we enacted that no other surveys or reports should be made except under a direct resolution of Congress. During this session a large number of resolutions have been passed by Congress calling for additional surveys and reports. These reports of the Bureau of Engineers, as they themselves will state and have stated, and I can produce the proof, are considered as recommendations, and Congress is entirely authorized to act upon these reports, which are filed and are accessible to the Senator or anybody else. So it is not true, it is an incorrect statement, to say that there were no recommendations by the Bureau of Engineers. They were required to make surveys and to report the condition of the work with the view to improvement, and while they did not say in reponse to those resolutions, "we recommend the appropriation of so much money," they made such reports that the necessity for the improvements was apparent. That is the whole case.

Mr. SMITH. I desire to say, Mr. President, that the statement I have made was made after my personal call at the Department of Engineers of this Government, and the information was furnished me in that way. So I made no mistake in making the statement that $10,500,000 is appropriated in this bill without any warrant of fact or inquiry from the engineers, and $1,500,000 was appropriated for objects which the engineers have reported to be unworthy. That is $12,000,000.

I would not under ordinary circumstances oppose any measure which was likely to benefit the agricultural interests of this country. I recognize the fact that the farmer and the manufacturer must go hand in hand, and that what is for the benefit of one is for the benefit of the other.

Whilst the appropriations contained in this bill are extremely large, under ordinary conditions they would not receive any objection at my hands, nor should my voice be raised or my vote be cast against them; but with the revenues of this Government $30,000,000 less this year than the expenditures, for Senators to vote for the passage of a bill of this character, knowing the facts which surround us, without providing any means whatever for the payment of the expenditures, does not seem to me to be wise, proper, or prudent legislation.

I desire to say, in conclusion, Mr. President, that with the necessity that follows the passage of such laws, with the expenditure of these moneys, which necessitates the issuing of bonds in order to raise the funds wherewith to pay them, it does not seem to me consistent for Senators who criticise the action of the Executive in issuing bonds to make their issuance necessary by voting for appropriation bills of this character.

Mr. VILAS. Mr. President, I desire to say only a few words on this subject. The Committee on Commerce was so considerate of every interest which was connected with the State which I represent in part that if I could have yielded to the sense of obligation which sometimes presses heavily by reason of considerate treatment by the committee, I should have felt myself bound to vote for the passage of this bill. Yet when the direct question was presented to me whether I could lend my vote to the bill, important as were the interests which our State, or some localities in it, possessed in its passage, valuable as I believe the improvements projected in the State would be to the public interests, I could not bring myself to face the conviction, under the present circumstances of our affairs, that an appropriation of such magnitude ought not to be superadded to the weighty obligation already incumbent upon the distressed shoulders of the people of this country.

I do not disagree with the theory of the committee in respect to continuing contracts. I look upon the action of the committee and of Congress, so far as adopting that system of making public improvements is concerned, as wise and prudent. It is the true way beyond all question in which these great public improvements ought to be projected, carried on, and consummated.

Nor, Mr. President, in what I say do I desire to enter into any specific or particular defense of the veto message which has been read. Indeed, I am sure that Senators will recognize that the criticism upon it has been of a somewhat inconsequential nature.

The distinguished Senator from Missouri [Mr. VEST], who addressed us with that sweet captivation of eloquence which he always brings to the support of everything he presents to the Senate, ingeniously suggested a sort of laxity or inexactness in the figures of the President in his message as if it intimated, I suppose, a want of that particular and minute consideration which was to have been expected; yet I venture to say that even the distinguished Senator from Missouri, with that faithful and patient study which he is in the habit of giving to public business intrusted to him, did not himself make the computations and figures from which he presented the summary of results in the bill. More likely it was the work of a clerk, I should suppose.

Mr. VEST. Will my friend permit me?

Mr. VILAS. Certainly.

Mr. VEST. I ought to have stated at the time the Senator from New Jersey [Mr. SMITH] made his remarks upon that portion of what I said that the estimate which I presented to the Senate was the result of the labor of experts, including the clerks of the Committee on Rivers and Harbors of the House of Representatives and of the Commerce Committee of the Senate, and of the absent chairman of the Committee on Commerce and myself. We all made this calculation, compared it, and corrected it; and, without arrogating to myself any especial aptitude for figures, I think I can state I know it to be absolutely correct.

Mr. VILAS. Mr. President, I should be very far from challenging the correctness of the figures of the Senator from Missouri or manifesting any want of confidence in him, but the statement which he has just made corroborates my impression beforehand. He used figures not of his own making, although they had his supervision.

Mr. VEST. Taken out of the bill.

Mr. VILAS. Taken out of the bill by clerks. I have not a question of doubt but that the President must have used figures also taken out of the bill by the engineers; and when you come to apply the figures of the bill to this, that, or the other, or undertake to state in figures what the directions of the bill may require in this or that respect, there is some element of judgment entering into the matter, and there might be very easily a variance of judgment doubtless, which could be reconciled at once if the different bodies of experts were to confer together.

But all that I desire to say on that subject is simply that, of course, the President must have taken—I know nothing of it—the figures which were given by the Engineer Department, and of course he only professes in his message to speak of round numbers by the million. It was not important that he should mention the last particular cent of calculation. I remember well that when this subject incidentally—I do not know whether it was when this bill was under debate or some other—but when this subject incidentally was before the Senate the distinguished Senator from Maryland [Mr. GORMAN] spoke of this bill as carrying $62,000,000 of contracts, using the same figures which we find in the message. So it seems to me it is hardly worth while to introduce to the subject, as if it were a matter of serious complaint or an indication of a want of particular thought, that there is some little difference between the figures of estimated results or estimated aggregates by the committees and by the Engineer Corps.

Mr. President, if we are correctly informed, the amount of money appropriated by this Congress before we come to the river and harbor bill at all, that is, by the other bills, exceeds $500,000,000. The Senator from Missouri will correct me if I am wrong in supposing that it approaches $510,000,000.

Mr. VEST. That includes the appropriations for rivers and harbors.

Mr. VILAS. No; I think the river and harbor bill will carry it to above $520,000. That is my understanding.

Mr. VEST. That was the statement of the Senator from Maryland [Mr. GORMAN]. I never made it.

Mr. VILAS. Since the statement of the Senator from Maryland was made there have been considerable additions put upon the appropriation bills as they passed through the Senate; the amounts have been increased; and if the bills shall finally become laws as they were amended the amounts will be larger.

Now, this is the proposition which I desire to make, and it is the one ground of objection upon which I find myself, I may say, absolutely convinced of the duty which rests upon the representatives of the people of the country to oppose this expenditure. I can not now undertake to criticise, and I shall not go into the items to criticise, particular appropriations in this bill. The practice of throwing all appropriations for the improvement of rivers and harbors into one omnibus appropriation carries with it the aspect of the job; it is trade always when that is done, and it can not be helped; perhaps it could not be helped even if it were done by separate bills, yet I think the practice of Congress would be much more in accordance with its dignity and eventuate in the public interest if each separate and particular public improvement were made the subject of a separate and particular bill, although, in my own judgment, no scheme will ever yield a very good result for the public until the entire system of public improvement, both of rivers and harbors and public buildings, is placed under some competent executive board or bureau which shall have a control over the subject, to which Congress will give respect. However, I am not going to debate that question at this moment. I desire to draw attention to the enormous aggregate of our expenses.

The Senator from Missouri has depicted the value of our improvements. That has been in instances very great, and, with his accustomed judgment, he has selected those in respect to which the value of the improvement has been enormous, but at the same time who here does not know that millions of dollars have been wasted which have been appropriated by river and harbor bills? And millions more will be wasted undoubtedly upon alleged improvements or schemes of improvement which will result in no public benefit, or none at all compared with the public loss.

Now, let me ask the attention of the Senate for one moment to the state of expenditure in this country at this time as compared with what it was a generation ago. We have gone on in the habit of making large appropriations, expending millions where formerly thousands were sufficient, until at last we deal in figures as magnificent as were ever conceived in the brain of an oriental prince who had no sort of regard for the people upon whose shoulders his obligations and burdens were laid. We have come to deal in a spirit of magnificence about our country which has entirely excluded from view the fact that our people are composed simply of individual men, and that the sum of aggregate advantage is but the sum of individual advantage, that the sum of burdens is but a collection of individual responsibilities and liabilities.

We have gone on until now the term which shocked us but five or six years ago, the billion-dollar Congress, has become so familiar to us that we are going beyond the billion-dollar Congress already in a session which was begun under professions of the strictest economy to be observed by that highest of sanctions for Congressional performance—political apprehension; for in this very Congress our appropriations bid fair to outstrip by many millions the appropriations of that Congress which became famous in history, and will doubtless always retain its place, as the billion-dollar Congress.

Sir, let me draw attention but briefly to the extent to which this has gone on, and then I shall withhold further discussion, for I do not care to stand merely breasting the surge, when I know that in all probability but one result can be expected. I draw attention, first, to the receipts of this Government in the years preceding the great civil strife, and I will ask to print a table showing the receipts of the Government for the years from 1845 to 1861, the fiscal years ending June 30. I shall not detain the Senate by going more deeply into the figures than to say, if I may be permitted to print this table in my remarks, that the largest sum of receipts from taxation of the people in any year previous to the war was the year 1854, when the receipts were $64,224,190.27. In no other year but that of 1856–57 afterwards were the receipts from taxation by this Government above $60,000,000.

The table referred to is as follows:

Receipts of the Government.

Fiscal year ended June 30—	Taxation.	Lands.	Miscellaneous.	Loans.	Total.
1845	$27,528,112.70	$2,077,022.30	$163,998.56	----------	$29,769,133.56
1846	26,712,667.87	2,694,452.48	92,126.71	----------	29,499,247.06
1847	23,747,864.66	2,498,355.20	100,570.51	$25,679,199.45	52,025,989.82
1848	31,757,070.96	3,328,642.56	351,037.07	21,256,700.00	56,693,450.59
1849	28,346,738.82	1,688,959.55	1,038,649.13	28,588,750.00	59,663,097.50
1850	39,668,680.42	1,859,894.25	1,847,218.23	4,045,950.00	47,421,748.90
1851	49,017,567.92	2,352,305.30	943,106.65	----------	52,312,979.87
1852	47,339,326.62	2,043,239.58	345,820.69	----------	49,728,386.89
1853	58,931,865.52	1,667,084.99	738,623.89	----------	61,337,574.40
1854	64,224,190.27	8,470,798.39	854,716.54	----------	73,549,705.20
1855	53,025,794.21	11,497,049.07	481,087.27	----------	65,003,930.55
1856	$64,022,863.50	$8,917,644.93	$977,633.03	----------	$73,918,141.46
1857	63,875,905.05	3,829,486.64	926,121.98	----------	68,631,513.67
1858	41,789,620.96	3,513,715.87	1,254,232.76	$23,716,300.00	70,273,869.59
1859	49,565,824.38	1,756,687.30	2,082,559.33	28,287,400.00	81,692,471.01
1860	53,187,511.87	1,778,557.71	1,010,764.31	20,775,200.00	76,752,033.89
1861	39,582,125.64	870,658.54	892,199.64	41,861,709.74	83,206,693.56
Total	762,323,697.37	----------	----------	----------	----------

Mr. VILAS. I add next the following statements of the expenditures during those same years:

Sundry expenditures.

Year ended June 30—	Legislative.	Executive.	Judiciary.	Pensions.	Under Interior Department (omitting pensions).
1845	$713,594.16	$847,342.28	$628,012.17	$2,498,191.06	----------
1846	944,270.84	856,909.44	544,732.30	1,914,763.14	----------
1847	974,324.14	875,718.80	571,377.88	1,841,794.40	----------
1848	953,392.75	953,170.80	593,654.81	1,286,332.06	----------
1849	1,105,421.57	1,065,044.85	595,925.22	1,246,746.46	----------
1850	1,127,309.92	1,120,663.02	635,982.38	1,634,591.80	$1,765,933.07
1851	1,274,348.58	1,209,039.23	772,248.33	2,209,435.19	2,905,899.79
1852	1,248,017.90	1,248,011.91	718,065.44	2,345,223.86	2,853,605.08
1853	2,015,313.16	1,611,814.36	878,309.54	1,727,320.10	3,802,215.49
1854	1,656,102.47	1,683,154.09	886,386.37	1,238,094.15	1,370,960.64
1855	2,207,880.40	1,890,572.97	1,033,797.37	1,443,887.37	2,682,851.63
1856	2,000,362.23	2,055,125.07	1,228,333.93	1,279,342.76	2,593,483.88
1857	3,498,109.77	1,990,363.51	1,117,629.72	1,326,863.47	4,031,411.25
1858	3,583,523.79	1,856,017.53	1,062,631.61	1,218,883.31	4,833,040.07
1859	2,290,659.44	1,883,689.49	1,258,404.58	1,218,598.35	3,535,374.25
1860	2,619,529.43	1,826,804.58	1,181,667.93	1,092,726.96	2,862,959.63
1861	2,819,930.13	1,882,357.37	964,824.70	1,037,895.57	2,722,127.15

Expenditures.

Fiscal year ended June 30—	Civil list.	Foreign interest.	War Department (omitting pensions).	Navy Department (omitting pensions).	Miscellaneous.	Debt.	Total.
1845	$2,387,423.05	$399,668.54	$7,168,601.01	$6,095,049.93	$2,831,115.77	$8,588,157.62	$29,968,206.98
1846	2,523,624.20	397,933.29	11,794,440.05	6,321,087.86	3,861,442.35	1,217,823.31	28,031,114.20
1847	2,562,008.99	391,113.95	30,554,820.91	7,816,624.99	3,762,732.04	3,522,082.37	59,451,177.65
1848	2,647,955.92	390,897.70	26,625,278.09	9,315,290.21	2,546,216.05	15,429,197.21	58,241,167.24
1849	2,865,615.88	a 343,723.11	16,191,723.63	9,722,284.79	3,179,192.66	16,453,272.39	57,631,657.82
1850	3,042,770.07	b 529,732.44	9,401,239.16	7,923,313.18	6,958,360.24	7,437,366.41	43,002,168.69
1851	3,478,549.24	c 558,079.19	11,811,792.73	8,987,797.67	8,177,247.71	4,217,986.10	48,005,878.68
1852	3,422,939.29	d 419,190.67	8,225,246.92	8,928,236.05	9,824,158.02	6,275,815.53	46,007,896.20
1853	4,784,396.93	599,030.14	9,947,290.87	10,891,639.59	11,792,369.70	10,482,555.39	54,026,818.21
1854	4,649,384.98	e 726,677.13	11,733,629.48	10,768,192.89	13,531,310.33	24,336,380.66	75,354,630.26
1855	5,684,496.37	964,310.37	14,773,826.36	13,281,341.01	17,534,680.69	9,844,528.24	66,209,922.04
1856	5,916,429.67	f 568,769.09	16,948,196.89	14,077,047.12	15,739,010.14	12,776,390.38	72,948,792.02
1857	7,207,112.42	1,019,435.16	19,261,774.16	12,726,856.69	19,305,374.79	5,943,896.91	70,822,724.85
1858	7,059,196.75	g 982,676.47	25,485,383.60	13,976,000.59	17,937,217.54	9,684,537.99	81,585,667.76
1859	5,963,795.66	1,035,860.02	23,243,822.38	14,712,610.21	16,636,165.26	17,405,285.44	83,751,511.57
1860	6,148,655.41	1,163,207.15	16,409,767.10	11,513,150.19	20,658,007.92	17,613,628.00	77,462,102.72
1861	6,156,199.25	1,142,973.41	22,981,150.44	12,428,577.09	15,888,030.53	22,221,881.03	84,578,834.47

a $7,629,108.90 paid to Mexico under treaty and act of July 29, 1848, omitted.
b $4,308,866.31 incurred by treaty with Mexico omitted.
c $5,759,091.11 incurred by treaty with Mexico omitted.
d $3,713,480.78 incurred by treaty with Mexico omitted.
e $7,000,000 paid under treaty of 1853 with Mexico omitted.
f $3,050,122.09 paid under treaties of 1848 and 1853 with Mexico omitted.
g $408,731.44 paid under treaty with Denmark omitted.

What were our expenditures? Sir, the entire civil list of the Government in only two years exceeded $7,000,000. Our expenditures, excluding the payment on the public debt, rarely ran as high as $60,000,000, all told, excluding, of course, the Post-Office, which I am not reckoning in the calculation, but including the deficit in the Post-Office Department, which is reckoned. I will add that table of the expenditures of the Government to the receipts for that year.

Let me now draw attention to another point. I have here a table showing the receipts from taxation by the Government during the fiscal years beginning with 1879 and ending with 1894. The highest receipts from taxation of any year of our history were in the year 1890, which was the culmination of our prosperity. In that year the total taxation was $373,576,616.96, of which about $230,000,000 were from customs, the largest of any year, I believe, in the history of our country.

Mr. GEORGE. What year was that?

Mr. VILAS. The fiscal year ending June 30, 1890. I will put that statement of receipts and expenditures into the RECORD, with the permission of the Senate.

The statement referred to is as follows:

Receipts.

Fiscal year ended June 30—	Customs.	Internal revenue.	Bank taxes.	Total by taxation.
1879	$137,250,047.70	$113,561,610.58	$6,747,500.32	$257,559,158.60
1880	186,522,064.60	124,009,373.92	7,014,971.44	317,546,409.96
1881	198,159,676.02	135,264,385.51	8,116,115.72	341,540,177.25
1882	220,410,730.25	146,497,595.45	8,956,794.45	375,865,120.15
1883	214,706,496.93	144,720,368.98	9,111,008.85	368,537,874.76
1884	195,067,489.76	121,586,072.51	3,108,730.13	319,762,292.40
1885	181,471,939.34	112,498,725.54	2,914,222.25	296,884,887.13
1886	192,905,023.44	116,805,936.48	2,693,712.87	312,404,672.79
1887	217,286,893.13	118,823,391.22	2,385,851.18	338,496,135.53
1888	219,091,173.63	124,296,871.98	1,748,566.85	325,136,610.46
1889	223,832,741.69	130,881,513.92	1,536,087.16	356,250,342.77
1890	229,668,584.57	142,606,705.81	1,301,326.58	373,576,616.96
1891	219,522,205.23	145,686,249.44	1,236,042.60	366,444,497.27
1892	177,452,964.15	153,971,072.57	1,261,338.11	332,685,374.83
1893	203,355,016.73	161,027,623.93	1,392,623.63	365,775,264.29
1894	147,111,232.81	131,818,530.62	1,610,867.56	280,540,630.99

Mr. VILAS. Sir, let it be observed, not that we have simply fallen off in our expenditures, but that we have greatly fallen off from our receipts in some portions of this period, and if we are correct in the estimates which have been given to us of the outlays proposed by this Congress in the appropriation bills now to be passed, we have not only to make up the highest measure of taxation ever paid by the people of this country in a single year, but we must put $50,000,000 on top of that before we reach the expenditure in this river and harbor bill at all.

Where is the money to come from? Senators say, as has been said somewhat recklessly in another quarter, too, it seems to me, "We have got the money in the Treasury." That money in the Treasury was borrowed only for the purpose of maintaining the credit of the United States, and while I do not deny that Congress has a right to appropriate it—indeed, two years ago I made an elaborate argument upon the floor to prove the duty of the Secretary of the Treasury to pay it when Congress made the appropriation—yet when you pay it, you must resort to taxation or you must resort again to bonds to get the money to maintain the national integrity and public credit.

The Senator from Missouri says that there is a marked difference between the $62,000,000 of obligations incurred by this bill and the bonds of the United States, because the former bear no interest, and therefore that the President's observations at the conclusion of his message omitted a material circumstance. Ah, but the Senator from Missouri will recognize at once that if we expend by this river and harbor bill the moneys which we have on hand from borrowings already made, we have to follow it by more bonds, or else we have to provide more money by taxation of the people of our country; and if this money could be taken from the Treasury and applied with safety to any obligations of the United States, it seems to me the first should be those which are outstanding undischarged and upon which interest is being paid. We can save the interest by using the money to pay upon the public debt instead of using it for expenditures, if we are not to keep it in the Treasury. I think, therefore, that the observation of the President is not much out of the way.

The Senator from Ohio says also that this appropriation bill is not a mandatory bill, and he adopts the theory that all that is

necessary is for the President and Secretary of the Treasury to say, "We will not pay out the appropriation." I doubt if Senators upon this floor will agree to the proposition which he made, that it is within the discretion of executive officers to refuse to pay out appropriations which they have been commanded to discharge by Congress, if there be money in the Treasury.

But the Senator from Ohio says they need not pay these appropriations when there is no money in the Treasury. Which appropriation will the Secretary of the Treasury first be called upon to pay if you command him to pay $100,000,000 more than there is money in the Treasury? Shall he discharge the river and harbor appropriations and leave the legislative, executive, and judicial appropriations to go undischarged? Shall he pay money out upon the river and harbor improvements and leave the ordinary forces of the Government to go without their pecuniary nutriment? Of course the Secretary of the Treasury will be obliged to stop paying when he has no money to pay with, but is it the desire of this Congress to drive the Treasury to bankruptcy?

Mr. SHERMAN. Will the Senator from Wisconsin allow me to call his attention to the difference between such an appropriation and an appropriation made to carry into effect existing contracts, as salaries and the like? Nearly all our expenditures are in the form of salaries, pay to the Army, pay to the Navy, all of which are fixed by law, and therefore until they are disposed of the Secretary of the Treasury would have no right to pay under any merely contingent or permissive authority granted by law. I think that distinction has been marked all through our history, from the beginning down.

Mr. VILAS. Suppose the Secretary of the Treasury has discharged the last one of those appropriations due for the last quarter, if you please, and he has a certain sum of money in the Treasury which Congress has appropriated for improvement of some harbors or rivers, shall he refuse to go on because by and by he will come short of money? The appropriation has been made, the obligation and mandate are there, and unless you are to set up the Secretary of the Treasury and the President of the United States in a general superintending authority, with such a discretionary power over the appropriations of Congress as that would imply, to make choice between them, not according to the words of the act of appropriation, you will find that if you appropriate more than the moneys in the Treasury you soon make your Treasury bankrupt. I do not believe that Senators upon this floor can for a moment agree to that theory of the administrative function of the Secretary of the Treasury that he may exercise a discretionary superintendence over the appropriations which Congress shall see fit to make. When there is money in the Treasury his duty, beyond all question, is to observe the law as it is given to him by Congress.

Mr. President, I have pointed out summarily the extent of the obligations upon the Government, the enormous increase of revenue which must be taken from the people in some way if we are to pile up this mass of appropriations. I have pointed it out only in general figures, referring to these tables to show what our history was in the past. But, sir, when we had but 30,000,000 people we were not obliged to spend more than $2 a head. Now, when we have more than twice that number of people, our appropriations are running up to six or seven dollars a head. What is the necessity? With our increase of population are taxation and obligation of the Government expenditures to be increased in some arithmetical ratio, not in the ratio of increased numbers, when even a less ratio would seem to be the natural one?

We are going too recklessly on, Mr. President. It is for that reason that, interested though my State may be, I can not bring myself to support this measure, which will thus impose such great additional burdens upon the people of this country at a time when a period of distress has left them less capable of sustaining them.

The Senator from Ohio has argued that all the difficulty the country is under is the lack of revenue, as if revenue were something that it is a trick of party skill to provide. Let us understand that revenue comes from taxation of our own people.

Mr. GEORGE. And in no other way.

Mr. VILAS. And in no other way. All the substantial revenue which this Government derives or receives to meet its expenditures and obligations is sucked with the tremendous force of law from the produce of daily labor in this country. It comes from the produce of toil, and it marks its shoulders with new stripes and new galls when increased force is applied to them by the Government. Revenue is not something which is produced by mere party manipulation or party skill. Revenue must come from payment by the people of what they are obliged to yield in one form and another for the support of their Government.

Much complaint has been made of the Government deriving money from the sale of bonds. Oh, but there is one thing that ought to be said with reference to that, and it is that in a period of great public distress, when labor has been more harmed and has suffered more than in any other period for a considerable time, whatever we gained by borrowing was not, at least, for the moment extracted from the produce of overburdened toil. We have not lost it, and when we have thus in a certain sense aided the present condition by borrowing money, we ought not to waste it.

Mr. President, I have said already more and have occupied the time of the Senate longer than I meant to under the circumstances; and as I have indicated the general ground upon which I voted against this bill, so I have indicated the ground upon which I must adhere to that conclusion and vote to sustain the veto which the President has sent to Congress.

Mr. BERRY. Mr. President, I do not propose to discuss this bill at any length. I wish, however, to reply to a statement made by the Senator from New Jersey [Mr. SMITH], in which he stated that there were $10,000,000 in this bill not approved by the Engineer Department and a million and a half to which they were opposed. I take issue with the Senator from New Jersey and say that that statement is not correct. The estimates made by the local engineers amounted, I will not be specific, but I think to more than double the amount of the appropriations in this bill, including all the continuing appropriations. The estimate made by the Chief of Engineers was far less than that made by the local engineers, but the Chief of Engineers stated to the committee that the Secretary of War had directed him to make the estimates the very least upon which it was possible to continue and do the work that was proper to be done.

With very few exceptions there is no appropriation in the bill which is an increase over and above the amount estimated by the Chief of Engineers, while large numbers of the appropriations are far less than the recommendation made by the Chief, and which he himself said that the Secretary of War had directed him to make the very least possible upon which they could proceed with these important works.

The Senator from New Jersey states that these amounts were put in the bill without the estimates of the engineers, and refuses to specify the items named in the bill. The Senator from Missouri [Mr. VEST] called upon the Chief of Engineers to name these items, and he has refused to name them. Then I take issue with him and say the facts are not as stated, and the appropriations are not $10,000,000 over and above the estimate made by the Chief of Engineers.

Now, I want to say one word in regard to the statement made by the Senator from Wisconsin [Mr. VILAS]. The Senator from Wisconsin says that the appropriations for the State of Wisconsin are all right and proper appropriations to be made, but that there are some others, which he fails and refuses to name, that ought not to be made that make the bill too large. I state that the Senator from Wisconsin himself came before the Committee on Commerce and urged an increase of the appropriations for the State of Wisconsin, and the increase that was made by the Senate committee was made at his earnest solicitation, and because he said it was absolutely necessary to preserve the public works there.

I call upon him or some one else who opposes this bill to name the State where appropriations have been improperly made. If it be true that it be not in Wisconsin, then in what State is it?

This much I have felt that it was my duty to say, being a member of that committee.

I agree with much that the Senator from Wisconsin has said in regard to extravagant appropriations. I have stood here year after year since the time I have been in the Senate and opposed extravagant appropriations; but they have gone on. He speaks of the immense amount appropriated this year. We appropriated largely for naval vessels. I did not hear the Senator from Wisconsin oppose that and speak against that immense appropriation.

Mr. VILAS. It is because the Senator from Arkansas must have been absent at the time, because I think no naval bill has gone by without my opposing it.

Mr. BERRY. I am glad to know he did oppose it, but it is remarkable to me that he should pick out this particular appropriation in which the farmers and agricultural classes of this country are more interested than all others. I regret that he has selected this bill when, if there be no appropriation for the Mississippi River, works that have cost the Government millions of dollars will go to absolute destruction before two years, unless the appropriations are made to continue the work. The failure to pass this bill may mean destruction to the homes of thousands of people in the Mississippi Valley. I regret that he has urged this as being extravagant when the river transportation is the only protection that the farming class of this country has against the exorbitant charges of the railroads of the country.

Mr. President, if there be extravagant appropriations this is not the one upon which we should begin to economize. I do not wish to say anything that may sound sectional, but this is the only appropriation that ever comes from Congress when one large section of this Union, the South, receives any benefit whatever, and yet it is that particular appropriation in which the farmers of the Mississippi Valley—16 States, as shown by the Senator from Missouri—are deeply and vitally interested, which is their sole protection against confiscation by the railroads of the country. It is

an appropriation that the Senator selects and expends his eloquence upon to show that extravagance prevails in Congress.

The VICE-PRESIDENT. The Senator from Arkansas will suspend. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 8008) defining cheese, and also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of filled cheese.

Mr. VEST. I ask that the unfinished business be laid aside temporarily in order to finish the river and harbor bill.

The VICE-PRESIDENT. Is there objection?

Mr. SHERMAN. Let the unfinished business be laid aside temporarily without losing its place.

The VICE-PRESIDENT. Is there objection? The Chair hears none. The Senator from Arkansas will proceed.

Mr. BERRY. Mr. President, I have said all that I desire to say. I state frankly to the Senator from Wisconsin that there are some items in the bill to which I was opposed and against which I voted, but it is this bill or no appropriation for rivers and harbors. This matter is of most vital consequence to the people of the Mississippi Valley. If there be no appropriation, the work that has gone on there for years and years, and which now approaches a state of completion, will in all probability be swept from the face of the earth, and all protection gone. It is those people and that farming community who are so vitally interested; and while there are items in this bill for which I would not vote as a separate measure, I will not strike down the interests of so many agricultural people of the country because a few objectionable items may have slipped into it.

The Senator from Wisconsin says again that these great works ought to be appropriated for, but it is the small works upon which millions of dollars he said had been appropriated. I state that the people in the Southern States, those who live on the small rivers in that country, on the bayous, if you will, where it is their only means to transport their products to market, have as much right to an appropriation for that stream as the Senator has for the waterways in Wisconsin, Michigan, or Minnesota. If we get $5,000 or $10,000 for the small river and Wisconsin and Minnesota or Michigan get $200,000, in proportion it benefits as many citizens on the small bayous and the rivers as it does on the great works of which he speaks. They have got as much right to have this means of protecting themselves from railroads, and we have as much right to appropriate for these smaller streams in proportion as you have to provide for the harbors on the coast of New York or the great rivers and lakes in the Northwestern States.

Mr. PETTIGREW. Mr. President, if I were opposed to the river and harbor bill I should yet feel bound to vote against sustaining the President's veto, because I believe it is based upon wrong principles and a violation of the Constitution.

I believe the time has come when Congress should propose an amendment to the Constitution of the United States limiting the veto of the President to those rightful subjects contemplated by the Constitution itself, or by proposing an amendment to annul a veto by a majority vote of both Houses of Congress. The veto is a relic of despotism, and was incorporated into the European constitutions to protect the monarch's prerogative from legislative encroachment, and was never intended to serve any other purpose; and therefore has no place in a free government based on the fundamental principle that the will of the majority is supreme.

I am of the opinion that the Constitution as it now stands does not confer any power upon the President to defeat with the veto the will of the majority of Congress when properly expressed upon any rightful subject of legislation. The President has no legislative discretion conferred upon him by the Constitution, for if he has, then legislative responsibility is also imposed. If the President has legislative discretion and responsibility, he has no right to sign any bill without that care and attention, investigation, and knowledge which are exercised by and incumbent upon the two Houses of Congress—a duty which it would be physically impossible for him to perform.

If it is urged that the President has the right and that it is his prerogative to veto any bill Congress may pass, a usurping President, having secured one vote over one-third of one House of Congress, could veto all measures, and representative government would be at an end and the Constitution overturned. As well might it be argued that the two Houses of Congress have a right under the Constitution to refuse to pass any act appropriating money for the courts or the Department of Justice or the Army, thus making it impossible for the decree of the court to be enforced, and so destroy a coordinate branch of the Government created by the Constitution. The power exists in Congress to do so, but to exercise it would be unconstitutional and destructive of the Constitution itself. So if the President shall undertake to exercise legislative discretion in the use of the veto. The power may exist, but the Constitution would be violated and the will of the majority defeated. Section 1 of Article I of the Constitution provides that "all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives."

The framers of the Constitution only intended to confer the veto power upon the President for the purpose of protecting the executive office from encroachment by the legislative power, or to protect the Constitution. Any other use of the veto is unconstitutional and should be resisted.

Senator DAVIS, of Minnesota, for the majority of the Senate Committee on Pensions, on April 28, 1888, in a report to the Senate on some recent vetoes, took this view of the matter, as will be seen from the following extracts from this report:

The right to so use the power of executive disapproval as to change the ordinary methods of legislative action by a majority vote upon proper subjects of legislation, merely because the Executive differs from Congress upon the sufficiency of proof or the expediency of relief, does not, in the opinion of your committee, exist. Such a misconception of the extent of executive power, making it limitless, is fraught with dangers to the independence and to the constitutional powers of Congress, and it clearly implies that a factious or usurping President, who proposes to subordinate to his will that department to which the Constitution has confided the principal powers of Government, can rightfully do this, and prevent the will of the people from taking statutory form, except by two-thirds vote of each House of Congress.

Senator PLATT, of Connecticut, in an able speech on this subject, delivered in the Senate on August 3, 1888, used the following language:

All legislative power is vested in Congress, and if it be established that the President of the United States may properly veto any and every bill which is submitted to him for approval which as a legislator he might not "approve," then the legislative power which is declared to be vested in Congress is a snare and a delusion. If it be established that the President can veto any and every bill which is passed by the two Houses, having at his back a faction of one-third of each House, prevent legislation, then the day of majority rule in this Government is over with us and the day of minority legislation has been ushered in.

At about the same time Mr. GEAR, now a Senator from Iowa, but at that time a Representative in Congress, took the same position in a speech in the House of Representatives. In fact, this is the doctrine of the Republican party, as opposed to the usurping policy of Grover Cleveland as represented in his numerous vetoes, exceeding in number that of all other Presidents.

This view of the Constitution in relation to the veto power is well sustained by the various Presidents previous to Grover Cleveland, only 109 acts of Congress having been vetoed from 1789 to 1885. It is also sustained by the opinions of the ablest men in all times. Mr. Jefferson, when Secretary of State, in an official opinion delivered to President Washington, said:

It must be added, however, that unless the President's mind, on a view of everything which is urged for and against the bill, is tolerably clear that it is unauthorized by the Constitution, if pro and con hang so as to balance his judgment, a just respect for the wisdom of the legislature would naturally decide the balance in favor of their opinion. It is chiefly for cases where they are clearly misled by error, ambition, or interest that the Constitution has placed a check in the negative of the President.

Mr. Madison says:

The primary inducement, in conferring the veto power upon the President, is to enable him to defend himself. Indeed, even in England, where the King is considered a part of Parliament, and therefore possessing a share of legislative power, the royal negative would only be permitted in cases where encroachments were attempted upon the royal prerogative.

Daniel Webster, in a speech at Worcester, Mass., October 12, 1832, said:

The power of the veto is exercised—

Speaking of Jackson's veto of the bank bill—

not as an extraordinary, but as an ordinary power, as a common mode of defeating acts of Congress not acceptable to the Executive. This practical innovation on the mode of administering the Government so much at variance with its general principles, and so capable of defeating the most useful acts, deserve public consideration. Its tendency is to disturb the harmony which ought always to exist between Congress and the Executive, and to turn that which the Constitution intended only as an extraordinary remedy for extraordinary cases into a common means of making executive discretion paramount to the discretion of Congress in the enactment of laws.

Again, Webster, in his speech in the Senate on the veto of the bank bill, referring to question of expediency and of policy, says:

This power, if constitutional at all, is only constitutional in the hands of Congress. Anywhere else its exercise would be plain usurpation. If, then, the authority to decide what power ought to be granted to a bank belongs to Congress, and Congress shall have exercised that power, it would seem little better than absurd to say that its acts nevertheless would be unconstitutional and invalid if, in the opinion of a third party, it had misjudged on a question of expediency in the arrangements of details. If Congress decides right its decision may stand: if it decides wrong its decision is nugatory, and whether its decision be right or wrong, another is to judge, although the original power of making the decision must be allowed to be exclusively in Congress. This is the end to which the argument of the message will conduct its followers.

Von Holst, in his Constitutional History of the United States, volume 2, pages 46 and 47, in speaking of the veto of the bank bill by Jackson, says:

Since the President, as already said, is not to be considered as a power coordinate with Congress in the matter of legislation, we may call it running counter to the spirit of the Constitution that the President should think himself, the moment any provision in the details of a bill did not entirely suit him, to exercise his veto power. The President, if he were consistently to carry out this new doctrine, should endeavor to prevent all legislation which did not in every particular entirely correspond with his views, and he might do it in all instances in which he could count on one-third of the members of both Houses of Congress.

Mr. Clay, in discussing the veto power in 1832, said:

The veto is an extraordinary power which, though tolerated by the Constitution, was not expected by the convention to be used in ordinary cases. It was designed for instances of precipitate legislation in unguarded moments. Thus restricted, and it has been thus restricted by all former Presidents, it might not be mischievous. During Mr. Madison's Administration of eight years there occurred but two or three cases of its exercise. In a period of little upward of three years the present Chief Magistrate has employed the veto four times.

What would have been Clay's thoughts and comments if instead of four times it was four hundred times in the space of three years, as in the case of the present occupant of the White House during his first Administration?

Kent, in his Commentaries, says:

This qualified negative of the President has become a very grave power and applied in a way not anticipated by the generation which adopted the Constitution.

Two Democratic Presidents of the Republic at least have expressed their opinion on this question—Pierce and Polk. These Presidents far surpassed the present Executive in character and ability.

President Pierce said:

The power of the executive veto was exercised by the first and most illustrious of my predecessors and by four of his successors who preceded me in the administration of the Government, and it is believed in no instance prejudicial to the public interests. It has never been and there is but little danger that it ever can be abused. No President will ever desire unnecessarily to place his opinion in opposition to that of Congress. He must always exercise the power reluctantly, and only in cases where his convictions make it a matter of stern duty which he can not escape. Indeed, there is more danger that the President, from the repugnance he must always feel to come in collision with Congress, may fail to exercise it in cases where the preservation of the Constitution from infraction or the public good may demand it than that he will ever exercise it unnecessarily or wantonly. It is apparent, therefore, that the circumstances must be extraordinary which would induce the President to withhold his approval from a bill involving no violation of the Constitution.

Justice Miller, on the Constitution of the United States, page 174, says:

It has been contended that the only proper occasion for the President to deny his approval by message to Congress refusing to sign a bill is when the bill is not in his judgment within the constitutional power of the legislature. In such cases it has been thought to be his duty to interpose his objection, and the doctrine has been advanced with much earnestness that on no other account is he justified in setting up his opposition to the more popular legislative branch of the Government.

President Polk said:

He must always exercise the power reluctantly, and only in cases where his convictions make it a matter of stern duty which he can not escape.

Neither Mr. Polk nor Mr. Pierce, who knew and defined the limitations of the veto power, ever conceived that from the sin-engendering loins of a prostituted Democracy could spring such a monstrosity of Presidential despotism as Grover Cleveland.

While the Constitution of the United States empowered the President to veto any act of Congress, under the restriction that all legislative authority was vested in Congress, in all of the earlier constitutions of the various States of the Union except Massachusetts the veto was not conferred upon the governor. In the following States no veto power exists to this day: Delaware, North Carolina, Ohio, and Rhode Island. The veto is annulled by a majority vote of the legislatures in the following States: Alabama, Arkansas, Connecticut, Indiana, Kentucky, New Jersey, Tennessee, West Virginia, and Vermont.

In Nebraska and Maryland the veto of the governor is sustained unless three-fifths of a quorum of the legislature votes to annul it. In the remaining States of the Union it requires two-thirds of the votes of each house to pass a bill over the veto of the governor. The convention that framed the constitution conferred the veto power with great reluctance, and it was finally agreed to for the reason that, as it was pointed out, there was no danger of its abuse, as no English monarch had used the veto since Queen Anne in 1707, who refused her assent to a bill for settling the militia in Scotland (1 Cooley's Bl., third edition, page 185), and that there was no danger of the president of a free republic doing that which a king dare not do.

As this veto of Queen Anne's in 1707 is the last in English history, and as it is now nearly two centuries since any monarch has dared to thwart the people's will in England, it can safely be presumed that the English constitution is changed in this respect and that the power to veto is forever abandoned.

The unusual and unconstitutional exercise of the veto power by Grover Cleveland should receive the attention of Congress; for, during his two Administrations up to May 1, 1896, he had vetoed 542 pension bills alone. Washington, in his two full terms, vetoed but two bills, and the veto power was not exercised by Adams and Jefferson at all. It was exercised by Monroe but once. John Quincy Adams, Van Buren, Taylor, and Fillmore did not veto any measure passed by Congress; while Lincoln vetoed but one act of Congress during the exciting epoch through which that great statesman conducted this country in safety.

The average number of vetoes since the adoption of the Constitution has been about one a year up to the time Grover Cleveland became President of the United States.

I insert a table showing the number of vetoes by each President since the adoption of the Constitution:

Vetoes.

Administration of—	Period.	Years.	No.
Washington	1789 to 1797	8	2
Adams, J.	1797 to 1801	4	----
Jefferson	1801 to 1809	8	----
Madison	1809 to 1817	8	6
Monroe	1817 to 1825	8	1
Adams, J. Q.	1825 to 1829	4	----
Jackson	1829 to 1837	8	11
Van Buren	1837 to 1841	4	----
Harrison and Tyler	1841 to 1845	4	9
Polk	1845 to 1849	4	3
Taylor and Fillmore	1849 to 1853	4	----
Pierce	1853 to 1857	4	9
Buchanan	1857 to 1861	4	4
Lincoln	1861 to 1865	4	1
Lincoln and Johnson	1865 to 1869	4	20
Grant	1869 to 1877	8	27
Hayes	1877 to 1881	4	12
Garfield and Arthur	1881 to 1885	4	4
Harrison	1889 to 1893	4	----
			109
Cleveland	1885 to May 1, 1896	----	551

If it were not for this usurpation on the part of the President, regarded with such indifference by our people, the question of finance, which is not and should not be a party question, would not enter into and vex our contests for the election of a President. If the people could feel that the President would execute the laws—would obey the Constitution, so that the majority should rule—the financial questions which now tear asunder and threaten to destroy the great political parties of this country would be determined by the two Houses of Congress untrammeled by Executive interference. The people of this country would embrace with great satisfaction the assurance in the platforms of both political parties that the judgment of Congress in relation to all questions of finance shall be accepted as conclusive and binding, and that the exercise of the veto by the President to overturn the will of the majority is a violation of the Constitution.

Mr. President, the present occupant of the White House is not content with the violation of the Constitution by the exercise of the veto power alone, but with an utter disregard of his sacred oath of office, as well as the Constitution, he overrides the laws, influences Congressmen with patronage, enriches his favorites at the public expense—in fact, permits no restraint but his imperial will. I think he might fairly be charged with high crimes and misdemeanors. He has exercised the veto power in direct violation of the Constitution. He has appointed men to office without the advice and consent of the Senate. He has defied the Senate and the Constitution alike by appointing men to official positions after the Senate had twice refused its consent, and still retains them in office.

During his first term he openly used his appointing power to intimidate members of Congress, and during his second term he has given appointments to members of Congress for the purpose of securing their votes upon measures pending in the two Houses.

On his own motion he has undertaken to overthrow the Hawaiian Government, doing acts in direct violation of the Constitution. He has borrowed money in violation of law for the ordinary expenses of the Government, and then falsified the facts in relation thereto in a message to Congress. He has refused to remit taxes as required by law, and has collected taxes unlawfully. He has refused to enforce the laws of Congress so often that the list of violations is next only to the list of his vetoes. He has sold bonds at private sale to his favorites and former associates upon terms and at a price many millions of dollars below the market price of the bonds on the day of such private sale. In view of these facts it is time for Congress to give some attention to these usurpations. If this Government is to survive we can no longer look with indifference upon the shameful autocracy of Grover Cleveland.

Mr. BATE. Mr. President, it is not my purpose to go to much extent into this question, but I voted against the bill, and it is one of the occasions when I differed with a large majority of the party with which I cooperate. My convictions of constitutional right, as well as with reference to the policy of the country, run in line with the Democratic party. I have been endeavoring the best I could, in my representative capacity, to carry out those principles which have been enunciated by our party in its various platforms, beginning with 1876, and every convention since that time has enunciated the doctrine of economy and has laid especial stress upon the fact that there should be an economical and honest administration of the Federal Government.

Having been guided by those principles and cooperating with the party that has enunciated them in its various platforms, I

am here to-day not to depart from those teachings or from the course which I have pursued in following the declarations made by the party to which I belong and which have been engrafted in the platforms as a part of the principles of the Democratic party.

I do not purpose now to enter into a small criticism, or a large one either, for that matter, in regard to the exercise of the veto power. It belongs to the Executive of the United States by virtue of the Constitution of our country. Whenever in his judgment he sees fit, as President, to exercise that power it is proper that he should do it; and he would not be an honest man, and he would be unfit to represent the people of this country as Chief Executive, unless he did it. It has been exercised in this case, and while I differ with the President upon his policy, especially his fiscal policy, almost in every iota, yet when the President of the United States, in the exercise of his constitutional right, seeks to carry out those principles of economy and honesty which the Democratic party have been adhering to and enunciating in their platform I will sustain him.

I am one of the few who voted against the bill, and it was with regret that I differed with Senators for whose opinions I have the highest respect; men of vast experience and ability, who have studied the Constitution and laws of the country and who have been here as exemplars, in a representative capacity, of the people who sent them, and have made national reputations. I felt and knew, sir, that it was a hopeless effort so far as defeat of the bill was concerned, because, if for no other reason, of the character of the committee that had it in charge, and for whom I have the highest respect. It is a committee of picked Senators, among the very first who belong in this Chamber, and who have charge to a great extent of the commercial interests of this country. When that committee deliberately pass judgment upon a matter and bring it before the Senate it is almost a conclusion that it will pass. It would ordinarily be so with me, for I have such regard for them that I would feel assured that they have done the best they could. But the Democratic party at least, and I think many of the Republicans, are self-thinkers and self-actors. They think for themselves and act for themselves as men and Senators. There is an individuality of character which belongs to the party with which I cooperate that is peculiar. We bind ourselves to no committee and no influence, and act and vote independently if our judgment dictates such a course. Mine does in this instance, and I voted among those, only nine of us, who opposed the bill, because I regard it as an extravagant appropriation of the public money at a most inopportune moment.

Independent of the platforms of the Democratic party, which would to some extent influence me touching matters of this kind, independent of my purpose to be as economical in appropriations for the support of the Government as existing circumstances will permit, the sentiment of the State which I in part represent has within the last three or four weeks been expressed in convention of the party to which I belong. At that convention, on the 8th of May last, expression was given upon this very question of economy by the Federal Government, which would guide me as a faithful representative and exponent of the doctrines they laid down in their platform. The Democratic party, through its chosen delegates, assembled in a convention, such as perhaps was never surpassed in our State, more than a thousand delegates being present. Every county was represented. It was really the voice of the Democratic party of Tennessee, which has spoken in no uncertain terms sentiments in regard to the administration of the Federal Government in a few chosen and emphatic words. I will read it:

> We demand that all Federal taxation shall be strictly and only for revenue for the support of an economically administered Government, and we condemn the policy of the Republican party in prostituting the taxing power to enrich the few at the expense of the many.
>
> We demand—
>
> Not recommend—
>
> We demand that all Federal taxation shall be strictly and only for revenue for the support of an economical administration of the Government.

They demand that taxation shall be strictly and only for the economical administration of the Government. That would guide me, as I have no doubt it would guide my colleague in this matter. It is the most recent expression of the people of the State which I have the honor in part to represent, and if I were to vote for sixty or eighty million dollars appropriated by this bill I would feel that I had violated those declarations which are semi-instructions, to say the least, and which have so recently fallen from the people of my State as expressed at our convention not a month since.

I voted against the bill. I shall vote against it still. I am against it upon conviction. I have no criticism to make here in regard to its constitutionality—none whatever. I omit any expression upon that point. But those who have gone before me, men who helped to mold the Constitution and to establish the principles which now guide us, have denied the constitutionality of such appropriations—notably Presidents Jackson and Polk of my State. But I think that the time has come, under changed conditions, if there is no question in regard to the constitutionality, when something ought to be done in this regard. I am not here to oppose appropriations for the purpose of improving navigable rivers and those large estuaries and grand waterways like the Mississippi River or the Ohio and their tributaries, as well as others of a similar character.

I believe in the policy as laid down in the Democratic platform of 1884, but there is a time for all things. This is not the time for that to be done. You see, sir, what character of extravagance this Congress has indulged in. More than $500,000,000 has been appropriated. Mr. President, we were shocked a few years ago, at least the party to which I belong was, and we raised the battle cry in our campaign against the "billion-dollar Congress," then, as now, under the control of the Republican party. But here at this session, although we are not in power, we are giving our assent, to a certain extent, to appropriations which already exceed $500,000,000 and which will be perhaps $520,000,000 or more. Here, now, is a proposition to add seventy or eighty million dollars more, not, as laid down in the platform of my State, for the support of the Government, but for benefits which could at least be postponed to a more propitious condition of the Federal Treasury, and especially as many of the enterprises have unexpended balances for continuing the works of improvement.

With these expenditures staring us in the face, and with the fact, which has been stated here time and again, and which is an undeniable one, that there is an actual deficit of more than $20,000,000 in the present year, I ask, Where is the money to come from to carry out the provisions of these appropriation bills? Where is the money to come from that is to meet the appropriations proposed in the pending bill, not $20,000,000, but nearly $80,000,000, as is shown and admitted? Sixty million dollars of it is for continuing contracts. I do not know that to be the correct policy. I am not clear upon that, for experience has not shown to my satisfaction whether the continuing-contract system is best or not. I am against the principle of the Government entering into contracts with individuals for so large an amount of money unless it makes provision at the time for the payment of it by a sinking fund or by some other course which may properly be pursued.

Yet here we have the fact before us that, independent of the appropriations to carry on these works during the ensuing year, for which about $20,000,000 will be required, there is $60,000,000 in this bill. That $60,000,000 can be dispensed with. You know it, Mr. President. The Democrats around me who profess the policy of economy in the administration of the Government know it. And we ought to stand by our guns. In 1892 "economy" was the battle cry, and a declaration was placed in the platform for economy in the administration of the Government.

Mr. BERRY. Will the Senator yield to me for a question?

Mr. BATE. Yes, sir.

Mr. BERRY. Do I understand that the Senator from Tennessee is opposing the continuing contracts in the bill?

Mr. BATE. I was questioning the wisdom of it, because of the want of experience.

Mr. BERRY. I want to ask the Senator——

Mr. BATE. Very well.

Mr. BERRY. Will the Senator answer?

Mr. BATE. I understand the Senator from Arkansas does favor that system.

Mr. BERRY. I wish to ask the Senator whether Tennessee has not one continuing contract, and if the Senator did not urge the committee to put another continuing contract in the bill?

Mr. BATE. I am glad the Senator has brought that point out. I have this to say in regard to it: When the committee have up a bill and they are making appropriation and my State is involved, it is my duty, whether I am going to vote for the bill or not, to see that the State of Tennessee is properly represented before the committee, and if the committee conclude that the contract system is best, and go on and do it in that way, let it be so.

But I have not examined the question of the effect of continuing contracts. I heard no testimony in regard thereto. Therefore I hold my judgment in abeyance on that question. I did, and I am glad the Senator has called attention to it, go before the committee with the Representative in Congress, Mr. WASHINGTON, from my home. Mr. WASHINGTON made a statement to the committee, and I indorsed what he said in regard to the Cumberland River, where I live. I did that. If I said anything in regard to continuing contracts other than to indorse what Mr. WASHINGTON said, I do not recall it. But I think that the propriety of continuing contracts depends a good deal upon the manner in which they are managed and guarded. They are as yet but experiments. That is all I mean to say about them.

If there is one inducement which more than another would influence me to favor the bill—personally, I mean—of course it would be the advantage that would be obtained by my State. The committee have been liberal in one sense to the place where

I live and the river upon which I was born and reared and where I now live—the Cumberland River. As has been said here by the chairman of the committee, $600.000 has been given for a continuing contract for how many years I do not know. Neither dc I know how much that will be each year. The other project was refused, and I have no complaint to make. If that was the judgment of the Senate, I bow to it as gracefully as the refusal will permit. But whether I can get all I want is no reason why I shall forego my conviction and vote for the bill. I rise, I think, above those personal considerations, and although my State did get, in one sense, a moderate share, yet I hope that in my representative capacity I have strength of character and moral courage enough to rise above any personal interest and consider what is best for the common country.

That particular place is only one part of Tennessee. I represent in part the entire State, and I want to act upon it as a whole and not as to the individual locality where I live—a place I love most dearly. It would be ungenerous to do so, and I hope I am generous enough not only to take in my own State in all its borders, but that I am morally strong enough to look to the good of our whole State and country.

Mr. President, there are objects behind these things which are far-reaching. We can not see exactly the ulterior objects, but we know they exist. The issuance of bonds is behind this proposition, and if there is any one thing above another which the people I have the honor in part to represent dislike in the administration of the General Government it is the issuance of bonds by the Federal Government, especially in time of peace. I see in the distance and predicated upon those bonds a firmer foundation and a longer continuance of the national-banking system, against which the Democratic party of Tennessee, in its last platform, emphatically expressed itself.

Many of the speeches which have been made, especially by those on the other side of the Chamber, look to further taxation by the tariff. There is a tariff bill now lurking behind this bill that in point of amount of duties upon articles that may be taxed will overtop even the McKinley Act, and when we vote for this bill we put an additional demand to carry out existing laws upon the Government of the United States which has to be met, for these continuing contracts are obligations. Is not one obligation of this country as sacred as another? Is not the obligation to pay a debt where you have made a contract and the services of poor men and laborers have been performed in carrying out that contract as high and binding upon this Government as it is to meet the bonds that bear interest upon their face? These contracts are continually growing, because they are not without profit. No man is going to contract to do work for the Government unless he sees profit in it. So these continuing contracts have profit in them, as bonds have, in the shape of interest.

Therefore I say there is something behind all this. There is a tariff bill in the distance. There is, as I believe, the issuance of bonds in the near future and a prolonging of the life of the national banks beyond their legal limitation, growing out of the condition which this bill will create.

I do not oppose appropriations for improving our great highways. The Senator from Missouri referred to the platform of the Democratic party in 1884, mentioning the name of the Mississippi River. I am for giving aid to it, as I am for those of like character in the East and the West. I would do that because I believe that the making of those improvements would relieve to some extent those who grow the products of this country, the laborers upon the farm lands, who want to send their products to market in competition with railroad transportation lines. That is why I would do it, but not at the expense of $80,000,000. This is a potent argument with me.

Why, then, I may be asked, do you not vote for the bill, especially when it helps your own home and your own State? I say, because there are distempered times upon us. When the platform of 1892 calls for reform from the Democratic party, I want to adhere to it. It is the last national platform we have. The last State platform we have had in Tennessee I have read to the Senate, and you see the very strong terms it uses in regard to the matter of public economy. I want to follow that; and I say that the times forbid such expenditures now. The great expenditures of the last session, and those already made at this session, the unhappy condition of our people now, whether oppressed by gold bonds or not, are upon us, a fact we can not deny.

I am one of those who believe that the gold standard has had much to do with it, and I want to rectify it by the substitution of the two metals of equal value and both alike—money of redemption. That is not the question of which we are now speaking, however. It is a question as to the condition of our country—a question as to whether we can afford, in the condition of our Treasury, to appropriate seventy or eighty million dollars for purposes of this kind, especially, as I stated, when our revenues are not sufficient to meet the appropriation. That is the question. How are you going to meet it? It has been well stated by the Senator from Wisconsin [Mr. VILAS] who has just taken his seat, that there is no money in the Treasury by which it can be met. Therefore if you are to keep up the credit of your Government and to pay your obligations to the laborers who do the work, you will have to issue bonds in time of peace. The bonds bear interest and weigh like a mortgage upon the people of this country, poor and impoverished as they are, and as much as they are ground to powder with the onerous taxation upon them.

I say because of that it is ill timed. We should postpone it until times are better, or have less and more reasonable amounts appropriated. In 1884, when this declaration came from my party in its platform in regard to the Mississippi River, the Treasury was in a comparatively easy condition. The products of your farms were worth much more than they are now. The trouble of 1893, the bank panic, came upon us like a crash, and it did crash the monetary condition of this country, and it dragged down many of the commercial men, and with them those upon whom they relied, and the farmer and laborer felt it more acutely than anyone else.

This being true, I can not reconcile myself, in view of the record I have tried to make in regard to economy, to vote for the bill. But I must be frank and say that while I would approve under different circumstances a river and harbor bill, one that improves the means of transportation and enables competition in the matter of transportation, yet I beg to say that the present unhappy financial condition of our country and the oppressed condition of our people, together with the vast amount already appropriated, admonish that we put no greater burden upon them now.

I heard the Senator from Maryland [Mr. GORMAN], who is now sitting just to my right, talk about this matter in discussing the condition of the finances of the country, when he spoke clearly, specifically, and conclusively as to the condition of the Treasury, and showed that it was improper for us to make extravagant appropriations, or even any that could be dispensed with. I became satisfied that we ought to make no more appropriations than were absolutely necessary—in the language of the platform of my State, "than are necessary to support the Government." The Senator from Maryland was right in what he then said, but I do not know how he will vote upon this question.

Whatever may have been the influence, or the reason, or the excuse which prompted the enormous appropriations in this bill, it can not be denied that there has been a desertion of the principles of reform and economy as laid down in the Democratic platforms—a desertion which now superadds nearly $80,000,000 in this bill to the $500,000,000 in the other appropriation bills.

I regret to differ with Senators and others with whom I have always cooperated upon Democratic principles. I have no foolish pride of opinion in regard to being with the majority; but I mean to stand by the principles, to stand by the platform of the party, State and national, whether in victory or in defeat. I mean to stand by the principles of my party and to follow the instructions of my State, regardless of the fact that appropriations, as is said, for the South are, I regret to say, disproportioned to her necessities and to her rightful share. The South needs more appropriations; but the South does not want appropriations, Mr. President, at the expense of the laboring classes of this country, who have to be taxed in order to pay them. The appropriations desired must come from a surplus, and not from a deficit in the revenues.

I have nothing further I care to say, Mr. President. I shall content myself with voting to sustain the veto of the President, which is a vote, of course, against the original appropriation bill.

Mr. STEWART. Mr. President, I have three very strong reasons for voting to pass this bill ever the veto of the President. The first is because I am opposed to the use of the veto power to control legislation. Such use of it was condemned when the Constitution was framed. It was claimed by the friends of the veto power that it never would be used to obstruct legislation; that it never would be used except in cases of great emergency. Alexander Hamilton was the principal advocate of the veto power. He said that it had not been used in England since the revolution in that country, and of course would not be used here to interfere with the legislative department. Benjamin Franklin warned the convention of the great danger in the veto power, and cited the abuses of it in Pennsylvania. He said it had become the practice of the governors in that State to demand a fee for the signing of every bill; that it had gone to such an extent that when the savages were murdering the citizens on the frontier, and it was necessary to raise money to support the militia, they had to make up a purse for the governor before he would sign the bill; and Benjamin Franklin said then that if the veto power was continued in a few generations we should find the same abuses of it in this form of our Government; that the Executive would grasp all the power he could, and that the veto power was a weapon to break up the harmony of the coordinate departments of the Government.

We now know that the shadow of the veto constantly hangs over the deliberations of both Houses of Congress. Other things being equal, I should always vote to pass a bill over the Presidential

veto; in fact, I shall do it on all occasions whether I like the bill or not, unless I believe it to be unconstitutional. If a bill has been passed by the two Houses which, in my judgment, is constitutional, I should, whether I liked it or not, vote to pass it over the veto, because I think the veto power is one of the dangerous powers, is one of the agencies which are subverting our Government and destroying the equilibrium of its coordinate departments.

My next reason is that I believe that the river and harbor bill is good and beneficial legislation. I believe it will do more good to the people than any other bill which has been passed during the present session of Congress. All the other bills are to take money out of the Treasury without making any visible sign or show of benefit to the people; they are to pay salaries or to pay money out of the Treasury for various other purposes. This bill provides that the money shall go back to the people, so that labor may be employed in these dull times, and that work shall go on. It also makes provision for the people in benefiting commerce and transportation, and I believe it is the most meritorious legislation of the session.

My third reason is that this is the time, of all others, that this bill should be passed, because we have in the Treasury an unhealthy surplus. We have in the Treasury $270,000,000 cash balance, which has been taken from the people and locked up where it does no good. Money is exceedingly scarce with the people, and the impounding of money in the Treasury at this time is cruel and unjust. Some suggest that we must not take this money out of the Treasury because it may endanger the gold standard. Not at all. There is plenty of money outside of gold coin. There is $160,000,000 outside of the gold coin held in reserve.

Mr. LINDSAY. I wish to ask the Senator a question.

The VICE-PRESIDENT. Does the Senator from Nevada yield?

Mr. STEWART. In a moment.

The paying out of that surplus would certainly not affect the operations of the Treasury so far as gold is concerned. In fact the President of the United States has informed us in his annual message and in other messages that there is plenty of money to carry on the Government, that he did not sell bonds to obtain money for that purpose, but that the bonds were sold exclusively for the purpose of obtaining gold. Paying the money out for needful improvements will not trench upon your gold reserves at all. It will simply take out of the Treasury that idle money which has been taken from the people and put it in circulation and give labor employment.

I will now yield to the Senator from Kentucky.

Mr. LINDSAY. I wish to ask the Senator from Nevada whether he agrees with the junior Senator from Tennessee [Mr. BATE] that the purpose of this bill is to promote the further issue of bonds?

Mr. STEWART. I do not believe that any honest man could have such a purpose under the circumstances. With an overflowing Treasury; with abundant coin for redemption; with silver flowing into the Treasury in the shape of silver certificates every day; with abundant means of meeting all the obligations of the Government, and with $270,000,000 impounded and taken from the people, I do not see how any honest man who loves his country could suggest the issuance of more bonds now to take more money from the people and impound it.

Mr. BUTLER. Will the Senator from Nevada pardon me just there?

Mr. STEWART. Certainly.

Mr. BUTLER. If the other House passes the very meritorious bill which we passed yesterday evening, which, of course, it is bound to do in duty to the country, then there can not be any more bond issues for this purpose or any other without the consent of Congress, and if the other House does not pass the bill, then the responsibility rests on that House and not on this body. This body is not responsible for what that one does or does not.

Mr. STEWART. This body has done its duty in that regard and the people will approve it. The responsibility is now on the other House; but the passage of the river and harbor bill will not affect the question of issuing bonds to buy gold, for it will take no gold out of the Treasury. It will simply liberate the money of the people which is impounded and lying idle, when it is so much needed for circulation. It has nothing whatever to do with the gold reserve. I want to draw out a portion of that reserve, which is there accomplishing no other purpose except to deprive the people of a circulating medium.

Mr. HAWLEY. Mr. President, I shall vote to override the veto, and I shall do so deliberately, satisfied that I am doing what is right.

I do not find, upon recurrence to the facts and upon a search among the papers in the rooms of the Committee on Appropriations, that the figures involved here are so large as some Senators are claiming. I do not speak of the continuing contracts which run over four or five or six years all together, but only taking into account the estimates for the next two years. I am told by the veteran clerk of that committee that the appropriations provided for in this bill are $12,609,800; that there are in the sundry civil bill certain other appropriations relating to contracts upon which the Government is already bound to the amount of $3,284,597. There was a remnant in the urgent deficiency bill, and as a matter of economy there was appropriated $300,000. The total is $16,692,397. There will probably be no river and harbor appropriation bill for the fiscal year 1897–98, as the rule now seems to be only to pass a river and harbor bill every two years. The pending bill is for 1896–97. Under that rule we have been going on with a bill every other year for some time, and are frequently in the habit of skipping a year. The money appropriated for the succeeding fiscal year would be about $13,000,000, making, in round numbers, $30,000,000 for two years, or an average of $15,000,000 a year.

As to the general usefulness of this bill and its appropriations I have no shadow of doubt. The constitutional scruples indulged by some of our fathers have gone. The work is recognized as important and as useful. It is obviously so to those who live near the works that are being done and are familiar with the trade and commerce in the various localities.

The President speaks of many of these improvements being for the benefit of limited localities. Why, Mr. President, there are some bills of greater importance than others, some bills that touch infinitely a greater multitude than others do; but there is no such thing as an improvement of commerce that belongs, fairly speaking, to a limited locality. We might as well talk about legislating for individuals, when we mean the individuals constituting the 70,000,000 of our population. Sometimes a measure will help 1,000,000 people, and sometimes another will help 10,000,000; but the aggregate is an advantage to the whole of our 70,000,000 people.

The President says:

> There is no ground to hope that in the face of persistent and growing demands the aggregate of appropriations for the smaller schemes not covered by contracts will be reduced or even remain stationary.

I agree with the President that there is no hope that they will remain stationary. They will probably increase. As the population grows a greater multitude of people will be working toward the coast and the rivers to establish their business and save transportation. The people and their wants are increasing. There was a humorous member of the other House from Alabama many years ago who offered two resolutions, which contained propositions that nobody could dispute. They were as follows:

1. *Resolved*, That this country is a great country.
2. *Resolved*, That it is getting bigger.

That has been the rule of all our legislation, appropriation bills included, from the beginning.

Again the President says:

> Some of the projects for which appropriations are proposed in this bill have been entered upon without the approval or against the objections of the examining engineers.

I have seen nothing of that myself in my limited examination of the bill; but if such a thing has been done by that committee, it has been done in obedience to the weight of scientific and other testimony which convinced it, without being obliged to rely solely upon the Department. I have known cases of that sort.

I am very sorry to find in a message from the head of our great Government the following expression in one of the last two paragraphs:

> I believe no greater danger confronts us as a nation than the unhappy decadence among our people of genuine and trustworthy love and affection for our Government as the embodiment of the highest and best aspirations of humanity.

That reminds me of a very unhappy remark the President made in New York concerning the people of the West. I am sorry to find the President dominated by this spirit of pessimism. I think all of us believe, and all the people of intelligence and sense that I know of believe, that there is no decadence of love for the country or its institutions. There is no great war, no awful emergency to test it just now. We are controverting a great deal with each other on some great and important questions; sometimes we get very angry about them and we charge each other with fighting against the best interests of the country. That is all right. It is from debate that is evolved the judgment of the people, and in the long run it is a sound judgment. When great national calamities or awful emergencies come upon the people—more often of Europe, thank God, than upon us—who can imagine, who can estimate the enormous elasticity, the tremendous will, and the crushing power of this people? Who does not know that millions of men can be found ready to die—not only to offer themselves for death, but to die—for the good of their country and of the flag and the prosperity of republican government. I do not think the President of the United States ought lightly to make such a remark.

Mr. HILL. Mr. President, before this debate began I labored under the delusion that the President of the United States had the constitutional power to veto legislative bills. The tendency of this debate has been to deny that power. I pick up the Constitution, and I find that my previous recollection in regard to its contents was accurate, that notwithstanding the suggestions which

have been made the Constitution has not been amended in regard to the Presidential veto power. It stands as it has always stood, giving the President the absolute power to withhold his assent to legislation, and providing that no bill shall become a law which does not receive his approval, unless it be passed by a two-thirds vote over his veto; yet I have listened to suggestions that this veto power is limited; that it is restricted; that it is circumscribed by clauses not in the Constitution itself, but which must be contained in the brains of Senators.

It is said that the President has no right to veto legislation of Congress which largely involves questions of discretion. I do not find any such limitation of the power. I do not find anything in the Constitution which requires the President to exercise the veto power moderately. I find nothing in this instrument which says that he can only exercise the veto power upon proper occasion or with propriety. I find that he is vested with the sole power of withholding his approval without limitation, without restriction, without any tribunal to question it, unless it be both Houses of Congress by passing a bill over his veto. Therefore, I do not concur in the argument of the distinguished Senator from South Dakota [Mr. PETTIGREW]—a second Daniel come to judgment—in which he said that it is unconstitutional for the President to exercise a constitutional power. I can not comprehend that logic—unconstitutional to exercise a constitutional power! It is said the President must exercise it with propriety—he must not abuse it. The power exists, nevertheless. If he has not that power, what are we doing here now? This body expects to pass this bill over the veto. The appropriations have been distributed so that of course the bill is to pass over the veto; but if Senators believe their own arguments, what is the use of this farce? This bill involves merely the exercise of a discretionary power in making appropriations on the part of Congress. Why, in the closing days of this session, are we proceeding to pass it over the veto when absolutely this veto is of itself per se unconstitutional? Why not take the case directly to the Supreme Court, and not proceed deliberately to override the Presidential veto? Those who make this argument do not believe it themselves.

The Constitution stands just as I have stated it, despite the argument of the distinguished gentlemen who have assailed it, who have sought to enlarge it, sought to improve it, sought to attack the wisdom of our fathers; but there it stands, and will stand for years to come. So long as the veto power exists it is useless to enter into any constitutional argument about the propriety of its exercise. The question of propriety is one thing.

I know that the distinguished English author, Prof. James Bryce, who visited this country and immediately thereafter wrote a criticism of its institutions, criticised our Presidents for the very liberal manner in which they exercised this conceded power. I do not share in his criticism. I do not think that Professor Bryce knew enough about American institutions, according as our fathers framed them, to be able to criticise the exercise of the veto power on the part of our Presidents.

Mr. President, there is a certain class of Senators who are going to vote to override the veto, first, upon the ground that it is unconstitutional to veto this bill. There is a second class going to vote for it, like my friend from Nevada [Mr. STEWART], who does not believe in vetoes anyhow and is always against the President. There are others who think that Congress is the sole judge of the propriety of making appropriations, and they propose to override the veto. There are others who think like my friend from Nevada, who says there is an unhealthy surplus in the Treasury, and he is anxious to take it out. If that surplus is unhealthy now, this bill will make it sicker. So we have a conglomeration of different views and ideas upon which Senators are going to aggregate their votes and override this Presidential veto irrespective of its real intrinsic merits.

One would think from listening, as I have patiently done, to all that has been said against the Presidential veto that this was one of the very few instances in the history of the Government when a President had dared to withhold his approval from this class of bills. I heard Senators read from distinguished opponents of Andrew Jackson, criticising Old Hickory because he had the audacity to exercise the veto power. I thought it was unwise for Senators upon the other side to read those criticisms of Andrew Jackson for the purpose of getting Democratic votes against this veto. I had supposed he was one of the patron saints of our party; I had supposed that we in the main thought Andrew Jackson was right, and that we were disposed to follow him in his enunciation of the principles of Democracy; and now we are told that Andrew Jackson was one of those violent, obstructive Presidents who used the veto power harshly and unwisely, and that was the reason urged why Democrats on this side of the Chamber should make haste to override this veto.

That argument reminds me that the vetoing of river and harbor bills originated with Andrew Jackson. The vetoing of river and harbor bills began as early as in the days of Andrew Jackson, who, on December 6, 1832, sent a veto to the House of Representatives of a bill entitled "An act for the improvement of certain harbors and the navigation of certain rivers." Old Hickory himself inaugurated this vicious precedent which President Cleveland is following. The principal objection urged by President Jackson was that the appropriations therein contained involved the sanction of a principle that concedes to the General Government an unlimited power over the subject of internal improvements, to which he could not assent. It was argued then, as it is argued now, that Congress had the supreme power over this question, and to grant appropriations anywhere in any part of this country, whether it related to foreign commerce or internal commerce or whether it related to no commerce at all. He asserted his willingness to approve appropriations for the construction of light-houses, beacons, buoys, public piers, and the removal of sand bars, sawyers, and other temporary or partial impediments in our navigable rivers and harbors, but as the bill contained provisions for works of a different character, depending on principles which extend the power of making appropriations to every object which the discretion of the Government may select, and lost sight of the distinctions between national and local character, he could not consistently approve the bill as a whole.

Mr. President, his veto was not overruled, and there does not appear to have been any effort in that direction.

President Polk, on August 3, 1846, withheld his approval from a similar bill. He, the great Young Hickory, did not have the idea of the Constitution that is held up here, but he deliberately put his seal of condemnation upon a river and harbor bill at that early period. Those men, however, according to these new-fangled notions, did not have that respect for the Constitution which it is now said they ought to have.

What was the bill that President Polk vetoed? It provided for appropriations amounting to $1,378,450, to be applied to more than forty distinct and separate objects of improvement.

If such a bill seemed extravagant and dangerous in its tendencies, what would President Polk have thought of the present measure, which contains 417 distinct items of appropriation, and contemplates the immediate expenditure of $17,000,000, or thereabouts, and authorizes contracts to the extent of $62,000,000 more, or thereabouts.

President Polk's very able and elaborate veto message, following the example of President Jackson, protested against the practical removal of all constitutional restraint upon the power of Congress in the matter of such appropriations, and insisted that they should not embrace works of a local or individual character, but should be confined to those of national benefit and importance. His reasoning was based, and properly so, upon a strict and reasonable construction of the Federal Constitution, which interpretation must commend itself to the judgment of thoughtful men. Among other things he said:

> It will be found also that the bill contains appropriations for rivers upon which there not only exists no foreign commerce, but upon which there has not been established even a paper port of entry, and for the mouths of creeks, denominated harbors, which, if improved, can benefit only the particular neighborhood in which they are situated. It will be found, too, to contain appropriations the expenditure of which will only have the effect of improving one place at the expense of the local, natural advantages of another in its vicinity. Should this bill become a law, the same principle which authorizes the appropriations which it proposes to make would also authorize similar appropriations for the improvement of all the other bays, inlets, and creeks, which may with equal propriety be called harbors, and of all the rivers, important or unimportant, in every part of the Union. To sanction the bill with such provisions would be to concede the principle that the Federal Government possess the power to expend the public money in a general system of internal improvements, limited in its extent only by the ever-varying discretion of successive Congresses and successive Executives. * * * It not only leads to a consolidation of power in the Federal Government at the expense of the rightful authority of the States, but its inevitable tendency is to embrace objects for the expenditure of the public money which are local in their character, benefiting but few at the expense of the common Treasury of the whole. * * * It will produce combinations of local and sectional interests, strong enough when united to carry propositions for appropriations of public money which could not of themselves, and standing alone, succeed, and can not fail to lead to wasteful and extravagant expenditures.

Then, speaking of the spectacle which would be presented if such a system of favoritism was inaugurated, he further most truthfully says:

> It must produce a disrespectable scramble for the public money, by the conflict which is inseparable from such a system, between local and individual interests and the general interests of the whole. * * * Should the system of internal improvements proposed prevail, all these evils will multiply and increase with the increase of the number of the States and the extension of the geographical limits of the settled portions of our country. With the increase of our numbers and the extension of our settlements the local objects demanding appropriations of the public money for their improvement will be proportionately increased. * * * In a country of limited extent, with but few such objects of expenditure (if the form of government permitted it) a common treasury might be used for their improvement with much less inequality and injustice than in one of the vast extent which ours now presents in population and territory.

Then with almost prophetic vision he adds:

> The treasure of the world would hardly be equal to the improvement of every bay, inlet, creek, and river in our country which might be supposed to promote the agricultural, manufacturing, or commercial interests of a neighborhood.

The sound and convincing views of President Polk thus so concisely and felicitously expressed are peculiarly applicable to the

present times and to the present measure. His veto was sustained in the House by a vote of 97 yeas against 91 nays.

President Pierce, another Democratic authority, on August 5, 1854, added his condemnation of the growing tendency toward extravagance in measures of this character, and withheld his approval from a river and harbor bill which was liable to the same criticisms which pertain to the bill now under consideration. The bill had reached him, as all such bills usually do, during the closing days of the Congressional session, and his examination of its provisions was necessarily hurried, but he expressed grave doubts not only of its expediency but of its constitutionality. His veto was sustained in the House, where the bill originated, by a vote of 95 yeas against 80 nays.

President Grant, as already stated, did not actually veto any river and harbor bill, but on August 14, 1876, while formally affixing his signature to such a measure, sent to the House a protest against its provisions. He expressly stated that if he regarded it as obligat ry upon the Executive to expend all the money therein appropriated, he should have returned the bill without his approval. He further said, adopting the course of President Cleveland, in his message:

> Without enumerating, many appropriations are made for works of purely private or local interests, in no sense national. I can not give my sanction to these, and will take care that during my term of office no public money shall be expended upon them.

He then adds something in reference to the necessity for economy, which has been also read by the Senator from New Jersey [Mr. SMITH], and winds up with this statement:

> Under no circumstances will I allow expenditures upon works not clearly national.

If in 1876 there was "very great necessity for economy of expenditures," as asserted by President Grant, a condition which impelled him to protest against unnecessary and unreasonable appropriations and to announce his intention of preventing all "expenditures upon works not clearly national—an announcement which unquestionably met the approval of the country—do not existing financial conditions furnish still greater reasons for the enforcement of rigid economy and for insisting that appropriations shall not be authorized except for works at important places, and so imperative in their nature that they can properly be regarded as clearly national in their character? As in 1876 the country still felt the effects of the panic of 1873, so now the country has not recovered from the panic of 1893.

The next and last veto (except the present) of a river and harbor bill was that of President Arthur, on August 1, 1882. That bill appropriated the sum of $18,743,875. In a brief but comprehensive message he declared, among other things, as follows:

> My principal objection to the bill is that it contains appropriations for purposes not for the common defense or general welfare, and which do not promote commerce among the States. These provisions, on the contrary, are entirely for the benefit of the particular localities in which it is proposed to make the improvements. I regard such appropriations of the public money as beyond the powers given by the Constitution to Congress and the President. I feel the more bound to withhold my signature from the bill because of the peculiar evils which manifestly result from this infraction of the Constitution. Appropriations of this nature, to be devoted purely to local objects, tend to an increase in number and in amount. As the citizens of one State find that money, to raise which they, in common with the whole country, are taxed, is to be expended for local improvements in another State they demand similar benefits for themselves; and it is not unnatural that they should seek to indemnify themselves for such use of the public funds by securing appropriations for similar improvements in their own neighborhood. Thus as the bill becomes more objectionable it secures more support. This result is invariable and necessarily follows a neglect to observe the constitutional limitations imposed upon the lawmaking power. The appropriations for river and harbor improvements have, under the influences to which I have alluded, increased year by year out of proportion to the prog ress of the country, great as that has been. In 1870 the aggregate appropriation was $3,975,900; in 1875, $6,648,517.50; in 1880, $8,976,500, and in 1881, $11,451,000, while by the present act there is appropriated $18,743,875. * * * The extravagant expenditure of public money is an evil not to be measured by the value of that money to the people who are taxed for it. They sustain a greater injury in the demoralizing effect produced upon those who are intrusted with official duty through all the ramifications of government.

President Arthur's veto message was read in the House, and the next day it was called up and the previous question moved on its passage, and the previous question was moved yesterday in the House; and thereupon, without debate, the bill was passed over the veto by a vote of 122 yeas against 59 nays, 108 Representatives not voting; while in the Senate it was repassed by a vote of 41 yeas against 16 nays, 19 Senators not voting, and thus became a law.

An inspection of the RECORD shows that among the Senators who are still members of this body who voted to sustain the President's action were the Senators from Maine, Messrs. HALE and FRYE, both Senators from Connecticut, Messrs. HAWLEY and PLATT, the venerable Senator from Vermont, Mr. MORRILL, and the Senator from Pennsylvania, Mr. CAMERON: and among others who thus voted, but not now members of this body, were Senator Harrison of Indiana, Senators Logan and Davis of Illinois, Senator Pendleton of Ohio, Senator Ingalls of Kansas, and last, but not least, Senator Bayard of Delaware. While this was the only instance in our history where a river and harbor bill has been passed over the veto of a President, it may be safely asserted that the veto increased rather than diminished the confidence of the people of all parties in the wisdom, prudence, and statesmanship of President Arthur.

The message of President Cleveland, which we are now considering, unlike those of his predecessors, does not base his objections upon any violation of constitutional limitations, but rather upon grounds of expediency.

He naturally lays great stress upon the enormous amounts required to be expended now and in the future. It must be conceded that the sum total would be regarded as startling even in prosperous times. After a painstaking consideration of the whole measure—a consideration which, I assume, has been more careful and extensive than any Senator here, aside from those upon the Commerce Committee, has been able to devote to the subject—he finds that "many of the objects for which it appropriates public money are not related to the public welfare, and many of them are palpably for the benefit of limited localities and in aid of individual interests." If that is so his action should be sustained rather than overruled. I am not able to dispute the facts which he asserts, and must accept his statement as substantially correct.

I frankly confess that I do not share his hostility to continuing contracts per se, and am inclined to believe that in many instances such contracts are necessary and extremely beneficial, provided, of course, they are not excessive in amount or unreasonable in number. They have probably been tolerated to an unusual degree in the present measure, and to an extent not warranted by the necessities of the situation. Mortgaging the future by anticipating and pledging revenues not realized, and in the present instance not even provided for, is clearly objectionable.

I prefer to place my opposition to this measure not alone upon the ground of the vastness or extravagance of the appropriations granted, the unprecedented number of continuing contracts authorized, the favoritism manifested in behalf of works designed for the promotion of local or individual interests over those of national and pressing importance, or the stimulation of a vicious system of paternalism which many of its provisions seem to encourage, but largely upon the ground that the present condition of our finances does not warrant the incurring of such vast expenditures. Neither, unless unforeseen events occur, is any material improvement to be expected in that condition in the near future.

No one can safely predict from what fund these immense appropriations are to be paid. The Senate has already refused its assent to the issuing of certificates of indebtedness to supply temporary deficiencies in revenue which may arise. The Senate—a majority of the Senate—is opposed to any further issue of bonds for any purpose whatever. The very surplus in the Treasury today is only about equal to the proceeds of the bonds sold during the present Administration, and that surplus has already been anticipated in all the other appropriation bills which we have passed and are now daily passing. There is no reasonable prospect of an agreement upon any new revenue bills materially increasing our revenues, and under these conditions and in this crisis, when radical changes in our monetary system are being proposed and vigorously pressed, we are asked to authorize appropriations to the extent of about $80,000,000 under the provisions of this bill. Even if this condition of affairs would warrant the expenditure of reasonable sums for the completion of works already in progress, it seems difficult to justify enormous outlays for the commencement of new improvements. It is no answer to suggest that these expenditures which we authorize may be delayed or evaded or largely controlled through the exercise of the discretion vested in the Secretary of War. That is a shifting of responsibility which we ought not to sanction. It is the unloading of a burden upon an executive official which we ourselves should largely bear. Appropriations when made by Congress are expected to be expended and should be expended, unless when unexpected or most difficult emergencies arise which would justify or excuse the interposition of an executive discretion to prevent an appropriation being used as intended by Congress. Under our system of government the propriety of appropriations must continue to be determined by Congress itself, acting in conjunction with the President, and not by a subordinate executive official who, although intrusted with details of management, must in good faith carry out the evident intention of Congress.

If this bill shall become a law, notwithstanding the objections of the President, the responsibility for these expenditures rests mainly upon Congress, and can not be transferred to or imposed upon the Secretary of War, who is not vested with legislative functions. From these premises it necessarily follows that it is our duty to sustain the action of the President. He has exercised his constitutional prerogative in withholding his signature from a bill which he can not conscientiously approve, and in a message admirable in its tone and temper he respectfully asks us to give the measure further consideration. That, at least, we are bound to do. Abuse of the President will not change the facts

which he presents, misconstruction of his motives will not render the bill more acceptable, and unfair reflections upon his patriotism and good judgment add nothing to the argument and will not shake the public confidence in the wisdom of his deliberate conclusions.

More than this I need not say; and less than this I felt I ought not to refrain from saying. As one who voted against the bill on its original passage, the message confirms my convictions of its undesirability as a whole at the present time.

It is evident that the bill contains many unwise provisions and authorizes some wasteful or at least useless expenditures. As much was admitted during the debate. The distinguished chairman of the Commerce Committee [Mr. FRYE], in his eloquent plea for the bill, made just prior to its final passage, admitted that there had been extravagance in the use of money for river and harbor improvements, and that there were items in the bill to which he had been and was still utterly opposed. These admissions could be multiplied from others familiar with the details of the measure, but they are unnecessary.

The President has had a better opportunity than any of us (except possibly the Commerce Committee) to investigate from official and other sources the existing and pressing needs of our rivers and harbors, especially those of national importance, and I should be disposed to accept his conclusions upon the subject, even if I had not otherwise been convinced of the correctness of his position.

The consideration of this matter naturally leads to the suggestion that it is to be regretted that the Constitution does not permit the President to veto distinct items of appropriations in general appropriation bills. It is a necessary and desirable power, and one which, according to my observation, is not liable to abuse. It has existed for many years in the constitution of New York and in that of many other States of the Union, and there has been exhibited no disposition to abandon it anywhere where it has been tested. Its exercise would enable a President to discriminate between good and bad appropriations, between urgent and unnecessary ones, between those in the public interest and those designed for private benefit. It would preserve and save the meritorious appropriations embraced in the present measure and eliminate its objectionable ones.

Believing that until such a remedy shall be adopted the meritorious and the ill-advised items must suffer alike under the general policy, which my experience teaches me is desirable, of sustaining every Executive disapproval where any good reasons exist for its exercise in relation to any portion of a measure, I beg leave to propose a constitutional amendment, designed to confer upon the Chief Executive the power to withhold his approval from distinct items in an appropriation bill while approving others, which measure I shall now introduce, and after its reading shall ask that it may lie upon the table for future consideration.

The joint resolution (S. R. 156) proposing an amendment to section 7 of Article I of the Constitution of the United States was read the first time by its title and the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That an amendment to section 7 of Article I of the Constitution of the United States is hereby proposed by adding to said section the following:

"If any bill or joint resolution presented to the President contain several items of appropriation of money he may object to one or more of such items while approving of the other portion of the bill or resolution. In such case he shall append to the bill or resolution, at the time of signing it, a statement of the items to which he objects, and the appropriation so objected to shall not take effect. If the Congress be in session, he shall transmit to the House in which the bill or resolution originated a copy of such statement, and the items objected to shall be separately considered. If, on reconsideration, one or more of such items be approved by two-thirds of each House, the same shall be part of the law, notwithstanding the objections of the President. All the provisions of this section in relation to bills and resolutions not approved by the President shall apply in cases in which he shall withhold his approval from any item or items contained in a bill or resolution appropriating money."

The VICE-PRESIDENT. The joint resolution will lie on the table.

Mr. BUTLER. Mr. President, the amendment to the Constitution just offered by the Senator from New York [Mr. HILL] is a most natural one to be offered by a Senator who opposed the anti-bond bill which passed yesterday afternoon. It is a most natural one to be offered by a Senator who believes that the revenue power of this Government should be taken from Congress and placed in the hands of one man—the Executive. In addition to the power which the President already has to accept or reject a measure on its general merits, he proposes to give him the power to strike out and insert—that is, to legislate in detail.

Mr. President, the veto power as it now stands and is used is a dangerous evil, but the Senator from New York desires to complicate that evil and to make it worse. I wish now to ask to have read an amendment to the Constitution relating to this question which I have already introduced and which is still lying on the table. It strikes at the root of the whole trouble.

The Secretary read the joint resolution introduced April 7 by Mr. BUTLER, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution of the United States be proposed to the legislatures of the several States, which, when ratified by three-fourths of said legislatures, shall become and be a part of the Constitution, and shall be known as the sixteenth amendment:

"ARTICLE XVI.

"Every bill which shall have passed the House of Representatives and the Senate shall, before it become a law, be presented to the President of the United States. If he approve, he shall sign it; but if not, he shall return it with his objections, to that House in which it shall have originated, who shall enter the objections at large on their Journal and proceed to reconsider it. If after such reconsideration a majority of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered; and if approved by a majority of that House, it shall become a law.

"Every order, resolution, or vote to which the concurrence of the House of Representatives and Senate may be necessary (except on a question of adjournment) shall be presented to the President of the United States, and before the same shall take effect shall be approved by him; or, being disapproved by him, may be repassed by a majority of the Senate and House of Representatives according to the rules and limitations prescribed in the case of a bill."

Mr. BUTLER. If this is not a Government by legislative action of the people through their representatives, then it is not a Republic. The amendment just read will correct the evils and dangers of the present veto power. Besides, it preserves every idea with reference to safeguards from checks and balances that the forefathers and founders of our Constitution had in framing the Constitution. It preserves the dignity and the importance of the Executive. It defers to the Executive and asks his opinion, it gives him time to investigate any measure passed by these bodies, and awaits respectfully his reply and his approval or his objection. It then refers the whole matter with all the light the Executive can put upon it, if he shall disapprove, to the representatives of the people for final action, who should always be the final arbiters in matters concerning the general welfare.

That is what the founders of our Constitution had largely in mind when the Constitution was framed, and, as I have said before, one of the few mistakes, if I may be pardoned as one man for saying it, of the founders of this Government was in leaning too much to monarchical institutions, in not being able to wrench themselves, as it were, in one effort from all the traditions and from all the associations, from all the early training which they received from the mother country and the institutions that are not republican and democratic in form. They felt the veneration which the people in the Old World feel for the crowned head, the veneration which the people in the Old World feel for rulers who come down from generation to generation by heredity.

It still clung about them, and they were not able to rid themselves of it all. Hence they vested this excessive power in a man—the Executive—who in their minds to some extent took the place of a king. They failed fully to comprehend that in a republic that the king is the people and that the officers are the subjects. There were some among the framers of our Constitution who seemed to think it was necessary to put some check upon the people; they did not seem to realize that it was the officials upon whom it was necessary to place a check. They should have made our President simply an executive officer to carry out the legislative will of the people. If they could have foreseen when they did it that there would grow up, in spite of the Constitution, in spite of the fundamental principles of this Government, and hedge around that Executive the tremendous power of patronage, the tremendous power of party spoils; if they could have foreseen that that Executive would ever abuse his high office, that he would ever use the thousands and tens of thousands of appointments which are lodged in the Executive, and which necessarily must be lodged somewhere, to influence the legislative branch of the Government, that he would ever have used them in elections, that he would ever have used them to thwart the will of the people from the primary and township up to the legislative halls of Congress, they would have taken precautions against all of these dangers instead of putting into the hands of the Executive the dangerous power of veto.

Those two added together, the power of patronage growing greater with each succeeding year, with the power of veto, the power to nullify what does pass in spite of his will and his influence, not to say abuse of influence and power, make him an autocrat, make him more dangerous than a crowned head, who is simply a limited monarch. It makes him more dangerous to the welfare of this people than the King of England can ever be under their constitutional arrangement. Yet, Mr. President, strange to say, within the last few days Senators have stood upon this floor and claimed that there should be added to the excessive powers of the Executive a power greater than the veto power, a power greater than patronage, that he should be given the power to borrow money without limit, the power to levy a tax without limit upon every cent of property and every individual in America.

It is the most astounding proposition that has ever been seriously advanced before any legislative body in the world. Yet we

see Senators to-day standing on this floor and defending the President and the veto power who yesterday advocated placing in his hands the unlimited power to borrow money, to place debt upon the people, to raise revenue, and then expend it without consulting the people. There is not to-day a government on the topside of this earth, whether a republic or a constitutional monarchy, that allows in the hands of its executive, without the will of their legislative branch of the government, the power that is in the hands of ours.

The Senator from New York, however, says that the President of the United States in vetoing the bill does not place it on constitutional grounds. If the forefathers were right, that is the only way he should use it. It never was supposed that it would be used in any other way, except possibly to correct obvious blunders that were made without due deliberation. The Senator says that the President vetoes the bill on the ground of economy. The idea of the Senator from New York—the man who has not stood for economy, the man who has supported and defended the action of the Administration in turning over unwisely, needlessly $27,000,000 as a bonus to the gold ring within the last year—speaking of economy! The idea that an Executive who through folly, if nothing worse, has taken that much money from the people and put that much taxes upon the people and turned it over as a free gift, for that is what it amounts to, to the gold ring of America and Europe, should veto a bill on the ground of economy! Yet the Senator now rises and says that this bill, carrying only the sum of $17,000,000 for this year, must be vetoed on the ground of economy. I should have thought that the Senator from New York would have got somebody else to say that for him.

The $17,000,000 that the bill will carry for this year, according to his own statement, goes where? It goes nearer to the people, it goes nearer to the homes and firesides of our people, than any other money of equal amount that this Congress has appropriated or will appropriate this session. It goes not only to break down the barriers to commerce, it goes not only to open the gates of commerce between the States and other countries, but it goes to open up an avenue for transportation to our farmers and laborers and wealth producers in every section, and peculiarly in those sections where they have no railroad transportation. It opens up an avenue of commerce for the corn farmer, who tills the lowlands along the river banks, and who can not get his corn to market, his only product to raise money, if he must haul it, or if he must depend upon railroad transportation.

The Senator from New York says that President Jackson vetoed a river and harbor bill, and that President Cleveland is simply following Jackson's lead. This is an unfortunate reference, both for the President and for the Senator from New York. He must be ignorant of the fact that Jackson vetoed the bank bill and fought bravely the gold ring. Let the Senator from New York and the President also emulate the example of Jackson in this very important respect. Such action on their part would be both patriotic and timely now.

Mr. President, instead of it being an objection to this bill that improvements are not even in every State, I wish to say the only objection that could possibly be made, and the only regret we should have in making the river and harbor appropriations, is that we have not rivers open for commerce in every State of the Union and to every quarter of the country where the people could be benefited equally by river and harbor improvements. I would that there were water transportation in every State and every neighborhood in this whole country, and that we could spend money judiciously to improve that means of transportation, not only to give the people the benefit of God's highway, but to act as a check and balance upon our great railroad corporations; not to rob them of a living, but to make them live and let live, to make them charge fair rates and fair ones only; to solve, if possible, the problem that railroad commissions have not solved; to solve, if possible, the problem that the Interstate Commerce Commission has not solved and never will solve; to solve, if possible, the problem that never in my opinion can be solved in but one way, and that is for the iron highways to be used as common highways for people, as the rivers and the oceans are used, to be used as a public highway, as a public function for the public good.

My good friend the Senator from Tennessee [Mr. BATE] says that he is afraid there is something behind this bill. He fears our Republican friends are getting ready to manufacture an excuse for a big tariff bill next year. He says he is afraid that we will be giving Mr. Cleveland an excuse for another bond issue. In answer to that I wish to say that this body has done its duty. We passed yesterday a bill to prevent a further issue of bonds. The House of Representatives should do its duty and restore the legislative power of this Government to the people, where it belongs. But shall we stand here, timid and afraid—shall we refuse to make appropriations where they ought to be made because forsooth an Executive who seems to desire to serve the gold ring every chance he gets will borrow gold for that purpose? I say, if there is no way to stop this wrong but by an object lesson, then let us do our duty in improvements; let us do our duty in appropriations; and if the President, who has vetoed the bill, desires to resort to the issuance of bonds to raise money for these improvements out of his delicate, sensitive desire to obey the will of the people as expressed in this bill, then if he can stand it the people will stand it till they have put another House of Representatives in the other end of this Capitol and have elected a different kind of man for President.

During the next campaign this Democratic President of yours [turning to Senator GALLINGER and the Republican side]—you have adopted him—will issue more bonds if your House, which is defending him and helping him in his ruinous policy, does not stop him. When he does, then your men in the other House, who are now defending him, can no longer abuse him, as you did in the last campaign. Half the Republican Congressmen at the other end of the Capitol abused President Cleveland in the last campaign for issuing bonds. They denounced his methods, and they were elected largely on it.

Now, I wish to say to you that if you want to see a Republican House, you had better go and pray with them not to act as you have done here, but get them to pass that antibond bill. Yes, the responsibility rests there, and I say to the Senator from Tennessee, if he stands with me and with others on this question as he did yesterday, let us place that responsibility there; let us allow the people to place it there, as they will next November. Let us draw the issue squarely.

Now, as to our Republican friends having an excuse to frame a big tariff, I want to say that I am in favor of that question and all others being settled by the people and Congress. If the people, before they cast their votes next November, looking the situation in the face, decide that they want so much money for such a purpose and that the way to get it is by a high protective tariff, whether it meets my will or not, I shall bow to the will of the American people. There is no objection to a tariff if it is justly levied and if the resulting benefits are fairly and equitably distributed between the different sections and the different industries in each section. But I want to see the question settled by Congress and not by the Executive. Let Congress come together in special session or in regular session; let it decide how money shall be raised; let it decide whether by bonds, whether by tariff, whether by income taxes, whether by other means; let it decide, also, whether or not it will give the people an opportunity and the ability to pay taxes when it levies them; let the whole situation be before them; and the whole situation will be before them. Men will be in the next Congress who will view both questions together, and before they tax the people more by borrowing money or by tariff they will see that the people have the ability to pay those taxes.

Then, I say to the Senator from Tennessee and those who feel as he does on this question, let us not shirk our duty in this matter for fear the Republicans may have a campaign issue. Let us be merciful toward them, because they have an issue before them greater than the tariff, which they can not dodge. They have an issue before them which they must face squarely; it is the financial question; and the voters of this country from now on will take sides on that dividing line. I am willing to stand with the majority that is opposed to the gold ring. I am willing to help that majority which stands opposed to them in legislation and to bow to the will of that majority on other questions which is opposed to Tory methods and opposed to English rule. If that should mean a higher tariff or a lower tariff, and there is no other solution, it would be the lesser of the evils.

In conclusion, I wish to say that I believe in economy. I would rather, in the condition of our people as a rule, cut down expenses than increase taxes for any purpose, unless it be a case of absolute necessity. But I believe that the measure now before the body is one that will unlock money that is now piled up in the Treasury, which the President himself tells us can not be used for preserving the public credit. The President tells us himself that it makes no difference how much revenue he has, so long as he maintains the gold standard he must borrow money. The Senator from Michigan [Mr. BURROWS] admitted the same thing yesterday evening. Therefore the money that is in the Treasury to-day can not help the people of America, its credit or its prosperity, until it is in circulation. When it is in circulation, provided it goes for a good purpose, provided it goes for a purpose that enables the people to prosper and to pay more taxes, if necessary, they are better off, if it is used judiciously, and then pay taxes to put the same money back, because they will have a profit left to themselves. Yes, I believe in economy in the public service, though not niggardly economy; but I do not consider it economy to refuse to do what is necessary for commerce, what is necessary for a large portion of our people, simply for the fear that the President may issue bonds or that the Republicans may have a campaign issue. It is not statesmanship. It is not wise. I had almost said it is hardly patriotic.

On the ground of economy only, if I could be convinced that it is best, then I should vote against the measure; but I believe it

would be false economy. Therefore I shall vote to sustain the bill. I shall not vote to sustain the veto message, and I believe it is the duty of every Senator, unless he favors the veto power and the way it has been used, whether he is for this bill or against it, to vote to sustain the majority who favor and have passed this bill. Let every Senator here who was fairly beaten on the vote of a majority vote now with the majority, simply because he believes in majority rule; simply because he believes in the rule of the people, and not in the rule of the Executive. I say it is the duty of every American Senator to vote in this case with the majority, to show his faith in the majority of the American people and in the majority of this legislative branch, and to show that he does not approve of legislation by the Executive and by veto messages. . If I had voted against the bill when it passed, I should vote to-day to sustain it, because a majority of the Senate is for it, and I am opposed to sustaining the veto power when so used.

The VICE-PRESIDENT. The question is, Shall the bill pass, the objections of the President to the contrary notwithstanding? The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BURROWS (when his name was called). I am paired with the senior Senator from Louisiana [Mr. BLANCHARD]. If I could be assured how he would vote——

Mr. FAULKNER. He would vote "yea."

Mr. BURROWS. I am assured that he would vote "yea." I will therefore vote. I vote "yea."

Mr. PASCO (when Mr. CALL'S name was called). My colleague [Mr. CALL] is paired with the Senator from Vermont [Mr. PROCTOR]. If my colleague were present, he would vote "yea."

Mr. QUAY (when Mr. CAMERON'S name was called). I desire to announce that my colleague [Mr. CAMERON], on this question, in conjunction with the Senator from New Jersey [Mr. SEWELL], is paired with the Senator from Tennessee [Mr. HARRIS]. My colleague and the Senator from New Jersey would vote "yea" if present. The Senator from Tennessee, I understand, would vote "nay."

Mr. CULLOM (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. GRAY], but I believe if he were present he would vote "yea" on this question, and I therefore vote "yea."

Mr. ELKINS. I wish to state to the Senator that I was paired with the Senator from Delaware [Mr. GRAY].

Mr. CULLOM. I understand that the Senator from Delaware is paired with the Senator from West Virginia [Mr. ELKINS], and I will therefore let my vote stand.

Mr. ELKINS (when his name was called). I transfer my pair with the Senator from Delaware [Mr. GRAY] to the Senator from Kansas [Mr. BAKER], and I vote "yea." The Senator from Delaware would vote "nay" if present.

Mr. GEAR (when his name was called). I have a general pair with the senior Senator from Georgia [Mr. GORDON], but knowing he would vote as I do on this question, I vote "yea."

Mr. BACON. I will state that if my colleague [Mr. GORDON] were present he would vote "yea."

Mr. HARRIS (when his name was called). On this question I have a pair with the senior Senator from Pennsylvania [Mr. CAMERON] and the junior Senator from New Jersey [Mr. SEWELL], each of whom would vote "yea" if present, I am informed, and I should have voted "nay" if not paired.

Mr. MITCHELL of Wisconsin (when his name was called). I am paired with the Senator from New Jersey [Mr. SEWELL], but as we agree on this question I vote "yea."

Mr. MORRILL (when his name was called). I am paired on this question with the Senator from Kentucky [Mr. BLACKBURN] and the Senator from Louisiana [Mr. BLANCHARD]. If I were not so paired I should vote "nay."

Mr. PERKINS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. ROACH], but as he would vote in the affirmative upon this question if present, I vote "yea."

Mr. PROCTOR (when his name was called). I have a general pair with the Senator from Florida [Mr. CALL]. If he were present I should vote "nay."

Mr. PUGH (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. HOAR], who I understand would vote "yea" if present, and I give the same vote.

Mr. SQUIRE (when his name was called). I have a general pair with the Senator from Virginia [Mr. DANIEL]. I feel quite sure that he would vote "yea" if present, but in order to obviate any possible misunderstanding, I will transfer the pair to the Senator from Wyoming [Mr. CLARK], so that the pair will stand between the Senator from Virginia and the Senator from Wyoming, and I vote "yea."

Mr. TILLMAN (when his name was called). Understanding that the Senator from Nebraska [Mr. THURSTON], with whom I am paired, would vote for the passage of the bill over the veto if present, I vote "yea."

The roll call was concluded.

Mr. CULLOM. A few moments ago I stated that the Senator from Delaware [Mr. GRAY] would have supported the bill against the veto. I am now informed that that Senator is opposed to the bill. I make this statement because I was entirely misled as to his position, and I do not want anything to go upon the record that looks as if I were stating his position incorrectly.

Mr. ALLISON. I have a general pair with the Senator from Missouri [Mr. COCKRELL], who is absent, necessarily, but he informed me before leaving the Senate that if here he would vote for the passage of the bill, and that he would have a pair arranged with some other Senator. I do not know whether such a pair has been arranged.

Mr. PASCO. The Senator from Missouri [Mr. COCKRELL] is paired with the Senator from Illinois [Mr. PALMER].

Mr. ALLISON. Very well. Then I vote "yea."

Mr. BROWN. On this question I am paired with the Senator from Maine [Mr. FRYE] and the Senator from Michigan [Mr. MCMILLAN]. If they were here, they would both vote "yea" and I should vote "nay."

Mr. CLARK. I heard a moment ago a Senator making a pair in my name. I desire to say that I wish to vote upon this question, and that I vote "yea."

Mr. SQUIRE. Inasmuch as the Senator from Wyoming [Mr. CLARK] is present, I am requested by those on the Democratic side having charge of the pairs to substitute the Senator from Louisiana [Mr. CAFFERY] for the Senator from Wyoming [Mr. CLARK]; so that the Senator from Louisiana will stand paired with the Senator from Virginia [Mr. DANIEL], and I will let my vote stand. I also wish to state that if the Senator from Louisiana were here I am informed he would vote "yea." He is detained from the Senate by reason of sickness.

Mr. PALMER (after having voted in the negative). Since I have voted the Senator from Florida [Mr. PASCO] reminds me that I made an arrangement with the Senator from Missouri [Mr. COCKRELL] to pair with him. I therefore withdraw my vote. I am very much obliged to the Senator for reminding me of it.

Mr. PASCO. I desire to announce that the Senator from Louisiana [Mr. BLANCHARD] is absent from the city. His pair with the Senator from Vermont [Mr. MORRILL] has already been announced. If the Senator from Louisiana were present, he would vote "yea."

Mr. PEFFER. I ask that the pairs be announced. I want to see that my colleague [Mr. BAKER] is protected.

Mr. HARRIS. Before that is done, I desire to suggest that upon a question like this, where one negative is equal to two affirmative votes, the announcement of a single pair seems to me to fall a little short of the rule that should prevail. Of course the result in this case would not be changed even though the strictest rule should be observed, nor is it a question for the Chair to take any action upon. I simply desire to say that I think upon questions such as this it would be a wise and better policy for the Senate to observe the strict constitutional rule in respect to pairs.

Mr. PASCO. Having charge of the pairs upon this side, I wish to state that this is generally a matter of individual arrangement. Where it has been otherwise, we have arranged it in the way the Senator from Tennessee [Mr. HARRIS] suggests, but there are some six, eight, or ten friends of this measure for whom we have been unable to obtain pairs.

Mr. CHANDLER. This question arose on the 2d of August, 1882, when the President pro tempore of the Senate declared the Chair recognized the pairs as Senators announced them. I dislike to interrupt the Senator, but certainly debate is not in order on this question. That can come afterwards.

Mr. TELLER, Mr. VEST, and others. Regular order.

The VICE-PRESIDENT. The Chair will recognize the request of the Senator from Kansas. Will the Senator again renew his request?

Mr. PEFFER. The request was that the pairs might be announced. My object in making the request is that I want to know whether the Senator from South Dakota [Mr. KYLE] and my colleague [Mr. BAKER] are protected. I do not care myself particularly about the other pairs.

The VICE-PRESIDENT. It can only be done by unanimous consent. If there be no objection, the Reporter will announce the pairs, at the request of the Senator from Kansas.

Mr. FAULKNER. I will state to the Senator from Kansas that his colleague [Mr. BAKER] is paired with the Senator from Delaware [Mr. GRAY].

Mr. PEFFER. I do not know but that the Senator from Delaware would vote the same way.

Mr. ALDRICH. He would vote "nay."

Mr. FAULKNER. The Senator from Delaware would vote "nay" on this proposition and the junior Senator from Kansas [Mr. BAKER] would vote "yea."

The VICE-PRESIDENT. Is that statement satisfactory to the Senator from Kansas?

Mr. PEFFER. It is satisfactory so far as my colleague is concerned. How about the pair of the Senator from South Dakota [Mr. KYLE]?

Mr. BATE. I think the pairs ought to be announced.

The VICE-PRESIDENT. Is there objection?

Mr. WILSON. I object.

Mr. JONES of Arkansas. Let the result of the vote be announced.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Kansas? If there is objection, the announcement of the vote will be made.

Mr. JONES of Arkansas. I object.

The VICE-PRESIDENT. Objection is made. The Chair will announce the result.

The result was announced—yeas 56, nays 5; as follows:

YEAS—56.

Aldrich,	Elkins,	McBride,	Sherman,
Allison,	Faulkner,	Mills,	Shoup,
Bacon,	Gallinger,	Mitchell, Oreg.	Squire,
Berry,	Gear,	Mitchell, Wis.	Stewart,
Brice,	George,	Morgan,	Teller,
Burrows,	Gibson,	Nelson,	Tillman,
Butler,	Gorman,	Pasco,	Turpie,
Cannon,	Hale,	Peffer,	Vest,
Carter,	Hansbrough,	Perkins,	Walthall,
Chandler,	Hawley,	Pettigrew,	Warren,
Clark,	Jones, Ark.	Platt,	Wetmore,
Cullom,	Jones, Nev.	Pritchard,	White,
Davis,	Lindsay,	Pugh,	Wilson,
Dubois,	Lodge,	Quay,	Wolcott.

NAYS—5.

Bate,	Hill,	Smith,	Vilas.
Chilton,			

NOT VOTING—28.

Allen,	Cameron,	Hoar,	Murphy,
Baker,	Cockrell,	Irby,	Palmer,
Blackburn,	Daniel,	Kyle,	Proctor,
Blanchard,	Frye,	McMillan,	Roach,
Brown,	Gordon,	Mantle,	Sewell,
Caffery,	Gray,	Martin,	Thurston,
Call,	Harris,	Morrill,	Voorhees.

So the bill was passed, two-thirds of the Senators present having voted in the affirmative.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the second committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes; further insisted upon its disagreement to the amendments to the bill numbered 32, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, and 52; asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BOUTELLE, Mr. ROBINSON of Pennsylvania, and Mr. CUMMINGS managers at the conference on the part of the House.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8109) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 8293) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes; receded from its disagreement to the amendments numbered 27, 207, and 208, and agrees to the same with amendment in which it requested the concurrence of the Senate; further insisted upon its disagreement to the amendments numbered 14, 24, 25, 30, 31, 37, 74, 79, 80, 81, 82, 83, 103, 104, 105, 106, 122, 137, 147, 148, 190, 192, and 200 to the bill; agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CANNON, Mr. ARNOLD of Rhode Island, and Mr. SAYERS managers at the conference on the part of the House.

The message also announced that the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5490) to license billiard and pool tables in the District of Columbia, and for other purposes, reported that, having met, after full and free conference were unable to agree; the House insisted upon its disagreement to the amendment of the Senate to the bill, asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CURTIS of Iowa, Mr. MILNES, and Mr. HULING managers at the conference on the part of the House.

The message also announced that the House had passed a concurrent resolution to print 10,000 copies each of the majority and minority reports of the Committee on Ways and Means concerning reciprocity and commercial treaties, etc.; in which it requested the concurrence of the Senate.

REGULATIONS CONCERNING FILLED CHEESE.

Mr. SHERMAN. I call for the regular order.

The VICE-PRESIDENT. The Chair lays before the Senate the regular order, the title of which will be stated.

The SECRETARY. A bill (H. R. 8008) defining cheese, and also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of filled cheese.

Mr. SHERMAN. Mr. President, I will ask the unanimous consent of the Senate to take the vote upon the bill—it will require but a single vote—in one hour from this time, or at any particular hour this evening that may be named.

The VICE-PRESIDENT. The Chair will submit to the Senate the request of the Senator from Ohio. The Senator from Ohio asks unanimous consent that the vote be taken on the pending bill one hour from this time. Is there objection?

Mr. VEST. I can not agree to that.

Mr. SHERMAN. Will the Senator fix an hour?

Mr. VEST. I do not want to fix any hour, because the bill is now the regular order, and the Senator will get a vote upon it without any agreement. I will not make any agreement about it.

Mr. HALE. Mr. President, I rise to a privileged report.

The VICE-PRESIDENT. The Chair will recognize the Senator from Maine in a moment.

Mr. SHERMAN. I understood, if others did not, that at the close of the debate upon the bond bill the filled-cheese bill should be disposed of—that one bill should follow the other. It may be that the Senator from Missouri did not so understand it.

Mr. VEST. The Senator from Iowa [Mr. ALLISON] is present and can state. He made the motion yesterday evening that the filled-cheese bill be made the special order and carried that vote.

Mr. VILAS. I ask the Senator from Ohio to observe that the Senator from Missouri [Mr. VEST] says there will be a vote on the bill.

Mr. VEST. Of course there will be a vote. We are not filibustering against the bill. We could beat it if we chose by filibustering, but we do not intend to do so.

NAVAL APPROPRIATION BILL.

Mr. HALE. I present the report of the conference committee on the naval appropriation bill.

The VICE-PRESIDENT. The report will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 53.

That the House recede from its disagreement to the amendments of the Senate numbered 33, 34, 35, 36, 37, and 38, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: Restore the matter stricken out by said Senate amendment; and the Senate agree to the same.

On the amendments of the Senate numbered 32, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, and 52 the committee of conference have been unable to agree.

EUGENE HALE,
M. S. QUAY,
A. P. GORMAN,
Managers on the part of the Senate.

C. A. BOUTELLE,
JOHN B. ROBINSON,
AMOS J. CUMMINGS,
Managers on the part of the House.

Mr. HALE. The Senator from New Hampshire [Mr. CHANDLER] desires to submit some remarks.

Mr. CHANDLER. Mr. President, I desire to take the floor upon the pending subject, but before speaking I should like to have the Senator from Maine state explicitly, so that the subject of debate may be understood, what matters have been adjusted and what matters are still in controversy between the Senate and House committees.

Mr. HALE. The only subjects-matter that are in controversy are in relation to the number of new ships and certain provisions with reference to their construction, the places where they shall be built, and the limitations, all involved in the one question of how many ships shall be built. The other question which remains open is upon the price of armor plate for the contemplated ships. All other subjects-matter have been adjusted and agreed to and are in the report, which I ask may be adopted, and then the matters in controversy will stand open.

The PRESIDING OFFICER (Mr. PLATT in the chair). The question is on concurring in the report of the conference committee.

The report was concurred in.

Mr. PRITCHARD. I ask leave at this time to make a report from a committee.

Mr. HALE. Let us have the regular order, Mr. President.

The PRESIDING OFFICER. The Senator from Maine demands the regular order.

Mr. SHERMAN. The regular order is the filled-cheese bill.

Mr. HALE. Not at present. The conference report is privileged.

Mr. NELSON. I rise to a point of order. When the Senator from Ohio [Mr. SHERMAN] had the floor and called up the filled-cheese bill, can anybody take him off the floor by a conference report or any other report?

The PRESIDING OFFICER. The present occupant of the chair was not in the chair at the time the bill was called up.

Mr. SHERMAN. The Senate can not take up the conference report except upon motion.

Mr. CHANDLER. I wish to make a suggestion to the Senator from Ohio.

Mr. HALE. A conference report is in order at any time.

Mr. SHERMAN. It is in order to move to take it up, but not to take it up.

Mr. HALE. It is in order to present it at any time. If the question of consideration is raised by anybody opposing it, that question can be submitted to the Senate; but a conference report can be made at any time, and can only be displaced or got out of the way on the question of consideration being made against it. I suppose the Chair recognizes that.

Mr. CHANDLER. If the Senator from Ohio will listen to me one moment, I hope that we may avoid either a vote or a decision of the Chair on the question of order. There are two members of the Naval Committee who wish to speak upon this conference report, who are obliged to leave the city this afternoon, and it was my intention to ask the Senator from South Dakota with reference to the Indian appropriation conference report, and the Senator from Ohio with reference to the filled-cheese bill, that debate upon this conference report might be allowed to go on this afternoon for the convenience of those two Senators. Of course the filled-cheese bill will not be displaced, as it is the regular order.

Mr. SHERMAN. According to my view, at least, it seems not to have been so considered by others. It was understood that after the bond bill was disposed of the filled-cheese bill should next be disposed of. The accommodation of two Senators at this period of time who want to go out of the city does not weigh with me a feather. I think every member of the Senate at this stage of the session ought to be here, and therefore that is not a good ground for the postponement of the bill.

Mr. CHANDLER. I took an active interest myself yesterday afternoon, as the Senator from Iowa [Mr. ALLISON] knows—when the Senator from Ohio was not here, and had gone away when he ought to have been in his place, as he says of other Senators—to get up the filled-cheese bill. The Senator from Iowa only asked that it might be taken up and made the unfinished business. The Senator from Ohio is accommodated every afternoon when he goes away, and he ought to be willing to accommodate two other Senators who want to go away for a day or two.

Mr. SHERMAN. The filled-cheese bill has been debated to some extent, and I do not understand that anyone wishes to speak upon it except the Senator from Missouri [Mr. VEST], who has a right to be heard, and I think he ought to be heard now. It does seem to me now that we ought to proceed regularly. Last evening the filled-cheese bill was made the order of business, and the unfinished business coming over to-day. I intended to call it up this morning before the hour of 1 o'clock, but was unable to do so.

Mr. CHANDLER. The Senator knows that a conference report has precedence over the unfinished business.

Mr. SHERMAN. That depends on the vote of the Senate.

Mr. CHANDLER. Undoubtedly.

Mr. ALLISON. Mr. President, I am very anxious that the filled-cheese bill should be passed, and I think it ought to pass at the earliest moment; yet I do think that where there are conference reports on appropriation bills they ought to be considered, especially where there are no agreements, in order that we may get them in position for further agreements. I had hoped, as the Senator from Ohio hopes, that there would be no further debate upon the filled-cheese bill, at least no prolonged debate, and I do not see how there can be. I was anxious that that bill should be made the unfinished business, so that nothing could intervene except conference reports. That is my desire now, and I should be glad if the Senator from Ohio would give way, as he can give way from time to time, to conference reports. I do not wish to endanger the bill.

Mr. VEST. Allow me to say a word.

Mr. SHERMAN. Upon the statement of the Senator from Iowa, I will be very glad to carry out his wishes, as the filled-cheese bill was upon his motion made the unfinished business. Therefore I have no objection to his proposition so far as the naval appropriation bill is concerned. Then I hope the filled-cheese bill will be taken up, retaining its place as the unfinished business.

Mr. ALLISON. It will retain its place.

Mr. VEST. I want to say one word. I have been sitting here listening rather impatiently to these statements about the absolute necessity of rushing the filled-cheese bill through the Senate. The bill came here with a majority of the Finance Committee against it. Two of the Senators on the committee—if I may be permitted to speak of what happened in committee—after an adverse vote on the bill, agreed rather reluctantly, as they stated, to allow the bill to be reported; but there was a majority of the Finance Committee who declared themselves against it. There are more than twenty of us, without speaking accurately, who believe the bill to be unconstitutional. I have myself fought that sort of legislation for fifteen years in the shape of the oleomargarine bill and all kindred bills. I have no more doubt about its unconstitutionality than that I am here now a member of this body. With those convictions we could defeat the bill, as every intelligent man knows, under the rules of the Senate, but we have decided not to filibuster against it, but to allow a fair vote to be taken; and whilst I have spoken without any unnecessary prolixity, simply stating my position and that of the Senators who agree with me, and whilst I have spoken a very short time, less than a half hour, then the morning hour expired and took me off the floor, to which I did not object, and we have not made the slightest attempt to delay action upon the bill, it is thrust upon us now at every moment, it seems to me, during the day. "The filled-cheese bill." "The filled-cheese bill must be passed." It seems that it is enough for us to state that we are willing, after a fair discussion and after stating our position, which we have a right to do and will do, as a matter of course, to allow a vote to be taken under the rules of the Senate as the regular order; that that should be enough; and I am a little tired of having this thing thrust on me every hour in the day and the demand made that the filled-cheese bill shall take the place of all other legislation, when I believe it is rather the worst bill we have had here this session.

Mr. CHANDLER and Mr. PETTIGREW addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from New Hampshire.

Mr. CHANDLER. I yield to the Senator from South Dakota, who desires to make a statement in reference to the order of business.

Mr. PETTIGREW. I think that as soon as the pending conference report is disposed of I shall ask the Senate to take up the other conference report in regard to the Indian appropriation bill. I can see plainly that the filled-cheese bill will occupy a good deal of time, and it is important before we adjourn to dispose of the Indian appropriation bill.

Mr. HALE. I make the formal motion, customary in such cases, the conference report on the naval appropriation bill having been concurred in, that the Senate further insist upon its amendments disagreed to by the House and agree to the conference asked for by the House, the conferees to be appointed by the Chair.

The PRESIDING OFFICER. The question is before the Senate.

Mr. CHANDLER. Mr. President, it is not my intention, as the Senator from Ohio [Mr. SHERMAN] kindly assents to allow the consideration of this conference report to proceed, to take up the time of the Senate at any great length. I hope to state very briefly my position with reference to the remaining points of disagreement between the Senate and the House of Representatives, and I believe that the debate upon the conference report can be kept within reasonable limits.

As to the first question, whether there shall be four battle ships or two, I do not regard it as of great importance. There has been a disposition to make the authorization of four battle ships or of two battle ships at this session a matter of great public moment. I desire to call the attention of my friend from Maryland [Mr. GORMAN] to my statement. I do not consider that the naval appropriation bill involves the whole financial policy of the Government; neither do I think that questions of patriotism are to be decided according as we vote for two or four battle ships at the present session.

There has been a disposition to make this question something more than a mere matter of business details. For instance, I have heard elsewhere the Senator from Texas [Mr. MILLS] criticised because he is an ardent friend of Cuba, almost willing, perhaps entirely willing, that the United States should recognize the independence of Cuba, and yet voted for two battle ships at this session instead of four, as if the Senator was inconsistent in so doing. I did not so regard the Senator from Texas.

Mr. MILLS. If the Senator from New Hampshire can give me any guaranty that these vessels shall be used in aid of the independence of Cuba I will vote for four, five, or six or them.

Mr. CHANDLER. I will say to the Senator that I think myself it will not make any difference in the settlement of the pending Cuban question whether we authorize four battle ships or two battle ships at this time, and therefore the Senator from Texas did not abate any of his sympathy with Cuba by voting for two battle ships instead of four battle ships.

Mr. President, I did not vote for two battle ships. My vote counted in favor of four battle ships, as I was paired on the question. But I do not see myself, as a mere business proposition,

what difference it makes whether we authorize four battle ships now, or whether we authorize two now and two next winter. The facts are that the Secretary of the Navy has only within a few days made a contract for the *Kentucky* and *Kearsarge*. I have the contract for the armor for those vessels in my hand. It appears that the Government has nine months in which to prepare the specifications for the armor. After that the contractor is to furnish the armor at the rate of 300 tons a month, provided that the final detailed drawings are furnished within six months. So the armor for the *Kentucky* and the *Kearsarge* doubtless will not be furnished before one year from the 1st day of July of this year. If two more battle ships are authorized, and the same kind of a contract is made, the armor for those ships is not likely to be furnished until two years from the 1st day of July; and if we authorize two more battle ships next winter the contractors for the armor are likely to furnish that armor just as expeditiously as if we authorize the four battle ships at this time.

Now, I object to having this mere question of detail made a test of the patriotism of Senators or made a test of their disposition to continue the reconstruction of the Navy.

Mr. President, I am in favor of the construction of two battle ships a year for the next ten years. As I now view the subject, in the light of the debate that has taken place, I am not in favor of the construction of four battle ships in any one year. Therefore I am content with the vote of the Senate and shall be entirely satisfied if the Senate insists upon that vote, and more than satisfied if the conference committee insists in its conferences with the Representatives of the House upon two battle ships rather than four battle ships. I resist the argument that anything more is involved in the question of the authorization of two or four battle ships at this time than a mere business question, to be settled according to ordinary business principles, and I repeat it need make, and in all probability will make, no difference whatever as to the time in which the third pair of battle ships shall be finished whether they are authorized now or authorized next winter.

Next, Mr. President, as to the limitation which the Senate has put upon the cost of armor for the battle ships. The provision is that unless the Secretary of the Navy can make a contract for the armor for an average price of $350 per ton he shall make no contract, but shall report the bids to Congress. I am confirmed by the lapse of time in the judgment that that is a wise provision which the Senate has inserted in the bill. I hope that the Senate will insist upon that provision. I hope that the Senate conferees will not consent to recede from that provision.

The Senate Committee on Naval Affairs made quite a careful but not exhaustive examination of the question of the cost of armor. According to the testimony before the committee the cost of armor is not over $300 per ton. It appeared before the committee that the Bethlehem Iron Company had made a contract with the Russian Government to furnish them armor at $300 per ton. It was the testimony of the experts who appeared before the committee, who were willing to testify as to the cost of armor, that $300 a ton was a full price, so far as the material and the labor were concerned, for such armor as is placed upon these vessels. In view of the testimony, which stood uncontradicted before the committee, it was the opinion of the committee that we ought not to go on any longer paying $500 and $550 per ton for armor.

Mr. HAWLEY. If the Senator from New Hampshire will allow me to interrupt him, I should like a little explanation. It is well known, of course, that it makes a very great difference whether a concern of that sort has continuous work, for it has very costly machinery and many very skillful workmen, whom it is not easy to collect at wide intervals. Did the committee take into consideration or did the company make representation that they are not certain of continuous employment for a series of years? It would make quite a difference, I know, with ordinary manufacturing concerns if that should not be the case.

Mr. CHANDLER. The suggestions made by the Senator from Connecticut are quite pertinent to the issue. The fact of the uncertainty as to the quantity of armor to be furnished was called to the attention of the committee; was considered by the committee. The representatives of the two concerns made, I will say, a fair appearance before the committee. They said that if they could have a guaranty for continuous work for a considerable number of years they would make a large reduction in the price. The committee were not able to give them any assurance on that point. I suppose the Government is not willing at this time to make a large contract for armor. I would myself be willing that the Government should make a ten-year contract for armor at the rate of 3,000 tons a year, which would be, speaking generally, what I have suggested, the armor for two battle ships a year. Reckoning about 3,000 tons of armor for the battle ships, with 30,000 tons we could go on for ten years. Congress has authorized no contract of that kind, but we were impressed with certain facts in reference to the past which I will state to the Senate as to the prices that have been hitherto paid.

Mr. HAWLEY rose.

Mr. CHANDLER. I yield to the Senator from Connecticut.

Mr. HAWLEY. I want to suggest that I hardly think it safe to make a contract for ten years for anything known to mechanics, because with the ingenuity of the American workman he is always getting out something new. We may want to change our style of armor in less than ten years. Five years would be long enough.

Mr. CHANDLER. I will say to the Senator a contract would be made which would cover all those points. I would have been willing myself to make contracts with these two establishments extending over a period of ten years, the contract subject to change according to circumstances; but nothing of the kind seemed likely to be consented to by Congress. The facts that appeared to the committee were that the Bethlehem Company has received, or will have received when the existing contracts are fulfilled, $6,423,156.27 for 10,086 tons of armor. The Carnegie Company will have received for 8,865 tons of armor $5,353,614.29. Taking that quantity of armor, the 10,000 tons furnished by Bethlehem, estimated at $300 a ton, which is $50 a ton less than the limitation proposed by the Naval Committee, and the cost of the armor was $3,000,000. Estimate the value of the plant of the Bethlehem Company at three and a half million dollars—and, as will be seen, that is a million dollars more than the cost of the Carnegie plant—the total expenditure of the Bethlehem Company to produce the 10,000 tons of armor and for that plant was $6,500,000, while they will have received $6,423,156.27. In other words, dealing in round numbers, we have already paid to the Bethlehem Company the cost of producing 10,000 tons of armor, and we have paid them all the money which the whole plant for making the armor has cost them.

And so with the Carnegie Company. The 8,800 tons of armor at $300 a ton is $2,640,000. The cost of the plant, as stated by Mr. Carnegie—the amount charged to construction—was $2,500,000. That makes $5,100,000, and they have already received $5,353,614,29. In other words, we have paid them all the armor has cost them and we have paid them every dollar which their plant has cost them.

While this investigation has been going on the Secretary of the Navy has made new contracts with the Carnegie Company and the Bethlehem Company for 3,000 tons more of armor at about $500 a ton.

Under these circumstances, with the facts clearly before us and not denied that armor does not cost more than $300 a ton, in view of the fact that the Bethlehem Company have made foreign contracts of $300 a ton, and in view of the further fact, which appears in the testimony before the committee, that even the foreign armor manufacturers, who are in a combine with the armor manufacturers in this country to keep the price of armor up to $500 a ton, make a price for armor at $300 a ton for the foreign trade, the committee felt that they were called upon to put some limitation upon the cost of the armor. Therefore they said, not that these contracts should not go forward at a greater price than $350 a ton, but that unless the Secretary could make a contract for the armor for these two or four ships at an average price of $350 a ton he should make no contract prior to the first Monday in December next, but should report the bids to Congress.

Mr. GORMAN. Would it interrupt the Senator from New Hampshire for me to ask him a question?

Mr. CHANDLER. Not at all. I desire to be interrupted.

Mr. GORMAN. The Senator is perfectly familiar with the testimony taken by the Committee on Naval Affairs, and he states very positively that $300 a ton is a fair price for this armor. I should like to have the Senator enlighten me and the Senate as well by telling us upon what information that statement is based, upon whose testimony, or is it admitted by the manufacturers as well as the experts? In other words, I should like, before the Senator leaves the question——

Mr. CHANDLER. The manufacturers tell us nothing about it. The testimony before us is this: First, the foreign bid at $300 a ton or thereabouts. Secretary Herbert said that he understood the price was as low as $250 a ton. The manufacturers themselves were not pressed to show us the cost of the armor. We felt delicate about pressing it, and we felt especially delicate, as the Senator knows, about pressing the retired naval officers upon the list of the Navy who were in the employ of these manufacturers. But we did take the testimony of our two experts, Commander Horace Elmer and Lieutenant-Commander Rodgers. I will read from the testimony taken by the committee on page 309 as to the price of armor for naval vessels:

Mr. ELMER. I can not see how that armor can cost the Carnegie Steel Company more than $250 a ton anyway—that is, leaving out all interest in the plant, or how much the plant cost, or how much there is of wear and tear. I merely take the basis of the metal to begin with, and go through the whole process to the end.

Senator SMITH. Outside of the question of capital invested and the wear and tear of machinery?

Mr. ELMER. Outside the question of wear and tear.

Senator TILLMAN. To make that fuller, let me ask you, in the event of the Government establishing its own plant where there was another plant equally as well equipped in existence, do you think that the Government itself or

the proprietors of the other plant could make for $250 a ton the armor for which we are now paying $500 a ton?

Mr. ELMER. Do you mean to exclude the idea of the cost of the plant?

Senator TILLMAN. I am speaking about a plant duplicating the one which now exists at Carnegie's works. Would the necessary skilled labor and the material and the supervision entail a cost in producing armor of more than $250 a ton?

Mr. ELMER. I do not think so.

That is the testimony of Commander Horace Elmer. On page 325 the Senator from Maryland will find the testimony of Lieutenant-Commander Rodgers.

Mr. GORMAN. I merely wanted to understand the question. Has Commander Elmer, in the opinion of the Senator, sufficient information as to the cost of producing the armor to give his opinion the slightest weight?

Mr. CHANDLER. The Senator from Maryland will allow me first to state the testimony of Lieutenant-Commander Rodgers, and then I will answer that question. I read on page 325:

Mr. RODGERS. I have no knowledge about the cost of manufacture of the armor, hearsay or otherwise, except from estimates I have made of the cost of labor and material. These estimates were made from a slight amount of information received from sources outside of the Bethlehem Iron Company's works, from the records of my office, from personal observation, and guesswork. The estimates probably lack accuracy in nearly every essential feature, and I am unable to make up my mind as to the probable error; but assuming that my estimates are correct, I am of the opinion that the average cost of labor and material will not be more than $250 per ton of armor.

Now, the Senator asks me whether I think——

Mr. LINDSAY. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Kentucky?

Mr. CHANDLER. Certainly.

Mr. LINDSAY. I ask the Senator from New Hampshire if the committee has any information as to what similar armor costs the French and British Governments?

Mr. CHANDLER. I will say to the Senator from Kentucky that we have, and that, as I stated a little while ago, they keep up the price to $500 a ton and make the price for the foreign trade $300 a ton. I say further to the Senator, what other members of the Naval Committee will testify to, that the price is kept up to $500 a ton by reason of a close combine of the foreign manufacturers of armor, into which combine have recently been taken the two armor establishments in this country. So, in my judgment, the establishments abroad and the establishments in this country are charging their respective governments $500 and $550 and $600 a ton for Harveyized armor which costs them for labor and material not over $300 a ton, in all human probability not over $250 a ton, for labor and material.

Mr. President, that is the evidence upon which the committee acted. The manufacturers knew that this question was under investigation and they could have submitted to us any evidence which they had desired to submit. In the face of this combination, in the face of this fact——

Mr. LINDSAY. I will ask the Senator from New Hampshire another question. He states that the home manufacturers export armor and sell it for $300 a ton. To whom do they sell? What foreign market have they if there is a combination between the foreign manufacturers and the home manufacturers?

Mr. CHANDLER. I am very much obliged to the Senator from Kentucky for asking the question, because it requires me to state what I understand to be the exact facts. The Bethlehem Company went abroad in order to break into the foreign market and to secure admission to the foreign combination. They bid for armor for a foreign government at $300 a ton and obtained the contract. Thereupon there was, of course, more or less commotion among the foreign manufacturers abroad, who were in a combination among themselves, but had not anticipated this American inroad into their field. The result was, as the Committee on Naval Affairs believe, a close combination was made between the two American establishments and the foreign establishments, and now the price of armor is again raised to $500 a ton. Have I made the statement so that it is intelligible to the Senator from Kentucky? That is our belief, I will say to the Senator. As long as there was competition or wherever there was competition the price of armor went down to $300 a ton. Whenever competition was destroyed by combination—the Senator is familiar with the principle—the price of armor went up and is now reestablished; and notwithstanding the fact that we have paid to the Bethlehem Company and to the Carnegie Company, over and above the cost of producing their armor, a sum equal to the whole value of their plant, the only reduction that the Secretary of the Navy could obtain from these two concerns, who are in combination now and not in competition, was a reduction of $50 a ton. Under these circumstances, with the evidence satisfactory to our minds that from $250 to $300 a ton was the cost of armor, in the face of the fact that the Secretary of the Navy, as to the *Kentucky* and the *Kearsarge*, had only been able to get a reduction of the price of armor from $550 down to $500 a ton, we felt that we would be derelict in our duty if we did not insist upon the limitation which was proposed by the committee and which went upon the bill without objection from any Senator on this floor.

Now, Mr. President, if we intend to surrender to this foreign and home combination and to pay as much a pound for the armor that goes on the outside of our battle ships as we do for highly and elaborately finished cannon, then we will recede from the amendment.

But if we intend to exercise the power of Congress and to perform the duty of Congress to extricate the Navy Department from the clutches of this great combination, then we will insist upon the limitation which the Senate, without objection, put upon the bill.

Mr. LODGE. Mr. President, I supposed the Senator from Pennsylvania [Mr. QUAY], whom I do not now see in his seat, was going to make a motion in regard to receding from the amendment as to battle ships. I understand there are two subjects, the battle ships and the armor plate, disagreed to.

Mr. HALE. All the other amendments have been adjusted. There are several amendments, as I stated before, connected with the battle ships, as to where they shall be built, the limitations, etc., but they all go with the question of ships. They can easily be adjusted if the number of ships is fixed.

Mr. LODGE. Mr. President, in regard to the matter of fixing the price of armor plate, I have no desire to make any motion. It seems to me wise to fix a price in the bill, although I am inclined to think the price as originally fixed in the Senate is too low. But it can be easily raised and agreed upon in conference.

But in regard to the battle ships, I trust the Senate will now be ready to recede and to accept the bill as it came from the House. The House, or a large portion of it, at the outset of this session, as also a large number in the Senate, desired very strongly to have six ships, and the House accepted four only by the advice of the House Committee on Naval Affairs. It is not an excessive authorization. On the contrary, it is a moderate one, in my judgment. The battle ships are part and parcel of the general system of coast defense. We must have proper coast defenses. We must have a proper Navy if we are to put the United States in a proper position of defense. We need coast defenses to protect our navy-yards as well as our ports, and we need to have battle ships because they can be used to defend the whole range of coast.

I do not think it is necessary to go over all the arguments that have been made in this regard, but when we read, as we may have read within the week, in the British publication the Broad Arrow, which is a military and naval publication of wide circulation, and represents the views of the British army, that a war is sure to come to the United States, when we see that it is proposed in England to add to the immense line of fortifications which they have drawn around our coast, additional fortifications at Newfoundland, it seems to me that these menacing facts ought to awaken in us a very keen sense of the necessity of putting our coasts in a proper condition of defense against any enemy.

There is not the slightest danger of the United States ever getting into any war with anybody if we have a sufficient Navy and proper coast defenses. The only thing that could ever plunge this country into the calamity of war would be the temptation offered to a foreign power by our exposed coasts and our weak naval force. Four battle ships is a trifling authorization. They voted in England this year the largest credit they have ever voted for their navy, and it is not three years since they voted ten millions sterling to build battle ships, and here we are haggling over two ships.

We have passed the great river and harbor bill over the President's veto. We have adopted all the proper and reasonable appropriations for the conduct of the Government. There is absolutely nothing that is so important to the United States, to its peace, prosperity, and welfare, as a proper system of coast defenses, and yet that is the only point which has been selected for economy, as I pointed out before when this bill was up.

I have no desire to detain the Senate by entering at length into this question, but I think it must be obvious to Senators who have followed the drift of foreign discussion during the past winter that the United States must look now, as we always have looked, to her own resources and her own strength for her peace and safety. With the exception of Russia, there is not a country in Europe which is not hostile to the United States whenever she seeks to vindicate a single one of her interests. It has been apparent throughout in the tone of the European press this year. We stand alone, and we stand of necessity alone. As was written many years ago by Dr. Holmes to Mr. Motley, at that time minister to England, we stand alone because our very existence is a menace to the principles on which foreign governments are for the most part founded. It is not our aggressions that anger them, for we make none. It is the fact that they dislike and distrust and hate the principles of free government on which the United States have been built up. They are jealous of our success and fear our rivalry in trade industries and commerce.

If we stand alone in the world, as we necessarily do, it is preeminently our duty to take care of our interests and to see to it

that we are in a position where we can command peace. As I have already said, there never will be the slightest danger of war to the United States except from the temptation which an impotent and weak Navy and a coast naked of defense will offer to the nations of Europe.

I shall not make the motion to recede from the amendment as to battle ships, because I see the Senator from Pennsylvania, who is a member of the Committee on Appropriations and of the conference, has returned, and I will leave it to him.

Mr. QUAY obtained the floor.

Mr. MORGAN. Will the Senator from Pennsylvania yield to me to submit a resolution to go over?

Mr. QUAY. Certainly.

CAPTURE OF THE COMPETITOR.

Mr. MORGAN. I desire to present a resolution for the purpose of having it printed. I ask that it may lie upon the table until to-morrow.

The PRESIDING OFFICER. Does the Senator from Alabama desire to have the resolution read?

Mr. MORGAN. If it is printed, I do not care about its being read.

Mr. HALE. What is the resolution? I do not wish to consent to its being introduced until I can hear it read.

The PRESIDING OFFICER. The Senator from Alabama asks unanimous consent to submit a resolution which will be read for information.

The Secretary read as follows:

Resolved, That the Senate, being informed by common rumor, and by testimony taken by the Committee on Foreign Relations, that a vessel of the United States called the *Competitor* has been captured by a Spanish ship of war, and that one or more citizens of the United States were captured on board said vessel, and have been tried and condemned to death by a military tribunal in Cuba, and are now in prison, at Habana, awaiting the execution of the sentence. And the Senate having instructed said committee to inquire into and make report respecting the rights of said citizens, under the treaties existing between the United States and Spain, and under the laws of nations, the President is requested, in conformity with section 2001 of the Revised Statutes, to inform the Senate whether any such capture has been made by a Spanish war ship, and whether any citizen of the United States has been captured on or near such vessel, and "has been unjustly deprived of his liberty by or under the authority of" the Government of Spain, and whether the President forthwith demanded of Spain the reasons of such imprisonment, and, if such imprisonment is unlawful, and if such sentence to death violates the laws of nations, or the treaties with Spain, whether the President has demanded the release of such citizens.

And that the President communicate to the Senate all the facts and proceedings relative to such capture, sentence, and imprisonment of such citizens, as soon as practicable, in accordance with the statute in such cases made and provided, as follows:

"SEC. 2000. All naturalized citizens of the United States, while in foreign countries, are entitled to and shall receive from the Government the same protection of persons and property which is accorded to native-born citizen.

"SEC. 2001. Whenever it is made known to the President that any citizen of the United States has been unjustly deprived of his liberty, by or under the authority of any foreign government, it shall be the duty of the President forthwith to demand of that government the reasons of such imprisonment; and if it appears to be wrongful and in violation of the rights of American citizenship, the President shall forthwith demand the release of such citizen, and if the release so demanded is unreasonably delayed or refused, the President shall use such means, not amounting to acts of war, as he may think necessary and proper to obtain or effectuate the release; and all the facts and proceedings relative thereto shall, as soon as practicable, be communicated by the President to Congress."

Mr. HALE. I will object for the present. I wish to examine the resolution in order to see if it has the usual clauses.

The PRESIDING OFFICER. The Senator from Maine objects to the presentation of the resolution.

Mr. HALE. I object to its presentation for the present.

The PRESIDING OFFICER. The Chair supposes it requires unanimous consent to present the resolution at this time.

NAVAL APPROPRIATION BILL.

The Senate resumed the consideration of the disagreeing votes of the two Houses upon the bill (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes.

Mr. QUAY. I make the motion indicated by the Senator from Massachusetts, that the Senate recede from its amendment to the bill striking out the word "four," in the section, the number of which I have forgotten, and inserting "two," reducing the number of battle ships to be constructed from four to two. I do that, as probably the Senator from Maine has mentioned, for the reason that the House having twice voted upon this question, its members of our committee conceive themselves to be strictly instructed upon the subject. On the other hand, but one vote has been taken in the Senate, in which a very meager majority was secured for the amendment. I have reason to believe that if the Senate will either one way or the other signify its judgment in relation to the number of battle ships the committee can reach a conclusion.

I understand that the question upon the other amendment relating to armor plate has been discussed during my absence. That depends to a large extent upon the result of the vote as to the battle ships. When the number of battle ships is determined I think the committee can reach a conclusion as to the value of armor plate. The amendment of the Senate limiting it to $350 a ton to my mind means the absolute construction of no battle ships. But I do not care to advert to that question now, unless it is discussed in other quarters. I should like to have a vote testifying the sense of the Senate as to the number of battle ships.

The PRESIDING OFFICER. The Senator from Pennsylvania moves that the Senate recede from its amendment providing for two battle ships instead of four.

Mr. BACON. I understand the suggestion of the Senator from Pennsylvania to be that the debate as to armor plate shall be pretermitted. Am I correct?

Mr. QUAY. I suggest that the amendment as to armor plate shall go back, as it depends to a large extent upon the result of a test vote as to battle ships.

Mr. BACON. I have no objection to that direction, but as I shall probably be absent when the matter comes back I desire to occupy the attention of the Senate for four or five minutes in giving some reasons why I think the amendment should be insisted upon by the Senate, and it is only on account of my prospective absence that I propose now to do so.

Mr. QUAY. If the Senator from Georgia proposes to enter into that subject, I may as well, inasmuch as I have the floor, say a few words upon the point of division between the two Houses.

Mr. BACON. Certainly.

Mr. QUAY. Mr. President, it is eight or ten years since the Government of the United States contracted with the Bethlehem Iron Company for furnishing armor plate for United States vessels. The enterprise was new and experimental. At the solicitation of the then Secretary of the Navy the Bethlehem Iron Company agreed to enter upon the construction of armor plate. The Government is the only customer in this country for that ware. A very expensive plant was necessary, which the corporation proceeded to construct. The testimony taken before the Naval Committee shows that the cost of the plant in 1890 was $2,500,000, and by 1896, when the president of the company appeared before the Naval Committee, it ran up to $4,500,000, or in that neighborhood. The plant is worthless to the company for any use except that of manufacturing armor plate, for which the Government is the only customer.

The Bethlehem Iron Company, under contract with the Government, has furnished since the completion of the plant up to the present time between ten and eleven thousand tons of armor plate. I have not here the average figures of the contract of the Bethlehem Company with the Government. In 1890 or later they failed to supply the demand, and at the request of the then Secretary of the Navy the Carnegie Company established a plant. In its construction they had for their instruction the experience of the Bethlehem Iron Company, and the actual cost, according to the testimony before the Naval Committee, was about $1,000,000 less. I think the testimony showed—and if I am wrong the Senator from New Hampshire [Mr. CHANDLER] will correct me—that the actual cost of the plant was about $3,000,000.

Mr. CHANDLER. The Senator from Pennsylvania will excuse me. Mr. Carnegie said that up to that time they had charged to construction $2,500,000.

Mr. QUAY. I will read in a moment what Mr. Carnegie did actually say. Here is the reply of Mr. Carnegie to a question of the chairman of the Naval Committee upon that point. I read from page 7 of the printed statement of Mr. Carnegie:

The CHAIRMAN. What amount have you estimated that you have spent for this purpose to compare with Bethlehem—

That is, the other company.

Mr. CARNEGIE. About $3,000,000 for such additions as were necessary to our preexisting steel-making plant; we had nothing to spend for making the steel for armor. Our books show $2,500,000 and something over, I think, but we charged nothing for the land, nothing for the connections; we charged nothing for water, for light, or for superintendence, or for anything like that, because we had all those things. Half a million would not cover what we supplied beyond the $2,500,000.

The CHAIRMAN. The actual cost was about $2,500,000?

Mr. CARNEGIE. The actual cash expenditure, and what we ourselves contributed, as just explained, making three millions.

That I estimate as fixing the cost of the Carnegie plant. Under contract with the Government from that day to this the Carnegie Company, according to the testimony taken before the committee, has furnished 8,865 tons of armor. These are the statistics as to the cost of the plant and the quantity of armor furnished.

I understand the question raised here is, what amount of profit has been derived by these corporations from the armor they have delivered? Before the Naval Committee it was testified by the Government inspectors at each of these plants that the actual cost of each ton of armor, taking the labor and material represented, without any profit, was about $250. The total cost, therefore, of the 11,000 tons furnished by the Bethlehem Iron Company would be $2,750,000. That is, the company has actually paid out that much money upon the armor it has furnished for labor and material. Its plant, as I said before, cost $4,000,000, making a total of $6,750,000 for the actual cost of the plant and the armor furnished. To

that interest ought to be added. To show exactly what the Bethlehem Company is out until to-day on its contract with the Government interest should be added upon the plant and upon the labor and material to the extent of the money paid for them. At 5 per cent per annum interest on the plant alone would amount to $2,000,000. But I put it at a low estimate, $1,000,000, making the total cost of the plant and armor furnished $7,750,000. The Bethlehem Company has received from the Government in all up to this date $6,110,314, leaving the corporation actually out of pocket to-day $1,631,686.

The Carnegie Company, as I said before, invested in its plant $3,000,000. The cost of the armor which it furnished, 8,865 tons, at $250 a ton, is $2,216,250, making a total investment by the Carnegie Company in cash of $5,216,250. Estimating interest as in the other case, there is due them on their outlay $750,000, making a total of $5,966,250. They have received from the Government up to date $4,940,021, making a total balance in their favor, for actual cash outlay, of $1,026,229; that is, admitting the actual cost of the armor to be $250 a ton, which the corporations do not admit as the actual cost of material and labor without profit, and allowing nothing for the wear and tear of the plant, which they declare has to be supplied once at least in every ten years. Taking the interest and the loss on the plant, if they are correct, those items alone will amount to $200 a ton upon all the armor they furnish.

The question here is how much these corporations have made, and whether they are making too much on the armor they are now delivering. Instead of having made anything, I have shown they are out over $3,000,000 in cash. As to what the actual profit is upon the armor they are now delivering, I do not know; but it seems to me that the Government and the corporations ought not to be restricted in their contracts until these corporations, which have invested this money at the instance of the Government, have at least gotten it back; and they ought to get it back with a fair profit before we undertake to take from them the right to bid at fair figures. My own belief is that if the amendment is insisted upon there will be no battle ships built. The corporations would be willing to-day to turn over their plants to the Government at cost, with a fair interest on the money they have expended.

Mr. QUAY subsequently said: I omitted at the time I had the floor to ask to have printed the testimony of Mr. Carnegie before the Committee on Naval Affairs as part of my remarks. I now make that request.

The PRESIDING OFFICER. It will be so ordered, in the absence of objection.

The testimony referred to is as follows:

PRICES OF ARMOR FOR NAVAL VESSELS.

Statement of Andrew Carnegie in relation to prices paid for armor for vessels of the Navy before the Committee on Naval Affairs of the United States Senate February 8, 1896.

The CHAIRMAN. Mr. Carnegie, we desire generally the same information from you as to your works that Mr. Wharton has given us in respect to Bethlehem.

Mr. CARNEGIE. Mr. Chairman and gentlemen, then I can only corroborate what Mr. Wharton has said. Our own experience in the manufacture of armor corresponds exactly with his. We were nearer toward making armor than the Bethlehem Iron Company, having very powerful machinery for our own business, but we declined to go into its manufacture when invited by Secretary Whitney. We declined to Secretary Tracy, his successor. My judgment never was in favor of going into the armor business. I knew it could never be a safe, permanent, and profitable business. It has not been as profitable as several departments of our own business, even in proportion to capital invested, and it requires infinite care, skill, and constant attention. That gentleman [pointing to Mr. Tracy] and the President of the United States are responsible for forcing us into the making of armor. If it had not been for a telegram received when I was abroad, stating that Secretary Tracy had requested us to do so, as our duty, to help the United States Government out of its difficulty when its ships were standing in the stocks and it could not get armor, you would never have found the Carnegie Steel Company engaged in the manufacture of armor.

The CHAIRMAN. You did so because of the failure of the Bethlehem Company to fulfill their contract?

Mr. CARNEGIE. It was only a delay, not a failure.

The CHAIRMAN. It was an inability.

Mr. CARNEGIE. No; the Bethlehem Company were too sanguine. They did not know so much about armor making as I think I did. I had often visited the European works, and nothing could have induced me to go into the manufacture of armor plate as a money-making business. If we had put the money we have in the armor plant to-day and the time and skill into our own regular business, we could have made much more money than we have made, and we would have had no trouble.

We sometimes make 150,000 tons of steel per month, and the petty 300 tons of armor that we make gives us more trouble than all the 150,000 tons. It takes the best brains and the unremitting attention of the staff away from our business, and I have never ceased to regret the day that we were called upon to undertake the task.

Senator HALE. Why did you go into it?

Mr. CARNEGIE. Because the President of the United States and the Secretary of the Navy had told us that the United States Government was in a difficulty, and if the President of the United States were to ask me to-day to double our armor plant, I would do it. If he were to ask me to go to Kamchatka for the United States, I would do it. I never went into this business for money. I knew better.

Senator HALE. It was because of your patriotism?

Mr. CARNEGIE. Yes, sir; just, Mr. Senator, as you would obey the wish of the Commander-in-Chief of the United States, the President, if he told you that you were the only person that could serve your country. Mr. Tracy can tell you how often we declined. Secretary Whitney can tell you also. But when we did go into it I personally took up the matter with our partner, Mr. Lander. We visited the tool makers of Europe, contracted for tools nearly completed, paying a bonus to those entitled to get them. Three sets of men began work at our works, eight hours each, never stopping even Sundays or Sunday nights. We rushed everything, and in twelve months—November to November—after the contract was signed we delivered the armor. Had we done what we did for any European Government, a peerage or the Legion of Honor would have been offered to us.

Ex-Secretary TRACY. I have said, Mr. Carnegie, that I did not recall how the first interview between Mr. Abbott and myself came about. Have you any information on the subject? If you have, I wish you would give it to the committee. You know what occurred at the Department.

Senator HALE. What brought you to Washington?

Ex-Secretary TRACY. Do you recollect?

Mr. CARNEGIE. I remember the first time Mr. Secretary Tracy spoke to me in Washington about the matter. You said, "How is it, Carnegie, that we can not get steel that will stand our specifications except from you?" I said, "Mr. Secretary, because nobody in the world has machinery powerful enough to make it except ourselves. We have the most powerful mill in the world."

Ex-Secretary TRACY. I remember that statement.

Mr. CARNEGIE. You then said to me, "We are getting into a hole about armor. I can not get it. If we can not get it you will have to do the best you can to get the Government of the United States out of trouble." Did you not, Mr. Tracy? I left you, and when I was abroad I got a telegram from Mr. Abbott advising me that you had sent for him—he was then our chairman—and wanted us to help the Government out of its trouble and go into the manufacture of armor. Mr. Blaine also spoke to me about it, and said it was feared there would not be a ship finished during the Administration of President Harrison. I believe the Cabinet congratulated Secretary Tracy upon the bargain that he had made which brought us into the armor business.

Mr. Chairman, one reason why armor making is not profitable is that we get only about 3,000 tons a year. We have $3,000,000 invested in the plant. We have to stop that plant every now and then for five or six months, but interest and maintenance run on, and some of our best men we must keep. Our men have just been scattered for six months now. We took a contract from the Russian Government for 1,000 tons of armor, and that has kept them running a few months, but in three weeks from now part of them will be out of work, and all of them will be idle again three months, for it will be three months before we get a chance to make armor plate for any of the new battle ships, and no concern—Senator SMITH, you are a manufacturer and know that this is true—can be successful or make money under such circumstances.

When Secretary Tracy asked us to go into the making of armor and we had reluctantly consented, it was a question of price, and we said that we could take no advantage of the Government's necessities. Whatever was the price paid the Bethlehem Company, which was the lowest bidder in competition, there being three parties in all, was our price. It was exactly the English price, as near as I could figure it.

I was amazed that the Bethlehem Iron Company bid at such a price, for armor making is largely a question of labor, and we ought to have 30 per cent more for armor in this country than they get in England, as skilled labor costs so much more. I think if the Government of the United States gets its armor at the same price as England pays it is to be congratulated. Our armor is superior to any. However, we went on. Requirement after requirement was made by the Government of the United States. The armor we are making at present costs us $105 a ton more than the armor we contracted for; not that the Government does not pay the extra cost, for it does pay it, but it costs us that much more. This causes the cost per ton to seem high, but the armor now furnished is really cheaper than the first, as its resistance is so much greater. I will just give you the items.

We contracted with Secretary Tracy to make common steel, such as Great Britain and France and Germany were getting made. It was afterwards changed to nickel. Nickel is harder. I once heard that the President said Mr. Tracy could make good bargains. He did make a good bargain with us. He allowed us only $10 a ton more to make nickel steel.

Then we go on to the Harvey process. The Secretary of the Navy wanted harveyized armor. He required us to build the furnaces for Harvey armor, which are good for nothing else in the world. We spent over $500,000 on them. Anybody else would have spent $300,000, because we had the ground, the connections, the heat, and the water, and we had our staff. We have harveyized only about 4,000 tons of armor, and if the Government adopts some other process to-morrow the Harvey furnaces are a complete loss to us; they are specially constructed for this process and are good for nothing else. The Secretary allows us $50.80 a ton for that, while the British Government allows $100 a ton for the same.

The CHAIRMAN. Just double.

Mr. CARNEGIE. Yes. They allow it in this manner: The manufacturer divides it. He says, "There is $60 a ton for the armor," for which we get $50.80. Then he charges 2 cents a pound royalty for the Harvey process; that is $40. Secretary Tracy bought the right to use the Harvey process for $100,000, and of course it does not cost the Government the royalty. But in England the manufacturers own five-sixths of the Harvey patent, and therefore, by my figuring, they get $93 net for harveyizing and we get $60. The other $7 goes to the American shareholders in Harvey patents. The British Government pays, as I have said, $100 per ton. They do not harveyize thin plates. They have not been able to do it. We are compelled to do it, and it is very difficult and costly.

Senator HALE. Deck plates, etc.?

Mr. CARNEGIE. Turret plates. It is very hard to do. Now, under the Harvey process, it takes a month to harveyize every plate.

Senator HALE. Thirty days?

Mr. CARNEGIE. Yes, sir; it takes a week to heat it in a great furnace up to the necessary temperature. It takes two weeks to harden it. It takes a week for it to cool. All our operations are delayed one month for every plate we harveyize. We are not paid fairly for this work. Thus nickel costs $10 to work over plain steel; there is $45 per ton patent royalty; total, $55. Harvey costs $50; that is $105. Then we are now required to reforge armor under our own patent. I have just received the London Engineer, which gives its annual review of naval affairs. This is the highest authority. I will not read it all, but I quote its concluding words: "Double forging has come in the United States, and the recent 'record breakers,' as they call them, have chiefly been double-forged plates of Carnegie." That is our record.

Senator HALE. You have a patent upon that process?

Mr. CARNEGIE. Yes, sir.

Senator HALE. The Corey patent?

Mr. CARNEGIE. Yes, sir; but we do not charge the Government any royalty for it. If the Government of the United States would give us what the British Government gives its armor-making plants—steady work—we should be all right. For instance, to-day you see in the papers that it has ordered five more battle ships. The British armor-plate establishments have never been out of work for I do not know how many years; I should say ten. They work night and day. One of them made 6,000 tons last year. What do we get? Scarcely anything this year.

If the Government would keep us in work 6,000 tons a year, it would be a highly profitable business; but as it is now, gentlemen, I assure you that many departments of our works are making more money and have made more

money on the capital. Note Mr. Wharton's figures: Six millions invested means annual interest $360,000. Upon 3,600 tons of armor this means $100 per ton interest cost. Assume that the Government orders armor for ten years, and then its Navy is finished; this means that $400,000 per year depreciation upon plant has to be charged—more than a second hundred dollars per ton. Because some uninformed people only see the high price per ton, and do not calculate properly, they think armor plants are extremely profitable. They are not so. Take the $3,000,000 which we are just now spending for blast furnaces. I know that investment will make more profit than the armor-plate plant, and it costs about the same. It will involve no special care, have few if any stoppages, and be in use as long as we can look ahead. It is a far more desirable investment of capital.

Senator SMITH. What is the capacity of your armor-plate establishment?

Mr. CARNEGIE. It is about the same as that of Bethlehem. The present Secretary of the Navy recently asked me how much we could do. I replied, "It is a question of money." If the Government of the United States give us 20,000 tons of armor to make, we can double the plant and furnish it before they are ready for the plate. Some one has asked to-day, I think it was Senator HALE, why we did not increase the capacity of our plants to fill the Government wants. I will take a contract to deliver all the armor that the Government wants—Bethlehem could close or Bethlehem could continue and we shut up—and make all the armor. Neither establishment can be kept more than half employed at the present rate. Another gentleman asked about the Government erecting an armor plant. Gentlemen, you can not make armor without making steel, can you?

Senator SMITH. Not very well.

Mr. CARNEGIE. I wish the committee would come with me and visit the armor plant and let us show you what we have. In order to make armor plate we sometimes have an ingot weighing 150 tons; that is for the big plates we have to make. We cut off one-third from the top and one-third from the bottom of this ingot. We are not required by the contract to do it; one-third is what we are required to cut off by the contract, but we find we can not make armor plate that will break records without throwing away one-third at bottom and top. The pure, solid steel is in the center of the ingot.

We get five or six of our steel-melting furnaces running into a great pit until 150 tons are there. By an electric crane we lift 150 tons right up. That is all the Government business for two days that the plant will have to do, as a rule. If it is a 40-ton plate, we would not cast another until the third day. If you have other work for the heating furnaces, where you are making steel, it would be all right. As it is with us, we keep the furnaces and the forces busy upon general work and only cast an ingot for armor once in two or three days. That is one reason why no Government has attempted to make armor. It would have to go into the steel business. Armor making is an adjunct to a great steel-making concern. The tonnage for armor is so small, 3,000 tons in a whole year, when we make sometimes in one month 150,000 tons of steel.

The CHAIRMAN. What amount have you estimated that you have spent for this purpose to compare with Bethlehem?

Mr. CARNEGIE. About $3,000,000 for such additions as were necessary to our preexisting steel-making plant; we had nothing to spend for making the steel for armor. Our books show $2,500,000 and something over, I think, but we charged nothing for the land, nothing for the connections; we charged nothing for water, for light, or for superintendence, or for anything like that, because we had all those things. Half a million would not cover what we supplied beyond the $2,500,000.

The CHAIRMAN. The actual cost was about $2,500,000?

Mr. CARNEGIE. The actual cash expenditure, and what we ourselves contributed, as just explained, making three millions. Mr. Wharton's figures in my opinion are right. The Government would spend about $5,000,000 certainly to make a steel-making plant and an armor-plate plant for the Government. We should have to do so if we had to start de novo and were not in the steel-making business——

Senator PERKINS. It would require another million for stock.

Mr. CARNEGIE. You can not do it for $1,000,000. We have to-day in one group nearly half a million of dollars' worth of finished armor waiting test and acceptance by the Government. It takes much more capital now since everything takes one month longer for Harvey process.

The CHAIRMAN. In your judgment, then, to start an establishment for this purpose equal to yours—I do not mean the entire establishment, but simply the armor-plate plant—it would require about $10,000,000 of capital?

Mr. CARNEGIE. Five million dollars.

The CHAIRMAN. For capital and all?

Mr. CARNEGIE. Five million plant and two million capital, as Mr. Wharton says—$7,000,000.

Senator CHANDLER. What did you say about the foreign armor makers having an interest in the Harvey patent?

Mr. CARNEGIE. The continental manufacturers purchased the Harvey patent. They purchased it for $100,000 cash for Great Britain, and a sixth of the stock. Therefore, the British manufacturers have five-sixths of that stock. One hundred thousand dollars for Great Britain in proportion to the armor it makes would be equal to about $15,000 for the patent right for the United States.

Senator CHANDLER. That is the way they disposed of the Harvey patent?

Mr. CARNEGIE. Yes, sir. It is a profit to the manufacturers. They charge the British Government $40 per ton royalty and $60 as cost of the process.

Senator CHANDLER. That is about 2 cents a pound?

Mr. CARNEGIE. Yes, sir.

Senator CHANDLER. The United States, having made a contract at a half cent a pound, may be said to have bought out the patent right?

Mr. CARNEGIE. Yes, sir; the foreign manufacturers bought the patent and the United States Government bought the patent. The United States Government, I think, paid $5, or something, per ton.

Ex-Secretary TRACY. A half cent a pound.

Mr. CARNEGIE. Very well. The British Government pays 2 cents a pound to the manufacturers. We have not anything.

Senator CHANDLER. And they own five-sixths of the stock.

Mr. CARNEGIE. Yes, sir; they pay themselves back. We have no patent for which we charge the Government. We are not interested in the nickel process, or in any other patent other than our own Corey patent, which was invented in our own works.

Senator CHANDLER. How many patents have you?

Mr. CARNEGIE. Only our own patent. The Corey, as far as armor is concerned, and one for nickel.

Senator CHANDLER. How many patents are there, your own and other people's patents, on the armor that you are going to bid for, or have already bid for, to the Secretary of the Navy?

Mr. CARNEGIE. There would be the nickel patent and the Harvey patent.

Senator CHANDLER. What do you mean by nickel reforging?

Mr. CARNEGIE. No. The introduction of nickel into steel.

Senator CHANDLER. What are those patents?

Mr. CARNEGIE. The Schneider patents.

Senator CHANDLER. Then there is the Harvey process, the nickel, and the process of reforging?

Mr. CARNEGIE. Yes, sir.

Senator CHANDLER. What else is patentable, or what other patent do you use or will you use to carry out the new contract with Secretary Herbert, if one is made?

Mr. CARNEGIE. I can not recall any other important patents.

Senator CHANDLER. Those are all the patents that now occur to you?

Mr. CARNEGIE. Yes, sir.

Mr. BACON. Mr. President, I think I am perfectly safe in saying that there is no desire on the part of any member of the Committee on Naval Affairs to defeat the manufacturers of naval armor in the getting of a fair and liberal profit on the work which they do for the Government. The only thing which is desired is to prevent their getting an improper profit. The committee are probably not in a position to state what profit these gentlemen are making, but there is very grave reason for believing that the Government is being made to pay very much too high a price for this armor, and the purpose of this amendment is not to fix arbitrarily a rate at which this armor shall be paid for, but to put such an amendment on the bill as will bring to the knowledge of the Congress of the United States at the proper time and in due time the fact of what is a proper price for this armor.

The two battle ships, the *Kearsarge* and the *Kentucky*, required their armor to be furnished immediately, and therefore no delay was permissible for the purpose of gaining this information. This amendment does not apply to them. On the contrary, the committee, before this amendment was introduced into the Senate, notified the Secretary of the Navy that they did not propose to take any action which would in any manner delay his making of the contracts for the armor of these two battle ships, and the contracts have been made. The whole scope of this amendment is that the Secretary of the Navy shall not make any contracts for this armor at a rate exceeding $350 per ton, which I presume means an average. I have forgotten whether the word "average" is used.

Mr. CHANDLER. The word "average" is used.

Mr. BACON. It says an average for the battle ships to be authorized by the pending bill, and if he can not make contracts within that figure he shall report to the next session of this Congress.

The point is that it is not necessary that any contract should be made prior to that date. If contracts can be made at that figure, well and good. If not, the matter is to be reported to Congress, so that additional information, if possible, can be procured as to whether this is a proper price; and if found to be an improper price, then that such steps shall be taken by Congress as may be deemed proper to see that the Government is not required to pay an exorbitant price for this material.

The armor which the Government has heretofore bought has cost over $600 per ton. That is an enormous price to pay for iron in any shape. It is in evidence that the steel—not simply crude iron, but the steel after it has been cast into an ingot—is only worth to these people $17 per ton. Seventeen dollars a ton is what the steel is worth after it has been cast into an ingot, which is subsequently forged into armor. Now, let Senators for a moment think of the processes there must be which will raise a ton of iron or of steel from the value of $17 a ton to over $600 a ton, for that is exactly the problem that is here. The committee struggled in vain to get from anyone interested in this manufacture such information as would enable the committee to determine from their testimony whether or not the Government was paying the proper price for this material.

Now, Mr. President, it is perfectly competent for these manufacturers to ascertain within reasonable proximity to the exact truth what is the cost of this armor. I am informed, for instance, by the Senator from California [Mr. PERKINS], who is interested in large shipbuilding operations, etc., that contracts are frequently made with large manufacturers by which 10 per cent is agreed to be paid upon the actual cost for a ship that is constructed, in which is taken into consideration the value of the plant, the interest upon the money invested in the plant, the wear and tear on machinery, the actual expenditure for wages, and the cost of material. A man is selected who is put in the establishment, who keeps the time of all the laborers and mechanics who are engaged in the construction of the ship.

Mr. QUAY. Will the Senator permit me to interrupt him a moment?

Mr. BACON. Certainly.

Mr. QUAY. The Senator will remember that the Government inspectors, I think, at the Bethlehem plant and the Carnegie plant testified that the actual cost of labor and material was $250 per ton; so that the Senator can take that for a starting point as to the price.

Mr. BACON. I think if the Senator will examine the testimony he will find that he does not state it with exact accuracy; and if the Senator had been present when the testimony was given, he would have known that these officers did not intend to be understood as estimating that it would cost that sum, but they put it as an outside limit, if I recollect aright. I think they used the word "possibly."

Mr. QUAY. I have here their testimony.

Mr. BACON. Having been present when these witnesses were examined, I know that they did not assume to give with any degree of accuracy the cost. They said they had not the information that was necessary, and they did not assume to give with any degree of accuracy what the cost would be. But it is impossible, Mr. President, from any statements made by any of the officials, to add up any such amount as $250 per ton; it is impossible to calculate from any statement they gave as to the cost of material, the cost of labor, and any of these various processes, to come anywhere in the neighborhood of $250 per ton, and I do not believe it can be shown that the actual cost of labor and the actual cost of material will amount to $150. As to the cost of plant and interest upon the investment, I have nothing to say, because that we have not had sufficient information upon. But the design is that there shall be full information gotten.

I was handed by the Senator from South Carolina [Mr. TILLMAN] the testimony of these officers with reference to the cost of this material, and I was quite sure I was correct—although I have not seen the testimony for some time—in the statement that neither of the officers fixed that as the cost, but fixed that as the possible limit. The question was asked by the Senator from New Jersey in the committee of Commander Elmer:

Senator SMITH. I ask you to state the cost approximately?
Mr. ELMER. I can not see how that armor can cost the Carnegie Steel Company more than $250 a ton anyway.

That is simply putting it as an outside estimate.

The distinguished Senator from Pennsylvania [Mr. QUAY] suggests that if this amendment be adopted it will prevent any contracts for ships.

Mr. QUAY. If the Senator will permit me, I did not say that. I said it would prevent it, not that it was intended to prevent it.

Mr. BACON. It would prevent it. I possibly did not catch the exact words of the Senator. In that I think the Senator is mistaken. The contracts for those ships are made by parties who do not themselves make the armor, and that part of the construction of these ships can proceed without any contract for the armor being made. Of course, after the contracts for the construction of ships are made, if there should be more than one, the construction of those ships will be proceeded with; and when Congress meets again in December will be ample time to determine what shall be done with reference to making contracts for the armor, or whether, in case proper contracts for armor can not be made, the bill introduced by the Senator from New Jersey [Mr. SMITH] for the construction of a plant by the Government itself shall be considered. In other words, the whole purpose is to hold this thing in a position where the Government may not be required to go forward if two, three, or four ships shall be authorized, and make contracts at a figure which every member of the committee, so far as I know, who was present at this examination believed to be an exorbitant price for the armor. We may be mistaken. If we are mistaken it can be shown at the proper time, and proper contracts can be made.

The Senator from New Hampshire [Mr. CHANDLER] spoke of the fact that there was an evident combination between the manufacturers of armor plate, not only between those in this country, but between those in this country and European manufacturers. I had noticed in the newspapers some statements as to the contracts which had been made for the armor for the *Kentucky* and the *Kearsarge*, and I was somewhat struck by a fact which indicated to my mind that there was a combination, and I sent to the Navy Department and got a statement as to those two contracts. I ask that the Secretary may read the paper which I send to the desk, as I desire that it shall go into the RECORD. It is a report from the chief of the Bureau of Ordnance to the Secretary of the Navy, which the Secretary of the Navy inclosed to me in a letter from himself.

The PRESIDING OFFICER. The Secretary, without objection, will read as requested.

The Secretary read as follows:

[Memorandum for the honorable Secretary of the Navy.]

WASHINGTON, D. C., *May 26, 1896.*

The Bureau forwards herewith copies of the proposals recently submitted and accepted for armor for the *Kearsarge* and *Kentucky*. The prices are for the armor complete, except the nickel oxide to be supplied by the Department, which will increase the cost of armor by $19.60 per ton.

The Department accepted the lowest bid for each exhibit in all cases, which resulted in awarding to the Carnegie Steel Company 3,007 tons of armor, amounting to $1,660,518.20, an average cost per ton of $552.22, and to the Bethlehem Iron Company 2,653 tons, amounting to $1,462,191.80, an average cost per ton of $551.15.

The difference between the average cost for the two companies is due to the varying rates for Harveyizing thick and thin armor.

W. T. SAMPSON,
Chief of Bureau Ordnance.

Mr. BACON. The point to which I desire especially to call the attention of the Senate is the close correspondence of those two bids. As stated in the public press, one of those bids was for the armor plate for one ship, which had been accepted from the Carnegie Company, and the other was a bid for the armor for the other ship, which had been made by the Bethlehem Company and accepted. I noticed the publication in the press—I do not know whether it is correct or not, but I presume it is—gave fuller information than this memorandum does. It gave the bids. In one case the Carnegie Company bid higher for the armor of one ship than the Bethlehem Company bid for the armor of that ship, and in the other case it was exactly reversed, evidently showing the intention to be that one should get one contract and one the other, and at the same time with such very little difference in the price as that it made no substantial difference in the result to them.

Mr. CHANDLER. Has the Senator any objection to my stating here, in justice to the Secretary of the Navy, that it is not pretended that there was competition? It is admitted that there was not competition. The Secretary admitted it; the companies admitted that they were in combination; and the committee were well aware of the fact that there was no competition. The Secretary of the Navy thought he had done well for the Government under the circumstances in reducing the price of harveyized armor from an average of $600 a ton down to an average of $550. So while what the Senator states may be new to the Senate, it has been openly admitted everywhere else.

Mr. BACON. Mr. President, the Senator from New Hampshire is quite correct. The fact was apparent during the investigation before the committee.

I desire to say, in connection with what the Senator from New Hampshire has said, that I am quite sure the Secretary of the Navy has done everything he could and has accomplished all that could have been accomplished under the circumstances. But here were two battle ships already contracted for, and it was necessary that there should be contracts for the armor. There were but two concerns in this country which could make the armor; they were in combination, and the Secretary of the Navy was absolutely powerless to do more than he did, which was to get a reduction of about $50 per ton as compared with the former price.

I do not desire to go into this in detail. If this were a question as to whether or not we should fix the price, I should do so, because I believe it can be demonstrated, according to the testimony of those gentlemen before the committee, that it is an impossibility that this steel, which was worth only $17 a ton, should, by the processes of manufacture and with the addition thereto of the cost upon the plant and the interest upon it, have been brought to a cost exceeding $600 per ton. They can not specify the items of cost, either of material or of labor, which would bring it to anything in that neighborhood, or even within 50 per cent of it, in my opinion. I may be entirely wrong, but I shall not go into that now, because this amendment does not fix the price. It simply requires the Secretary of the Navy not now to make contracts at these exorbitant prices, but requires that if we can not get contracts within a limit which we think is ample for the profits to which these gentlemen are entitled, then he shall report the fact to Congress, when we shall have ample opportunity to make arrangements by which we can ascertain what is a proper price; and if that can not be done and proper contracts can not be made with them, then the question can be considered and the bill introduced by the Senator from New Jersey for the construction of a plant by the Government itself be considered.

I do not see how any harm can come to anybody by this amendment. It does not prevent a contract being made at a proper time. It simply prevents an improper contract being made now; and there is ample opportunity and will be ample time hereafter to determine whether or not these gentlemen be right or not in saying that this material is worth $600 a ton or $500 a ton, or whether we are right when we say it is an exorbitant price. That is a matter which ought to be determined by Congress before any final action is taken. The whole scope and purpose of the amendment is to prevent action until that information has been had.

Mr. GORMAN. Will the Senator permit me to ask him a question?

Mr. BACON. I yield to the Senator.

Mr. GORMAN. When this amendment was offered by the Senator from Georgia, I think, from the Committee on Naval Affairs, I only heard it read at the desk, and supposed at the time that the amendment provided that no armor or armor plate should be purchased at a rate exceeding $350 per ton of 2,240 pounds, and that it was the intention of the author of the amendment to absolutely prohibit, until the Secretary of the Navy should report to Congress, the payment of a greater price than that being paid for armor.

Mr. BACON. The Senator has the amendment before him, and can doubtless read the exact terms of it.

Mr. GORMAN. I have the amendment, but what I want to get at is whether that is the intention of the amendment. I will read it:

And provided further, That in case the Secretary of the Navy shall make separate contracts for the armor and armor plate for said battle ships, he shall not accept bids at a rate exceeding an average of $350 per ton of 2,240 pounds; and in case the said Secretary can not make contracts for said armor and armor plate within said limit, he shall delay action and report the offers made to the next session of Congress.

The criticism I have to make is that under this phraseology the Secretary of the Navy could contract with Mr. Cramp, or with the yard at Norfolk, or with the yard at San Francisco, for the construction of an entire ship, including the armor, and he would be at liberty to pay any price he saw proper, and the limitation of $350 a ton would only apply if he purchased the armor direct from the manufacturers. Is that the intention of the committee?

Mr. BACON. It is not. I think the criticism of the Senator upon the language is good criticism, and that the amendment ought to go further, and ought to prohibit the Secretary of the Navy making any contract with a party who would contract for the building of an entire ship, including the armor, unless similar estimate was put upon the armor; and I will state——

Mr. CHANDLER. Will the Senator allow me a word on that point?

Mr. BACON. Permit me to finish the sentence.

Mr. CHANDLER. Very well.

Mr. BACON. I will state that I should think it to be the undoubted duty of the Secretary of the Navy, if he were to make a contract with the Cramps or with Mr. Huntington or with anyone else for the construction of an entire ship, including the armor, to observe what is intended there to be a restriction upon him, and he would transcend his duty, or rather he would not be conforming strictly to what I should conceive to be his official duty, if he were to make a contract of that kind and failed to observe that injunction on the part of Congress.

Mr. CHANDLER. Will the Senator now allow me a moment?

Mr. QUAY. I ask the Senator to permit me to say a word.

Mr. BACON. The Senator from New Hampshire asked me to yield to him.

Mr. QUAY. My recollection is that the Secretary of the Navy, in a letter to the chairman of the Committee on Naval Affairs of the House of Representatives, called attention to this very defect in the amendment which has been referred to by the Senator from Maryland [Mr. GORMAN].

Mr. CHANDLER. I am very glad of the statement made by the Senator from Maryland and the Senator from Pennsylvania, because it gives me an opportunity to make an explanation on this point which the Senator from Georgia will recognize as correct.

Mr. BACON. The Senator from New Hampshire will remember that he drew the amendment, although I offered it.

Mr. CHANDLER. The Secretary of the Navy did write to the chairman of the House committee that there was a limitation upon him to $350 a ton if he made a separate contract for the armor, but no limitation if he made a contract for the completed ship for one sum.

The committee in the amendment which they adopted, which was moved by the Senator from Georgia by direction of the committee, adapted themselves as well as they could to the decision of the Secretary of the Navy in the *Kentucky* and *Kearsarge* case. There was brought before the Secretary the question whether he should make a contract for the whole ship for one sum with one person, or whether he should make a contract for the hull of the ship with one person and a separate contract with the armor manufacturers for the armor. After a full discussion of the question, carried on between the Chief of the Bureau of Ordnance, who advocated separate contracts, and the Chief of the Bureau of Construction, who advocated a single contract, the Secretary deliberately decided to make separate contracts for the armor, changing what had been understood to have been his previous decision. So the committee adapted themselves to the Secretary's position as well as they could.

The Secretary wrote the letter to the chairman of the House committee. Thereupon I set myself to see whether the Secretary's views could be met, and I drafted this amendment which I handed to the Senator from Maine in charge of the bill, an added clause suggested by me, as follows:

> And if the Secretary in any case shall decide to make a contract for the completed ship, including armor, and the lowest bid shall exceed a fair estimated price, allowing for the finished armor said average of $350 per ton, he shall accept none of the bids, but shall report the same to Congress on the first day of its next session.

I showed this to the Secretary of the Navy. I asked him if it would be a practicable limitation. He said that it would be, because he said that in giving out the contracts the Department always make their own estimate as to the cost; that they knew the fair value of the hull of the ship, and that by adding to the estimated fair value of the hull of the ship the price of the armor at $350 a ton, they could ascertain the gross amount which would be a fair price for the ship, and could determine whether or not the bid was an exorbitant bid.

So there can be no reasonable objection made to the limitation in the two forms that are now suggested; but the committee did not in the first instance draft this, because they understood it to be the settled policy of the Secretary of the Navy to make separate contracts for armor.

Mr. HALE. And the Senate can put that amendment on the clause in the bill at any time before the bill leaves the Senate.

Mr. CHANDLER. The committee of conference can insert that provision.

Mr. QUAY. Mr. President——

Mr. BACON. If the Senator from Pennsylvania will pardon me, I have just one more sentence to utter and then I will yield the floor to him.

Mr. QUAY. I wish to call attention to another criticism which the Senator will probably deal with before he leaves the floor. The Secretary calls attention to another defect in the amendment. He says:

> It is, perhaps, proper that I should also state that the amendment, as it now reads, is somewhat indefinite in another respect. The Department is forbidden, in the case mentioned, to accept bids for armor and armor plate "at a rate exceeding an average of $350 per ton." Simple steel armor can be manufactured at a very much lower price, say from 35 to 40 per cent lower than the armor which the Government is now procuring. The expense of incorporating nickel in the armor is about $11.20 per ton, exclusive of the cost of nickel oxide, which amounts to about $30 per ton. The expense of face hardening by the Harvey or similar process, or by reforging, averages about $54 per ton.
>
> It is suggested that if the law be passed limiting the price to be paid for armor it might be well to have the law state definitely whether the price mentioned is to include the price to be paid for the armor, finished and complete, according to the requirements of the Government.

That is to say, they can get $350 armor, $250 armor, or $100 armor, but it will not be fit to send a ship into action with.

Mr. BACON. I hold in my hand copies of the bids which were accepted and which were made, the one by the Bethlehem Iron Company and the other by the Carnegie Company. I have also presented to the Senate the report to the Secretary of the Navy by Commander Sampson of the prices at which the contracts have been let. In that report the exact language is used which is used in this amendment, to wit, that they had been let at a certain average. Here are the detailed statements of the different pieces of armor. Of course the general language which was used in the amendment would apply to a condition of affairs exactly similar to that which existed at the time the contract was made for the two battle ships now being built, the *Kentucky* and the *Kearsarge*.

I think, Mr. President, if this amendment should be adopted, the purpose the committee had will be subserved, which was, if the price could not be reduced to this figure, to bring about such an investigation as would put Congress in possession of the facts as to what is a proper price to be paid for the armor.

Now, I have but one more word to say unless some gentleman desires to inquire of me further on the subject. In the progress of the investigation the committee, having this point in view, specially inquired whether it was necessary that the contract for armor for the additional battle ships should be given out prior to the next session of Congress. My recollection is that the general statement was that it would not be necessary to give out the contracts until some time in January or February. So if the matter is delayed, if there are no contracts given out between now and then, it will not delay the construction of the ships, and no hardship that I can see will come to anyone in the matter.

Mr. QUAY. It is fair that these plants, having been established at the instance of the Government, should be kept running, that they should not go to decay, and that the force of skilled laborers there employed should not be scattered. The fact is that they are in such condition that the Carnegie Iron Company can begin the manufacture of this plate at once, as soon as the limitation expires, which under the bill is one hundred and twenty days; and in six months from date the Bethlehem Iron Company can be running.

Mr. SMITH obtained the floor.

Mr. CHANDLER. I should like to say a word on that point. The Navy Department reserve nine months before they are to furnish the drawings of the armor for the *Kentucky* and *Kearsarge*, and then it will take from nine months to a year to furnish that armor. There is not the slightest possibility that within nine months or a year from this time any work will be done upon the armor of either the two or the four ships to be authorized by this bill.

Mr. HAWLEY. Yes; but——

Mr. QUAY. That depends entirely upon the rapidity with which the Navy Department complete the contracts.

The PRESIDING OFFICER. The Chair has recognized the Senator from New Jersey.

Mr. SMITH. I yield to the Senator from Connecticut.

Mr. HAWLEY. I only want to say that every business man knows it is sometimes of immense importance to a large concern like either of these to know that even nine months ahead it is going to have a hundred-thousand-dollar or a five-hundred-thousand-dollar contract.

Mr. BACON. I think it may be very safely assumed that whenever the proper price can be ascertained these parties will not only have a contract, but a contract at a liberal profit. I should favor giving them contracts above all others, and I should favor that they should have a liberal profit which, in general estimation, should exceed ordinary profits, from the fact that they are engaged in this business, in which they can have only the Government as a customer.

Mr. HAWLEY. And, I may add, they went into it at the earnest solicitation of a great mass of patriotic men, who were very much interested in seeing the work of furnishing heavy armor and heavy guns begun. They were encouraged to believe that if they would establish a plant of $2,000,000 or more they should have reasonable contracts that would be a fair return.

Mr. BACON. And I think there is every disposition to give it to them, and to give them the most liberal profit that would be deemed at all reasonable.

Mr. QUAY. I do not think the Senator from Georgia is so far apart from my position on this question. I do not wish the Government to pay exorbitant prices to either of these corporations, neither does the Senator from Georgia. But it does seem to me that before we apply a restrictive provision such as this amendment to the dealings between the Government and a corporation we ought to permit them at least to get out of the concern the money they have actually invested in it. No matter how large the profit is for the time being, the time for restriction and repression is when they are at large and out of the shackles of the Government.

Mr. SMITH. Mr. President, as a member of the Naval Committee I introduced a bill in the Senate providing that the Government should erect its own armor-plate manufactory, and from that has come the measures we are now discussing. My object in presenting the bill for the Government to erect its own armor works arose from the fact that when the Government induced the Bethlehem Iron Works and the Carnegie Iron Company to manufacture armor plate, the understanding, while not specially provided in writing, was that the price then paid to them was practically a subsidy by which the Government paid for their works over and above the actual cost, or even the cost with a fair profit added for their construction. From the figures that we compiled the members of the Naval Committee believe that the Government has carried out its part of the contract and that we have absolutely paid for the money that they have invested in their armor works.

Further proof was furnished by the fact that the Russian Government asked for a contract for armor plate. These same companies who are charging some $600 a ton to the Government of this country, after we had practically supplied the money for the erection of their plants, went abroad and furnished to foreign countries an armor plate, under the evidence we have, which was more costly than ours, at $250 a ton.

I felt that, in justice to our Government and to our people, we should at least make some effort to stop the unwarranted expenditure and the outrageous price that we were paying for this plate. The evidence that we have had furnished us is very conclusive to my mind that the cost of this plate does not exceed $200 per ton, and that when we agree to pay $350 a ton we are very liberal, liberal to such an extent that if we are to build but two ships the profits on the armor plate to these men will amount to between $600,000 and $700,000.

Mr. President, with these facts before us and with the very liberal proposition that we make of $350 a ton (because I do not want to stand on the floor of the Senate and advocate any manufacturer supplying the Government with any material at cost or without a profit), I think that we are liberal far beyond the necessities of the case.

But I recognize another fact, and the evidence is pretty conclusive, which makes me believe that we shall still be obliged to erect an armor-plate concern in this country. I am reliably informed that after the gentlemen here went abroad and broke into the combination on the other side and received a contract for them, they made a combination that not only covers the continent but covers this country, and from the bids we have just received and that have been read by the Senator from Georgia it is evident that the gentlemen here have an understanding and that perhaps it reaches abroad. But no matter whether it does or not, we owe it to ourselves to insist on this amendment as being fair and just and right. If we can not build these ships by the purchase of plate at this price then we will have ample time to order it at the fairest price at which we can obtain it. I hope that the Senate will be prepared and ready, in case these gentlemen propose to ask extortionate prices, to commence the construction of our own armor plate.

Mr. HAWLEY. Mr. President, I remember so well the discussions and the negotiations among these private parties, and investigations conducted by the Government before they began this work, that I can not help feeling very considerable interest in this debate and in these propositions.

There was a great deal of hesitation as to whether it was worth while to undertake to contract with the Government anyhow involving so heavy an investment. A contract with the Government is not an unusual thing in my part of the country for Hotchkiss guns, or Colt's pistols, or a great variety of other guns, and I am familiar with the facts and with the feelings of manufacturers. There are some of them who say they will never make another contract with the Government anyway. One reason is the annoying and small inspection, if you choose to call it so. A spit or blowhole somewhere is made the excuse for throwing away a fine piece of iron. Young men just out of the Academy go there to pass judgment upon the work of men who have been for fifty years engaged in making steel and the other processes that relate to it. The Government, in my judgment, ought to be as fair, honorable, and square with all these men as private parties are among themselves, and not take advantage of its greater power to oppress, and not insist upon unjust and illiberal terms.

When I first saw in the papers that the Bethlehem Works had made a contract with Russia I was aware that it was likely to make them some trouble, They made it at $259 a ton, made it at a loss, as it proved, and no one, I think, acquainted with the subject doubts it; but their object was twofold. One was to break into a foreign market, to get a field for their goods. The other was the common one among manufacturers, to keep good workmen together, reaching over a chasm when there was no work to be done. They then afterwards entered into competition before the Russian Government with English and French makers and got contracts at $259 a ton. That, I understand, is easily susceptible of proof.

Mr. CHANDLER. The Senator wants to understand that transaction just it was. They not only wanted to break into the foreign markets but they wanted to break into the foreign combination, and when the combination was made of foreign and American manufacturers, then they were able to force up the price on the foreign Governments, and that is the reason why the prices went back to $550 a ton. There is no doubt about that.

Mr. HAWLEY. The Senator's idea, then, is that there was a combination of Carnegie and Bethlehem with foreign makers?

Mr. CHANDLER. Undoubtedly.

Mr. HAWLEY. To force up the price?

Mr. CHANDLER. Undoubtedly there was such a combination.

Mr. QUAY. Where is the evidence of it?

Mr. HAWLEY. I do not know whether that has been proved or not. The Senator perhaps believes it, but can he prove it?

Mr. CHANDLER. I said I thought every member of the Naval Committee was convinced that there was. That is the basis upon which we have been arguing this case. So when the Senator says the price went up again to $550 a ton after they had broken into the foreign market, it went up again when they had broken into the combination and made a newer and a larger combination. That is the way we understand it. If any member of the committee understands it differently from myself he will so state.

Mr. HAWLEY. I do not understand it in that way at all. I understand it as I have stated.

Mr. QUAY. Let me ask what convinced the committee?

Mr. HAWLEY. It can not be proved, I think.

Mr. QUAY. Was there evidence of such a combination before the committee or not? I have not examined the report on that point.

Mr. CHANDLER. There was evidence before the committee that the foreign companies had taken nine-tenths of the stock in the Harvey patents. They had obtained that, I think, in connection with the American companies; and we were informed (I do not know whether it is on record or not) that the new contract with a foreign government, at about $500 a ton, which the Bethlehem Company have since received, was a contract given to them or assigned to them as a part of their share of the combine business of the armor trust.

Mr. QUAY. Who was giving this outside information to the committee?

The PRESIDING OFFICER. The question is upon the motion of the Senator from Pennsylvania that the Senate recede from amendment numbered 32, striking out "four battle ships" and inserting "two battle ships."

Mr. QUAY. Of course I make the motion for the purpose of taking the yeas and nays on this question. I ask that the vote be taken by yeas and nays.

The yeas and nays were ordered.

Mr. TILLMAN. Mr. President, as a member of the Naval Committee I have followed the investigations by which we sought to arrive at the facts and the true inwardness of this armor and its cost, and I have some very strong opinions about it. Perhaps I am so constituted that I can not have any other kind of opinions except positive ones. It is doubtless a fact that I sometimes arrive at erroneous conclusions, all of which I am willing to acknowledge.

As I understand the situation, we have a monopoly in the United States created by the Government, paid for by the Government, and yet the men who make this armor plate and who have the monopoly in the business paid for by the Government are robbing the Government to-day unmercifully.

In the first place, we have a law forbidding contracts by the Secretary of the Navy for any vessel which shall use armor not

manufactured in this country. I agree that that is patriotic and right and just. We ought to manufacture everything that we consume in this country. I am protectionist enough to go that far. It may astonish somebody to hear me say so, but I am honestly in favor of this country manufacturing everything that it consumes. But I do say that this Government ought not to be robbed by those whom it protects, and that the benefits to be derived should not go alone to the capital invested, but to the labor as well; that when they have had a reasonable protection and get a reasonable income on the capital and reasonable wages for the skilled labor that is far enough, and when we go further by our laws we just simply provide a means by which a certain class of men who are special favorites of the Government become millionaires at the expense of the taxpayers.

We are face to face with the fact that there are two armor manufactories in the United States—Carnegie and Bethlehem—and that you can not get any armor from any other factory than those two, either in the country or out of the country. The evidence is clear enough, and if anybody disputes it I want somebody to dispute the proposition which I now lay down, and which the Senator from New Jersey [Mr. SMITH] just enunciated, that the Government in making the original contracts with these armor manufacturers paid enough bonus over and above the reasonable price to pay for the factories. Does anybody dispute it?

Mr. HAWLEY. We do not know.

Mr. TILLMAN. You do not know? Well, I will let the former Secretary of the Navy, Mr. Tracy, have a word to say on that point. I ask that the Secretary read the part marked in the testimony given by him before the committee.

The PRESIDING OFFICER. The Secretary will read, without objection.

The Secretary read as follows:

Senator TILLMAN. I was absent for a few minutes, having been called out of the room unavoidably, and you may have touched upon the point; but let me ask on what, in making your contracts with the Carnegies, you based your action as to price?

Ex-Secretary TRACY. You were out, Senator. I said when I came to negotiate with Mr. Carnegie the negotiation began with Mr. Abbott, the manager of their works; and when Mr. Carnegie came into it later I started by insisting that they should reduce the price that was paid to Bethlehem. I thought that was an excessive price, and I wanted them to reduce that price.

Senator TILLMAN. Did they mention as a reason why they could not reduce the price that they would be at a great expense?

Ex-Secretary TRACY. Of course.

Senator TILLMAN. Which would have to be considered in undertaking the contract?

Ex-Secretary TRACY. Yes.

Senator TILLMAN. Did they give you any estimates?

Ex-Secretary TRACY. Oh, yes; verbally. No estimates in detail.

Senator TILLMAN. Can you recall the amount roughly, generally?

Ex-Secretary TRACY. I think it was more than $2,000,000 that they would have to expend.

Senator TILLMAN. That they would have to expend over and above their existing outlay?

Ex-Secretary TRACY. Yes.

Senator TILLMAN. Before they could make the armor?

Ex-Secretary TRACY. Yes. I will not be positive about the precise figure. However, it was a very large sum.

Senator HALE. They had a large plant for other purposes?

Ex-Secretary TRACY. They had a large plant.

Senator TILLMAN. I knew they had a large plant. I am trying to get at what ought to be the present price of armor after the Government has practically paid for these plants in the original contracts. That is the point I want to strike.

Ex-Secretary TRACY. As I stated, Mr. Carnegie said flatly, "I will make no contract unless I can have the same terms that are accorded to Bethlehem, at the same prices and substantially the same quantity of armor. If you will give me that, I will found the plant; if you do not, I will not."

Senator TILLMAN. Did your experts, those who reported to you in regard to the delay in furnishing the armor and complying with the original contract of the Bethlehem Company, ever lead you to suppose that there was any intentional procrastination?

Ex-Secretary TRACY. No; not willful.

Senator TILLMAN. Was it necessary?

Ex-Secretary TRACY. Necessary in one sense. In the founding of that plant Bethlehem sought very largely to make its own tools instead of purchasing them. Then they had made great mistakes with their hammer. No; I am not willing to charge Bethlehem at all with any willful delay. The delay was very great; but I think the Senator was out when I stated that one of the controlling factors which led me to think it desirable to found a second plant was because the experience of the English armor makers is that in their largest establishments they turn out only about 300 tons a month each, and at 300 tons a month two establishments could manufacture armor for only about two battle ships a year the size of the *Indiana*.

Senator TILLMAN. This is merely a question as to your opinion, but let me ask you whether from your intimate knowledge of the matter you have any reason to believe that those two companies are in collusion or that they at that time had an understanding with each other?

Ex-Secretary TRACY. No; not at the time of making the contract, of course. I do not want to pass upon that question. I have no evidence sufficient to justify me in saying that they were in collusion. We were required to advertise for the materials.

Senator TILLMAN. Did any other steel makers make any propositions or come to you?

Ex-Secretary TRACY. There is no one else in the country who has a plant, and so others could not compete.

Senator TILLMAN. None except Carnegie and the Bethlehem Company.

Ex-Secretary TRACY. They are the only two plants in the country that can compete.

Senator TILLMAN. Are we then to-day practically forced to buy from those two or none?

Ex-Secretary TRACY. We are.

Senator HALE. Unless we build a plant of our own?

Senator TILLMAN. Or unless there are others who would go to the expense those firms have gone to?

Ex-Secretary TRACY. Yes, sir; that is it, unless you found another plant.

Senator TILLMAN. I just want to get the idea of a monopoly or of a combine between those companies brought out prominently in the investigation.

Senator CHANDLER. Without reference to a combine, it is admitted that those two companies are the only ones now that can compete?

Senator TILLMAN. I am not speaking of the present time.

Ex-Secretary TRACY. You do not understand me as saying that there is any combine.

Senator TILLMAN. I am trying to bring out the facts that will prove that, however.

Senator HALE. At the time when, under the circumstances you have stated, you made the arrangement which resulted in the establishment of the second plant, was there anything that indicated any collusion or sympathy or correspondence between the Carnegies and the Bethlehem Company, or do you believe now that there was anything of the kind?

Ex-Secretary TRACY. No; there was nothing at the time.

Senator HALE. On the other hand, was it not considered by you that you could create an additional and rival establishment to the Bethlehem Company?

Ex-Secretary TRACY. Yes, sir. I have assumed that if this Government had followed the practice of England and appropriated $100,000,000, or even $75,000,000, to a building scheme, to be expended so much per year during a series of years, the cost of our ships in every respect could have been greatly reduced, because more people would have gone into the business of furnishing the frames of ships, the plates of ships, the decking; more men would have gone into the projectile business; more armor men would have gone into the armor business. We could really have got up an active competition under a guaranty of constant and continuous employment for a series of years. But where you ask a man to found an expensive plant, costing millions of dollars, on a very small contract, with nothing more than a mere probability that something may afterwards follow, of course he is likely to exact a much higher price for that one contract.

Senator HALE. That is true.

Ex-Secretary TRACY. I assume now that if the present Congress should authorize the building of four more battle ships in addition to the two being built, the present Secretary of the Navy could negotiate a contract for armor at considerably less than the present prices.

Mr. TILLMAN. From the statement made by the Secretary of the Navy it is very clear that when he took upon himself the responsibility of founding or attempting to found a new armor plant at Carnegie's, he hoped to get competition. We have seen that the competition is not in existence; that these people are together. We have seen that after the Government has paid an enormous price for the first contracts, aggregating something like twelve or fourteen million dollars, in which was included the cost of the factory or the additional expenditure to which they were put in order to be able to create the armor and make it, they still hold up and say, "You must now pay us just what you originally paid us. We will not reduce it." "Why?" "We have you by the throat. We have your Congress by the throat. We have men in the Senate and in the House who will stand by us. We propose to steal from this country or to take it vi et armis, by votes." That is what they say in plain English.

We will see by the vote here this evening whether the entire Naval Committee, all of us who have examined this question, four of whom have gone up to Bethlehem and seen the process, going from the creation of the Bessemer steel right on through until we came out with the finished armor plate, are to be turned down at the instigation of—I will not say who. That is it. I see that Congress is run by its committees. I have been here long enough to find that out. It seems that here is one committee which is not going to run its Department. While we are put in charge of naval matters, and are supposed to be looking after the interests of the Government and trying to protect it, we are to be overslaughed, and a committee of conference is to legislate us out, so to speak, and let the job, for it is nothing but a job, go through.

I have heard a little something about the way it was done. I am not complaining of the committee of conference, except that the proposition is made here that we shall now recede from the amendment which we passed here, and to allow the armor robbers just simply to put their hands into the pocket of the Government and steal another million or two or three or four or five. The armor for the four battle ships will cost—what is it, I ask the Senator from New Hampshire?

Mr. CHANDLER. About $3,000,000 for each pair.

Mr. TILLMAN. Three million dollars for each pair. That is $6,000,000 which we are proposing to give now by contract.

Mr. BACON. For the four vessels.

Mr. TILLMAN. At our price or their price?

Mr. BACON. The present prices.

Mr. CHANDLER. A million and a half for each battle ship.

Mr. TILLMAN. That is $6,000,000 for the four.

I contend, as a practical man—I do think I have a little common sense about how much it takes even to make steel, although I never saw a steel factory until I went to Bethlehem—and there I agree with the Senator from Georgia [Mr. BACON] that you can not possibly suggest any scheme of figuring which will make the armor cost four or five hundred dollars a ton. It is impossible. They handle great blocks of steel, 20 to 30 feet long, with the same facility and ease that a woman cuts out a dress lying on a table with a pair of scissors.

There is another aspect to this case. I have here a volume

entitled Violation of Armor Contracts—Report and Evidence before the Committee on Naval Affairs of the House for 1894. The report is too long to read, but I will ask that an extract be incorporated in my remarks:

CRIMINALITY.

If the criminality of a wrongful act is to be measured by the deliberation with which it is committed, the magnitude of the evils likely to result from its perpetration, and the want of provocation with which it is done, the frauds which your committee have found are worthy to be called crimes. The servants of the Carnegie Steel Company (whether with or without the knowledge of the company), to increase their gains, deliberately continued for many months to commit acts whose natural and probable consequence would be the sacrifice of the lives of our seamen in time of war, and with them, perhaps, the dearest interests of the nation.

The company were hired to make the best possible armor plate and paid an enormous price for so doing. They were hired to make an armor that would stand the shots of an enemy and upon which the nation might rely in time of need. They were paid between $500 and $700 a ton and thousands of dollars a plate for so doing. Resting under these obligations, the company or its servants have perpetrated manifold frauds, the natural tendency of which was to palm off upon the Government an inferior armor, whose inferiority might perchance appear only in the shock of battle, and with incalculable damage to the country.

No fine or mere money compensation is an adequate atonement for such wrongs. The commission of such frauds is a moral crime of the gravest character. Your committee do not consider it as within their province to draft a criminal statute; but they do feel under obligation to call the attention of the House to the importance of protecting in the future the interests of the Treasury, the lives of our seamen, and the safety of the nation by appropriate legislation, denouncing as crimes all such acts of fraud and deception practiced upon the Government in connection with armor plate and other material of war, and making such acts severely punishable in all persons who commit them or aid and abet their commission.

THE PLATES MUST BE TESTED.

Notwithstanding all the admissions made by the superintendents employed by the Carnegie Company, they claim that all the plates paid for by the Government are up to the specifications of the contracts. They allege that they not only made the best plate that could be made at that time, but that the plates will all surpass the minimum acceptance test required by the Government without regard to the alleged false treatment, plugging of blowholes or manipulation of tensile tests.

Paragraph 92 of the contract of February 28, 1893, states that the obligation is imposed upon the contractor to satisfy the inspector that everything has been done in strict accordance with the terms of the contract. It has been conclusively shown that the inspectors have been satisfied and the armor plates passed by the most notorious frauds. The efforts of the company, and of its superintendents, Cline, Corey, and Schwab, have been to satisfy your committee that the armor is up to the requirements of the contract, notwithstanding the false reports to inspectors, doctoring of specimens, plugging of plates, fraudulent re-treating of test plates, and "jockeying" of the testing machine. The unblushing character of the frauds to which these men have been parties, and the disregard of truth and honesty which they have shown in testifying before your committee, render them unworthy of credence.

And everything bears against their contention. It is not to be supposed that such manifold frauds were continued for so long a time without an important object to be gained. As the individual plates and the groups of plates passed in many cases by fraud, the fair conclusion is that without the frauds they would not have passed.

Two questions remain, however; first, whether, notwithstanding the frauds and the failure to attain the high standard required by the contracts, the armor is not still good steel and fair armor; and second, the extent to which the Government has been damaged by the frauds and irregularities practiced upon it.

The terms of the resolution under which your committee is acting require them to ascertain the amount of damages. It is impossible, however, for them to do this with their present powers. The only way to determine the actual condition and strength of the armor is by subjecting certain plates of the groups passed by fraud to ballistic tests. This your committee has no power to do. For the information of the House, in relation to the question of further continuing this investigation by making such ballistic tests, your committee have ascertained the whereabouts of 59 representative plates, alleged to have been falsely treated. The following table shows their weight, cost, and defects, and the ships upon which they can be found:

List of most important alleged defective plates.

MONTEREY.

Size.	Location.	No.	Weight.	Cost.	Defect.
13 inches	Belt. K. L. starboard.	X8	17.5 tons	$9,138.45	Pipe 4 feet long, page 87.
13 inches	Belt. No. 4, H. G. port.	X13	16.74 tons	8,728.94	Bad holes, page 88.
7.5 inches	After-turret (porthole).	214	6.7 tons	3,929.38	Oil burnt off.
7.5 inches	do	225	9.2 tons	5,414.50	Do.

MONADNOCK.

11.5 inches	Barbette	702		$10,596.15	Changed colors; not heated; test pieces stretched, page 105.
11.5 inches		661		15,507.05	Fake treatment after bending.
11.5 inches		985		10,875.00	Test pieces stretched, page 105.
11.5 inches		669		10,727.00	Tempered, no annealing.
9 inches	Belt	448	No. 10, starboard.	7,643.00	Scrap ends only in furnace tested.
9 inches	do	473	No. 13, port	6,826.86	Heated to cherry for rectification after treatment.
		452	No. 8, port	7,855.00	
		486	No. 12, starboard.	8,010.00	

NEW YORK.

10 inches	Barbette	490		$9,134.00	Test pieces substituted, page 109.
10 inches	do	X56	15.491 tons	9,080.00	Annealing heat, five minutes.
10 inches	do	X57		8,992.00	Not heated for treatment.
10 inches	do	X47		9,108.00	Heated eleven hours to cherry red after tests.
10 inches		248	15.492 tons	9,081.00	In pit from bending; no other heat.
5.5 inches	Turret	2939	5.279 tons	3,094.00	Heated one end thirty minutes; forty-eight hours in pit.
5.5 inches	do	2952	6.399 tons	3,749.00	Do.
4 inches	Side	X18a, X22a, X19b	No. 9, starboard sponson.	2,410.00	Ends only, oil burnt off.

AMPHITRITE.

9 inches	136, belt	410	No. 13, starboard.	$6,890.00	Dipped in oil, burnt off.
9 inches	11 P, belt	397		7,662.00	Do.
9 inches	12 P, belt	420		7,758.00	Dipped in oil, ends changed.
5 inches	Belt	218		1,834.00	Dipped in oil, burnt off.

TERROR.

7 inches	Belt	492	No. 7, starboard.	$8,741.00	Ends only treated.
7 inches	do	705	No. 12, starboard.	8,023.00	Edges only heated.
7 inches	do	678	No. 6, starboard.	7,830.00	Do.

OREGON.

8 inches	Barbette	586		$8,231.00	Tempered O. K.; no annealing.
8 inches	do	583		8,214.00	One end only Bot.; other end blackened.
8 inches	do	587		8,008.00	Irregular treatment.

OLYMPIA.

Size.	Location.	No.	Weight.	Cost.	Defect.
4.5 inches	Barbette	370		$4,830.00	No treatment. Oil burnt off.
4.5 inches	do	400		4,667.00	Do.
4.5 inches	do	403		4,836.00	Do.

Four-inch casemate.

INDIANA.

Plates.	No.	Location.	Cost.	Defect.
Diagonal	222	No. 13, starboard	$2,172.00	Insufficiently heated before annealing.
Do	224	No. 15, port	2,530.00	Do.
Do	226		419.00	Fourth treatment same.
Do	233	No. 14, port	2,540.00	Edges only.
Do	237	No. 12, port	2,162.00	Ten minutes heat, thirty-six hours pit.
Side	240	No. 4, port	3,235.00	Blue heat annealed.
Do	241	No. 4, starboard	3,419.00	Do.

MASSACHUSETTS.

Diagonal	253	No. 13, starboard	$2,157.00	Not oil-tempered.
	324	No. 5, starboard	3,394.00	On fourth and fifth heat top ends only heated.
	332	No. 4, port	3,414.00	
Door	379½	do	720.00	No treatment at all.

OREGON.

	273	No. 2, port	$3,849.00	In oil cold, burnt off.

Four-inch sponsons.

Ships.	No.	Location.	Cost.	Defect.
New York	2641	No. 7, port.....	$2,432.00	Ten minutes heat before annealing.
	2557	No. 5, port.....	2,377.00	Do.
	X19B	No. 9, starboard.	2,408.00	Ends only treated.
Columbia	A284	No. 6, starboard.	2,469.00	Do.
	502	No. 4, starboard.	1,210.00	Do.
Minneapolis ..	449	No. 7, port.....	2,744.00	Oil burnt off.
	663	No. 6, starboard.	2,444.00	Edges only for annealing.
	645	No. 3, starboard.	2,444.00	Do.
Olympia	2453	Starboard after between 64 and 65.	3,117.00	Oil burnt off.
	2136	Port after between 57 and 58.	3,129.00	Do.
	472	Port forward, No. 29 frame.	3,080.00	Oil burnt off; heated to cherry after treatment.
Cincinnati	627	No. 2, starboard.	2,909.00	Ends only.
	641	No. 3, port	2,909.00	Do.
Raleigh	2050	Port after board	2,890.00	Do.
	2063	Port forward board.	2,860.00	Do.

The resolution of investigation directs your committee to inquire into the condition and character of all armor plate, bolts, and other appurtenances delivered to the Government by the Carnegie Steel Company and to investigate and inquire as to what amount of inferior or damaged plate, bolts, and other appurtenances had been delivered to the Government by said company, and the amount of compensation which should be paid to the Government in settlement for such damaged or inferior armor plate, bolts, and appurtenances. The committee can go no further into this investigation without knowing the actual ballistic resistance of groups of plates passed by a test of plates that did not really represent these groups. The company has admitted this charge. If the Government is precluded from making these tests at their expense by the settlement made January 18, 1894 (see House Executive Document, Fifty-third Congress, pages 37 and 38), they must be made at the expense of the Government. Believing that a test of these plates should be made, your committee have selected the plates which, in their opinion, ought to be tested. They recommend that the money necessary for such a test be taken from any moneys heretofore appropriated for the increase of the Navy under the head of "Armor and armament." They therefore recommend the adoption of the accompanying joint resolution (H. Res. 226):

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized and directed to remove from the ships hereinafter mentioned the armor plates hereinafter mentioned, and subject said armor plates to the same ballistic tests, in every respect, as were given to the plates upon the ballistic tests of which the respective groups of armor plate containing the hereinafter mentioned plates were accepted. The armor plates to be tested, with the ships from which they are to be removed, are as follows, to wit:

From the ship *Monadnock*, the 9-inch belt plate, No. 10, starboard, manufacturing number 448;

From the monitor *Terror*, the 7-inch belt plate, No. 6, starboard, manufacturing number 678;

From the ship *Oregon*, the 8-inch barbette plate, No. 587;

From the ship *Indiana*, the 4-inch casemate diagonal plate, No. 14, port, manufacturing number 233;

From the ship *Massachusetts*, the 4-inch casemate door, No. 379½.

Be it further resolved, That the Secretary of the Navy be, and he is hereby, authorized and directed to remove the 13-inch belt plate KL, starboard, No. X8, from the ship *Monterey*, and ascertain whether said plate contains a pipe-hole 4 feet long; and if such pipe-hole be found, the Secretary of the Navy is hereby further authorized and directed to subject the said plate to a ballistic test identical in every particular with that which was given to the plate upon the test of which the group containing the said plate, X8, was accepted, and that the first shot be placed in that part of the plate containing the pipe-hole.

The Secretary of the Navy is further requested and directed to send to the Congress a full and detailed report of the hereinbefore-directed tests as soon as may be.

The members of the Committee on Naval Affairs of the House of Representatives heretofore engaged in investigating the armor-plate frauds are hereby directed to witness, as far as possible, each of the hereinbefore-mentioned tests; and said tests are to be made at the Indian Head proving ground.

The Secretary of the Navy is authorized and directed to pay from any moneys heretofore appropriated for the increase of the Navy, under the head of armor and armament, such sums as may be necessary for the carrying out of the hereinbefore-directed tests, and for placing on the ships before mentioned other armor plates, in place of the plates removed for the purpose of being tested, as hereinbefore directed.

I will simply read a brief extract from the summing up of the Committee on Naval Affairs of the House of Representatives as to one of the armor-plate factories. Charges were made as to frauds in the manufacture of armor; that they were putting up shoddy, so to speak, if you can have shoddy steel; and the committee of the House formulated charges and sent for the experts and the employees and the bosses of the Carnegie Company, and upon their admitted statements, not denied, admitted in open court, so to speak, before the committee, the report was made. They confessed that they had put off fraudulent armor on the Government. The committee summed up in this way:

If the criminality of a wrongful act is to be measured by the deliberation with which it is committed, the magnitude of the evils likely to result from its perpetration, and the want of provocation with which it is done, the frauds which your committee have found are worthy to be called crimes. The servants of the Carnegie Steel Company (whether with or without the knowledge of the company), to increase their gains, deliberately continued for many months to commit acts whose natural and probable consequence would be the sacrifice of the lives of our seamen in time of war, and with them, perhaps, the dearest interests of the nation.

Then the committee goes on, as will be seen, and sums up, giving a list of 10 or 12 battle ships upon which this fraudulent, spongy, plugged-up armor has been put. The ships are in New York Harbor now, and when the House committee asked to have the armor taken off and tested, so as to determine whether it would stand the ballistic test, the thing died somewhere. I was told by the chairman of the committee of the House this evening that it got here at this end and died. So it died in this body, like this other thing is to die, I suppose. They admit their fraud. Yet they have so much influence with the Senate, so much influence with the Secretary of the Navy and the President, that you can not get the test made as to whether the rotten steel that they have put on those vessels will stand the test which they contracted to have it stand.

Now we are asked to give them $6,000,000 more of contracts under that system. First, it is a monopoly; secondly, that the Government pay for the plant in the first contract. Then we say, "We will let you put your fraudulent armor on us; we will let you charge what you please; we will not reduce the price." The Naval Committee is to be laughed out of court by these—shall I say attorneys? Have we a lobby here? Have we Senators who are interested in seeing these contracts given out? I only ask. I do not know.

There is another aspect to the case which I have heard since I have been in Washington, and that is in reference to the question whether we shall have four or two battle ships. I look for it, and I have been looking for it for two months—that they would settle down on three ships. Why? Because there are three shipyards, and they want another job. Each one would agree to take one ship, and they would fix up a price which would give them a handsome profit. There would be no competition, and the Government would be robbed of several millions more. If we can hold on to two ships there will be at least a struggle between the three shipyards as to which shall have them. One of them will have to go lacking, and the likelihood is that there will be actual and honest competition between them, and the Government will get some benefit from it. I have been told that if we put in four the big Philadelphia yard will take two, and the two little yards—one at San Francisco, and the other at Newport News—will take the other two. There will be no competition in that case, and there will be some more happy millionaires.

However, aside of the question whether or not there is any job in this business and whether the Government is to be robbed right here in broad daylight, while we as Senators sit and submit to it or act as though we were in collusion with somebody, is this question which appeals to me as a practical one. I went to New York last Saturday at the invitation of the zealous chairman of the Committee on Coast Defenses, to see what had been done there to protect our Manhattan gold bugs from their friends in Europe if they should get a notion to come over here and levy tribute. I spent the whole day there. I went down to Sandy Hook, where the outer line of defenses is, and what did I see? Now, pity my ignorance and my innocence. But I went into a mortar battery—16 mortars, in groups of four, down in a hole. The man who aims the mortar has to have an officer upon an eminence, who will tell him what angle to set it as regards compass, what angle to set it as to altitude, so as to try to reach a certain point, and after it has been loaded all of the cannoneers actually have to go around into a hole 50 yards away, while a man touches a button to fire these guns aimed in the dark.

That is the kind of defenses we have there. Our Army engineers say that is the modern method of defending harbors. The fact of the business is that for thirty years the United States and every other Government in the world has been spending millions and hundreds of millions of dollars on theories of war. When they come down to practical tests, as to whether their theories will pan out, I think they will find that people who go to war hereafter will have to go in sight of each other, and men will put guns up to their shoulders and do some shooting like the Confederates and the bluecoats used to do about thirty years ago.

To come back to New York, I saw a battery of five steel guns mounted at Fort Wadsworth, and there are two down at Sandy Hook. Lots of them are lying there in the sand, but there are no carriages. It will take ten or fifteen million dollars, at the lowest calculation, to put New York harbor in a defensive position. You can not protect it otherwise with England having four times the vessels you have, with guns of the caliber and four or five times the strength that you ever expect to get even. Your Navy would be the prey of the overpowering English navy, and they would steam right in and take your vessels unless you fortify some one harbor by coast defenses sufficiently to protect your Navy from the navy of England. That is your condition, and yet you want more big ships, more five and six million dollar ironclads.

We are not going to undertake to compete with England in the matter of a navy. Her vitality, her life, her existence depend upon the preservation of her supremacy on the sea, because she

would starve to death inside of two years if she could be kept from supplies from the outside. We are not in that condition. All we want is navy enough to make our flag respected wherever it may go, and if we want to defend our seacoast, as I think we ought to do; if we want something to take care of the cities which are unprotected, it ought to be by preparing batteries and steel cannon and such other appliances, even though they be mortar batteries, which will aim out of sight and shoot out of sight, and whatever modern science shall dictate as being the best system of defense. Let us spend our money on that; but to go and put out a whole pile of money is entirely wrong.

Here is $25,000,000 to be spent on these four battle ships which we are now discussing. If we are to continue that sort of thing, if we are to continue to pay these exorbitant prices to protected and monopolizing concerns, our Navy will cost twice what it ought to cost, and will be of no account when we get it. So far as defending New York is concerned, you will have to depend upon torpedoes and upon the use of dynamite to keep foreign vessels out, because we could never build vessels enough to prevent the English navy from overpowering our Navy, unless it were in a place where there would be some equality. We have no harbor now to shelter a navy; there is no place where one can hide; there is no place into which one can poke its head for safety. It is a question of practical statesmanship as to whether the Senate will spend more money for more vessels to be unprotected, or whether it will protect some one city, even though it be New York, which I do not think deserves much protection, owing to the way it is stealing from the rest of us. I am willing, however, to protect even New York, and I hope some day to see those fellows loosen their grip on the throat of this country and keep them from robbing us so badly. But it is a question of practical statesmanship as to whether we want to protect and defend our cities or whether we are going to spend the money to create a big navy which will be helpless when we have created it; helpless to protect our coast cities and helpless to protect itself.

Mr. HALE. Mr. President, it is evident that no vote can be taken to-night, as so many Senators have left the Chamber, and I move that when the Senate adjourn it be to meet at 11 o'clock to-morrow morning.

The PRESIDING OFFICER. The question is on the motion of the Senator from Maine.

The motion was agreed to.

Mr. CULLOM. I ask leave to have a little bill taken up, which I have been solicited to have passed.

Mr. BACON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia wish to speak to the question before the Senate?

Mr. BACON. I did not know that there was a question before the Senate.

Mr. CULLOM. I hope the Senator from Georgia will allow me to have the bill to which I refer passed.

Mr. BACON. If the Senator from Illinois wants to proceed to another matter, I wish to state that I am compelled to leave here to-night, and there is a matter as to which I am very anxious to have an executive session. It will occupy but a very few moments, and I wish to move that the Senate proceed to the consideration of executive business.

Mr. HALE. Before departing from the subject-matter before the Senate, I ask unanimous consent that the conference report on the naval appropriation bill be taken up to-morrow, immediately after the routine morning business, that the debate proceed under the five-minute rule, and that the final vote be taken at half past 12, or, I will say, 12 o'clock.

Mr. STEWART and others. Say half past 12 o'clock.

Mr. HALE. I will say half past 12. That will give ample opportunity.

Mr. PASCO. Say not later than half past 12.

Mr. GORMAN. Do I understand that the Senator from Maine asks that this matter may be considered under the five-minute rule?

Mr. HALE. I incorporated that as part of my request in order that the time might not be used too much by one or two Senators, so as to give all Senators an opportunity to participate in the debate.

Mr. GORMAN. I doubt very much whether we can discuss this important question in that time.

Mr. HILL. We have discussed it pretty thoroughly, have we not, so that every Senator understands how to vote? It is time, I think, that the five-minute rule ought to be applied if we are going to get away from here this summer. It is simply a question of whether we are to have two or four battle ships. I think we can easily decide that question.

Mr. HALE. The request will apply to each amendment, and there are several. Each Senator can speak upon each amendment.

The PRESIDING OFFICER. The Chair will state the request of the Senator from Maine, which is that immediately after the routine morning business to-morrow the conference report on the naval appropriation bill shall be taken up and proceeded with under the five-minute rule, and that the final vote shall be taken not later than half past 12 o'clock.

Mr. GORMAN. I have no desire to delay the consideration of this measure, as the Senator from Maine knows perfectly well, but I doubt very much whether we can dispose of this question under the five-minute rule.

Mr. ALLISON. I suggest that the ten-minute rule be substituted.

Mr. HALE. I will accept that suggestion, and ask that the debate shall proceed under the ten-minute rule.

Mr. GORMAN. I have no objection to that.

The PRESIDING OFFICER. Is there objection?

Mr. MORGAN. I object, Mr. President.

Mr. HALE. I will name the hour of 1 o'clock instead of half past 12. That substantially gives two hours, and I think everybody will concur in that proposition.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maine?

Mr. MORGAN. I object to it.

The PRESIDING OFFICER. There is objection.

LICENSING OF BILLIARD AND POOL TABLES.

Mr. CULLOM. Mr. President——

Mr. HARRIS. Will the Senator from Illinois permit me a moment that I may ask to have laid before the Senate a conference report, which has come over from the House of Representatives, on House bill 5490? It will take but half a minute to dispose of it.

Mr. CULLOM. I yield for a conference report.

The PRESIDING OFFICER. The Chair lays before the Senate the conference report referred to by the Senator from Tennessee [Mr. HARRIS], which will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5490) to license billiard and pool tables in the District of Columbia, and for other purposes, having met, after full and free conference have been unable to agree.

ISHAM G. HARRIS,
GEORGE PEABODY WETMORE,
Managers on the part of the Senate.

JOSEPH W. BABCOCK,
JAMES H. HULING,
ALFRED MILNES,
Managers on the part of the House.

Mr. HARRIS. I move that the Senate further insist upon its amendments, and agree to the further conference asked for by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. HARRIS, Mr. WETMORE, and Mr. PROCTOR were appointed.

DONATION OF CONDEMNED CANNON.

Mr. MORGAN. Mr. President——

Mr. CULLOM. I have the floor, I believe. I ask unanimous consent to call up House bill 7171, which is a small bill donating condemned cannon.

Mr. MORGAN. I appeal to the Senator to yield to me for a moment until I can get a matter printed. That is all I desire.

Mr. CULLOM. I hope the Senator will wait a minute until I can get the bill to which I have referred out of the way.

The PRESIDING OFFICER. The Senator from Illinois asks unanimous consent for the present consideration of a bill, the title of which will be stated.

The SECRETARY. A bill (H. R. 7171) authorizing and directing the Secretary of the Navy to donate 4 condemned cannon and 4 pyramids of condemned cannon balls to James T. Shields Post, No. 45, Grand Army of the Republic, of Galesburg, Knox County, Ill., and for other purposes.

Mr. CULLOM. I hope that bill may now be considered and passed.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXECUTIVE COMMUNICATION.

The PRESIDING OFFICER laid before the Senate a communication from the Attorney-General, in response to a resolution of the 2d instant, relative to judgments rendered in favor of claimants in Indian depredation cases by the Court of Clalms, transmitting the judgment rendered in the claim of T. R. and T. P. Gossett; which was ordered to lie on the table and be printed.

REPORTS OF COMMITTEES.

Mr. HAWLEY. I have an item of morning business which I should like to get off my hands. I desire to present two favorable reports from the Committee on Naval Affairs.

The PRESIDING OFFICER. The reports will be received at this time, if there be no objection.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 2355) to correct the military record of Peter Buckley, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3206) to grant a right of way through the new Fort Bliss Military Reservation to the El Paso and Northeastern Railroad Company, reported it without amendment, and submitted a report thereon.

Mr. CHILTON. I should be glad if the Senate would give me permission to have considered at this time Senate bill 3206, to grant a right of way through the Fort Bliss Military Reservation, which has just been reported by the Senator from Connecticut [Mr. HAWLEY].

Mr. MORGAN. I can not consent to that. I have been on the floor for half an hour, and the Chair has once recognized me.

The PRESIDING OFFICER. Objection is made to the present consideration of the bill referred to by the Senator from Texas [Mr. CHILTON].

Mr. PRITCHARD, from the Committee on Pensions, to whom was referred the bill (H. R. 3755) to increase the pension of Mary C. Thompson, reported it without amendment, and submitted a report thereon.

Mr. PERKINS, from the Committee on Naval Affairs, to whom was referred the bill (S. 3150) authorizing the President to appoint Lieut. Robert Platt, United States Navy, to the rank of commander, reported it without amendment, and submitted a report thereon.

Mr. PERKINS. I am instructed by the Committee on Education and Labor, to whom was referred the bill (H. R. 9188) authorizing the appointment of a nonpartisan commission to collate information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital, to report it favorably, and without amendment.

I ask that the bill which I have just reported may be substituted for Order of Business 628, being Senate bill 293, on the same subject.

The PRESIDING OFFICER. The bill reported by the Senator from California will be substituted on the Calendar for Senate bill 293, which will be indefinitely postponed, if there be no objection.

CAPTURE OF THE COMPETITOR.

Mr. MORGAN. I offer the resolution which I send to the desk, and ask that it be printed and laid on the table.

Mr. HALE. It has been already read.

Mr. MORGAN. Yes; it has been read.

The PRESIDING OFFICER. The resolution will be printed and laid on the table, in the absence of objection.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills:

A bill (S. 1342) granting a pension to Lena D. Smith;

A bill (H. R. 3582) to remove the charge of desertion now standing against Henry H. Bailey;

A bill (H. R. 5946) granting an increase of pension to Abraham H. Parker;

A bill (H. R. 6221) granting an increase of pension to Mary E. Chamberlin;

A bill (H. R. 6994) relating to the sale of gas in the District of Columbia; and

A bill (H. R. 8109) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

NAVAL APPROPRIATION BILL.

Mr. HALE. I rise to the order of business. I renew the proposition I made with reference to disposing of the conference report on the naval appropriation bill, that the report be taken up on the termination of the routine morning business to-morrow, and that the debate be continued under the five-minute rule.

Several SENATORS. Say ten minutes.

Mr. HALE. Well, I will say ten minutes to each Senator upon the general proposition, and that the final vote be taken not later than 1 o'clock.

Mr. ALDRICH. I hope the Senator will make it half past 12 o'clock. It seems to me, if we are expecting to adjourn this Congress at any time within a reasonable period, we should dispose of some of these pending matters.

Mr. HALE. If we do not get an agreement for 1 o'clock, we are likely to run to 3 o'clock. I think there will be abundant time for debate if we agree that the final vote shall be taken at 1 o'clock.

Mr. GORMAN. I think there should be an opportunity for full debate upon the proposition.

Mr. HALE. I have named 1 o'clock as the time for taking the vote.

Mr. GORMAN. I suppose we may be able to get through by 1 o'clock.

The PRESIDING OFFICER. The Chair will state the proposition of the Senator from Maine, which is, that the conference report on the naval appropriation bill be taken up immediately after the routine business to-morrow morning, that debate shall proceed under the five-minute rule, and that the vote be taken on the conference report not later than 1 o'clock. Is there objection?

Mr. ALLISON. And all questions connected with it.

Mr. NELSON. I object to it, because the filled-cheese bill is the unfinished business, and that should come up to-morrow and be disposed of.

Mr. HALE. The filled-cheese bill does not come up until 1 o'clock, and my proposition is to vote at 1 o'clock.

Mr. NELSON. The voting may take some time.

Mr. HALE. It will not take five minutes.

Mr. NELSON. It is most important that the filled-cheese bill should be disposed of, and I hope that nothing will be allowed to interfere with it.

The PRESIDING OFFICER. Does the Chair understand the Senator from Minnesota to object to the agreement suggested by the Senator from Maine?

Mr. HALE. The Senator withdraws his objection.

The PRESIDING OFFICER. The objection is withdrawn. The Chair hears no further objection, and the request of the Senator from Maine [Mr. HALE] is agreed to.

STRATTON H. BENSCOTER.

Mr. GEAR. I ask unanimous consent for the present consideration of the bill (S. 3771) for the relief of Stratton H. Benscoter.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, in line 4, after the words "directed to," to strike out "set aside and annul the sentence of court-martial against Stratton H. Benscoter, of Company I, Ninth Iowa Cavalry Volunteers," and insert "revoke the order approving the proceedings, findings, and sentence of the general court-martial at Fort Smith, Ark., dishonorably discharging Stratton H. Benscoter, late private in Company I, Ninth Regiment Iowa Cavalry, from the service, with loss of pay and confinement in the penitentiary"; so as to make the bill read:

Be it enacted, etc., That the Secretary of War is hereby empowered and directed to revoke the order approving the proceedings, findings, and sentence of the general court-martial at Fort Smith, Ark., dishonorably discharging Stratton H. Benscoter, late private in Company I, Ninth Regiment Iowa Cavalry, from the service with loss of pay and confinement in the penitentiary, and to grant him an honorable discharge from the said service, said discharge to date December 5, 1865.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

DELIVERY OF IMPORTED PARCELS AND PACKAGES.

Mr. ALDRICH. I ask unanimous consent for the present consideration of the bill (H. R. 6259) to expedite the delivery of imported parcels and packages not exceeding $500 in value.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Rhode Island for the consideration of the bill named by him?

Mr. TELLER. I object to the consideration of that bill.

The PRESIDING OFFICER. Objection is made to the consideration of the bill.

DONATION OF CONDEMNED CANNON.

Mr. WARREN. I ask the Senate to take up the bill (S. 3216) donating condemned cannon and condemned cannon balls to the Wyoming State Soldiers' Home, at Cheyenne, Wyo.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES D. HANSCOM.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (S. 3218) granting an increase of pension to Charles D. Hanscom.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Charles D. Hanscom, late of Company I, Second Regiment Massachusetts Infantry Volunteers, and to pay him a pension at the rate of $50 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ORDER OF PROCEEDING.

Mr. CHANDLER. Mr. President——

The PRESIDING OFFICER. The Senator from California [Mr. PERKINS] is recognized.

Mr. CHANDLER. If there is a list I wish to have my name placed on it.

Mr. CHILTON. I ask unanimous consent to call up the bill reported a few moments ago from the Committee on Military Affairs.

Mr. TELLER. Mr. President, I am not going to interfere with the present arrangement, but I want to protest against a system which has grown up that does not belong here, and is not necessary in this body. It is, I think, against the sentiment of the great majority of the Senate that the Presiding Officer shall make a list of Senators who are to be recognized and shall decline to recognize those who rise and address him first. If that is repeated I shall take the liberty myself simply to object, and there shall be no unanimous consent.

Mr. CHILTON. So far as I am concerned——

Mr. TELLER. Wait a minute; I am not going to object now.

Mr. CHILTON. I want to yield my place to the Senator from Colorado, because I recognize——

Mr. TELLER. There is no measure that I want to call up. I am protesting against this practice in the interest of the Senate and the decent way of doing business.

Mr. CHANDLER. How would the Senator from Colorado have the business done?

Mr. TELLER. I would have it done just as it has been done at all times here, by Senators rising and getting the eye of the Chair.

Mr. CHANDLER. Does not the Senator see that that gives Senators who sit right in front of the desk, or take a position boldly in the center aisle, as the Senator from Colorado has done, an advantage over Senators who sit away off to the right or left?

Mr. TELLER. There has been no complaint of it in the twenty years that I have been acquainted with the Senate.

Mr. CHANDLER. There has always been a list.

Mr. TELLER. No; there never has been a list.

Mr. HAWLEY. Oh, yes.

Mr. TELLER. I will not say never. A few years ago an effort was made, but it was broken up. I understood yesterday when the bond question was before the Senate that certain Senators had to go and get their names put on a list. Senators who had been here twenty years and more were compelled to go up and put their names down on the list or the Chair ignored them. I did not put my name on the list yesterday. I declined to do it. I should decline to do it. I do not want to interfere with anything that has been done to-day, and I do not object to it. I want to enter my protest against this system, no matter who is in the chair or no matter who does it. Having said this, I shall not interfere further with the Senator from Texas.

Mr. HAWLEY. May I make a suggestion that might help out of the difficulty? It is to call the roll alphabetically.

Mr. TELLER. That would do very well.

The PRESIDING OFFICER. The Chair would like to have an opportunity to make a suggestion. The Senator from Colorado is quite right, and the Chair would not have indulged in the practice at this time if it had not become apparently the settled practice of the Senate.

Mr. TELLER. I should like to say that I did not know that it was a settled practice. I remember when Mr. Ingalls was Presiding Officer it was attempted, and an objection was made then just as it is made now, and he declared, as the Chair has now declared, that it ought not to be done, and it was abandoned. I did not know until yesterday that it had ever been repeated.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Texas [Mr. CHILTON].

Mr. CHILTON. I ask unanimous consent to call up a bill just reported from the Committee on Military Affairs to grant a right of way through a military reservation to a railroad company.

Mr. ALDRICH. I move that the Senate adjourn.

Mr. BACON. I hope the Senator will not insist upon that motion.

The PRESIDING OFFICER. The Senator from Rhode Island moves——

Mr. BRICE. I do not often ask the indulgence of the Senate, but those of us who are here for the purpose of attending to the business of our constituents ought not to be cut off simply because we are not importunate in our demands for place. I will withdraw my request to be heard to-night if the Senator from Rhode Island moves to adjourn, but I feel that it is not the proper thing to do.

The PRESIDING OFFICER. Does the Senator from Rhode Island insist on his motion to adjourn?

Mr. ALDRICH. I am willing to yield for a motion to go into executive session.

Mr. BACON. I will thank the Senator if he will allow——

Mr. CHILTON. I hope the Senator from Rhode Island will not insist upon his motion, as I had already been recognized to call up a bill.

Mr. BACON. Two or three Senators here want to get some bills through to-night, if possible.

Mr. ALDRICH. It seems possible for two or three Senators to get bills through, but not anyone else.

The PRESIDING OFFICER. The motion to adjourn is not debatable.

Mr. QUAY. If the Senator from Rhode Island will yield for a motion to proceed to the consideration of executive business I will make that motion. There is some executive business that ought to be disposed of.

Mr. HARRIS. I hope the Senator from Texas will not be taken off the floor in this way. I appeal to the Senators to withdraw their motions for the present. The Senator from Texas has made his request for the consideration of a bill.

Mr. HAWLEY. The Senator from Texas got the floor and made his request. I hope he will be given a minute.

Mr. HARRIS. I hope he will be heard.

Mr. QUAY. So far as I am concerned I do not desire to take the Senator from Texas off the floor, but the Senator from Rhode Island having declined to yield for any purpose except a motion to proceed to the consideration of executive business, I shall make that motion.

Mr. ALDRICH. I have no objection to withdrawing the motion to adjourn for the purpose of having a motion made to go into executive session. If that motion is not made, I insist on my motion to adjourn.

Mr. QUAY. If the Senator from Rhode Island is going to insist upon his motion, I insist upon my motion to go into executive session.

The PRESIDING OFFICER. That motion is in order. The question is on the motion of the Senator from Pennsylvania to proceed to the consideration of executive business. [Putting the question.] The noes seem to have it. The noes have it.

Mr. ALDRICH. I beg pardon. What is the decision?

The PRESIDING OFFICER. The motion is not agreed to. The Chair recognizes the Senator from Texas.

Mr. ALDRICH. I ask for a division on the motion to proceed to the consideration of executive business.

The question being put, there were on a division—ayes 1, noes 18; no quorum voting.

Mr. MITCHELL of Oregon. I move that the Senate adjourn.

Mr. BACON. I hope the Senator from Oregon will permit me to call up a bill. I am compelled to leave to-night and I have a little matter in charge that I am extremely anxious to have disposed of.

Mr. MITCHELL of Oregon. I yield to the Senator from Georgia.

The PRESIDING OFFICER. The Senator from Oregon moves that the Senate do now adjourn.

Mr. MITCHELL of Oregon. I yield to the Senator from Georgia, as he states that he is about to go away.

The PRESIDING OFFICER. The Senator from Oregon can not yield. There being no quorum, no motion is in order except a motion to adjourn or to send for absentees.

Mr. HARRIS. A call of the Senate would be in order.

Mr. HAWLEY. A call of the Senate is in order; but I would not call the Senate. Let us adjourn.

The PRESIDING OFFICER. The question is on the motion of the Senator from Oregon that the Senate adjourn.

The motion was not agreed to.

The PRESIDING OFFICER. There being no quorum, the Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Carter,	Hill,	Shoup,
Bacon,	Chandler,	Mitchell, Oreg.	Smith,
Bate,	Chilton,	Nelson,	Squire,
Berry,	Dubois,	Pasco,	Stewart,
Brice,	Gallinger,	Perkins,	Teller,
Brown,	Hansbrough,	Pettigrew,	Tillman,
Butler,	Harris,	Platt,	Turpie,
Cannon,	Hawley,	Quay,	Warren.

The PRESIDING OFFICER. Thirty-two Senators have answered to their names.

Mr. QUAY. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 13 minutes p. m.) the Senate adjourned until to-morrow, Thursday, June 4, 1896, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *June 3, 1896.*

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

Mr. KEM. Mr. Speaker, I make the point of no quorum.

The SPEAKER (at 11 o'clock and 16 minutes a. m., having counted the House). A quorum being present, the Journal will be read.

The Journal was read and approved.

PERSONAL EXPLANATION.

Mr. CURTIS of Iowa. Mr. Speaker, I was informed by a prominent member of the River and Harbor Committee that the river and harbor bill would in all probability be debated and a vote thereon would not be reached in all likelihood before 4 o'clock in the afternoon. Having important business matters to which I desired to give some attention, I was detained from the House until after that vote was taken. I desire to state that had I been present I would upon that bill have voted aye.

Mr. DOCKERY. I am glad the gentleman had an opportunity to say that much. [Laughter.]

PRINT OF VETO MESSAGE AND REPORT ON RIVER AND HARBOR BILL.

Mr. CHICKERING. Mr. Speaker, I am directed by the Committee on Printing to submit the following report:

The Clerk read as follows:

Your committee having had under consideration the resolution (No. 401) providing for the printing of 10,000 copies of the message of the President and the report of the committee on the river and harbor bill recommend that the same be passed.

The SPEAKER. The Clerk will read the resolution.

The resolution was read, as follows:

Resolved, That there be printed for the use of the members of the House 10,000 copies of the message of the President and the report of the committee on the river and harbor bill.

The resolution was agreed to.

On motion of Mr. CHICKERING, a motion to reconsider the last vote was laid on the table.

LEAVES OF ABSENCE.

Mr. DINGLEY. Mr. Speaker, I desire to give notice to the House that I shall be compelled hereafter to object to all leaves of absence of members, except on account of personal sickness or sickness in family, so important is the necessity of the presence of a quorum at this stage of the session.

FORTIFICATION APPROPRIATION BILL.

Mr. HAINER of Nebraska. Mr. Speaker, I believe the first business in order before the House is the consideration of the conference report, which was presented on yesterday afternoon, on the fortification appropriation bill.

The SPEAKER. The first motion is on the adoption of the conference report, which was pending when the House adjourned.

The question was taken; and the conference report was agreed to.

On motion of Mr. HAINER of Nebraska, a motion to reconsider the last vote was laid on the table.

CONTESTED-ELECTION CASE—MURRAY VS. ELLIOTT.

Mr. OVERSTREET. Mr. Speaker, I call up for present consideration the contested election of Murray against Elliott, and ask the reading of the resolutions submitted by the committee.

The Clerk read as follows:

Resolved, That William Elliott was not elected and is not entitled to a seat in the Fifty-fourth Congress from the First Congressional district of South Carolina.

Resolved, That George W. Murray was elected and is entitled to a seat in the Fifty-fourth Congress from the First Congressional district of South Carolina.

RECIPROCITY AND COMMERCIAL TREATIES.

Mr. RICHARDSON. Mr. Speaker, I ask the gentleman if he will not yield to me for a moment to report a resolution from the Committee on Printing, authorizing the printing of certain statistics which the Committee on Ways and Means desire? It will take but a minute or two.

Mr. OVERSTREET. I yield.

Mr. RICHARDSON. This is a concurrent resolution, and if not passed now it will be too late at this session.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed 10,000 copies each of the majority and minority reports of the Committee on Ways and Means concerning reciprocity and commercial treaties, and also 10,000 copies of the hearings before the subcommittee of said Committee on Ways and Means on reciprocity and commercial treaties.

Three thousand copies of said reports and hearings for the use of the Senate and 7,000 copies for the use of the House of Representatives.

Mr. RICHARDSON. I ask that the report of the committee accompanying the resolution be read.

The report (by Mr. RICHARDSON) is as follows:

Your committee having had under consideration concurrent resolution 53 (by Mr. HOPKINS), providing for the printing of 10,000 copies each of the majority and minority reports of the Committee on Ways and Means concerning reciprocity and commercial treaties, and also 10,000 copies of the hearings before the subcommittee of said Committee on Ways and Means on reciprocity and commercial treaties, recommend that the same do pass.

Three thousand copies of said reports and hearings are for the use of the Senate and 7,000 copies for the use of the House of Representatives.

The Public Printer estimates the cost of printing the same at $2,410.

The resolution was agreed to.

On motion of Mr. RICHARDSON, a motion to reconsider the last vote was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the bill (S. 1341) to prohibit the further issuance of interest-bearing bonds without the consent of Congress; in which the concurrence of the House was requested.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, the following Senate bill was taken from the Speaker's table and referred by the Speaker as follows:

A bill (S. 1341) to prohibit the further issuance of interest-bearing bonds without the consent of Congress—to the Committee on Ways and Means.

DEFICIENCY APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I submit a privileged report from the committee of conference on the deficiency appropriation bill.

The Clerk proceeded to read the report.

Mr. CANNON. I ask that the statement of the conferees be read, which fully sets forth the action of the conference.

The statement was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8293) making appropriations to supply deficiencies on account of the fiscal year 1896 and prior years submit the following written statement in explanation of the agreements reached by the conference committee and submitted in the accompanying conference report, namely:

The Senate by its amendments added to the bill $6,266,456.10. Of this sum $1,761,996.66 was carried in the amendment numbered 233, which was agreed to by a vote of the House. Of the remaining sum added by the Senate amendments the conference committee recommend that the House agree to $3,536,998.30, the same being to supply deficiencies in appropriations for the support of the different branches of the Government which have been ascertained and certified to Congress since the passage of the bill by the House, including judgments of the United States courts and the Court of Claims, the conference committee agreeing to recommend that the Senate recede from amendments involving $22,073.58.

The conference committee have been unable to agree upon the following amendments, namely:

On No. 14, increasing the amount for collecting the revenue from customs from $850,000 to $1,150,000;

On No. 24, to pay claim of B. B. Bouldin, $205.15;

On No. 25, to pay claim of W. L. Hall, $178;

On No. 27, appropriating $162,300 to pay for injuries on account of the Ford's Theater disaster;

On No. 30, to pay claim of W. H. Crook, $4,000;

On No. 31, to pay claim of Calvin Gunn, $700;

On No. 37, to pay claim of Stout, Hall & Bangs, $31,802.52;

On No. 74, to pay claim of Emmart, Dunbar & Co., $14,548.22;

On No. 79, to pay certain claims for barracks and quarters, $38,512;

On No. 80, to pay claim of George Baber, $1,092.50;

On No. 81, to pay claims certified in Senate Miscellaneous Document No. 57, last Congress, $8,000;

On No. 82, to pay claims in Senate Executive Document No. 33, last Congress, $19,000;

On No. 83, to pay claims in Senate Executive Document No. 98, last Congress, $35,791.67, and to pay claims in House Miscellaneous Document No. 56, last Congress, $37,313.54;

On No. 103, to pay claim of Richmond Locomotive and Machine Works, $69,558.39;

On No. 104, to pay claim of Portland Company, $80,867.46;

On No. 105, to pay claim of William S. Grant, $77,989.38;

On No. 106, to pay claim of Nancy E. Day, $3,041.66;

On No. 122, regulating the payment of interest due the Sisseton and Wahpeton Indians;

On No. 137, authorizing credit in accounts of William M. Masi, late postmaster at Cheyenne, Wyo., of $2,624.14;

On No. 147, to pay claim of Winslow Warren, $500;

On No. 148, to pay claim of R. D. Benedict, $500;

On No. 190, to pay Francis M. Cox, a Senate employee, $300;

On No. 192, to pay Benjamin Durfee, a Senate employee, $2,500;

On No. 200, authorizing payment of one month's salary to discharged employees of the Senate and House; and

On Nos. 207 and 208, appropriating $54,698.95 on account of expenses in contested election cases in the House of Representatives.

J. G. CANNON,
S. A. NORTHWAY,
JOSEPH D. SAYERS,
Managers on the part of the House.

The conference report was agreed to.

On motion of Mr. CANNON, a motion to reconsider the last vote was laid on the table.

Mr. SAYERS. Mr. Speaker, I ask the gentleman from Illinois [Mr. CANNON] to have read at the Clerk's desk or inserted in the RECORD the communication received from the Acting Secretary of the Treasury respecting the item of $1,500,000 for services of the Southern Pacific Company.

Mr. CANNON. I forward to the desk, to have printed in the RECORD, a letter from Mr. C. S. Hamlin, Acting Secretary of the Treasury.

Mr. SAYERS. Let it be read.

Mr. CANNON. All right.

The Clerk read as follows:

JUNE 1, 1896.

The item in the general deficiency appropriation bill of $1,542,979.44 is to pay for services of the Southern Pacific Company over nonbond-aided lines. None of this amount is for services over Central Pacific nonbond-aided lines, and the whole of said amount is entirely distinct from and in addition to the $2,409,818.20 incorporated in the Pacific Railroad funding bill, as reported to both Houses this session, which latter amount stands credited on the books of the Treasury Department and is due from the Government to the Central Pacific Railroad Company for nonbond-aided service.

C. S. HAMLIN, *Acting Secretary.*

Hon. J. G. CANNON,
Chairman Committee on Appropriations,
House of Representatives.

Mr. CANNON. Mr. Speaker, I desire to move that the House concur in Senate amendments numbered 207 and 208, with two amendments, and as one of the amendments merely affects the total, I ask that they be considered together. I will explain them after they are read.

The Clerk read as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 207, and agree to the same with an amendment as follows: After the last line of said amendment insert the following: "George Denny, jr., $2,000; Henry C. Miner, $2,000."

Mr. CANNON. I ask the Clerk to read the next amendment.

The Clerk read as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 208, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$108,861.82."

Mr. CANNON. The effect of these amendments, if adopted by the House, will be to provide for two election contestees, certified by the Election Committees, $2,000 to each. That is the only way it can be done. The last amendment merely corrects the total.

Mr. McMILLIN. They are contests for this year, are they?

Mr. CANNON. Oh, yes.

Mr. GROSVENOR. I want to ask the gentleman if these allowances for the expenses of contests are based upon actual expenditures, or whether they are a sort of bounty that is paid, regardless of any expenditure? I ask that in the light of the fact that I think in one of these contests just mentioned, the case of Mr. MINER, there was no testimony, or practically no testimony, taken. There was no question in the case; there was nothing in the case to justify a moment's consideration. It was never heard of in the House here, except on a report of the committee. I want to protest against paying a bounty to men who see fit, as in that case, to get up a contest which has not a thing in it, when everybody knows there is not a thing in it, coming in here to get $4,000 or $2,000 on a side.

Mr. CANNON. In reply to the gentleman, I have to say that I know nothing, from any investigation that I have made, of any of the allowances to twenty or thirty contestants and contestees contained in this Senate amendment, or in these two amendments. I do know that the law limits the allowances to $2,000.

Mr. GROSVENOR. That is the maximum.

Mr. CANNON. That is the maximum. I do know further that Election Committees Nos. 1, 2, and 3, respectively, in pursuance of law, have certified to the Committee on Appropriations these various allowances, and I may say that in many of the cases they have certified three, four, five, and six thousand dollars; and that the Committee on Appropriations, in making these recommendations, have had regard to the law, and have in no case exceeded $2,000. Therefore I leave my friend from Ohio [Mr. GROSVENOR] with his protest to quarrel it out with the proper Elections Committee that forwards this certificate.

Mr. HENDERSON. And the law itself.

Mr. SAYERS. If the gentleman will yield for a moment, I will state to my friend from Ohio [Mr. GROSVENOR] that if I understand the law aright under which these claims are paid the Committee on Appropriations have no jurisdiction to inquire into them.

Mr. GROSVENOR. That is what I supposed.

Mr. SAYERS. The inquiry is made the duty of the Committee on Elections. They certify these claims to the Committee on Appropriations. The amount is recommended by them. The Committee on Appropriations have reserved this right, and have exercised this right, that in no instance would they recommend for appropriation an amount exceeding $2,000, which is the maximum limit allowed by law.

Mr. CANNON. I yield to the gentleman from Massachusetts, the chairman of Committee on Elections No. 3.

Mr. McCALL of Massachusetts. Mr. Speaker, I simply desire to say, in regard to the question of the gentleman from Ohio, that the Committee on Elections with which I am connected have not granted or have not recommended any larger sum in any case than they thought the party was entitled to. In some cases we have only recommended $350; in one case, I think, as low as $175; and in no case have we recommended more than $2,000, although we had no question whatever that in some cases justice and equity would have required that the parties be allowed more than $2,000. I think all the committees have followed the rule of allowing only fair and reasonable expenses; certainly the Committee on Elections No. 3 has.

Mr. GROSVENOR. If the gentleman will allow me, I had no doubt but that the committee was governed by what it thought to be just and right; but I was asking if the allowance to each party in the case of Campbell *vs.* Miner was too much. I would like to be undeceived if I am in error concerning it; but there are a great many members of this House who thought that there was no evidence of a struggle in that case.

Mr. CANNON. I will say to the gentleman that the law requires the Committee on Elections to have vouchers, to pass upon the claims sworn to, and that they are fully considered and sent by that committee to the Committee on Appropriations. Now, whether that committee has performed its duty or not I do not know, but the certificate came to the Committee on Appropriations, and upon that certificate we make the amendment.

Mr. McCALL of Massachusetts. That was not before my committee.

Mr. TAYLER. Will the gentleman allow me to make a statement?

Mr. CANNON. Certainly.

Mr. TAYLER. I desire to say, for the information of the gentleman from Ohio and the House, that the services performed in the Campbell-Miner case were fully worth the sum of $2,000. There was a large amount of work done which did not come to the surface on the floor of the House, but was apparent to the committee in the several arguments made before the committee and in the record which was presented to it. There is no doubt whatever about the propriety of the allowance in the Miner case.

Mr. CANNON. And the gentleman is a member of that committee?

Mr. TAYLER. I am a member of that committee.

Mr. CANNON. Then the certificate is praiseworthy and trustworthy, and it otherwise complies with the law, so that this $2,000 seems quite proper. I ask for a vote on this particular amendment.

The SPEAKER. The question is on agreeing to the Senate amendment as proposed to be amended by the amendment read by the Clerk.

The question was taken; and the amendment of the Senate was concurred in with an amendment.

Mr. CANNON. Now, Mr. Speaker, I move that the House further insist upon its disagreement to the remaining Senate amendments referred to in the report and agree to the conference asked.

Mr. SAYERS. Mr. Speaker, I desire——

Mr. HENDERSON. I would like to ask the gentleman from Illinois to state what are the main amendments on which an agreement has not been reached.

Mr. CANNON. Well, there are a number of claims. There is a claim of the Richmond Iron Works, and various claims, aggregating about $9,000,000. Then there is the Ford's Theater disaster claim, so-called. These are the principal items.

Mr. HENDERSON. All right.

Mr. SAYERS. Mr. Speaker, I ask a separate vote on amendment numbered 27.

Mr. HENDERSON. What is that amendment that you ask a vote on?

Mr. SAYERS. It is the Ford's Theater matter.

Mr. ELLETT of Virginia. Mr. Speaker, I ask a separate vote on amendment numbered 103.

The SPEAKER. There are two amendments gentlemen ask for separate votes upon. What are their numbers?

Mr. ELLETT of Virginia. One hundred and three.

Mr. SAYERS. And 27.

The SPEAKER. On the other amendments the gentleman from Illinois moves that the House further insist on its disagreeing votes and agree to the conference requested.

The motion was agreed to.

Mr. SAYERS. I will ask the Clerk to read amendment 27. It is quite a long one, and is what is known as the Ford's Theater disaster amendment.

Mr. CANNON. Let it be considered as reported, and let the gentleman make his motion.

There was no objection.

The Clerk read as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with amendments as follows:

"Strike out of said amendment, where the same occurs, the following:

"'Thomas D. Anderson, $200;
"'Ethelbert Baier, $2,500;
"'Edward C. Carroll, $300.
"'George R. Garnett, $1,500;
"'Thomas Morley, $2,250;
"'Charles R. Miller, $3,500;
"'George W. Smoot, $1,200;
"'Smith Thompson, $2,000;
"'Nathan F. White, $1,500;
"'H. P. Willey, $300;
"'James A. White, $500;

"'Nina A. Kime, sole legatee of Arthur J. Kime, $5,000;

"'Mrs. Georgie R. Baldwin, sole legatee of David Henry Porter Brown, $5,000;

"'Julia Miller, sole legatee of William Schrieber, $5,000.'

"And strike out all of the concluding paragraph of said amendment after the words 'eighteen hundred and ninety-three,' where the same occur in said concluding paragraph, and insert in lieu thereof the following:

"'And the claims of Thomas D. Anderson, Ethelbert Baier, Edward C. Carroll, George R. Garnett, Thomas Morley, Charles R. Miller, George W. Smoot, Smith Thompson, Nathan F. White, H. P. Willey, James A. White, Nina A. Kime, Mrs. Georgie R. Baldwin, and Julia Miller be, and the same are hereby, referred back to the joint commission authorized in the sundry civil appropriation act approved August 18, 1894, to investigate and report upon the Ford's Theater disaster, with instructions to reexamine and report thereon.'

"And in lieu of the sums named in lines 5 and 6 of said amendment insert '$131,550.'"

Mr. SAYERS. Mr. Speaker, if I can get the attention of the House I will have read a statement in reference to the parties named in the pending resolution.

The statement was read, as follows:

RECORD AND PENSION OFFICE, WAR DEPARTMENT,
Washington City, May 21, 1896.

SIR: In returning herewith Senate Report No. 984, and the letter from the Committee on Appropriations of the House of Representatives calling for information "respecting the awards to the sufferers in the Ford Theater disaster," I beg to say that in my opinion, and in the opinion of section chiefs and others who were in position to be fully advised as to the nature and extent of the injuries received by the clerks who were employed in the Ford Theater building at the time of the disaster, some of the persons for whom awards are recommended in the accompanying report either sustained no injuries whatever or were but slightly injured, and it is believed that their cases are absolutely without merit. No one of these persons whose names are given below fell with the floors, and no one of them reported himself to the office at or near the time of the accident as being more than slightly injured, and most of them did not report any injury whatever.

The accident occurred on Friday, June 9, 1893, and on the following Monday, June 12, all clerks who were able to report at the office were called upon to register their names and to state what injuries, if any, they had sustained. The record made at the time shows that most of those whose names are given below reported and registered on June 12 without claiming any injury whatever, while the remainder claimed to have received only very slight injuries. The condition of all of them after the disaster was well known throughout the office, and it was and still is generally understood that not one of them incurred any material or permanent disability.

It will be observed that, as shown by the accompanying report, the medical board, composed of a medical officer from the Army, one from the Navy, and one from the Marine-Hospital Service, which was appointed for the purpose of examining all the claimants, reported to the joint committee that it did not find any one of the men whose cases are now under consideration to be permanently disabled.

* * * * * * *

ANDERSON, THOMAS D.: Reported on June 12 and registered without remark. Was on duty continuously after the accident and so far as known claimed no injury.

BAIER, ETHELBERT: Reported June 12 and registered without remark. He was seen on the streets daily after the accident and was conspicuous at the coroner's inquest. He presented no evidence whatever of having been injured. Was able to report for duty as soon as work was resumed, and at no time reported to the office that he had received any injury.

BROWN, D. H. P.: Reported on June 12 and registered without remark. He was daily seen on the streets and in attendance on the coroner's jury after the accident, and usually under the influence of liquor. He claimed at one time that his left wrist was sprained and his right leg injured, but in a later communication he declared that he sprained his "right wrist and right ankle jumping from one house to the other and suffered for a month or so." He was able to return to duty as soon as work was resumed in the office, and at no time presented any appearance of having been injured at all. He was retained in the office for about ten months after the accident, and was finally discharged for misconduct. His death did not take place until about eighteen months after his discharge, or more than two years after the accident. He was a man of notoriously intemperate habits, and it is not believed that the accident was in the remotest degree the cause of his death.

CARROLL, E. C.: After the accident reported that he sprained his ankle in getting out of the building. Spent some time in Baltimore and filed a medical certificate to the effect that he was suffering from diarrhea, and that after this was checked he had "complete nervous prostration * * * caused by Ford Theater disaster."

GARNETT, GEORGE R.: Reported that he was slightly injured in getting out of the building. He was around the building immediately after the accident, evidently uninjured, and was frequently seen on the streets, apparently in perfect health, prior to his return to duty.

MORLEY, THOMAS: Reported on June 12, and registered without remark, and was on duty continuously thereafter. His duty was that of local mail carrier, which required constant walking and the use of his arms. He performed this duty without difficulty, and at no time reported to the office that he had received any injury whatever. So far as known, he never set up the claim of having been injured until after his discharge, which was ordered on December 12, 1893, because of misconduct on his part.

SMOOT, GEORGE W.: Reported that he received a slight injury in getting out of the building, but was seen on the streets continuously after the accident and showed no evidence of any injury. Reported for duty on June 26, soon after work was resumed, and not on January 20 following, as is erroneously stated in the accompanying report.

THOMPSON, SMITH: Reported on June 12 and registered without remark. During the week succeeding the accident he was conspicuous on the streets and at the coroner's inquest, and presented no evidence of having received any injury. He never reported to the office at any time that he had been injured, and it is well known that he received no injury whatever. When work was resumed on June 19 he received an ordinary leave of absence for four days, and at the expiration of this leave he reported for duty without claiming or mentioning any disability. His statement, as shown in the accompanying report, to the effect that he suffered a fracture of the rib at the time of the accident, is believed to be wholly without foundation.

WILLEY, HAL. P.: Reported on June 12 and registered without remark. During the week succeeding the accident he was seen daily on the streets and was conspicuous at the coroner's jury, to all appearances entirely free from any injuries. Reported for duty when work was resumed on June 19, was continuously on duty thereafter, and at no time reported to the office that he suffered any injury or other ill effects from the accident.

WHITE, N. F.: Reported on June 12 and registered without remark. Was present when work was resumed on June 19, and at no time presented any evidence of having been injured. A fellow clerk, who assisted him in getting to the ground from the second story at the time of the accident, reports that he was apparently uninjured.

* * * * * * *

Attention is invited to the case of Charles R. Miller, to whom the accompanying report proposes to award $3,500. It is true that he fell with the floors, but long before this accident he was pensioned at the rate of $72 a month for total disability. In view of this fact, and in the light of the report of the medical board to the effect that he did not receive any permanent injury in the disaster except to a finger joint, and that there was no evidence of any severe wounds received by him at that time, it is believed that his present condition is chiefly, if not wholly, the result of the disability for which he was pensioned long before the accident, and has no connection with that accident.

* * * * * * *

There are other cases embraced in the accompanying report which are of a doubtful character, but no mention is made of them here because it is desired to avoid even the possibility of doing injustice to anyone, and because it is proposed to confine this report to those cases concerning whose lack of merit there is no doubt. It may not be out of place, however, in this connection to call attention to the fact that of the 104 survivors' cases embraced in the accompanying report there were only 17 in which the medical board reported any present or permanent disability.

Very respectfully,

O. B. BROWN,
Chief of Division,
In charge of Tenth Street Branch (Old Ford's Theater Building).

We, the undersigned, were employed in the Old Ford's Theater Building at the time of the disaster and afterwards. We fully concur in the statements made in the foregoing communication, and from our own personal knowledge and observation we are of the opinion that the cases cited above are not meritorious.

ERNST SCHMID,
Assistant to Chief, Tenth Street Branch.
J. D. LEONARD,
In charge of Daily Reports and Time Clerk.
J. R. IMBRIE,
Section Chief.
J. W. WEBB,
Section Chief.
W. E. COVERT,
Superintendent of Building.

The honorable SECRETARY OF WAR,
Through the Chief of the Record and Pension Office.

Mr. SAYERS. Mr. Speaker, I know nothing of the facts which are set forth in that statement, but I have felt it my duty to call the attention of the House to this communication, so as to afford the House an opportunity of determining whether, in the face of the facts therein presented, it will vote an appropriation of about $30,000 out of the Treasury into the hands of undeserving people, if they be undeserving, as would appear from the statement just read. I have nothing further to say. This statement speaks for itself. It has been read in the presence of the House and each member can now vote upon the proposition understandingly. I desire to yield to the gentleman from New York [Mr. BARTLETT].

Mr. CANNON. The gentleman from New York [Mr. DANIELS], a member of the Commission that investigated these claims, desires to make a brief statement, after which I will yield to the gentleman from New York [Mr. BARTLETT].

Mr. DANIELS. Mr. Speaker, I can say in reference to the investigations that were made of claims against the Government for injuries sustained by the falling of Ford's Theater that they were most carefully pursued, and every possible avenue that seemed to be open to the committee for the purpose of obtaining evidence was explored, so that when doubtful cases came up, or cases as to which, upon the evidence that had been already taken, doubts were entertained, the proceedings were immediately suspended and other parties were brought in to give their evidence. The evidence was taken as fully and completely as it was in the power of the committee to obtain it during the course of the investigation.

In reference to the claims referred to in the letter of Mr. Brown just read, they were among those that were most carefully investigated, but now it seems from the statement which comes to us from the War Department that certain of these claims are alleged to have been unfounded, and that the persons making them were not injured in the least degree. As to one of the claims mentioned there, perhaps the largest claim among those objected to, according to my recollection, the evidence was of the most satisfactory character, but as to the others I am not able to speak from memory. It struck me, however, when I read the letter coming from the War Department, that it would be prudent to allow the claims thus objected to to stand over for the present and send them back to the Commission for further investigation, so that these persons who claim to have knowledge relative to the merits of the claims may be brought before the Commission and examined as witnesses in view of the statements which they have made. It certainly was not creditable to the War Department that while these investigations were going on—and they were made publicly and progressed through a long period of time—the evidence that is now alleged to exist should not have been brought in any way to the attention of the Commission.

There was clearly a grave fault on the part of the officers of the War Department in that respect, but at the same time if it is true that any of these claims are unfounded, then I for one, as a member of the Commission, am in favor of those claims going

back, so that the Commission may take the evidence of these persons and ascertain whether there is any foundation for the statements they make that these claimants were not injured by the disaster. That is, perhaps, all that I ought to say upon the subject at this time. Even though the persons who join in this letter were negligent and grossly at fault in not having brought to the attention of the Commission the fact that they could give this evidence, at the same time, if it is true that they are able to show that these claims are unfounded, the claims certainly should not be sanctioned here, and for that reason I have been disposed to agree, on the basis of this letter, that we should make further investigation and bring these witnesses before us and oblige them to give their testimony under oath, in order that it may be ascertained whether these claims were exaggerated or were without foundation. To that extent, therefore, it strikes me that some half dozen claims, amounting to about $20,000, should be excluded from the provision contained in the deficiency bill, in order that the Commission may ascertain what is just and right in those cases, and it was to make this suggestion that I desired for a few minutes the attention of the House.

Mr. CANNON. Before the gentleman takes his seat I would like to ask him a question. I know nothing of these claims, but the gentleman speaks of the evidence embodied or referred to in the letter which has just been read. Now, does the gentleman know whether the War Department or the parties signing this letter were called upon to testify before the Commission making the investigation?

Mr. DANIELS. There was no direct application to the War Department for evidence, but the claimants were all brought before the Commission and their testimony was taken, as well as the testimony of the physicians who had been in charge of their cases.

Mr. CANNON. I mean the parties who write this letter or who indorse it; were they applied to by the Commission?

Mr. DANIELS. No; we never heard a syllable about these alleged facts.

Mr. CANNON. Was anybody from the War Department called except the claimants?

Mr. DANIELS. I think not. We had the record of the Department, made immediately after the occurrence of the disaster, containing memoranda of these cases.

Mr. CANNON. One other question. There are claims of this character in the bill amounting to $162,000. Now, the amendment of the gentleman from Texas [Mr. SAYERS] proposes to re-refer claims aggregating about $30,000, which would leave an appropriation of one hundred and thirty or one hundred and thirty-two thousand dollars for the balance. I understand that the proposition to re-refer these claims aggregating twenty or thirty thousand dollars meets with the approval of the gentleman from New York, as he has indicated.

Mr. DANIELS. Oh, I should say so; for the purpose of determining whether these claims are fictitious or whether they have been grossly exaggerated by the parties or by the witnesses, so as to call for payments from the Government which ought not to be made. I think that justice ought to be the end in view.

Mr. CANNON. In other words, the gentleman regards the challenge of the correctness of the claims as of sufficient importance to require in fairness to the Government that they be referred back to the Commission so that substantial justice may be done—that claims if ill founded may be turned down and if well founded be paid.

Mr. DANIELS. Undoubtedly.

Mr. CANNON. There is one other question I want to ask the gentleman. The motion of the gentleman from Texas covers three items of $5,000 each which it is proposed to send back to the Commission, and which I will read:

Nina A. Kime, sole legatee of Arthur J. Kime, $5,000; Mrs. Georgie R. Baldwin, sole legatee of David Henry Porter Brown, $5,000, and Julia Müller, sole legatee of William Schrieber, $5,000.

These parties who have died appear to have named certain persons as their legatees. In one case, as I understand, the legatee is a third cousin of the deceased, possibly and probably not a member of his family. As to the other legatees I am not informed. As I understand, this appropriation would give the $5,000 in each case to the legatee to the exclusion of creditors.

Mr. DANIELS. Yes, sir.

Mr. CANNON. So that if this be a legal claim of these injured parties against the Government, the creditors might well be entitled to $5,000 more in each case.

Mr. DANIELS. As to that matter, I will say there were no claims of creditors appearing at all except the claims of physicians whose services were rendered after the occurrence of the accident. These physicians desired that some order or decision should be made by which their charges should be paid out of the proceeds of the claims against the United States. But it was concluded on the part of the Commission that we had no authority to adopt such a provision, because there had not been in any case any agreement relied upon by the physicians that they were to be paid out of the awards; hence they were left to take the ordinary course for the collection of their debts.

Mr. CANNON. Following the gentleman's opinion, I favor the reference of these cases, aggregating $30,000, back to the Commission, for the reason indicated, including these three claims to which I have just referred. And I suggest that in my judgment if any of these sums are to be paid to legal representatives or legatees of the deceased, the Commission ought to inquire whether there are in fact debts against the respective estates of the deceased parties that might constitute claims in fairness and justice which the Government would be called on to pay; and also whether these appropriations are not in the nature of a gratuity, like our appropriations to the widows of deceased Representatives—a gratuity which the Government in fairness and justice may well pay to the injured parties or those dependent upon them, but which there would be no equity in paying to a legatee unless such legatee was a member of the family of the deceased or in some way entitled to be taken care of by him as a dependent.

Mr. POWERS. Why not make these appropriations payable severally to the estates of the injured parties who are dead? If there are no creditors, the appropriation would go to the legatee under a will or to the legal representative.

Mr. DANIELS. My impression is that these amounts go into the hands of executors or executrixes.

Mr. POWERS. But the provision as read by the gentleman from Illinois [Mr. CANNON] is that the appropriations shall go to the legatees—not the executors.

Mr. DANIELS. If the law gives creditors a prior claim, then the money must be devoted to the payment of debts.

Mr. POWERS. That might be so but for the particular form in which the appropriation is proposed. Under the provision as it now stands a legatee might come into court and say, "This is a gratuity to me; it does not go to the estate of the deceased."

Mr. DANIELS. The matter might be made certain by a provision that payment should be made to the legal representatives.

Mr. POWERS. Very well; let it be amended in that way.

Mr. CANNON. In my judgment the three claims to which I have called attention ought to be referred back to the Commission to be looked at from every standpoint; and I wish to suggest that the United States Government is not called upon, where the injured parties are dead, to make a gift to anybody upon their request, unless in fairness and justice the person designated would have been entitled to the nurture or care of the deceased—for instance, a widow, a child, or some such dependent person.

Mr. DANIELS. In this matter there is no pride of opinion on the part of members of the Commission. What was desired and aimed at was to reach a conclusion morally and equitably just in reference to these claimants. If it is thought that additional testimony may show in any case that the United States should not pay this money, then there should be a further investigation for the purpose of discovering whether such is the case.

Mr. BARTLETT of New York. Do I understand the gentleman to advocate the payment of these claims?

Mr. DANIELS. I do not, if it is thought desirable on the part of the House that there should be further investigation; and if investigation is to be had it should be broad enough to make clear the justice or injustice of these respective claims.

Mr. BARTLETT of New York. Does the gentleman from Illinois yield to me now?

Mr. CANNON. How much time; five minutes?

Mr. BARTLETT of New York. Only a few minutes.

Mr. CANNON. I yield five minutes to my colleague from New York [Mr. BARTLETT].

Mr. BARTLETT of New York. Mr. Speaker, I wish to say a word against the payment of these claims; in other words, in opposition to concurring in the amendment of the Senate to this bill.

It seems to me it matters not when the letter which has been read came from the War Department. We have a letter from the proper Department of the Government substantially covering all of the points, it being a statement from the chief of this division, the Tenth-street division of the Department, the section chiefs under him, the superintendent of the building, and all of the employees of the Government who could be or are supposed to be familiar with the facts in connection with the disaster which was the origin of the claims in question. Their report is unanimous against the allowance of the claims, and it seems to me that it would be an extraordinary proceeding if the House should approve them under such circumstances.

Consider for a moment the fact that the Committee on Claims of this House take the position that they are inclined to report against any claim sounding in tort against the Government on the theory that the employee takes the risk of the employment when he enters upon the discharge of the duties to which he is assigned and assumes the responsibility for accidents to himself, differentiating the risk of Government employment from the employment by labor employers in ordinary life. And so the Committee on

Claims, with reference to ordinary claims sounding in tort, do not report any such bills.

Mr. DANIELS. Will the gentleman allow me a single interruption just there, to state that that principle was acknowledged by the Commission in its investigation? But the evidence shows that this work was done under the authority of the United States in such manner as to charge the United States officers with negligence, actual, positive negligence; so if it had been an accident that occurred in the business of an individual or a corporation, it was such a character of negligence that would make the party liable, where the law has charged such liability in the different States.

Mr. BARTLETT of New York. I do not agree with the views of the Committee on Claims; and I think that they have made an exception in the present session in one instance, where they made a report in favor of a Mr. Williams, who was injured in the folding room; but they fail to report in other cases before them.

I repeat, I do not concur in the views of the Committee on Claims with reference to that question. I think a Government should be held liable for torts. But here we have an extraordinary condition of affairs. We have a development of facts here which we can not ignore. We have an official report from Government employees familiar with the facts—or in a position to be familiar with them—against the allowance of the claims in question.

It is impossible in the limited time at my disposal to go through this report and analyze it in full, but in the case of Ethelbert Baier, to whom an allowance of $2,500 is made, and Smith Thompson, who is awarded $2,000, it is in evidence that both reported on the 12th day of June, just three days after the accident, and registered without remark. The evidence seems clear that they were not injured at all. Examine all of the other claims and the same condition exists——

Mr. DANIELS. If my colleague will permit me, in these claims, particularly the Smith Thompson claim, the evidence is clear and full as to the injury, the time when received, and the amount of injury.

Mr. BARTLETT of New York. Now, as to the other class of claims, providing for the allowance of $5,000 each, not to the next of kin, not to the creditor, not to anyone having any legal or equitable claim on them, but to their alleged legatees, I agree with the gentleman from Illinois [Mr. CANNON] that there is grave doubt about allowing such sums to legatees. I go further and say that we should not do it. We should not refer the claims to this Commission. We should not decide at once, or provide that the allowance, being a gratuity or a bounty, is for the purpose of paying for the injury which these people who suffered in that accident received and that it dies with the party injured. If not rejected on that ground it should be allowed to the next of kin on the theory that the party could not dispose of an inchoate gratuity by will and testament.

So, Mr. Speaker, it seems to me, in view of all the facts connected with the case, and in view of the able argument of Judge DANIELS, that the amendment should not be allowed and that the Government should not be mulcted to the extent of $32,000 for claims that have not any justice or equity.

Mr. CANNON. I yield ten minutes to the gentleman from Iowa [Mr. UPDEGRAFF].

Mr. UPDEGRAFF. Mr. Speaker, the accurate knowledge of the gentleman from New York [Mr. BARTLETT] with respect to the subject-matter he talks of is evidenced by the fact that he thinks this comes from the Committee on Claims.

Mr. BARTLETT of New York. Will you allow me——

Mr. UPDEGRAFF (continuing). The Committee on Claims has nothing to do with it, never had anything to do with it, and never heard of it perhaps except in the newspapers.

Mr. BARTLETT of New York. Will the gentleman permit an interruption?

Mr. UPDEGRAFF. I can not be interrupted——

Mr. BARTLETT of New York. I only wish to say that I did not state that this came from the Committee on Claims.

Mr. UPDEGRAFF. Well, the RECORD will show.

This is the report of a commission created by an act of Congress. It is proposed to refer it back to the Commission; but the Commission is extinct. This very act extinguishes the Commission, and there is no commission left now to refer anything back to, for, if I am correctly informed, that part of the bill is already agreed to.

Now, a word or two about the claims. I have been over every syllable of testimony relative to every one of these claims. I have reduced that testimony to the lowest denomination and made abstracts of it. My impression is that justice would not be done the sufferers and victims of that disaster until 50 per cent is added to the allowances that have been made to them. I speak of what I know, and I have had some experience in those matters.

Now, I have no time to go over these claims that have been referred to here in this communication from some unknown source, God knows what—a communication not signed by the Secretary of War, but signed, possibly, by some of the authors of that dire disaster. Daniel S. Lamont will never affix his signature to that instrument, or I mistake the man.

Now, let us take the case of Captain Miller, which in that document is supposed to be the worst one. I am familiar with the facts. He now resides in Michigan. He was a soldier of the Republic. He was shot through the knee, and his knee was anchylosed, so that he could not dress himself. Under a perhaps too liberal ruling of the Pension Office, being obliged to have an attendant, he was allowed a pension of $72 a month, on appeal to the Secretary of the Interior of the United States. Otherwise he was a sound man in every way, except that he had at one time had a urinary or bladder trouble, but nothing that incapacitated him from his duties and nothing but what yielded to treatment readily. That was his condition when this building was pulled down upon him by the officers of the United States, with a negligence so gross as to go to the very verge of the criminal. That was his condition then. He is now, as he himself says, an object of disgust. He is unable to appear in the society of his fellowmen most of the time owing to the injuries he received in that disaster. His bladder is paralyzed, and he has to wear continually a rubber urinal.

He received a nervous shock which has caused an inability to use a pen, and he is utterly unfit for any occupation. That man incurred $2,662 expense for medical attendance and for appliances, and has paid all of it but $140, which the poor man yet owes, and will pay whenever he has an opportunity. He was allowed $3,500 by that Commission, and that is the case upon which the principal complaint was made. I only wish I had time to read the testimony in his case in full. Three medical men in Michigan of high character say:

We, the undersigned physicians and surgeons, residents of the city of Flint, Mich., have carefully and thoroughly examined Charles R. Miller, of Washington, D. C., a victim of the disaster in the Government building known as the Old Ford's Theater, on this 28th day of July, at the request of himself and friends, and find him to be very badly disabled; in fact, a physical wreck.

In describing his case more in detail we shall endeavor to clothe our ideas in language that can readily be understood by nonprofessionals and hope to present a pen picture that will intelligently represent his present physical condition and future prospects.

Charles R. Miller is 5 feet 7 inches in height, weighs 175 pounds (says he weighed at time of accident 190 pounds), age 46 years, married, and a pensioner of the United States Government for injuries received in the war of the rebellion.

General appearance: The face is purplish red, suffused, and has a bloated appearance, with a constant trembling or shaking of the head; in fact, the whole body and limbs partake of this muscular tremor; he hobbles about on crutches, but his powers of locomotion are very deficient and limited.

Scars: We find a long red tender cicatrix or scar on the right temple extending from near the center of the arch of the eye backward and outward over the scalp about 4 inches long. This is evidently of recent origin and of considerable severity. We also find evidences of many flesh wounds on various parts of the scalp, as well as the whole body, recently healed, but yet tender.

The most severe external injury we find on the left leg, below the knee, extending nearly the length of the tibia. The soft tissues are red and swollen, and pit on pressure, showing a dropsical condition.

The deeper tissues show evidences of periostitis or chronic inflammation of the membrane that surrounds and nourishes the bone, a condition that will probably result in the death of all or a portion of the bone, if not in the loss of the limb itself. This is the leg that was injured in the war and has on it many old umbilicated scars which adhere closely to the bone. The knee and ankle joints are completely anchylosed or stiffened, with the large tendon contracted, drawing the foot out of shape. There is great atrophy or wasting of muscles of this leg and thigh, which may be seen by the following comparative measurements:

Left thigh, 19½ inches circumference; right, 23½.
Left thigh, middle, 17 inches circumference; right, 21.
Left, above knee joint, 13½ inches circumference; right, 19.
Left, over knee joint, 13½ inches circumference; right, 14.
Left leg, below knee joint, 11½ inches circumference; right, 12½.
Left leg, calf, 12 inches circumference; right, 14.
Left leg, ankle, 7½ inches circumference; right, 8½.

The circulation in this leg is very poor, and in all probability will never be of much service to him; in fact, it would be far more serviceable if it was off, and an artificial leg substituted.

There is a dark, bruised surface on the knee joint not yet healed. The left index finger is stiffened and sore, showing evidences of severe injury. A steel pen was removed from this finger seventeen days after the accident.

Internal injuries: The heart is enlarged, with a very nervous, jerky beat, much too fast in its action—120 per minute instead of 72, normal. The rhythm is abnormal, showing a severe nervous shock. The muscular and nervous system, including the spine, has received a severe shock and injury, which we think is of a permanent character. The lower half of the spine is very tender on pressure, causing severe pains. The lower end of the spine has an external injury of the bone, as well as the soft tissues. Spicula of dead bones has been removed. There is a curvature of the spine. The muscles of the back over the kidneys and the lumbar regions are very tender, showing injury of these parts.

The bladder has evidently been injured, and there is paralysis of the walls. As he is unable to void his urine, this has to be drawn several times a day with a catheter. There is a loathsome condition of the urinary organs—a constant dribbling, which soils the clothing. This will necessitate the wearing of a urinal to catch the dripping of the injured bladder. The penis is very much shrunken and retracted; has passed blood quite often.

From the above it can be readily seen this man is totally disabled from all manual or mental labor, and in our opinion his injuries are of a permanent character and of such a nature that it will require the aid of an attendant to care for him the rest of his life.

BELA COGSHALL, M. D.,
G. V. CHAMBERLAIN, M. D.,
HIRAM H. BARDWELL, M. D.

He himself swears—and nobody contradicts him—that when that building fell upon him an iron girder fell upon his abdomen and he received severe injuries. I have not time to read the testimony. I have it here by me, and know what it is. I undertake to say that the allowance of only $3,500 to that crippled soldier is a gross mistake, and I should be very glad, indeed, to double it, and then he would not be compensated.

It may be that to me there is something sacred in that wound which that man had on his knee, which he incurred in the salvation of these institutions of ours. It may be there is some sentiment in it. Every grain of that wound is to my mind more sacred than a Kohinoor "of the purest ray serene." But, apart from that, he has been maimed for life, and maimed by the wrong of the agents of this Government. I am glad that they singled out this case as the worst injustice to the Government that they could find.

One of the signers of this document is a man named Covert. I have a sample of his evidence that he gave before the coroner's jury. He was the superintendent of the building at the time of this disaster, and I give you just one sample of his evidence.

He says:

I was looking on a good part of my time—

That is, while the work was going on—

never thought about the work being done safely or unsafely; got my orders from Colonel Ainsworth, and was not to instruct the contractor, but if anything threatened the building I was to telephone Colonel Ainsworth; he was there every day.

He was the superintendent of the building, and had not brains enough to think whether there was danger in undermining the center piers which supported a building of that immense weight containing 500 human souls. He is one of the men who signs this letter, which is a disgrace to the signers. They speak of what they know nothing. I know——

[Here the hammer fell.]

Mr. UPDEGRAFF. I should like a minute or two more.

Mr. CANNON. I yield two or three minutes more to the gentleman from Iowa.

Mr. UPDEGRAFF. The Commission has before it all the records from which the facts stated there were taken, if they may be called records. That was the statement of the men who reported, when they reported, after the disaster; but what they claim, God knows who it was that took it, and God knows whether they took it down rightly or not. Nobody knows who made it. We had that, whatever it is. The Commission had that before it, and consulted it in every case. What difference does it make if a man did report on the 12th of June if his disabilities increased afterwards? And many of them did. Many of them were able to go down there and report who were just able to crawl down there. Whether they made complaint or not I do not know, and I do not care; and the Commission, perhaps, does not. I only speak for myself. I considered the sworn testimony that we had before us. This testimony that I have read in the Miller case is corroborated by physician after physician. There was a medical board; I do not know who they were. I know this: They reported one man with one-quarter disability; and he was dying when they examined him and is dead now. That is Charles H. Test. The autopsy showed that his broken ribs had extended into his liver, and they were there when that examination was made, and yet these men did not report it. He was no doubt dying at the time the examination was made. But here is doctor after doctor who examined Mr. Miller. Anybody can see his condition; and it is an especially bad case.

I want to say just one word more. It is better for all parties that this report of the Commission be approved and paid now and not left so as to come up here in special bills in other Congresses. It will be cheaper for the Government if the amount is allowed in the aggregate given by this Commission; but I think that the amount to be allowed should be 50 per cent greater than the Commission has allowed.

Now, if it be parliamentary, I would like to move an amendment to the motion of the gentleman from Texas, which is to strike out a part of the amendment.

Mr. HENDERSON. Agree to the report of the Commission.

Mr. CANNON. To concur in the report of the Commission.

Mr. HENDERSON. As provided in the Senate amendment.

Mr. UPDEGRAFF. Would not the Clerk read that again?

Mr. CANNON. The gentleman moves to recede with an amendment.

Mr. UPDEGRAFF. That is it.

Mr. SAYERS. I would suggest to the gentleman from Iowa that if my amendment is voted down by the House he may move to recede and concur in the Senate amendment.

Mr. HENDERSON. That is right. I want to ask the gentleman from Illinois one or two questions about this, and also my colleague from Iowa. I understand that the Commission was appointed, of which my colleague is one, and I know he has been giving a great deal of time to it in vacation and during Congress to investigate into all these claims of what is known as the Ford's Theater disaster. The House on the final report made no appropriation. The Senate put on an amendment appropriating the money for each man, as allowed by the Commission.

Mr. UPDEGRAFF. That is it, exactly.

Mr. HENDERSON. The amendment appropriates $160,000 in round numbers. The conference committees have agreed to $130,000 in round numbers.

Mr. CANNON. I will correct the gentleman's statement. The House has not agreed, by conference report or otherwise, to the Senate amendment; but the gentleman from Texas now moves that the House concur in the Senate amendment—striking out these claims, aggregating $30,000—and that the $30,000 be referred to the Commission, striking out also the Senate provision, which abolishes the Commission.

Mr. HENDERSON. And to appropriate about $130,000?

Mr. CANNON. That is correct.

Mr. HENDERSON. Now, I want to ask my colleague from Iowa [Mr. UPDEGRAFF] a question. Was the Commission unanimous in its report in favor of an appropriation of $160,000?

Mr. UPDEGRAFF. Yes; it was unanimous; although I was unwilling to sign the report, owing to the insufficiency of the compensation agreed upon by the Commission.

Mr. HENDERSON. Then the only conflict among the members of the Commission was that you represented a class who believed that not enough compensation had been allowed?

Mr. UPDEGRAFF. I think I may say that without violating the etiquette of the occasion.

Mr. HENDERSON. Confound the etiquette! [Laughter.] Now, if my friend from Illinois will allow me, I want to add just a word. This Ford's Theater disaster shocked not only the people of this country, but the civilized world. A Commission of able and earnest men have investigated the matter and fixed the amount of compensation. I do not believe that the American Congress should split up and haggle over this appropriation. I believe that the motion of my friend from Texas [Mr. SAYERS] should be voted down and the whole sum of $160,000 appropriated here and now by the instruction suggested by my colleague [Mr. UPDEGRAFF] that the committee of conference recede and agree to the Senate amendment. [Loud applause.]

Mr. SAYERS. Mr. Speaker, the motion which I have made does not assail the integrity of the Commission, nor does it impugn in the least the honesty or proper conduct of any one of its members. I especially disavow any such intention. The resolution provides for the payment of $130,000, in round numbers, upon these claims. But the attention of the House has been called in an official manner to certain allowances which have been made by the Commission, and if information which has reached me independent of this statement is to be believed—information given by parties who say that they are willing to go before the Commission or before any court in the land and show that certain beneficiaries embraced in this appropriation are not entitled to the beneficence of the Government—then I say that, in my opinion, it is the duty of the House to allow these doubtful cases, amounting to about $30,000, to go back to the Commission to be again inquired into. I join with the gentleman from Iowa [Mr. HENDERSON] in his statement that the Ford Theater disaster awakened a feeling of horror throughout the country. We all regretted it. We all regret it now. But, Mr. Speaker, is that any reason why we should not say that the cases of men who are not entitled to the beneficence of the Government—men who can be shown by testimony as competent and reliable as ever was produced in any court of justice to be undeserving of this compensation—is that any reason, I ask, why we should hesitate to say that the claims of such men should be sent back to the Commission for further investigation? I have been told by a gentleman of high standing in this city that on the day of the disaster a telegram was sent to him from Zanesville, Ohio, by the father of a man employed there—one of those mentioned in the statement which has been read from the desk—asking him to ascertain whether his son had been injured or not. This gentleman went and found the son. He was not injured at all. He had not even fallen with the floor. There was not even a pin scratch on him, and yet he is to be allowed payment for his suffering—mental suffering—I suppose. Now, Mr. Speaker, that is all I have to say. It is for the House to vote just as it pleases on this question.

Mr. FARIS. Will the gentleman tell us why these persons to whom he has referred as competent witnesses to prove the unworthiness of these claims were not before the committee during the examination?

Mr. SAYERS. I do not know. I knew nothing about this matter until this session of Congress, after the report of the Commission had been made. I know nothing at all about the subject myself.

Mr. FARIS. Another question. Why is not this communication which you had read signed by some official at the head of the Department?

Mr. SAYERS. It is signed by gentlemen who were present at the time of the disaster.

Mr. CANNON. I want to ask the gentleman a question for my own information. Who transmitted this statement which the gentleman has had read here?

Mr. SAYERS. I will answer the gentleman if he wishes me to speak fully. I was informed that if I would write to the Secretary of War—but not by the Secretary—that if I would write to the Secretary of War I could get some information respecting these claims. The gentleman from Illinois, the chairman of the Committee on Appropriations, will recollect that I spoke to him about it, and said to him that if he had no objection I would address a letter to the Secretary of War on this subject.

Mr. CANNON. That is correct.

Mr. SAYERS. But I assume all responsibility in the matter. If there is any blame let it rest on my shoulders.

Mr. CANNON. The gentleman from Texas did speak to me about it, and I assented to the suggestion that he should write to the Secretary, as the information had come to him. I assented, not knowing whether the information was true or false, but I indorsed the writing of the letter.

Mr. SAYERS. I am not criticising or referring to my friend from Illinois at all.

Mr. CANNON. What I want to ask the gentleman is whether, in fact, this reply was transmitted to him from the Secretary of War?

Mr. SAYERS. It was. Now, Mr. Speaker, one word more and I am done. It is true that I am a member of the minority on this floor, and of a very small minority at that. It is true that I am a member of the minority in the Committee on Appropriations. But, Mr. Speaker, that does not exempt me from the duty of endeavoring, so far as I can, by any information that I can bring before this House, to enable it to act properly and understandingly upon any question that may come up for consideration. Minorities have duties to perform as well as majorities. No member of the minority on the Committee on Appropriations can refuse to accord to the majority of the House such information as he may be able to secure touching any item of appropriation.

Mr. FARIS. I should like to ask the gentleman another question.

Mr. SAYERS. I yield with pleasure.

Mr. FARIS. A moment ago the gentleman from Iowa [Mr. UPDEGRAFF], a member of this Commission, assailed this communication as coming from one of the men connected with the War Department who might be chargeable with responsibility, to some extent at least, for this disaster. Now, the gentleman from Texas has just said that the intimation came to him that if he would address the Secretary of War information would be forthcoming——

Mr. SAYERS. Not from the Secretary of War.

Mr. FARIS. What I was attempting to get at by my inquiry was this: The suggestion having been made to you to address the War Department, whether the communication which followed came from anybody who was in such a relation to this great disaster that he might want to cover up the facts relative to it.

Mr. SAYERS. Mr. Speaker, of course I can not give the name, but the suggestion came to me from a witness of the disaster. It came from a gentleman who said he knew certain parties who were to be the beneficiaries under the report of the Commission—a gentleman of such character that I felt it my duty to write a letter of inquiry to the Secretary of War. The Secretary had sent no message to me, either in writing or verbally. He is not responsible for this statement being before the House. I am responsible for calling for it; and it was his duty, as an officer of the executive branch of this Government, to give the information when called for by me.

Mr. HOPKINS. I was not here when this discussion began, and I wish to inquire what officer it was that gave the information.

Mr. SAYERS. It was not any officer. It was a citizen who gave it to me.

Mr. HOPKINS. What officer made the answer?

Mr. SAYERS. The answer was transmitted by the Secretary of War.

Mr. HOPKINS. Who wrote the letter? Who gave the information from the War Department?

Mr. SAYERS. Three chiefs of division and the superintendent of the building. If the gentleman will go to the Clerk's desk he can he see the paper, with the names attached.

Mr. HOPKINS. Is the paper signed by any of the men who were indicted as being responsible for the disaster by which so many Government employees were killed or injured?

Mr. SAYERS. I do not know whether Colonel Ainsworth's name is attached to the paper. He was indicted; the others, I understand, were not.

Mr. BARTLETT of New York (to Mr. SAYERS). Colonel Ainsworth's name is not signed to the paper.

Mr. SAYERS. The gentleman from New York [Mr. BARTLETT] tells me that the name of Colonel Ainsworth is not signed to the paper. The other three officials, as I understand, were not indicted.

Mr. HOPKINS. They were charged, were they not, with culpable negligence?

Mr. SAYERS. The gentleman knows as much about the disaster as I do. All I know is what appeared in the newspapers.

Mr. Speaker, I have no personal feeling in this matter. At the last Congress, when I had the honor to be chairman of the Committee on Appropriations and in charge of the sundry civil appropriation bill, an amendment similar to this for the relief of other parties was put on that bill and was passed without any trouble. My only purpose now in bringing this matter before the House is to call attention to the facts embraced in the statement coming from sworn officers of the Government. Now the House can do as it pleases.

Mr. WILLIS. Let me ask the gentleman from Texas a single question. As I understand, certain letters have been written to this House disputing the right of these persons to receive any part of this appropriation?

Mr. SAYERS. No, sir; the only communication is the statement which has been read.

Mr. WILLIS. In rebuttal of the statements contained in these letters, we have the declaration of a member of the Commission, who himself tells us that with reference to one of these cases he knows that those statements are incorrect; that the man referred to has been crippled by that accident and is now a wreck. What is the gentleman going to do about such a case as that?

Mr. SAYERS. The gentleman can do as he pleases. I have no feeling about it. If gentlemen here wish to vote money out of the Treasury for this purpose, let them do so. I will give the names signed to this paper, as they were called for a few moments ago: O. B. Brown, chief of division, in charge of Tenth street branch, Old Ford Theater building; Ernst Schmid, assistant to chief, Tenth street branch; J. D. Leonard, in charge of daily report and time clerk; J. R. Imbrie, section chief; J. W. Webb, section chief; W. E. Covert, superintendent of building.

Mr. UPDEGRAFF. Is W. E. Covert one of the signers of that paper?

Mr. SAYERS. Yes, sir; W. E. Covert, superintendent of building.

Mr. UPDEGRAFF. The man who superintended the work that brought about the disaster.

Mr. SAYERS. I will not detain the House any longer. I felt that I had a public duty to discharge, a duty which I owe to members of the majority as well as the minority of this House. I have discharged that duty as well as I could. I have no personal knowledge of the facts of this case. I was not an eyewitness of the occurrence. Only two persons have come to me since this statement was printed and spoken to me in regard to it. I am perfectly willing to vote and shall vote for the appropriation of $130,000 for the payment of the findings under the Senate amendments, but I think the House, in the discharge of its duty, ought to refer these other findings back to the Commission. If upon further examination it be found that these parties named are entitled to compensation, let the Commission so report, and no man will be more willing than myself to vote for their payment.

Mr. CANNON. I yield now three minutes to the gentleman from Iowa [Mr. HENDERSON].

Mr. HENDERSON. I just want to say one or two more words, and that is all.

We have here, Mr. Speaker, in this amendment of the Senate, a total sum for payment of the sufferers by this catastrophe, unanimously reported by a commission of which honest TOM UPDEGRAFF, whom I have known from my boyhood, is a member, one of the ablest lawyers of my State, and a man that no power in the world can browbeat. They have approved, under oath and with testimony, every dollar of this $162,000. For one I do not intend that any secret hissings, coming from men who were here when this Commission was in session, when they could have come forward and given their testimony, shall keep me from giving every dollar of this appropriation at the first opportunity [applause] and clearing my heart and soul, as far as I can clear them, of this blot that is on the escutcheon of my country. [Applause.]

Mr. CANNON. I yield now two minutes to the gentleman from Indiana [Mr. HARDY], who wishes to be heard on this question.

Mr. HARDY. Mr. Speaker, something has been said in this small debate that a man seeking employment must accept the risks of that employment. While that may be true in certain cases, it is also true in law that where a man accepts employment and his employer shows himself to be guilty of gross and willful negligence he must respond in damages for any injury inflicted upon the employee.

The greatest tragedy this world has ever known since the God Man was taken up the hill and crucified on Calvary was enacted

at Ford's Theater, when the life of Lincoln went out by the bullet of a crazed assassin. I am not a fatalist, but I am willing to be so much of a fatalist as to say to-day that I believe that building stands accursed of God, and on that April day thirty-one years ago it should have been shrouded in black and had inscribed on its portals, "Abandon hope, all ye who enter here."

These Senate amendments in this bill have been reported by a Commission duly authorized by Congress, and the gentleman from Texas [Mr. SAYERS] and others would have us set aside the report of that Commission, made upon evidence taken under the solemnity of the oaths of witnesses, and substitute in its stead the ex parte statements of some Government officials, evidence which would not be accepted as legal testimony in any court of justice in the United States. And I hope the House will stand by the judgment and opinion of the honest gentleman from Iowa [Mr. UPDEGRAFF] and vote against the amendment of the gentleman from Texas [Mr. SAYERS]. [Applause.]

Mr. CANNON. Mr. Speaker, I crave the attention of the House for a very brief period.

I know nothing whatever of these claims. The Congress of the United States organized a Commission under the law, and the gentleman from Iowa [Mr. UPDEGRAFF] was a member. The gentleman from New York, Judge DANIELS, was a member of it, and certain members of the Senate were members, and with others outside constituted the Commission. That Commission performed its functions and reported a year ago damages to certain people who were injured, and that report was adopted and appropriation made.

Mr. DANIELS. That was in reference to those who were killed.

Mr. CANNON. Those who were on the death list. The amount of that award I do not recollect. Now the report comes in covering claims put into this bill, as it comes to us from the Senate, aggregating $162,000. The Senate placed the amendment upon the bill. The House would have put it on cheerfully if it had been presented to the House for consideration before the bill passed from its hands. The Senate put the amendment on.

Now, then, after the Senate put the amendment on and it came to the House there was a publication made that a part of these claims were improperly or improvidently allowed. Information came to my colleague on the committee [Mr. SAYERS]; a letter was written by him to the Secretary of War, which brought the response which has been read. In that statement, or the response of the Secretary of War, are suggestions that challenge $15,000, in round numbers, of these claims; it gives the names and gives the facts and circumstances connected with it. I do not know whether they are correctly challenged or not. The gentleman from New York [Mr. DANIELS], who is on the Commission—equally as worthy as my excellent friend from Iowa [Mr. UPDEGRAFF], but no more worthy; both honest and accomplished men—the gentleman from New York says that in his opinion the appropriation ought to be made for the $130,000 or $145,000, and that the $15,000 challenged ought to be referred back to the Commission for further inquiry, to either demonstrate that this communication transmitted by the Secretary of War is without foundation, or to demonstrate, on the other hand, that the claims are not well founded. Now, that is the opinion of the gentleman from New York, and, as I judge from what he said, the gentleman from New York is of opinion that the claims are well founded, but that there comes the challenge with reference to them.

Now, I want to say a word in reply to the gentleman from Iowa [Mr. UPDEGRAFF], a member of the committee, and in reply to my friend the gentleman from Iowa [Mr. HENDERSON]. These men who are allowed these claims, aggregating $15,000, can not afford, with this challenge, to take this appropriation, if they have good claims. That is my judgment about it. Ah, but, says my friend from Iowa, one of these men was a soldier, disabled in defense of the country, for years receiving $72 a month, and now receiving $72 a month, and he says he can not find it in his heart to send this man, thus wounded, back to the Commission for a rehearing. I can not find it in my heart, when that man, with an honorable record, totally disabled and getting $72 a month for years, is challenged as a fraud in this communication transmitted from the Secretary of War. I can not find it in my heart to refuse that man a chance for vindication. In my judgment, the gentleman from New York [Mr. DANIELS] is right. We ought to appropriate this $130,000, and we ought to send the remaining claimants back to my friend from Iowa [Mr. UPDEGRAFF] on the Commission, and the other Commissioners, for reexamination and report on the first Monday in next December. So much for that.

Now, independent of this report from the Secretary of War, there are three claims here of three legatees. That ought to be amended so that the money, instead of going to the three legatees, who are not, so far as I am informed, members of the family, shall go to the personal representatives of the deceased. In other words, we do not want to be called upon to pay again.

Having said that much, I am ready to vote, and ask a vote on the amendment of the gentleman from Texas [Mr. SAYERS].

The SPEAKER pro tempore. The question is on the motion of the gentleman from Texas [Mr. SAYERS] that the House recede from its disagreement to amendment numbered 27, and agree to the same with the amendment or amendments which have been read.

Mr. UPDEGRAFF. Mr. Speaker, I rise to a parliamentary inquiry. Will not a motion to recede and concur take precedence of the motion pending? If so, I desire to make that motion. The motion of the gentleman from Texas [Mr. SAYERS] is to concur with an amendment. This motion of mine is in the interest of agreement and therefore has precedence.

Mr. CANNON. In reply to that matter, I want to be heard just for a minute. This is a motion to recede and concur with an amendment. There can be but one motion to recede pending at a time, and therefore another motion to recede is not in order.

Mr. UPDEGRAFF. My motion is a motion to recede and concur. It is in the interest of agreement and in the interest of perfecting legislation.

Mr. CANNON. This is a motion to recede and concur, with an amendment.

Mr. UPDEGRAFF. My motion makes an agreement. The other motion has a tail to it.

Mr. GROSVENOR. The motion of the gentleman from Iowa [Mr. UPDEGRAFF] is a motion to go forward. The other is a motion to go backward. The motion of the gentleman from Iowa [Mr. UPDEGRAFF], if agreed to, would end the controversy. The other is a motion which keeps the controversy open. I have no doubt about what the rule is.

The SPEAKER pro tempore. The Chair is of the opinion that at the present period of the disagreement between the two Houses a motion to recede and concur takes precedence of a motion to recede and concur with an amendment. That has been the ruling on previous occasions. The motion to recede brings the two Houses together.

Mr. UPDEGRAFF. I move to recede.

The SPEAKER pro tempore. The motion to concur, before this stage, would have been in order; but a motion to recede with an amendment can only come up now after the motion to recede and concur shall have been voted down.

Mr. UPDEGRAFF. My motion is to recede and concur.

Mr. CANNON. Does the Chair hold that motion to be in order.

The SPEAKER pro tempore. The Chair holds that motion in order.

Mr. CANNON. I want to be heard just a moment before the vote is taken, and I want the attention of the gentleman from Iowa [Mr. UPDEGRAFF] and of the House. The motion to recede with an amendment, made by the gentleman from Texas [Mr. SAYERS], if adopted, excepts these claims, aggregating $30,000. If it is voted down, then the motion of the gentleman is in order; but if the motion of the gentleman is put and carried, it shuts off the amendment that ought to prevail and that I shall offer if the motion of the gentleman from Texas [Mr. SAYERS] is voted down, although I think the motion of the gentleman from Texas [Mr. SAYERS] is the correct one; that is, I will offer an amendment to except these legatees who are appropriated for by name, $5,000 each. So far as I know and believe, they are not members of the families of the deceased. They ought to be omitted. If we pay that $15,000 it ought to be paid to the executors or administrators, so that it may be distributed after the debts are paid, perchance debts that were incurred during the last sickness of the deceased.

Now, if the amendment of the gentleman from Iowa [Mr. UPDEGRAFF] is adopted, that means that we go back on the whole thing, and that these three legatees take the $5,000 apiece.

Now I am ready to vote, Mr. Speaker.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Iowa [Mr. UPDEGRAFF].

Mr. DOCKERY. I rise simply to express the hope that my good friend from Iowa [Mr. UPDEGRAFF] will not press his motion to recede. I do not think, under the circumstances, he would desire to include the three legatees.

Mr. UPDEGRAFF. I certainly would, and if I am allowed the time I will state my reasons, and they are good reasons.

Mr. CANNON. I ask for a vote.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Iowa [Mr. UPDEGRAFF], that the House recede from its disagreement to amendment numbered 27, and agree to the same.

The question being taken, the Speaker pro tempore announced that the ayes seemed to have it.

Mr. SAYERS demanded a division.

The House divided; and there were—ayes 67, noes 76.

Mr. UPDEGRAFF. The yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 96, nays 123, not voting 135; as follows:

YEAS—96.

Acheson,	Fischer,	Howell,	Russell, Conn.
Aldrich, Ala.	Fowler,	Huling,	Sauerhering,
Apsley,	Gamble,	Hunter,	Scranton,
Arnold, Pa.	Gardner,	Jenkins,	Sherman,
Arnold, R. I.	Gillet, N. Y.	Johnson, Cal.	Simpkins,
Atwood,	Goodwyn,	Johnson, N. Dak.	Sperry,
Babcock,	Griffin,	Kiefer,	Stahle,
Baker, Md.	Griswold,	Kirkpatrick,	Stewart, N. J.
Barney,	Grosvenor,	Knox,	Stewart, Wis.
Brown,	Grow,	Kulp,	Stone, C. W.
Bull,	Hager,	Lacey,	Sulloway,
Burton, Mo.	Halterman,	Lefever,	Tayler,
Calderhead,	Hardy,	Leisenring,	Thomas,
Chickering,	Harmer,	Lewis,	Updegraff,
Clark, Mo.	Harris,	Loudenslager,	Van Horn,
Coffin,	Hartman,	Mahany,	Van Voorhis,
Crowther,	Heatwole,	McLachlan,	Walker, Mass.
Crump,	Henderson,	Mercer,	Walker, Va.
Curtis, Iowa	Henry, Conn.	Miller, W. Va.	Warner,
Curtis, N. Y.	Hepburn,	Milliken,	Watson, Ohio
Danford,	Hermann,	Minor, Wis.	Wellington,
Dayton,	Hill,	Phillips,	White,
Doolittle,	Hooker,	Quigg,	Willis,
Downing,	Hopkins,	Reyburn,	Woodman.

NAYS—123.

Abbott,	Curtis, Kans.	Lester,	Shafroth,
Adams,	Daniels,	Linney,	Shuford,
Allen, Miss.	Dingley,	Linton,	Skinner,
Allen, Utah	Dinsmore,	Long,	Smith, Ill.
Anderson,	Dockery,	Maguire,	Sorg,
Avery,	Eddy,	Marsh,	Southard,
Baker, N. H.	Elliott, S. C.	McCall, Tenn.	Sparkman,
Bankhead,	Ellis,	McClellan,	Stallings,
Barrett,	Erdman,	McDearmon,	Strait,
Bartlett, N. Y.	Faris,	McEwan,	Strode, Nebr.
Belknap,	Fitzgerald,	McMillin,	Strowd, N. C.
Bell, Colo.	Gibson,	McRae,	Sulzer,
Berry,	Graff,	Meredith,	Talbert,
Bingham,	Grout,	Mitchell,	Tate,
Bishop,	Hadley,	Mondell,	Tawney,
Black, Ga.	Hainer, Nebr.	Money,	Terry,
Blue,	Hall,	Mozley,	Towne,
Broderick,	Harrison,	Ogden,	Tracewell,
Brumm,	Hart,	Overstreet,	Tracey,
Buck,	Hemenway,	Owens,	Treloar,
Burton, Ohio	Hendrick,	Pendleton,	Turner, Ga.
Cannon,	Henry, Ind.	Pitney,	Tyler,
Catchings,	Hubbard,	Poole,	Underwood,
Clardy,	Hulick,	Powers,	Wanger,
Clarke, Ala.	Jones,	Pugh,	Wheeler,
Cobb,	Joy,	Reeves,	Williams,
Codding,	Kem,	Richardson,	Wilson, Idaho
Cook, Wis.	Kleberg,	Robertson, La.	Wilson, N. Y.
Cooper, Fla.	Latimer,	Russell, Ga.	Wilson, S. C.
Culberson,	Layton,	Sayers,	Wood.
Cummings,	Leighty,	Settle,	

NOT VOTING—135.

Aitken,	De Witt,	Lorimer,	Pickler,
Aldrich, Ill.	Dolliver,	Loud,	Price,
Andrews,	Dovener,	Low,	Prince,
Bailey,	Draper,	Maddox,	Raney,
Baker, Kans.	Ellett, Va.	Mahon,	Ray,
Barham,	Evans,	McCall, Mass.	Robinson, Pa.
Bartholdt,	Fairchild,	McCleary, Minn.	Royse,
Bartlett, Ga.	Fenton,	McClure,	Rusk,
Beach,	Fletcher,	McCormick,	Shannon,
Bell, Tex.	Foote,	McCreary, Ky.	Shaw,
Bennett,	Foss,	McCulloch,	Smith, Mich.
Black, N. Y.	Gillett, Mass.	McLaurin,	Snover,
Boutelle,	Hanly,	Meiklejohn,	Southwick,
Bowers,	Hatch,	Meyer,	Spalding,
Brewster,	Heiner, Pa.	Miles,	Spencer,
Bromwell,	Hicks,	Miller, Kans.	Steele,
Brosius,	Hilborn,	Milnes,	Stephenson,
Burrell,	Hitt,	Miner, N. Y.	Stone, W. A.
Clark, Iowa	Howard,	Moody,	Strong,
Cockrell,	Howe,	Morse,	Swanson,
Colson,	Huff,	Moses,	Taft,
Connolly,	Hull,	Murphy,	Thorp,
Cooke, Ill.	Hurley,	Neill,	Tucker,
Cooper, Tex.	Hutcheson,	Newlands,	Turner, Va.
Cooper, Wis.	Hyde,	Noonan,	Wadsworth,
Corliss,	Johnson, Ind.	Northway,	Washington,
Cousins,	Kendall,	Odell,	Watson, Ind.
Cowen,	Kerr,	Otey,	Wilber,
Cox,	Kyle,	Otjen,	Wilson, Ohio
Crisp,	Lawson,	Parker,	Woodard,
Crowley,	Leonard,	Patterson,	Woomer,
Dalzell,	Little,	Payne,	Wright,
De Armond,	Livingston,	Pearson,	Yoakum.
Denny,	Lockhart,	Perkins,	

So the motion to recede and concur was not agreed to.

The following pairs were announced:

Until further notice:

Mr. DALZELL with Mr. CRISP.

Mr. STEPHENSON with Mr. NEILL.

Mr. MAHON with Mr. PATTERSON.

Mr. BLACK of New York with Mr. LAWSON.

Mr. SMITH of Michigan with Mr. BERRY.

Mr. GILLETT of Massachusetts with Mr. COWEN.

Mr. DRAPER with Mr. SPENCER.

Mr. LOUD with Mr. SWANSON.

Mr. BURRELL with Mr. COCKRELL.

Mr. COLSON with Mr. KENDALL.

Mr. FOOTE with Mr. HUTCHESON.

Mr. MEIKLEJOHN with Mr. CROWLEY.

Mr. PICKLER with Mr. MILES.

Mr. JOHNSON of Indiana with Mr. COX.

Mr. CORLISS with Mr. MOSES.

Mr. SNOVER with Mr. MADDOX.

Mr. BOWERS with Mr. MINER of New York.

Mr. COUSINS with Mr. LIVINGSTON.

Mr. NORTHWAY with Mr. PRICE.

Mr. FOSS with Mr. MCLAURIN.

Mr. MCCALL of Massachusetts with Mr. DE ARMOND.

Mr. BARHAM with Mr. KYLE.

Mr. HITT with Mr. OTEY.

Mr. BARTHOLDT with Mr. DENNY.

Mr. ROYSE with Mr. TURNER of Virginia, except on Tucker-Yost election case.

For this day:

Mr. WILLIAM A. STONE with Mr. SHAW.

Mr. PERKINS with Mr. MEYER.

Mr. MORSE with Mr. MCCULLOCH.

Mr. MOODY with Mr. LOCKHART.

Mr. LEONARD with Mr. LITTLE.

Mr. HICKS with Mr. COOPER of Texas.

Mr. BROMWELL with Mr. BELL of Texas.

Mr. LEWIS with Mr. BARTLETT of Georgia.

Mr. RANEY with Mr. WASHINGTON.

Mr. STEELE with Mr. MCCREARY of Kentucky.

Mr. MCCLEARY of Minnesota with Mr. RUSK.

Mr. BROSIUS with Mr. BAILEY.

Mr. WADSWORTH with Mr. TUCKER.

Mr. WOOMER with Mr. YOAKUM.

Mr. SPALDING with Mr. WOODARD, on this question.

Mr. HEINER of Pennsylvania with Mr. FITZGERALD, on this vote.

Mr. KYLE. Mr. Speaker, I am paired with the gentleman from California, Mr. BARHAM, and inadvertently voted. I desire to withdraw my vote.

Mr. LOUD. Mr. Speaker, I think I am paired with the gentleman from Virginia, Mr. SWANSON. If so, I withdraw my vote.

The result of the vote was then announced as above recorded.

The SPEAKER pro tempore. The question recurs on the motion of the gentleman from Texas to agree to the Senate amendment with an amendment which has been read.

The motion was agreed to.

On motion of Mr. SAYERS, a motion to reconsider the vote by which the House agreed to the Senate amendment with an amendment was laid on the table.

Mr. CANNON. Mr. Speaker, I now move to reconsider the action of the House on agreeing to amendments numbered 207 and 208, with an amendment. This is touching the allowance of election expenses. I make the motion for the reason that on examination the gentleman from Maryland [Mr. RUSK] finds that the amendment, by mistake, leaves his name out, although he has a certificate from the committee, and the certificate was sent to the Senate when the amendment was put on.

The SPEAKER pro tempore. The gentleman from Illinois moves to reconsider the vote by which the amendments of the Senate numbered 207 and 208 were agreed to with an amendment. Without objection, it will be so ordered.

There was no objection, and it was so ordered.

Mr. CANNON. Now, Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 207, and agree to the same with an amendment as follows:

"At the end of the matter inserted by said amendment insert:

"'To Henry C. Miner, $2,000.

"'To Harry W. Rusk, $2,000.

"'To George Denny, jr., $2,000.'"

That the House recede from its disagreement to the amendment of the Senate numbered 208, and agree to the same with an amendment as follows:

"In lieu of the sum proposed insert '$110,861.82.'"

The SPEAKER pro tempore. The question is on the motion of the gentleman from Illinois.

The question was taken; and the amendment was agreed to.

Mr. CANNON. Now, Mr. Speaker, the gentleman from Virginia [Mr. ELLETT] desires a separate vote on an amendment—I think he has the number.

Mr. ELLETT of Virginia. It is amendment numbered 103.

Mr. CANNON. Does the gentleman desire to move that the House concur?

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Award of Secretary of the Navy: For payment in full to the Richmond Locomotive and Machine Works its audited and adjusted claim for damages and losses incurred in the construction of the armored battle ship *Texas*, $89,558.39.

The SPEAKER pro tempore. The gentleman from Virginia moves that the House recede and concur in the Senate amendment which has just been read.

Mr. ELLETT of Virginia rose.

Mr. CANNON. Mr. Speaker, I believe I am entitled to the floor. I understand this is a subsidiary motion.

The SPEAKER pro tempore. The gentleman is entitled to the floor.

Mr. CANNON. How much time does the gentleman from Virginia desire?

Mr. ELLETT of Virginia. Ten or fifteen minutes.

Mr. CANNON. I will yield the gentleman ten minutes, and if he finds that he needs five minutes more I will yield him the time.

Mr. ELLETT of Virginia. I thank the gentleman.

Mr. Speaker, in the absence of nearly all of my colleagues from Virginia to-day, I desire, in a few brief minutes, to call the attention of the House to two things in relation to this claim. The first is the absolute justness of the claim and the fact that it has been audited and adjusted; and the second is the urgent reasons for its immediate payment. By an act of Congress this claim was referred to the Secretary of the Navy, and he was directed to audit and adjust it. He did so, and under that audit he reported that $80,049.29 was due.

Since that time the claim has been before four committees. Three of them confirmed the action of the Secretary of the Navy. The fourth committee, in the Senate a few days ago, reported that they thought certain items allowed by the Secretary ought not to be paid, those items being interest, insurance, and security, and upon that report the claim was reduced to $69,000. The proprietors of the Richmond Locomotive and Machine Works accepted that award, although they thought the audit by the Secretary of the Navy was equivalent to a judgment. They accepted it because it is absolutely essential to them that this claim be speedily paid in order that their works may go on.

I maintain, Mr. Speaker, that a general audit by the Auditor of any one of the Departments of the Government is equivalent to a judgment, and that when there is a special act of Congress directing the Secretary of the Navy to audit, through the proper bureaus in his Department, any special claim, and he does so, that audit should in law occupy the same dignified position and become equivalent to a judgment. Certainly this position can be attacked only on technical grounds. Morally the claim stands as an adjudicated claim. That being the case, let me now call attention to the urgency of this case. Mark you, the claim at $80,000 had been passed upon and audited by the Secretary of the Navy and by four committees, one in this House and three in the Senate.

As I have already said, it was reduced in the Senate to $69,000, which the claimants agreed to accept under the circumstances I have stated. The Richmond Locomotive Works undertook to construct the machinery for the battle ship *Texas* on the suggestion of Mr. Tracy, then Secretary of the Navy. His reason for having the work done there was that in case of war or trouble with foreign countries he desired to have strategic points throughout the country where naval armament, or ships, or torpedo boats might be constructed with safety, and, to use the words of Secretary Tracy to me at the time, he was well aware that it was a very difficult undertaking to capture the city of Richmond; that it was almost an impregnable point, and it being easy of access to the Atlantic Seaboard, he thought it would be of great advantage to the Government to have works established there competent to construct naval vessels, torpedo boats, and naval armament.

Under that suggestion of Secretary Tracy certain gentlemen in Richmond, not with large means, but with a good deal of nerve, undertook the construction of the machinery for the battle ship *Texas*, while the Government undertook the construction of the hull. There has been a good deal of criticism of the hull of that vessel, but there has never been any criticism of the machinery; and no longer ago than the day before yesterday we received a letter from Captain Glass, the gallant commander of the *Texas*, in which he stated that with a few changes in the hull of the vessel he expected to command one of the finest ships in the Navy—that he would have a battle ship with the speed of a cruiser.

Now, gentlemen, I am here to frankly concede that the Richmond Locomotive Works are in great need of this money. If they get it without delay, 2,000 workingmen will continue to receive employment in those works. If they fail to get it, the works will be shut down and 2,000 men will be thrown out of employment. It is conceded on every hand that this is a just claim. It will be seen, therefore, from what I have stated how urgent the necessity is for the immediate payment of this claim, and I appeal to you, gentlemen, to bear in mind what I have said about these workingmen and their families, and to vote to concur in the Senate amendment and let this just claim due to the Richmond Locomotive and Machine Works be paid. I yield now to my colleague from Virginia [Mr. WALKER].

The SPEAKER pro tempore. The gentleman from Illinois [Mr. CANNON] has the floor.

Mr. ELLETT of Virginia. The gentleman yielded me fifteen minutes, and I desire to yield some of the time to my colleague.

Mr. CANNON. No; I yielded the gentleman ten minutes.

Mr. ELLETT of Virginia. Well, there are two gentlemen who want to say something about this claim. My colleague [Mr. WALKER of Virginia] desires a minute.

Mr. CANNON. Very well. I yield a minute to the gentleman from Virginia [Mr. WALKER].

Mr. WALKER of Virginia. Mr. Speaker, I can add nothing to the very clear statement that has been made by my colleague from Virginia [Mr. ELLETT]. This is conceded to be a just claim. I am not aware that there is any objection to it upon the ground that the Government does not honestly owe the money. I will ask the gentleman from Illinois whether there is any objection to the claim on the ground that it is not just? I have never heard of any.

Mr. CANNON. I will answer that in my own time.

Mr. WALKER of Virginia. Then, Mr. Speaker, this being a just claim, conceded to be so, having been reported favorably by four committees, one of them a special committee, and previously audited by the Navy Department, I trust that the House will vote to concur in the Senate amendment and let this money be paid. From what I have heard I think the only objection to the amendment is that it is not in its proper place upon this bill, but I hope that no mere technical consideration will induce members to vote here against a just claim like this, but rather that they will vote to pay it and not to put this company, which is struggling with hard times, in a position of great financial stress for want of money which is justly due to them.

Mr. MCMILLIN rose.

Mr. CANNON. Does the gentleman desire one or two minutes?

Mr. MCMILLIN. Yes, sir.

Mr. CANNON. I yield two minutes to the gentleman.

Mr. MCMILLIN. Mr. Speaker, I have had occasion to examine this claim, but I do not know that I can add anything to the very clear statement which has been made by the gentleman representing the district in which these works are located [Mr. ELLETT of Virginia], who has addressed you. It is not denied, I believe, that the Government owes a debt to these parties. The question to be determined now is whether the amount sought to be appropriated is in excess of the amount due. Upon that subject it is sufficient to say that the auditing officer to whom the matter was referred by act of Congress found not simply what is reported here as due—sixty-nine thousand and odd dollars—but above $80,000. Three or four different committees of Congress have also found that the debt due was about that amount. The Senate committee left out some items that it considered not proper charges against the Government, although they were items of expenditure that had been incurred by the parties. In that way the claim was reduced from eighty thousand and odd dollars to $69,000, and the question is, will we appropriate and pay this amount?

It strikes me that it is proper the Government should pay this debt, which, as I believe, it owes. I think the preponderance of evidence is largely to the effect that this amount at least is due, and it is very questionable in my mind whether or not the item of insurance, and possibly other items which have been left out by the Senate, would not also be a proper charge against the Government. But the portion which is included is, it seems to me, justly due and ought to be paid to these parties. Here are enterprising citizens who built one of our greatest war vessels. She fulfilled every requirement. Her speed and strength were all the Government required. A balance remains due them. Every consideration of honor, honesty, fair dealing, and good faith demands that we keep our contract and pay what we owe.

Mr. BENNETT. I should like to occupy one minute.

Mr. CANNON. I yield to the gentleman.

Mr. BENNETT. I do not wish to take much of the time of the House in the discussion of this question, but I want to call the attention of the House to the fact that this amount, $69,558.39, is within the contract price.

Mr. CANNON. What is the gentleman's statement?

Mr. BENNETT. I say that this amount, as I understand, is within the contract price, and is a legal obligation of the Government, which should be paid.

Mr. CANNON. Oh, no, it is not a legal obligation. The gentleman is mistaken.

Mr. BENNETT. Well, that is my understanding.

Mr. CANNON. I do not doubt that such is the gentleman's understanding, but——

Mr. ELLETT of Virginia. That is correct in this way—by allowing for the additional time granted by the Government to the Richmond Locomotive Works the same rate of compensation that was allowed under the contract.

Mr. CANNON. I will say to the gentleman that this is not a legal claim at all, and will not be regarded as such by anybody who has read the report.

Mr. ELLETT of Virginia. I have explained that matter in the remarks I have just made. Technically it is not as strong as a

claim audited by any Department, but morally it is stronger, because audited by special act and direction of Congress.

Mr. BENNETT. Mr. Speaker, I want to quote a word or two from the statement of the captain of the *Texas*, Capt. Henry Glass, for whom I have the greatest possible respect; and I am sure any member of this House acquainted with him would allow to his statement very great weight and consideration. He says: "The *Texas*, when completed—when the repairs are made to the hull that are now under way—will be a battle ship with the speed of a cruiser." I commend this statement to the consideration of gentlemen of the House. I trust that the amendment of the Senate will be concurred in.

Mr. BRUMM. I should like to ask the gentleman from Illinois a question.

Mr. CANNON. I yield for a question.

Mr. BRUMM. I understand that this is a claim which should properly have been referred for examination to the Committee on Claims of this House. As chairman of that committee I say that this claim has never been before our committee, but as I understand it has been placed on this bill by a committee of the Senate. I want to know whether that is correct?

Mr. CANNON. According to my examination, the gentleman is correct, and I have made a pretty thorough examination.

Mr. BRUMM. Then I wish simply to say, with the gentleman's permission, that I think this House ought to put a stop to this system of legislation. We have our committees here for the purpose of investigating cases of this kind and reporting upon them. The Committee on Claims is made up largely of lawyers. The members of that committee are competent to investigate the law as well as the facts governing these cases. This case not having been before our committee, it would be a bad precedent for us to permit the Senate to add to appropriation bills claims of this sort that have never gone through the proper committee of this House.

Mr. ELLETT of Virginia. This claim was before the Naval Committee of the House.

Mr. BRUMM. But that was not the proper committee. The Committee on Claims should have examined it.

Mr. ELLETT of Virginia. It was referred by the Speaker of the House to the Naval Committee, and by that committee reported favorably.

Mr. CANNON. Mr. Speaker, a very few words will inform the House in regard to this matter. This is a claim pure and simple. It may have merit. I have read the report of the facts within the last twenty-four hours. I doubt whether the claim has merit to the amount represented. I rather think that if the claim were being considered in Committee of the Whole, where it would be open to amendment, I might say that a portion of this amount might well be granted by legislation. But how much I am not prepared to say. I repeat, it is a claim pure and simple—as much so as any to be found on the Private Calendar. Now, then, how does this claim come here? Does it come here upon an estimate transmitted through the Secretary of the Treasury? No. Gentlemen know how the estimates on which we frame our general appropriation bills are made up. Does this claim come here in that way? No. There has never been a line of an estimate sent to the House covering this claim. Does it come here even upon the report of the committee of the gentleman from Pennsylvania [Mr. BRUMM]—the Committee on Claims? No; his committee has not investigated the case. Does it come here upon a report from the Committee on Naval Affairs? No. There was a communication addressed to Congress by the Secretary of the Navy, and referred to the Committee on Naval Affairs, and there it stays without any action.

Now, how did it come? It came by a man getting up in the Senate of the United States, when this general deficiency bill was being considered in that body, and offering this amendment as an amendment to the bill. Now it is said—I do not say it is so—it is said that courtesy has much to do with these matters. Well, I think the plain way, the safer way, for us is to go by rule. That is what we have got to do on this side.

But by the grace of God, and the Senate of the United States, we are permitted in this House to consider claims here, separate claims—I am not now speaking of the spoliation claims or the claims under the Bowman Act, for we have disposed of them—but we are permitted to consider claims here, sent over by the Senate, aggregating some $900,000—claims, hundreds of items, that come to us on this bill. We can consider and adopt them if we choose. But, Mr. Speaker, if you adopt this one amendment now under consideration you want to adopt every other one, for so far as I know the others have just as much merit as this has.

Now, whether my friend from Pennsylvania, with his business, with his calendar, might have gone to another body and got his entire calendar put on as an amendment to this bill I do not know.

Mr. BRUMM. I never did and never would. I never tried it.

Mr. CANNON. The gentleman says he never tried it.

Mr. BRUMM. And never would.

Mr. CANNON. I am very glad to hear it. In my judgment we could not, in the five minutes we have for the consideration of these matters, safely undertake any such policy. This question ought to be considered in Committee of the Whole on its own merits on a report from the committee of the gentleman from Pennsylvania, and after full consideration. It should "walk on its own legs" and not fasten itself, like a senatorial leech, on this general deficiency bill, which must pass or the Government stop.

Mr. MCMILLIN. Is it not a fact, I would suggest to the gentleman from Illinois—is it not a fact that the gentleman himself opposed the consideration of these amendments in Committee of the Whole?

Mr. CANNON. Not at all.

Mr. MCMILLIN (continuing). Was there not a proposition to consider these amendments in Committee of the Whole when they came from the Senate, and the gentleman himself resisted it?

Mr. CANNON. Oh, no; not at all.

Mr. MCMILLIN. I think the gentleman will find, on examination of the RECORD, that his memory is a little at fault. I know the proposition was suggested and it was resisted, and I was thinking that the gentleman himself opposed it.

Mr. RICHARDSON. I made the point myself that they should be so considered.

Mr. CANNON. Ah, but it was too late then. The gentlemen can not muddy the waters here in this way——

Mr. ELLETT of Virginia. Will the gentleman allow me?

Mr. CANNON. I do not yield. I have been entirely courteous to the gentleman, and have yielded him time to present his case.

Mr. ELLETT of Virginia. But the gentleman does not desire to do an injustice to anybody.

Mr. CANNON. Certainly not; and I yield to the gentleman, on that suggestion, for a question.

Mr. ELLETT of Virginia. You stated that this should have been passed on by a Committee of the House?

Mr. CANNON. Yes.

Mr. ELLETT of Virginia. I say it has already been passed on by a committee of the House.

Mr. CANNON. What committee? Just send it to me, please.

Mr. ELLETT of Virginia. By Mr. Clancy, in the Fifty-third Congress.

Mr. CANNON. Ah, but I am not talking of the Fifty-third Congress. I am speaking of a committee of this Congress.

Mr. ELLETT of Virginia. Just let me say that you stated that it was not a legal claim——

Mr. CANNON. I do.

Mr. ELLETT of Virginia. And yet that committee reported a bill which the House passed, directing the Secretary of the Navy to audit and adjust the claim. And I say when he did it it has the same moral effect as a judgment, if it is not technically a judgment against the United States.

Mr. CANNON. Ah, Mr. Speaker, there is no heresy but what somebody stands ready to bless it with a text. There are the simple, plain facts about it; and now, after yielding a minute or two to my colleague from Illinois [Mr. HOPKINS], I will ask a vote.

Mr. HOPKINS. Mr. Speaker, I think my colleague is entitled to great credit in resisting the payment of this claim.

The contract price entered into between the Government and the Richmond Locomotive Works for building the engines for the *Texas* was in round numbers $634,000. According to their statement, the cost of labor and material was $522,039.08. They have added to this, as cost of the engine, contingent (which is 30 per cent of the cost of material and labor that went into the construction of the engine), $151,940.39. They have also added an item of interest amounting to $59,612.66, and then they have added an item of profit, over labor and material, of $52,203.91. These three items, aggregating $263,756.96, were not included in the contract at all. Now, this company entered into this contract with a full knowledge of what they were required to do. They were to build these engines for the *Texas* under plans that were purchased by Secretary Whitney in Europe several years ago, and in making their estimates they were in competition with other parties, and they made their contract under such conditions that they believed they could make money by it. Now, without any fault whatever on the part of the Government, these people claim that they should be allowed additional money. Over $52,000 of this amount they charge for tools that they claim they were required to purchase or to build in order to construct these engines. Now, is there any person in the world who will make a contract with the Cramps up here at Philadelphia for the building of a ship and then allow them extras for the tools and machinery necessary for the building of that ship? That is precisely what this Richmond company has asked.

Mr. ELLETT of Virginia. You are mistaken.

Mr. HOPKINS. Not at all.

Mr. ELLETT of Virginia. I know the gentleman from Illinois does not desire to misrepresent.

The SPEAKER pro tempore. Does the gentleman from Illinois [Mr. CANNON] yield?

Mr. CANNON. I can not yield for a controversy about the merits of this matter.

Mr. HOPKINS. Let me have a word or two further. This is one of the items that were publicly charged; and then they have also charged an item of 30 per cent profit on this entire sum, in order to make up the total that was presented to the Secretary of the Navy. Now, this is done, not upon an investigation, but simply upon an affidavit that was filed by a representative of this company with the Navy Department. The Navy Department has not sent out experts to go and investigate this thing in the way that an investigation ought to be made before money is voted away by this House——

Mr. ELLETT of Virginia. May I interrupt the gentleman?

Mr. HOPKINS. An investigation should be made by the proper Department, and this question should be considered; and I say, under the facts as presented here——

Mr. ELLETT of Virginia. Will the gentleman yield to me? I know he does not wish to make a misstatement.

Mr. CANNON. I will yield two minutes more, and then I will ask for a vote.

Mr. ELLETT of Virginia. Experts have been sent out by the Navy Department. The Chiefs of the Bureau of Construction and Repair and the Bureau of Steam Engineering passed upon the claim of the Richmond Locomotive and Machine Works and reported the damages due to said company by the Government as follows, namely:

Direct damage	$56,179.73
Interest	8,740.24
Insurance	1,150.72
Dock trial	12,778.66
Damage to schooner	600.00
Security	600.00
Total	80,049.35

This sum is entirely due to the default of the Government by the admission of its own experts after investigation.

The report of these experts was passed upon by a committee of this House, and by four committees of the Senate. In all, $80,000 was admitted and conceded by these four committees and audited by the Secretary of the Navy.

Mr. HOPKINS. Now, Mr. Chairman, I deny——

Mr. ELLETT of Virginia. One moment. Then, three items—interest, insurance, and surety—were stricken out by the last committee, making the fifth committee that has reported upon this matter.

Mr. HOPKINS. I can not yield any further. The items as presented by the gentleman are not the items the Richmond Locomotive Company have made their claim upon at all. Their items are: Contingent, $151,940.39; interest, $59,612.66; profit over labor and material, $52,203.91. And I am credibly informed that the $52,000 represents what they claim for extra tools and machinery to construct these engines.

Mr. ELLETT of Virginia. That is a mistake. There is no claim against the Government for tools, but merely a statement of the fact that that sum was expended by the company in tools in order to equip themselves to do the work in a creditable manner, which they did. The entire amount is due to confessed failure upon the part of the Government to carry out its contract, the statement of the gentleman from Illinois notwithstanding.

Mr. HOPKINS. When the gentleman talks about investigation, I undertake to say that it was no investigation at all, and that it was a disgrace to the Government. I undertake to say, further, that if this claim is rejected by this House, as I trust it will be, and the conferees of the House succeed in striking that from the bill, if we can have a proper examination, not a dollar of this money will be allowed to this company. They ought not to have it. They were paid the contract price, and I know of no reason, either in morals or in law, why this company should be paid an immense amount of money, as claimed here, when it has been denied to such shipbuilders as the Cramps, of Philadelphia, and to old John Roach, who was driven to his grave by the class of men who now seek to foist this bill upon Congress.

Mr. CANNON. Mr. Speaker, a word only in conclusion. The speech of the gentleman from Virginia [Mr. ELLETT] and the speech of my colleague from Illinois [Mr. HOPKINS], equally strong and equally honest, show that there is a difference of opinion about this claim, and it demonstrates better than I could by a ten hours' speech the impropriety of having this thing upon a general appropriation bill. I ask for a vote.

The SPEAKER pro tempore. The question is on the motion that the House recede from its disagreement to Senate amendment numbered 103, and agree to the same.

The question being taken, on a division (demanded by Mr. ELLETT of Virginia) there were—ayes 44, noes 76.

Mr. ELLETT of Virginia. I call for the yeas and nays.

Mr. CANNON. I hope not. The House is clearly the other way.

Mr. ELLETT of Virginia. I withdraw the demand for the yeas and nays.

Accordingly, the motion was rejected.

Mr. CANNON. The action of the House just taken is a non-concurrence. I move that the House further insist on its disagreement to amendment numbered 103, and agree to the conference asked for by the Senate.

The motion was agreed to.

The SPEAKER pro tempore. The Chair will announce as conferees on this bill Mr. CANNON, Mr. ARNOLD of Rhode Island, and Mr. SAYERS.

APPOINTMENT OF CONFEREES.

The SPEAKER pro tempore. The Chair announces the appointment of the conferees on the bill (H. R. 5490) to license billiard and pool tables in the District of Columbia, and for other purposes, Mr. CURTIS of Iowa, Mr. MILNES, and Mr. HULING.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 1511) granting a pension to Mrs. Jane Stewart Whiting; asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GALLINGER, Mr. CANNON; and Mr. MITCHELL of Wisconsin as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1420) granting an increase of pension to Elizabeth W. Sutherland.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate having proceeded in pursuance of the Constitution to reconsider the bill entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," returned to the House of Representatives by the President of the United States with his objections, and sent by the House of Representatives to the Senate with the message of the President returning the bill:

Resolved, That the bill do pass, two-thirds of the Senate agreeing to pass the same.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. PRUDEN, who also announced the action of the President on bills of the following titles:

On June 3, 1896:

An act (H. R. 886) to amend section 3255 of the Revised Statutes of the United States concerning the distilling of brandy from fruits;

An act (H. R. 3282) to repeal section 61 of an act to reduce taxation, to provide revenue for the Government, and for other purposes, which became a law August 28, 1894; and

An act (H. R. 5675) authorizing the construction of a wagon and motor bridge over the Missouri River at St. Charles, Mo.

NOTE.—The following bills were presented to the President May 19, 1896, and not having been returned by him to the House of Congress in which they originated within the ten days prescribed by the Constitution, have become laws without his approval:

An act (H. R. 4528) granting a pension to Katherine S. McCartney, widow of William H. McCartney; and

An act (H. R. 3607) to increase the pension of Kate Grant.

CONTESTED-ELECTION CASE—MURRAY VS. ELLIOTT.

Mr. OVERSTREET. Mr. Speaker, before proceeding I desire to yield to the gentleman from Virginia.

Mr. JONES. Mr. Speaker, I desire on the part of the minority of Election Committee No. 3 to offer the following resolutions as a substitute for those offered by the committee.

The SPEAKER pro tempore. The gentleman from Indiana calls up the contested-election case——

Mr. OVERSTREET. The resolutions have already been read.

The SPEAKER pro tempore (continuing). The Clerk will report the resolutions.

The Clerk read as follows:

Resolved, That William Elliott was not elected and is not entitled to a seat in the Fifty-fourth Congress from the First Congressional district of South Carolina.

Resolved, That George W. Murray was elected and is entitled to a seat in the Fifty-fourth Congress from the First Congressional district of South Carolina.

The SPEAKER pro tempore. The gentleman from Virginia offers the resolutions which the Clerk will read as a substitute.

The Clerk read as follows:

Resolved, That George W. Murray was not elected as a Representative to the Fifty-fourth Congress from the First Congressional district in the State of South Carolina.

Resolved, That William Elliott was duly elected, and is entitled to retain his seat.

Mr. OVERSTREET. Mr. Speaker, so many gentlemen have made the inquiry of me concerning the time of taking a vote upon this question that I think it is due to them, as well as to myself, to say that the probabilities are, the strong probabilities are, that no vote will be reached this afternoon. I feel, however, that I can safely say that the vote will occur immediately after the reading of the Journal to-morrow morning.

Mr. HOPKINS. Will not two hours and a half be enough time for the discussion of this case?

Mr. OVERSTREET. I make this statement in deference to the minority of the committee, which felt that it should have ample time to present its case.

Mr. HOPKINS. I think the gentleman ought in justice to the House to say that he will take a vote not later than 5 o'clock.

Mr. BARTLETT of New York. Will the gentleman permit me to ask him a question?

Mr. OVERSTREET. I will.

Mr. BARTLETT of New York. Is there any doubt as to the result without reference to argument? Why not vote at once? Why have any argument on either side?

Mr. OVERSTREET. I think that is a question hardly worthy an answer.

Mr. DOCKERY. The gentleman from Indiana ought to control this matter.

Mr. HULICK. I would like to ask the gentleman a question.

The SPEAKER pro tempore. Does the gentleman from Indiana yield to the gentleman from Ohio?

Mr. OVERSTREET. I do.

Mr. HULICK. The question I desire to ask is, whether you have left the impression on the minds of so many members that no vote would be taken to-day that it would affect the result in this case? Upon your suggestion that there would not be a vote, have not members left the House; and if so, would it not be best to have your suggestion carried out?

Mr. OVERSTREET. My statement was made for the reason that the minority decided that they should have ample time in which to present their side of the case, and the hour was so late before calling up this case that I do not believe they can get through this afternoon.

Mr. DOCKERY. You make this suggestion in the interest of fair play?

Mr. PAYNE. The matter is entirely within the control of the gentleman from Indiana, and I do not see why further time should be wasted. We can not come to any agreement by unanimous consent.

Mr. OVERSTREET. Mr. Speaker, I will ask unanimous consent that the vote be taken upon this question the first thing after the reading of the Journal to-morrow morning, and that debate be closed at 5 o'clock.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent that the discussion of this case be closed at 5 o'clock, the vote to be taken immediately after the reading of the Journal to-morrow morning. Is there objection?

Mr. KEM. There is objection, Mr. Speaker.

Mr. OVERSTREET. Mr. Speaker, before proceeding I will state that at 5 o'clock I shall move the previous question upon this question.

Mr. Speaker, this case comes from the First Congressional district of South Carolina. The experience of the House a few days ago satisfied us of the peculiar political conditions existent in that State. The question that is brought up this morning for your consideration comes from the same section of the State of South Carolina from which the case of Johnston *vs.* Stokes hailed. I shall not for that reason enter into a detailed statement of the peculiar political conditions existing in that State. The same election law prevails in this district that prevailed in the former. One change only do I care to note, and that is concerning the registration law. The law that by the report in the Johnston and Stokes case was declared unconstitutional is not the registration law that pertains to the city of Charleston, which is located in the First South Carolina district.

A registration law was passed in December, 1890, applying to the city of Charleston only, so that in the remaining portion of the First Congressional district of South Carolina the registration law that we the other day declared to be unconstitutional was in force, while the new registration law, enacted in 1890, was in force in the city of Charleston, which is in this district. The First South Carolina district is situated on the eastern coast of the State and its eastern border coincides with the coast line of the State, with the exception of Horry County, located in the extreme northeast corner of the State.

As I stated in the discussion in the Johnston-Stokes case, in 1893, immediately preceding the election of 1894, an apportionment law was passed which fixed a new boundary for the Seventh Congressional district and also for the First. It was only a regrouping or reorganization of the same counties and parts of counties that prevailed under the old apportionment law, excepting a small portion of Colleton County, which went into the Second district; so that whatever conditions existed prior to the passage of that apportionment law of 1893 existed after its enactment, except so far as the registration law pertaining to the city of Charleston is concerned.

The irregularities that prevailed at this election outside of the city of Charleston will not be considered in this discussion, for the reason that in the judgment of the committee a sufficient ground exists in the vote in the city of Charleston upon which to base the action that we recommend. At some of the precincts in these outer counties no polls had been opened for several years, and none were opened at this election at three or four of the precincts. It is a notorious fact that the precincts at which polls were not opened in 1894 contain a large Republican majority.

I mention one only, that of Haut Gap, in Berkeley County, because there the voters, having discovered the failure of the managers to open the poll regularly, organized a board of their own, improvised managers, and conducted the election in the same detailed manner that the law prescribed, the only difference being that the managers who conducted the election at Haut Gap were not the managers regularly appointed for that purpose. Two hundred and seventeen votes were cast at that precinct for the contestant, Mr. Murray, and the entire committee counts those 217 votes. There is no difference between us and the minority concerning that finding. In the other precincts where polls were not opened and votes were not received the evidence, in our judgment, is not sufficient to warrant us in counting the votes that were sought to be counted there, and the entire committee agree that no consideration should be given them.

Permit me to say, Mr. Speaker, that the allegations concerning all the precincts foreign to the city of Charleston show a demoralized condition politically, where the lack of proper operation of the registry laws evidently deprived a large number of colored men of the opportunity of casting their votes. But while it appears that a large number of voters were at the polls, the evidence, in our judgment, is not sufficient to count all of the votes that were there present. There is some ground upon which to count a portion of those votes, but it would only tend to increase the plurality of the contestant, and for the sake of saving time and to expedite the determination of the case we do not discuss those votes.

Let me say at this point that the mere fact of a large number of voters being present at a poll might show some doubt to exist as to whether the majority had had a proper expression of their vote if those votes are not counted, but where the voters are of a given class, like the colored voters in that district, and where all the evidence tends to show that they are members of one party, namely, the Republican party, no doubt exists; because had they been permitted to vote and had those votes been counted by the committee it would simply have tended to increase the plurality of the contestant. For these reasons we pass from the consideration of these counties and precincts not within the city of Charleston, and I shall direct my argument entirely to that locality.

The registration law of 1882, which was in force up to December, 1890, was discussed here in the case of Johnston *vs.* Stokes. The hindrances imposed upon the voters, the delays occasioned by the supervisors, the lack of proper administration of the law are all facts with which you are now familiar, so it is clear that the conduct of the supervisors of election in the First South Carolina district, in undertaking to operate under the registration law of 1882, denied the right of registration to all who had failed to ask for it in 1882, unless they became of age subsequent to that time, or unless they moved into the State subsequent to that date.

When the law of 1890 went into effect as to the city of Charleston it did not change the details, it did not change the minutiæ of the registration office. It changed only the names of the supervisors, and instead of one provided for three supervisors, the clerk of the board being also required to sign the certificate. The same rules governed the new registration in Charleston that controlled under the first registration law. The same interpretation was given the new law that had obtained under the old law, and when they came to organize the registration board in 1890 they held that no one was entitled to a certificate unless he had been registered under the law of 1882, conditioned only upon his having become of age subsequent to that time. Furthermore, by the notice for the issuing of the registration certificates, that new board under the law of 1890 announced that none would receive certificates except such as would surrender their old certificates or would prove their lack of ability to produce those old certificates.

Mr. JONES. I understand the gentleman to say that although there was a new registration in Charleston the new board of three commissioners held they could register no person unless he was entitled to registration under the law of 1882.

Mr. OVERSTREET. I most certainly said that.

Mr. JONES. Well, I should be glad if the gentleman would point out a particle of testimony in the record which shows that

Mr. OVERSTREET. I will do so. I have said that the new registration board under the law of 1890 held that no one was entitled to a certificate in the city of Charleston unless he had a certificate under the law of 1882 or had come of age since that time.

Mr. JONES. I should be glad if the gentleman would show the evidence that they held any such thing.

Mr. OVERSTREET. The notice which was published by this board of supervisors in the daily prints of the city of Charleston announced the purpose for which they would meet and under what conditions they would issue certificates. Having announced that at a certain time and at a particular place they would be prepared to issue certificates, they say this—and I quote from the notice:

For the purpose of calling in and canceling all registration tickets—

Mr. JONES. Is that in the record?

Mr. OVERSTREET. It is the notice issued by the board of supervisors. Does the gentleman deny that it is the notice?

Mr. JONES. I do not know what the gentleman is reading from.

Mr. OVERSTREET. I am reading from the notice of the supervisors of registration of the city of Charleston, published in the Charleston News and Courier March 3, 1891.

Mr. JONES. Is that in the record?

Mr. OVERSTREET. What difference does it make? It is the published notice.

Mr. JONES. If not in the record, it is no part of the case. I never heard of it before.

Mr. OVERSTREET. I will pay attention to this part of the argument:

For the purpose of calling in and canceling all registration tickets in the name of the electors residing in the precincts and issuing new certificates in lieu thereof; and for the further purpose of registering and issuing certificates to all electors in the said precincts who have become entitled to such since the closing of the books of registration in July, 1890, those electors of the wards who have lost their certificates, and desire to make proof of such loss, can obtain new certificates and will be herewith notified of the day fixed for them to make such applications.

This notice was signed by the registration commissioners—George W. Williams, Bernard O'Neill, and Jacob Small.

In the evidence of J. N. Robson, on page 380 of the record, this question and answer are found:

What persons were allowedto register by the commissioners?

Referring to this registration.

A. Those that brought their old certificates. We took them in and gave them a new one.

This man was the clerk of the board of registration. When that law first went into effect, acting under the old registration law, one supervisor was in charge, and he continued to issue certificates over his own signature. I refer to the supervisor by the name of Cantwell. Mr. Cantwell pursued that course for a time. Injunction proceedings were brought against him. The books were subsequently taken from him. He undertook to issue certificates under the law of 1890, and did issue a large number of them. Not a certificate issued by Cantwell was admitted by the managers of any election precinct in the city of Charleston.

After the injunction proceedings had been determined, and the three commissioners whose names I have read from the notice were put in charge, they began to issue new certificates, and for a while all three of these supervisors subscribed their names to the certificates of registration. By and by, for some reason known only to them—possibly from negligence or carelessness—two of the members of the commission withheld their presence from the sittings of the board, and the certificates were signed by George W. Williams only, as deputy for all. I have no word of criticism to pass upon Mr. Williams. He possibly thought he was acting right. He signed those certificates as deputy for all. But not a certificate issued by Mr. Williams alone was received at a solitary precinct in the city of Charleston.

These supervisors of registration kept a clerk who aided them, doubtless, in the transaction of their business, and in order, perhaps, to give authenticity to their signatures, it was required that the name of the clerk should be added to the certificates. I have said that Robson was the clerk. But not a certificate bearing Robson's name was received at a precinct in the city of Charleston. Meyer was one of the clerks for a while, and Mr. Meyer signed certificates bearing the name of George W. Williams. Not a certificate signed by those two was received at a precinct in the city of Charleston.

I simply mention that to show how a new burden was put upon these voters at Charleston, in addition to the millstone that already hung from their necks under the operation of the infamous and unconstitutional law of 1882. Let me say that the constitutionality of the law of 1890 is not in question here; neither is that of 1882, because it is not raised by the pleadings. Possibly some may claim that the House of Representatives, being the sole judge of the election of its members, should take cognizance of an unconstitutional law, and having so found in the Johnston-Stokes case, should hold also in this case that the law is unconstitutional.

But we have not seen fit to raise that issue. I do not believe it makes a bit of difference in this case. If the law of 1882 was unconstitutional and there could be no evidence upon which to base an election, as shown by the returns, because of the unconstitutionality of that law, still I undertake to say that the election held at the little precinct of Haut Gap in Berkeley County, where the honest voters were deprived of their rights under the action of the managers who refused to serve, would be sufficient basis to find that an honest election was held in that district. And if all of the other precincts were rejected, and no election should obtain in any, because of the finding of the unconstitutionality of the law of 1882, and if the vote of Charleston was thrown out by reason of the misconduct that obtained in that city, still I insist, without fear of doing violence to any lawyer's opinion, that the election in the First Congressional district of the State of South Carolina, conveying the seat to Mr. Murray, the contestant, would be based on the vote at the Haut Gap precinct in Berkeley County alone, and on that vote all are agreed.

Not only did the supervisors of registration of Charleston make the mistakes that I have referred to, which are not contradicted, but possibly by virtue of other mistakes of law or by carelessness, or by other reasons which are unnecessary to mention, resulting in irregularity, the contestant was deprived of votes and rights to which he was clearly entitled under the law. These discrepancies, defects, and irregularities have been conceded in this case. And remember that the certificate held by the voter on the day of the election would not correspond with the number of the certificate that appeared on the books; hence his vote was rejected. Sometimes the ward or the precinct number would not correspond with that of the residence of the voter. Mark you, now, whenever a voter moved he was entitled to a renewal. But I challenge the inspection of the record, that anywhere can you find that a challenge of the voter was made because he had moved from the place where he resided at the time the certificate was issued in any instance where I have called your attention to the irregularity of the certificate.

The evidence shows that the number of the certificate did not correspond to the number on the books; that the certificate did not call for the residence of the voter, nor that the man did not live where he said he lived when he asked for the certificate; but that the certificate itself did not correspond with the residence. I submit that whenever a voter lived at a certain place at the time he obtained his registration certificate, and an effort is made to keep him from voting because of the change of residence, the evidence must show that there was a change of residence and not that there was a discrepancy between the certificate and the place of residence.

Sometimes the certificate would not contain the name of the township, because you will understand that it is customary in printing such blanks that they print the registration certificates for the entire district; and under the law of 1882, which obtained in this district at that election, there were townships which constituted registration groups, or parishes, as they call them there; and so if they had a blank in Charleston calling for a township, and the certificate was issued for a certain precinct, and contained the names of the ward and the precinct, but not the name of the township, it was considered as an irregularity that would not permit the vote to be cast; and yet there is not a fair-minded man who would hold that that was an irregularity that was fatal to the certificate. Hence a large number of certificates issued by the proper board of supervisors of the election in Charleston had these irregularities borne on their face, and were therefore rejected when presented at the polls by the voter.

I stated, Mr. Speaker, in my argument in the Johnston-Stokes case, that there was nothing in the law of South Carolina that compelled the party in power to give representation on the board of elections to another party. The Democratic party in power there refused representation upon any of these boards in the First South Carolina Congressional district to the Republican party. An effort was made to obtain representation—an effort that, in my judgment, was based on the constitutional right of a party that is second, if not first, in the lead of votes in the district, to have that representation. That, I undertake to say, was their right; and yet I venture the assertion that there was not a solitary election board in the First South Carolina Congressional district except in the little precinct of Haut Gap that contained a Republican representative, excepting in the county of Georgetown, in which county there is no point raised as to the irregularity of the election.

Every member of the Democratic organization in that State, from the governor down to a usurping challenger at the polls, was a member of the Democratic party. They appointed the registration commissioners; they appointed the commissioners of election; they appointed the boards of election for the county; the

boards of election appointed the managers of election for the precincts, and the managers of elections appointed the clerks; and so, from top to bottom, every mother's son of them was a partisan of the Democratic party, following the same idea, which was to seat the contestee in this case. I submit that that principle is not contrary to the law of South Carolina; but I submit also that it is a right that they have to demand, and when it is refused on request, we have a right here to challenge the fairness of the election even though that action on their part might not be sufficient upon which to base the action of the House to seat the contestant.

But in addition to the regularly appointed members of the election board, there was a challenger at almost all of the precincts. Now, that challenger is unknown to the law of South Carolina.

It will not do, Mr. Speaker, for gentlemen to say that it is right to keep out fraudulent votes, that it is the duty of a party to exclude men from the polls who are not entitled to cast votes, and that a challenger is a peace officer for the sole purpose of expediting the election and guaranteeing its fairness; because these challengers possessed the information of the irregularities and defects that existed upon the registration certificates to which I have referred. There is the rub, on the challenger question. When an illiterate man came to the polling place—and nearly all these poor fellows were illiterate—bearing a defective certificate, the challenger knew before he came in that that defect existed in his certificate, and his vote was challenged. I undertake to say that there is not an instance in this record from beginning to end where a challenger challenged a vote, but what that vote was excluded.

Now, Mr. Speaker, the evidence shows, first, the irregularities of these supervisors themselves in the issuing of certificates that were not valid; second, that they issued certificates containing defects on their face; third, that the challenger, familiar with those defects, carried out the operation of that irregular conduct and challenged the vote and kept it from being recorded.

The evidence shows that every Monday in the month when the supervisors held their offices open for the issuing of certificates, colored men failed to obtain certificates, from various causes. I refer to the simple fact that the record contains the names of 25 witnesses who testified upon that point alone.

Now, I submit, Mr. Speaker, that because you can not seat this contestant upon the evidence of those 25 men alone, therefore it does not follow that he has no case. That is but one point in the case. These witnesses testified to the fact of their hindrances in obtaining certificates, to the fact of crowds of men at the registration offices, to the fact of their failure to obtain certificates—all pointing to one fact, namely, the misconduct or the irregularities of the action of the board of registration commissioners. So that when I refer to those witnesses it is not for the purpose of basing this case solely upon their evidence, but to say that they prove the second step in this argument, namely, that there were hindrances of the colored men to obtain certificates under the law of 1890.

So that, first, there was the misconduct of the board of registration commissioners because they issued invalid certificates, not enough of their number signing them; and, second, that they did not permit the colored voters of that city to register, as they had a right to register.

Now, Mr. Speaker, not only that. Not only does the challenger come upon the scene and carry out his part in the programme, but the board of managers at these precincts in the city of Charleston recognized the challenger as the authority upon that day, and in every instance where he pointed out a defect, regardless of what the defect was, they denied the voter the right to vote. Then these managers further failed, in many instances, to conform to the law that directs their part of the conduct of the election.

The law provided that before the opening of the poll, or immediately upon opening the poll, they should exhibit the interior of the ballot box, that they should count the vote in public, and not in private; but the record teems with evidence of the failure of these boards in the city of Charleston to exhibit the interior of the ballot box upon the opening of the polls, and the fact that they counted the vote in private instead of in public.

Couple these three things together, Mr. Speaker, the failure of the colored men to obtain certificates in the first instance, the fact that they received defective certificates in the second instance, the fact that the challenger stood like a stone wall between them and the ballot box in many instances, and to that add the misconduct, or irregular conduct, if nothing worse, of the board of managers, and you will have the conduct that permeates the entire election in the city of Charleston. The law is plain, that wherever you can show by circumstances that the irregular conduct of the board of election officers connected with the election tends to show a fraudulent intent, wherever they have interpreted the law wrongly, by reason of which interpretation voters are denied the right to vote, that is sufficient ground upon which to base the charge that the returns are properly and fully impeached.

I wish to call attention briefly to a little of this evidence, in order to show the character of it. I have said that 25 witnesses testified to the fact of the irregular conduct or the misconduct of the registration supervisors. I wish to quote from some of those witnesses to show you the manner in which these registration supervisors conducted their part in this election. I read from the evidence of Alexander McNeill, page 427 of the record:

Q. Give your name, age, and residence.
A. Alexander McNeill; aged 39 years; reside at No. 63 King street.
Q. State where you were on the 6th day of November last.
A. At Federal poll, Ward 5, precinct 2.
Q. At what time did you arrive and how long did you remain at that poll?
A. I got there between 3.30 and 4 o'clock and remained until the poll closed.
Q. Did you vote there that day?
A. No, sir; they would not allow me.
Q. Did you have a registration certificate?
A. Yes, sir.
Q. The registration certificate that you had, did you try to have it changed?
A. I did, every Monday in the month until they finished and closed the office.
Q. Did you see the supervisor at any of the times you went there?
A. Yes, sir; and when it came on late the police would drive us away.

Cross-examination:

Q. Why did you try to have your certificate changed?
A. Because I had moved from the place I lived when I got it.
Q. Then, when you tried to vote that day you were living at a different place from that upon your certificate?
A. Yes, sir.
Q. Was there four or five Mondays in the month that you tried to get your certificate?
A. Well, I don't know; I tried to get it as long as the office was opened.
Q. Did you go there as often as four times during the month?
A. I went there four days during the month and two times each day.
Q. Was the supervisor's office opened each time you went there?
A. Yes, sir; each time.
Q. Was the place crowded every time you went there?
A. No, not crowded; about a dozen people.

This man failed to obtain a certificate. Scipio Brown, page 409, says:

Q. Give your name, age, occupation, and residence.
A. Scipio Brown; aged 50; laborer; reside at No. 10 Smith street, Charleston, S. C.
Q. At what poll did you present yourself to vote on the 6th day of last November?
A. At Ward 6, precinct 1, the Federal poll, city of Charleston.
Q. Did you try to vote; and if so, for whom did you desire to vote?
A. Yes; and was registered. I desired to vote for George W. Murray.
Q. Did you have a registration certificate?
A. Yes, sir.
Q. Did you ever attempt to have that certificate changed?
A. Yes, sir; I went to the supervisor of registration twice to have it changed, but did not get to him but once. I presented my certificate, the one I have now, and told him I had moved and wanted to get a renewal of it. He simply said to me that he did not have time to do it. Both times I went to him it was on the regular registration days.

Edward Grant, page 409, testifies as follows:

Q. Give your name, age, and residence.
A. Edward Grant; aged 42; reside at 67 Drake street, city of Charleston.
Q. At what poll did you try to vote on the election day in last November?
A. At the Federal poll in Ward 9, precinct at the corner of America and Amherst.
Q. Did you have a registration certificate?
A. None since 1888.

And the gentleman from Virginia [Mr. JONES] thinks it is startling for me to announce that they did not issue certificates under the law of 1890 except where they had been issued under the law of 1882.

Mr. JONES. What is the name of the witness whose testimony you are quoting?

Mr. OVERSTREET. Edward Grant, page 409:

Q. How often have you tried to get a renewal?
A. Every time the office was opened for registration. The first time I went there he told me I could not get a renewal because I must have sold the original one I had—

Under the law of 1882, if they sold their registration certificates they were denied a renewal; but there was no such provision in the law of 1890—

The next time I went I remained there from 11:30 until the office closed at 2 o'clock. The policeman was there and drove us off. The next time I went he told me this was not my day—

Every dog has his day, but it seems that some of the colored voters of the First South Carolina district did not even have their day—

it was only opened to those who had moved, and become of age. They always had some excuse to turn me away, and never gave me a certificate.

James Carter, whose testimony appears on page 30, was asked:

Q. Was the registration officer fast or slow in his work of registering voters?
A. He was slow.
Q. How many lines—if there were more than one—of persons applying for registration certificates at the office at the time that you were there?
A. Two lines.
Q. State the character of those lines.
A. One was white, the other colored.
Q. Did those in the white line have any difficulty in getting registered?
A. No difficulty.

But again, the challenger, when he came to inspect the voter at the time he sought to deposit his vote, showed his familiarity with the defects that appear upon these registration certificates, and the Democratic managers, recognizing his authority, excluded the vote. I wish to read some samples of evidence concerning the

conduct of the challenger and the board of managers in some of these precincts. I read from Austern McFall, on page 407:

Q. State what you know of the general conduct of the managers during the progress of the election.

A. They had two bottles of liquor in there, and became very lively and noisy. Democratic voters were brought to the poll by one of the managers and allowed to vote. The tickets were given to the Democratic voters to vote by the managers inside of the booth.

Q. Did you hear any of the managers say anything concerning the election after the closing of the poll?

A. Yes; I heard O'Donald, who came out, saying that he didn't care a damn, he got $3, his meals, and all the rum he could drink, and that was a great deal more than we got. At one time during the day one of the policemen went into the booth and drank with the managers.

I think the statement true. O'Donald is not called by the contestee to dispute that statement.

There is the plain statement of this witness that during the whole day they were drinking, and their misconduct is stated plainly in words that you must accept as plain; and they were not called, or if called, did not dispute it. These managers consisted of Eaton and Brodie, and I forget the name of the other. Eaton and Brodie were called and testified in their testimony, as found on pages 209 and 301, respectively; and yet neither one of them denies the statement of McFall. This O'Donald was the challenger. The witness says he was a "manager"; but he is simply mistaken that far, and is not to be criticised for that misstatement, because his conduct as "challenger" was such as to give anybody the impression that he had a right equal to that of a "manager." O'Donald does not deny that statement, and yet he states he does not care anything about it. "He got his $3 a day and all the rum he could drink."

I call attention to the testimony of Duncan Frazer on page 461. He calls attention to the fact that a man by the name of Police went out and got liquor and brought it into the polling booths, where the managers drank it; yet Mr. Police is not called to deny that statement. He said that there was another man who knew of that, and that was Sammie Matthews. The evidence shows that he stated:

They were drinking all during the day. As fast as they emptied one flask they would go out and fill another one.

He was asked the question, "How many persons were inside the booth during the progress of the election, and who were they?" and he answered:

About fifteen or sixteen. I only know two of them, Frank Police and Sammie Matthews.

And yet neither Sammie Matthews nor Frank Police was called to dispute that statement. The contestee called a man named L. E. Williams to dispute all that this witness testified to as to the irregularity of the registration. He is the man who denied the statement of these 25 witnesses, and yet he is not a registration supervisor. It was George W. Williams. But they did not have the heart to put either Police or Sammie Matthews on the stand and deny the statement of misconduct of these managers. I wish to say, Mr. Speaker, that all the way through this evidence is to be found statements concerning the conduct of these managers equal to that from which I have read.

One more I desire to call attention to, and that is the evidence of Clark, on page 443 of the record. Clark testifies that he was at precinct 2 of the Seventh Ward, and he testified, as did this other witness, to the failure to exhibit in public the ballot box at the opening of the polls, and to the counting of the vote in private instead of in public. He testified that the election managers closed the poll, took the ballot box down into the basement of the building where the polls had been opened, and there counted the ballots privately. When he undertook to obtain an entrance he was refused. They said to him "they would see him later." In answer to the question:

At the closing of the poll, state what the managers did, if they did any thing.

He says:

They said the poll was closed. They took the box, brought it downstairs, carried it in the yard, and went into the basement and shut the door. I then asked could I come in. One of the managers replied, saying that "I'll see you later."

And he could not get in.

Now, Mr. Speaker, it is sought by the minority members of the committee to dispute that statement.

On page 33 of their report they undertake to say that this evidence is contradicted by the evidence of Churchhill, whose evidence is on page 328 of the record. And I quote from the minority report, which undertakes to quote Churchhill's evidence. He says, "The count was open, public, and above board, as going into the basement was impossible." It was very adroit, if not careless, on the part of the writer of this report to use the word "into" in this extract, and not follow the evidence of Churchhill.

I state, Mr. Speaker, that an examination of the record will not show that that was the statement of Churchhill, because he says, on page 328 of the record, "As going under the basement was impossible." There is quite a difference between the meaning of the word "into" and the meaning of the word "under." They undertook to set aside the evidence of a party who spoke of going into the basement by saying, not that they did not go into the basement, but that it was impossible to go under the basement. Nobody has contended that they did go under the basement.

Now, the evidence is that in that precinct there were two booths, one for the State poll and one for the Federal poll; and that they were held upon an open piazza, an open porch; that it was not exceeding 10 by 12 feet in size; and one of the witnesses testifies that when they came to count one board gave way, and that this board went into the basement.

Now, Mr. Speaker, I wish to call attention to the returns from these election precincts. The city of Charleston, as contended by the Charleston News and Courier on the day following the election, was a city of 65,000 people, with a voting population of at least 11,000, and yet the total vote for Congress in that city was only 3,208. It must be remembered that the return for Murray was only 397 in a county where the colored population exceeded the white population and the colored vote exceeded the white vote, while Elliott received 2,811. This First South Carolina district is the black district of the State. Nearly 22,000 more colored Republicans than white Democrats live in that district, yet Mr. Elliott was given 5,650 votes in the district and Murray only 3,913, leaving a plurality for the contestee of 1,737. In the city of Charleston the vote for Murray was 397 and for Elliott 2,811.

I ask the House to bear in mind also that other officers were voted for at this same election. The governor was to be voted for, and further than that, the greatest importance was attached to the vote on the constitutional convention to be held in South Carolina. The evidence shows, and it is undenied—it is a matter of history, known to every reader of the current events—that the question of a constitutional convention or no convention in South Carolina divided one race from the other. The colored vote was unanimous against the convention, and the Tillmanites, who supported Evans for governor, were in favor of a constitutional convention.

Now, I want to point out a few things that may open gentlemen's eyes in relation to the vote in the city of Charleston and largely explain the misconduct of the challengers, the supervisors, and the managers at the election in that city. I have said that Evans was the Democratic candidate for governor. He was the candidate who was entitled to the support, and who did receive the support throughout the State of the men who were in favor of holding the constitutional convention. Pope was the candidate opposing Evans and was in favor of no convention, though he was an independent candidate. The colored men, or Republicans, did not have any candidate for governor, but concentrated their vote against the constitutional convention, but wherever the colored Republicans supported any candidate for governor, they supported Pope.

At this election where Murray received only 397 votes and Elliott 2,811 in the city of Charleston, the total vote for governor was only 1,823—988 votes less than Elliott received there. The total vote on Congress in the city was 3,208, while the total vote on the question of the constitutional convention, both yea and nay, was only 2,176. In other words, Mr. Elliott was 988 votes stronger than all the candidates for governor, and 635 votes stronger than all the votes on the constitutional convention.

Now, Mr. Speaker, I submit that an analysis of these returns discloses the fact that the failure to expose the interior of the ballot boxes in the city of Charleston and the failure to make a public count explain in large measure the return for Elliott in that city. If Pope was supported by all the no-convention voters, then his vote ought to conform reasonably to that vote; but the return was—Pope 1,259, no-convention 1,707. But Murray was on that side of the house, too. He was for Pope, so far as his voters supported any candidate for governor, and he was against the convention, yet Pope received 1,259 votes and the no-convention party 1,707 votes, while poor Murray had only 397. Evans was the candidate for governor of the party that supported Elliott. Evans was the candidate for governor of the party that supported the constitutional convention. Evans received 564 votes. The vote for the convention was 469, so there was a reasonable conformity between the two votes. Elliott, who was on the same side as Evans, received 2,811 votes. You can not explain this difference save upon the theory that the men who were undertaking to deprive the colored voter of his registration right, who did not allow him to cast his vote because of irregularities in his certificate for which he was not responsible, that the challengers and managers who resorted to those methods did it in the interest of the Democratic candidate for Congress in that district.

There is another thing to be explained; that is, that the 2,811 votes returned for Elliott did not all happen to be alike. It seems that they have in that district a method of politics which gives them clubs, and when a man belongs to a club he is presumed to belong to a given party. But I call attention briefly to certain facts relating to certain precincts, where the evidence shows beyond doubt that certain voters were recorded who never cast their votes—another reason for the failure to expose the interior of the ballot boxes and to render a private count.

At some of these precincts, notably in the Seventh and Tenth wards, the names of voters appeared upon the poll lists who never voted. These voters whose names so appeared either came upon the witness stand and testified that they did not vote or witnesses testified that the persons whose names so appeared were either dead or absent.

There are not many of these names, but quite enough to expose the practice resorted to to swell the poll list.

The minority of the committee seeks to discredit the statement I have made in this report by alluding to the fact that we have said, what I still repeat, that in no instance where a voter went upon the stand and testified that he did not vote or that a certain other individual did not vote is anyone called to deny that statement; and they refer to the evidence of Craddick, who came upon the stand and testified that he had not voted. It is true that a Mr. Craddick went upon the stand and so testified; but, Mr. Speaker, there seems to have been two Craddicks in this precinct. This man to whom the gentleman from Virginia in his report has referred did go upon the stand and testify that he voted; but he did not deny that there was another Craddick in that same precinct. I want to call attention to a discrepancy in the evidence concerning this report, showing that the Craddick who says he did not vote was just as reliable a man and as much entitled to credit at the hands of the House as the Craddick who testifies that he did vote.

The SPEAKER pro tempore (Mr. HOPKINS). The time of the gentleman has expired.

Mr. MCCALL of Massachusetts. If I can be recognized I will yield to the gentleman.

The SPEAKER pro tempore. The gentleman from Massachusetts yields to the gentleman from Indiana [Mr. OVERSTREET].

Mr. OVERSTREET. Mr. Speaker, this man Craddick who testifies that he lived in that precinct, but did not vote, testified that he lived at a certain number on Jackson street. When the other Craddick is brought on the witness stand to disprove the statement that we have made, he was asked the question whether or not he lived on Gadsden street, and he said he did not. Then they go out and bring a man in who testified that he lived at 23 Gadsden street. Well, I do not care if half the population live at 23 Gadsden street. We have made no effort to prove that anybody lived there. The first Craddick testified that he lived at 23 Jackson street—not Gadsden street. Yet they have directed their attack upon some resident in Gadsden street.

Now, Mr. Speaker, I have but a few more statements to make. There is only one thing that can be brought up against the facts I have stated, and that is the effort to show that the colored vote of the First South Carolina district was divided upon this candidate. Some evidence is introduced in the record to show that a colored barbers' association adopted resolutions against the contestant, and that he was unpopular among the colored barbers. There is other evidence in the record, Mr. Speaker, to show that a large number of the barbers of that city supported this contestant. Perrin is a barber; Jameson, Dudman, and Johnson are barbers; yet they all testified that Mr. Murray received their support. The witness who testified that the barbers' association was against Mr. Murray admitted that he was in the employ of a white Democrat at a barber shop where they did not permit black men to enter.

Another colored man testified that he was connected with the State militia and that Murray was not the choice of all the colored men of that city. But the evidence shows that he is a suppliant for favors at the hands of the governor of that State. I submit, Mr. Speaker, you can not point to the evidence of a witness who undertakes to say that there was objection among the colored voters to Mr. Murray, unless the witness is some man who was associated with men who did not allow colored men around them, or else was a recipient of favors from the managers of the election and the officers of the State.

Mr. Speaker, this man was the choice of his party at the polls. It is notorious, as was admitted by the opposition in the Johnston-Stokes case recently, that colored voters of that State generally and practically are members of the Republican party. This contestant was not a stranger in their midst. He had held the position of member of Congress before. He had been the accepted nominee in two campaigns. What was there connected with him to alienate the colored vote?

Mr. Speaker, this city of Charleston is located upon an historic spot. It is the birthplace of secession and treason. It was within the confines of Charleston that the first gun directed against the flag of this Union belched rebellion from its treasonous throat. Many of the colored men of that city and district who are now alive heard the report of that gun, whose echo resounded around the world. The memory of that day when the men who had sought to deprive them of their right of suffrage inaugurated a war against the Union for the purpose of holding them in bondage is still fresh. This man not only was one of them, but he had been associated with them; he was one of their own color; and yet forsooth, because Mr. Elliott seeks recognition in this House by the votes of the city of Charleston, they must necessarily prove that there was a division among the colored voters of that State. The records of this House show that in three Congresses Mr. Elliott has been a contestee, and in each instance an effort has been made to show a division among the colored voters of the district. I undertake to say that the evidence showing the conduct of the nominating convention which placed Mr. Murray before the people, showing the fact that his opponents in that convention gave him support in the canvass and at the polls, showing the fact that these colored men were out in force on that day, disproves the allegation that there was any difference of opinion among the colored voters.

Mr. Speaker, the morning after this election the News and Courier of Charleston made this statement, speaking of the election in the city of Charleston:

> The day was devoid of any incident of a startling nature. A striking feature of the election was the presence at many polls of groups of colored voters, a sight that has not been seen here in many years, and which recalled to many of the old voters the days of Bowen and MacKay and the Hunkidori.

Ah, Mr. Speaker, it was in the days of the "Hunkidori," from 1876 to 1880, when the colored people undertook to exercise the right of suffrage, that the efforts were inaugurated by their opponents to deprive them of that right. And yet the organ of that very party on the day after this election says that the conduct of the colored men recalled to many of the old voters the days of the Hunkidori. Was there a difference of opinion amongst the colored voters then? Could it be possible that Mr. Elliott's vote could be accounted for in that way? Why were these colored men there? It is stated in the record in many places that they were there in the interest of their candidate, the contestant in this case.

The returns of the election show, Mr. Speaker, that the total vote in the city of Charleston gives to Mr. Murray but 4 per cent of the entire colored vote in the city, while it gives to Mr. Elliott 43 per cent of the white vote alone. The city of Charleston contains 1,945 more colored voters than white voters; and yet the returns for Mr. Elliott are 2811 and Mr. Murray but 397, which was in the ratio of 10 to 1.

It is a fallacy to assert in view of the fact of the overwhelmingly majority—the colored majority—the overwhelming interest in Mr. Murray and in the election that it was possible for Mr. Elliott to have received that number, 2811, and Mr. Murray only 397.

Mr. Speaker, it is the opinion of the committee, ratified by the majority of the members, that in the city of Charleston all of the precincts should be thrown out excepting precinct 1, in ward 2; precincts 1 and 2, in ward 6; and precinct 1, in ward No. 10. The law on this subject is clear and explicit. I quote from McCrary on Elections. In speaking of the subject of the incompetency, the inefficiency, or reckless disregard of essential requirements of the law, on the part of officers conducting an election, so that their acts become unreliable and of necessity work the same result as actual fraud, this writer says:

> No doubt this is so, for it may be regarded as a fundamental principle of the law of elections that whatever renders the returns or certificates of election officers unreliable, or which, in other words, destroys their value as evidence, is sufficient to set them aside, and to make it necessary to prove the fairness and legality of the election by other evidence.

And I quote again from section 483:

> To set aside the return of an election is one thing; to set aside the election is another and very different thing. The return from a given precinct being set aside, the duty still remains to let the election stand and to ascertain from other evidence the true state of the vote. The return is only to be set aside, as we have seen, when it is so tainted with fraud or with the misconduct of the election officers that the truth can not be deduced from it. The election is only to be set aside when it is impossible from any evidence within reach to ascertain the true result, when neither from the return nor from other proof nor from all together can the truth be determined. It is important to keep this distinction in mind.

I submit that when we have rejected the precincts in Charleston that I have mentioned, for the reasons given, other evidence is to be found in the remaining parts of the district to insure the contestant his right to the seat. By adding to the remaining vote for Mr. Murray the 217 votes from Haupt Gap, and leaving the Charleston precincts out, it gives the aggregate vote for Mr. Murray as 3,866 and Mr. Elliott 3,432, leaving Murray a plurality of 434 votes. I submit, sir, that the findings of this committee, under the evidence and law that I have outlined, should be recognized by the House by giving this colored man the seat to which he was fairly and clearly elected. [Applause.]

I reserve the remainder of my time.

[Mr. JONES addressed the House. See Appendix.]

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 1342) granting a pension to Lena D. Smith;

A bill (H. R. 8109) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes;

A bill (H. R. 6221) granting an increase of pension to Mary E. Chamberlin;

A bill (H. R. 6994) relating to the sale of gas in the District of Columbia;

A bill (H. R. 3582) to remove the charge of desertion now standing against Henry W. Bailey; and

A bill (H. R. 5946) granting an increase of pension to Abraham H. Parker.

WITHDRAWAL OF PAPERS.

Mr. QUIGG, by unanimous consent, obtained leave to withdraw from the files, without leaving copies, papers in the case of William H. Sloan (Forty-sixth Congress), no adverse report having been made.

LEAVE OF ABSENCE.

The following requests for leave of absence were submitted:

By Mr. CURTIS of Iowa, for three days, on account of important business.

By Mr. SMITH of Michigan, for one week, on account of important business.

By Mr. LORIMER, for five days, on account of important business.

By Mr. SPENCER, for ten days, on account of important business.

By Mr. CROWLEY, for ten days, on account of important business.

By Mr. CATRON, for ten days, on account of important business.

By Mr. COLSON, indefinitely, on account of important business.

By Mr. BARHAM, indefinitely, on account of sickness.

By Mr. MCLAURIN, indefinitely, on account of sickness in his family.

By Mr. WILLIAMS, for the rest of this day, on account of sickness.

By Mr. MAHON, for four days, on account of sickness in his family.

Mr. DINGLEY. I must object to all these requests for leave of absence except those which are asked on account of sickness of the member or of some of his family.

The SPEAKER. Without objection, the requests made on account of sickness will be considered as granted.

There was no objection.

CHANGE OF REFERENCE.

By unanimous consent, the Committee on Claims was discharged from the further consideration of the bill (S. 2540) to provide compensation for a bridge and for buildings and other improvements constructed by certain persons upon public lands afterwards set apart and reserved as the Yellowstone National Park; and the same was referred to the Committee on the Public Lands.

WATER-MAIN ASSESSMENTS—RETURN OF BILL FROM PRESIDENT.

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, with the accompanying bill, was referred to the Committee on the District of Columbia:

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 2d instant (the Senate concurring) I return herewith the bill (H. R. 3279) entitled "An act to authorize the reassessment of water-main taxes or assessments in the District of Columbia, and for other purposes."

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 3, 1896.*

CONTESTED ELECTION—MURRAY VS. ELLIOTT.

Mr. OVERSTREET. Mr. Speaker, I shall detain the House but very briefly, for the purpose of closing the debate this afternoon, by calling attention to one or two remarks which the gentleman from Virginia [Mr. JONES] has made in the course of his argument.

I stated when I was on the floor before that 25 witnesses testified concerning the impediment to registration and the irregularities, as shown by the registration supervisors in the city of Charleston, S. C. I anticipated the gentleman's argument, who seeks to impress the House with the idea that upon this evidence alone depends the action in this case.

I stated then, as I state now, that their evidence was directed to but one point, and that the evidence was but one class of evidence upon which we relied. All of the evidence concerning the action of the supervisors themselves, in issuing not fraudulent but absolutely worthless certificates, was not testified to by any of these 25 men. The supervisors of registration undertook honestly, possibly, to conform to the law, but erroneously issued worthless certificates, which were refused by the managers of the election when they were presented by the voters at the polls, and hence the holders of them lost the privilege of voting.

He has by some form of mathematics undertaken to demonstrate to the House by a calculation the number of registered colored voters in the city of Charleston, S. C., and ascertained that it was about 4,000, by enumerating the highest registration certificate offered at something over 11,000, and subtracting therefrom the entire Democratic vote of the city. Now, in answer to that I call your attention to the evidence of Henry Smalls, which is found on page 413 of the record, who offered a certificate signed by the full board of supervisors under date of March 31, 1891, and bearing the certificate number 15217.

I have already said, sir, that under the operation of that law of 1890 the supervisors of registration who issued the certificates issued them to none save those who had the certificates under the law of 1882; and that they issued the certificates under the law of 1890, conforming their numbers to the certificates formerly issued under the law of 1882. I call your attention also to the evidence of Scipio E. Dentzler, found on page 418 of the record, who presented a certificate signed by the entire board of registration officers and bearing the certificate number 11213, and dated the 24th of March, 1891. These two instances exemplify all of the evidence that is necessary to present at this time to disprove the allegation the gentleman from Virginia made concerning the number of registered colored voters in the city of Charleston. His calculation was made upon a basis that did not exist.

When you read the evidence not only of the 25 witnesses referred to concerning the action of the registration officers, the irregularity in the certificates, of the failure to permit them to obtain certificates, and when you study the evidence of the worthless certificates issued by the three different boards of supervisors, and the evidence of challengers and the boards of managers concerning their misconduct, the entire conduct of all the election officers, from the supervisors to the challengers, goes to make up a conspiracy under the law which was established by unimpeachable testimony.

He would have you believe that a spirit of pure sentiment is the basis of the action proposed here in the report of the committee. I repudiate the assertion absolutely. I believe I have been approached by lobbyists as much as any member on the floor, and I undertake to say that no man has ever approached me concerning this case until after the report was submitted to the House, and if the gentleman from Virginia undertakes to stigmatize the colored people of this district by saying they petition to seat a representative of that race upon the floor without a proper right to the seat, he does it without evidence. They have the right, as the contestant has, to urge a consideration of the case when it is placed on the Calendar. It is true, sir, that he, with other contestants in this House, has sought hearings at the hands of the House after the cases were submitted and passed beyond the scope of the committee and onto the Calendar; but when the gentleman from Virginia undertakes to say that this action is based upon sentiment alone he is simply begging the question.

The gentleman from Virginia has brought into view the record as made up in the contested-election case of Johnston *vs.* Stokes. I made no illusion to that, save and except to show the relation between the two districts under the one apportionment.

Mr. JONES. I will say to the gentleman that his colleague from Indiana [Mr. HARDY] asked about that.

Mr. OVERSTREET. I certainly did not bring it up.

Mr. JONES. Your colleague from Indiana asked about it. I did not bring it in.

Mr. OVERSTREET. Permit me to say, in reply to his charge that I had stultified the statements of men on this floor, that not a Republican on this floor changed his position upon the vote in the case of Johnston *vs.* Stokes, save the men who signed the original committee report. The vote of every other gentleman was consistent, and while I failed in my effort to seat the contestant, it was not because members of my own party had changed their positions, but because the Democratic members of this House, driven either to accept the situation as I had outlined and urged it or do as they did, were forced from their position, voted against the members of their own party, and repudiated the report of their own members and voted solidly against the position they had first taken.

Now, Mr. Speaker, the record of every Democratic national convention recites something to which their party can point with pride; but in the wreck of industries in this country, in the humiliation of the administration of the foreign office under the present Democratic rule, in the records of their own party, split from one end to the other upon the currency question, they will have little to which to point with pride except that in the Fifty-fourth Congress, having abandoned the position they first assumed in the Johnston-Stokes case, they declared as one man that there was not a valid election in the Seventh Congressional district of South Carolina. I would urge them, as one other spasm of virtue, that in this case, which teems with justice and equity, they turn from the same men whose report they repudiated in the case of Johnston *vs.* Stokes and vote to seat this contestant, Mr. Murray.

Mr. Speaker, it being evident that no quorum is present, I desire to give notice that immediately after the reading of the Journal to-morrow I shall move the previous question on this case. [Applause.]

Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 5 o'clock and 54 minutes p. m.), the House adjourned until to-morrow at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. CONNOLLY, from the Committee on the Judiciary, to which was referred the joint resolution of the House (H. Res. 190) to facilitate the reorganization of the Northern Pacific Railroad Company; to secure to actual settlers the right to purchase at a price not exceeding $2.50 per acre the agricultural lands within its grant, and to prohibit said company or any successor company from giving by consolidation, sale, or other corporate action control of its railroad to any corporation, company, person, or association of persons owning, operating, or controlling a parallel or competing railroad, reported the same with amendment, accompanied by a report (No. 2181); which said bill and report were referred to the House Calendar.

Mr. GIBSON, from the Committee on War Claims, to which was referred House bill No. 1247, reported in lieu thereof a bill (H. R. 9324) to provide for the adjudication and payment of damages sustained by citizens of the United States in the State of Kansas by the invasion of Confederate troops, bands of guerrillas, and marauders during the late war of the rebellion, accompanied by a report (No. 2182); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. QUIGG, from the Committee on the Library, to which was referred the bill of the House (H. R. 882) for the erection of an equestrian statue of Maj. Gen. John Stark in the city of Manchester, N. H., reported the same without amendment, accompanied by a report (No. 2183); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the joint resolution of the Senate (S. R. 135) providing for the appointment of a commission to report upon the practicability of establishing near Washington, D. C., a ground map of the United States, reported the same without amendment, accompanied by a report (No. 2184); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. SHAFROTH, from the Committee on the Public Lands: The bill (H. R. 3222) for the relief of James H. Wimpey, of McDonald County, Mo., authorizing him or his legal representatives to select 160 acres of unoccupied and unappropriated land of the United States (not mineral), and subject to homestead entry, and directing the issue of scrip therefor, in legal subdivisions. (Report No. 2168.)

By Mr. PUGH, from the Committee on War Claims: The bill (H. R. 3767) for the relief of Joel A. King. (Report No. 2169.)

By Mr. FENTON, from the Committee on Military Affairs: The bill (H. R. 5090) to correct and amend the military record of Capt. Alexander McDonald, of Company I, Seventeenth Wisconsin Volunteer Infantry. (Report No. 2170.)

By Mr. MARSH, from the Committee on Military Affairs: The bill (H. R. 9063) to relieve James M. Wilson, late private Company C, First Mississippi Marine Brigade, from the charge of desertion. (Report No. 2171.)

By Mr. ANDREWS, from the Committee on Invalid Pensions: The bill (H. R. 5307) granting a pension to Anna M. Sweet, of Newport, Ky. (Report No. 2172.)

The bill (H. R. 6671) for the relief of Charles A. Nazro. (Report No. 2173.)

By Mr. CROWTHER, from the Committee on Invalid Pensions: The bill (H. R. 6757) granting a pension to Andrew J. Molder. (Report No. 2174.)

The bill (H. R. 6231) to restore Jonathan Hess to the pension roll and pay him $12 per month. (Report No. 2186.)

By Mr. KIRKPATRICK, from the Committee on Invalid Pensions:

The bill (H. R. 6965) granting a pension to T. B. Limbocker. (Report No. 2175.)

The bill (H. R. 4518) granting an increase of pension to Joseph Thompson. (Report No. 2176.)

The bill (H. R. 7884) granting a pension to Isaac N. Cisson. (Report No. 2177.)

The bill (H. R. 8756) granting a pension to C. A. Howke. (Report No. 2178.)

The bill (H. R. 6967) granting a pension to William T. Buckner. (Report No. 2179.)

By Mr. WOOD, from the Committee on Invalid Pensions: The bill (H. R. 1946) to increase the pension of Harrison Kilburn, Company H, Thirty-eighth Illinois Volunteer Infantry. (Report No. 2180.)

By Mr. BAKER of Kansas, from the Committee on Invalid Pensions: The bill (H. R. 2235) to pension John F. Foster. (Report No. 2185.)

By Mr. SULLOWAY, from the Committee on Invalid Pensions: The bill (H. R. 3658) granting an increase of pension to Woodbury Day, alias John White. (Report No. 2187.)

The bill (H. R. 4648) granting a pension to Cyrus S. Bailey. (Report No. 2188.)

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. PAYNE: A bill (H. R. 9321) to provide for repairing damages to the trees, foliage, and planting of the United States Capitol Grounds made necessary by recent violent storms—to the Committee on Appropriations.

By Mr. SHAFROTH: A bill (H. R. 9322) concerning the election of Representatives to Congress—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. BABCOCK: A bill (H. R. 9323) to amend the provision of the act of February 25, 1885, creating the policemen's fund—to the Committee on the District of Columbia.

By Mr. ALDRICH of Illinois: A joint resolution (H. Res. 195) to pay officers and employees of the Senate and House of Representatives on the day following adjournment—to the Committee on Accounts.

By Mr. SHAFROTH: A joint resolution (H. R. 1867) proposing an amendment to the Constitution of the United States.

By Mr. PHILLIPS: A resolution (House Res. No. 403) authorizing the Committee on Labor to have printed such arguments, briefs, etc., as have been or may be submitted to its consideration relative to bills pending before it—to the Committee on Printing.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 9306) granting a pension to Amanda Woodcock; and the same was referred to the Committee on Pensions.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. ARNOLD of Pennsylvania: A bill (H. R. 9325) to correct the military record of W. J. Miller—to the Committee on Military Affairs.

By Mr. BURRELL: A bill (H. R. 9326) to grant a pension to James Chapman—to the Committee on Invalid Pensions.

By Mr. FENTON: A bill (H. R. 9327) to correct the military record of Charles K. Dawson—to the Committee on Military Affairs.

By Mr. HERMANN: A bill (H. R. 9328) to increase the pension of Charles T. Blumenrother—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9329) to pension Isaac Grier for services in Oregon Indian wars—to the Committee on Pensions.

Also, a bill (H. R. 9330) for the relief of B. H. Cammann—to the Committee on Claims.

Also, a bill (H. R. 9331) to increase the pension of Louis Alexander Dunlop, alias Alexander Dunlop—to the Committee on Invalid Pensions.

By Mr. KULP: A bill (H. R. 9332) granting a pension to Isaac Kobel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9333) granting a pension to Michael O'Brien—to the Committee on Invalid Pensions.

By Mr. SKINNER: A bill (H. R. 9334) granting a pension to Dorcus F. Murphy, widow of Rufus D. K. Murphy—to the Committee on Invalid Pensions.

By Mr. TRELOAR: A bill (H. R. 9335) granting a pension to William A. Benton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9336) granting an increase of pension to Jefferson A. Mayhall—to the Committee on Invalid Pensions.

By Mr. WOOD: A bill (H. R. 9337) granting an increase of pension to Mazie V. Sullivan—to the Committee on Invalid Pensions.

By Mr. MILLIKEN: A bill (H. R. 9338) to remove the charge of desertion against Charles Abbott—to the Committee on Military Affairs.

By Mr. GRAFF: A bill (H. R. 9339) to remove the charge of desertion from the military record of Robert White—to the Committee on Military Affairs.

Also, a bill (H. R. 9340) to remove the charge of desertion from the military record of Joseph Moll—to the Committee on Military Affairs.

Also, a bill (H. R. 9341) granting a pension to Lemuel Shook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9342) granting a pension to Elizabeth Tinksham—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARRETT: Resolutions of the Board of Trade of Revere, Mass., protesting against the adoption of the so-called Pasco amendment to the Post-Office appropriation bill—to the Committee on the Post-Office and Post-Roads.

By Mr. FARIS: Paper to accompany House bill No. 4723, relating to the claim of George W. Higer—to the Committee on Invalid Pensions.

By Mr. STEWART of Wisconsin: Resolution of the Superior Commercial Club, relative to the Maritime Canal of North America—to the Committee on Railways and Canals.

SENATE.

THURSDAY, *June 4, 1896.*

The Senate met at 11 o'clock a. m.

NAMING A PRESIDING OFFICER.

Mr. PLATT called the Senate to order, and the Chief Clerk, Mr. JOHN S. MCEWAN, read the following letter:

JUNE 3, 1896.

To the Senate:

In the absence of the Vice-President and President pro tempore of the Senate, by authority of Rule I, I hereby name O. H. PLATT, Senator from Connecticut, to perform the duties of the Chair during the 4th day of June, 1896.

WM. P. FRYE,
President pro tempore.

Thereupon Mr. PLATT took the chair as Presiding Officer for to-day.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. WALTHALL, and by unanimous consent, the further reading was dispensed with.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, returned to the Senate, in compliance with its request, the bill (S. 1420) granting an increase of pension to Elizabeth W. Sutherland.

ENROLLED BILLS SIGNED.

The signature of the Vice-President was announced to the following enrolled bills; which had previously been signed by the Speaker of the House of Representatives:

A bill (S. 1342) granting a pension to Lena D. Smith;

A bill (H. R. 3582) to remove the charge of desertion now standing against Henry H. Bailey;

A bill (H. R. 5946) granting an increase of pension to Abraham H. Parker;

A bill (H. R. 6221) granting an increase of pension to Mary E. Chamberlin;

A bill (H. R. 6994) relating to the sale of gas in the District of Columbia; and

A bill (H. R. 8109) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

DEFICIENCY APPROPRIATION BILL.

Mr. HALE. I ask the Chair to lay before the Senate the action of the House of Representatives on the deficiency appropriation bill.

The PRESIDING OFFICER laid before the Senate the message of the House of Representatives announcing its agreement to the amendments of the Senate numbered 27, 207, and 208, with certain amendments, to the bill (H. R. 8293) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes; and its further disagreement to the amendments numbered 14, 24, 25, 30, 31, 37, 74, 79, 80, 81, 82, 83, 103, 104, 105, 106, 122, 137, 147, 148, 190, 192, and 200 to the bill.

Mr. HALE. I move that the Senate disagree to the amendments of the House to certain Senate amendments and also insist further upon its own amendments, and request a further conference with the House on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. HALE, Mr. ALLISON, and Mr. COCKRELL were appointed.

PETITIONS AND MEMORIALS.

The PRESIDING OFFICER presented a petition of General Assembly, Order of the Knights of Labor, of Washington, D. C., praying for the passage of the so-called Phillips bill, providing for the appointment of a nonpartisan commission to collate information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital; which was ordered to lie on the table.

Mr. PEFFER presented the petition of James Seldon Cowdon and 100 other citizens of the United States, praying for the passage of Senate bill No. 3246, to promote aerial navigation for military purposes; which was referred to the Committee on Military Affairs.

Mr. CHANDLER presented the petition of Rev. Albert E. Hall and 17 other citizens of Canterbury, N. H.; the petition of E. S. Coller and 118 other citizens of East Rochester, N. H., and the petition of Deacon J. D. Martin and 38 other citizens of Piermont, N. H., praying for the passage of Senate resolution No. 28, proposing an amendment to the Constitution of the United States acknowledging Almighty God as the source of all power and authority in civil government, etc.; which were referred to the Committee on the Judiciary.

Mr. LODGE presented a petition of the Old South Methodist Episcopal Church, of Reading, Mass., praying for the enactment of a Sunday-rest law in the District of Columbia; which was referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES.

Mr. GALLINGER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 1892) granting a pension to Catharine Darragh, to report it favorably without amendment and submit a report thereon. In behalf of the Senator from Pennsylvania [Mr. QUAY], who is greatly interested in the bill, I ask that it be now considered. It will take but a moment.

Mr. BATE. I object to the consideration of the bill until the morning business is over.

The PRESIDING OFFICER. Objection to the consideration of the bill being made, it will be placed on the Calendar.

Mr. SHOUP, from the Committee on Pensions, to whom was referred the bill (S. 3094) granting an increase of pension to George W. Palmer, reported it without amendment, and submitted a report thereon.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 5127) for the relief of Abraham O. Waucop, reported it without amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (S. 540) to correct the military record of and grant an honorable discharge to Isaac H. Fitzmorris, he having served in the Army of the United States three years six months and six days, reported adversely thereon, and the bill was postponed indefinitely.

Mr. MITCHELL of Wisconsin, from the Committee on Pensions, to whom was referred the bill (H. R. 4405) granting a pension to Augustus G. Cary, reported it without amendment, and submitted a report thereon.

Mr. CHANDLER, from the Committee on Naval Affairs, submitted a report to accompany the bill (S. 2630) authorizing and directing the Secretary of the Navy to donate condemned cannon to the Londonderry Soldiers' Monument Association, of Londonderry, N. H.; which was ordered to be printed.

Mr. SHERMAN. In the absence of the Senator from South Dakota [Mr. KYLE], I present certain papers to accompany the report on the bill (S. 1202) to establish a university of the United States. I move that the papers be printed to accompany the report.

The motion was agreed to.

Mr. SHOUP, from the Committee on Pensions, to whom was referred the bill (S. 877) granting an increase of pension to Oliver P. Silvey, reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. SHOUP introduced a bill (S. 3257) donating condemned cannon and cannon balls to the Idaho Soldiers' Home, Boise City, Idaho; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. GALLINGER introduced a bill (S. 3258) to amend the provision in the act of February 25, 1885, creating the policemen's fund; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CHANDLER (for Mr. PROCTOR) introduced a joint resolution (S. R. 157) extending the scope of the investigations by the Agricultural Department in the matter of the improvement of public roads; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. CARTER introduced a joint resolution (S. R. 159) to authorize the further retention of certain money in the Treasury; which was read twice by its title, and referred to the Committee on Indian Affairs.

DISTILLED SPIRITS IN BOND.

Mr. CARTER submitted an amendment intended to be proposed by him to the bill (H. R. 8582) to allow the bottling of distilled spirits in bond; which was referred to the Committee on Finance, and ordered to be printed.

ELIZA SANDFORD.

Mr. SEWELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1189) granting a pension to Eliza Sandford.

ISSUE OF BONDS IN NEW MEXICO.

Mr. DAVIS. I ask that House bill 9275 be laid before the Senate.

The bill (H. R. 9275) approving certain acts of the legislative assembly of the Territory of New Mexico, authorizing the issue of certain bonds of said Territory, was read twice by its title.

Mr. DAVIS. I wish to make a statement about the bill. It is rather a peculiar situation. It is a House bill. It was passed by the Senate with an amendment. It was sent to the House and passed by the House with a House amendment and was sent over here as a passed bill by the House. There has been some question as to whether a motion to concur would be sufficient. I think not. I report the bill favorably from the Committee on Territories, and ask that it be now considered, which will close all question in regard to it.

Mr. HALE. Not to give rise to any debate?

Mr. DAVIS. Oh, no.

The PRESIDING OFFICER. The Senator from Minnesota asks for the present consideration of the bill.

Mr. BATE. It is a bill of considerable importance. I am a member of the Committee on Territories, and——

Mr. DAVIS. I will say to the Senator from Tennessee that it is the bill I spoke to him about yesterday.

Mr. BATE. Is that the one?

Mr. DAVIS. It is the one.

Mr. BATE. I opposed it in committee. I want that understood.

Mr. DAVIS. That is understood.

Mr. GALLINGER. Before consent is given, I should like to make simply one inquiry of the honorable Senator from Minnesota. I noticed when the bill was before the House recently it was there sharply antagonized, and the statement was there made pretty broadly that the bonds it is proposed to validate were questionable bonds. I should like simply a statement from the Senator on that point. I think there are certain parties in my own section of the country holding other bonds who are very strongly opposed to the passage of this bill, and yet I shall not interpose any factious opposition to it.

Mr. DAVIS. No objection has been made before the Committee on Territories. There was laid before the House of Representatives a letter from the Delegate from New Mexico stating that the validation of the bonds was all right.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill? The Chair hears none, and the bill will be read as in Committee of the Whole.

The Secretary read the bill.

Mr. SHERMAN. I should like to have the last clause read again. I want to know from the Senator whether the United States is at all liable?

Mr. DAVIS. Not in the least.

Mr. HALE. If the bill is to give rise to debate I must object.

The PRESIDING OFFICER. The Chair understood the Senator from Maine to reserve that right.

Mr. SHERMAN. Were the bonds issued for good consideration?

Mr. DAVIS. They were issued for good consideration.

Mr. SHERMAN. At par?

Mr. DAVIS. I do not know what they were sold for, but the Delegate from the Territory——

Mr. BATE. Mr. President, we can not hear the colloquy on this side, and it is a very important question. There are several issues of bonds proposed to be validated and I do not indorse the proposition exactly.

Mr. HALE. I must object if it gives rise to debate. I am in this position: Last night the Senate agreed to take up the naval appropriation bill at the end of the routine morning business. Several Senators desire to debate it. The Senate agreed to take the final vote at 1 o'clock. Every minute now is not encroaching upon me but encroaching upon Senators who desire to speak upon that measure, as the time for a vote has already been fixed.

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole. If there is no amendment and no objection, the bill will be reported to the Senate.

Mr. BATE. I desire to state that I am not prepared to debate the bill, neither do I care to delay its consideration. I know there was controversy in the committee room in regard to it, though I am not familiar with the exact details. I understand that it elicited a sharp debate in the other House. I do not know, but I may be mistaken about that.

Mr. DAVIS. Let it go over.

Mr. BATE. I do not propose to debate it, and I would not delay the action of the Senate upon it.

The PRESIDING OFFICER. Objection is made, and the bill will go over.

Mr. BATE. I do not desire to debate it, and I do not propose to delay action if the Senate desire to dispose of it now, although I shall enter my objection to the measure.

Mr. CULLOM. I hope if it goes over the Senator from Tennessee will look at the bill, so that when it comes up again it can be disposed of. It is a very important measure to the people of that Territory.

Mr. BATE. I will do so.

Mr. HALE. I call for the regular order.

Mr. CHILTON. I hope the Senator from Maine will let me call up a bill which must be passed to-day if it is to do the parties any good, and I do not suppose there is a human being in the United States who objects to it.

The PRESIDING OFFICER. It is not in order at this time.

Mr. CHILTON. I rose to ask unanimous consent for that purpose.

The PRESIDING OFFICER. Concurrent and other resolutions are in order.

CAPTURE OF THE COMPETITOR.

Mr. MORGAN. I ask that the resolution I offered yesterday, requesting the President to send information to the Senate in regard to the *Competitor* case, may be taken up and postponed until to-morrow without prejudice.

The PRESIDING OFFICER. The Senator from Alabama asks that the resolution which he introduced yesterday, and which was laid on the table and printed, be postponed until to-morrow without losing any right it may have at the present time.

Mr. HALE. I hope that will be done.

The PRESIDING OFFICER. If there be no objection, it will be so ordered.

NAVAL APPROPRIATION BILL.

Mr. HALE. Now, Mr. President, if the morning business is concluded, let the naval appropriation bill be proceeded with.

The PRESIDING OFFICER. If there are no further resolutions, the morning business is closed.

Mr. HALE. I ask that the naval appropriation bill, about which there was an agreement last night to vote at 1 o'clock, be laid before the Senate, and then, if no one objects, I will yield to the Senator from Texas [Mr. CHILTON] on a matter which will give rise to no debate.

The PRESIDING OFFICER. The Chair lays the naval appropriation bill before the Senate. The pending question is on the motion of the Senator from Pennsylvania [Mr. QUAY] that the Senate recede from its amendment numbered 32, disagreed to by the House of Representatives.

Mr. HALE. I now yield to the Senator from Texas for a moment.

EL PASO AND NORTHEASTERN RAILROAD.

Mr. CHILTON. I ask unanimous consent for the present consideration of the bill (S. 3206) to grant a right of way through the new Fort Bliss Military Reservation to the El Paso and Northeastern Railroad Company. It is a very short bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

INVESTIGATION OF FUR-SEAL FISHERIES.

Mr. MORRILL. I am unanimously directed by the Committee on Finance to report back without amendment the joint resolution (S. R. 155) to authorize a scientific investigation of the fur-seal fisheries, and to ask for its present consideration. It is a measure of considerable importance, and I think the Senator from Maine will not object to its consideration at this time.

Mr. HALE. If it will give rise to no debate I shall not object, provided it is not a long resolution; but, as I have just stated, I am under constraint. Senators who wish to debate the naval appropriation bill are limited by the agreement that a final vote shall be taken at 1 o'clock, and yielding to anything takes away their right to debate.

Mr. MORRILL. I do not think this measure will excite a moment of debate, but in order to have it explained I will ask that a communication received from the Assistant Secretary of the Treasury be read.

Mr. HALE. I must object. I call for the regular order.

The PRESIDING OFFICER. Objection is made, and the joint resolution will be placed upon the Calendar.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. PRUDEN, one of his secretaries, announced that the President had on the 3d instant approved and signed the following acts:

An act (S. 2499) to amend an act entitled "An act to incorporate the Washington and Great Falls Electric Railway Company";

An act (S. 1247) to establish and provide for the maintenance of a free public library and reading room in the District of Columbia; and

An act (S. 2221) for the relief of settlers on the Northern Pacific Railroad indemnity lands.

The message also announced that the following bills were presented to the President May 20, 1896, and not having been returned

by him to the House of Congress in which they originated within the ten days prescribed by the Constitution have become laws without his approval:

An act (S. 1100) granting a pension to Russel N. Reynolds;

An act (S. 1522) granting a pension to Catherine Smith; and

An act (S. 2514) granting an increase of pension to Mrs. Annie E. Colwell.

The message further announced that the bill (S. 1837) granting a pension to Ellen C. Ewing, widow of Bvt. Maj. Gen. Thomas Ewing, was presented to the President on May 21, 1896, and not having been returned by him to the House of Congress in which it originated within the ten days prescribed by the Constitution, has become a law without his approval.

NAVAL APPROPRIATION BILL.

The Senate resumed the consideration of the disagreeing votes of the two Houses upon the bill (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes.

The PRESIDING OFFICER. The pending question is on the motion made by the Senator from Pennsylvania [Mr. QUAY], that the Senate recede from its amendment numbered 32, by which the Senate reduced the number of battle ships from four to two.

Mr. GORMAN. I take it that the Senator from Maine does not intend to have the vote taken on this question until about 1 o'clock. I understand that that agreement was made yesterday, so that we might have a full vote of the Senate on the proposition.

Mr. HALE. The agreement was that the final vote should be taken not later than 1 o'clock, and that was done for the purpose of enabling Senators who desire to take part in the debate. I have been able to keep the regular order before the Senate and it is now open, of course, to debate on any of the subjects-matter that are in the bill. I shall not call for a vote prior to 1 o'clock unless the debate ends before that time.

Mr. ALDRICH. I suggest, if no one is ready to go on upon this question, that there is another conference report and some other business before the Senate which might be taken up in the meantime. I take it for granted there is no use in keeping this question before the Senate until 1 o'clock simply because we made an agreement to vote at that time. Why not take up some other measure?

Mr. GORMAN. I do not know that there is to be any extended debate upon this proposition, but it seems to me very important that we should have a vote of the Senate upon it, and I should like very much to see a full vote. As the case stands now between the two Houses, the Senate voted for two battle ships and the House refused by a very large vote to concur in the Senate amendment. Necessarily that leaves the conferees on the part of the House in a position to insist that they are practically instructed for four. The Senate voted upon the question only when the bill was being considered as in Committee of the Whole, and voted for two. We ought now to have a full and decisive vote of the Senate. It is a perfectly plain proposition and one that does not require very much discussion. The only question is whether it is wise for us to recede.

Mr. CULLOM. Is there any reason why we can not have a full vote to-day?

Mr. GORMAN. Oh, no. On the contrary, I suppose by our agreement yesterday we are to vote at a fixed hour, at 1 o'clock, so as to have all Senators present. That is the only object I had in suggesting that hour to the Senator.

Mr. CULLOM. That is the time fixed.

Mr. GORMAN. I only want the vote taken promptly at that time. So far as the debate is concerned, I do not know how far it is desired. I do not wish to go into any extended discussion of the question. I said all I desire to say when the bill was before the Senate.

There are only two propositions involved. One is whether it is wise to attempt to authorize the construction of more than two great war vessels at this time, at a time when it is ascertained in reference to those which have heretofore been ordered and are now being constructed by the Government that, if there are not defects in them, it is believed that great improvement can be made in the structure of the vessels themselves. There is a board now in session to determine that question. So they have been improving from year to year and will continue to make improvements in the structure of the vessels. Therefore, in my judgment, we ought not to proceed more rapidly than we have heretofore gone, and should not order more than two vessels.

As to the matter of the expenditure of money, that is a question with which the Senate is entirely familiar and with which Congress is familiar. It would seem as if we do not take that matter into account very much about anything. At the same time, if the Senate on reflection desires to recede from its amendment and adopt the House provision we ought to have a full vote of the Senate upon the proposition. So far as I am concerned, I shall not change my mind upon the subject. I believe, however, that with the provision the Senate inserted, after mature consideration by the Committee on Naval Affairs, limiting the cost of the armor to $350 a ton, probably we shall not have any of these vessels built.

Mr. FAULKNER. If the Senator from Maryland will permit me, I should like to ask him a question. I voted for the amendment limiting the cost of armor to $350 a ton with the understanding from the members of the Committee on Naval Affairs that that was above the price at which armor had been sold by our manufacturers to foreign countries. If that is true, I feel like adhering to my vote; but if it is not true I should like the Senator to explain in what respect the facts differ from that statement.

Mr. GORMAN. Two years ago, I think, the Bethlehem Company contracted with the Russian Government for a small amount of armor at two hundred and fifty-odd dollars a ton. I believe $259 was the exact amount. When we had the naval appropriation bill under consideration a year ago that matter was brought to the attention of Congress, and the House of Representatives inserted a clause in that bill providing that no armor should be purchased at a higher rate per ton than was paid by any foreign government for like armor purchased in the United States. It referred to a single contract with the Bethlehem Company. I do not believe the matter was considered at that time by the Naval Committee. It was, however, brought to the attention of the Appropriations Committee. The Bethlehem Company made a very frank statement, as I remember, to the effect that they were without work, or probably had not enough work to continue the operations of their factory, and this offer was made to the Russian Government for two reasons, first, to keep their factory in operation, and secondly, to introduce American armor on the other side; and being a small order, and not a very great amount of money involved in it, they closed it at $259 a ton, about one-half of the price at which the French makers offered it to the Russian Government and about one-half of the price the Government of the United States has been paying. But during the last year in competition with the English and French manufacturers they have secured another contract from the Russian Government at about $515 or $529 per ton, I have forgotten which, but about the same price they are charging the United States. They claimed that it was a movement on the part of the American manufacturers which they could afford to make at a loss for the purpose of introducing our armor, which is confessedly better than the English or the French armor.

The Senate at that time struck out the provision prohibiting a greater amount to be paid for armor than they had charged to foreign governments, because the testimony of all the manufacturers was that it was impossible to make it for that price. Since then the Committee on Naval Affairs have made their investigation. The Senator from New Hampshire [Mr. CHANDLER], the Senator from Georgia [Mr. BACON], and the Senator from South Carolina [Mr. TILLMAN] yesterday made very full statements to the Senate, which are before us to-day in the RECORD. I know nothing of that testimony except what I heard yesterday; I have not had time to read it. It was taken by a committee of this body, and they believe that we ought to adhere to our amendment. If the Senate agrees to it, I say frankly, from the investigations that I have given to the subject in the last two or three years, I do not believe it will be possible to procure the armor for such a price, and therefore the construction of the ships will be delayed, for in the construction of all the vessels made to this time the delay has been not in the frame, not in the general work of the shipbuilders, but in the supply of the armor itself. Therefore I take it that the Department will not think of making a contract at all for any portion of the ships unless they can get the armor at the price named in the amendment.

Mr. HALE. Let me suggest to the Senator from Maryland and also to the Senator from West Virginia that if the Senate does not insist on the amendment then the whole matter ends; but if the Senate does insist upon the amendment which fixed $350 as the limitation upon the Secretary of the Navy the matter goes into conference, and there will be an opportunity in conference, if it is believed that the limitation is too low, to fix it at $375 or $400. By the Senate insisting on its amendment it gives the conferees an opportunity to do that. If the Senate does not insist the whole subject, of course, passes away, and there will be no limitation whatever. Is not that the parliamentary situation?

Mr. GORMAN. That is unquestionably the case. I want to say to the Senate frankly that after the positive statements made by the distinguished Senator from New Hampshire, who has had probably more personal experience in this matter than any other member of the body, was a most distinguished Secretary of the Navy, and is a member of the Naval Committee (and I listened attentively to the statements made yesterday), I should feel as one of the conferees on the bill that we ought not to surrender except by a vote of the Senate. Honorable members of the Naval Committee yesterday intimated, indeed they stated broadly, that there was a combination among these manufacturers. It was intimated that there were lobbies in Washington in the interest of the manufacturers, in Congress and near it, and the price had been kept

up to a point where high officials of the Government had intimated that it was an extortion upon the Government of the United States. Under the circumstances it does not seem to me that the responsibility alone of changing this amount from $350 a ton to $450 ought to be placed upon the conferees. As one of the conferees I would not feel at liberty to make such an adjustment after an honorable committee of this body has been supported by the Senate and when the Naval Committee were practically unanimous in making this broad statement to the Senate of the United States.

Mr. HALE. Is it not peculiarly a matter for adjustment in conference? Because the Senate will not give up its proposition of some limitation, when the conferees of this body meet the conferees of the other House, who are not willing to consent to so narrow a limitation but will consent to some other limitation, does the Senator think that such an adjustment would be in any way a breach of the privileges of a conference? Is not that done on matters of amount every day in conference committees?

Mr. GORMAN. Yes, unquestionably; and in all ordinary cases that must, of necessity, be the rule. Otherwise the two Houses could never come to an adjustment. But this is a unique case. This is a case where the Committee on Naval Affairs of this body have unanimously determined, as I understand it, that $350 should be the outside limit of the cost of the armor.

Mr. HALE. The committee unanimously agreed that there should be some limitation. As was stated in the debate yesterday by the Senator from Georgia [Mr. BACON], who presented the case very clearly and who offered this amendment, it is difficult to fix with any accuracy just the amount of the limitation. That being the case, for one, while the feature of a limitation is insisted upon, it being difficult except upon full conference to finally fix it, I should not consider that I am estopped from an agreement at some other figure when we get into conference unless the House conferees accept our proposition. I think the limitation of $350 is large enough, but I am not so set and determined as a member of the Appropriations Committee or of the Naval Committee upon that figure that I could not agree to some other figure.

Mr. GORMAN. There is one peculiar phase of this case. From the beginning of the construction of these great vessels of war Congress has left with the Secretary of the Navy unlimited power as to the price of all materials that enter into a ship, and no price has been fixed for armor. The Department has been under the control of two great political parties, the Democratic and the Republican, and their action heretofore in the contracts that were made with the armor-plate people up to within the last year has not been criticised, so far as I know. So far as I know, to-day no officer of the Government who is responsible in making these contracts or whose duty it is to make them has suggested to Congress that there ought to be a limit by law as to the price of armor. I have not been able to secure from the officers in charge of this particular branch, in either the War Department or the Navy Department, any suggestion whatever as to a limitation. In the matter of annealed steel for the guns to be used in the fortifications, we absolutely failed to get the ordnance officers to agree to any limitation whatever. I think it is true that they are opposed to a limitation. But in that matter we did reduce the price from 27.3 cents a pound to 24 cents, making the price $550 a ton for the steel for the guns, and it has been said, not officially, that even that limitation may embarrass the Department.

I am as much in favor of a proper limitation as to the price in all of these things as any Senator upon this floor. I am unalterably opposed to the great increase proposed by the House of Representatives in the number of ships and the amount of armor which is to be purchased, because I do not believe the condition of the Treasury warrants it. I do not believe that the condition of the construction of these ships warrants the entering upon it on so large a scale as is proposed in this bill; but I am, on the other hand now, as I always have been, in favor of a fair increase of the Navy. I am in favor of making liberal appropriations for it, and not of placing in the appropriation bill any provision which would nullify the action of Congress when we have determined as to the number of ships to be constructed.

The PRESIDING OFFICER. It is the duty of the Chair to remind Senators that debate was to proceed by agreement under the five-minute rule, though something was said when the arrangement was proposed about ten minutes.

Mr. CULLOM. I suggest that by unanimous consent the Senator from Maryland, who is familiar with this subject, be allowed to proceed, as there seems to be nobody else who desires to speak now.

Mr. CHANDLER. What was the agreement?

The PRESIDING OFFICER. The agreement, as stated by the Chair, was that debate should proceed under the five-minute rule; but, on examining the RECORD, the Chair thinks the understanding was that debate was to proceed under the ten-minute rule.

Mr. CULLOM. Under the ten-minute rule?

Mr. HALE. I so made the proposition.

Mr. CULLOM. I make the suggestion that the Senator from Maryland be allowed to complete his remarks.

Mr. CHANDLER. I should like to have the Senator from Maryland made an exception to the ten-minute rule, because he wished to speak yesterday and was prevented from doing so.

The PRESIDING OFFICER. No objection is made, and the Senator from Maryland will proceed.

Mr. GORMAN. I am grateful to Senators for their courtesy, but I do not desire to detain the Senate very long.

Mr. President, going back to armor, two distinguished members of the Committee on Naval Affairs stated yesterday that, as they understood the situation, we have a monopoly in the United States created by the Government and paid for by the Government, yet the men who make this armor plate, who have a monopoly of the business paid for by the Government, are robbing the Government to-day unmercifully. That is practically the statement, in language a little different, of the Senator from New Hampshire [Mr. CHANDLER], the Senator from Georgia [Mr. BACON], the Senator from New Jersey [Mr. SMITH], and the Senator from South Carolina [Mr. TILLMAN], that these two armor-plate manufacturers have made a combine, not only between themselves, but with foreign manufacturers. The fact stands out perfectly plain that the English Government, the French Government, and the Russian Government, as well as the Government of the United States, are paying $500 a ton for this material, and it would look on the face of it as if that combination had been entered into. If it has, if the price we are compelled to pay is robbery, as suggested by the Committee on Naval Affairs, who have examined this matter, then I say we ought to cease the construction of ships. That is the way to meet the question. We ought not to order four great battle ships and let their constructors who make the hulls and the machinery get them ready and have them on the dry docks waiting until we can adjust this armor matter. If it be true, as said by this honorable committee of this body, that this combination exists and this robbery goes on, then the executive officers of the Government have been derelict in their duty. It was their business and it is their business to inform Congress if that be true, and if it be true we ought to suspend all operations until we either establish a factory, as proposed by the bill introduced by the distinguished Senator from New Jersey [Mr. SMITH], or else compel these manufacturers to fix the price within a reasonable limit.

While the Senator from Maine [Mr. HALE] suggests the rule that is always adopted, the only rule in ordinary cases, where differences occur between the two Houses they must be adjusted by the conferees, I again say to the Senate that, so far as I am concerned, I can not accept the responsibility which is usually given to conferees, to increase this price beyond the report of the Committee on Naval Affairs. The Senate ought to take the responsibility; the Committee on Naval Affairs ought to assume the responsibility. They are aware that the Secretary of the Navy and the Chief of Ordnance of the Navy do not believe that they can proceed under this limitation. After all the extreme statements which have been made, I do not feel, as one of the conferees, that I can agree to the usual method suggested by the distinguished Senator from Maine. I believe we ought to have a vote of the Senate first upon the number of ships. If the majority of the Senate say it shall be four, so be it, let us recede; if the majority of this body insist upon two, as I believe they ought, then the Senate conferees will stand upon an equality with those of the other House, who believe they are instructed for the four battle ships by a vote in the other House since this bill passed the Senate.

When it comes to the other proposition as to armor and armor plate, after full debate in this body I trust the Senate itself will decide whether the price shall remain at $350, $450, or $500 a ton,

Mr. President, one other word. I have never believed, and I do not believe now, that there is any fact which has been brought out by any investigation anywhere on the face of the earth which would warrant the intimation that Secretary Whitney or Secretary Tracy, the two great Secretaries who made the contracts with the Bethlehem and the Carnegie companies, made improvident contracts for the Government. I think there never was a wiser action on the part of executive officers than that by those two gentlemen. We had not within the confines of our country a single establishment which could make a shaft for a great steamer. We had to buy such shafts from England, from Germany, and from France. There was not a steamer in the merchant marine or one in the Navy which could be furnished with a piece of steel or iron at that time suitable for a shaft; there was not a single forge which could turn out a pound of armor for any of our vessels.

Congress made a liberal provision to establish such a plant and the Bethlehem Company was the only concern in the whole country that would undertake that enterprise. Their contract was for 6,000 or 8,000 tons of armor, but the price which the Government paid for it was not sufficient to reimburse them for their expenditure. There was no other customer for that work except the Government. In their statements, made frankly before the committees, they said, as they have said to the Navy Department, that

their understanding was, though it was not named in the bond, that they were to continue to furnish armor for these ships; but when Secretary Tracy came into office the Bethlehem Company was not able to furnish the armor in the time required by the builders of the ships, and he was anxious for competition, anxious for more speedy delivery, and so he made a contract with Mr. Carnegie for a given amount of armor at the same price which had been paid the Bethlehem Company.

I believe from a thorough examination of these contracts and the result which has been produced that they were wise contracts. They were liberal in amount, unquestionably liberal, but they have created these great works, which have not only been able to furnish the Navy but have been able to go on with the construction of great vessels of commerce, two or three of which are now afloat on the ocean, equal to any that are constructed on the Clyde, and we are confessedly ahead of every other nation in the world in the character of the armor we have made, the ships we have constructed, and even in the speed of the boats which are used as torpedo-destroyer boats, and also in the machinery.

I would not, Mr. President, for one, embarrass either of these great works. If we can not arrange this matter by fair adjustment, any action that is taken ought to be taken only after the most careful consideration by the executive officers of the Government, as well as by the committees of Congress, to reduce the price of this armor as we go on, which is natural and right, and I should like to see the price cut down to the lowest possible figure at which it can be done with safety. But when it is proposed to be done in this way I want the Senate to take the responsibility and not thrust it upon three conferees.

Mr. CHANDLER. Mr. President, I speak only because of the inquiry made by the Senator from West Virginia [Mr. FAULKNER] as to the evidence as to the price of armor, and I omitted in speaking yesterday to put in a table, which is found on page 83 of the testimony taken by the committee. It comes from Commodore Sampson, Chief of the Bureau of Ordnance, and was submitted by Secretary Herbert to the committee. I desire that the table may be printed exactly as it is found in this book. The table is as follows:

The following table of prices of armor is submitted with full reservation as to the accuracy of those asked by foreign makers:

Grade.	England.			France.		
	Plain.	Nickel.	Harvey-ized.	Plain.	Nickel.	Harvey-ized.
Lower limit	[1]$413.00				[2]$449.00	[3]$521.00
Upper limit	[1]438.00				[2]463.00	[3]540.00
Special			[4]			
Foreign trade	[5]312.00	[6]$358.00	[7]302-341.00	[8]$312.00	[9]311.46	389.92

[1] Vickers, makers for H. M. S. *Centurion*.
[2] Acier special for the *Bouvet*.
[3] For the *Charlemagne* and *St. Louis*.
[4] Said to be $88 more than for plain steel; hence $501 to $526.
[5] Vicker's bid.
[6] Cammell's bid for armor of Russian *Three Saints*.
[7] Cammell's bid.
[8] Le Creuzot bid.
[9] Le Creuzot bid for Russian *Three Saints*.

Mr. President, I was able myself to come to no other conclusion than this, that the cost of armor to the foreign manufacturers and also to the Bethlehem Company and the Carnegie Company was less than $300 a ton, and that by a combination only were the prices kept up to $550 and $600. The two contracts made in this country, the first with the Bethlehem Company and the second, at the same rate, with the Carnegie Company, at about $600 a ton, not reckoning interest, as the Senator from Pennsylvania [Mr. QUAY] has reckoned, gave in dollars to the two concerns all that they paid out for the production of the armor and all that they paid out for establishing the plant; and in addition to those contracts, there have come this year the contracts for the *Kentucky* and the *Kearsarge*, which are reduced only $50 a ton; so that these two concerns are to receive about $3,000,000 more at the price of $550 a ton; and the question was, what was the duty of the Congress of the United States in reference to the two or to the four new ships that are to be now authorized?

The committee came to the conclusion—they may be mistaken, and it may be that there ought to be further investigation—that unless the contracts should be made before the first Monday in December at $350 a ton, allowing at least $50 a ton profit, the bids ought to be reported to Congress. That is the position of the committee.

I again call the attention of the Senate to the fact that no possible harm is done. The drawings for the armor for the *Kentucky* and the *Kearsarge* are not, by the contract, to be furnished to the manufacturers before next winter, although, as a matter of fact, the Department may furnish them sooner; but it will take them all next year to furnish the armor for the *Kentucky* and the *Kearsarge*, and there is not the slightest need, as I said yesterday, as a business proposition to make these armor contracts until next winter.

Mr. HALE. Now let us have a vote, Mr. President.

Mr. CHANDLER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Cullom,	McBride,	Quay,
Allison,	Dubois,	Mills,	Sewell,
Bate,	Faulkner,	Mitchell, Oreg.	Sherman,
Berry,	Gallinger,	Morgan,	Shoup,
Brown,	Gear,	Morrill,	Smith,
Burrows,	Gorman,	Palmer,	Teller,
Butler,	Hale,	Pasco,	Turpie,
Carter,	Harris,	Peffer,	Vest,
Chandler,	Hawley,	Pettigrew,	Vilas,
Chilton,	Hill,	Platt,	Walthall,
Clark,	Lindsay,	Pritchard,	Warren,
Cockrell,	Lodge,	Pugh,	White.

The PRESIDING OFFICER. Forty-eight Senators having responded to their names, a quorum is present. The question is on the motion of the Senator from Pennsylvania [Mr. QUAY], that the Senate recede from its amendment providing for two battle ships instead of four, upon which the yeas and nays have been ordered.

Mr. GORMAN. A vote "yea" on this question means four battle ships, and "nay" two battle ships. That is the condition of the question, I understand.

Mr. HALE. To recede from the Senate amendment leaves the number of battle ships at four, and not to recede leaves it open to conference.

Mr. GORMAN. A vote "yea" means four battle ships, and "nay" means two.

The Secretary proceeded to call the roll.

Mr. CARTER (when his name was called). I am paired usually with the Senator from Maryland [Mr. GIBSON], and I therefore withhold my vote.

Mr. CULLOM (when his name was called). I am paired with the senior Senator from Delaware [Mr. GRAY]. Not knowing how he would vote on this question, I shall withhold my vote.

Mr. FAULKNER (when Mr. ELKINS's name was called). My colleague [Mr. ELKINS] is paired on this question with the junior Senator from Maryland [Mr. GIBSON].

The PRESIDING OFFICER. The Chair thinks the Senator from Montana [Mr. CARTER] announced a pair with the junior Senator from Maryland. The Chair inquires of the Senator from Montana if such is not the case?

Mr. CARTER. I was not informed of any pair of the Senator from Maryland on this particular vote. I announced a general pair with him, but if he is otherwise paired on this question I will vote. I vote "yea."

Mr. FAULKNER (when his name was called). On this question I am paired with the senior Senator from Indiana [Mr. VOORHEES]. If he were present, he would vote "nay" and I should vote "yea."

Mr. GEAR (when his name was called). I am paired with the Senator from Georgia [Mr. GORDON], but knowing how he would vote on this question if present, I vote "yea."

Mr. PERKINS (when his name was called). I have a general pair with the Senator from North Dakota [Mr. ROACH]. I will transfer that pair to the senior Senator from Montana [Mr. MANTLE] and vote "yea."

Mr. PUGH (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. HOAR], but I transfer that pair to the Senator from Louisiana [Mr. BLANCHARD] and vote "nay."

Mr. SEWELL (when his name was called). I am paired with the Senator from Wisconsin [Mr. MITCHELL]. If he were here, I should vote "yea."

Mr. WALTHALL (when his name was called). On this question I have a pair with the senior Senator from Pennsylvania [Mr. CAMERON], which I transfer to the Senator from South Dakota [Mr. KYLE] and vote "nay."

The roll call was concluded.

Mr. BURROWS (after having voted in the negative). I withdraw my vote. I am paired with the Senator from Louisiana [Mr. CAFFERY]. I desire to say that my colleague [Mr. MCMILLAN] is absent from the Senate, and is paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. DUBOIS. I will announce on this vote the pair of the Senator from Utah [Mr. CANNON] with the Senator from Nebraska [Mr. ALLEN]. The Senator from Utah, if present, would vote "yea."

The result was announced—yeas 17, nays 33; as follows:

YEAS—17.

Aldrich,	Gear,	Mitchell, Oreg.	Shoup,
Brown,	Hansbrough,	Morgan,	Wilson.
Carter,	Hawley,	Perkins,	
Davis,	Lodge,	Platt,	
Dubois,	McBride,	Quay,	

NAYS—33.

Allison,	George,	Nelson,	Teller,
Bate,	Gorman,	Palmer,	Vest,
Berry,	Hale,	Pasco,	Vilas,
Butler,	Harris,	Peffer,	Walthall,
Chandler,	Hill,	Pettigrew,	Warren,
Chilton,	Jones, Ark.	Pritchard,	White.
Clark,	Lindsay,	Pugh,	
Cockrell,	Mills,	Sherman,	
Gallinger,	Morrill,	Smith,	

NOT VOTING—39.

Allen,	Cannon,	Irby,	Sewell,
Bacon,	Cullom,	Jones, Nev.	Squire,
Baker,	Daniel,	Kyle,	Stewart,
Blackburn,	Elkins,	McMillan,	Thurston,
Blanchard,	Faulkner,	Mantle,	Tillman,
Brice,	Frye,	Martin,	Turpie,
Burrows,	Gibson,	Mitchell, Wis.	Voorhees,
Caffery,	Gordon,	Murphy,	Wetmore,
Call,	Gray,	Proctor,	Wolcott.
Cameron,	Hoar,	Roach,	

So the Senate refused to recede from its amendment numbered 32.

The PRESIDING OFFICER. The question recurs on the motion of the Senator from Maine [Mr. HALE], that the Senate further insist upon its amendments and agree to the conference asked for by the House of Representatives.

Mr. HALE. Amendment numbered 49 is not included in the report which has been agreed to. It is an amendment left open which is subject to the action of the Senate. Before taking a vote upon the pending question, I move an amendment to amendment numbered 49.

Mr. SHERMAN. Let the amendment be read, and then the amendment as proposed to be amended.

The PRESIDING OFFICER. The Chair doubts——

Mr. ALDRICH. I suggest that the amendment is not in order. We can not amend the amendment at this stage.

Mr. HALE. Let me state the case.

Mr. QUAY. It seems to me the amendment had better go to the committee of conference.

Mr. HARRIS. If the Senator from Maine will allow me, I will suggest to him that the bill has passed beyond the amendment stage except in one way, and that is through the report of a committee of conference.

Mr. HALE. I will not insist upon it.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maine, that the Senate further insist upon its amendments still in disagreement and agree to the conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate at the further conference; and Mr. HALE, Mr. QUAY, and Mr. GORMAN were appointed.

INDIAN APPROPRIATION BILL.

Mr. PETTIGREW. I ask that the conference report on the Indian appropriation bill may be laid before the Senate.

The Senate resumed the consideration of the conference report on the bill (H. R. 6249) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes.

The PRESIDING OFFICER. The question is upon concurring in the report of the committee of conference.

Mr. PETTIGREW. I think the Senator from Mississippi [Mr. GEORGE] had the floor when we were last considering the report. I do not desire to take the floor from him.

Mr. ALDRICH. I hope we may have a vote.

The PRESIDING OFFICER. The question is on concurring in the report of the committee of conference.

Mr. CHANDLER and Mr. MILLS called for the yeas and nays; and they were ordered.

Mr. WALTHALL. What is the question upon which we are about to vote?

The PRESIDING OFFICER. The question is upon concurring in the report of the committee of conference on the Indian appropriation bill.

Mr. BATE. It involves the question which has been discussed here for two or three days?

Mr. BURROWS. What has become——

Mr. ALDRICH. Debate is not in order.

The PRESIDING OFFICER. Debate is not in order. The Chair in reply to the Senator from Tennessee will state that this involves the question which has been discussed.

Mr. PASCO. What about the point of order in this case? It has not yet been decided.

The PRESIDING OFFICER. The present occupant of the chair is not advised of any point of order.

Mr. ALDRICH. Regular order.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BURROWS (when his name was called). I am paired with the senior Senator from Louisiana [Mr. CAFFERY].

Mr. DUBOIS (when Mr. CANNON'S name was called). I announce the pair of the Senator from Utah [Mr. CANNON] with the Senator from Nebraska [Mr. ALLEN].

Mr. CHANDLER (when his name was called). At the request of the Senator from Arkansas I am paired on this question with the junior Senator from Virginia [Mr. MARTIN]. If he were present, I should vote "nay."

Mr. CULLOM (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. GRAY]. He not being present, I withhold my vote.

Mr. FAULKNER (when Mr. ELKINS'S name was called). I desire to announce a pair between the Senator from West Virginia [Mr. ELKINS] and the Senator from Indiana [Mr. VOORHEES].

Mr. FAULKNER (when his name was called). I desire to state that I am paired on this question with the Senator from Georgia [Mr. BACON]. If he were present, I should vote "nay." He would vote "yea."

Mr. GEAR (when his name was called). I have a general pair with the senior Senator from Georgia [Mr. GORDON]. I therefore withhold my vote.

Mr. PERKINS (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. ROACH]. If he were present, he would vote "yea" and I should vote "nay."

Mr. PRITCHARD (when his name was called). I am paired with the Senator from Louisiana [Mr. BLANCHARD].

Mr. PROCTOR (when his name was called). I have a general pair with the Senator from Florida [Mr. CALL]. He gave me a generous discretion, and I am satisfied that if he did not fully agree with me he would not object to my voting. I will therefore vote. I vote "nay."

Mr. PUGH (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. HOAR].

Mr. SEWELL (when his name was called). I announce my pair with the Senator from Wisconsin [Mr. MITCHELL].

The roll call was concluded.

Mr. HALE. I announce the pair of my colleague [Mr. FRYE] with the Senator from West Virginia [Mr. ELKINS].

Mr. CULLOM. I am informed that the senior Senator from Delaware [Mr. GRAY] has spoken against the report. I will therefore take the liberty of voting. I vote "nay."

Mr. BURROWS. I withheld my vote because I am paired with the senior Senator from Louisiana [Mr. CAFFERY]; but I am advised that he would vote the same as I will vote, in the negative. I therefore desire to vote. I wish to state that if my colleague [Mr. MCMILLAN] were present, he would vote "nay."

The result was announced—yeas 27, nays 20; as follows:

YEAS—27.

Berry,	Jones, Ark.	Nelson,	Smith,
Carter,	Jones, Nev.	Palmer,	Teller,
Clark,	Lindsay,	Pettigrew,	Vest,
Cockrell,	McBride,	Platt,	Warren,
Davis,	Mills,	Quay,	White,
Dubois,	Mitchell, Oreg.	Sherman,	Wilson.
Hansbrough,	Morgan,	Shoup,	

NAYS—20.

Allison,	Chilton,	Hawley,	Peffer,
Bate,	Cullom,	Hill,	Proctor,
Brown,	Gallinger,	Lodge,	Turpie,
Burrows,	George,	Morrill,	Vilas,
Butler,	Hale,	Pasco,	Walthall.

NOT VOTING—42.

Aldrich,	Chandler,	Hoar,	Roach,
Allen,	Daniel,	Irby,	Sewell,
Bacon,	Elkins,	Kyle,	Squire,
Baker,	Faulkner,	McMillan,	Stewart,
Blackburn,	Frye,	Mantle,	Thurston,
Blanchard,	Gear,	Martin,	Tillman,
Brice,	Gibson,	Mitchell, Wis.	Voorhees,
Caffery,	Gordon,	Murphy,	Wetmore,
Call,	Gorman,	Perkins,	Wolcott.
Cameron,	Gray,	Pritchard,	
Cannon,	Harris,	Pugh,	

So the report was concurred in.

Mr. TELLER. I ask that we may take up the conference report on the District of Columbia appropriation bill.

Mr. LODGE. I do not understand that the Indian bill is yet disposed of. There are three amendments still in disagreement, on which it is possible to move to recede.

Mr. HILL. Is there any more general legislation?

Mr. TELLER. The motion was to agree to the conference report, and that being agreed to, it takes the matter out of the Senate.

Mr. LODGE. It does not dispose of the three amendments still in disagreement.

Mr. BERRY. Not those disagreed to.

Mr. LODGE. The motion, I understood, was to agree as to this particular amendment.

Mr. CULLOM. No: to the report.

Mr. BERRY. It was to agree to the conference report.

Mr. TELLER. Either to adopt or reject the conference report. We have adopted it, and that is the end of it.

Mr. LODGE. We will see whether it is the end of it.

The PRESIDING OFFICER. The conference report will be read.

The Secretary read as follows:

On amendments 64, 69, and 70 the committee of conference has been unable to agree.

Mr. HILL. Of course it leaves those three items open.

Mr. LODGE. Certainly it does.

Mr. HILL. The Senator from Massachusetts is right.

Mr. LODGE. I spoke to the Senator in charge of the bill while the amendment just voted on was pending——

The PRESIDING OFFICER. The Chair thinks the agreement to the conference report leaves open those amendments as to which the conferees have been unable to agree.

Mr. TELLER. Certainly; nobody doubts that.

Mr. LODGE. We were told only a moment ago that it was all disposed of.

Mr. TELLER. It is disposed of so far as we are now concerned.

Mr. LODGE. It leaves it open to a motion which I propose to make.

Mr. PETTIGREW. I move that the Senate further insist upon its amendments in disagreement, and agree to the request for a further conference.

The PRESIDING OFFICER. The Senator from South Dakota moves that the Senate insist upon its amendments as to which agreement has not been had, and accede to the request of the House of Representatives for a further conference.

Mr. LODGE. There are three amendments in disagreement. One is the amendment relating to the Old Settlers' claim. The other two relate to the amendments to the House paragraph in regard to sectarian schools. I desire to make a motion that the Senate recede from its amendments numbered 69 and 70, relating to sectarian schools; and I now make that motion, which I think has precedence.

Mr. HALE. It has precedence.

The PRESIDING OFFICER. The Senator from Massachusetts moves that the Senate recede from its amendments numbered 69 and 70, as to sectarian schools.

Mr. PETTIGREW. I trust the Senate will not recede in regard to these amendments, but will send them back for further conference. I do not believe we ought to abandon those schools at the request of the House. I think the Senate amendment is entirely fair and just, and I still have hopes of results from a further conference upon the subject.

Mr. HARRIS. Let amendments 69 and 70 be read.

The PRESIDING OFFICER. The amendments will be stated.

The SECRETARY. On page 46, line 24, the Senate struck out all after the word "Alaska" down to and including the word "school," in line 7, on page 47, and inserted:

And it is hereby declared to be the settled policy of the Government to make no appropriation whatever for the education of Indian children in any sectarian school, just as soon as it is possible for provision to be made for their education otherwise, and the Secretary of the Interior is hereby authorized and directed to make such provision at the earliest practicable day, not later than July 1, 1898: *Provided*, That the Secretary of the Interior may make contracts with present contract schools for the education of Indian pupils during fiscal year 1897, but shall only make such contracts at places where nonsectarian schools can not be provided for such Indian children and to an amount not exceeding 50 per cent of the amount so used for the fiscal year 1895.

On page 47, line 7, after the word "*Provided*," the Senate inserted the word "*further*"; so as to read: "*Provided further*," etc.

The PRESIDING OFFICER. The question is on agreeing to the motion to recede from the amendments of the Senate which have just been stated.

Mr. LODGE. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PETTIGREW. As I understand it, a vote "yea" is to recede from the Senate amendments in regard to the schools.

Mr. LODGE. It affects only the schools. It does not relate to the amendment as to the Old Settlers' claim.

The PRESIDING OFFICER. The Chair will state that Senators in favor of receding from the amendments will vote "yea" and those opposed to receding will vote "nay." The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. DUBOIS (when Mr. CANNON'S name was called). I desire to announce the pair of the Senator from Utah [Mr. CANNON] with the Senator from Nebraska [Mr. ALLEN].

Mr. FAULKNER (when Mr. ELKINS'S name was called). My colleague [Mr. ELKINS] is paired on this question with the Senator from Indiana [Mr. VOORHEES].

Mr. GEAR (when his name was called). I announce my pair with the senior Senator from Georgia [Mr. GORDON]. If he were here, I should vote "yea."

Mr. PERKINS (when his name was called). I again announce my pair with the junior Senator from North Dakota [Mr. ROACH]. If he were present, he would vote "nay" and I should vote "yea."

Mr. PRITCHARD (when his name was called). I am paired on this question with the Senator from Louisiana [Mr. BLANCHARD]. If he were present, I should vote "yea."

Mr. PUGH (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. HOAR]. I transfer my pair to the junior Senator from New York [Mr. MURPHY] and vote. I vote "nay."

Mr. WALTHALL (when his name was called). I am paired with the senior Senator from Pennsylvania [Mr. CAMERON]. I transfer my pair to the senior Senator from South Carolina [Mr. IRBY] and vote "nay."

The roll call was concluded.

Mr. CULLOM. I have a general pair with the senior Senator from Delaware [Mr. GRAY]. He being absent, I withhold my vote.

Mr. BURROWS. I am paired with the senior Senator from Louisiana [Mr. CAFFERY], and this announcement will apply to all votes taken to-day. I shall not repeat it. If he were present, I should vote "yea."

The result was announced—yeas 17, nays 31; as follows:

YEAS—17.

Brown,	Gallinger,	Peffer,	Warren,
Butler,	George,	Platt,	Wilson.
Chandler,	Lodge,	Quay,	
Clark,	Mitchell, Oreg.	Sewell,	
Dubois,	Morrill,	Teller,	

NAYS—31.

Allison,	Gorman,	Mills,	Shoup,
Bate,	Hansbrough,	Mitchell, Wis.	Smith,
Berry,	Harris,	Morgan,	Turpie,
Carter,	Hawley,	Palmer,	Vest,
Chilton,	Hill,	Pasco,	Vilas,
Cockrell,	Jones, Ark.	Pettigrew,	Walthall,
Davis,	Lindsay,	Pugh,	White.
Faulkner,	McBride,	Sherman,	

NOT VOTING—41.

Aldrich,	Cannon,	Irby,	Roach,
Allen,	Cullom,	Jones, Nev.	Squire,
Bacon,	Daniel,	Kyle,	Stewart,
Baker,	Elkins,	McMillan,	Thurston,
Blackburn,	Frye,	Mantle,	Tillman,
Blanchard,	Gear,	Martin,	Voorhees,
Brice,	Gibson,	Murphy,	Wetmore,
Burrows,	Gordon,	Nelson,	Wolcott.
Caffery,	Gray,	Perkins,	
Call,	Hale,	Pritchard,	
Cameron,	Hoar,	Proctor,	

So the Senate refused to recede from its amendments numbered 69 and 70.

The PRESIDING OFFICER. The question recurs on agreeing to the motion of the Senator from South Dakota [Mr. PETTIGREW], that the Senate further insist upon its amendments, and agree to the conference asked for by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate at the further conference; and Mr. PETTIGREW, Mr. TELLER, and Mr. COCKRELL were appointed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 2006) to increase the pension of Harriet C. Gregg, widow of Col. John Irvin Gregg, from $30 to $50 per month; and

A bill (H. R. 6739) for the relief of John N. Quackenbush, late a commander in the United States Navy.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 2143) granting a pension to Mrs. Emily Van Derveer, widow of the late Brig. Gen. Ferdinand Van Derveer, agreed to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SULLOWAY, Mr. WOOD, and Mr. BAKER managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 4020) granting an increase of pension to Mrs. William Loring Spencer, agreed to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. ANDERSON, Mr. KERR, and Mr. MCCLELLAN managers at the conference on the part of the House.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 4354) granting a pension to Mrs. Mary Gould Carr, widow of the late Brig. and Bvt. Maj. Gen. Joseph B. Carr, agreed to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. POOLE, Mr. KERR, and Mr. MCCLELLAN managers at the conference on the part of the House.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. TELLER. I ask that the conference report on the District of Columbia appropriation bill may be taken up.

The Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes.

The PRESIDING OFFICER. Does the Senator from Colorado desire that the report shall be read? It has been printed.

Mr. TELLER. No; it is not necessary to read the report, as it has been printed.

[For report see Senate proceedings of June 1.]

The PRESIDING OFFICER. The question is on concurring in the report of the committee of conference.

The report was concurred in.

Mr. TELLER. I move that the Senate further insist on its amendments and request a further conference with the House of Representatives on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate at the further conference; and Mr. TELLER, Mr. ALLISON, and Mr. COCKRELL were appointed.

REASSESSMENT OF WATER-MAIN TAXES.

Mr. FAULKNER. A few days ago a bill passed the Senate, reported from the District of Columbia Committee, in reference to the reassessment of water taxes, and there was an error found in it after it was passed. I report from the Committee on the District of Columbia a joint resolution to correct the error. It is a very trifling one, but still important, and I ask unanimous consent that the joint resolution, which is short, may be now considered, so that the error may be corrected.

The joint resolution (S. R. 158) to amend an act to authorize the reassessment of water-main taxes in the District of Columbia, and for other purposes, was read the first time by its title, and the second time at length, as follows:

Resolved by the Senate and House of Representatives, etc., That an act entitled "An act to authorize the reassessment of water-main taxes in the District of Columbia, and for other purposes," be, and the same is hereby, amended in section 2, so that the said section shall read as follows:

"SEC. 2. That where outside the city of Washington Potomac water shall hereafter be introduced said reassessment shall be levied or assessed within thirty days after such introduction, and where Potomac water has been heretofore introduced the reassessment shall be made within ninety days after the passage of this act, and any levy, assessment, or reassessment on land not subdivided into blocks and lots shall be made on a frontage not exceeding 100 feet for each lot or parcel of land or premises into which Potomac water has been or shall be introduced, and shall be considered in any subsequent subdivision of such property as having extended to a depth of not exceeding 100 feet from the front of said lot or parcel of land: *Provided, however*, That said water-main tax or assessment or reassessment on land not subdivided into blocks and lots shall be due, payable, and collectible on each lot or parcel of land or premises on and after the date on which the connection is made from the water main to said lot or parcel of land or premises."

The PRESIDING OFFICER. The Senator from West Virginia asks unanimous consent for the present consideration of the joint resolution. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

INVESTIGATION OF FUR-SEAL FISHERIES.

Mr. MORRILL. I now ask leave to call up the joint resolution (S. R. 155) to authorize a scientific investigation of the fur-seal fisheries, reported from the Committee on Finance this morning, and in order to have it fully understood by the Senate I will ask to have read a note received from the Treasury Department.

The PRESIDING OFFICER. The Senator from Vermont asks for the present consideration of the joint resolution which will be read, and before considering it he asks for the reading of a letter from the Treasury Department. The letter will be read, in the absence of objection.

The Secretary read as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., June 3, 1896.

SIR: I have the honor to inform you that at the request of Her Majesty's Government two scientists have been given permission to visit the Pribilof Islands during the present season to examine into the condition of the fur-seal herds thereon. I believe it is of the utmost importance that authority be given for the appointment of an eminent zoologist to visit said islands this season in behalf of the United States Government. A resolution granting such authority has already been favorably reported by the Ways and Means Committee of the House of Representatives. Inasmuch as the representatives of the British Government are now in this city on their way to the Pribilof Islands, it will be apparent that there is urgent need of granting this authority at the earliest practicable moment.

Respectfully, yours,

C. S. HAMLIN, *Acting Secretary.*

The Hon. JUSTIN S. MORRILL,
Chairman Finance Committee, United States Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution; which was read, as follows:

Resolved by the Senate, etc., That the Secretary of the Treasury be, and is hereby, authorized to expend, from any moneys in the Treasury not otherwise appropriated, a sum sufficient to provide for the employment of persons to conduct a scientific investigation, during the fiscal years 1896 and 1897, of the present condition of the fur-seal herds of the Pribilof, Commander, and Kurile Islands in the North Pacific Ocean and Bering Sea, said amount not to exceed for both said years the sum of $5,000.

The Secretary is also authorized to employ a stenographer in connection with this investigation at a rate of compensation not exceeding $1,500 per annum, and to pay his compensation and expenses out of any moneys in the Treasury not otherwise appropriated.

The President is authorized to detail, for the purposes of assisting in this investigation, any officer or officers or employees of the United States Government, their actual expenses and the expenses of the person or persons employed under the preceding paragraph to be paid by the Secretary of the Treasury out of any moneys in the Treasury not otherwise appropriated.

The President may detail a vessel of the United States for the purpose of carrying out this investigation.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PACIFIC RAILROADS.

Mr. GEAR. I wish to make a motion regarding the funding bill, pertaining to the Union and Central Pacific roads. In explanation of the motion, I will briefly state, with the consent of the Senate, that there are $115,000,000 due from these two roads to the United States Government, a portion of it falling due early in the beginning of the coming year. The Union Pacific road has defaulted on its first-mortgage bonds, and suit is now being brought to foreclose the mortgage. Therefore, it seems to me, it is incumbent on Congress that some action should be take in regard to this matter for the purpose of protecting the interests of the Government.

In regard to the bill which I had the honor to report in behalf of the Pacific Railroads Committee, there is some difference among the members of the committee. The honorable Senator from Alabama [Mr. MORGAN] made a dissenting minority report. The honorable Senator from Colorado [Mr. WOLCOTT] reserved the right also to make a minority report to that part pertaining to the Union Pacific road. In view of this fact, after consultation with Senators on both sides, I move that on the eighth legislative day of the next session, at the conclusion of the morning business, Senate bill 2894 shall be taken up and made the continuing order from day to day until some disposition is had in regard to these matters. I do this after consultation with the Senator from Alabama and other Senators, and I ask for a vote on my motion.

Mr. MORGAN. If I can have permission to say a word, I will state that the subject-matter which is included in the bill reported by the committee ought to be disposed of at the December session. It is a matter of very great national importance. While I am opposed to the bill that is reported here and have made an adverse report upon it, I think the subject ought to come up for consideration. The fact is that we can not safely postpone the consideration of the bill after the next session of Congress. Therefore, I am cordially in favor of setting a time for the hearing of the bill. I think, though, that the chairman of the committee ought to move in this connection for the printing of all the hearings that took place before the committee in reference to the bill.

Mr. GEAR. I will state in reply to the Senator that there is a large amount of hearings in the room of the Committee on Pacific Railroads, but if he thinks that is not enough matter I will add——

Mr. MORGAN. No, I think that what we have gathered on that subject ought to be printed for the use of the Senate.

Mr. GEAR. I will modify my motion to this extent, that the bill be taken up at 2 o'clock on the eighth legislative day of the next session, and that it shall be the continuing order from day to day until the measure is disposed of. And in addition I will ask an order to print, for the use of the Senate, 500 copies of the bill and the evidence taken before the committee.

The PRESIDING OFFICER. The Senator from Iowa moves that Senate bill 2894, reported by the Committee on Pacific Railroads, be postponed until the eighth legislative day of the next session, when it shall be taken up at 2 o'clock, and that its consideration shall be continued from day to day until disposed of.

Mr. GEAR. That it shall be considered the unfinished business.

The PRESIDING OFFICER. Is there objection?

Mr. TELLER. I am not going to object that the bill shall be set down, but I am going to object that it shall have any special privileges. If the Senator from Iowa insists that the bill shall not take its chances with the ordinary methods of doing business, I shall object.

Mr. CHANDLER. The Senator from Iowa modifies his request.

Mr. GEAR. I modify my request, that it shall be considered the unfinished business.

Mr. TELLER. If the Senator asks that the bill shall be set down and that is all, I shall not object, but I shall object to any special privileges being secured for the bill.

Mr. CHANDLER. That makes it the unfinished business.

Mr. GEAR. I want a clear understanding. If fixing it for consideration at that time will make it the unfinished business, that is all right.

Mr. FAULKNER. That will be the result.

Mr. BERRY. What is the bill?

Mr. FAULKNER. It is the Pacific railroads funding bill.

Mr. TELLER. It can be made the unfinished business, but it must be subject to any motion to postpone or to do whatever the Senate may choose with it, like any other bill.

Mr. BERRY. I object to the proposition.

Mr. GEAR. I have made a motion, I will say to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Iowa submits a motion, and one objection is not sufficient.

Mr. HILL. What is the motion?

Mr. GEAR. The motion is that Senate bill 2894 be taken up at 2 o'clock on the eighth legislative day of the next session of Congress for consideration, and that in addition 500 copies of the evidence and of the bill be printed for the use of the Senate.

Mr. TELLER. I suggest to the Senator to make the printing a separate motion.

Mr. GEAR. All right; I will make that a separate motion.

Mr. CHANDLER. I hope the Senator from Arkansas will not object, as the bill is only to be the unfinished business, subject to be displaced on motion, as the Senator from Colorado says.

Mr. BERRY. I could not hear the Senator from New Hampshire.

Mr. CHANDLER. As the bill is to come up as the unfinished business, subject to be displaced on motion, the Senator will hardly care to object to having this important matter set down for that day.

Mr. BERRY. The Senator from Iowa informed me that he did not ask unanimous consent. He has made a motion.

Mr. GEAR. I have made a motion, and I ask that the question be put.

The PRESIDING OFFICER. Is the Senate ready for the question?

Mr. JONES of Arkansas. I should like to ask if a motion to make a bill the unfinished business at a day in the future is in order? I think it is not.

Mr. GALLINGER. If the Senator raises that point, I quite agree with him that it is not in order.

Mr. VILAS. I suggest that Rule X be read.

Mr. SHERMAN. I suggest that the proper way is to get the bill before the Senate and then to move to postpone it until the eighth legislative day of the next session.

Mr. JONES of Arkansas. If the Senator from Iowa can have it taken up he can then move to postpone it, I imagine, if he chooses.

Mr. GEAR. I will change my motion. I will move that the bill be taken up for consideration for that purpose.

Mr. FAULKNER. I understand that if the motion to take up is carried it will be followed by a motion to postpone the bill until the eighth legislative day of the next session.

Mr. GEAR. That is it.

Mr. FAULKNER. That was the understanding of the committee. The committee are unanimous on that question, the Senator from Alabama and all the other members.

Mr. HILL. It makes it a special order. That is the only effect, and that requires a two-thirds vote.

Mr. SHERMAN. Not at all.

The PRESIDING OFFICER. The bill will be read by title.

The SECRETARY. A bill (S. 2894) to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," approved July 1, 1862; and also to amend an act approved July 2, 1864, and also an act approved May 7, 1878, both in amendment of said first-mentioned act, and other acts amendatory thereof and supplemental thereto, and to provide for the settlement of claims growing out of the issue of bonds to aid in the construction of certain railroads, and to secure the payment of all indebtedness to the United States of certain companies therein mentioned.

Mr. HARRIS. I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Iowa moves that the further consideration of the bill be postponed until the eighth legislative day of the next session.

Mr. GEAR. At 2 o'clock.

The PRESIDING OFFICER. At 2 o'clock.

Mr. JONES of Arkansas. The bill has not been taken up.

Mr. HARRIS. The motion, as I understand it, is that the Senate proceed to the consideration of the bill the title of which has just been read.

The PRESIDING OFFICER. The Chair thought that had been assented to.

Mr. GEAR. That is correct.

Mr. HARRIS. That being the motion, if it carries it displaces the unfinished business, and the Pacific Railroad bill becomes the unfinished business.

Mr. FAULKNER. It is not yet 1 o'clock.

Mr. HARRIS. That is true. It would be the case after 1 o'clock.

Mr. GEAR. I will state to the Senator from Tennessee that if the bill is taken up I am going to follow it by a motion to postpone its consideration until the next session.

The PRESIDING OFFICER. The question is on the motion of the Senator from Iowa to take up the bill.

Mr. VILAS. I wish to make an inquiry.

Mr. ALDRICH and Mr. LODGE. Debate is not in order.

Mr. VILAS. After it is taken up for consideration, can it be postponed to a future day so as to stand as the unfinished business of that day? Rule X——

Mr. FAULKNER. I rise to a question of order.

The PRESIDING OFFICER. Debate is not in order.

Mr. VILAS. I am not debating. I make a parliamentary inquiry.

Mr. FAULKNER. The question is not before the Senate at all.

Mr. VILAS. The inquiry is before the Senate.

Mr. LODGE. I call for the regular order.

Mr. BERRY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Gallinger,	Morgan,	Shoup,
Allison,	Gear,	Morrill,	Smith,
Bate,	Gorman,	Nelson,	Stewart,
Berry,	Hale,	Palmer,	Teller,
Brown,	Hansbrough,	Pasco,	Turpie,
Butler,	Harris,	Peffer,	Vest,
Carter,	Hawley,	Perkins,	Vilas,
Chandler,	Hill,	Pettigrew,	Walthall,
Chilton,	Jones, Ark.	Platt,	Wetmore,
Clark,	Lindsay,	Pritchard,	White,
Cockrell,	Lodge,	Pugh,	Wilson.
Davis,	Mills,	Quay,	
Dubois,	Mitchell, Oreg.	Sewell,	
Faulkner,	Mitchell, Wis.	Sherman,	

The PRESIDING OFFICER. Fifty-three Senators have responded to their names. A quorum is present. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, being House bill 8008.

Mr. GEAR. I do not wish to interfere with the regular order, but I give notice that I shall renew my motion to-morrow morning.

Mr. WHITE. I was unable to hear the Senator from Iowa.

Mr. GEAR. I stated that I do not wish to interfere with the regular order and that I would not endeavor to have it laid temporarily aside, but that I shall renew my motion to-morrow morning.

Mr. WHITE. At what time? After the routine business?

Mr. GEAR. After the regular order of morning business.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House insisted upon its amendments to the amendments of the Senate numbered 27, 207, and 208 to the bill (H. R. 8293) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes, disagreed to by the Senate; further insisted upon its disagreement to the amendments of the Senate numbered 14, 24, 25, 30, 31, 37, 74, 79, 80, 81, 82, 83, 103, 104, 105, 106, 122, 137, 147, 148, 190, 192, and 200 to the bill; agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CANNON, Mr. ARNOLD of Rhode Island, and Mr. SAYERS managers at the conference on the part of the House.

REGULATIONS CONCERNING FILLED CHEESE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8008) defining cheese, and also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of filled cheese.

Mr. SHERMAN. The bill was read, I believe, in full on a former day.

The PRESIDING OFFICER. It has been read. The Senator from Missouri [Mr. VEST] is entitled to the floor.

Mr. VEST. Mr. President, I have very little more to say in regard to the pending measure. I am very well aware from the votes which have been had that the majority of the Senate seem determined to pass the bill, and, I may say most respectfully, without pretending to answer the arguments that are made against it. There is an old Latin maxim, Inter arma silent leges; and it

seems in this country now, when large interests are involved, the Constitution is generally silent.

When I left the floor before when discussing this measure the Secretary had just read the testimony of Colonel Hatch, a distinguished citizen of my State and a former member of Congress, the author of the oleomargarine law, and now the president of the National Dairy Association. I have great respect for Colonel Hatch personally and we agree politically, but I think his enthusiasm and zeal in behalf of this class of legislation have caused him to make certain misstatements, not intentionally of course, as to legislation that has been had and as to the facts involved in this discussion. In his testimony which was read by the Secretary he congratulates himself upon the authorship of the oleomargarine law and states that the result of that law has been to secure a cheap and a pure article of food to the people of the United States.

The argument made in behalf of the oleomargarine law by Colonel Hatch, its author, and by Hon. Warner Miller, who was then chairman of the Agricultural Committee of the Senate, was that oleomargarine was an impure, unhealthy, deleterious product, dangerous to human life, and we had an array of horrors as to the ingredients of oleomargarine that rivaled the description of the witch's caldron in Macbeth. It was said to be made of rotten bones, hair, diseased meat, refuse of all sorts, and that the human stomach was absolutely inflamed to a degree that amounted almost to death by taking that compound into it.

Now, what has been the result of that legislation? I predicted it. I can refer in the RECORD to a speech which I made here, which fell, as this does, upon ears that refused to hear. I predicted then that the only result of the oleomargarine law would be to put a tax upon the poor people of the United States who were unable to buy Elgin butter at 35 and 40 cents a pound; that it would collect a small revenue, which would be paid by the consumers of oleomargarine; that the production of oleomargarine would go on in the hands of a few large dealers, and the small factories, if there were any (and nobody knows how many there were), would be wiped out and Mr. Armour and Mr. Nels. Morris would control the entire trade. Colonel Hatch says in his evidence that that has been the absolute result.

There are 24 manufacturers of oleomargarine now in the United States. Those 24 firms have a monopoly. They paid last year to the Government $1,750,000. They sell, according to Colonel Hatch, an absolutely pure product, and the whole of that $1,750,000 is paid by the poorer classes of consumers in the United States. Mr. Armour congratulates himself that Congress passed that law. He says it has given him control of the trade. Every cent that is paid in the shape of taxation upon oleomargarine was paid by the mechanics and the poor people of the United States, who were unable to buy Elgin butter at 30, 35, and 40 cents a pound. Colonel Hatch says you can go down to the market here in Washington and see piles of oleomargarine openly sold. Of course you can. And to whom is it sold? It is sold to the poor. Mr. Oyster, who testified against oleomargarine at the same time with Mr. Hatch, sells at his stall just across the hall Elgin and dairy butter at 30, 35, and 40 cents a pound. In the winter time it goes up to 40 cents. All of us have paid that price who keep house here. In the summer time it falls with the approach of grass to 35 and 30 cents. But the mechanics and the poor people—the wage earners—are compelled to buy oleomargarine at 15 and 20 cents a pound.

Mr. Armour and Mr. Nels. Morris immediately paid the Government tax upon the cost of oleomargarine and collected it from the consumer. That has been the result of your oleomargarine legislation. It was passed notoriously for the purpose of legislating out of existence an impure and unhealthy product. Instead of legislating it out of existence you have simply put another tax upon the poor people of this country in behalf of a lot of manufacturers. That has been the only result; and that will be the result of this legislation in regard to filled cheese, which is a kindred law and copied almost exactly from the oleomargarine law.

If any Senator here wishes to know whether this is a revenue law or a police regulation, let him turn to the fifteenth section of the bill. I am perfectly aware that I am beating the empty air upon this question. The Constitution amounts to nothing when you come to a great interest that has a large number of votes, and which is now sending to each Senator and Representative threatening letters and circulars, "Vote for the bill to stamp out filled cheese or you will hear from us at the election." I receive by every mail a half dozen or more of these missives from my own State, telling me, "Your election is coming on, and if you want to go back to the Senate stamp out filled cheese or we will stamp you out." I have been here long enough not to be frightened. Without boasting, I do not propose to violate the Constitution, as much as I may need votes at the next election.

I want the Secretary to read the fifteenth section of the bill, and I will ask any man here, whether lawyer or layman, to tell me if that does not show the nature of the pending measure. The fifteenth section is a copy of the oleomargarine law.

The Secretary read as follows:

SEC. 15. That the Commissioner of Internal Revenue is authorized to have applied scientific tests, and to decide whether any substances used in the manufacture of filled cheese contain ingredients deleterious to health. But in case of doubt or contest his decision in this class of cases may be appealed from to a board hereby constituted for the purpose, and composed of the Surgeon-General of the Army, the Surgeon-General of the Navy, and the Secretary of Agriculture, and the decision of this board shall be final in the premises.

Mr. VEST. The next section provides, as the oleomargarine law provided, that if they find any deleterious substances the compound shall be confiscated by the Government. Will any Senator tell me that that is a revenue provision? It is a naked inspection police law. What has the collection of revenue to do with the deleterious nature of the compound called filled cheese? What is that but an absolute surrender of any pretense that this is a revenue bill? Yet Senators vote for it and pretend not to see the nature of this proposed legislation, as they pretended on the oleomargarine law to be entirely oblivious as to its character. When you talk to them about the Constitution all they say is, it is the fraud that is in this bill.

Mr. President, the makers of the Constitution divided the jurisdiction of the Federal Government and of the Constitution as to fraud. The States have entire control of the question of fraudulent or counterfeit products. The Government of the United States has nothing to do with anything of the kind unless it be necessary absolutely to carry out some grant of power to the Federal Government made by the Constitution. In other words, it must be an auxiliary power to one expressly granted by the Constitution itself. If any Senator has any doubt upon this subject I refer him to one decision of the Supreme Court of the United States, which is absolutely conclusive and which is found in 9 Wallace, page 11, the case of The United States *vs.* De Witt.

1. The twenty-ninth section—

Says the headnotes—

of the internal-revenue act of March 2, 1867 (14 Stat. L., 484), which makes it a misdemeanor, punishable by fine and imprisonment, to mix for sale naphtha and illuminating oils, or to sell or offer such mixture for sale, or to sell or offer for sale oil made of petroleum for illuminating purposes inflammable at less temperature or fire test than 110° F., is in fact a police regulation, relating exclusively to the internal trade of the States.

Now, says the Supreme Court:

2. Accordingly, it can only have effect where the legislative authority of Congress excludes, territorially, all State legislation—

Now, mark the language—

all State legislation, as, for example, in the District of Columbia. Within State limits it can have no constitutional operation.

In other words, the Supreme Court, in the body of the decision delivered by the Chief Justice, carries it out fully, deciding that Congress could not go into a State except to exercise an auxiliary power, and one specially granted to Congress by the Constitution, in order to pass a police regulation of any sort. What are we proposing to do here? Under this law, if it shall be enacted, the officers of the United States Government can go inside of my State as to filled cheese made in the State not to be exported from the State, and under the pretense of collection of revenue exercise the police power which is given by the Constitution exclusively to the State of Missouri. Senators may be able to meet the clamor in some sections for this legislation successfully, but they will never be able to meet the results of such legislation upon the people of the United States when they strike down and obliterate the limitations of the Constitution, put there by the framers of that instrument.

But, Mr. President, what makes this matter clear beyond any sort of question is the fact that even if this pretense be true, even if it is fairly and honestly attempted here to do away with a deleterious and unhealthful compound, why is it that skimmed cheese is not also included within the provisions of this proposed law? Colonel Hatch states in his evidence, as do all the other witnesses, that of all the compounds of cheese skimmed cheese is the most deleterious to the human system. Skimmed cheese has no fat in it of any sort. It is made out of skimmed milk; there is no lard in it. The butter element is all eliminated. It is the blue milk that we hear of in the country, without any oleaginous qualities whatever, and therefore entirely indigestible, the most villainous compound in the shape of cheese or pretended cheese that was ever made. You can see it anywhere in the cheap groceries down in the purlieus of the large cities. It is deleterious to human life because there is no fat in it. Yet that is permitted to go without taxation by this very bill. The attack here is made upon filled cheese, which has 8 pounds of leaf lard to every hundred pounds of milk. Why is it that skimmed cheese is not struck at by this proposed law by those gentlemen who are so solicitous in regard to the stomachs and the lives of the people of the United States?

I have here a number of petitions from cheese manufacturers in St. Louis, Chicago, and other cities of the United States, some of which I shall incorporate in my remarks, which I have not

formally offered to the Senate, in which they ask that skimmed cheese be included within the provision of this proposed law.

The petitions referred to are as follows:

To the Congress of the United States:

We, the undersigned, cheese merchants of Chicago, most respectfully urge that the manufacture and sale of skim cheese of all descriptions be made subject to the same conditions as "filled cheese," as embodied in the bill (H. R. 8008) defining cheese, and imposing a tax upon and regulating the manufacture, sale, importation, and exportation of "filled cheese."

Signed—

John Muir, 69 South Water street, Chicago; G. N. Easton & Co., 61 South Water street, Chicago; E. I. Piggott & Co., 43 South Water street, Chicago; Elgin Creamery Co., 34 Clark street, Chicago; S. R. Udell & Co., 71 South Water street, Chicago; T. W. Brennan, 167 South Water street, Chicago; Geo. Braunling & Co., 193 South Water street, Chicago; A. H. Barber, 229 South Water street, Chicago; Orris Uhlmann & Co., 231 South Water street, Chicago; Merrill & Elaudge, 126 South Water street, Chicago; Price & Keith, 137 South Water street, Chicago; Geo. W. Linn & Son, 87 South Water street, Chicago; Lepman & Heggie, 108, 110 South Water street, Chicago; R. L. Larimore, South Water street, Chicago; Coyne Brothers, 161 South Water street, Chicago; Henry Boehmer, South Water street, Chicago.

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To the honorable Senate and House of Representatives of the United States:

We, the wholesale grocers of Chicago, most respectfully urge that the manufacture of and sale of "skimmed cheese" of all descriptions be made subject to the same conditions as "filled cheese," as embodied in the bill (H. R. 8008) defining cheese and imposing a tax upon and regulating the manufacture, sale, exportation, and importation of "filled cheese."

Signed—

Franklin MacVeagh & Co.; John A. Tolman Co.; W. M. Hoyt Co.; Merriam, Collins & Co.; Reed, Walsh & Lange; Corbin, May & Co.; N. A. Coble & Co.; McNeil & Higgins Co.; W. J. Quan & Co.; Deane Bros. & Lincoln; L. A. Talcott Co.; Steele, Wedele & Co.; Sprague, Warner & Co.; Reid, Murdock & Co.; Strassheim, Yaeger & Co.; Reiss & Brady (per Chas. Treieblinger, manager).

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To the honorable Senate and House of Representatives of the United States:

We, the wholesale grocers, cheese dealers, and commission merchants of St. Louis, Mo., most respectfully urge that the manufacture of and sale of "skimmed cheese" of all descriptions be made subject to the same conditions as "filled cheese," as embodied in the bill H. R. 8008, "defining cheese and imposing a tax upon and regulating the manufacture, sale, exportation, and importation of 'filled cheese.'"

Signed—

Scudder-Gale Grocery Company (per E. G. Scudder, president); Goddard, Peck Grocery Company (Joseph W. Goddard, president); Alkire Grocery Company (by F. H. Bemiss, president); James W. Scudder & Co.; Adam Roth Grocery Company, (Geo. A. Roth, vice-president); Bauer Grocery Company (Wm. S. Hofman, vice-president); Schwepp Grocery Company (W. E. Schwepp, president); F. Smith & Son Grocery Company (A. H. Smith); Jno. L. Furth Grocery Company (per Jno. L. Furth, president); Meeks-West Grocery Company (Jno. C. Meeks, president); C. E. Udell & Co.; Thompson & Cooke Cheese Company; Hudson Brothers Commercial Company (B. F. Hudson, president); D. G. Tutt Grocery Company (per D. G. Tutt, president).

Mr. VEST. The testimony before the committee showed that this skimmed cheese was not only far inferior to the filled cheese, but was absolutely without one single ingredient that assisted digestion; not only that, but that it was absolutely antagonistic to digestion in the human stomach. That is passed over in silence, and the attack is made upon filled cheese, because filled cheese has come in competition with the dairies of the United States, and this legislation is intended to stamp out one food product in behalf of another, just as the oleomargarine law was passed for the same purpose—openly and avowedly for the purpose of stamping out of existence, if possible, and putting the brand of Congressional disapproval upon a food product that to-day is as legitimate as the dairy products made in New York or in any other State of the Union.

I shall never consent to legislation which says to the people of the United States, "You shall not be the judge of what you will eat and drink." In my judgment it is unadulterated tyranny; it is a mockery of free government to pass any such law as this. Senators say, "Oh, but it is the element of deceit; if they would only brand their product it would be all right."

Mr. President, under whose jurisdiction are the inspection laws of the United States? When were they given to Congress to go into my State and inspect food products which are not to go out of that State? If Senators care nothing for the Constitution, let them say so, but not indirectly attack it and tear it to pieces by such pretended beneficial legislation as this.

I propose—and I do not intend to extend my remarks much further—to offer an amendment to this bill at the proper time including skimmed cheese within its provisions. I then propose to offer another amendment, that nothing in this bill shall be held to mean an extension of the police power by the General Government to products within a State where the police power is granted exclusively to the State government.

That is all I propose to say now upon the subject.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The bill is in Committee of the Whole and open to amendment. If there be no amendment proposed the bill will be reported to the Senate.

Mr. VEST. I now propose, after the words "filled cheese," in line 2, on page 2, of the copy of the bill I have before me, to insert the words "and skimmed cheese"; and to insert the words "and skimmed cheese" after the words "filled cheese" wherever they occur in the bill, so as to make the same enactment apply to skimmed cheese as to filled cheese; and to make such other amendments as may be necessary to apply to all the provisions of the proposed law.

The PRESIDING OFFICER. The amendment proposed by the Senator from Missouri will be stated.

Mr. ALDRICH. I think it is understood by the Senate.

The SECRETARY. After the word "cheese," in line 11, section 2, it is proposed to insert the words "and skimmed cheese."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Missouri [Mr. VEST].

Mr. MILLS. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. SHERMAN. Mr. President, I desire to make a few remarks, but I do not wish to detain the Senate, for I hope a good deal of business will be done to-day.

This amendment seems to me entirely unnecessary, because, as I understand it, all milk which is converted into cheese, and nearly all the cheese made in the country before this new kind of filled cheese was manufactured, was made out of both skimmed milk and cream. Both the skimmed milk and cream contain articles making a healthful food in the form of cheese, and I think, therefore, in all the chief dairies of the country, where cheese is an article of great importance to the farmers of the country, milk and cream are used in the manufacture of cheese. I do not myself know that any cheese is made out of skimmed milk alone. Indeed, I think that would be very difficult to do. I am not, as a matter of course, an expert in such matters, but I never heard of cheese being made out of skimmed milk alone. It is always made in connection with cream, which forms the chief part of it. I think that is enough to say in regard to that point.

There is no complaint made by anybody in regard to cheese made out of skimmed milk; but the complaint is—and the Senator ought to take this view of it—that where manufacturing establishments are started in a community they take the milk which is not consumed by the farmers. One of these establishments sends its wagons about the country for a distance of 2, 3, or 4 miles, according to the nature of the business. Those wagons gather in the milk generally in as early a stage as possible. If you will go through the Western Reserve of Ohio you will see early in the morning in front of many of the houses a bucket or tin can of large dimensions to receive the milk. The agent of the manufacturer comes along, takes it, and carries it to the cheese factory, where butter is made. In some cases they make butter alone and do not use the skimmed milk. In other cases they make the skimmed milk into cheese, using both the skimmed milk and the cream for that purpose.

Now, it is complained recently that in order to get a cheaper form of cheese they take the skimmed milk only. So far as the milk is concerned, they take the cream and convert it into butter and sell the butter. They then take the skimmed milk, which my friend from Missouri says is so unwholesome—although I suppose we have drunk a good deal of it in our lifetime without being very dangerously injured—and add to it not cream, or the product of cream, but they add to it lard—the lard of the hog—and they take this lard, reduced, or rendered, as they call it, melted by a heat of probably 120, 130, or 140 degrees, and they mix that lard with the milk and make what is called filled cheese. That is, it is skimmed-milk cheese, filled with lard instead of with butter, or butterine, or cream, which is the foundation of butter. That is all there is in this case.

The manufacture and sale of filled cheese have grown to be an abuse so great as to destroy a large industry in many of the agricultural States of the Union, North, South, East, and West. It has become so great an evil that the farmers in their meetings and conferences have denounced it, and they claim that it is injurious to their business.

This filled cheese, which is manufactured not of cream and milk but manufactured of skimmed milk, the cream which is taken out of it and made into butter being superseded by lard, is believed by many to be unhealthy. Certainly it is not what is called cheese, which is a product always of the cow and not of the hog. The distinction there is marked.

The business amounts to a fraud. It is true that a person who did not have some mode of testing this cheese might not distinguish it from ordinary cheese, but most persons could tell the difference between it and the genuine cheese; but still it is colored precisely like the genuine cheese. Not only is it a fraud, but it is not sold at the ordinary price of such a compound; for, while tallow may be worth 10 cents a pound, lard may be worth only 2 or 3 cents a pound, and all the difference in cost between cream and lard, as a matter of course, goes into the hands of the manufacturer; and yet this filled cheese, so called, is sold in all the markets of the world, and has been sold in this very building, as cream cheese. Here is the testimony of witnesses without number.

I might go over the testimony, but it is not necessary to do so to show you that in all parts of the country there is a general denunciation of this fraud upon the people. This cheese, manufactured not out of the ordinary articles of which cheese is made, is sold and labeled in large letters as "Wisconsin cream cheese," or "Ohio cream cheese." It is true the manufacturers who make this article do not put these labels upon it; they do not label their product at all; but when it goes into the hands of the dealers who sell it to the consumers they put on this stamp, and there is no way to prevent it. It is not done by the manufacturer, and therefore he can not be called to account. That is sold as a merchantable article by the dealers. That is a fraud which ought to be corrected or punished, if possible.

The bill is but a copy, as the Senator from Missouri says, of the oleomargarine law, which has worked well and beneficially in every respect. The people, when they buy oleomargarine, know what they get. Probably it will make it popular. I have no doubt but that this bill will be beneficial.

The Senator from Missouri says it is a charge upon the poor. It is not intended to be charged upon the poor. It is intended to protect the poor against a fraud. That is the object of it. Why should not every man stamp his production truly? Then the consumer will be able to find out exactly whether he ought to buy the article or not. That is what is required here, and this legislation is generally demanded. I have received a great many letters and communications from Missouri and from other parts of the country, from people who are pressing this measure upon us. Therefore, perhaps I have shown a little impatience in getting it before the Senate, but it is my desire, if possible, to secure the passage of the bill at the earliest possible moment.

Mr. WHITE. Mr. President, as I understand, there are several amendments pending to the filled-cheese bill. I think when the measure was under discussion three or four days ago that a member of the Senate proposed as an amendment the Dingley bill, so-called, and I also remember that an amendment was proposed with reference to a tariff upon wool.

Mr. ALDRICH. There is no amendment pending except the one which has been stated.

Mr. WHITE. I am informed that those amendments have not yet been proposed, and therefore they are not now, perhaps, subject to discussion. I think notice was given, however, that such amendments would be proposed.

Mr. MITCHELL of Oregon. I will say to the Senator from California that I gave notice of an amendment, and I propose to offer it.

Mr. WHITE. If I understand the Senator from Oregon, or if my recollection is correct, he proposes to offer the Dingley bill as an amendment.

Mr. MITCHELL of Oregon. I propose to offer as an amendment to the pending bill the Dingley bill, pure and simple, without the change of a word, the dotting of an "i" or the crossing of a "t."

Mr. WHITE. I call the attention of the Senator from Ohio to that subject. I do not know how he desires us to vote upon the Dingley bill in this connection.

Mr. President, so far as the filled-cheese bill, pure and simple—if it can be called either pure or simple—is concerned, I am opposed to it, because I do not believe that the Congress of the United States has any right to engage in legislation of this character. We might just as well legislate regarding every article that is manufactured or sold within the borders of a State, and pressing this subject to its logical conclusion, we might take charge of all the domestic affairs of the States, almost infinite in variety and importance.

There is unquestionably much fraud in connection with the sale of filled cheese. There is no doubt that this article is sold—and all the evidence before the Committee on Finance demonstrates that fact—as true cream cheese, but a corresponding statement might be made with reference to a thousand or ten thousand other food products. It seems to me that there are other topics legitimately and fairly committed to the care of Congress adequate to command our patient attention without entering into such numerous subjects as those suggested by this bill.

I have been requested by citizens in my own State, persons for whom I have a great deal of respect, and who are engaged in legitimate dairy business, to vote for this measure; but I can not do so with my view of my duty under the organic law, much as I should like to please personal or political friends.

I have opposed anything in the nature of a filibuster on this bill. I think it is proper and right that those who favor this measure and who represent the sentiments of a very large and respectable number of the American people should have an opportunity for a final vote, but I shall not support any amendment except such as is strictly germane to the measure itself. I shall vote for the amendment advocated by the Senator from Missouri [Mr. VEST] by which he designs to restrict the operation of the bill to cheese exported from the State where manufactured, for I do not think it a legitimate matter of national legislation to enter upon the State domain for the purpose of enforcing police regulations regarding property which never has been and never can be used for any purpose without that State's jurisdiction.

Mr. President, I will not extend the discussion of this matter. The amendment intended to be proposed by the Senator from Oregon [Mr. MITCHELL] is legitimate, if this be a revenue measure. We know, Mr. President, that the name given to this bill indicates that it is a revenue measure. But this name is merely a cunning method of obtaining jurisdiction by the use of the revenue power given to Congress, when, as a matter of fact, we are not legislating for the collection of revenue at all. The object of this bill is shown by those who have spoken concerning it, and by every advocate before the committees and out of the committees, is to prevent the perpetration of a fraud upon those who consume cheese food and upon those who manufacture it. We are informed—and such is the fact—that several of the State legislatures have absolutely prohibited the manufacture of filled cheese upon the ground that it is not fit to eat; and yet we are about to place ourselves in a position where we must say to the people of the United States: "We hereby authorize the manufacture of this article under the restrictions contained in this bill." This is not the language of the bill, but it is fairly inferable from it. Senators in whose States this prohibitive legislation has been enacted, and who themselves have advocated it, are here in direct contradiction to their home theories, seeking to legalize by process of national legislation that which locally they declare should be inhibited.

Mr. VEST. If the Senator from California will permit me, the State of Maryland, the State of Minnesota, the State of Michigan, and, I believe, the State of New York—though I am not certain about New York, but I have so heard—have absolutely prohibited the sale or introduction into those States of what is known as filled cheese.

Mr. WHITE. The Senator from Ohio [Mr. SHERMAN], in his very able remarks, has sought to convince us that the use of filled cheese is injurious to health. This is a matter upon which I do not feel myself competent to pass. The Secretary of Agriculture, whose authority has been doubted heretofore by some of the participants in debate upon other subjects, tells us in a report made by him that it is not injurious to health, but he thinks it ought to be stamped "lard cheese," so as to show its actual composition as nearly as possible. But the Senator from Ohio rests his case, so far as his appeal to us is concerned, upon the theory that filled cheese is injurious to health and that its manufacture is detrimental to the dairy business. He rests his case, so far as the constitutionality of this enactment is involved, upon the idea that it is a revenue measure.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER (Mr. PLATT in the chair). Does the Senator from California yield to the Senator from Minnesota?

Mr. WHITE. Certainly.

Mr. NELSON. I supposed the Senator from California was through. I do not desire to interrupt him.

Mr. WHITE. I shall retain the floor but a moment longer, Mr. President.

The Supreme Court, it is said, has sustained this kind of legislation. That is true enough, but it is because the Supreme Court of the United States has not been able, owing to its limited power, to penetrate the cloak covering such enactments. In several of the States there are constitutional provisions prohibiting the legislature from making any appropriations of money except for labor performed or for contracts executed in pursuance of law; and yet there are cases where money has been absolutely appropriated by the State legislatures without any consideration at all; and such laws have been upheld, because the several courts of those States have decided that they are conclusively bound to assume that the legislature enacting such bills found that there had been labor performed, service rendered, or work done pursuant to contracts legally made; and so when we pass a bill declaring it to be a revenue measure and provide for the collection of some revenue, however small it may be, that the Supreme Court will sustain us upon the theory that we have acted in good faith, and will not assume that we have done that which the Senator from Ohio advises us here to do as a means of evading the terms of the Constitution. The court will presume that we have not done that which we have in fact done.

Mr. TELLER. Will the Senator permit me to ask him a question?

Mr. WHITE. Yes, sir.

Mr. TELLER. Does the Senator think if we pass this bill it will specifically repeal acts of the State legislatures by which they have interdicted this kind of business?

Mr. WHITE. I have made no such intimation whatever. I know it will not.

Mr. TELLER. I supposed it would not; but I did not quite understand the Senator.

Mr. WHITE. There is no question about that. I made reference to such State legislatures, not because I assumed this bill

would overturn the action of the State legislatures in prohibiting the manufacture of filled cheese, any more than it could be said that because the United States issue licenses for the sale of liquors there can not be any prohibitory legislation by the States. I referred to the fact that gentlemen who assisted in the enactment of State laws absolutely prohibiting the vending of this article were, it seemed to me, personally inconsistent in attempting to license it by national legislation. A compound dangerous to health should not be tolerated anywhere. But this bill comes here under the false pretense made to sustain its validity that it is a revenue measure.

As I before stated, I shall interpose no obstacle to the obtaining of a final vote upon this measure on its merits. On the contrary, I will endeavor to facilitate action upon it.

Mr. GEAR. Mr. President, I have here a letter from the Chief of the Chemical Division of the Agricultural Department in reference to this subject, which I should like to have the Secretary read.

The PRESIDING OFFICER. The Secretary will read as requested, in the absence of objection.

The Secretary read as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
DIVISION OF CHEMISTRY,
Washington, D. C., April 13, 1896.

SIR: "Filled cheese" is a trade term given to cheese which is made from skim milk. The deficiency in fat is usually supplied by the addition of lard. In all the samples which have been examined in this laboratory the added fat has been found to be lard. It is said that only the purest leaf lard of a neutral reaction is used for filling, but this, of course, can not be confirmed by our own investigations, which have extended to only a few samples. The lard found in the samples examined by us has apparently been of a high grade of purity.

The casein, or cheese-making property, of filled cheese and full cream cheese does not differ greatly in amount, and from an ordinary analysis the two kinds of cheese might be easily confounded, as they may have the same quantities of water, of casein, and of fat. If, however, the fat be examined the difference between the two cheeses is readily appreciated; in the full milk cheese the fat present being butter fat, while in the filled cheese nearly the whole of the fat present is lard or some fat foreign to milk. I inclose a table giving some data of analyses which have lately been made in this Division.

The fraud which is practiced in the case of filled cheese is in the abstraction of a more valuable and the insertion of a less valuable fat, the price of lard being, as a rule, much less than the price of good butter. Thus the skim milk which is left after the separation of the cream, by setting or by mechanical appliances, and which is of very little value, can be turned into a cheese which in appearance and general properties resembles very nearly that made from full milk. It is not difficult to discriminate, however, between the taste of a full milk cheese and that of filled cheese, and especially for cooking purposes. When the cheese is to be cooked as a whole or where it enters as an ingredient in other foods the difference is most marked. As an illustration of this it may be said that it is quite impossible to make a presentable Welsh rabbit from a filled cheese.

The fraud in filled cheese can not properly be said to be a nutritive one, inasmuch as the nutritive value of the lard which is added is probably nearly the same as the fat which is abstracted. In my opinion there would be no objection to the manufacture and sale of filled cheese as such if it were clearly labeled, sold, and bought as filled cheese. The fraud as in the case of oleomargarine, consists in selling this adulterated article for the genuine, and it is for the prevention of such fraud as this that legislation would be especially valuable. You will pardon me if I suggest, however, that special legislation directed against a single article of food can never secure the approbation of the community to the degree which would be accorded to general legislation against food adulteration. All these cases should be covered by a general law, easily enforced, and which would command the undivided support of the public.

I shall be glad at any time to offer any suggestions which you may ask for in regard to this subject.

Respectfully, H. W. WILEY, *Chief of Division.*

Hon. JOHN H. GEAR,
United States Senate, Washington, D. C.

[Inclosure.]

Results of analyses of samples of filled cheese sent to this Division by the House Committee on Agriculture.

In the analyses represented below the samples are designated by serial numbers which were given to them on their arrival at the laboratory. The substances whose percentages were determined directly were water, fat, ash, casein or nitrogenous matters, and the Reichert number. The data calculated from the results of analyses are the pounds of fat for 1 pound of casein, pounds of fat per pound of solids not fat, percentage of cream removed before the cheese was made, and sugar and undetermined bodies. The Reichert number represents the total proportion of volatile acids in the fat. For a pure butter this number is 28, while the low numbers obtained show the extent to which the butter fat had been removed in the cream. The other data need no further explanation.

Serial No.	Pounds fat for pounds casein.	Pounds fat for 1 pound solids not fat.	Water.	Fat.	Ash.	Casein.	Reichert number.	Cream removed (per cent).	Sugar and undetermined.
14432	0.97	0.80	29.81	31.13	3.93	32.13	7.29	65–75	3.00
14662	1.21	.87	12.20	40.82	4.85	28.21	5.00	75–85	13.92
14686	1.53	.98	31.09	34.02	5.44	22.25	1.80	85–95	7.20

The average ratio of fat to casein in full milk cheese is 1 pound of casein to 1.46 pounds of fat. The average ratio of fat to solids not fat in full milk cheese is 1 pound solids not fat to 1.17 pounds fat. No. 14662, the second in the above samples, was in an abnormally dry condition when received.

H. W. WILEY.

Mr. GEAR. Mr. President, I am certain in my own mind that the article of filled cheese is not so nutritive and healthful as the genuine article of dairy cheese. It is a serious damage to the people of the State which I in part represent. There are a million people in Iowa engaged in farming. They own in round numbers 1,500,000 dairy cows. The value of a large amount of cheese manufactured in that State is seriously endangered by the permission to ship into it from other States the article called filled cheese.

The Senator from Ohio [Mr. SHERMAN] has stated that he does not understand that filled cheese is falsely branded by the persons who manufacture it. I beg to differ with him. It is in evidence, given to me by the dairy commissioner of my State, that filled cheese is shipped into Iowa marked "First-class Iowa cheese," "Full cream cheese," "Dairy cheese," and so on, and as such it is sold and has been sold in numerous and numberless instances to the people whom I in part represent.

Mr. GALLINGER. And it is going on all over the country.

Mr. GEAR. And, as the Senator from New Hampshire says, it is going on all over the country. Yes; that is so.

Now, I hold myself that when filled cheese comes in conflict with and is sold for the genuine article, as oleomargarine was sold for pure butter, it is wrong. The people who make it have a perfect right to manufacture it if they wish to, but they should be compelled not only by State but by national law to brand it exactly what it is.

The farmers in my State suffer each and every year to the extent of nearly $3,000,000 by the adulteration of lard by the introduction into the manufacture of lard of cotton-seed oil produced in the South. I do not doubt that lard manufactured or adulterated in that way is healthful. I know it is. I know that cotton-seed oil properly prepared is a healthful product; but the fraud comes in in marking it as first-class leaf lard and pure family lard.

It is an evil which my people will not stand if they can prevent it. The result of the manufacture of filled cheese on the farmers of this country is very damaging. A few years ago we exported an immense amount of cheese to Europe, especially to England. Let me call the attention of the Senate to a table prepared by a friend in the other House regarding the exportation of dairy cheese. Early in the fifties, sixties, and seventies the United States constantly increased the amount of her dairy products and their exportation. Canada at that time, our neighbor on the north, had but a small export trade in this article. From 1881 to 1885 we exported each year on the average 118,831,685 pounds, while Canada exported 61,502,949 pounds. The export trade from the United States has gone on declining each and every year until 1895, when we exported only 60,448,421 pounds, while Canada exported 146,004,650 pounds. That, it seems to me, shows that it is a damage to the American farmer, and if we can prevent it by legislation we certainly ought to do so, in my judgment.

The result has been that we are falling off constantly in our exports, and the reason why Canada gains is that she prohibits by enactment of her Parliament the manufacture of filled cheese or any product of that kind. I think we owe it to the farmers of this country, who are getting so little legislation in these days, and who have got so little in the past, that we should protect them by all means that we can, and should pass the pending bill without amendment.

It is simply, in my opinion, a bill to regulate this industry, not so much for revenue, for revenue is an incident, and I am frank to say that we take advantage of that clause of the Constitution which gives us the police regulation of these matters to impose a small revenue, so that Congress can control it. I think we should exercise that power in every way we can to protect the farmers. It makes a vast difference to the people of this country. The oleomargarine act has been a great measure for Iowa and a great measure for this country. The value of dairy products in my State one year with another amounts to nearly as much as the silver product of this country, and in one year exceeded the value of silver.

Congress has no right, in my judgment, to strike a blow at the farmers of Iowa and of this country by the nonpassage of an act of this kind. The sale of filled cheese has been prohibited by stringent regulations in Iowa, and you can not now buy a pound of filled cheese in that State, notwithstanding it has been shipped into the State in the past and came in competition with our own dairy products, being branded as "Cream cheese" and "Iowa dairy cheese," etc.

Mr. VILAS. Mr. President, I have great respect for the opinions of gentlemen who oppose a bill because they feel they will exceed by its passage the constitutional authority which is vested in them as Representatives or Senators, and if I could agree with that opinion in reference to the pending bill I should be compelled to vote against it, however important I might think it to the interests of the country, and especially to the agricultural interests, which have been sorely injured by the invention of this fraudulent manner of dealing with the particular product in question.

I wish, therefore, to make a few remarks from the standpoint

of the Constitution, as it seems to me, and most considerately of the opinions of those who differ. As I recognize the objection, there is no pretense that the bill, when it shall be enacted into law, will not be supported by the courts as strictly within the constitutional authority of Congress. It is framed upon the exact lines of the oleomargarine bill as it passed Congress and as it has been sustained by the Supreme Court.

Mr. VEST. What decision, may I ask the Senator from Wisconsin, sustained that law?

Mr. VILAS. I have not the decision at hand, but I understand that the act has been passed upon by the Supreme Court.

Mr. VEST. I beg the Senator's pardon.

Mr. VILAS. I may be mistaken in reference to it, for I did not take the pains to look up the decision, but I was informed that it has been passed upon.

Mr. VEST. If the Senator will permit me, without breaking into the line of his argument, I will be obliged to any Senator who will find me or point me to a decision of the Supreme Court of the United States which declares that the oleomargarine law is constitutional. In the case of Eaton, reported in 144 U. S., the Supreme Court passed upon a regulation of the Interior Department which was required by the oleomargarine act, and said that a dealer in oleomargarine could not be fined and imprisoned for a violation of that regulation. But there is not one word in that decision which says that the oleomargarine law is constitutional or a proper exercise of the taxing power.

In the case of Plumley *vs.* Commonwealth of Massachusetts, which I have before me in pamphlet form from the clerk's office of the Supreme Court, the Supreme Court passed upon a law of Massachusetts and upon that law alone. It declared that when coloring matter was put in oleomargarine for a fraudulent purpose, in order to pass it off for creamery butter, the legislature of Massachusetts had the right to make it a misdemeanor under the recognized and palpable police power of the respective States. But there is no decision by the Supreme Court of the United States directly affirming the constitutionality of the oleomargarine law.

Mr. VILAS. The Senator from Missouri may be right in respect to it. I will not affirm that the constitutionality of the eleomargarine law has been, in its entirety, passed upon by the Supreme Court, certainly not in view of what the Senator has stated on the subject. The circuit court of appeals in the Eighth circuit has passed upon it. The supreme court of the District of Columbia has passed upon it within a few days, and the decision of the Supreme Court of the United States in one or two cases, incidentally, and in some other cases, I think, has practically covered the ground.

Mr. VEST. If the Senator will permit me, I will concede this much, to help his argument, whatever my opinion as a lawyer may be worth. I have not the slightest doubt that the Supreme Court would, upon the face of the oleomargarine law, unless they take into consideration the fifteenth section of that law, like the fifteenth section of the pending bill, assume that individual legislators had not violated their oaths to support the Constitution and had passed the law in order to collect taxes. But if the real meaning and intent of the law were put on the face of it, the Supreme Court would declare it to be null and void. And what I complain of in this legislation is that it is a pretext, a fraud upon the face of the proposed law to say it is an exercise of the taxing power.

Mr. VILAS. The Senator from Missouri practically admits what I say about that, and puts himself upon the very ground upon which I was about to place the opposition, as I understand it. That this bill when enacted will be regarded as a constitutional law whenever it is presented to the court, I apprehend nobody here is likely to deny. The oleomargarine law has been upon the statute books now for nearly ten years, has it not? I have forgotten the exact date of its passage.

Mr. VEST. It was passed in 1886.

Mr. VILAS. It has been upon the statute books about ten years, but nobody has yet challenged the constitutionality of it in such way as to bring it before the Supreme Court, at least.

Mr. VEST. If the Senator will permit me again, I will state that it is nobody's interest to challenge it, because the men who have a monopoly of making oleomargarine want the law to stay as it is. If you apply to Mr. Armour and to Mr. Nels. Morris they will tell you there never was a law which put so much money into their pockets as the oleomargarine law.

Mr. VILAS. I do not know what Mr. Nelson Morris and Mr. Armour may say on the subject. We do know they resisted the passage of the law with all the power they could bring to bear on the subject, and with the aid of all the constitutional lawyers they could get impressed with the idea that it ought not to be adopted. If they have changed their opinion, I am aware of no public expression to justify us in that belief.

Mr. VEST. They have not attacked the law.

Mr. VILAS. They have not attacked the law, because they have been advised, undoubtedly by every lawyer they have consulted, that there is no chance of its being declared unconstitutional.

Mr. VEST. If the Senator will permit me—and I will not interrupt him again——

Mr. VILAS. I do not object to the interruptions.

Mr. VEST. I should like him to state as a lawyer whether he believes that the fifteenth section of the proposed law, which provides for the inspection of the article of filled cheese (it is the same section copied in haec verba from the oleomargarine law, providing for an inspection of oleomargarine by officers of the Government to determine whether or not it is a deleterious product) is a part of the taxing power of the United States?

Mr. VILAS. I do not have any difficulty with the question of constitutionality, for although it may not be a part of the taxing power yet it may be incidentally necessary to the exertion of the taxing power, as we have provided in revenue laws a great many stringent inspections in order to collect the revenue upon liquors. But nobody can doubt for an instant that the provisions are constitutional for the most part. There may be now and then some unconstitutional excess.

Mr. GEORGE. Will the Senator allow me to call his attention to the last half of section 16?

Mr. VILAS. I have not that section before me.

Mr. GEORGE. It supplements section 15.

Mr. VEST. It is the confiscation clause.

Mr. GEORGE. It uses these words:

> And all filled cheese intended for human consumption which contains ingredients adjudged as hereinbefore provided—

That is, by the commission—

> to be deleterious to the public health, shall be forfeited to the United States.

Does the Senator think that is constitutional? It provides for forfeiture without trial by jury upon a mere declaration of one of the bureaus of the Departments of the Government.

Mr. VILAS. If you were to separate the latter part from the first, there would be a very different question raised in respect to it from what perhaps would be raised upon the whole section.

Mr. GEORGE. Take the whole section.

Mr. VILAS. But I take it that there is no difficulty at all with the section which provides for forfeiture of property which is required by law to pay a tax by stamp and the tax is not paid.

Mr. GEORGE. That is not the provision of the last half of the section. It is forfeiture upon the finding by the Surgeon-General of the Army that it contains a deleterious ingredient.

Mr. VILAS. I desire to take up this argument from a little different standpoint, and afterwards, when we have the foundation of the argument upon which I am presenting the case before the Senate, if any Senator desires to ask questions with reference to a particular matter, it will certainly be my pleasure to answer him as well as I can.

Mr. GEORGE. I will postpone the question until that time.

Mr. VILAS. To start again, I recur to the proposal which I made as the basis of the argument I was about to submit and which the Senator from Missouri finally, as I understand him, agrees to as a matter of law; that is, not limited to some particular provision in the bill, but with reference to the general structure and principle upon which the bill is based, that it is constitutional in a judicial sense, so that the courts would enforce it as they find it on the statute books.

Mr. VEST. Of course the Senator does not want to misquote me.

Mr. VILAS. Certainly not.

Mr. VEST. I never would admit that the proposed act is constitutional, judicially or extrajudicially, or in any other way. I simply mean to say that the Supreme Court of the United States, finding that we had passed a law which ostensibly upon its face is to collect taxes, would say, "It is to be presumed that every legislator voted for the bill as a revenue measure, and we can not go outside of the text of the law to ascertain what is the object of the bill." If you were to put the real object upon the face of the bill and show that it is a police power, as it is, which is to be conferred, and that the revenue, as all Senators admit, amounts to nothing, then the Supreme Court would declare it to be unconstitutional; and I am called upon, and every other Senator, knowing distinctly that this is an invasion of the Constitution, to vote for a bill which the Supreme Court possibly can not reach because of their courteous conclusion that we had not violated the Constitution, but had passed a law for legitimate purposes.

Mr. VILAS. The Senator from Missouri is stating again precisely what I understood before, and I think I correctly characterized it in a single adjective when I said that it is constitutional in a judicial sense; that is, from the point from which courts must view it, which is what I meant, for I intended then to address the argument I am about to make to the point of the objection which the Senator from Missouri now insists upon, namely, that the motive which he understands to underlie it renders the bill an unconstitutional exercise of power by Senators or Representatives

in passing it, although the courts would be obliged to find it constitutional.

I wish first, therefore, to call distinct attention to the proposition that this is the exercise of the constitutional power of taxation, and that the right to exercise it is given by the Constitution. Now, have we the right to exercise that power in this particular case? Senators say no, because we are exercising it inspired by the motive of regulating a subject of interstate and foreign commerce.

Mr. VEST. Oh, no! Within the States.

Mr. VILAS. I will come to that point in a moment. I want first to draw attention, not to what we are wrongfully accused of desiring to do, but to the true governing motive which actuates this legislation.

We are not seeking by this legislation to exert a police power in the States, or to intrude upon or in any way to dispossess the States of any internal police power. I recognize what the Senator from Missouri has shown by the decision of the Supreme Court; that just so far as the proposed act shall be the assertion of a mere police power within the several States, it will be held void, because as the State can not intrude upon the power of Congress to regulate interstate and foreign commerce, so Congress can not intrude upon the power of the State to exert within its own borders the true police power.

So I desire to call attention first to the motive which does actuate Senators who do favor the legislation. I wish to point out that we are governed by the desire to regulate interstate and foreign commerce, and that so far as I am concerned I find the right to regulate interstate and foreign commerce ample and sufficient to justify the exertion of every particle of the power which is exerted in this bill, unless there may be some particular instance to which I have not given attention that is a mere speck on the general effect, purpose, and scope of the bill.

In other words, I say no object which the Constitution has authorized Congress to pursue is an unconstitutional object, and that Congress may properly address to its accomplishment whatever power the Constitution has invested it with. That is the proposition. We can not be accused of dealing unconstitutionally when we are seeking only to enforce a power which the Constitution has given us to exercise, and which it has made it our duty to exercise.

Mr. President, this is the third of the enumerated powers in the Constitution. It follows after the power to levy taxes, which is the first, and the power to borrow money, which is the second. Thus really the very first of the duties laid down in the Constitution for Congress to discharge for the general welfare of the country is the power and duty to regulate commerce.

Mr. VEST. The general welfare?

Mr. VILAS. The general welfare is not prescribed as one of the powers of Congress. It is given power to levy taxes in order to promote the general welfare, but the power given is to levy taxes. As we have often argued (and I agree with my friend on that subject and I do not think he means to assert a different principle now), the general welfare is to be accomplished by the exertion of the other powers which are given in the Constitution, not that the power to levy taxes to promote the general welfare meant that whatever Congress saw fit to do was to be regarded as a promotion of the general welfare, and taxes might therefore be levied for that end; but the power to levy taxes to promote the general welfare is simply to levy taxes to be expended in the exercise of the other powers thereafter enumerated in the Constitution as those with which Congress was invested; and first of all those enumerated, first in the scale of importance in the estimation of the Constitution makers, was the power to regulate commerce between the States of the Union and with foreign nations and with the Indian tribes.

Well might it be said to be so. The free commerce on this continent among the numerous States between the Atlantic and the Pacific is the greatest illustration of the beneficial influence of free trade that has ever been presented anywhere. No other area on this globe begins to enjoy so much of prosperity from enlarged and free intercourse as that part of the American continent which constitutes the dominion of the United States. The exclusive superintendence and control of that commerce was necessarily vested in the Federal Government, if there was to be the realized future which we have come to see in part. No duty can be superior to that which is thus imposed upon Congress by the Constitution, the duty to regulate commerce between the States and with foreign nations.

Let us observe the next important fact, which is that the States are powerless to do this for themselves. The Supreme Court have repeatedly determined that it is a dominion of legislation from which the legislatures of the States are utterly excluded.

Let me draw attention for a moment to the opinion of the court in the Head Money Cases. In that case a tax of 50 cents per head levied by Congress upon immigrants from foreign countries, with the design only of promoting the good order of immigration, was under consideration. It was said that the court had never yet declared the power of Congress to pass such a tax law. The court says on it briefly that, though the previous cases in this court on that subject related to State statutes only, they held those statutes void, on the ground that authority to enact them was vested exclusively in Congress by the Constitution, and necessarily they decided that when Congress did pass such a statute, which it had done in the case then at bar, it would be valid.

I can not understand how any honest-minded man, however scrupulously observant of his oath of fidelity to the Constitution or tender of every phase of that obligation, need hesitate about the exertion of any power committed to Congress for the purpose of accomplishing any rightful end which Congress is bound under the Constitution to seek, because, the end being a constitutional one, the duty to attain it most perfectly is of the highest constitutional import and obligation, and the exertion of that power which will most efficiently accomplish the desired and constitutional result is the most faithful execution of the duty imposed upon Congress.

So the court in the Head Money Cases say that the tax was levied to accomplish a humane and proper regulation of commerce, commerce by immigration; and therefore, though it was called a tax, and perhaps could be supported as a tax, its true and proper constitutional motive and its constitutional support lay in the fact that it was levied as a regulation of commerce.

Mr. GEORGE. I should like to ask the Senator from Wisconsin a question, to see if I understand his position.

Mr. VILAS. I yield with pleasure.

Mr. GEORGE. Does the Senator wish to be understood as defending the constitutionality of this proposed tax upon the ground that it is a regulation of interstate and foreign commerce?

Mr. VILAS. I am saying that, so far as any other motive intervenes to secure the passage of this law than the motive of raising revenue, it is the motive of regulating interstate and foreign commerce.

Mr. GEORGE. That being the end, and the other the means of accomplishing it?

Mr. VILAS. Yes. So far as that is the end, so far the other is the means. That is precisely the argument I am making.

Mr. GEORGE. I merely wished to understand the Senator; that is all.

Mr. VILAS. Now, understanding that basis of our legal, constitutional power, let us just see for a moment where we are.

Within a few years an absolutely new manufacture has sprung up, the making of what is called filled cheese, a new invention. After all that has been said here it does not need to be added that it is a gross fraud in the manner of its manufacture and sale. A thing worse than skimmed-milk cheese (which the Senator from Missouri animadverted upon perhaps with remembrance of some time in early youth when he had more particular reason to dislike it) is made and put upon the market as if it were the very best product of cheese from dairy milk. It has not only been skimmed, so to speak, but by machinery very much more perfect in its accomplishment than the old skimming dish of the dairywoman; by machinery so perfect that by its use the last particle of oleaginous matter is expelled from the milk, and therefore the machinery-skimmed milk is more deleterious than that skimmed in the dairy.

An oil made of lard, lard not heated enough even to destroy the trichinæ, if they happen to be there, is injected into the milk by the use of steam in such a way as to simulate the restoration of the natural butter properties of fresh milk; and out of such a substance something called cheese is manufactured by flavoring and coloring, and so made into the likeness of cheese that for a time after its manufacture it is incapable of being distinguished, at least by any ordinary person. I suppose it requires a chemist to tell the difference for the time being. But after a while, and no very long while, this new substance, so I am informed, by chemical action in the counterfeit fat which has been put into it, becomes changed. Chemical action changes the oils so that the cheese will appear spotted when it is cut. But that does not take place for some time after it is made, as I am informed.

Now, such a product as that costs only 4½ cents a pound to make. It is put upon the market bearing such a perfect resemblance to cream cheese as that it can not be distinguished from it, and cream cheese can not be made and sold for less than 12 or 14 cents a pound. What is the result? This miserable product of fraudulent ingenuity is sold to the people of our country at the price of cream cheese. The Senator from Texas [Mr. MILLS] spoke the other day about our interfering with the price of cheap food to the poor. This very act will put the price of that product down to where it ought to be, if the poor are obliged to eat filled cheese instead of honest cheese. We want to distinguish the article so that the poor will not be cheated, nor anybody else who buys cheese.

The Senator from Missouri [Mr. VEST] said in his argument this morning that this tax will be a tax upon the poor people. If

the poor people desire to buy filled cheese because it is cheaper this tax will be welcomed as a boon by them, for instead of their paying twice the price they ought to pay for a fraudulent article they will at least buy that article knowing what it is, and with competition in it, which will put the price down to where it belongs. It can not be held up to the price of cream cheese after it has had the fraudulent cover stripped off from it, and the tax which will be paid of a cent a pound will be accompanied by several cents a pound of relief in price to those who will pay it.

Mr. VEST. If the Senator from Wisconsin will permit me, I do not propose to be put in the attitude of defending any sort of fraud in branding or otherwise. Mr. Sherwin, one of the principal manufacturers, or the attorney for the principal manufacturer of filled cheese, appeared before our Finance Committee, and here is his testimony. He said that they desired a law to be passed by Congress which would require the filled-cheese manufacturers to brand their filled cheese what it is, and that they had no objection whatever to inspection laws being passed by Congress; that, on the contrary, they desired them. I am just as much opposed to Mr. Sherwin as I am to the views of the Senator from Wisconsin. Without any reference to the fraud, with which I have nothing to do and which does not touch my position at all in the case, my position is that Congress has not the constitutional power to go into my State and inspect products of that State which are not intended for foreign or interstate commerce. When the Senator says that he is voting for this law because it applies to interstate and foreign commerce, he ignores the fact that there is not one word in the bill that confines it to those objects. If you will put such an amendment on it I will vote for it.

Mr. VILAS. I am going to deal directly with every aspect of the case, for I recognize the Senator's position, I think, with clearness and distinction. I wish to make another step or two of progress before I reach it.

So far as the testimony of the attorney of the manufacturers of filled cheese is concerned, I do not think we ought to give much time to that. If they were so anxious to have their product branded as filled cheese they probably would not have stamped over every cheese they made the fraudulent lie that it is the best Ohio cream cheese or the best Wisconsin cream cheese.

Mr. VEST. He denied that. He said it was not true that they did so.

Mr. VILAS. The Senator from Missouri will not doubt one thing, and that is that the testimony before the Committee on Finance showed that this cheese was invariably sold to the customer under a brand of some such character.

Mr. VEST. No, Mr. President, that was not the testimony. I heard every word of it and paid very close attention to it. There was a difference in regard to the testimony, as there always is in such cases.

Mr. VILAS. That was the weight of the testimony.

Mr. VEST. There were witnesses who testified that they had known such instances, and then these manufacturers swore that they never had done anything of the kind. The principal witness in that regard was an officer of the Internal Revenue Department, who said he had tracked certain filled cheese and that the boxes had come back branded "Elgin cheese," or something of that sort. That was the testimony. There was not a concurrence of testimony about it. I do not care anything about that part of it.

Mr. VILAS. Without stopping to read testimony, which I did not intend to do at the moment, and I will not, I had supposed there was nothing better established before the Committee on Finance than the fact that this cheese found its way to customers under a fraudulent brand.

Mr. VEST. They claimed that the retailers did it.

Mr. VILAS. It is the "other fellow" who does it always, of course. But the fact is that the cheese finds its sale by reason of its fraudulent brand.

Now, I wish to note another thing. This whole business is practically interstate and foreign trade. Our distinguished friend from Missouri speaks of it as if a great portion of it were infrastate trade. It is not. This whole scheme of rascally invention is for interstate and foreign commerce. Within the State there is very little opportunity for the trickster; within the State the people are on their guard against it; and the fraudulent manufacturers of filled cheese about Elgin, Ill., do not sell their products to the people of Illinois except in the course of interstate and foreign trade. They sell directly or indirectly to the Southern States and foreign countries, and it goes off by the ton, marked "Best Wisconsin cream cheese," "Best Iowa cream cheese," etc.

Now, Mr. President, that being the nature of the trade, it is against it, as interstate and foreign commerce, that we are objecting and seeking to interpose regulation. As the Supreme Court said in the Head Money Cases, speaking of the tax imposed there:

> That the purpose of these statutes is humane, is highly beneficial to the poor and helpless immigrant, and is essential to the protection of the people in whose midst they are deposited by the steamships is beyond dispute. That the power to pass such laws should exist in some legislative body in this country is equally clear. This court has decided distinctly and frequently, and always after a full hearing from able counsel, that it does not belong to the States. That decision did not rest in any case on the ground that the State and its people were not deeply interested in the existence and enforcement of such laws, and were not capable of enforcing them after they had enacted them, but upon the ground that the Constitution, in the division of powers which it declares between the States and the General Government, has conferred this power upon the latter, to the exclusion of the former. We are now asked to decide that it does not exist in Congress, which is to hold that it does not exist at all—that the framers of the Constitution have so worded that remarkable instrument that the ships of all nations, including our own, can, without restraint or regulation, deposit here, if they find it to their interest to do so, the entire European population of criminals, paupers, and diseased persons without making any provision to preserve them from starvation and its concomitant sufferings, even for the first few days after they have left the vessel.

In like manner it is to be observed that the purpose of this act is humane; is highly beneficial to the interests of our countrymen; is essential to the protection of the people who are engaged in the great agricultural pursuits upon which the prosperity of the country must depend, and to the protection of consumers who can hardly otherwise escape the consequences of successful fraud and imposition. That the power to pass such a law should exist somewhere is so obvious as to require no argument. That it does not exist in the States the Supreme Court has decided. That it does exist in this Congress under the power to regulate commerce is as reasonable and perfectly satisfactory as it is that the power to purify and regulate immigration is a part of the power to regulate commerce given by the Constitution. Therefore the end which is sought by this bill, so far from being a fraudulent and unconstitutional end, is one of strictest constitutionality as of the highest importance; and it is strange, indeed, that able and excellent gentlemen, incited by a preconception in respect to the strict construction of the Constitution, which never has been observed as they would observe it, not even by themselves, and never could be in government, are found throwing themselves like a Swiss bodyguard in desperate phalanx around some fraud when they are seeking to insist upon the dignity of the Constitution.

Now, let me pass to one other point. I desire to ask, in answer to the only question which the Senator from Missouri puts, upon which he stands distinctively, can anybody devise a more satisfactory regulation than this bill proposes to deal with the evil against which it is aimed? The case is just the same as that of oleomargarine, and the bill which was passed with reference to oleomargarine had most beneficial results. It raised considerable revenue for the Government, a million and three-quarters a year. That article is sold upon the market for less than it was sold before, and instead of being a tax by which a food product is increased in price to those who buy it, it is a tax by which the price of a food product has been lessened to those who buy it. It is put under regulation, so that it is made pure, and the manufacture of it is conducted on much safer principles than before. As a food product, if it is one, it has been very much improved by the inspections under that law. At the same time its fraudulent competition with butter, to the injury of the dairy interests of this country, has been done away with.

This is a most considerate and fair bill in every respect. It does not interfere with the right to make this article of food, to vend it, to get anybody to buy it who will prefer the stuff at a cheaper price than good cheese is worth. There is no interference with the liberty of trade, even the liberty to trade in a deleterious food product, in respect to which it might be thought that Congress could well abridge individual liberty without peril to the principles upon which it rests. But the article is to be put under regulation merely. Its manufacture is to be subject to inspection, reported upon, and understood, and the thing itself so put upon the market that whoever buys it will do so with his eyes open and understandingly. That is the end of it, except that a tax is imposed upon it.

This tax is imposed primarily to maintain the expense of the enforcement of the regulations themselves. It is in that respect precisely like the duty put upon oleomargarine by a law of Congress, and supported primarily as a tax, but also as an expedient regulation of commerce, like the tax under discussion in the Head Money Cases already referred to. But it goes beyond that. It seeks also to raise whatever revenue may be derived from this article which is thus produced in such a manner as that it can fairly afford to pay a tax. It is not laid as a protective tax at all. The amount is not 20 per cent of the difference between the cost of filled cheese and honest cheese. It will undoubtedly produce considerable revenue, and in the same way as the tax upon oleomargarine produces revenue. It is therefore a just and proper measure.

But the Senator from Missouri and other Senators say there may be some of this filled cheese sold and consumed in the State in which it is made. Of course there may be. But it is less likely to be; because there the nature of the product will be better known, and consumers will be less likely to be deceived. But that is a mere incidental circumstance and, indeed, an insignificant one in comparison. It is shown that this whole trade is substantially interstate trade and foreign trade, to an inconsiderable

degree infrastate. It is for traffic beyond the lines of the State where it is made that the product itself is manufactured.

It may happen, it is true, that this tax will be laid upon some of the cheese made and sold in the State. But that in no wise goes to its constitutionality, even in spirit, for the reason that it is but an inevitable and necessary incident of the proper use of this power for a proper end, and because it is strictly necessary to its employment for that rightful and constitutional end. The motive and the power are to be judged by the substance of the effect sought and produced, not by the inescapable but accidental incidents.

I should say at once that the bill was open to the objection which the Senator from Missouri makes if it were true that we were seeking by this legislation to interfere in the State; but if we are pursuing a strictly constitutional and just end, and we are employing a power unquestionably given us, then the mere fact that incidentally the tax may happen to fall upon some cheese within a State in no manner goes to the rightfulness or the justifiableness of the motives with which we seek to impose the tax. The object is not to interfere with the intrastate dealing nor with the police power of the State. The object is simply to tax this article with a view to a regulation of commerce for the common benefit of the people of the United States.

Mr. GEORGE. Will the Senator allow me to ask him a question there?

Mr. VILAS. Certainly.

Mr. GEORGE. Then, why do you tax the manufacturer?

Mr. VILAS. Because that is the only way in which you can reach the object; that is the only way in which you can effectually deal with this article of interstate commerce.

Mr. GEORGE. Why should you not require the manufacturer to brand it as an article of food? Why levy a tax upon his business?

Mr. VILAS. We are levying the tax because he is engaged in a business which requires us to provide a regulation of commerce; and therefore we have a right to make that article pay the expense of the regulation and inspection.

Mr. GEORGE. Therefore you have a right to tax any manufacturer who makes goods which enter into interstate commerce?

Mr. VILAS. Certainly, if we confine ourselves to an article of foreign commerce by reason of frauds which the system of manufacture has imposed upon us. We may charge that article with a tax to cover the expenses of the regulation. I suppose nobody would object to a rebate or to any provision which would meet an objection of this kind. But these amendments, which are offered for the mere purpose of interposing an obstacle to the passage of the bill and not with a view of accomplishing the end apparently on the surface of the amendments, of course the friends of the bill must vote against.

Now, let me call attention to one point more, and I shall detain the Senate no longer. I was asked in reference to this clause in the sixteenth section. I happen to have in my hand what the Supreme Court said in respect to the oleomargarine law in the case of Plumley *vs.* Massachusetts, in 155 United States Reports. The decision of the court answers the whole force of the argument of the Senator from California [Mr. WHITE], which hardly needed answer, for he said he himself recognized that the proposition was erroneous and that this bill does not license the manufacturer of filled cheese at all; but here is the point of the decision.

Mr. GEORGE. Was not that decision as to an act of Congress?

Mr. VILAS. The oleomargarine law. Here is the decision:

> The act of August 2, 1886, chapter 840, 24 Statutes, 209, does not give authority to those who pay the taxes prescribed by it to engage in the manufacture or sale of oleomargarine in any State which lawfully forbids such manufacture or sale, or to disregard any regulations which a State may lawfully prescribe in reference to that article; and that act is not intended to be and is not a regulation of commerce among the States.

It stands as a taxing act before the judicial power. Then the court say another thing. Here is the statute of Massachusetts which was under discussion:

> "To prevent deception in the manufacture and sale of imitation butter," in its application to the sales of oleomargarine artificially colored so as to cause it to look like yellow butter and brought into Massachusetts, is not in conflict with the clause of the Constitution of the United States investing Congress with power to regulate commerce among the several States.

Let me read two or three sentences in reference to the question of deleterious food which the Senator from Mississippi [Mr. GEORGE] asked, showing what Justice Harlan said upon that subject in rendering the opinion of the court:

> The statute seeks to suppress false pretenses——

Mr. GEORGE. That is a State statute.

Mr. VEST. Yes; a statute of the State of Massachusetts.

Mr. VILAS. The court says:

> The statute seeks to suppress false pretenses and to promote fair dealing in the sale of an article of food.

Mr. GEORGE. That is exactly what the State has a right to do.

Mr. VILAS. I understand, but I want to draw attention to the words I am about to read. Let us see:

> It compels the sale of oleomargarine for what it really is, by preventing its sale for what it is not. Can it be that the Constitution of the United States secures to anyone the privilege of manufacturing and selling an article of food in such manner as to induce the mass of people to believe that they are buying something which in fact is wholly different from that which is offered for sale?

Mr. GEORGE. Against the State regulation on that subject.

Mr. VILAS. Of course. The court is speaking of the State statute, but it is equally applicable in spirit to the question of a statute of the United States.

Mr. President, I shall not detain the Senate longer.

Mr. CHANDLER. Mr. President——

Mr. VEST. Just a word, and I will yield to the Senator from New Hampshire with pleasure. I simply want to notice the quotation from the decision of Justice Harlan in Plumley *vs.* Massachusetts.

Justice Harlan pertinently asked the question, Is it possible that the Constitution of the United States interferes as to the prevention of the sale of a fraudulent product? No; because the Constitution of the United States gives the power to the respective States to prevent any such sale. If the Constitution of the United States destroyed that power and prohibited it to the States, then the criticism would justly lie as to such a provision. But what we contend for here is that this bill ignores the distinction between Federal and State power, and is a fraud upon the Constitution, because it perverts the taxing power to police purposes, not as to interstate commerce and foreign commerce, but, as the Senator himself admits, as to the product in a State, made in a State, sold in a State, and not intended to go outside of a State.

The Senator quotes from the Head Money Cases. His own quotation shows that Justice Miller made his decision upon the distinct ground that the power to regulate immigration was a part of the power given to Congress under the foreign-commerce clause of the Constitution, and no State has a right to interfere with it. It is an exclusive grant of power to Congress to regulate immigration; and if imposing the head-money tax upon immigrants was necessary, says Justice Miller, to perfect the execution of that power by Congress, then it was a legitimate exercise of power on the part of Congress to pass the head-money-tax statute. So the Senator is driven in his extremity to sustain this dairy interest to instituting a parallel between this miserable bill and the excise power of taxing whisky.

What is the whisky tax for? In all civilized nations of the world it is the principal object of excise taxation. In this country we have a large tax upon whisky to raise revenue to support the Government; and the advocates of this bill stand here and, with damnable iteration, repeat again and again that they do not want the revenue. I saw to-day upon this floor the projector of this bill in the other House, who appeared before the Finance Committee in order to press this bill, and I put the question to him distinctly, "Was this bill passed by the House of Representatives to raise revenue?" "No," he said, "we want to get hold of this filled cheese in order to inspect it." I said, "Do your States not prohibit it? You have done so in Michigan, in Minnesota, in Wisconsin, in Maryland, in New York." "Oh," he said, "so long as one single State fails to pass a law against filled cheese, they can export it from that State to the balance of the States of the country." See what a proposition that is. If every State in this Union does not pass a law prohibiting the sale or providing for the inspection of a certain article, then Congress must necessarily intervene, wrest the Constitution from its moorings, and usurp a power that was never given to it.

The police power is reserved to the States; and I charge here that it is being exercised fraudulently under the guise of the taxing power—in the face of the declaration by every Senator who has spoken, except the Senator from Wisconsin [Mr. VILAS], who has ingeniously endeavored to avoid it—for the sole purpose of exercising an inspection power, and not to raise revenue to support the Government.

Mr. CHANDLER. Mr. President, I am glad to hear the Senator from Missouri [Mr. VEST] restate his constitutional objection to this bill, because I rose to ask him to explain his views more distinctly upon that point. I recognize the Senator from Missouri as a great constitutional lawyer.

Mr. VEST. Oh, no.

Mr. CHANDLER. Almost, if not quite, as great as the Senator from Mississippi [Mr. GEORGE]; and I think I should be influenced, if I desired to be guided in voting upon constitutional questions by the advice of the constitutional lawyers upon the other side of the Chamber, rather by the Senator from Missouri and the Senator from Mississippi than by the Senator from Wisconsin [Mr. VILAS].

I do not exactly comprehend the full force of the argument of the Senator from Wisconsin. I shall vote for this bill as the legitimate use of the taxing power of the Government under the Constitution. The Senator from Missouri says that if we were to

put upon the face of this bill the exact motive which influences the legislators in passing it the Supreme Court would decide it to be unconstitutional. If I am mistaken in this statement, the Senator will correct me. I think he said that the decision that the law is unconstitutional will not be made, because the Legislature evades the Supreme Court by not putting upon the face of the statute the reason why the bill was passed. Now, I want to ask the Senator whether this is a correct statement of the object of passing the bill: Suppose the bill on the face of it or somewhere in the body of it contained the following:

"This bill raises public revenue by the taxation of cheese in various forms. It also regulates the manufacture of cheese so as to secure pure food and honest trade. The purpose of the Legislature is to do both those things. Both motives influenced the legislators. The strongest motive is to secure pure cheese and honest trade." There, I think, is as strong a case against this bill as the Senator from Missouri can make; that is to say, that the strongest motive, the principal motive, is to secure pure cheese and honest trade, and the desire to collect revenue is a minor and an incidental purpose. If this statement was right upon the face of this bill, I ask the Senator from Missouri whether the Supreme Court would declare it to be unconstitutional? If it would not, then I ask the Senator where there is anything in the Constitution which forbids the legislator from having two motives in voting for the passage of a bill—one a motive to raise revenue, the other a motive, by making regulations concerning the manufacture of the article taxed, to secure pure food and honest trade? Where in the Constitution am I forbidden to have both these motives, I ask the Senator?

Mr. VEST. Mr. President, the question has been asked again and again, in committee and out of it, of the projectors and promoters of this measure, "Would you have put the provision for a tax on filled cheese in the bill except for the purpose of obtaining the power of inspection over it?" and they have invariably answered, "No." That shows the object of this bill.

Mr. CHANDLER. No Senator or Representative, I undertake to say, has disclaimed the purpose of raising revenue in the passage of this bill.

Mr. VEST. They have stated distinctly that they would not have put that provision in the bill except to have the power to put the police clause in it.

Mr. CHANDLER. That is not the question. I supposed that we put upon the face of the law the statement that the principal motive is pure food and honest trade; but there still remains the motive of raising revenue, and where, I say, is there any constitutional prohibition against having this additional motive in exercising the taxing power? I say—but I am not going to detain the Senate by arguing this case—that it is perfectly legitimate to have this other motive, this principal motive, if the Senator will have it, this larger motive, standing side by side with the constitutional motive of raising revenue by taxation for the support of the Government.

Mr. MITCHELL of Oregon. May I ask the Senator a question?

Mr. CHANDLER. Certainly.

Mr. MITCHELL of Oregon. Suppose this bill recited in a preamble on its face that the principal purpose of the bill was to provide proper food for the people, and then incidentally went on to levy a tax, would the Supreme Court sustain it?

Mr. CHANDLER. I do not think the Supreme Court would declare it to be void then.

But, Mr. President, I have supposed and have put on record—if the Senator from Oregon will read what I have said—an exact statement of the whole case in the passage of the bill, that the purpose of it is to raise revenue; and when there is this purpose to raise revenue, and revenue is raised, it is no argument against a bill, so far as its constitutionality is concerned, to say that there exists the other, and, if you please, the principal and the larger motive, of getting pure food and honest trade.

Mr. SHERMAN. I wish simply to remind my friend from New Hampshire that the first tariff law passed, and which was approved by George Washington and framed by James Madison, expressly declared in the title of it that it was a bill to raise revenue and to build up American manufactures. I am not giving the exact language, but that is the substance.

Mr. CHANDLER. Certainly. Protection of American industries was the object of the first tariff bill, so stated in the title of the bill, and yet the opponents of protection for a hundred years have been barking at us, down to 1892, that protection was contrary to the Constitution. They will not take that ground now. This year they are going in for free silver, with incidental protection to American manufactures by tariff legislation.

To come back again to the proposition which I made, so long as there is a purpose, and an honest purpose, to raise revenue, it does not make any difference if there is an additional and a further motive, such as I have supposed. I call the attention of the Senator of Missouri, in all good faith and with perfect respect, to the fact that if there ever was a time when the Congress of the United States should seek methods of raising revenue it is now. I do not know how much revenue this tax will bring in, perhaps a million dollars, perhaps $2,000,000. I do not know how much the oleomargarine tax has brought in; but I do know this, that we all ought to be seeking by every fair means to put upon the statute books laws which will give us money. The Senator from Missouri within the last twenty-four hours has put through this Senate, by the aid of my vote and the votes of all but five Senators, a bill that will take a dozen or fifteen million dollars out of the Treasury this year and will take $60,000,000 out of the Treasury within two or three years. It is wise; it is for the public interest; it is for the general welfare of the United States that the Senator should have put that bill through with the same zeal and energy that he is showing in trying to defeat this bill; but it puts a duty upon him and upon me of searching everywhere to find sources of revenue with which to pay for the river and harbor improvements.

Mr. VEST. If the object of this bill is to raise revenue, why have the majority of the Finance Committee reported to cut down the tax in the bill one-half of what it was as it came from the other House?

Mr. HILL. I am going to move to restore that tax as it came from the House of Representatives when the bill comes into the Senate.

Mr. VEST. I am not talking about what the Senator from New York is going to do. I am talking about what has been done by a majority who are clamoring for revenue, and now cut down the tax proposed in this bill one-half.

Mr. CHANDLER. The Finance Committee has not been satisfactory to me for the last four years.

Mr. VEST. Nor to me.

Mr. HILL. Nor to anybody else.

Mr. CHANDLER. It is no more satisfactory to me now than it was in the last Congress, when the Senator from Tennessee [Mr. HARRIS], the Senator from Missouri [Mr. VEST], the Senator from Texas [Mr. MILLS], and the Senator from Arkansas [Mr. JONES] undertook to make a tariff bill which raised the mischief with the industries of this country. [Laughter.]

Mr. MILLS. I ask the Senator will he agree to put some tax on clothing and other objects of that kind in order to get revenue?

Mr. CHANDLER. I am for seeking out every legitimate subject of revenue; and I want to keep in mind the incidental protection of American manufactures. The plank which the Democratic convention of 1892 came very near laying down in its platform, the plank which the Senator from Wisconsin advocated, but which was voted down, and the plank of unconstitutionality substituted by the aid of the friends of the Senator from New York [Mr. HILL], and also the friends of the Senator from Ohio [Mr. BRICE]——

Mr. VILAS. The Senator from New Hampshire does me an injustice.

Mr. CHANDLER. I am for the plank of the Senator from Wisconsin which was voted down in the last Democratic national convention.

Mr. VILAS. The Senator will not do me the injustice of saying that I advocated that plank. I was opposed to it.

Mr. CHANDLER. I get a little confused about what goes on in Democratic conventions [laughter], but I had an idea that President Cleveland in 1892 wanted to run on the plank that was reported by the majority of the committee, but the unconstitutionality plank was put in by a vote of the convention. I thought the Senator from Wisconsin was in favor of the plank which I have understood President Cleveland wanted to run upon; but really I have forgotten which side the Senator did speak on.

Mr. President, I say that with the great drain upon the Treasury which will be made by the river and harbor bill, it is the duty of the Senate to pass all the laws it can for the raising of revenue. If we can not pass one law, let us pass another law. If we are so hamstrung here by our Populist friends, who do not know what they do want, who vote one day with the Republicans, the next day with the Democrats, and the next day sit still and do not vote at all [laughter]; if this Senate is paralyzed by such extraordinary Senators as these, let us pass the best revenue laws we can get and put them upon the statute books. If the Senator from Ohio [Mr. SHERMAN] and the Senator from Vermont [Mr. MORRILL] have been unable to report to this body any greater revenue-producing measure than this, we ought to be thankful for this. If we can not get $30,000,000 or $60,000,000 and can get $1,000,000, then I say let us get that million dollars; and I say in all good faith to the Senator from Missouri that, having aided in imposing a sixty-million-dollar burden upon the United States Treasury, he ought now to take hold and help the Treasury to the extent of the $1,000,000 or the $2,000,000 that this constitutional measure will put into the Treasury.

Mr. SMITH. May I ask the Senator a question?

Mr. CHANDLER. Certainly.

Mr. SMITH. I want to ask, if there be no objection, whether this revenue bill has the united support of the Republican side of the Chamber?

Mr. CHANDLER. Mr. President, I do not know. The Republican party is somewhat dilapidated, but nothing like so dilapidated, I assure my friend, as the Democratic party is on his side of the Chamber. [Laughter.] We do not flock together quite so harmoniously as we should and we are continually deranged by the presence of these half dozen Populists. [Laughter.] How the vote will be I do not know. I do not keep the score on this side of the Chamber. I do not know whether or not the Senator from New Jersey keeps the score on his side.

Mr. VEST. I have been so thoroughly converted by the logical and eloquent remarks of the Senator from New Hampshire that I offer an amendment which, in view of what he has said, I have no doubt will be unanimously adopted by both sides.

The PRESIDING OFFICER. The Senator from Missouri has an amendment pending.

Mr. VEST. I withdraw that amendment, if there be no objection.

The PRESIDING OFFICER. The amendment is withdrawn. The amendment now offered by the Senator from Missouri will be stated.

The SECRETARY. It is proposed to add the following as an additional section:

SEC. 20. It is hereby declared that the special taxes imposed by this act are levied and collected to furnish revenue for the United States, and not to enable the Federal authority to make inspection of the article known as filled cheese or to prevent its sale and consumption when sold as such.

Mr. SHERMAN. I wish now to give notice, as the bill has been discussed at some little length, and as its object is very clear on its face, that I shall feel it my duty, having reported the bill from the committee, to move to lay upon the table all amendments which do not really relate to the subject-matter of the bill. I have no objection at all to any amendment that tends to improve the bill in any way or to change it, but any amendment extraneous in character, having no connection with the subject, I shall feel justified in moving to lay upon the table. I will vote for those motions if nobody else does. I will vote to lay such amendments upon the table whether right or wrong in themselves, because I think this bill should be confined to the subject-matter involved and should not be loaded down with extraneous questions that may be presented. I therefore move to lay on the table the amendment proposed by the Senator from Missouri. I should like to have it read first.

Mr. VEST. Let the amendment be again read. Several Senators have asked me what it is, and that is the easiest way to answer.

The PRESIDING OFFICER. The amendment will again be read.

The Secretary again read the amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Ohio, to lay on the table the amendment offered by the Senator from Missouri.

Mr. VEST. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. GEORGE. I ask permission to say one word.

The PRESIDING OFFICER. Debate is not in order except by unanimous consent.

Mr. GEORGE. I shall occupy but a moment. Are we compelled to vote against the amendment on the ground that it contains a false statement as to the object of the bill?

The PRESIDING OFFICER. The roll will be called.

The Secretary proceeded to call the roll.

Mr. DUBOIS (when Mr. CANNON'S name was called). I announce the pair of the Senator from Utah [Mr. CANNON] with the Senator from Nebraska [Mr. ALLEN]. I will make this announcement for the day.

Mr. GEAR (when his name was called). I announce my pair with the senior Senator from Georgia [Mr. GORDON]. If he were present, I should vote "yea."

Mr. PALMER (when his name was called). I am paired with the Senator from North Dakota [Mr. HANSBROUGH]. I believe he has not voted. I therefore withhold my vote.

Mr. PRITCHARD (when his name was called). I am paired with the Senator from Louisiana [Mr. BLANCHARD]. If he were present, I should vote "yea."

Mr. PUGH (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. HOAR]. If he were present, I should vote "nay."

Mr. WETMORE (when his name was called). I am paired with the junior Senator from Georgia [Mr. BACON]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. MITCHELL of Oregon. I desire to state that my colleague [Mr. MCBRIDE] is detained from the Senate. He is paired with the Senator from Mississippi [Mr. GEORGE]. If my colleague were here, he would vote to lay the amendment on the table.

Mr. CULLOM. I am paired with the Senator from Delaware [Mr. GRAY]. I therefore withhold my vote.

Mr. BURROWS. I am paired with the senior Senator from Louisiana [Mr. CAFFERY], and the Senator from Alabama [Mr. PUGH] is paired with the Senator from Massachusetts [Mr. HOAR]. We will transfer the pairs, and the Senator from Massachusetts [Mr. HOAR] and the Senator from Louisiana [Mr. CAFFERY] will be paired. That will permit the Senator from Alabama and myself to vote.

Mr. BRICE. I am paired with the junior Senator from Colorado [Mr. WOLCOTT].

Mr. HANSBROUGH (after having voted in the affirmative). I inquire if the junior Senator from Illinois [Mr. PALMER] has voted.

The PRESIDING OFFICER. He has not voted.

Mr. HANSBROUGH. I withdraw my vote, being paired with that Senator.

Mr. BATE. I desire to announce that the Senator from Maryland [Mr. GIBSON] is paired with the Senator from Montana [Mr. CARTER].

Mr. PERKINS (after having voted in the affirmative). I desire to announce that I am paired with the junior Senator from North Dakota [Mr. ROACH]. But as he and I are in accord on this bill, I have voted.

The result was announced—yeas 32, nays 14; as follows:

YEAS—32.

Aldrich,	Dubois,	Morrill,	Sherman,
Allison,	Gallinger,	Nelson,	Shoup,
Brown,	Hale,	Peffer,	Smith,
Burrows,	Hawley,	Perkins,	Stewart,
Butler,	Jones, Nev.	Pettigrew,	Teller,
Chandler,	Lodge,	Platt,	Vilas,
Clark,	Mitchell, Oreg.	Quay,	Warren,
Davis,	Mitchell, Wis.	Sewell,	Wilson.

NAYS—14.

Bate,	Hill,	Morgan,	Walthall,
Berry,	Jones, Ark.	Pasco,	White.
Chilton,	Lindsay,	Pugh,	
Harris,	Mills,	Vest,	

NOT VOTING—43.

Allen,	Cockrell,	Gray,	Pritchard,
Bacon,	Cullom,	Hansbrough,	Proctor,
Baker,	Daniel,	Hoar,	Roach,
Blackburn,	Elkins,	Irby,	Squire,
Blanchard,	Faulkner,	Kyle,	Thurston,
Brice,	Frye,	McBride,	Tillman,
Caffery,	Gear,	McMillan,	Turpie,
Call,	George,	Mantle,	Voorhees,
Cameron,	Gibson,	Martin,	Wetmore,
Cannon,	Gordon,	Murphy,	Wolcott.
Carter,	Gorman,	Palmer,	

So the amendment was laid on the table.

Mr. STEWART. I desire to offer an amendment, which is as follows:

That on and after the 1st day of August, 1896, there shall be levied, collected, and paid 10 cents a pound upon all wools imported into the United States from any foreign country.

Inasmuch as this is a revenue bill and there has been so much said with regard to revenue, I offer the amendment, believing, as I do, that it will be a mode of raising revenue entirely agreeable to the people whom I represent. I offer it simply as a method of raising revenue which will benefit the Treasury and be agreeable to the people of the West and Middle States, and I think to the entire farming community.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to add the following:

That on and after the 1st day of August, 1896, there shall be levied, collected, and paid 10 cents a pound upon all wools imported into the United States from any foreign country.

Mr. SHERMAN. I know that the effect of the amendment is to defeat the bill, and I move to lay it upon the table. Otherwise I should support the proposition with great pleasure.

Mr. STEWART and Mr. TELLER called for the yeas and nays; and they were ordered.

The Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY]. If he were present, I should vote "yea."

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. PALMER (when his name was called). I am paired with the Senator from North Dakota [Mr. HANSBROUGH]. I should vote "yea" if he were present.

Mr. PRITCHARD (when his name was called). I am paired with the Senator from Louisiana [Mr. BLANCHARD]. If he were present, I should vote "nay."

Mr. WETMORE (when his name was called). I am paired

with the junior Senator from Georgia [Mr. BACON]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. PRITCHARD. On this vote I will transfer my pair to the Senator from Maine [Mr. FRYE] and vote "nay."

Mr. BRICE. I again announce my pair with the junior Senator from Colorado [Mr. WOLCOTT].

Mr. GEAR. I again announce my pair with the Senator from Georgia [Mr. GORDON]. I should vote "yea," if he were present.

The result was announced—yeas 32, nays 17; as follows:

YEAS—32.

Aldrich,	Davis,	Nelson,	Sherman,
Allison,	Gallinger,	Palmer,	Smith,
Bate,	Hale,	Pasco,	Turpie,
Berry,	Hawley,	Perkins,	Vest,
Burrows,	Hill,	Pettigrew,	Vilas,
Chandler,	Lodge,	Platt,	Walthall,
Chilton,	Mitchell, Wis.	Quay,	White,
Clark,	Morrill,	Sewell,	Wilson.

NAYS—17.

Brown,	Harris,	Mitchell, Oreg.	Teller,
Butler,	Jones, Nev.	Peffer,	Warren.
Dubois,	Lindsay,	Pritchard,	
George,	McBride,	Pugh,	
Hansbrough,	Mills,	Stewart,	

NOT VOTING—40.

Allen,	Carter,	Gorman,	Murphy,
Bacon,	Cockrell,	Gray,	Proctor,
Baker,	Cullom,	Hoar,	Roach,
Blackburn,	Daniel,	Irby,	Shoup,
Blanchard,	Elkins,	Jones, Ark.	Squire,
Brice,	Faulkner,	Kyle,	Thurston,
Caffery,	Frye,	McMillan,	Tillman.
Call,	Gear,	Mantle,	Voorhees,
Cameron,	Gibson,	Martin,	Wetmore,
Cannon,	Gordon,	Morgan,	Wolcott.

So the amendment was laid on the table.

Mr. LINDSAY. I offer an amendment to see if we can ascertain exactly what the purpose of the bill is.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to amend the bill by inserting, in line 4, section 3, page 2, between the word "that" and the word "special," the following:

For the protection of manufacturers and dealers in cheese against unfair and fraudulent competition and to protect the public against fraudulent practices by the manufacturers, vendors, and retailers of filled cheese in vending, selling, and retailing the same as and for cheese and for the incidental and collateral purpose of raising revenue.

So as to read:

That, for the protection of manufacturers and dealers in cheese against unfair and fraudulent competition, and to protect the public against fraudulent practices by the manufacturers, vendors, and retailers of filled cheese in vending, selling, and retailing the same as and for cheese, and for the incidental and collateral purpose of raising revenue, special taxes are imposed as follows.

Mr. SHERMAN. I move to lay the amendment on the table.

Mr. HILL. Mr. President——

The PRESIDING OFFICER. The question is on agreeing to the motion to lay the amendment on the table.

Mr. HILL. Has a motion been made to lay the amendment on the table?

The PRESIDING OFFICER. The Senator from Ohio made the motion to lay the amendment upon the table, which is not debatable. The question is on agreeing to that motion.

Mr. LINDSAY. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BRICE (when his name was called). I again announce my pair with the junior Senator from Colorado [Mr. WOLCOTT].

Mr. CARTER (when his name was called). On this question and on all questions relating to the pending bill for the day I am paired with the junior Senator from Maryland [Mr. GIBSON].

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY].

Mr. GEAR (when his name was called). I am paired with the senior Senator from Georgia [Mr. GORDON].

Mr. PRITCHARD (when his name was called). I am paired with the Senator from Louisiana [Mr. BLANCHARD]. If he were present, I should vote "yea."

Mr. WETMORE (when his name was called). I am paired with the junior Senator from Georgia [Mr. BACON]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 35, nays 13; as follows:

YEAS—35.

Aldrich,	Gallinger,	Mitchell, Wis.	Sherman,
Allison,	Hale,	Morrill,	Shoup,
Brown,	Hansbrough,	Nelson,	Smith,
Burrows,	Hawley,	Palmer,	Stewart,
Butler,	Hill,	Peffer,	Teller,
Chandler,	Jones, Nev.	Perkins,	Vilas,
Clark,	Lodge,	Pettigrew,	Warren,
Davis,	McBride,	Platt,	Wilson.
Dubois,	Mitchell, Oreg.	Sewell,	

NAYS—13.

Bate,	Jones, Ark.	Pasco,	White.
Berry,	Lindsay,	Pugh,	
George,	Mills,	Vest,	
Harris,	Morgan,	Walthall,	

NOT VOTING—41.

Allen,	Chilton,	Gray,	Roach,
Bacon,	Cockrell,	Hoar,	Squire,
Baker,	Cullom,	Irby,	Thurston,
Blackburn,	Daniel,	Kyle,	Tillman,
Blanchard,	Elkins,	McMillan,	Turpie,
Brice,	Faulkner,	Mantle,	Voorhees,
Caffery,	Frye,	Martin,	Wetmore,
Call,	Gear,	Murphy,	Wolcott.
Cameron,	Gibson,	Pritchard,	
Cannon,	Gordon,	Proctor,	
Carter,	Gorman,	Quay,	

So the amendment was laid on the table.

Mr. MITCHELL of Oregon. Mr. President, I am in favor of the pending bill. I earnestly desire to see it become a law. I gave notice a few days since, this being a revenue bill, that at the proper time I should offer an amendment. I submitted the amendment at the time, and it has been printed and is on the desks of Senators. The amendment is what is known in the Senate and in the country as the Dingley tariff bill. That bill passed the national House of Representatives on the 26th of last December. It did not purport to be very much of a protective tariff bill. On the contrary, it was said to be more a bill to supply revenue than anything else. It was accompanied by a report made by the chairman of the Ways and Means Committee of the House of Representatives, in which it was stated that the revenues were falling short every month $3,000,000 or more of being sufficient to meet the ordinary expenses of the Government. The bill was passed by a large majority and sent to the Senate. It was referred here to the Committee on Finance, and it was amended in the committee by striking out the tariff provision and inserting a free-coinage amendment, and it was so reported to the Senate.

I had voted previously, and only a few days prior to the day when the bill was reported to the Senate, for an amendment to what was known as the bond bill, providing for the free and unlimited coinage of silver, and that amendment being adopted, I then voted for the bill as amended, as did a large majority of the Senate, including, I believe, 18 Republicans. I was opposed then and am opposed now to complicating the question of revenue or interfering in any manner with a proper revenue bill by putting on an amendment relating to coinage. Therefore I was one who was earnestly in favor of trying to get up that tariff bill in the Senate, not for the purpose of voting for the amendment placed upon it by the Committee on Finance, but with a view and in the hope that the Senate might vote down the amendment and pass the bill as it came from the other House. I was not opposed then nor am I now to legislation such as was incorporated in the amendment, but, on the contrary, favored it; but the Senate had expressed itself on that subject, as I have said, but a few days before, and sent the bill to the House of Representatives. Therefore I was opposed, as I have said, to putting upon the tariff bill an amendment relating to coinage of any kind or character.

Hence, when the venerable Senator from Vermont [Mr. MORRILL], chairman of the Committee on Finance, moved on two different occasions to take up the bill in the Senate, for the purpose of endeavoring to bring it to a vote and to get an expression of the Senate upon the two propositions, the free-coinage amendment and the tariff bill, I voted with him. I have been misrepresented in some of the papers in my own State in regard to my action in reference to that matter, and that is why I am now making the statement I make.

Mr. President, as I said before, I desire to see this bill passed; but I thought in all good faith that we might with propriety, and without endangering the passage of the bill, take this tariff bill that the House has already expressed itself on, put it on this bill as a proper amendment, send it to the House, let the House readopt it, and send the bill to the President. We were given to understand (I do not know by what authority, but it was a current rumor at the time the bill passed the House and at the time it was pending in the committee of the Senate) that inasmuch as it was a bill mild in its protective features, and a bill that would raise some $40,000,000 of revenue annually, it would in all probability receive Executive approval. If that were so then it is so now, I take it, inasmuch as Congress has made no provision whatever for the revenues of the Government.

Therefore it occurred to me that it was not only a proper thing, but a most appropriate thing for the Republicans of the Senate, and as many Democrats and Populists as might be willing, for the sake of providing this much revenue, that we should place this amendment upon the pending bill. Notice, however, has been served on me by some of my Republican friends and leaders in the Senate that they will not vote for the amendment in the event I offered it, fearing it might defeat the bill, and I hesitate

as to whether under the circumstances I ought to offer the amendment. I want it distinctly understood that it is not by reason of any opposition whatever to the bill that I have given notice of the proposed amendment, but solely in the hope of in this way accomplishing two purposes; first, in giving some measure of protection to wool and other farm products, lumber, coal, etc.; and second, by providing some $40,000,000 revenue, and thus avoid a further issue of bonds.

Mr. NELSON. Will the Senator from Oregon allow me to make a statement?

Mr. MITCHELL of Oregon. Certainly.

Mr. NELSON. The farmers of the Northwest, the farmers of the country, and the people of the country come here and want this little piece of relief. The Senate has already expressed itself heretofore on the tariff bill. Why complicate this simple measure of relief with a tariff bill? We have all made a record on the tariff bill, and what is the use of going over the ground again? I appeal to the Senator, being friendly to the bill, to withdraw the amendment.

Mr. MITCHELL of Oregon. If the Senator from Minnesota will allow me, I will state that the Senate has not expressed itself on the tariff bill except as the mere failure to take up the bill has been an expression. I admit that there have been two efforts made by the chairman of the Committee on Finance to take up the bill, and he failed to get enough votes to take it up. The Senate has as yet had no opportunity to express itself on that bill by voting either for it or against it.

Mr. STEWART. Will the Senator from Oregon allow me to make a suggestion?

Mr. MITCHELL of Oregon. Certainly.

Mr. STEWART. I have a little amendment in my hand which, if added to his amendment, will help it. It reads as follows:

The owner of silver bullion may take the same to any mint of the United States, and the same shall be coined into standard dollars for his benefit, upon the terms and conditions which are provided by law for the coinage of gold.

I offer that as an amendment to the Senator's amendment, and I think it will help it through.

Mr. MITCHELL of Oregon. That is all very well as separate legislation, but it has nothing to do with a tariff bill. I have already voted for that proposition at this present session, and the bill has passed the Senate.

Mr. WHITE. Will the Senator from Oregon permit me a question?

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Oregon yield to the Senator from California?

Mr. MITCHELL of Oregon. Certainly.

Mr. WHITE. I desire to ask the Senator from Oregon, as he has no doubt informed himself carefully upon this subject, if the Senate should add the Dingley bill as an amendment and we should thereupon desist from further ornamentation, has he any doubt of the passage of the measure elsewhere?

Mr. MITCHELL of Oregon. I do not see why I should have any doubt, as the House of Representatives has already passed upon both measures.

Mr. DUBOIS. May I ask the Senator from Oregon a question?

Mr. MITCHELL of Oregon. Certainly.

Mr. DUBOIS. Did I understand the Senator to say that he did not wish to consider a free-coinage measure in connection with a tariff proposition; that he thought they should be considered separately and independently?

Mr. MITCHELL of Oregon. I said in substance that I did not propose to embarrass the passage of a proper tariff bill by putting on it an amendment relating to the coinage of money, for the reason that I think each subject should stand by itself; one should not embarrass the other.

Mr. DUBOIS. I thought I understood the Senator correctly, and I regard him as a strong and able advocate of free coinage; but owing to some strictures which were made here a day or two ago by the Senator from Utah [Mr. BROWN] it is proper to state, after this very candid answer of the Senator, that it had come to the knowledge of other silver Republican Senators who differ with him as to the best method of advocating free coinage and who place silver above tariff that a great many free-coinage men besides himself would not vote for a free-coinage substitute for the Dingley tariff bill, and when we were unable to substitute, on that account, the free-coinage bill for the tariff bill then they would vote for the tariff bill and it would pass and become a law without anything being accomplished for silver. Owing to the very technical argument of the Senator from Utah [Mr. BROWN], which made no impression upon the Senate, of course, but was designed and intended to mislead people in parts of the country remote from here in regard to the effect of the votes of the five silver Senators on this side of the Chamber who voted against taking up the Dingley bill, I am very glad that their position and the effect of their vote has been made so plain by the frank statement of the Senator from Oregon.

The Senator from Oregon, the Senator from Utah [Mr. BROWN], and all other free-coinage Republican Senators who voted to take up the Dingley bill intended to pass that bill, without regard to free coinage, while the five Senators who refused by their votes to take up the Dingley bill intended that the Dingley bill should not pass without free coinage being joined with it. I hope each Senator will stand squarely by the record and effect of his vote at that time, and that no further effort will be made to pervert the record.

Mr. MITCHELL of Oregon. I simply speak for myself, and no one else. I have stated my position. I think it was pretty well understood in the Senate, however, before, so far as that is concerned. I desire it should be understood elsewhere.

Mr. VILAS. I should like to ask the Senator from Oregon if he thinks, for the reason he has just given, we ought to embarrass one bill with another.

Mr. MITCHELL of Oregon. Upon reflection, in view of the appeals made to me by my friend from Minnesota, in view of other appeals that have been made to me by leaders of the Senate on this side of the Chamber, I will not offer the amendment, although I should be very glad to have an opportunity to vote some relief to the woolgrowers of this country. I voted with great pleasure against laying on the table the amendment of the Senator from Nevada providing for a tariff of 10 cents a pound on wool, and whenever I get an opportunity hereafter to vote for a proper tariff bill I propose to do it; and I do not propose to embarrass it with any other subject. When the question of free coinage comes up all know where I stand on that, and it is not necessary to make any statement in regard to it.

Mr. TELLER. I should like to inquire of the Senator from Oregon, no matter what might be the action of this or the other body, if the Dingley bill should be attached to the pending bill, whether he has any reason in the world to suppose it would become a law?

Mr. MITCHELL of Oregon. I know nothing about it at all. I should hope that the President, in view of the deficiency in the revenues, would sign the bill. Of course I have no knowledge upon the subject.

Mr. STEWART. I shall not offer my amendment now, since the Senator from Oregon has withdrawn his, although it would benefit the filled-cheese bill very much. It would be very appropriate on this or any other bill to have silver coined upon the terms and conditions applied to gold. I thought it germane to the Senator's amendment, and a very necessary amendment, to make it successful in the Senate. But inasmuch as he has not offered his amendment, I do not propose to embarrass the bill with my amendment. I am in favor of the filled-cheese bill.

Mr. TELLER. Mr. President, I do not want to debate the tariff bill when it is not before the Senate, but with the freedom we have here I want to read an extract from a letter written by the President of the United States July 2, 1894, to a member of the House. I heard the Senator from Michigan [Mr. BURROWS] talk about great faith the other day, and I want to suggest that the Senator from Oregon must be a man of great faith. The President said:

It must be admitted that no tariff measure can accord with Democratic principles and promises or bear a genuine Democratic badge that does not provide for free raw material. In the circumstances, it may well excite our wonder that Democrats are willing to depart from this the most Democratic of all tariff principles, and that the inconsistent absurdity of such a proposed departure should be emphasized by the suggestion that the wool of the farmer be put on the free list and the protection of tariff taxation be placed around the iron ore and coal of corporations and capitalists. How can we face the people after indulging in such outrageous discriminations and violations of principles?

It is quite apparent that this question of free raw materials does not admit of adjustment on any middle ground, since their subjection to any rate of tariff taxation, great or small, is alike violative of Democratic principle and Democratic good faith.

If anybody after that thinks there is a chance for a duty on wool, he must have wonderful faith.

Mr. HAWLEY. Mr. President, the record of Democratic opinion is not quite complete without this extract from the tariff plank of 1888, when Mr. Cleveland and Mr. Thurman were the candidates. It is a protective tariff:

Our established domestic industries and enterprises should not and need not be endangered by the reduction and correction of the burdens of taxation. On the contrary, a fair and careful revision of our tax laws, with due allowance for the difference between the wages of American and foreign labor, must promote and encourage every branch of such industries and enterprises by giving them assurance of an extended market and steady and continuous operations.

Mr. MILLS. The Senator is reading from a repealed law. That was repealed in 1892.

Mr. HAWLEY. I read from the Democratic platform of 1888.

Mr. TELLER. Mr. President, the present Executive did not make that platform, although he ran on it. But we all understand how easy it is for a man to run on a platform and fail to

adhere to it after he is elected. The President, in his annual message to Congress December 6, 1893, I think likely uttered his true sentiments on this question. He said:

I think it may be fairly assumed that a large proportion of the sheep owned by the farmers throughout the country are found in small flocks numbering from 25 to 50. * * * When the number of farmers engaged in wool raising is compared with all the farmers in the country and the small proportion they bear to our population is considered; when it is made apparent that, in the case of a large part of those who own sheep, the benefit of the present tariff on wool is illusory. etc.

I think probably that expresses his opinion on the wool tariff.

Mr. PALMER. I desire to know whether it is the purpose of the Senator from Connecticut [Mr. HAWLEY] and the Senator from Colorado [Mr. TELLER] to prove that the President would not be likely to sign the Dingley bill if passed? Is that the purpose?

Mr. TELLER. I should like to say to the Senator that I think it would be entirely out of order for me to suggest that he would not. I have not suggested that he would not sign it. I heard some such suggestion here that he would. I shall not violate the rules of the Senate by suggesting that he would not. I simply wanted the Senate to understand his sentiments on the subject.

Mr. PALMER. I wish to say to the Senator from Colorado and the Senator from Connecticut that I am fully convinced he would not.

Mr. HALE. The Senator read first from the President's letter of 1894?

Mr. TELLER. I read from the letter of President Cleveland to the chairman of the Committee on Ways and Means of the House, Mr. Wilson, dated the 2d of July, 1894.

Mr. HALE. Did not the President allow that bill to become a law, notwithstanding the protest the Senator has read?

Mr. TELLER. But there was not any provision for a duty on wool in it.

Mr. LINDSAY. Mr. President, there has been a good deal of discussion here this morning of the present tariff bill and its defects. It seems that the Senators on the other side of the Chamber are not willing to put a tariff on wool, although they declare that such a tariff tax ought to be levied. There is one provision of the existing tariff law which I think we all agree ought to be changed. Senators on the other side of the Chamber voted against it when it was incorporated into the present law, and most of the Senators on this side who voted for it were in the position of the distinguished senior Senator from Ohio [Mr. SHERMAN] when he voted for what is known as the Sherman silver bill. He voted for it under stress of circumstances in order to defeat some other measure which he regarded as more objectionable, and he was ready to vote to repeal it the next day. A number of Senators on this side voted for the differential tax on sugar in order to secure the passage of a tariff bill at all, and were willing the day after the bill became a law to vote to repeal that tax. For the purpose of having it repealed I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Kentucky will be read.

The SECRETARY. Add the following as an additional section:

SEC. 20. That so much of section 182½ of Schedule E of the act which became a law August 27, 1894, entitled "An act to reduce taxation and to provide revenue for the Government, and for other purposes," which provides as follows: "And upon all sugars above No. 16, Dutch standard, in color, and upon all sugars which have been discolored, there shall be levied, collected, and paid a duty of one-eighth of 1 cent per pound, in addition to the said duty of 40 per cent ad valorem," be, and the same is hereby, repealed, and the collection of said additional duty, from and after the passage of this act, is hereby discontinued.

The PRESIDING OFFICER. The question is on the adoption of the amendment proposed by the Senator from Kentucky.

Mr. SHERMAN. It does seem to me unfair that in a body like the Senate of the United States, when a measure has been framed and carefully considered, debated in both Houses of Congress, it should be attempted to be loaded down with extraneous subjects. It seems to me it is not exactly a fair mode of legislation. I do not believe I have ever tried it myself. I do not think I would do it. Here is a simple bill for the relief of the farmers from what they regard as a fraud. It is not a measure of great magnitude, involving large sums of money, although it will yield probably half a million or a million dollars of revenue. Under the circumstances I appeal to my friend from Kentucky not to delay the pending measure. I move to lay the amendment upon the table.

Mr. MILLS. On that let us have the yeas and nays.

Mr. SHERMAN. I will vote for a duty on sugar; I will vote for a duty on tea; I will vote for a hundred duties I might name; but it is not exactly a fair thing to attempt it here as an amendment to a bill like the one pending. When we take up the question of revenue we shall have ample time to consider it. Besides, whatever may be the intention of the Senator from Kentucky, the amendment would tend to prolong the session. It would open up new subjects of controversy and defeat this bill. If it is the object to defeat the bill, let it be done by a direct vote. I move that the amendment lie on the table.

Mr. TELLER. I wish to make an inquiry before the motion is put. Do I understand this to be a proposed repeal of all duties on sugar?

Mr. MILLS. Only the differential duty.

Mr. LINDSAY. It is a repeal of only the one-eighth differential duty. It leaves the 40 per cent duty to remain as it is.

The PRESIDING OFFICER. The question is on the motion of the Senator from Ohio, to lay on the table the amendment proposed by the Senator from Kentucky, upon which the yeas and nays are demanded.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BRICE (when his name was called). I am paired with the junior Senator from Colorado [Mr. WOLCOTT].

Mr. CARTER (when his name was called). I am paired with the junior Senator from Maryland [Mr. GIBSON].

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY].

Mr. FAULKNER (when his name was called). I am paired with the Senator from West Virginia [Mr. ELKINS]. I should vote "nay" if he were present.

Mr. GEAR (when his name was called). I am paired with the senior Senator from Georgia [Mr. GORDON].

Mr. GORMAN (when his name was called). I am paired with the Senator from Maine [Mr. FRYE].

Mr. PASCO (when his name was called). I am paired for the rest of the afternoon with the Senator from Missouri [Mr. COCKRELL]. In his absence, I withhold my vote.

Mr. PERKINS (when his name was called). On this political question I am paired with the Senator from North Dakota [Mr. ROACH].

Mr. PRITCHARD (when his name was called). I am paired with the Senator from Louisiana [Mr. BLANCHARD]. If he were present, I should vote "nay."

Mr. WALTHALL (when his name was called). I am paired with the senior Senator from Pennsylvania [Mr. CAMERON].

Mr. WETMORE (when his name was called). I am paired with the junior Senator from Georgia [Mr. BACON]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. CARTER. I desire to announce a general pair of my colleague [Mr. MANTLE] with the junior Senator from Virginia [Mr. MARTIN].

The result was announced—yeas 31, nays 16; as follows:

YEAS—31.

Aldrich,	Hale,	Morrill,	Shoup,
Allison,	Hansbrough,	Nelson,	Smith,
Brown,	Hawley,	Palmer,	Stewart,
Burrows,	Jones, Nev.	Pettigrew,	Vilas,
Chandler,	Lodge,	Platt,	Warren,
Clark,	McBride,	Quay,	White,
Davis,	Mitchell, Oreg.	Sewell,	Wilson.
Gallinger,	Mitchell, Wis.	Sherman,	

NAYS—16.

Bate,	George,	Lindsay,	Pugh,
Berry,	Harris,	Mills,	Teller,
Chilton,	Hill,	Morgan,	Turpie,
Dubois,	Jones, Ark.	Peffer,	Vest.

NOT VOTING—42.

Allen,	Carter,	Gray,	Proctor,
Bacon,	Cockrell,	Hoar,	Roach,
Baker,	Cullom,	Irby,	Squire,
Blackburn,	Daniel,	Kyle,	Thurston,
Blanchard,	Elkins,	McMillan,	Tillman,
Brice,	Faulkner,	Mantle,	Voorhees,
Butler,	Frye,	Martin,	Walthall,
Caffery,	Gear,	Murphy,	Wetmore,
Call,	Gibson,	Pasco,	Wolcott.
Cameron,	Gordon,	Perkins,	
Cannon,	Gorman,	Pritchard,	

So the amendment was laid on the table.

Mr. MORGAN. Mr. President, it is apparent that no amendment at all is to be allowed of this bill, it makes no difference how proper it may be, and as I am opposed to the bill I rather congratulate myself that that is the fact, and that that fact is established, not only by all the votes which have been cast upon the bill here to-day and heretofore, but I understand it has been decreed by a caucus that no amendment is to go on this bill. So my objections to it will be stated in the form of objections to the text of the bill. I shall not engage in the discussion of the constitutional question, which has been so fully and so clearly presented by the Senator from Missouri [Mr. VEST], but it seems to me that this bill is drawn very inartistically, and that upon the definition that is given here Senators will find that, if passed into a law, it will be extremely difficult of execution.

Mr. ALLISON. Will the Senator allow me to correct one misapprehension under which he labors?

Mr. MORGAN. Yes.

Mr. ALLISON. I wish to say that I know of no decree of a Republican caucus respecting what this bill should contain or should not contain. Therefore, whatever may be the truth upon

this subject, it does not apply to any Republican caucus, for we have had none.

Mr. MORGAN. I gather my information from the public prints here in the city. That is all I know about it.

Now I will read section 2. It provides—

That for the purposes of this act certain substances and compounds shall be known and designated as "filled cheese," namely: All substances made of milk or skimmed milk, with the admixture of butter, animal oils or fats, vegetable or any other oils, or compounds foreign to such milk, and made in imitation or semblance of cheese.

If any compound or any substance foreign to milk is put into cheese, it is filled cheese, according to this definition. Well, salt is a substance that is foreign to milk. The excellent Edam cheeses that come from New York are very heavily salted. So if you put any salt in your cheese, under this definition, it is filled cheese; and if you put any of those nice herbs in your cheese that the Germans are so fond of putting in for the purpose of enriching it and giving it a flavor, of course they would be substances foreign to milk, and then it would be filled cheese; or if in the manufacture of it you would undertake to imitate the Rochefort cheese, or the Neuchatel, or even the Limburger, you would find yourself in a very great strait by putting in foreign substances that are evidently necessary to get the flavor of Rochefort or Neuchatel cheese or to get the odor of Limburger. In fact, I do not know how you would ever get the odor of Limburger unless you put asafetida or something of that kind in it, and your law and your definition compels you to have nothing in it at all except milk or skimmed milk; you must not add butter to it; you must not add any admixture of butter or animal oils or fats or vegetable or other oils or compounds if they are foreign to milk. I think the inventor of that definition must have been very hard put to it to find out some means of ascertaining what he did not intend to do.

Is it not on its face absolutely absurd that a definition of filled cheese should exclude from that cheese every substance that is foreign to milk? If you want to put in coloring matter, that is foreign to milk; flavoring matter is foreign to milk. But the test of whether cheese is filled cheese or not filled cheese is whether or not the substance incorporated with it is foreign to milk. That is your definition. I am glad that you have got it screwed down so tight that you can not get away from it without amending it yourselves, because I suppose somewhere else this bill is to be scrutinized; and the object of this bill, as declared in this definition of filled cheese, must be to exclude from it every substance that is foreign to milk; and unless it does not exclude every substance that is foreign to milk it is not filled cheese. Enough on that point in the case.

This bill seems to be designed also not merely to destroy the industry of making a preparation of cheese by putting lard in it, or butter, or fat, or oils, or vegetables, but it also strikes very heavily, I think, at some other species of manufactures. Section 6 provides—

That filled cheese shall be packed by the manufacturers in wooden packages only—

Why not put it in tin packages? Why not in paper packages? Why do you confine the packages in which this cheese shall be put to wood only? And it must be wood—

not before used for that purpose.

When you manufacture cheese and put any substance in it that is foreign to milk, you must then put it into a wooden package, and not only a wooden package, but a wooden package that has never been used before. It makes no difference if you have a package on hand and it cost you a dollar or a half dollar, and you scoured it up so as to get every mark off of it, you could not put cheese in that package. That is giving a very decided advantage to the manufacturers of wood over the manufacturers of paper poxes and tin boxes and other material which might be found suitable for packing cheese. That is not a very slight circumstance in the effort to prop up the dairymen of the Northwest against those who manufacture filled cheese.

There seems to be a general strike at everybody and everything that comes in reach. After you have got the cheese in a wooden box it must be marked:

In black-faced letters not less than 2 inches in length—

How wide they are to be we do not know. I have seen letters 2 inches in length that were so narrow that you could scarcely read them; and it would take a very fine reader to understand printed letters 2 inches long. No width is prescribed, but the "black-faced letters" must be made; and how must they be put on? Put on—

in a circle in the center of the top and bottom of the cheese.

It must be put on the cheese first, and that is in a wooden box. I do not know how you are going to put the "black-faced letters" on the bottom of a cheese in a wooden box so that the words will be readable, or how you can do it without spoiling the material. It must be—

Marked, stamped, and branded with the words "filled cheese" in black-faced letters not less than 2 inches in length, in a circle in the center of the top and bottom of the cheese; and in black-faced letters of not less than 2 inches in length in line from the top to the bottom of the cheese, on the side in four places equidistant from each other.

Why, Mr. President, that is closer work than we have in this ballot printing with which we intend to prevent fraudulent elections.

But is it not impossible to conceive that anyone drawing a bill that was intended to be intelligently designed to convey correct ideas and that was capable of execution should require "black-faced letters" to be put on cheese inside the box and then that the box itself should be painted with "black-faced letters" on the outside?

This looks like a small matter, but it shows, in the eagerness to pass this bill, which is simply a bonus to the makers of cheese out of cream or milk that is not skimmed, that the person who drafted the bill and the committees who have passed upon it have gone entirely out of line and have put provisions in it which make it an odious measure, not merely to the persons engaged in the manufacture of filled cheese, but to several other very important industries of the country.

We come now to another feature of this bill, which I confess that I find difficulty in understanding:

Every person, firm, or corporation who manufactures filled cheese for sale shall be deemed a manufacturer of filled cheese.

The preceding paragraph, which aids in defining, reads thus:

Manufacturers of filled cheese shall pay $240 for each and every factory per annum.

Whether you work in your factory or not. You may have established a factory for three or four years without having worked it at all. It is the factory that is taxed; it is not the manufacture. You tax the establishment. The factory, of course, must consist of a piece of real estate with some houses upon it, some structures; but this bill taxes the factory, without reference to the question of whether the men who own the factory are actually engaged in the manufacture of cheese.

Having pointed out these matters in this bill. I am content to let it pass into the hands of any part or department of this Government that has the scrutiny of law, to see whether or not such a bill as this can find its way to the statute book.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER (Mr. PLATT). The question is, Shall the amendments made as in Committee of the Whole be concurred in?

Mr. NELSON. I think there are some committee amendments to the bill which have not yet been acted upon.

The PRESIDING OFFICER. The Chair is informed that all the committee amendments have been acted upon.

Mr. HILL. Mr. President, I do not know that any motion is necessary, but when the bill is in the Senate I wish to reserve the question as to concurring in the amendments reported by the Committee on Finance.

Mr. ALDRICH. The bill is in the Senate now.

Mr. SHERMAN. The bill has been reported to the Senate, and it is in order to ask for a separate vote on any of the amendments which have been agreed to.

The PRESIDING OFFICER. The bill is in the Senate, and the question is on concurring in the amendments which have been made as in Committee of the Whole.

Mr. HILL. I trust the amendments made as in Committee of the Whole, which were made pro forma and without discussion, will not be adopted. They were adopted as a mere matter of form. The Senate committee has seen fit to reduce the tax from the amount fixed by the House of Representatives.

Mr. SHERMAN. Mr. President, it is true that there were two amendments reported by the Committee on Finance, which were adopted as in Committee of the Whole, as to the amount of the tax on the manufacturers and wholesale dealers. There was no change made in the tax on the retail dealer. So far as those two amendments are concerned there was some difference of opinion about the reduction of the amount in the committee. My honored colleague on the committee to my right, the chairman of the committee [Mr. MORRILL], thinks we ought to nonconcur in those amendments. It is a matter of indifference to me, as it is only a question whether the tax shall be $400 or $240.

Mr. HILL. The bill as it passed the House of Representatives made the tax on manufacturers $400.

Mr. SHERMAN. Yes.

Mr. HILL. I think the tax should be made exactly as the House passed it upon the manufacturers. The amount to be paid by the wholesale dealer, as the bill passed the House, was $250, and the amendment of the Senate was to reduce it to $200.

Mr. President, I favor the passage of the bill, not upon the grounds stated by the distinguished Senator from Ohio [Mr. SHERMAN], who has the bill in charge, but I favor it as a revenue measure, and therefore I am anxious that it shall produce as much revenue as it is capable of producing. For that reason I favor leaving the bill exactly as the other House passed it.

There are some features of the measure which I do not very cordially approve, but in the present exigency of the Treasury I am in favor of the passage of this bill to relieve the Treasury as much as possible. I regret that there has not been any estimate produced here from any source as to the precise amount of revenue which this measure, if it become a law, is likely to produce. I do not favor the bill upon any ground other than the raising of revenue. The very object of the bill, as stated in one of the amendments offered, was correctly detailed, according to the statement of some of the Senators who have favored the bill. I place my support of the bill entirely upon the ground of its revenue provisions, and upon those only. The States have ample power to regulate this question for themselves.

So far as the protection features of the bill are concerned, the National Government has the right to take this fraud by the throat and to tax it, and it is not an abuse of the taxing power so to do. The oleomargarine bill was subject to the same objection, but it is upon the statute book and nobody has proposed its repeal from the time it was passed to the present; there is no effort to repeal it, nobody is asking for its repeal. It is bringing revenue for the support of the Government, and it is a precedent for the enactment of this bill into law. As the oleomargarine law has produced nearly $2,000,000 annually, in the present exigency of the Treasury I think we might well supplement it by the passage of this measure, but I do not believe in minimizing this tax. Therefore I think it is wise not to concur in the amendments of the committee, but to leave the tax as the other House left it, and I trust the distinguished Senator from Ohio will see the propriety of this action.

Mr. SHERMAN. So far as the committee are concerned, after consulting with the members around me, I have no objection to disagreeing to the amendments and letting the bill stand just as it came from the House of Representatives.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole. Is it desired that the vote shall be taken in gross or separately?

Mr. MORRILL, Mr. SHERMAN, and others. In gross.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments were nonconcurred in.

The bill was ordered to a third reading, and read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. VEST. I call for the yeas and nays on the passage of the bill.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CARTER (when his name was called). I am paired with the Senator from Maryland [Mr. GIBSON], and therefore withhold my vote.

Mr. CULLOM (when his name was called). I have had a general pair with the Senator from Delaware [Mr. GRAY]. The Senator from Florida [Mr. PASCO] has had a pair with the Senator from Missouri [Mr. COCKRELL]——

Mr. PASCO. On this question.

Mr. CULLOM. On this question. We have paired the Senator from Missouri with the Senator from Delaware, and therefore are at liberty to vote. I vote "yea."

Mr. FAULKNER (when his name was called). I am paired with my colleague from West Virginia [Mr. ELKINS].

Mr. GEAR (when his name was called). I am paired with the Senator from Georgia [Mr. GORDON]. If he were here, I should vote "yea."

Mr. GORMAN (when his name was called). I am paired with the Senator from Maine [Mr. FRYE].

Mr. PASCO (when his name was called). Under the arrangement announced by the Senator from Illinois [Mr. CULLOM] I am at liberty to vote. I vote "nay."

Mr. PERKINS (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. ROACH]. If he were present, he would vote in the affirmative. I therefore vote "yea."

Mr. WALTHALL (when his name was called). On the passage of this bill I am paired with the Senator from Pennsylvania [Mr. CAMERON]. If he were present, I should vote "nay."

Mr. WETMORE (when his name was called). I am paired with the junior Senator from Georgia [Mr. BACON]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. PRITCHARD. I am paired with the Senator from Louisiana [Mr. BLANCHARD], but for the purpose of this vote I transfer that pair to the Senator from Maine [Mr. FRYE], who is paired with the Senator from Maryland [Mr. GORMAN], and vote "yea."

Mr. GORMAN. Under that transfer of pairs I am at liberty to vote. I vote "nay."

Mr. HANSBROUGH. I desire to announce that the Senator from Utah [Mr. CANNON], who is absent, would vote for this bill were he present.

Mr. BRICE. I am paired with the Senator from Colorado [Mr. WOLCOTT].

The result was announced—yeas 37, nays 13; as follows:

YEAS—37.

Aldrich,	Hale,	Nelson,	Shoup,
Allison,	Hansbrough,	Palmer,	Smith,
Brown,	Hawley,	Peffer,	Stewart,
Butler,	Hill,	Perkins,	Teller,
Chandler,	Jones, Nev.	Pettigrew,	Turpie,
Clark,	Lodge,	Platt,	Vilas,
Cullom,	McBride,	Pritchard,	Warren.
Davis,	Mitchell, Oreg.	Quay,	
Dubois,	Mitchell, Wis.	Sewell,	
Gallinger,	Morrill,	Sherman,	

NAYS—13.

Bate,	Gorman,	Mills,	White.
Berry,	Harris,	Morgan,	
Chilton,	Jones, Ark.	Pasco,	
George,	Lindsay,	Vest,	

NOT VOTING—39.

Allen,	Cannon,	Gray,	Roach,
Bacon,	Carter,	Hoar,	Squire,
Baker,	Cockrell,	Irby,	Thurston,
Blackburn,	Daniel,	Kyle,	Tillman,
Blanchard,	Elkins,	McMillan,	Voorhees,
Brice,	Faulkner,	Mantle,	Walthall,
Burrows,	Frye,	Martin,	Wetmore,
Caffery,	Gear,	Murphy,	Wilson,
Call,	Gibson,	Proctor,	Wolcott.
Cameron,	Gordon,	Pugh,	

So the bill was passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 8293) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes; further insisted upon its disagreement to the amendments of the Senate numbered 40, 61, 69, 87, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 105, 154, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 194, 195, and 201, upon which the committee were unable to agree; agreed to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GROUT, Mr. PITNEY, and Mr. DOCKERY managers at the conference on the part of the House.

ELIZABETH W. SUTHERLAND.

The PRESIDING OFFICER laid before the Senate the bill (S. 1420) granting a pension to Elizabeth W. Sutherland, returned from the House of Representatives at the request of the Senate.

Mr. GALLINGER. I move that the Senate reconsider the votes whereby it nonconcurred in the House amendments and requested a conference with the House of Representatives on the bill and amendments.

The motion to reconsider was agreed to.

Mr. GALLINGER. The Senate passed the bill granting a pension at the rate of $75 a month. The House amended it by making the sum $50 a month. The Senate appointed a committee of conference. We have been waiting on the House for more than two weeks to do us the courtesy of appointing a committee of conference on their part. They have failed to do so. Wishing that Mrs. Sutherland may get some relief during the present Congress, I, with her consent, requested the recall of the bill from the House for the purpose of concurring in the House amendments.

I move that the Senate concur in the amendments of the House of Representatives. It is the best we can do.

The amendments were concurred in.

RECIPROCITY AND COMMERCIAL TREATIES.

The PRESIDING OFFICER laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there be printed 10,000 copies each of the majority and minority reports of the Committee on Ways and Means concerning reciprocity and commercial treaties, and also 10,000 copies of the hearings before the subcommittee of said Committee on Ways and Means on reciprocity and commercial treaties; 3,000 copies of said reports and hearings for the use of the Senate and 7,000 copies for the use of the House of Representatives.

HOUR OF MEETING ON FRIDAY.

Mr. ALLISON. I ask unanimous consent that when the Senate adjourn to-day it be to meet at 11 o'clock a. m. to-morrow.

The PRESIDING OFFICER. The Senator from Iowa asks unanimous consent that when the Senate adjourn to-day it be to meet at 11 o'clock a. m. to-morrow. Is there objection? The Chair hears none, and it is so ordered.

DESIGNATION OF PRESIDING OFFICER.

Mr. GORMAN. I ask the indulgence of the Senate to make a request. The Vice-President and the President pro tempore both being away, no designation of a Presiding Officer can be made over one day except by unanimous consent. I ask unanimous consent that the Senator from Connecticut [Mr. PLATT], who now occupies the chair, may act in that capacity until the adjournment to-morrow afternoon.

The PRESIDING OFFICER. If there is no objection, that order will be considered as made.

PROPOSED RESTRICTION OF IMMIGRATION.

Mr. LODGE. I move that the Senate take up the bill (H. R. 7864) to amend the immigration laws of the United States.

Mr. MILLS and Mr. HILL addressed the Chair.

Mr. ALDRICH. Debate is not in order.

The PRESIDING OFFICER. The Chair will state that the question is on agreeing to the motion to proceed to the consideration of the bill indicated by the Senator from Massachusetts.

Mr. HILL. Mr. President——

Mr. GALLINGER. Debate is not in order.

Mr. HILL. I know the question is not debatable, but I desire simply to say that I gave notice some time ago that I desired to move to take up the bill reported by the Judiciary Committee in relation to contempts of court. I was cut off on several occasions by other business, and I wish now to move that we proceed to the consideration of the bill, not necessarily to antagonize the immigration bill, but my bill, if I may use that expression, the contempt bill, has not passed the other House, and there is more propriety in taking up that bill, in order that it may go to the other House, than there is in taking up a bill which has already passed the House and which can be acted upon very quickly. Therefore I shall have to call for the yeas and nays on the motion of the Senator from Massachusetts, because I can not amend the motion, and I wish to have the contempt bill taken up and disposed of.

Mr. HARRIS. I wish to say a word to the Senator from Massachusetts before the question is taken, if I can get permission of the Senate so to do.

The PRESIDING OFFICER. The Senator from Tennessee can proceed by unanimous consent. The motion is not debatable.

Mr. HARRIS. I am quite aware of the fact that it is not debatable.

I want to suggest that the junior Senator from Maryland [Mr. GIBSON] before leaving for Annapolis, where he is now performing an official duty, especially requested me to ask that the bill should not be considered until he should return.

Mr. LODGE. I will say to the Senator from Tennessee that I merely desire to have the bill taken up and made the unfinished business, and I shall then give way for conference reports which the Senator from Maine [Mr. HALE] and the Senator from Iowa [Mr. ALLISON] desire to present. I do not intend to press the bill in the absence of the Senator from Maryland.

Mr. HARRIS. I have no desire to antagonize. I simply want to perform a duty to an absent Senator.

Mr. HILL. Mr. President——

Mr. TELLER. Let us have the regular order.

Mr. ALDRICH. Regular order.

Mr. HILL. I do not understand how the Senator from Massachusetts can control the bill in that way.

The PRESIDING OFFICER. The motion is not debatable.

Mr. HILL. I should think a Democrat would have the right once in a while to make a motion.

The PRESIDING OFFICER. The question is, Will the Senate proceed to the consideration of the bill?

Mr. HILL. On that question I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CARTER (when his name was called). I am paired with the junior Senator from Maryland [Mr. GIBSON]. I therefore withhold my vote.

Mr. CULLOM (when his name was called). I have a general pair with the Senator from Delaware [Mr. GRAY]. If he were present, I would vote "yea."

Mr. FAULKNER (when his name was called). I am paired with the Senator from West Virginia [Mr. ELKINS].

Mr. GEAR (when his name was called). I am paired with the senior Senator from Georgia [Mr. GORDON].

Mr. PASCO (when his name was called). I am paired with the Senator from Missouri [Mr. COCKRELL]. In his absence I withhold my vote.

Mr. PERKINS (when his name was called). I am paired with the junior Senator from North Dakota [Mr. ROACH].

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR].

Mr. WALTHALL (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. WETMORE (when his name was called). I am paired with the junior Senator from Georgia [Mr. BACON]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. PUGH. I was requested by the Senator from Michigan [Mr. BURROWS] to state that he has a general pair with the Senator from Louisiana [Mr. CAFFERY].

Mr. SHOUP (after having voted in the affirmative). I am paired with the Senator from California [Mr. WHITE], and therefore withdraw my vote.

Mr. BRICE (after having voted in the negative). I have a general pair with the Senator from Colorado [Mr. WOLCOTT]. I withdraw my vote.

The result was announced—yeas 24, nays 6; as follows:

YEAS—24.

Aldrich,	Dubois,	Lodge,	Pettigrew,
Allison,	Gallinger,	McBride,	Platt,
Brown,	Hale,	Mitchell, Oreg.	Quay,
Butler,	Hansbrough,	Morrill,	Sewell,
Chandler,	Hawley,	Nelson,	Sherman,
Davis,	Jones, Nev.	Peffer,	Teller.

NAYS—6.

Bate,	Clark,	Lindsay,	Palmer.
Chilton,	Harris,		

NOT VOTING—59.

Allen,	Daniel,	McMillan,	Squire,
Bacon,	Elkins,	Mantle,	Stewart,
Baker,	Faulkner,	Martin,	Thurston,
Berry,	Frye,	Mills,	Tillman,
Blackburn,	Gear,	Mitchell, Wis.	Turpie,
Blanchard,	George,	Morgan,	Vest,
Brice,	Gibson,	Murphy,	Vilas,
Burrows,	Gordon,	Pasco,	Voorhees,
Caffery,	Gorman,	Perkins,	Walthall,
Call,	Gray,	Pritchard,	Warren,
Cameron,	Hill,	Proctor,	Wetmore,
Cannon,	Hoar,	Pugh,	White,
Carter,	Irby,	Roach,	Wilson,
Cockrell,	Jones, Ark.	Shoup,	Wolcott.
Cullom,	Kyle,	Smith,	

The PRESIDING OFFICER. No quorum having voted, the Secretary will call the roll.

The Secretary called the roll; and the following Senators answered to their names:

Aldrich,	Dubois,	McBride,	Pugh,
Allison,	Faulkner,	Mills,	Quay,
Bate,	Gallinger,	Mitchell, Oreg.	Sewell,
Berry,	Gear,	Morgan,	Sherman,
Brice,	George,	Morrill,	Shoup,
Butler,	Gorman,	Nelson,	Teller,
Carter,	Hale,	Palmer,	Vest,
Chandler,	Hansbrough,	Pasco,	Walthall,
Chilton,	Harris,	Peffer,	Wetmore.
Clark,	Hawley,	Perkins,	
Cullom,	Lindsay,	Pettigrew,	
Davis,	Lodge,	Platt,	

The PRESIDING OFFICER. Forty-five Senators have responded to their names. A quorum is present. The question recurs upon the motion of the Senator from Massachusetts [Mr. LODGE] to proceed to the consideration of the bill known as the immigration bill.

Mr. HALE. Allow me to appeal to the Senator from Massachusetts. I sympathize with him about his bill——

Mr. LODGE. I should like to have another yea-and-nay vote on the motion.

Mr. HALE. There will be no quorum, I presume, on a test vote. I should like to get up a conference report.

Mr. LODGE. I should like to develop that fact again.

Mr. GORMAN. I trust the Senator from Massachusetts will withdraw his motion until to-morrow, when it can be renewed, and we shall have a voting quorum present. He can withdraw it now and make it again in the morning.

Mr. HALE. Pending the motion, I present a privileged report and ask for its consideration.

Mr. GORMAN. I suggest that the motion to proceed to the consideration of the immigration bill had better be withdrawn for a moment. We are dividing upon the question, and the Senator from Massachusetts will have to withdraw it if other business is to intervene.

Mr. LODGE. I do not feel like withdrawing the motion. It will come up to-morrow; it is the unfinished business, and it can be voted on.

Mr. GORMAN. Then I shall object to any other business being transacted.

Mr. HALE. I have presented a privileged report which, of course, under the rule I can do at any time when a quorum is present.

Mr. GORMAN. But the Senate is dividing. It is voting on a proposition which can not be debated.

Mr. LODGE. There is nothing else in order.

Mr. GORMAN. We are actually in process of dividing.

Mr. LODGE. Nothing is in order but the call of the roll.

Mr. GORMAN. Absolutely nothing.

Mr. HALE. I understand the roll call has developed the presence of a quorom.

Mr. LODGE. But nothing is in order now except the calling of the roll on the motion to proceed to the consideration of the bill.

Mr. HALE. The Chair has the rule before him.

The PRESIDING OFFICER. The Chair is of opinion that the point of order is well taken. The Secretary will read Rule XXVII.

The Secretary read as follows:

The presentation of reports of committees of conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is dividing; and when received, the question of proceeding to the consideration of the report, if raised, shall be immediately put, and shall be determined without debate.

The PRESIDING OFFICER. The question was taken on the motion to proceed to the consideration of the immigration bill. It developed the want of a quorum. Then the roll was called, and a quorum appeared. The question, the Chair thinks, recurs upon the original motion, and the Senate is dividing. The question is, Will the Senate proceed to the consideration of the immigration bill? Upon which the yeas and nays have been ordered. The question is not debatable.

Mr. HALE. I ask unanimous consent that the Senate proceed to the consideration of the conference report.

Mr. GORMAN. I must object to that request, and I will state my reason for interposing an objection. I desire to say to the Senator that we have appealed to the Senator from Massachusetts to withdraw his motion until to-morrow morning, when the question can be taken without further debate. In the meantime we can proceed with the conference report and facilitate business in the Senate. There is not the slightest desire to impede the business of the Senate. On the contrary, the purpose has been, and is, to facilitate it in every way. But there are reasons why we do not desire a vote to be taken on this question to-night. I again appeal to the Senator from Massachusetts to withdraw his motion. He can renew it in the morning. Then we can go on with the ordinary business.

Mr. LODGE. The presence of a quorum has been developed by the last roll call. I should like one more vote on the motion to take up the bill.

Mr. GORMAN (at 4 o'clock and 50 minutes p. m.). I move that the Senate adjourn.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maryland that the Senate adjourn.

Mr. ALDRICH. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY].

Mr. FAULKNER (when his name was called). I am paired with the Senator from West Virginia [Mr. ELKINS].

Mr. GEAR (when his name was called). I am paired with the Senator from Georgia [Mr. GORDON].

Mr. GORMAN (when his name was called). I am paired with the Senator from Maine [Mr. FRYE].

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR].

Mr. SEWELL (when his name was called). I am paired with the Senator from Wisconsin [Mr. MITCHELL].

Mr. SHOUP (when his name was called). I have a standing pair with the Senator from California [Mr. WHITE], and therefore withhold my vote.

Mr. WALTHALL (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. WETMORE (when his name was called). I am paired with the junior Senator from Georgia [Mr. BACON].

The roll call having been concluded, the result was announced—yeas 9, nays 22; as follows:

YEAS—9.

Bate,	Chilton,	Jones, Nev.	Mills,
Berry,	George,	Lindsay,	Palmer.
Butler,			

NAYS—22.

Aldrich,	Dubois,	McBride,	Quay,
Allison,	Gallinger,	Mitchell, Oreg.	Sherman,
Brown,	Hale,	Peffer,	Teller,
Chandler,	Hansbrough,	Perkins,	Warren.
Clark,	Hawley,	Pettigrew,	
Davis,	Lodge,	Platt,	

NOT VOTING—58.

Allen,	Elkins,	Mantle,	Squire,
Bacon,	Faulkner,	Martin,	Stewart,
Baker,	Frye,	Mitchell, Wis.	Thurston,
Blackburn,	Gear,	Morgan,	Tillman,
Blanchard,	Gibson,	Morrill,	Turpie,
Brice,	Gordon,	Murphy,	Vest,
Burrows,	Gorman,	Nelson,	Vilas,
Caffery,	Gray,	Pasco,	Voorhees,
Call,	Harris,	Pritchard,	Walthall,
Cameron,	Hill,	Proctor,	Wetmore,
Cannon,	Hoar,	Pugh,	White,
Carter,	Irby,	Roach,	Wilson,
Cockrell,	Jones, Ark.	Sewell,	Wolcott.
Cullom,	Kyle,	Shoup,	
Daniel,	McMillan,	Smith,	

The PRESIDING OFFICER. No quorum having voted, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Davis,	Lodge,	Pugh,
Allison,	Dubois,	McBride,	Quay,
Bate,	Faulkner,	Mills,	Sewell,
Berry,	Gallinger,	Mitchell, Oreg.	Sherman,
Brice,	Gear,	Morgan,	Shoup,
Brown,	George,	Nelson,	Teller,
Butler,	Gorman,	Palmer,	Turpie,
Carter,	Hale,	Pasco,	Walthall,
Chandler,	Hansbrough,	Peffer,	Warren,
Chilton,	Harris,	Perkins,	Wetmore,
Clark,	Hawley,	Platt,	White.
Cullom,	Lindsay,	Proctor,	

The PRESIDING OFFICER. Forty-seven Senators having answered to their names, the question recurs on the motion of the Senator from Massachusetts [Mr. LODGE].

Mr. LODGE. I am now entirely satisfied, having developed the character and quality of the opposition to taking up the immigration bill, and I withdraw the motion so that the Senator from Maine can submit the conference report.

DEFICIENCY APPROPRIATION BILL.

Mr. HALE. I ask that the conference report on the deficiency appropriation bill be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 8293) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1897, and for prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 24, 25, 30, 31, 37, 74, 103, 104, 105, 106, 147, 148, and 200.

That the House recede from its disagreement to the amendments of the Senate numbered 14, 79, 80, 81, 82, 137, 190, and 192, and agree to the same.

That the Senate recede from its disagreement to the amendments of the House to the amendments of the Senate numbered 27, 207, and 208, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: Strike out all after the word "cents," in line 8, down to and including line 20 of said amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That the Secretary of the Treasury is directed, until otherwise provided by law, to pay, after reserving not exceeding $30,000 per annum for educational purposes and expenses of necessary employees, to the Sisseton and Wahpeton Indians of South Dakota all interest money due them up to July 1, 1896; and that thereafter all interest money as it shall accrue shall be paid, except as herein provided, on the 1st day of November annually."

And the Senate agree to the same.

EUGENE HALE,
W. B. ALLISON,
F. M. COCKRELL,
Managers on the part of the Senate.

J. G. CANNON,
W. O. ARNOLD,
JOSEPH D. SAYERS,
Managers on the part of the House.

The PRESIDING OFFICER. The question is on concurring in the report.

Mr. FAULKNER. I ask the Senator who has the bill in charge to give the status of the Ford's Theater question.

Mr. HALE. The amendment of the House was agreed to which directs the Commission to reexamine certain claims. Rather than strike the whole of them out, which was the alternative with which the Senate conferees were confronted, we thought this the most fitting and just thing to all the claimants; and it will only cause a delay extending from the present time until December.

Mr. FAULKNER. I will ask the Senator whether the Senate conferees receded from the amendment which was put on by the Senate repealing the law under which the Commission was created?

Mr. HALE. Oh, the Commission remains intact.

Mr. FAULKNER. I desire, in justice to myself, as a member of that Commission, to make a few remarks in reference to the subject, and yet I will do it in a way as brief as possible, knowing that the Senate is anxious to get away this evening.

The amendment of the House is one to which I can never agree, as the conferees have receded from three death claims in

which the parties are very much in need of the money, and it was done without any comment or criticism whatever as to those three claims, not even from the War Department official who addressed the letter to Mr. SAYERS, a member of the House of Representatives from Texas, in reference to the subject.

I desire to have incorporated, without reading, in the RECORD, in justification of the Commission, the evidence in reference to the case of Ethelbert Baier, on page 3, which I will give the Reporter, with the part marked which I desire to have inserted. It is very short, but it shows the action of the Commission and the reason for that action. Also, the case of Edward C. Carroll, on page 6; also, the case of George R. Garnett, on page 9; the case of Charles R. Miller, on page 17; the case of Thomas Morley, on page 18; the case of George W. Smoot, on page 25; the case of Smith Tompson, on page 26, and the case of Nathan F. White, on page 28.

An examination of the testimony by Senators, if they ever take the trouble to read it in the RECORD (and it is a condensed statement of the evidence in each of the cases commented on), will convince any impartial mind that the judgment reached by the Commission was fair and just.

I desire to say on behalf of the Commission that the memorandum sent by the Department to the Representative from Texas on the Appropriations Committee of the House was laid before the Commision. It was a mere memorandum obtained on or about the time of the disaster by the chiefs of division. It was considered by the Commission as a part of the evidence affecting the rights of the claimants, and was overthrown completely by the testimony that was laid before the Commission by disinterested witnesses heard before them.

With this statement I do not propose to make any objection to concurrence in the conference report, for the reason that I think the others are in such need that it is the duty of Congress to give them this relief as promptly as possible.

Mr. CULLOM. Is the Senator from West Virginia prepared to state how many of the claims have been dropped out of the bill?

Mr. FAULKNER. Eleven claims and three death cases were dropped out; and in the case of all but one of the death cases there is no comment, no criticism made by any Department officer or member of Congress or by anyone else I know or have been able to learn of. Why those claims were stricken from the amendment I do not understand.

The PRESIDING OFFICER. If there be no objection, the matter referred to will be inserted in the RECORD by the Reporter.

The matter referred to is as follows:

ETHELBERT BAIER.—Age, 25; wife; journalist; $1,000 clerk.

Claim.—Doctors, $570; medicine, $15; total, $585.

Claim.—Right arm and back severely strained by descending fire hose hand over hand from third story; acute nervous shock resulting in insomnia and nervous headaches. February, 1894: Easily startled, causing numbness, choking, and palpitation; hands in a semi-numb state; insomnia, getting only from two to five hours' sleep a day; sitting puts hips and thighs asleep; lost one-half physical strength; frequent nervous headaches; was free from any organic trouble before; fell 25 feet from the end of the hose to the ground. May, 1895: Have not recovered; back weak; incapable of manual labor; right arm is affected; was obliged to resign August 24; lost much in weight; complain now of headaches, twitches in chest, nervousness, loss of memory, inability to do any work; never had headache and was sound as a dollar before; hand and ankles are numb now; when I wake up at night I find my whole side paralyzed if I lay on my side.

Dr. Wooster: Claimant was well and strong before; saw him a week after accident; he was suffering from shock and it developed into neurasthenia; found tenderness in dorsal region; found well-marked symptoms of neurasthenia; it was a little early, but was a case of marked depression; found no bruises on back, but a nervous condition.

Dr. Irving C. Ross: Subjective symptoms, mainly neurasthenic; objective facts, heart's action excited and irregular, sounds normal, no appreciable lesion; pupils somewhat dilated; slight muscular tremor, within coordination when motions are unaccompanied by the eyesight. The patella tendon reflexes exaggerated and respond unequally to test. There is apparent lessening of grip of right hand. Evident tenderness exists over the dorsal spine, with disturbance of tactile sensibility; vaso-motor disturbance is shown in the cold and clammy extremities; seems to suffer from impairment of memory and the psychic depression common to such cases. Think it probable the disability was incurred as alleged and is of uncertain duration. (Foregoing statement made April 17, 1894.)

Medical board: No permanent disability.

Dr. Wooster, December 19, 1896, certifies: Treated claimant from and after June 15, 1893. Upon careful examination this day made, found him suffering from a nervous condition, no doubt due to the theater disaster. This condition did not readily yield to treatment, as it developed into neurasthenia. I ordered him to leave the office entirely. While he has somewhat improved, he will, in my opinion, be a sufferer of this injury to his nerves to the end of his days. By a careful and quiet life he may be able to finally recover, but it is doubtful, as his case has resisted treatment.

Ernest Vasmer, of Texas (witness): He was in my employ from May, 1889, until April, 1891, living in my house. He was sound and healthy in every way.

EDWARD C. CARROLL.—Age, 64; one son dependent; $1,200 clerk.

Claim.—Paid hospital $64.

Claim.—Injured sinews of right knee and left ankle; diarrhea; complete nervous prostration February, 1894; still under doctor's care July, 1894. My nerves and stomach are the trouble now, diarrhea gone; claims for indigestion; live on bread and milk; claims for shock also.

Dr. Kolipinski. He has chronic gastritis; the accident aggravated it.

November 18, 1893, United Life Insurance Association, of New York, refused to reinstate lapsed insurance after medical examination, on account of bad health.

Medical board: No present disability.

GEORGE R. GARNETT.—Age, 52; wife; returned to duty July 1; discharged next May; laborer; twenty-four years a soldier.

Claim.—Doctors, drugs, seashore, etc., $140.90.

Claim.—Severe bruises and sprain of back and right hip; internal injuries; nervous shock; persistent vomiting for several days; bloody urine—albumen constantly present. February, 1894: Back is very sore yet; have been completely impotent; stoop with great difficulty; piles continue troublesome; insomnia; constant headache; previous heart disease greatly aggravated; have experienced very little improvement. June, 1894: Spine out of trace; spine hurts all the time; have been discharged; does not mention impotency; before surgical board June, 1894, complained of impotency, shrunken testicles. (Examination by board showed them rather small.)

Dr. Jenner. Had bloody urine several days; spine is tender; was crazy as a loon at times; threatened suicide; don't know how to explain relation of injury to back with testicle troubles; hardly think there is any permanent injury; can't say whether his spine is injured or not; he was pensioned for heart trouble.

Medical board: Find no permanent disability.

CHARLES R. MILLER.—Age, 46 in 1893; wife and two children, and partially supports mother; been clerk in Record and Pension Office since 1882; salary, $1,200, paid to June 30, 1894; efficiency record, 91.9; No. 105 out 465 clerks; has pension of $72 per month on appeal to Secretary of Interior; spinal anchylosis and destruction of spinal nerves; injury to left leg; unable to reach foot with hand by 23 inches, hence needs attendance.

Claim.—Medical attendance, drugs, appliances, nursing, traveling expenses paid, $2,662.65.

Claim.—Loss of ability to earn $100 per month in office; abbreviated expectancy of life; intense and permanently continuing physical suffering; necessity for constant medical attendance and drugs and appliances, and unavoidable offensiveness from bladder injury.

Dr. Darragh, who attended him at and for the first month after the accident, says: "Numerous contusions and abrasions of scalp; hardly a sound spot as big as a dollar on top of head; unable to move his body or lower extremities; passive movements very painful; lacerated wound 2 inches long on right eye; bruise on abdomen from pubes to crest of ilium; spine badly sprained in lumbar region; neighboring tissue much swollen; partial paralysis and intense pain; both hands cut and bruised; the anchylosed knee badly bruised, poor nutrition making it serious; on the leg was an abrasion extending entire length of tibia, ending in a gouge at the ankle; had muscular tremor before the accident when excited."

Dr. Beebe, of Walled Lake, Mich., attended him after August, 1893, and says: "Totally and permanently unfit for manual or mental labor; suffers from shock and permanent injury of spine, paralysis of bladder, and periostitis of the membranes of the left tibia: shock to muscular and nervous system permanent; heart injured by shock; muscles of back and kidneys and lumbar region indicate severe injury; his head and entire body is in constant muscular tremor."

Three other doctors at Flint, Mich., corroborate this.

Normal weight, 190 to 200 pounds; present weight, 179 pounds.

S. H. Dickson, surgeon, and Leonard Wood, assistant surgeon, United States Army, say: "He is well nourished; heart and lungs apparently normal and doing their work perfectly; moderate muscular tremor, which seems to be general; temperature normal; skin healthy. In regard to injuries at Ford's Theater, we find partial loss of motion in joint left finger, due to injury from broken pen point; no evidence of any severe wounds; careful search discloses no cicatrices, but simply slight discoloration; no indications of any severe injuries to left leg could be discovered except old war injuries. Examination of urethra disclosed severe stricture, which existed before accident, for which proper treatment will to a very great extent bring relief. We think he did not receive any permanent injury in the disaster except to finger joint, and find no evidence of any severe wounds received at the time."

THOMAS MORLEY.—Age, 66; mechanical engineer; assistant messenger; wife and four minor children; $6 pension for bronchitis and varicocele; pay, $60 a month; discharged December, 1893.

Claim.—Medicine and attendance paid, $50; bills yet unpaid, $122; total, $172.

Claim.—Right arm greatly bruised from shoulder down; back severely injured. January, 1894: Arm swollen at first, then withered so as to be useless, and is gradually withering; back still painful at times; injury permanent. June, 1894: Tried to run elevator and fell on account of nervousness, and was then discharged; can use arm but little now; before accident could strike a 200-pound blow.

Lizzie Martin (witness): He seems very much shocked and in great pain; he has never been the same since the accident.

Dr. William Ward (swears): Atrophy of the muscles of the arm; thinks there is progressive muscular palsy; in all probability it will terminate in further disability.

Medical board: Find no permanent disability.

May 6, 1896, Dr. William Ward testified before the Commission that claimant has progressive muscular palsy in his arm, is incapacitated for manual labor, and is likely to die suddenly from the effect of the palsy.

Several witnesses testified to the fact that claimant was in the building at the time of the accident.

GEORGE W. SMOOT.—Age, 55; wife and three children; pensioned for heart trouble; discharged July, 1894; clerk.

Claim.—Expenses, $25.

Claim.—Severe injury to back and nervous shock. April, 1894: Have severe pains in back of head and soreness in back and spine, and very nervous. June, 1895: Resumed work 20th of January; could not turn over in bed for a week; was laid up last Monday; numbness and pain in back; have no tender place in back; got heart disease in the Navy in 1863; heart trouble has increased since the accident; did not have much trouble before.

George Morgan (witness): Helped claimant home; he was almost helpless; thought his back was broken; he was completely prostrated.

Dr. N. F. Graham: He was pretty badly shaken up; can not say that his heart is worse now than before the accident; he is more nervous than he used to be.

Medical board: No permanent disability.

May 5, 1896, a pension board of this city, after examination of claimant, state that he has serious injury to the back, that the back is still tender and painful, lumbar region painful on motion, muscular portion of lower limbs moderately diminished, right patellar reflex abolished, left diminished; claimant's gait is slow and cautious; he is very nervous.

SMITH TOMPSON.—Age, 75; $1,000 clerk; wife, requiring constant care and attention; discharged in April, 1894, along with 18 others, who testified before a coroner's inquest; attributes discharge to this fact.

Claim.—Doctors, nursing, and medicine, $90; nursing, $20; forty-nine days' lost time without pay, $133.15; doctors, $48; total, $291.15.

Claim.—Green fracture of rib; no distinct statement of precise character of injuries found; in April, 1894, he refers for this to his doctor, Elmer Southeron, who says, December, 1893, that claimant's nervous system is completely wrecked, and his statement that he passes sleepless nights, waking up at short intervals of fitful slumber and terrible forebodings, is well borne out by his condition; that shattered health is the direct result of the disaster. The doctor fears there is little hope of improvement; thinks it is a bad case. In May, 1895, the claimant says: My standing had been 90, reduction followed, and discharge came; I have little use of this arm; can write, but can not lift my arm; my injury nothing but a broken rib and a general shake up; can not take a full breath without pain where the rib was broken.

Dr. Elmer Southeron: He has gone down from 158 to 121 pounds; has insomnia and hallucinations; he was a man of splendid physique before the

accident; since that his condition has been growing worse; has some symptoms of pleurisy; think he will grow worse; treated him before accident; suffered only from bilious attack.

Medical board. No permanent disability.

NATHAN F. WHITE.—Age, 65; clerk class 1; three invalid sisters and brother dependent entirely; $12 pension; reported to office June 25; unable to work until five days thereafter; was then compelled to leave for six weeks; was under doctor's care until July, 1894; then discharged.

Claim.—Can not furnish itemized statement of expenses.

Claim.—Strangulated hernia in escaping; insomnia; injury permanent; had to use crutches for eight months; had a slight rupture before accident; it had given him no trouble for three years.

Dr. B. D. Adams: Claimant had mild hernia before accident; sometimes wore truss, sometimes not; perhaps he did not wear truss before accident; after accident I saw hernia very much enlarged; had considerable trouble in reducing it; had to give chloroform; he has to be very careful even with truss; slightest exertion brings it out; there is no question but that his hernia is a permanent disability; it was aggravated considerably by the accident.

Medical board find permanent disability and fix its degree at one-eighth.

Mr. HARRIS. May I inquire of the Senator from Maine if this is the final report upon the bill and if it disposes of the disagreement between the two Houses?

Mr. HALE. It is the final report, disposing of the bill.

The report was concurred in.

BALTIMORE AND WASHINGTON TRANSIT COMPANY.

Mr. GALLINGER. I ask the Senate to proceed to the consideration of the bill (H. R. 8469) to authorize the Baltimore and Washington Transit Company, of Maryland, to enter the District of Columbia. It is a measure that ought to be passed before the adjournment of Congress. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CAROLINE S. BAKER.

Mr. BRICE. I ask unanimous consent to call up for consideration a pension bill which I reported from the Committee on Pensions, being the bill (S. 2989) to increase the pension of Caroline S. Baker.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Pensions with an amendment, in line 5, before the word "dollars," to strike out "fifty" and insert "thirty"; so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at $30 per month, subject to the provisions and limitations of the pension laws, the name of Caroline S. Baker, widow of John Howard Baker, late assistant engineer, United States Navy, in lieu of the pension she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE HAGER.

Mr. BRICE. I should like to have one other pension bill considered, if I can get unanimous consent for that purpose. I ask the Senate to proceed to the consideration of the bill (H. R. 4888) for the relief of George Hager.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to revoke the order of the Commissioner of Pensions of the date of April 10, 1895, to recover from George Hager, late a private of Company B, Ninety-ninth Regiment Ohio Volunteer Infantry, in the late war of the rebellion, by withholding from his current pension the sum of $2 per month from July 29, 1863, to September 14, 1881, inclusive.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARITY HOSPITAL AT BILOXI, MISS.

Mr. WALTHALL. I ask the Senate to proceed to the consideration of the bill (H. R. 7919) granting a site for the erection and maintenance of a charity hospital by the city of Biloxi, Miss.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SOPHIA SPARKS AND JULIA C. SPARKS.

Mr. MITCHELL of Oregon. I ask unanimous consent for the present consideration of the bill (H. R. 956) for the relief of Sophia Sparks and Julia C. Sparks, of Annapolis, Md.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay jointly to Sophia Sparks and Julia C. Sparks, of Annapolis, Md., the sole heirs and surviving children of Edward Sparks, deceased, the sum of $670.58, in full payment for sundry supplies furnished by Edward Sparks at various dates between January, 1863, and July, 1866, to the United States Naval Academy.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SURVIVORS OF LADY FRANKLIN BAY EXPEDITION.

Mr. SHOUP. I ask unanimous consent for the present consideration of the bill (S. 1277) for the appointment as lieutenants on the retired list of certain survivors of the Lady Franklin Bay expedition.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment to strike out all after the enacting clause, and insert:

That the President be, and he is hereby, authorized to cause Henry Biederbick, Julius R. Frederick, Francis Long, and Maurice Connell, survivors of the Lady Franklin Bay expedition, to be enlisted as sergeants of the Signal Corps of the Army and to place them on the retired list of the Army with the pay and allowances of sergeants of the Signal Corps who have been retired after continuous active service of fifteen years: *Provided*, That said pay and allowances shall be in lieu of any and all pensions that may have heretofore been granted to the persons hereinbefore named.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to place Henry Biederbick, Julius R. Frederick, Francis Long, and Maurice Connell on the retired list of enlisted men of the Army."

CLAIMS OF B. H. HENRY AND OTHERS.

Mr. LODGE. I ask unanimous consent for the present consideration of Calendar No. 1015, being a resolution reported by me from the Committee on Foreign Relations on the 13th of May last.

The resolution was considered by unanimous consent, and agreed to, as follows:

Resolved, That the President is hereby requested to continue the investigation and efforts hitherto made by the United States in the matter of the claims of B. H. Henry and other American citizens against the Government of Great Britain in regard to certain lands in the Fiji Islands, to the end that such an adjustment of such claims may be made as may be warranted by the facts and by the law applicable thereto.

MRS. SELENA M'KAY.

Mr. PASCO. I ask consent of the Senate for the consideration at this time of the bill (S. 1551) granting a pension to Mrs. Selena McKay, of Suwanee County, Fla.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment, after the word "war," in line 9, to insert "and rate her at $8 per month"; so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension rolls, subject to the provisions and limitations of the pension laws, the name of Selena McKay, of Suwannee County, Fla., widow of William McKay, a soldier in Capt. C. C. Coffee's Company of Florida Volunteers, raised for service in the Mexican war, and rate her at $8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN B. BESLER.

Mr. HAWLEY. I ask the Senate to permit me to call up at this time for consideration the bill (H. R. 5258) granting an honorable discharge to John B. Besler.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of War to correct the military record of, and grant an honorable discharge to, John B. Besler, late a private in Company M, First Regiment Connecticut Heavy Artillery, now a resident of New Haven, Conn.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ADOLPH VON HAAKE.

Mr. WARREN. I ask unanimous consent for the present consideration of the bill (S. 1785) for the correction of muster of Adolph von Haake, late major Sixty-eighth Regiment Veteran Volunteer Infantry.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay Adolph von Haake the difference of pay and emoluments between major and captain of infantry from October 25, 1863, to November 12, 1863, and from March 4, 1865, to June 10, 1865.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HELEN LARNED.

Mr. CHANDLER. I ask unanimous consent for the present consideration of the bill (H. R. 6607) for the relief of Helen Larned.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll, at $25 per month, the name of Helen Larned, widow

of the late Frank H. Larned, major First Regiment United States Artillery.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH R. DRESSER.

Mr. TELLER. I ask leave to call up for present consideration the bill (S. 915) for the relief of Sarah R. Dresser.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported by the Committee on Indian Affairs with an amendment, in line 21, after the word "from," to insert "the 16th day of April, 1888"; so as to make the bill read:

Be it enacted, etc., That the act entitled "An act to accept and ratify the agreement submitted by the confederated bands of Ute Indians in Colorado for the sale of their reservation in said State, and for other purposes, and to make the necessary appropriations for carrying out the same," approved June 15, 1880, be, and the same is hereby, amended by the substitution of the name of Mrs. Sarah R. Dresser for the name of George Dresser where it occurs in the first section of that act; and the Secretary of the Treasury is hereby directed to pay to the said Sarah R. Dresser, out of the portion of the money going to the White River Utes under this agreement, the sum of $200 per annum during her life, or until the expiration of the term of twenty years from the time the payment of the annuity to the said George Dresser under this agreement was begun; and, further, that the Secretary of the Treasury shall pay the said Sarah R. Dresser, out of the above-described fund, a sum equal in the aggregate to $200 per annum from the 16th day of April, 1888, the time of the said George Dresser's death, until the payment herein provided for shall be begun under the provisions of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

C. M. KIRKPATRICK.

Mr. TURPIE. I ask unanimous consent for the present consideration of the bill (S. 1488) appropriating $6,332.30 in payment of the claim of C. M. Kirkpatrick for paving the street adjacent to the United States arsenal at Indianapolis, Ind.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with amendments.

The first amendment was, in section 1, line 5, after the word "thousand," to strike out "three hundred and thirty-two dollars and thirty" and insert "and forty-four dollars and twenty-two"; so as to make the section read:

That there be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $6,044.22 for the payment of the claim of C. M. Kirkpatrick for improving with brick the street known as Clifford avenue from the tracks of the Cleveland, Cincinnati, Chicago and St. Louis Railroad Company to a point 145 feet east of Newman street, including the roadway in front of and adjacent to the ground owned by the United States Government, known and designated as the United States arsenal, at Indianapolis, Ind.

The amendment was agreed to.

The next amendment was to insert as an additional section the following:

SEC. 2. That when this settlement is made the Secretary of the Treasury shall take proper steps to secure for the United States the same benefit that the city of Indianapolis has obtained for other property holders interested in this improvement, to wit: That the said Christian M. Kirkpatrick shall keep in repair the portion of the said Clifford avenue belonging to the United States for five years from the completion of the work, for the payment of which provision is hereinbefore made, without additional cost to the Government.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for the payment of the claim of Christian M. Kirkpatrick for paving the street adjacent to the United States arsenal at Indianapolis, Ind."

GOVERNMENT RESERVATION AT FORT SMITH, ARK.

Mr. BERRY. I ask unanimous consent for the present consideration of the bill (S. 2923) for the better improvement of the Government reservation at the city of Fort Smith, in the State of Arkansas, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Public Lands with an amendment, in section 2, line 22, page 3, after the word "flagging," to insert "and maintain the same"; so as to read:

And shall grade, curb, and pave the sidewalks around said block reserved to the United States with good, substantial stone curbing and flagging, and maintain the same, the work to conform to the ordinances of said city.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JERUSHA H. BROWN.

Mr. PETTIGREW. I ask unanimous consent for the present consideration of the bill (H. R. 5279) granting a pension to Jerusha H. Brown.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll, at $12 per month, Jerusha H. Brown, of St. Paul, Minn., daughter of Samuel Hayward, a soldier in the American Revolution.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NORTH GEORGIA AGRICULTURAL COLLEGE.

Mr. CHANDLER. The Senator from Georgia [Mr. BACON], who was called away yesterday afternoon, endeavored to get up a bill, and he requested me to call it up for him. It is a very brief one. It is the bill (H. R. 4921) to relieve the North Georgia Agricultural College from the payment of $450 for damaged gun.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. LUCY ALEXANDER PAYNE.

Mr. WARREN. I desire to call up the bill (S. 1501) for the relief of Mrs. Lucy Alexander Payne, widow of Capt. J. Scott Payne, Fifth United States Cavalry.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment, in line 7, after the words "lieu of," to strike out "any pension to which she may be entitled under existing laws" and insert "the pension she is now receiving"; so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to put the name of Mrs. Lucy Alexander Payne, widow of Capt. J. Scott Payne, Fifth United States Cavalry, on the pension roll at $50 per month, in lieu of the pension she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Mrs. Lucy Alexander Payne, widow of Capt. J. Scott Payne, Fifth United States Cavalry."

CHARLES FLETCHER, ALIAS JAMES H. MITCHELL.

Mr. HAWLEY. I beg leave to call up the bill (S. 2742) for the relief of Charles Fletcher, alias James H. Mitchell.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, in line 10, after the word "discharge," to insert:

Provided, That no pay, allowance, or pension shall accrue by reason of this act.

So as to make the bill read:

Be it enacted, etc., That the charge of desertion standing against Charles Fletcher, who served under the name of James H. Mitchell as a private in Company H, Ninety-fifth Regiment of New York State Infantry Volunteers, is hereby removed; and the Secretary of War is hereby authorized and directed to discharge the said soldier as of the date of July 16, 1865, to which said company and regiment were paid on their discharge: *Provided*, That no pay, allowance, or pension shall accrue by reason of this act.

Mr. HAWLEY. I did not know before that the words just read were reported by the committee as an amendment. I do not know whether the beneficiary wants a pension. He is a brother of the Chief Engineer of the Navy, a worthy man, and the circumstances are such that I do not think any penalty ought to attach. He was within a day or two of discharge when he got leave to come from Arlington Heights and spend a night with his friends. He was then afflicted with rheumatism, being taken very ill, and when he got better his regiment had gone to New York City and been discharged. I hope that the amendment will be disagreed to.

Mr. GALLINGER. It is not usual to attach such a clause.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the Committee on Military Affairs.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DONATION OF CONDEMNED CANNON.

Mr. HILL. I ask unanimous consent to call up a rather unusual bill, relating to condemned cannon. It is the bill (H. R. 8262) authorizing and directing the Secretary of the Navy to furnish condemned cannon to certain Grand Army posts, a monument association, and an army post.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Naval Affairs with an amendment, in line 17, after the word "Vermont," to insert:

Also, to the Sackanosset School for Boys, of Cranston, R. I., one unserviceable or condemned cannon for use by the school.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill authorizing and directing the Secretary of the Navy to furnish condemned cannon to certain Grand Army posts, a monument association, an army post, and a school."

Mr. CARTER. During the consideration yesterday afternoon of the bill (S. 3216) donating condemned cannon and condemned cannon balls to the Wyoming State Soldiers' Home, at Cheyenne, Wyo., I endeavored to obtain recognition in order to move an amendment. But I was unfortunate in not being able to do so. I now move that the votes by which the bill was read the third time and passed be reconsidered.

The motion to reconsider was agreed to.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment.

Mr. CARTER. I now offer an amendment to the bill.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After the word "Wyoming," in line 6, it is proposed to insert:

And four condemned cannon and four pyramids of condemned cannon balls to the Montana State Soldiers' Home, at Columbia Falls, Mont.

The amendment was agreed to.

Mr. DUBOIS. With the consent of the Senator from Wyoming [Mr. WARREN], I should like to move a similar amendment for the Soldiers' Home at Boise City, Idaho. I will say that the amendments have been heretofore agreed to, but we consented to have the amendments go off of the bills on which they were put at the request of other Senators.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After the amendment just adopted it is proposed to insert:

And four condemned cannon and four pyramids of condemned cannon balls to the Soldiers' Home at Boise City, in the State of Idaho.

Mr. WARREN. I am perfectly agreeable that these two amendments shall go on the bill if it does not go any further, as the three States are closely connected.

The amendment was agreed to.

The bill was ordered to a third reading, read the third time, and passed.

On motion of Mr. CARTER, the title was amended so as to read: "A bill donating condemned cannon and condemned cannon balls to the Wyoming State Soldiers' Home, at Cheyenne, Wyo., and for other purposes."

AWARD OF LIFE-SAVING MEDALS.

Mr. PERKINS. I ask unanimous consent to call up the bill (S. 2334) construing the acts of Congress in relation to the award of life-saving medals.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

The first amendment was, in line 7, after the words "award of," to insert "life-saving"; and in the same line, after the word "medals," to strike out "in certain cases of exceptional bravery"; and in line 9, after the word "bestow," to strike out "life-saving" and insert "such"; so as to read:

That so much of the acts relating to life-saving stations and the Life-Saving Service approved June 20, 1874, June 18, 1878, and May 4, 1882, as provide for the award of life-saving medals shall be construed so as to empower the Secretary of the Treasury to bestow such medals, etc.

The amendment was agreed to.

The next amendment was, in line 10, after the word "persons," to insert the word "hereafter"; so as to read:

Shall be construed so as to empower the Secretary of the Treasury to bestow such medals upon persons hereafter making signal exertions in rescuing and succoring the shipwrecked.

Mr. PERKINS. I hope this amendment will be disagreed to.

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills:

A bill (S. 1420) granting an increase of pension to Elizabeth W. Sutherland;

A bill (H. R. 6739) for the relief of John N. Quackenbush, late a commander in the United States Navy; and

A bill (H. R. 7171) authorizing and directing the Secretary of the Navy to donate four condemned cannon and four pyramids of condemned cannon balls to James T. Shields Post, No. 45, Grand Army of the Republic, of Galesburg, Knox County, Ill., and for other purposes.

JUDICIAL DISTRICTS IN TEXAS.

Mr. PETTIGREW. I move that the Senate adjourn.

Mr. CHILTON. I hope the Senator from South Dakota will withhold that motion for a few moments.

Mr. HILL. I ask the Senator from South Dakota to withdraw the motion for a few moments, so that I may make a report from the Judiciary Committee.

The PRESIDING OFFICER. Does the Senator from South Dakota withdraw the motion for the purpose indicated?

Mr. PETTIGREW. Yes.

Mr. HILL. I am instructed by the Committee on the Judiciary, to whom was referred the bill (H. R. 2708) to constitute a new division of the eastern judicial district of Texas, and to provide for the holding of terms of court at Beaumont, Tex., and for the appointment of a clerk for said court, to report it with amendments.

Mr. PETTIGREW. I move that the Senate adjourn.

Mr. CHILTON. I hope the Senator from South Dakota will yield for just a moment. It will not take long to dispose of the bill just reported. It is very short, and there is no objection to it.

Mr. CHANDLER. It is the bill reported just now from the Judiciary Committee?

Mr. CHILTON. Yes, sir.

Mr. CHANDLER. I object.

Mr. CHILTON. The bill has already passed the other House.

Mr. CHANDLER. I object to its consideration to-night, having just been reported from the committee.

LANDS AT PORT ANGELES, WASH.

Mr. SQUIRE. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota insist upon his motion that the Senate adjourn?

Mr. SQUIRE. I hope the Senator from South Dakota will withdraw the motion.

Mr. PETTIGREW. I withdraw the motion to adjourn, as I understand it is desired to have an executive session.

Mr. SQUIRE. I wish to ask unanimous consent to offer a resolution. I have consulted the Secretary of the Interior about it. It simply directs the Secretary of the Interior to suspend the time of sale of certain lots at Port Angeles, in the State of Washington, when payments are not made. There is no contest whatever about it. I submit the resolution at the request of the Secretary of the Interior, who advises that this action shall be taken, in view of pending legislation.

The resolution was considered by unanimous consent, and agreed to, as follows:

Resolved, That in view of pending legislation the Secretary of the Interior be, and is hereby, directed to suspend the time for the payment to be made by such persons as have heretofore made due proof according to law of residence and improvements upon lots in blocks 103, 104, 105, 97, 134, 136, 137, 138, 146, 147, 111, and 116 in the town site of Port Angeles, in the State of Washington, and who have not yet completed the purchase of the same from the United States, until the 3d day of March, 1897, when payment shall be made to the receiver of the United States land office at Seattle, in the said State of Washington.

Mr. PETTIGREW. Unless there is a desire for an executive session, I shall renew my motion.

Mr. CARTER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 6 o'clock and 9 minutes p. m.) the Senate adjourned until to-morrow, Friday, June 5, 1896, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 4, 1896.

CONSULS-GENERAL.

William Churchill, of New York, to be consul-general of the United States at Apia, Samoa, to fill a vacancy.

David N. Burke, of New York, to be consul-general of the United States at Tangier, Morocco, vice John Judson Barclay, recalled.

CONSUL.

George F. Smithers, of Delaware, to be consul of the United States at Chungking, China, to take effect July 1, 1896.

APPOINTMENT IN THE NAVY.

Harry W. Jones, a resident of New Jersey, to be a chaplain in the Navy, to fill a vacancy existing in that grade.

PROMOTIONS IN THE ARMY.

Subsistence Department.

Lieut. Col. Thomas Wilson, assistant commissary-general of subsistence, to be assistant commissary-general of subsistence with the rank of colonel, June 1, 1896, vice Barriger, retired from active service.

Maj. William Anthony Elderkin, commissary of subsistence, to be assistant commissary-general of subsistence with the rank of lieutenant-colonel, June 1, 1896, vice Wilson, promoted.

Capt. Frank Edward Nye, commissary of subsistence, to be

commissary of subsistence with the rank of major, June 1, 1896, vice Elderkin, promoted.

Cavalry arm.

First Lieut. Andrew Goodrich Hammond, Eighth Cavalry, to be captain, May 31, 1896, vice Gillmore, Eighth Cavalry, retired from active service.

Second Lieut. George Edward Stockle, Tenth Cavalry, to be first lieutenant, May 31, 1896, vice Hammond, Eighth Cavalry, promoted.

Infantry arm.

First Lieut. Charles Walter Rowell, Second Infantry, to be captain, May 29, 1896, vice Ulio, Second Infantry, retired from active service.

POSTMASTERS.

Jennie T. Dessert, to be postmaster at Macon, in the county of Macon and State of Missouri, in the place of Frank A. Dessert, deceased.

John M. Vandiver, to be postmaster at Rome, in the county of Floyd and State of Georgia, in place of Mulford M. Pepper, deceased.

Alexander M. Brownley, to be postmaster at Franklin, in the county of Southampton and State of Virginia, in the place of Fulgence De Bordenave, whose commission expired April 8, 1896.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 4, 1896.

SURVEYOR OF CUSTOMS.

John F. Nash, of New York, to be surveyor of customs for the port of Syracuse, in the State of New York.

CONSUL-GENERAL.

William Churchill, of New York, to be consul-general of the United States at Apia, Samoa, to fill a vacancy.

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Infantry arm.

First Lieut. Charles Walter Rowell, Second Infantry, to be captain, May 29, 1896, vice Ulio, Second Infantry, retired from active service.

POSTMASTERS.

Jennie A. Harmon, to be postmaster at Palmyra, in the county of Wayne and State of New York.

John M. Vandiver, to be postmaster at Rome, in the county of Floyd and State of Georgia, in the place of Mulford M. Pepper, deceased.

HOUSE OF REPRESENTATIVES.

THURSDAY, *June 4, 1896.*

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read.

The SPEAKER. The question is on the approval of the Journal.

The question was taken; and on a division (demanded by Mr. KEM) there were—ayes 137, noes 0.

Mr. KEM. No quorum, Mr. Speaker.

The SPEAKER. The gentleman makes the point that there is no quorum present. If gentlemen will have the kindness to present themselves in the Hall, so that they can be counted, it will save just so much time and annoyance. [After counting the House.] One hundred and seventy-nine gentlemen are present. The ayes have it, and the Journal is approved.

RETURN OF A BILL TO THE SENATE.

Mr. LOUDENSLAGER. Mr. Speaker, I wish to present a privileged report from the Committee on Pensions.

The Clerk read as follows:

Resolved, That the Committee on Pensions be discharged from the further consideration of the bill (S. 1420) granting an increase of pension to Elizabeth W. Sutherland, and that the said bill be returned to the Senate, in accordance with their request.

Mr. LOUDENSLAGER. Mr. Speaker, this is a bill on which the Senate have appointed conferees.

The resolution was agreed to.

Mr. SHERMAN. Mr. Speaker, I wish to present a privileged resolution.

Mr. OVERSTREET. I call for the regular order.

CONTESTED-ELECTION CASE—MURRAY VS. ELLIOTT, FIRST SOUTH CAROLINA DISTRICT.

The SPEAKER. The regular order is the contested-election case of Murray *vs.* Elliott, from the First district of South Carolina, which is before the House.

Mr. OVERSTREET. I move the previous question, Mr. Speaker.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the substitute.

The question was taken; and on a division (demanded by Mr. JONES) there were—ayes 32, noes 119.

Mr. JONES. Yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 48, nays 144, not voting 162; as follows:

YEAS—48.

Bankhead,	Erdman,	McCulloch,	Sorg,
Bartlett, N. Y.	Fitzgerald,	McDearmon,	Sparkman,
Bell, Colo.	Hall,	McMillin,	Stallings,
Bell, Tex.	Harrison,	McRae,	Sulzer,
Buck,	Hart,	Owens,	Talbert,
Catchings,	Jones,	Parker,	Tate,
Clardy,	Kleberg,	Patterson,	Terry,
Clarke, Ala.	Latimer,	Pendleton,	Turner, Ga.
Cobb,	Layton,	Richardson,	Wheeler,
Cooper, Tex.	Lester,	Russell, Ga.	Williams,
Culberson,	Little,	Sayers,	Wilson, S. C.
Ellett, Va.	Lockhart,	Shaw,	Yoakum.

NAYS—144.

Adams,	Curtis, Kans.	Hubbard,	Reeves,
Aldrich, Ala.	Danford,	Hunter,	Russell, Conn.
Aldrich, Ill.	Daniels,	Hurley,	Scranton,
Allen, Utah	Dayton,	Johnson, Cal.	Shafroth,
Andrews,	De Witt,	Joy,	Sherman,
Arnold, Pa.	Dingley,	Kerr,	Simpkins,
Atwood,	Dolliver,	Kiefer,	Smith, Ill.
Avery,	Doolittle,	Kirkpatrick,	Spalding,
Babcock,	Eddy,	Knox,	Sperry,
Baker, N. H.	Evans,	Lacey,	Stahle,
Barney,	Faris,	Lefever,	Stewart, Wis.
Barrett,	Fischer,	Leighty,	Stone, C. W.
Belknap,	Gamble,	Leonard,	Strode, Nebr.
Bennett,	Gibson,	Linney,	Strong,
Bingham,	Gillet, N. Y.	Long,	Sulloway,
Bishop,	Goodwyn,	Loudenslager,	Taft,
Black, N. Y.	Graff,	Mahany,	Tawney,
Blue,	Griswold,	Marsh,	Tayler,
Brewster,	Grow,	Mercer,	Thomas,
Broderick,	Hadley,	Miller, W. Va.	Thorp,
Bromwell,	Hager,	Milnes,	Towne,
Brumm,	Hainer, Nebr.	Minor, Wis.	Tracewell,
Bull,	Halterman,	Mitchell,	Tracey,
Burton, Mo.	Hardy,	Moody,	Updegraff,
Burton, Ohio	Harmer,	Mozley,	Van Horn,
Calderhead,	Harris,	Murphy,	Van Voorhis,
Cannon,	Hartman,	Otjen,	Walker, Mass.
Chickering,	Hatch,	Overstreet,	Wanger,
Clark, Iowa	Hemenway,	Payne,	Warner,
Clark, Mo.	Henderson,	Pearson,	Watson, Ohio
Codding,	Henry, Ind.	Pitney,	White,
Connolly,	Hepburn,	Poole,	Willis,
Cook, Wis.	Hilborn,	Powers,	Wilson, Idaho
Cooke, Ill.	Hill,	Prince,	Wilson, N. Y.
Crowley,	Hopkins,	Pugh,	Wilson, Ohio
Crump,	Howe,	Quigg,	Wood.

NOT VOTING—162.

Abbott,	Cowen,	Hanly,	Livingston,
Acheson,	Cox,	Heatwole,	Lorimer,
Aitken,	Crisp,	Heiner, Pa.	Loud,
Allen, Miss.	Crowther,	Hendrick,	Low,
Anderson,	Cummings,	Henry, Conn.	Maddox,
Apsley,	Curtis, Iowa	Hermann,	Maguire,
Arnold, R. I.	Curtis, N. Y.	Hicks,	Mahon,
Bailey,	Dalzell,	Hitt,	McCall, Mass.
Baker, Kans.	De Armond,	Hooker,	McCall, Tenn.
Baker, Md.	Denny,	Howard,	McCleary, Minn.
Barham,	Dinsmore,	Howell,	McClellan,
Bartholdt,	Dockery,	Huff,	McClure,
Bartlett, Ga.	Dovener,	Hulick,	McCormick,
Beach,	Downing,	Huling,	McCreary, Ky.
Berry,	Draper,	Hull,	McEwan,
Black, Ga.	Elliott, S. C.	Hutcheson,	McLachlan,
Boutelle,	Ellis,	Hyde,	McLaurin,
Bowers,	Fairchild,	Jenkins,	Meiklejohn,
Brosius,	Fenton,	Johnson, Ind.	Meredith,
Brown,	Fletcher,	Johnson, N. Dak.	Meyer,
Burrell,	Foote,	Kem,	Miles,
Cockrell,	Foss,	Kendall,	Miller, Kans.
Coffin,	Fowler,	Kulp,	Milliken,
Colson,	Gardner,	Kyle,	Miner, N. Y.
Cooper, Fla.	Gillett, Mass.	Lawson,	Mondell,
Cooper, Wis.	Griffin,	Leisenring,	Money,
Corliss,	Grosvenor,	Lewis,	Morse.
Cousins,	Grout,	Linton,	Moses,

Neill,	Reyburn,	Southwick,	Underwood,
Newlands,	Robertson, La.	Spencer,	Wadsworth,
Noonan,	Robinson, Pa.	Steele,	Walker, Va.
Northway,	Royse,	Stephenson,	Washington,
Odell,	Rusk,	Stewart, N. J.	Watson, Ind.
Ogden,	Sauerhering,	Stone, W. A.	Wellington,
Otey,	Settle,	Strait,	Wilber,
Perkins,	Shannon,	Strowd, N. C.	Woodard,
Phillips,	Shuford,	Swanson,	Woodman,
Pickler,	Skinner,	Treloar,	Woomer,
Price,	Smith, Mich.	Tucker,	Wright.
Raney,	Snover,	Turner, Va.	
Ray,	Southard,	Tyler,	

So the substitute was rejected.

The following pairs were announced:

Until further notice:

Mr. DALZELL with Mr. CRISP.

Mr. GILLETT with Mr. COWEN.

Mr. SMITH of Michigan with Mr. BERRY.

Mr. DRAPER with Mr. SPENCER.

Mr. LOUD with Mr. SWANSON.

Mr. BURRELL with Mr. COCKRELL.

Mr. STEPHENSON with Mr. NEILL.

Mr. STEELE with Mr. MCCLELLAN.

Mr. HEATWOLE with Mr. DINSMORE.

Mr. BARTHOLDT with Mr. DENNY.

Mr. MCCALL of Massachusetts with Mr. DE ARMOND.

Mr. FOSS with Mr. MCLAURIN.

Mr. NORTHWAY with Mr. PRICE.

Mr. COUSINS with Mr. LIVINGSTON.

Mr. BOWERS with Mr. MINER of New York.

Mr. SNOVER with Mr. MADDOX.

Mr. CORLISS with Mr. MOSES.

Mr. JOHNSON of Indiana with Mr. COX.

Mr. PICKLER with Mr. MILES.

Mr. BARHAM with Mr. KYLE.

Mr. MEIKLEJOHN with Mr. CROWLEY.

Mr. FOOTE with Mr. HUTCHESON.

Mr. COLSON with Mr. KENDALL.

Mr. WILLIAM A. STONE with Mr. LAWSON.

Mr. ELLIS with Mr. OTEY, except Aldrich-Underwood election case.

Mr. ROYSE with Mr. TURNER of Virginia, except on Tucker-Yost election case.

For this day:

Mr. MCCLEARY of Minnesota with Mr. RUSK.

Mr. BROSIUS with Mr. BAILEY.

Mr. RANEY with Mr. WASHINGTON.

Mr. PERKINS with Mr. MEYER.

Mr. MORSE with Mr. ABBOTT.

Mr. WOOMER with Mr. ALLEN of Mississippi.

Mr. HICKS with Mr. STRAIT.

Mr. LEONARD with Mr. DOWNING.

Mr. MCCALL of Tennessee with Mr. ROBERTSON of Louisiana.

Mr. MAHON with Mr. OGDEN.

On this question:

Mr. GROSVENOR with Mr. CUMMINGS.

Mr. LEISENRING with Mr. TUCKER.

Mr. SOUTHARD with Mr. MONEY.

Mr. HOOKER with Mr. MCCREARY of Kentucky.

Mr. JENKINS with Mr. TRELOAR.

Mr. LINTON with Mr. SKINNER.

Mr. FENTON with Mr. STROWD of North Carolina.

Mr. WRIGHT with Mr. BLACK of Georgia.

Mr. KULP with Mr. MAGUIRE.

Mr. LEWIS with Mr. HENDRICK.

Mr. HERMANN with Mr. MEREDITH, on this vote.

Mr. JOHNSON of North Dakota with Mr. MCLAURIN, on the election contest of Murray *vs.* Elliott.

Mr. FOWLER with Mr. BARTLETT of Georgia, on all election cases except Aldrich *vs.* Underwood.

Mr. HULICK with Mr. TYLER, on contested election cases.

Mr. HEATWOLE. Mr. Speaker, I am paired with the gentleman from Arkansas, Mr. DINSMORE. If he were present I would vote "nay."

Mr. DAYTON. My colleague, Mr. HULING, was sick this morning and could not be present and desires me to announce that if he were present he would vote "nay."

Mr. KYLE. Mr. Speaker, I desire to state that I am paired with the gentleman from California, Mr. BARHAM. I therefore withdraw my vote.

The result of the vote was then announced as above recorded.

The SPEAKER. The question is on agreeing to the resolutions.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. JONES. Division.

The House divided; and there were—ayes 114, noes 37.

Mr. JONES. The yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 153, nays 33, not voting 168; as follows:

YEAS—153.

Acheson,	Dayton,	Johnson, Cal.	Scranton,
Adams,	De Witt,	Joy,	Settle,
Aldrich, Ala.	Dingley,	Kerr,	Shannon,
Aldrich, Ill.	Dolliver,	Kiefer,	Sherman,
Allen, Utah	Doolittle,	Kirkpatrick,	Simpkins,
Andrews,	Dovener,	Knox,	Smith, Ill.
Arnold, Pa.	Eddy,	Lacey,	Spalding,
Atwood,	Evans,	Lefever,	Sperry,
Avery,	Faris,	Leighty,	Stahle,
Babcock,	Fischer,	Leonard,	Stewart, N. J.
Baker, N. H.	Fletcher,	Linney,	Stewart, Wis.
Barney,	Gamble,	Long,	Stone, C. W.
Barrett,	Gardner,	Loudenslager,	Strode, Nebr.
Belknap,	Gibson,	Mahany,	Strong,
Bennett,	Gillet, N. Y.	Marsh,	Sulloway,
Bingham,	Goodwyn,	McClure,	Taft,
Bishop,	Graff,	McEwan,	Tawney,
Black, N. Y.	Griswold,	McLachlan,	Tayler,
Blue,	Grout,	Mercer,	Thomas,
Brewster,	Hadley,	Miller, W. Va.	Thorp,
Broderick,	Hager,	Milnes,	Towne,
Bromwell,	Hainer, Nebr.	Minor, Wis.	Tracewell,
Brumm,	Halterman,	Mitchell,	Updegraff,
Bull,	Hardy,	Mondell,	Van Horn.
Burton, Mo.	Harmer,	Moody,	Van Voorhis,
Burton, Ohio	Harris,	Mozley,	Walker, Mass.
Calderhead,	Hartman,	Murphy,	Walker, Va.
Cannon,	Hatch,	Otjen,	Wanger,
Chickering,	Hemenway,	Overstreet,	Warner,
Clark, Iowa	Henderson,	Payne,	Watson, Ohio
Clark, Mo.	Henry, Ind.	Pearson,	White,
Codding,	Hilborn,	Phillips,	Willis,
Cook, Wis.	Hill,	Pitney,	Wilson, Idaho
Cooke, Ill.	Hopkins,	Poole,	Wilson, N. Y.
Crowther,	Howe,	Prince,	Wilson, Ohio
Crump,	Howell,	Pugh,	Wood.
Curtis, Kans.	Hubbard,	Quigg,	
Danford,	Hunter,	Reeves,	
Daniels,	Hurley,	Russell, Conn.	

NAYS—33.

Abbott,	Culberson,	McCulloch,	Talbert,
Bankhead,	Fitzgerald,	McRae,	Tate,
Bartlett, N. Y.	Jones,	Parker,	Turner, Ga.
Bell, Tex.	Kleberg,	Patterson,	Underwood,
Buck,	Latimer,	Pendleton,	Williams,
Clardy,	Layton,	Sayers,	Yoakum.
Clarke, Ala.	Lester,	Sparkman,	
Cobb,	Little,	Stallings,	
Cooper, Tex.	Lockhart,	Sulzer,	

NOT VOTING—168.

Aitken,	Draper,	Leisenring,	Ray,
Allen, Miss.	Ellett, Va.	Lewis,	Reyburn,
Anderson,	Elliott, S. C.	Linton,	Richardson,
Apsley,	Ellis,	Livingston,	Robertson, La.
Arnold, R. I.	Erdman,	Lorimer,	Robinson, Pa.
Bailey,	Fairchild,	Loud,	Royse,
Baker, Kans.	Fenton,	Low,	Rusk,
Baker, Md.	Foote,	Maddox,	Russell, Ga.
Barham,	Foss,	Maguire,	Sauerhering,
Bartholdt,	Fowler,	Mahon,	Shafroth,
Bartlett, Ga.	Gillett, Mass.	McCall, Mass.	Shaw,
Beach,	Griffin,	McCall, Tenn.	Shuford,
Bell, Colo.	Grosvenor,	McCleary, Minn.	Skinner.
Berry,	Grow,	McClellan,	Smith, Mich.
Black, Ga.	Hall,	McCormick,	Snover,
Boutelle,	Hanly,	McCreary, Ky.	Sorg,
Bowers,	Harrison,	McDearmon,	Southard,
Brosius,	Hart,	McLaurin,	Southwick,
Brown,	Heatwole,	McMillin,	Spencer,
Burrell,	Heiner, Pa.	Meiklejohn,	Steele,
Catchings,	Hendrick,	Meredith,	Stephenson,
Cockrell,	Henry, Conn.	Meyer,	Stone, W. A.
Coffin,	Hepburn,	Miles,	Strait,
Colson,	Hermann,	Miller, Kans.	Strowd, N. C.
Connolly,	Hicks,	Milliken,	Swanson,
Cooper, Fla.	Hitt,	Miner, N. Y.	Terry.
Cooper, Wis.	Hooker,	Money,	Tracey,
Corliss,	Howard,	Morse,	Treloar,
Cousins,	Huff,	Moses,	Tucker,
Cowen,	Hulick,	Neill,	Turner, Va.
Cox,	Huling,	Newlands,	Tyler,
Crisp,	Hull,	Noonan,	Wadsworth,
Crowley,	Hutcheson,	Northway,	Washington,
Cummings,	Hyde,	Odell,	Watson, Ind.
Curtis, Iowa,	Jenkins,	Ogden,	Wellington,
Curtis, N. Y.	Johnson, Ind.	Otey,	Wheeler,
Dalzell,	Johnson, N. Dak.	Owens,	Wilber,
De Armond,	Kem,	Perkins,	Wilson, S. C.
Denny,	Kendall,	Pickler,	Woodard,
Dinsmore,	Kulp,	Powers,	Woodman,
Dockery,	Kyle,	Price,	Woomer,
Downing,	Lawson,	Raney,	Wright.

So the resolution was adopted.

The following additional pairs were announced:

Mr. TRACEY with Mr. HALL.

Mr. CURTIS of Iowa with Mr. RICHARDSON, for this day.

Mr. HALL. Mr. Speaker, I am paired with my colleague, Mr. TRACEY. If he were present, I should vote "no."

The result of the vote was then announced as above recorded.

Mr. OVERSTREET. Mr. Speaker, Mr. Murray, who has just been declared entitled to a seat on this floor, is present and desires to take the oath of office.

Mr. Murray on appearing at the bar of the House was greeted with loud applause on the Republican side. The oath of office was administered by the Speaker.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate still further insists upon its amendments to the bill (H. R. 8293) making appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes, numbered 14, 24, 25, 30, 31, 37, 74, 79, 80, 81, 82, 83, 103, 104, 105, 106, 122, 137, 147, 148, 190, 192, and 200, disagreed to by the House of Representatives, had disagreed to the amendments of the House to the amendments of the Senate numbered 27, 207, and 208, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. ALLISON, and Mr. COCKRELL as the conferees on the part of the Senate.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, the following Senate bills and joint resolution were taken from the Speaker's table and referred by the Speaker as follows:

Joint resolution (S. R. 147) concerning the improvement of the Kennebec River, Maine—to the Committee on Rivers and Harbors.

A bill (S. 2526) for the relief of Twyman O. Abbott—to the Committee on Claims.

A bill (S. 581) for the relief of the legal representatives of Hiram Somerville—to the Committee on War Claims.

A bill (S. 2859) changing the time for holding circuit court of the United States at Hartford, in the district of Connecticut—to the Committee on the Judiciary.

A bill (S. 2954) to increase the pension of Margaret Custer Calhoun—to the Committee on Pensions.

A bill (S. 206) to provide an American register for the steamer *Kahului*—to the Committee on the Merchant Marine and Fisheries.

A bill (S. 2281) to amend an act entitled "An act granting pensions to the survivors of the Indian wars of 1832 to 1842, inclusive, known as the Black Hawk war, Creek war, Cherokee disturbances, and the Seminole war," approved July 27, 1892—to the Committee on Pensions.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had further insisted upon its amendment to the bill (H. R. 5490) to license billiard and pool tables in the District of Columbia, and for other purposes, disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HARRIS, Mr. WETMORE, and Mr. PROCTOR as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes, had still further insisted upon its amendments numbered 32, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, and 52, disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. QUAY, and Mr. GORMAN as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes, had further insisted upon amendments numbered 40, 61, 69, 87, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 105, 154, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189. 190, 191, 193, 194, 195, and 201, disagreed to by the House of Representatives, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. TELLER, Mr. ALLISON, and Mr. COCKRELL as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6249) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes, had further insisted upon its amendments numbered 64, 69, and 70, disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PETTIGREW, Mr. TELLER, and Mr. COCKRELL as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment the bill (H. R. 7171) authorizing and directing the Secretary of the Navy to donate four condemned cannon and four pyramids of condemned cannon balls to James T. Shields Post, No. 45, Grand Army of the Republic, of Galesburg, Knox County, Ill., and for other purposes.

GENERAL DEFICIENCY BILL.

Mr. CANNON. Mr. Speaker, I call up from the Speaker's table the general deficiency bill, and move that the House insist upon its amendments to the Senate amendments numbered 37, 207, and 208, and agree to a conference.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. CANNON, Mr. ARNOLD of Rhode Island, and Mr. SAYERS.

MRS. EMILY M. VAN DERVEER.

The SPEAKER laid before the House the bill H. R. 2143, with amendments of the Senate thereto.

The bill and amendments were read.

Mr. THOMAS. Mr. Speaker, I move that the House nonconcur in the Senate amendments and agree to the request for a conference.

The motion was agreed to, and it was so ordered.

The SPEAKER appointed as conferees on the part of the House Mr. SULLOWAY, Mr. WOOD, and Mr. BAKER of Kansas.

JOHN KEHL.

The SPEAKER also laid before the House the bill (H. R. 1261) for the relief of John Kehl, and to restore him to his former rating, with amendments of the Senate thereto.

The bill and amendments were read.

Mr. BROMWELL. Mr. Speaker, that is a bill that was introduced by me, and I ask that it be referred back to the Committee on Invalid Pensions.

There was no objection, and it was so ordered.

MRS. EMILY GOULD CARR.

The SPEAKER laid before the House the bill (H. R. 4354) granting a pension to Mrs. Emily Gould Carr, with amendments of the Senate thereto.

The bill and amendments were read.

Mr. THOMAS. I move that the House nonconcur in the amendments of the Senate and ask for a conference.

The motion was agreed to, and it was so ordered.

The SPEAKER appointed as conferees on the part of the House Mr. POOLE, Mr. KERR, and Mr. MCCLELLAN.

HARRIET C. GREGG.

The SPEAKER also laid before the House the bill (H. R. 2006) to increase the pension of Harriet C. Gregg, with an amendment of the Senate thereto.

The bill and amendment were read.

On motion of Mr. THOMAS, the amendment of the Senate was concurred in.

MRS. WILLIAM LORING SPENCER.

The SPEAKER also laid before the House the bill (H. R. 4020) granting an increase of pension to Mrs. William Loring Spencer with an amendment of the Senate thereto.

The bill and amendment were read.

On motion of Mr. THOMAS, the amendment was nonconcurred in and a conference asked for.

The SPEAKER appointed as conferees on the part of the House Mr. ANDERSON, Mr. KERR, and Mr. MCCLELLAN.

JOHN N. QUACKENBUSH.

The SPEAKER also laid before the House the bill (H. R. 6739) for the relief of John N. Quackenbush, late commander United States Navy, with an amendment of the Senate thereto.

The bill and amendment were read.

Mr. HEPBURN. Mr. Speaker, I move that the House concur in the amendment of the Senate.

The motion was agreed to.

On motion of Mr. HEPBURN, a motion to reconsider the vote by which the amendment of the Senate was concurred in was laid on the table.

MARTIN VS. LOCKHART.

Mr. STRODE of Nebraska. Mr. Speaker, I desire to call up the contested-election case of Martin *vs.* Lockhart, from the Sixth Congressional district of North Carolina.

Mr. BAILEY. Mr. Speaker, against that I desire to raise the question of consideration; and with the permission of the Speaker and of the House, I would like to say that I do this because the views of the minority have not been printed, and they have not been printed because of the objection made by the gentleman from Nebraska [Mr. KEM].

The SPEAKER. The Chair will submit a request for unanimous consent to file the views of the minority, if the gentleman from Texas desires it.

Mr. BAILEY. I do desire it, Mr. Speaker.

The SPEAKER. The Chair will state to the House that the rules require that the views of the minority shall be presented at the same time as the report of the committee, and it is only a question of delay on which the unanimous consent of the House is asked.

Mr. BAILEY. With the permission of the Chair, I will say that the reason the views of the minority were not presented with the report of the committee is that the gentleman who prepared the report told me he would hand it to me as soon as they were prepared, but they were filed and I never saw them until they were in print. I had no opportunity to inspect them, and when we attempted to make a unanimous agreement looking to the filing of the views of the minority after the report of the majority had been filed objection was made. I then prepared the views of the minority, and on Tuesday last I asked consent that they might be filed and printed, but again objection was made.

The SPEAKER. The Chair thinks the proposition is a reasonable one, and will submit it to the House. If there be no objection, the gentleman from Texas [Mr. BAILEY] will be allowed to file the views of the minority.

Mr. KEM. I object, Mr. Speaker.

The SPEAKER. Objection is made by the gentleman from Nebraska [Mr. KEM]. The gentleman from Texas raises the question of consideration. The question is, Will the House consider the resolutions?

The question having been put,

The SPEAKER. The ayes seem to have it.

Mr. BAILEY. I call for a division.

The SPEAKER. The Chair thinks the resolutions have not been read. The Clerk will read them.

The Clerk read as follows:

Resolved, That James A. Lockhart was not elected a Representative to the Fifty-fourth Congress from the Sixth Congressional district of North Carolina and is not entitled to the seat.

Resolved, That Charles H. Martin was elected a Representative to the Fifty-fourth Congress from the Sixth Congressional district of North Carolina and is entitled to the seat.

The SPEAKER. The question is, Will the House consider the resolutions just read?

Mr. BAILEY. Of course, if the House should decide to consider these resolutions, I shall submit a substitute.

The SPEAKER. There will be opportunity to do so.

The question being taken, there were—ayes 90, noes 15.

Mr. BAILEY. No quorum.

The SPEAKER (after counting the House). One hundred and seventy-eight members are present; a quorum. The ayes have it; and the House decides to consider the resolutions.

Mr. BAILEY. I now ask to submit a substitute.

The SPEAKER. The gentleman from Texas desires to present a substitute, which will be read and considered as pending.

The Clerk read as follows:

Resolved, That James A. Lockhart was duly elected a Representative to Congress from the Sixth Congressional district of the State of North Carolina at the election held on the 6th day of November, 1894, and is entitled to the seat which he now holds as such Representative.

Mr. STRODE of Nebraska. Mr. Speaker, this contest comes from the Sixth Congressional district of the State of North Carolina. In the majority report, which is printed as House Report 2002, and which members can obtain by sending to the document room, there is a mistake in the printing of the title of the case. By a typographical error it is entitled "James A. Lockhart *vs.* Charles H. Martin." The names should be reversed and the title should read "Charles H. Martin *vs.* James A. Lockhart," as Mr. Martin is the contestant.

Mr. Speaker, before entering upon a discussion of the case I desire to say, because many members are inquiring of me how long this case will probably occupy the attention of the House, that I shall call for the previous question at as early an hour as possible. I hope to secure a vote upon this case before 3 o'clock this afternoon.

Mr. LOUDENSLAGER. Before 3?

Mr. STRODE of Nebraska. At 3 o'clock, or as soon after 3 o'clock as I can get the floor to move the previous question.

Mr. Speaker, the six Republican members of Elections Committee No. 2, to which this case was referred, have unanimously agreed upon the report finding that the contestant is entitled to his seat in this House. There is no minority report on file; but I understand the three Democratic members of the committee unite in a dissenting report, which has not been filed or printed.

It may not be out of place here to say that the Republican members of this committee—Elections Committee No. 2—have been fair and nonpartisan in the decision of all the cases that have been referred to this committee, and determined by it, during this session of Congress. The Republicans of this committee have voted five times solidly in favor of allowing Democratic contestees to retain their seats in this House. The Democratic members of the committee have always voted with them when they have reported in favor of a Democrat retaining his seat. The Republicans during the session have agreed upon majority reports in favor of seating two Republicans. In one of those reports we were unanimous; in the other there was one Republican who dissented from the majority of the committee.

Mr. BAILEY. As the gentleman from Nebraska wants of course to be accurate, he ought to have stated that there have been three Democrats unseated, instead of two.

Mr. STRODE of Nebraska. I will state the matter correctly if the gentleman from Texas will wait until I can do so. In one case the Republicans of the committee were unanimously in favor of unseating a Democrat and declaring the election void.

The Democratic members of this committee have always voted solidly in favor of the sitting member, and we have disposed of nine cases in which the sitting member was a Democrat. This case makes the tenth one. Our Democratic colleagues have always been solidly with us when we reported in favor of Democrats and always solidly against us when we have reported against Democrats.

In the present case the Republican members of the committee are unanimous in their report in favor of seating the contestant, who is a Populist, but who was indorsed by the Republicans of that Congressional district; and he ran upon what is known in North Carolinia as a Fusionist or cooperative ticket.

Before I commence to deal with the facts of this case, it may be necessary for me to explain some of the provisions of the election law of North Carolina in force in 1894; a law which has since been repealed because of its many odious features; repealed by a legislature in which the Democrats were in the minority.

Mr. GROSVENOR. As I want to be informed about this matter, will the gentleman allow me a question?

Mr. STRODE of Nebraska. Yes, sir.

Mr. GROSVENOR. I understand that the views of the minority of the committee have not been printed?

Mr. STRODE of Nebraska. No, sir.

Mr. GROSVENOR. I understand that some objection was made to the request for filing and printing the minority views?

Mr. STRODE of Nebraska. Yes, sir.

Mr. GROSVENOR. There was a single objection by a Populist Representative from Nebraska?

Mr. STRODE of Nebraska. Well, I suppose the RECORD will show as to that. He is here to answer for himself; or if not, the RECORD will furnish the answer.

Mr. GROSVENOR. And but for that objection, the views of the minority would have been laid before the House upon this question involving a contest between a Democrat and a Populist?

Mr. STRODE of Nebraska. For the information of the gentleman from Ohio [Mr. GROSVENOR] I will say that before I presented the majority report I went to my colleague from Nebraska [Mr. KEM], who had been objecting to everything that required unanimous consent, and informed him that I desired to present the majority report, and that the minority would doubtless ask unanimous consent to present their views. I informed him that the contestant, whom the majority proposed to seat, was a Populist, and I asked him to not object to a unanimous consent for the minority to have their report printed.

He informed me that he could not help it; that if it was his father, or his own brother, he would still raise the objection. So his objection was made with a full knowledge of its effect upon his part. And I will say further, that when the minority of the committee a few days ago again asked unanimous consent to print their views, and the gentleman from Nebraska had objected, I went to him again and asked him to withdraw the objection, for the reason that I feared it would carry the case over this session, and that we desired to present it at the earliest possible moment. But he still refused to withdraw his objection, and the minority have not had their views printed, and assign that as a reason why they do not want to proceed with the hearing of the case at this time. But notwithstanding the objection of my colleague from Nebraska [Mr. KEM] the minority could have had their report printed and on the desks of members at this time, and they knew quite well what course to pursue to procure the printing of their views.

This election law which was in existence in 1894, when this Congressional election was held, was one of the most iniquitous ever enacted by any of the Southern States in some of its features, and particularly so with reference to the appointment of election officers, organization of canvassing boards, and the powers given to canvassing boards, and also with reference to the registration of voters. The election board in each voting precinct consisted of a registrar and four judges, commonly called in North Carolina "poll holders." These election officers were all appointed by the board of county commissioners. The board of county commissioners were appointed by the board of justices of the peace for the county. The boards of justices of the peace in the different counties of the State were appointed by the legislature of the State. This law was enacted by a Democratic legislature. Nearly all of the counties of that State were at the time of its enactment under the control of the Democrats, and of course the Democratic members elected to the legislature having the appointment of the justices of the peace were influenced by the county Democratic committees in their selection of men to fill these offices. Under this law, in 1894, the entire machinery of the election was under the control of the Democratic party.

The registrar was, under this law, a member of the election board. The four judges were to be selected, two from the Democratic party and two from some other party; that is, two were to be from the majority party and two from the minority party; the apparent intention being that both parties should be represented fairly on the election boards. The constitution of the State requires that every voter must be registered before he can vote. There is no limitation, however, on the rights to register and vote, except the usual ones, namely, that the voter shall be a citizen of the United States, a resident of the State and the county for the required time, 21 years of age, and not an idiot or lunatic.

When the county commissioners in some of the counties in this Congressional district, and particularly in those counties where the returns of the votes are in controversy in this case, appointed a Republican or a Populist representative on the precinct election boards they made it a rule to select negroes who were illiterate, or weak and easily influenced, or those whose politics were doubtful; or if they appointed white men they appointed those only who were under the control of the Democratic leaders of the precincts, and if they named any good or representative men for the election boards they would name persons whom they knew would not serve. In one precinct they named a Republican for judge of election who was qualified in every way except that he was hard of hearing—intelligent enough, with sufficient education, but he would not serve because he could not hear well. So they appointed in other precincts negroes under 21 years of age. Such cases as these appear in the record. It was left in the hands of the Democratic registrars to appoint persons to fill vacancies on the election boards, and they always filled such vacancies as existed with Democrats, i. e., vacancies caused by Republicans failing to serve.

When the vote was cast and counted the Democrats, who always had at least three out of five of the members of the election board in every precinct, selected one of their number to convey the official returns of the precinct to the register of county deeds, and there the vote was canvassed by the board of county canvassers. This county canvassing board was made up of the one member from each precinct who had been selected by the precinct election boards to take the returns and file them in the office of the register of deeds. So that the county canvassing boards were always solidly Democratic. The county canvassing boards were given the power and authority to judicially pass upon all the facts relative to the election, and judicially determine and declare the result of the same; they also had the power and authority to send for papers and persons, and examine the latter on oath. They had the power to throw out votes or whole precincts, and to make just such returns or abstracts of votes as they in their judicial capacity saw fit to make; and these abstracts of votes made up by the county canvassing boards were forwarded to the secretary of state. Such power I do not believe has ever been conferred on the county canvassing boards in any other State of this Union. But the precinct election boards had performed their duties so satisfactorily that the Democratic county canvassing board of this Congressional district did not find it necessary to "judicially" throw out any votes or precincts.

Those provisions of the law applicable to questions involved in this case are printed in the report of the majority of the committee.

I desire now to call your attention to the precincts that are attacked by the contestant, and which the majority of the committee have noticed in their report. First, however, I had better, as I have not yet done so, I believe, state what the returns of this district show the vote to have been for the contestant and contestee. There are eight counties in this Congressional district. There were returned by the State canvassing board for the contestee (Mr. Lockhart) 13,996 votes, and for the contestant (Mr. Martin) 13,552 votes, giving to the contestee a majority of 444 votes. A majority of the committee, six members of it, have agreed upon a majority report, which finds that Mr. Martin should have accredited to him a majority of 330 votes.

Now I shall proceed to discuss the testimony upon which we arrive at that conclusion. And first I will take up Rockingham precinct, in Richmond County. In this precinct there were 479 white and 310 colored voters. There were challenged at this precint 103 colored men who were not allowed to vote, and not a white man was challenged. Seventy-two out of the 103 who were challenged, and whose votes were rejected, were called by the contestee as witnesses in this case, and their testimony is in the record. The list is published in the report so that members desiring to examine it may do so and determine for themselves the peculiarities of registration in the State of North Carolina where Democrats had control of the registration of voters. Rockingham Township contains within its boundary lines the incorporated town of Rockingham. The incorporated town of Rockingham is inside of the township bearing the same name.

Now, bearing these facts in mind, I desire to call your attention to some of the testimony in this case, and before doing so, I want to state that the Democratic registrar in this township, when a colored man would come to register whom he knew to be a Republican or a Fusionist, he would ask him: "Where were you born," and the colored man would reply, "in Rockingham"; and he would register him as if he were born in the incorporated town of Rockingham, when he knew the voter meant the township. If on election day he presented himself to vote he was asked: "Where were you born?" and replied, "I was born in Rockingham Township," the election board would say, "But you are registered as having been born in Rockingham; you can not vote. Get out of here." If he said that he was born in Rockingham Township and happened to have been born in Rockingham, they disfranchised him for that reason. So, in registering his place of residence, the registrar would ask him, "Where do you live?" "I live in Reckingham." The registrar was careful not to add the word township, although he knew full well that Rockingham town was in Rockingham Township, and that the voter lived in the township and not in the town. And on election day the man's vote would be rejected because he was registered as residing in Rockingham, when as a matter of fact he resided in the township.

I desire to call your attention to some of the testimony in support of this. The list of rejected voters is published in the report, and you will see by an examination of that list, which appears on pages 6, 7, and 8 of the report, that the registration book had six headings under which entries were to be made when registering a voter—the name, age, occupation, and place of birth, place of residence, date of registration, and the township or county from whence removed. I call your attention to the fact that in Rockingham Township, out of 103 rejected voters, there is but one entry under the head of the "Township or county from whence removed." On election day some of these voters, as the evidence in this record shows, were refused the right to vote because under the heading "Township or county from whence removed" there was no entry made by the Democratic registrar. How can you account for the fact that in 102 cases there was no entry made in that column upon any other theory than that the registrar himself neglected to ask the voter from what township or county he came into Richmond County, and into Rockingham Township? Ought this House to refuse to count all such votes when they are shown by the evidence to have been offered for contestant? Shall we permit that Democratic registrar, by his neglect of duty toward those who had attempted to register and vote, to disfranchise such voters.

Now, with these peculiarities with reference to this registration list, I call your attention to the following testimony; first to that of Emanuel Cole, jr., which is found on page 21 of the printed record. The printed record in this case contains about 400 pages:

Q. What is your name?
A. Emanuel Cole, jr.
Q. What is your age?
A. Twenty-nine.
Q. Did you register to vote at the election held for Rockingham Township Richmond County, N. C., in November, 1894?
A. Yes, sir.
Q. Did you vote?
A. No, sir.
Q. Why not?
A. I was challenged.
Q. What was you challenged for?
A. The place of residence.
Q. Where did you reside in November, 1894—what township?
A. Rockingham Township, Richmond County, N. C.
Q. How long have you resided in Rockingham Township?
A. Twenty-nine years.

All his lifetime. He was only 29 years old. He was born and raised in that township.

Q. What ticket did you offer to vote?
A. Republican and Populist ticket.
Q. Who did you offer to vote for for Congress?
A. Charles H. Martin.

This voter when he went to register was asked by the registrar, "Where do you reside?" "I reside at my father's place." He was born and raised there. The registrar knew where that was, and knew it was in Rockingham Township. "His father's place" was the only entry made. On election day his vote was challenged, and the challenge sustained, because the registration book did not show that he resided in Rockingham Township.

The next witness to whose testimony I call your attention is Edward Cole. His testimony is found on page 9 of the report and on page 23 of the record:

Q. What is your name?
A. Edward Cole.
Q. How old are you?
A. Twenty-three.
Q. Did you register to vote at the election held for Rockingham Township, in Richmond County, N. C., in November, 1894?
A. Yes, sir.
Q. Did you vote?
A. No, sir.
Q. Why were you not allowed to vote?
A. I was challenged on my place of residence.
Q. What was you told about your place of residence as a challenge?
A. Was told I did not give it in right.

Q. How did they say you had given it in?
A. They didn't say.
Q. Where was your place of residence at that time?
A. Rockingham Township, Richmond County, N. C.
Q. How long have you resided in Rockingham Township?
A. Twenty-three years.

All his lifetime; born and raised there.

Q. What ticket did you offer to vote?
A. Republican and Populist ticket.
Q. Who did you offer to vote for for Congress?
A. Charles H. Martin.

Cross-examination:

* * * * * * *

Q. Did you claim to the judges of election when you offered your vote that you were registered as residing in Rockingham Township, Richmond County, N. C.?
A. Yes, sir.
Q. And they informed you that you were not so registered, did they not?
A. Yes, sir.

Under the heading of "Place of residence" the registrar wrote "with his father," omitting the township, and so he was challenged and the challenge sustained, and his vote rejected, for the same reason that Emanuel Cole's vote was rejected.

I call your attention to some of the testimony of the registrar himself. It is found on page 47 of the record:

Q. Did the judges of election have a division on any challenged voter's vote during the day? And if so, state how many and how you voted on them.
A. My recollection is that there was a division among the judges of election only as to the right of one negro to vote. I cast the deciding vote in his favor, and his vote was received.
Q. In every other case in which the vote was rejected, is it not your recollection that the rejection was made without objection of any judge of election?
A. Yes, sir.

I imagine that gentlemen on the other side of this case will say, when they come to review this testimony, that here was an election board at Rockingham township that had two Republicans upon it. It is true; and they voted with the Democrats every time. The registrar of election here, from whose testimony I have just read, was one of the proprietors of a cotton mill in this township. One of those Republican poll holders, or judges of election, who had been appointed by the county commissioners, was an employee in that mill; the other Republican poll holder had his children working in a mill owned by a company of which this registrar was also the president; and the record in this case shows that the county commissioners appointed these two Republicans to represent the Republicans upon this election board who were, both of them, completely and thoroughly under the control of the Democratic registrar.

I want to call your attention to the testimony of Levi Steele, on page 18 of the record and page 10 of the report:

Q. What is your name?
A. Levi Steele.
Q. How old are you?
A. Twenty-seven.
Q. Were you registered to vote in the election of November, 1894?
A. Yes, sir.
Q. Did you vote?
A. No, sir.
Q. Why were you not allowed to vote?
A. They said I lived in town.
Q. How long have you lived in Rockingham Township, Richmond County, N. C.?
A. Three years in the township; in the county all my life.
Q. What ticket did you offer to vote?
A. The Republican and Populist ticket.
Q. Who did you offer to vote for for Congress?
A. Charley Martin.

Cross-examination:

Q. How far from the town of Rockingham do you live?
A. Four miles.
Q. When you came to vote did you not tell the registrar of election that you lived 4 miles from Rockingham?
A. No, sir.
Q. Didn't you tell the registrar of election when you offered to vote, when asked where you lived, that you lived outside of the town of Rockingham?
A. I told him I lived in Rockingham Township.
Q. Did you tell the poll holders, on the day of election, that you lived inside the town of Rockingham?
A. No, sir.
A. Did they not tell you that the only Levi Steele on the registration books was one registered as living in Rockingham, Richmond County, N. C.?
A. Yes, sir.
Q. You did not claim to them that you lived in the town of Rockingham, did you?
A. No, sir.
Q. Can you read?
A. I can read print a little bit.

The next testimony to which I will refer is that of Wheeler Leak. His testimony appears on page 20 of the record and page 11 of the report:

Q. What is your age?
A. Twenty-seven.
Q. What is your name?
A. Wheeler Leak.
Q. Did you register to vote at the election held for Rockingham Township, in Richmond County, N. C., in November, 1894?
A. Yes, sir.
Q. Did you vote?
A. No, sir.
Q. Why not?
A. I told them I lived in Rockingham Township; then they said I lived in the corporation.
Q. What corporation?
A. Rockingham town.
Q. What ticket did you offer to vote?
A. Populist and Republican.
Q. Who did you offer to vote for for Congress?
A. Charles Martin.

Then the cross-examination comes. Contestee's attorneys bring out the fact, if the contestant's do not, upon which the challenges were based.

Q. You do not live in the town of Rockingham, Richmond County, N. C., do you?
A. I live in Rockingham Township, Richmond County, N. C.
Q. Please answer the question last asked you. Do you live in the town of Rockingham, Richmond County, N. C.; yes or no?
A. I don't live in the town of Rockingham, but I live in Rockingham Township, Richmond County, N. C.
Q. Did you claim before the poll holders, when offering your ballot, that you lived in Rockingham, Richmond County, N. C.?
A. No, sir: I told them I lived in Rockingham Township, Richmond County, N. C.

I now call your attention to the testimony of Joe Neal, found on page 28 of the record and page 11 of the report:

Q. What is your name, age, and residence?
A. Joe Neal; 48 years; residence, Richmond County, N. C., Rockingham Township.
Q. How long have you lived in Rockingham Township?
A. All my life.
Q. Were you registered to vote at the election held for Rockingham Township in November, 1894?
A. Yes, sir.
Q. Did you offer to vote and did you vote?
A. I offered; I did not vote.
Q. Why did you not vote?
A. On account of my birth was the reason they said I could not vote.
Q. Where were you born?
A. Rockingham Township, Richmond County, N. C.
Q. Who did you offer to vote for for Congress?
A. Charlie H. Martin.

Cross-examination:

Q. What part of Rockingham Township were you born in?
A. Outside of the town.

Yet he was registered as having been born in the town, and because so registered, when as a matter of fact he was born outside of the corporation, his vote was rejected; and so were a number of others, for the same defect in registration.

I now call your attention to the testimony of one Louis Wall:

Q. What is your name, age, residence, and how long have you lived there?
A. Louis Wall; 32 years old; Rockingham Township, Richmond County, N. C.; lived there all my life.
Q. Did you register to vote at the election held for Rockingham Township in November, 1894?
A. Yes, sir.
Q. Did you offer to vote; did you vote?
A. I offered; did not vote.
Q. Who did you offer to vote for for Congress?
A. Charles H. Martin.
Q. Was your vote rejected?
A. Yes, sir.

Now, the cross-examination brings out the fact why he was not allowed to vote.

Q. Were you born in Rockingham, N. C.?
A. Not in the town of Rockingham.

The record shows that out of these 72 rejected voters that were called to the witness stand more than 40 of them—I think it is 48, but I am not certain—were actually born and raised in Rockingham Township or in Richmond County. Upon such trivial grounds as I have pointed out in the testimony I have read to you, their votes were challenged and rejected. Of the 103 that were rejected the contestant called 72 of them to the witness stand, and their testimony is similar to that I have quoted.

The committee finds that out of that 72 there was one man who was called to the witness stand who did not offer his vote. He found that he was challenged and did not offer to vote. There was another who was challenged and offered to vote against whom there was a criminal record. He had been convicted of a felony, and there was no evidence that he had been pardoned or restored to citizenship, and so his vote was rejected. And as to the other 70 the testimony shows that they were legal voters, every one of them. All of them swore positively that they went to the polls and offered to vote for this contestant, Charles H. Martin. They were registered; and this Democratic registrar believed them to be voters when they registered or he would not have placed their names on the registration list. On the election day they were all rejected for imperfect registration. I think this contestant has done remarkably well to procure the testimony of 72 of 103 to show why their votes were rejected, and if he could have procured the testimony of all the 103 he would have probably shown anywhere from 90 to 100 entitled to vote whose votes were rejected. But it would doubtless have been an impossibility for the contestant to have found and called to the witness stand all of the 103 voters in the short length of time allowed him for taking testimony. Seventy legal voters, whose names were on the registration list and whose votes were tendered for the contestant and refused, should be counted for him and added to

the number of votes returned for him from Rockingham Township.

I pass now from Rockingham Township to Stewartsville Township. In that township there were registered 307 white and 414 colored voters. Eight white voters and 284 colored voters were challenged. The challenges to the eight white voters were all overruled except one. Every white man challenged was allowed to vote except one, and he was a Populist. One hundred and sixty-seven negroes were prevented from voting by reason of challenges; that is to say, the challenges were sustained and the votes were rejected by the election board. There were 265 whites who voted at this precinct on election day. There were 41 whose names appeared upon the registration list who did not offer to vote. There were 133 colored men who voted on that day, and 112 colored men had registered who did not offer to vote. Mr. Lockhart was given by the returning board in this precinct 295 votes and Mr. Martin 14. The registrar in this precinct was a Democrat. Upon the witness stand he admitted that in registering the names of voters he had put them on the registration list in such form that he knew challenges to such voters could and would be sustained on election day. In other words, he made the same kind of entries in this township as were made by the Democratic registrar in Rockingham Township. I will not stop to go into the details of this registration, but I will call attention to some of the testimony in the record touching it. I read from the testimony of this Democratic registrar, which is found on page 18 of the report:

Q. When a voter, in registering, in answer to the question, "What is your place of residence?" stated John A. McBryde's, as did Jesse W. Graham, did you not know as a fact that John A. McBryde's was in Stewartsville Township, and, notwithstanding such knowledge, register his residence John A. McBryde's, without stating the township you knew John A. McBryde's to be in, and thus leave him incompletely registered?

A. I knew that the registration was incomplete in such cases, and invariably explained that place of residence meant a legal division of the country, such as incorporated towns, townships, counties, and States; except when they were with their coachers, several answered John A. McBryde's, Daniel A. Patterson's, Roper's, and other farms, and I would try to get them to tell where those farms were located without success. I did not register for any of them. Frequently they would find out that they were wrong in their answers, and when they would return I would make such corrections as they wished. Some, in giving the place of birth, would say Richmond. I would explain to them that there was a Richmond, Va., Richmond, Ky., Richmond, N. C., and a Richmond County, Ga., Richmond County, Va., Richmond County, N. C., and asked them what Richmond they wished to put down, the same as the other localities that were not definite. I knew that John A. McBryde's, Daniel A. Patterson's, Roper's, and other plantations mentioned by voters were in Stewartsville Township; but when they would not say so, I would not put it down.

Q. Was there a single white man and Democrat rejected for improper registration?

A. The only white man rejected was for improper registration, and he was a Populist.

If you will turn to the list of rejected voters of this township, printed in the report, you will find that Populist's name first on the list. The difficulty in his case was this: In stating his occupation and place of birth he had said, "Moore County," omitting to add "North Carolina," or, if he did say North Carolina, it was not put down. He was the only white man whose vote was rejected at this precinct, and there were 167 of these imperfect registrations of colored voters whose votes were rejected.

The election board in this precinct was made up of four Democrats and one Republican. The Republican and Populist voters sought representation upon the board. I read an extract from the testimony of Angus Currie, found on page 60 of the record:

Q. Do you know of any effort made either by the Republican or Populist voters to secure a different arrangement of the boxes? If so, state it.

A. I don't know of any with regard to the boxes. I do know we wanted some representation as to judges of election.

Q. State that.

A. We got up a petition of some 400 or 500 names and sent before the county commissioners asking them to give us some representation, and if they would not give us any Populist, to give us some good men. We named three or four Democrats that they could choose from. They did not put any of them on. We were not asking for all of them, but we wanted some of them.

The testimony touching other precincts is to the same effect. The Populists and the Republicans petitioned these Democratic boards to appoint men of their own choice, and it would be satisfactory to them, to represent them upon the election boards, but in not a single instance was any man appointed who was named by the minority party. On the contrary, the men selected were tools that the Democratic managers knew they could make use of, though the men appointed pretended, in most instances, to be Republicans or Populists.

I will call attention to some of the testimony with reference to this precinct. There is testimony in this record tending to prove that the Democratic party there attempted to intimidate negro voters. On this point I call attention to some testimony which is found on page 61 of the record and is cited on page 16 of the report:

Q. If you know anything of guns being stored in the back of this building, back of the ballot boxes, on the day of election, tell it.

A. That day, about 12 o'clock, Mr. Calvin McKinnon went in and got his gun out; said he reckoned they would not need it in there any more. That night, about the time they were done counting the votes, came three or four out of the back end of the house with guns.

This testimony is wholly uncontradicted. This witness also testified as to the marking of the ballot boxes. One thing I forgot to state which enters largely into the consideration of the case touching this and other precincts. In North Carolina they had several ballot boxes at all the precincts. They had one for the State legislative ticket, one for the State judicial ticket, one for the county ticket, one for the Congressional ticket, another for the ticket for constable, etc. The law required that these several ballot boxes should be marked in plain Roman letters. On this point, of the ballot boxes in Stewartsville precinct let me call attention to this bit of testimony:

Q. What time of day did you vote?

A. I voted about 8 o'clock in the morning.

Q. State whether you could easily tell the names of the ballot boxes or not, and whether you had to examine closely to distinguish them.

A. I could not easily tell; the boxes were badly marked. I could tell one box from another, but none was marked what I considered right and proper. I was here on the evening before the election and the boxes was very well labeled in good letters that anybody could read; that was about sundown that evening. When I got back next morning the boxes had all been changed, the letters on them fine, and sorry letters were on in their stead.

One or two others testified to the same state of facts. The voter, if he cast his own vote, was required to read the names upon the ballot boxes and put in his vote. If he did not cast it himself, he handed his tickets to the poll holders and they put them in for him.

I call attention to the testimony of a prominent citizen of this township:

Q. What is your name, age, residence?

A. Daniel A. Patterson; aged 35 years; residence, Stewartsville Township, Richmond County, State of North Carolina.

Q. Were you present at the election held for Stewartsville Township in November, 1894?

A. I was.

Q. Describe the voting place for Stewartsville Township.

A. It was in a two-story brick building with a wall in front of the door, several feet from the door, extending to the ceiling; there was room enough at either end for one person to pass; back of that wall 8 or 10 feet was another wall extending up nearly to the ceiling, I think; higher than a man's head, with an entrance to the back room; between the two walls were two old counters; the judges of election was behind the one facing the front door, with their faces toward the front door; there was a wall rather dividing the front entrance and extending back to the front wall; a voter came in and turned to the right, I think it was; as he voted he went out to the left and came out the same door he came in.

Q. Could the ballot boxes and judges of election be seen from the front of the building?

A. They could not.

Q. Did you see any men who exercised the authority of marshals or constables that day? And if so, tell what was their actions.

A. I saw several acting as special police; did not know them all; they seemed to have charge of the election; acting as though they were running it.

(Answer objected to by contestee for the reason that the witness has sworn not what was, but what seemed to be.)

Q. State how these marshals were placed about the polling place.

A. There were one or two at the entrance all day, and in the space between the counters around the polls I saw two or three.

Q. Did these marshals control the entrance of voters to the polls and their exit from them?

A. They did.

Q. Did any one of these marshals make threats to you? And if so, state what it was and how it happened.

A. That morning when I got to the polling place I went into the bull pen; I noticed the labels on the boxes had been changed; that is, the evening before they were in large, plain letters; two of the regular nominated judges of election were there at the boxes. I said to them, if I were in their places as judges of election, that I would have those boxes plainly labeled; that they had a right to do so. I went in back room, back of this wall, where there was another one of the judges, and was speaking to him about it, when Mr. James P. McRae came up and said I was using incendiary language and ought not to be—or words to that effect—using such language or talking that way to those negroes. I replied that I only advised them as judges of election to do what they had a right to do, or what I would do if I was judge. I left the room and went back to where the boxes were, the polling place, where Mr. Maxcy L. John followed me, and said that I had better mind how I talked around there; that if there was a riot raised there that day that myself and two or three others, I don't think he mentioned their names, will be the first to fall, or suffer; I think fall was the word he used. There was something said about bullets; I don't remember what it was.

Q. Were the ballot boxes fairly and plainly labeled?

A. No, sir; they were not. Some of them were not spelled right; one, at least, the Congressional box; some letters left out and was very poorly written.

Q. Were there any windows in that part of the building which was walled off to keep the ballot boxes in?

A. No windows in that part of it.

Q. Was the light in this walled-off part of the building where the ballot boxes were good or dim?

A. Rather dim; it was not good.

Q. Where was the public and general entrance to the voting place?

A. Front door.

Q. Was there any back entrance to the voting place? And state what you know about it.

A. Judging from the number of Democratic votes, I think there was; very few went in the front door. I don't know of my own personal knowledge, for I did not go back there.

Q. State what you may know or have been informed about guns being stored in the building in which the election was held, in November, 1894, in Stewartsville Township?

A. Personally, I know nothing. It was generally understood that there were guns stored in upper part of the building. I was reliably informed that there was a gun taken from there during the day. One party came out with a gun; there were two or three taken from there after the voting was over. It was talked all during the day that guns were there. I believe there were, from the fact that people told me that there were.

Q. If you know anything about liquor being stored in that building, tell it.

A. Don't know anything about liquor.

Q. Was the election held in Stewartsville Township on November 6, 1894, a fair election?

A. No.
Q. State whether any vote or votes were rejected by the judges of election who were entitled to vote.
A. They were, to my own knowledge, properly registered; had been there all their lives.
Q. State whether the number of marshals present at the election; their acts and manner; the rejection of qualified voters by judges of election; storing of guns in the building, and holding the election in a walled-off space in the building, where the light was dim or not good, and the number of Democratic bystanders who stood around and about the ballot boxes, had the effect to intimidate any of the voters; filled them with indifferent feeling about voting, or caused some of them to leave the polls and go home.
A. It undoubtedly did, of my own personal knowledge.
Q. State whether any effort was made by any class of people to get the election held in an open and fair way; and if so, what was that effort?
A. Yes, sir; Mr. D. O. Cameron and myself went to Mr. A. F. Bizzell and told him that we would furnish lumber, and haul it there, and help build the bull pen or voting place, if they would let us have the saying as to how it should be built, or built according to the Payne election law; that is, rail it off instead of wall it off. His answer was, "We are not broke yet."
Q. State why a great many voters offered to vote only the county ticket.
A. From the fact the conducting and general management of the election was such that a great many of them could not get their tickets in the proper boxes, and they voted one ticket in all the boxes so as to be sure of one.
Q. What class of voters voted this way?
A. They were illiterate. Both white and black; both Republican and Populist voted the Cooperation ticket.
Q. What ticket did those vote who could read?
A. They voted the straight Populist or Cooperation ticket.
Q. You say those who could read voted the Populist or Cooperation ticket. Is that the same ticket; and what do you mean by the Populist or Cooperation ticket?
A. Yes, sir; we gave a full ticket. The Populist and Cooperation ticket was one and the same ticket. We did not have but one ticket. A Populist would call it a Populist ticket, a Republican would call it a Republican ticket, and some would call it Cooperation.
Q. What particular work did you do in connection with the election?
A. I was distributing Cooperation tickets most of the time.
Q. Do you know anything of voters getting money, or orders for money, in the building where the election was held on election day for voting the Democratic ticket? If so, tell it.
A. Not of my own personal knowledge.
Q. If any voter told you so, tell it.
A. Several of them reported that they were not allowed to vote, and after not being allowed to vote were called back and offered money to vote the Democratic ticket.

Now, I call attention to some other testimony in the record. I read from the testimony of the registrar himself, showing how he registered these voters:

Q. State how many of the voters you have named who registered their occupation as farming or farmer were challenged on account of such registering?
A. About 113 so registered were challenged for occupation, and a good many of them for other defective registration.

Now, notice that these voters were challenged for imperfect registration of their occupation. One hundred and thirteen of them, according to the testimony of this Democratic registrar, had given their occupation as "farming" or "farmer." Now, notice this testimony:

Q. Please explain the challenge made to the voter who was challenged for occupation, and who stated his occupation as farming or farmer.
A. None of the cases challenged as farmer or farming reached me for decision, the judges of election deciding all of them on testimony as to whether he was engaged as a farmer or cropper or worked for wages on a farm. My recollection is that the judges decided that where a man worked his own land, rented land for stipulated price or part of the crop, that farmer or farming applied to him, and when he worked for wages on a farm or elsewhere it did not apply to him as a farmer any more than a clerk in a store as a merchant.

In other words, 113 of these negroes who gave their occupation as "farmers" or "farming," and who were only hired hands upon plantations in that precinct, were disfranchised by the election board on the ground that a man working for wages on a farm was not a "farmer," and that his occupation could not be described as "farming."

It was upon such technicalities as these that 167 colored voters were refused the right to vote in Stewartsville Township at the election in November, 1894.

There is evidence of bribery in that township. I read from the testimony of John M. McKennon, found in the record at page 56:

Q. What do you know about money being used to buy votes with on the day of election?
A. There was two voters that brought two checks to Mr. Zack Long and myself for $2 apiece, and stated that they were directed to go to Mr. Charlie Coble and they would be cashed. We then—Mr. Long and myself—walked up street together and told them to go and get the money and bring it back to us across the street opposite the store; each one brought $2 in greenbacks to us; we saw the money; they said they had gotten the checks in the polling place for voting the Democratic ticket. While we were standing there another man came up with $5 which he said he had received for voting the Democratic ticket; we did not see the check.

This testimony is corroborated. I read from the testimony of Angus Currie, at page 61 of the record:

Q. Do you know anything about money being used to buy voters that day? If so, tell it.
A. I saw one darky come out with a little card of pasteboard. Mr. A. F. Bizzell's name was written on the bottom of the card. The darky said they gave it to him for voting the Democratic ticket, and to carry it up to Mr. Charlie Coble's and he would give him $2 for it. There was three names on the card—the name of the voter, the name of the man that carried him in, and Bizzell's. His name was on with pen and ink; the others with lead pencil. There was others, but I did not examine their cards; told me they had them.
Q. State whether A. F. Bizzell and Charlie Coble are Democrats or not.
A. Yes, sir; they are Democrats.
Q. Did these men, who had the tickets for money, come out of the back or front door of the voting place?
A. They come out of the back door.
Q. Did they say they got those tickets in the voting place or not?
A. They said they got them in the voting place for voting the Democratic ticket.

This testimony, gentlemen, stands wholly uncontradicted in this record. There is further testimony of the same kind. Bribery is thus proven by four or five witnesses who saw the evidence of it. It was committed in the polling place in the presence of the election officers. So the majority of the Committee on Elections say that the election in this precinct, by reason of the storing of guns, the presence of marshals, the apparent intention to intimidate the colored voters, the bribery proven, the sustaining of challenges, and the rejection of votes upon trivial and insufficient grounds, should be declared void. There is no way to ascertain what would have been the result had a fair and honest election been held in this precinct. The returns have been thoroughly impeached, by reason of the corruption of the election board, so that we say, "Throw out the precinct," the effect of which is to take away from the contestee 295 votes and from the contestant 14 votes that were returned for them.

I come now to Lumberton precinct, Robeson County; and I shall have to pass on very rapidly, for my time is brief. In order to bring this matter directly to the attention of the House I will read from the testimony of Mr. D. P. Allen (record, page 153), which will bring some of the features of the case distinctly to the minds of those who are giving me attention:

Q. 104. Are you a resident and qualified elector of the county of Robeson and precinct or township of Lumberton, State of North Carolina?
A. I am.
Q. 105. Did you vote at the election held in said precinct or township the 6th day of November, 1894?
A. I did.
Q. 106. Please state, to the best of your recollection, the condition of the ballot boxes and the position occupied by the judges of election at the time you cast your ballot.
A. The ballot boxes, five of them, were on a long table in midway of the court-house hall, and these five were held by Messrs. John Pitman, J. R. Fuller, and —— Roach; I don't know his first name. The other box, "constable's," was on a small table a few paces off and held by Alfred Merrick.
Q. 107. Was there any inscription, and of what nature, to designate what ballots were to be put into each of the several boxes?
A. There were inscriptions on the boxes of small printed type when I when in.
Q. 108. Was it sufficient to inform the elector at ordinary examination to tell in which box to place the ballot?
A. I do not think it was.

[Here the hammer fell.]

Mr. BAILEY. I ask unanimous consent that the gentleman be permitted to proceed.

Mr. MILLER rose.

Mr. STRODE of Nebraska. My colleague on the committee [Mr. MILLER] will yield me a part of his time.

Mr. BAILEY. As a matter of course, two gentlemen would not be entitled to speak in succession on the same side. I therefore ask that the gentleman from Nebraska be permitted to proceed by unanimous consent.

The SPEAKER pro tempore (Mr. DOLLIVER). The gentleman from Texas asks that the gentleman from Nebraska be permitted to proceed with his remarks.

Mr. KEM. I object.

Mr. MILLER. I yield to the gentleman all my time, if he wants it.

Mr. STRODE of Nebraska. I thank the gentleman very much for his courtesy. I was reading from the testimony of D. P. Allen, and I will continue the reading:

Q. 109. Were you in any way intimidated before or at the time you cast your ballot?
A. Well, sir, when I first came in at 7 the two colored poll holders was standing in the middle of the hall and were not holding any boxes. I asked them where were their boxes; they said they had none but the constable's box. I told them they had a right to half of the boxes, as there were six, and to go and get two more; they said the others wouldn't give them any more. I told them I would take some more of them; they said they had asked them for some more boxes, but they would not give them any more. I told these colored men that if I was appointed poll holder I would not be "bullied" in this way; that they had the same right, being appointed by law to hold polls, as the other gentlemen, and I would have some more boxes; they said that they did not want to get in any fuss. One of them, Mosely, said he was not going to have anything more to do with it. About this time the registrar arose and came up to me and said, "Look here, you are disturbing this election, and if you do not stop I will have you arrested and put in the guardhouse." I said to him, "I am doing nothing but contending for what is right. These two men were appointed to hold polls; they have a right to half of these boxes." He said that I had nothing to do with this matter. Seeing that there was no use to argue, I left and went and called Mr. Proctor and Dr. Norment, and told them to come over here and see how the judges were conducting business. Mr. Proctor did not come, but Dr. Norment did, and when we got back to the door the door was shut, so that neither of us could get in except to vote. Dr. Norment stood at the door and talked to the poll holders about not giving the two colored men their share of the boxes, but the poll holders did not do any different.

One of these poll holders left; he was disgusted. The constable's box was placed, as the evidence shows, about 15 or 20 feet away from the other five boxes; and these two colored Republican poll holders were told that they might take care of the constable's box. There was running for constable in that township but one man, and he was a Democrat. Those men were not afraid to trust these two Republicans to take care of his interest, there being but one

candidate. The Democratic poll holders directed these two colored Republicans to take charge of the constable's box, which, as I have said, was placed 15 or 20 feet away from the other boxes. Under those circumstances one of the Republican poll holders got angry and left; the other stayed and remained in charge of the constable's ballot box. The Democratic registrar immediately appointed another man in the place of the one who left. The man appointed was a Democrat. Remember that just a moment before his appointment they would not allow either of the two colored Republicans to be at or have anything to do with the other five boxes.

Now, here is what was sworn to by the Democrat who was substituted for the colored poll holder who left:

Q. 849. What box did you have charge of?
A. I didn't have charge of any particular box. Five of the boxes were setting on the table, and I deposited tickets in all of the five boxes.
Q. 850. What box was on the table by itself, and who had charge of that?
A. The constable box; Merrick had charge of it.

Merrick was the Republican poll holder. I read now from his testimony:

Q. 142. Where were you put to keep the constable's box?
A. About 4 yards from the long table, toward the back door.
Q. 143. What was on the long table?
A. The five boxes.
Q. 144. Did the other poll holders allow you to have anything to do with the other five boxes?
A. No, sir.

Now, this is important, and I hope members will note it carefully:

Q. 145. Did you see anyone who went in to vote and ask the poll holder to put his tickets in the right boxes?
A. Yes, sir.
Q. 146. What did the poll holders do or say at that time?
A. They said, "Which box?" and the voters said, "You ought to know which is the proper box." They refused to take their ticket for about five minutes. Then the poll holders said, "I will put it in this box if you say so;" and so they did.
Q. 147. Did you offer or try to put his tickets in the right boxes?
A. Yes, sir; I made the attempt five times. I was told to "Keep away from these five boxes, for you have nothing to do with them;" and I said, "I think I have something to do with these boxes." Rather than raise any confusion at all I wouldn't say any more to them; but I noticed how the voters voted, and I saw the ticket placing in the wrong box. I said, "You have placed the tickets so far in the wrong boxes, and you said I have nothing to do with those five boxes; therefore I don't think that I have any right to sign the scroll, and I'll leave."
Q. 148. Were you kept from putting those tickets in the right boxes by the other poll holders?
A. Yes, sir.
Q. 149. What did they do to you to keep you from it?
A. They told me to keep away the fourth trial I made; and the fifth attempt I made came up to me and pushed me, and told me to keep away from these five boxes.
Q. 150. Were you afraid to try again?
A. No, sir; but to keep down a fuss I wouldn't attempt.
Q. 151. Do you know whether the poll holders refused to put any other ticket in the right boxes?
A. No, sir.
Q. 152. Do you know whether or not one of the poll holders who stayed at the five boxes did not wish to put the voters' tickets in the boxes?
A. They all refused our men.
Q. 153. Did they refuse to put any Democratic voters' tickets in the right boxes?
A. No, sir; for they reached out their hands before their men got quite to the table.
Q. 154. Did you sign the returns from this precinct as one of the poll holders, or judges of election?
A. No, sir; I did not.
Q. 155. Why?
A. Because I knew it wasn't just; the election wasn't carried on justly.
Q. 156. Why wasn't the election just?
A. Because, sir, I didn't think I was treated right.
Q. 157. How did they treat you?
A. They say that I must keep away from these five boxes, when I know that I had a right to tend to those boxes—as much so as you, when casting the vote therein.
Q. 158. Do you mean to say that you had as much right to be around the other five boxes as the other poll holders did?
A. Yes, sir.

I ask particular attention to this:

Q. 159. Did the poll holders who had charge of the five boxes put the fusionist tickets in the right boxes?
A. No, sir; not all.
Q. 160. Was there any legal fusionist voters denied the privilege of voting?
A. Yes, sir.
Q. 161. Were you selected as one of the Republican, or fusionists, poll holders at said election?
A. Yes, sir.
Q. 162. Who was appointed, besides yourself, to represent the Republicans, or fusionists, at the polls on election day to help hold the election?
A. Charlie Mosely.
Q. 163. Did he serve as poll holder?
A. No, sir.
Q. 164. Why did he not serve?
A. There was but one box for he and him, and it was set well down towards the back door; and myself and Charlie Mosely did not require but one box.
Q. 165. Who did they appoint in Charlie Mosely's place?
A. A young fellow by the name of Roach.
Q. 166. Was Roach a Republican, Populist, or Democrat?
A. He was a Democrat.
Q. 167. Was Roach sworn to act in said election?
A. I noticed from the time Charlie Mosely resigned, Roach was replaced; he was standing inside of the back door; the door was closed the moment that they called for a man; Roach stepped forward; he went behind the table; commenced putting tickets in the box; if he was sworn, he was sworn at the back door before the poll opened.

The testimony shows that these Democratic poll holders refused to take the tickets of the fusionists and put them in the proper boxes. When the fusionists tendered their votes the poll holders asked, "What box do you want us to put these tickets in?" And the illiterate negroes, who could not read, were expected to point out the box each ticket should be put in. There were six boxes. The Congressional ticket, in many cases, was deposited in some other box than the Congressional box. And when the votes were counted, if the officers found a ticket in the wrong box, they threw it away; no record and no count was kept of such tickets. Dr. Norment, a leading man in that community, a prominent man in North Carolina, was present when the count was made. He examined 111 tickets that were taken out of different boxes, having been put there wrongfully by the judges of the election or by mistake of the voters, and which were rejected—thrown away—not counted; and they had printed upon them the name of Charles H. Martin for Representative in the Fifty-fourth Congress.

There are other things with reference to this precinct that ought to be noticed, but in the short time allotted to me I can not take up all the details. I am justified in saying that this election board was corrupt and rotten. We would have been justified in throwing out the entire vote of the precinct. Witnesses testified that they saw the votes purposely put in the wrong boxes. Dr. Norment, who was present when the count was made and took note of the actual number of tickets voted for the contestant and thrown away not counted, because they were found in the wrong boxes, swears positively that there were 111 of these ballots, and his testimony is uncontradicted. So that your committee, instead of throwing out the whole precinct, simply say here are 111 votes, honestly cast for Mr. Martin, but put in the wrong boxes, either by the voters themselves by mistake or by judges of election purposely, which should be counted and added to his vote.

An elector ought not to be deprived of his vote either by the mistake or fraud of an election officer in depositing it in the wrong box, if the intention of the voter can be ascertained with reasonable certainty. Nor should ballots be rejected because of being put in the wrong box by the honest mistake of the voters themselves. Wherever such mistake is shown it may be corrected, if not by the election officers, at least by this House in trying and deciding this contest. I have stated the law as laid down by McCrary on Elections and many other authorities.

The evidence in this case establishes the following facts:

First. The election board consisted of the Democratic registrar, two Democratic poll holders, one Republican poll holder (colored), and one poll holder (colored) who claimed to be a Republican, but about whose politics there is a conflict of testimony. He had been convicted of a felony, sent to the penitentiary, and was pardoned.

And this man was selected to represent the Republican party on that election board by a Democratic board of county commissioners.

Second. The Republican poll holder was placed at the constable's box. There was but one candidate for constable, and he was a Democrat.

Third. The Democratic poll holders placed the tickets of a large number of fusionists in the wrong boxes, and then refused to count them because they were in the wrong boxes.

Fourth. The Republican poll holder refused to sign the returns because of the frauds committed.

Fifth. The fusionists kept a list of those who claimed to have voted the fusionist ticket, which has 169 names upon it, and is printed in the record.

One man sat there at the door of the polling place giving out the tickets and another entered the names on the book or list. They gave out the full fusion ticket to the fusionist voters, so that they entered the place with the full fusion ticket in their hands, declaring their intention to vote it—169 of them. But 44 were counted for contestant in that precinct.

Sixth. There were 29 tickets thrown out of the Congressional box because in the wrong box, 80 out of the legislative box, 81 out of the State box, and an unknown number were thrown out of some of the other boxes. No Democratic tickets were found in the wrong boxes.

Tickets were put in the Congressional box that belonged in the legislative box, or the judiciary box, or some other box, and having been placed in the Congressional box were thrown out and not counted. Likewise Congressional tickets were found in the wrong boxes. But no Democratic tickets, strange to say, were found in the wrong boxes. No Democrat got his ticket in the wrong box, but 200 or more fusionist tickets were found in the wrong boxes. How many of these were Congressional tickets nobody can tell.

Seventh. The name of the contestant appeared upon all the Congressional tickets that were found in the wrong boxes, and not counted.

Eighth. The poll book of this township returned to the office of the register of deeds shows that 239 voted; and the returns show that contestee received 98 and the contestant 44 votes, leaving 97 unaccounted for.

There is some evidence tending to prove that some of the fusionists who entered the polling place with the fusion tickets in their hands changed them and substituted others before voting, and that others scratched their tickets. There is no evidence tending to prove that any voter put in the boxes, or caused to be put in, more than a single vote for Congressman. Not a single Democratic voter, illiterate or otherwise, got any of his ballots in the wrong boxes. There is but one rational conclusion to be reached from a careful examination of the evidence pertaining to this precinct, and that conclusion is that the conduct of the election officers in this precinct was such as to destroy the integrity of their returns. It is impossible to ascertain with certainty the true vote, and the returns of this precinct should be rejected, which takes 44 votes from the contestant and 98 votes from the contestee, returned from this precinct.

I will not stop to discuss Lilesville precinct in detail. A man who saw the votes counted and saw the votes that had been deposited in the wrong boxes by the Democratic members of the board thrown out and not counted declares that there were 40 votes for Mr. Martin thrown out because they were found in the wrong boxes. The majority of the committee find that these 40 votes ought to be added to the returned vote from this precinct for contestant.

In Ansonville precinct another peculiarity arose. The tickets of the contestant as candidate for Congressman disappeared soon after the polls were opened. They were stolen or mysteriously disappeared; so that the fusionist voter deposited written, instead of printed, ballots thereafter. They were correct in form, but they were written with pen and ink and had contestant's name on them as the candidate for Congressman. Fifty-three of these votes were thrown out for the reason that they were written instead of printed. So we say these votes must be counted for the contestant and added to the number of votes returned for him.

Mr. LOCKHART. Did I did not in my brief consent that the 53 votes to which the gentleman refers should be counted?

Mr. STRODE of Nebraska. Yes, sir.

Mr. LOCKHART. Even though they were informally prepared, being written ballots. The only trouble about it was that the judges of election misunderstood their duties. In all other respects the ballots were received as formal, and I conceded that they should be retained and counted.

Mr. STRODE of Nebraska. That is correct; you conceded it. But I desire to call attention to the conduct of this election board. They were unfair and corrupt, and we would have been justified in reporting in favor of throwing out the entire vote of the precinct.

Mr. LOCKHART. They were neither unfair nor corrupt, but men of as high character as the gentleman from Nebraska himself.

Mr. STRODE of Nebraska. The next precinct I shall notice is Red Springs. The evidence shows that the election board was made up of four Democrats and one Republican. The election board returned 110 votes for contestant and 143 votes for contestee.

We believe that the evidence in this case clearly establishes the fact that the contestant received 126 votes in this precinct, which is 16 more than were returned for him. I will read an extract from the testimony of Dr. Rowland, found on page 115 of the printed record:

Q. 527. Were you present when the count took place after the polls were closed on said day?
A. I was.
Q. 528. Did you see the count of the Congressional box?
A. I did.
Q. 529. State how many votes or ballots were counted for Charles H. Martin.
A. The tally sheet numbered for Lockhart 143, Martin 126.
Q. 530. State who counted and kept tally of that box.
A. Calvin Blue, Republican poll holder, called out, and John A. McKay, a Democratic merchant, of Red Springs, kept the tally.

And on cross-examination he testified as follows:

Q. 555. Were you present when Calvin B. Blue and J. A. McKay commenced to count the Congressional box?
A. I was.
Q. 556. Who was with you?
A. I went through the crowd alone, stood by the side of N. A. McQueen after arriving at the table.
Q. 557. Were there any Populists with you at this time?
A. Two or three came during the counting of the vote, but didn't notice that anyone stayed long.
Q. 558. Did you or any other Populist have anything to do with counting the Congressional box?
A. No.
Q. 559. How did you ascertain the number of votes which were cast in the Congressional box?
A. I asked for the tally sheet and counted the score.
Q. 560. When was this, and who gave you the tally sheet?
A. I think we got to the counter where the other boxes were held in the other room. Before I got hold of it, though, I had been helping to look on and make the count with McKay before Winston Buir, I think, handed me the tally sheet.
Q. 561. Was W. F. Buir a poll holder?
A. No.
Q. 562. Who was with you when W. F. Buir handed you this paper?
A. I think J. P. Smith, but not certain.
Q. 563. When you were assisting J. A. McKay did he and Blue, or you and he, add together the number of votes which were counted in the Congressional box? If so, what was the number declared?
A. I don't think there was an entry made of the count, but the score as made by J. A. McKay numbered 143 for Lockhart, and 126 for Martin.
Q. 564. Did you add up at that time the total of the tally, or did you wait until W. F. Buir handed you this sheet?
A. I added up the tally at that time and looked over the score to see that tallies were right, and then set down the result, which was as we had counted it in the room.
Q. 565. Where had you been just before you went to the Congressional box, and what doing, if anything?
A. I had been sitting by the fire in my room for a short while. On going to the street they announced the election closed, on which I went on to the Congressional box.

Redirect:

Q. 566. Was J. A. McKay one of the judges of said election at said precinct?
A. He was not.

I also read an extract from the testimony of John G. Brown, found on page 108 of the record:

Q. 408. Were you present when the count of the votes took place after the close of the polls?
A. I was present at the legislative box.
Q. 409. Did you see the tally sheet which was kept as the votes were called out for the Congressional box at the close of that count that day?
A. I went from the legislative box to the Congressional box and counted the tally with Dr. W. H. Rowland, J. A. McKay, and C. B. Blue, a poll holder.
Q. 410. Who kept the tally of the Congressional box?
A. J. A. McKay; he was not a poll holder; he was a Democrat.
Q. 411. How many votes were counted at said count for Chas. H. Martin, this contestant?
A. One hundred and twenty-six votes.

And on cross-examination he testified as follows:

Q. 433. Of those who counted the Congressional box, how many were Populist-Republican or fusionist and how many Democrats?
A. C. B. Blue, the poll holder, was a Republican, I suppose; J. A. McKay, who kept the tally sheet, was a Democrat; Dr. W. H. Rowland and myself were Populists.
Q. 434. Well, why did you and Rowland, who were not election officers, assist in counting this box; did anyone ask you to do so?
A. C. B. Blue and McKay counted the box. W. H. Rowland and myself assisted them in counting the tally sheet.

These two witnesses, both reputable men, I take it, from the evidence in this record, swore positively that they counted the number of votes tallied for contestant on the tally sheet after the count had been made, and they both swore that the tally sheet showed that contestant had received 126 votes. The man who kept the tally sheet was not an election officer. Contestee did not call him to deny the statement of these two witnesses as to the number of votes he tallied for contestant. The Republican poll holder took the tickets out of the Congressional box and called the name of the person voted for on each ticket, and the Democratic merchant kept the tally. The record shows that this poll holder was present when the contestee was taking testimony touching this precinct, but he was not called to contradict the testimony of Rowland and Brown. The evidence shows that 143 voters called for the full fusionist ticket, and that they entered the polling place with these tickets in their hands, and with no other tickets. This is a circumstance tending to prove that contestant received more than 110 votes.

It appears from the evidence that no election officer took any part in counting the votes in the Congressional box, except the Republican poll holder. He did not keep the tally. The election officers obtain their information as to the number of votes for the candidates for Congress from the keeper of the tally sheet, who was not under oath. Dr. Rowland saw this vote counted and tallied, and he and Mr. Brown afterwards counted the votes tallied for the candidates for Congress, and Dr. Rowland made a memorandum thereof. The tally was not made a part of the returns and does not appear to have been preserved. The poll book was put in evidence, which shows that 275 persons voted at this precinct. If contestee received 143 and contestant 126, it would make but 269. A few tickets were found in the wrong boxes and were not counted, which may account for the other 6 votes.

Doubtless the other side will contend that the sworn returns of the election board are of such high character that they ought not to be overturned or corrected by the evidence of Rowland and Brown. But the testimony of these two witnesses is so positive and so strongly corroborated, and standing wholly uncontradicted except by the return of the election officers, that no reasonable doubt exists in the minds of the majority of the committee but that contestant received 126 votes at this precinct instead of 110, the number returned for him.

I now call your attention to Maxton Township. The election board in this precinct was solidly Democratic. The county commissioners named two Republicans and two Democrats for judges or poll holders, but the two Republicans did not appear on time, on the Saturday prior to the election, when the registration list was to be corrected, and the Democratic registrar appointed two Democrats in their places. One of the witnesses described the place where the election was held as follows:

Q. 272. Describe the place where the polls were held.
A. They were held in a large room 30 by 75 feet, as near as I can guess at; two windows on the front, one on the side near the off end; no windows on the other side, on which was erected a small inclosure in which the voting was conducted; the windows were darkened, if I recollect, to some extent by curtains; I don't say that they were put there then for that purpose; they may have been there before, but couldn't see from the outside what was going on.

Democratic doorkeepers were placed at the entrances to the

building. No one could see from the outside what was going on inside of the building. Fusionists were not allowed inside the voting place while the voting was in progress, except one at a time, as they went in to vote. Democrats, other than the election officers and those who went in to vote, were allowed inside of the polling place while the voting was going on. After the polls closed the election officers called in four Democrats to assist in counting the vote and keeping the tally. No Populist or Republican was permitted to assist in this work. The Democrats who assisted in making up the returns were not under oath.

There were returned by the precinct returning board 160 votes for contestee, 15 votes for contestant, and 12 votes for John L. Matheson.

The Populists of this township, anticipating an attempt to cheat and defraud them at the election, arranged to have one or more of their number at the door of the polling place on the day of election to issue fusion tickets and to keep a list of the fusionist voters to whom tickets were issued as they entered the polling place to vote. They did this with a view of furnishing evidence of the number and character of votes cast—or offered to be cast—by them in the event of any attempt to cheat or defraud them at the election. It appears from the evidence that at this precinct this system was carefully carried out. Intelligent men stood at the door of the polling place and issued contestant's tickets to the voters who came to get them and had their names enrolled on the list, and then, one by one, went straight into the polls to vote them. The persons who kept this list and issued the tickets were sworn as witnesses in this case and testified as to the number of persons who so received tickets and entered the polling place to vote them. It also appears from the evidence that the most of these persons immediately afterwards returned and reported that they had voted or attempted to vote the tickets given them. The list so kept was produced, identified, and incorporated into the evidence, and a copy of it appears at pages 350–353, in the printed record. I give here an extract from the testimony of W. J. Currie, who kept this list and entered nearly all the names upon it:

Q. 280. What do those check marks indicate?
A. First, as to whether the voter was white or colored; second, as to the office the candidate was running for.
Q. 281. Why are check marks placed in both columns; which are for Congress?
A. I don't know that I can tell you that.
Q. 282. Are there any check marks placed in the Congressional column when the voter was going to vote for James A. Lockhart, the contestee?
A. No, sir; there were none placed there only when the voter indicated his intention to vote the fusion ticket.
Q. 283. Who was the Congressional candidate on the fusion ticket?
A. Charles H. Martin.

More than 200 names appear upon this list. About 25 of them appear to have been challenged, but there is no evidence in the record showing how many of the challenges were sustained.

It is evident that the voters in many of the townships in this Congressional district have been entrapped into putting their tickets in the wrong boxes, and have been otherwise cheated out of their votes for years. The voters of Maxton Township were determined to throw the responsibility upon the Democratic election board if tickets were found in the wrong boxes and not counted. Accordingly, the fusionist voters in this township were instructed by their leaders that the poll holders were required, under the law, to take their ballots and deposit them in the proper boxes. I give here an extract from the testimony of J. P. Smith, a Republican who desired to vote the fusionist ticket:

Q. 237. Did you ask the poll holder to take your tickets and put them in the proper boxes?
A. I asked the poll holder to do it; all the one I saw there when I went to vote; I asked him to take my tickets and put them in the proper boxes, and he refused; I then asked him where the other poll holders were, and I looked around over the hall and saw none of the other poll holders; I asked him again to put my ticket in and he refused a second time; asked him the third time to take them and put them in the boxes and he refused to do so; he then told me to get out of the house, and I got out, and that ended it.
Q. 238. What did you then do with your tickets?
A. I laid them down on the table or counter where the boxes were sitting; I did that when he told me to get out.

I quote also from the cross-examination of W. J. Currie:

Q. 324. Did not you and other Populist and Republican leaders, by agreement made before election day, instruct the fusion voters to offer their tickets in mass to the poll holders, and if the poll holders refused to assort the tickets and put each in the proper box, to throw them down and refuse to vote?
A. We were informed by both the Democratic and fusionist nominees for the legislature publicly, on the stump, that it was the duty of the poll holders to place the tickets in the proper boxes when requested so to do by the voter, and we did advise them to offer them, and if refused to lay them down before them.
Q. 325. Are you a Populist or Republican leader?
A. I am the chairman of the township executive Republican committee.

All fusionist voters tendered to the Democratic poll holders all the tickets they desired to vote, and requested the poll holders to deposit each ticket in its proper box. The Democratic poll holders refused in every instance, and after such refusal a large majority of the fusionist voters laid their tickets on the table or on the ballot boxes and left the room without having deposited their ballots. The tickets were brushed from the table or the ballot boxes to the floor by the Democratic poll holders. A few, however, who could read deposited their own ballots after being so refused by the poll holders. All Democratic poll holders demanded that the voters select out their tickets and offer them one at a time. The voters having refused to do this, the poll holders refused to receive and deposit their ballots. I do not believe the voters were bound to select and deliver to the poll holders their tickets separately. The statute of North Carolina in force at that time provides as follows (section 2658):

The polls shall be opened on the day of election, from 7 o'clock in the morning until sunset of the same day, and no longer, and each voter whose name here appears registered, or who shall not be challenged and rejected, shall hand in his ballot to the judges, who shall carefully deposit the ballots in the ballot boxes.

A part of section 2688 reads as follows:

Only one voter shall be allowed to enter such polling place at one time, and no one except the judges of the election shall be allowed to speak to or interfere with the voter while in the polling place casting his vote, which shall be put into the proper box or boxes by said voter, or by the judges at the request of the voter.

It appears from the evidence that there were some Republican voters in this precinct who did not desire to support the contestant as the candidate for Congress, and the returns show 12 votes for Matheson. There were probably a few others who desired to vote the same way, whose ballots the Democratic poll holders refused to deposit, but the exact number of such can not be ascertained from the evidence. Some fusion tickets were found in the wrong boxes and were not counted. No record was kept of these ballots, and the number can not be ascertained. There is no possible way of ascertaining the true state of the vote in this precinct. The return is so tainted with fraud and the misconduct of the election officers that the truth can not be deduced from it. The election in this precinct should be set aside and 160 votes for contestee and 15 votes for contestant should be deducted from the number returned for them, respectively.

There are other precincts which we have noticed in our report, but I have now consumed much more time than I ought to have consumed, and I owe an apology to the House for having detained you so long. I desire to say, however, that the evidence in this record, aside from that to which I have called your attention, shows that there was much corruption, fraud, and some intimidation at the election in this Sixth Congressional district of North Carolina in 1894. In one precinct, the home of the contestee, the fusionist leaders were rotten-egged, and stinking chemicals thrown on them while at the polls working for their ticket.

In another precinct the election officers held the election and refused to count the votes and make any returns. They claimed to have been intimidated and prevented from making the returns. But I do not think that was the reason the vote was not counted and returned. The evidence in the record shows that the fusionists had a large majority of the votes cast, and that, in my opinion, was the reason the vote was not counted. But the committee have not attempted to count that precinct.

In another precinct no Populists or Republicans voted, but they made an effort to count the Democratic voters who entered the polling place during the day. The election board returned 250 votes for contestee from that precinct. The persons who kept a list of the Democrats seen to enter the polling place did not see one-half that number of Democratic voters enter the polling place. We believe the vote was much smaller for contestee than the returns made, but we have allowed it to stand.

It is my opinion, formed from a careful and thorough examination of the evidence in the record of this case, that contestant actually received more than 1,000 majority over contestee. We have been exceedingly conservative in arriving at the result set forth in the majority's report. The members of this committee who have joined in this majority report have performed their duty conscientiously and with no partisan prejudice or feeling. The evidence in this case clearly establishes the contestant's right to his seat in this House and it is our duty to give it to him. The people of his district have declared that he was their choice, and it is our duty to rise above all partisan considerations and prejudices and carry into effect the will of the people of the Sixth Congressional district of North Carolina by seating this contestant. [Applause.]

I reserve the remainder of my time.

The SPEAKER pro tempore. The gentleman has occupied one hour and thirty minutes.

Mr. BAILEY. Mr. Speaker, even if I were in condition to argue this case, I should deem it a waste of time and strength to do so, because it seems to me that a House which will determine to proceed to the decision of a case before that case has been properly made up is ready to decide it without any argument at all.

I am all the more induced to believe that the decision of the House is foregone because the failure to file the views of the minority was due to no negligence on the part of the minority.

Mr. PRINCE. Mr. Speaker——

Mr. BAILEY. Certainly.

Mr. PRINCE. I should like to ask my colleague on the committee if he could not have introduced a resolution similar to the one that was introduced by the gentleman from California [Mr. MAGUIRE] with reference to getting the report in this case printed, as the gentleman from California did in the case of Mitchell *vs.* Walsh? When the gentleman from Nebraska [Mr. KEM] objected to that report being printed, I will ask the gentleman from Texas if he does not recollect that our colleague [Mr. MAGUIRE] had a resolution introduced, referred to the Committee on Printing, and they promptly brought in a report favoring the printing of the minority report in that case, under the rule giving them the privilege to report at any time? Could you not have done so?

Mr. BAILEY. Why waste the time to ask that question? Doubtless I could have obtained recognition on Monday last to move a suspension of the rules and have secured the passage of an order to print the views of the minority; but I have pursued the usual course, so usual that there was no question made about it. When the gentleman from Nebraska came and said to me that his report had been prepared, and asked me whether I would rather see it in the manuscript or in print, I said I would prefer to see it in print. It was then at the Printing Office. He said to me that as soon as it was printed he would bring me a copy. I never saw the report until it had gone to the Printing Office, never saw it until it was filed in this House, and it was absolutely impossible for me to have filed a minority report. I felt, inasmuch as the majority report seated a political friend of the gentleman from Nebraska, that, however much he might feel inclined, and however much he might feel it to be his duty, to object in mere matters of favor to members, in a matter affecting the title to a member's seat, and especially in a matter which seated one who agrees with him politically, he would feel under no obligation to persevere in his objection.

But, sir, whatever might have been the course which ought to have been pursued, or whatever might have been the course which could have been pursued, there has been no negligence on the part of the minority.

I am consoled, however, by the fact that so far as I am personally concerned I can not engage in the discussion of it, even if I could hope for a different or better result; for the House easily perceives now that I am suffering from a throat trouble, which the doctor warns me might result seriously if I were to undertake to make anything like a speech. I told the gentleman from Nebraska so a day or two ago, that it was a physical impossibility for me to make a speech, and I asked that the case go over, as I had been charged by my colleagues of the minority of the committee with the preparation and defense of it so far as it was to be prepared and defended; but neither the physical disability of a colleague nor the fact that the case has not been prepared can deter the majority from its purpose to unseat the gentleman who holds the certificate of a sovereign State that he is entitled to sit here as one of its Representatives.

Despairing of anything like a fair conclusion, I yield the remainder of my time to the gentleman from North Carolina [Mr. LOCKHART].

Mr. LOCKHART. Mr. Speaker, I had no idea that this question would be called up for consideration to-day. Therefore, to me it is a surprise; and I have not my argument arranged in that method which I would like when I come to present it to a body like this. But so strong, Mr. Speaker, are my convictions about this matter and so comprehensive and accurate is my knowledge of the details of this case that I feel that I should present this matter to this House—so much of it as does me the honor and the justice to sit and hear this case discussed. The gentleman from Texas [Mr. BAILEY], who has charge of the minority report on this side, has stated that he has attempted to get this minority report before this House and have it printed and laid upon the desks of members, that they might investigate this matter and see what the truth of it is.

This House has refused to wait until that could be done, and proposes to vote upon this question regardless at the same time of law or testimony. I say, Mr. Speaker, in view of this fact, that while there has not been a printed copy of the minority report in this case presented to this House, which is now about to vote upon this question, there is not one-half of a quorum in this House who are to decide this matter present now in this House to hear this discussion and know what is the truth of the matter. I have been a country practitioner of law for twenty-two years. It is not improper for me to say that perhaps I have appeared in as many cases before juries as any man in this House who has had no longer experience than I. I have appeared before courts, and I have never seen a court anywhere——

Mr. CANNON. Mr. Speaker——

The SPEAKER pro tempore (Mr. DOLLIVER). Does the gentleman from North Carolina yield?

Mr. LOCKHART. I do.

Mr. CANNON. Will the gentleman yield for a very short time, until I can ask the House to adopt the final report in the general deficiency bill?

Mr. LOCKHART. I will.

GENERAL DEFICIENCY BILL.

Mr. CANNON. Mr. Speaker, I present a conference report, submitting a final report and agreement on the part of the conferees of the House and the Senate on the general deficiency bill. I ask to omit the reading of the report and that the statement may be read.

The SPEAKER pro tempore. If there be no objection, the reading of the conference report will be omitted and the statement will be read.

There was no objection, and it was so ordered.

The report of the committee of conference is as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 8293) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 24, 25, 30, 31, 37, 74, 103, 104, 105, 106, 147, 148, and 200.

That the House recede from its disagreement to the amendments of the Senate numbered 14, 79, 80, 81, 82, 137, 190, and 192, and agree to the same.

That the Senate recede from its disagreement to the amendments of the House to the amendments of the Senate numbered 27, 207, and 208, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: Strike out all after the word "cents," in line 8, down to and including line 20 of said amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That the Secretary of the Treasury is directed, until otherwise provided by law, to pay, after reserving not exceeding $30,000 per annum for educational purposes and expenses of necessary employees, to the Sisseton and Wahpeton Indians of South Dakota all interest moneys due them up to July 1, 1896; and that thereafter all interest money as it shall accrue shall be paid, except as herein provided, on the 1st day of November annually."

And the Senate agree to the same.

J. G. CANNON,
W. O. ARNOLD,
JOSEPH D. SAYERS,
Managers on the part of the House.

EUGENE HALE,
W. B. ALLISON,
F. M. COCKRELL,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8293) making appropriations to supply deficiencies, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report, namely:

On amendment numbered 14: Appropriates $1,150,000, as proposed by the Senate, instead of $850,000, as proposed by the House, for expenses of collecting the revenue from customs.

On Nos. 24 and 25: Strikes out the appropriations proposed by the Senate to pay the claims of B. B. Bouldin for $205.15 and W. L. Hall for $198.

On No. 27: Appropriates for payments on account of the Ford's Theater disaster, the conference committee agree to recommend that the Senate agree to the amendment of the House referring back to the Joint Commission certain claims, with instructions to reexamine and report thereon.

On Nos. 30, 31, 37, and 74: Strikes out the appropriations proposed by the Senate to pay claims of W. H. Crook, $4,000; of Calvin Gunn, $700, and of Stout, Hall & Bangs, $31,802.52.

On Nos. 80, 81, 82, and 83: Appropriates, as proposed by the Senate, to pay the audited accounts certified to Congress as follows: In House Executive Document No. 234, Fifty-third Congress, third session, $38,500.12; in Senate Document No. 217, this session, $1,092.50; in Senate Miscellaneous Document No. 57, Fifty-third Congress, third session, $8,000; in Senate Executive Document No. 33, Fifty-third Congress, third session, $19,000; in Senate Executive Document No. 98, Fifty-third Congress, second session, $35,791.67; and in House Miscellaneous Document No. 56, Fifty-third Congress, third session, $37,313.54.

On Nos. 103, 104, 105, and 106: Strikes out the provisions proposed by the Senate to pay the claims of the Richmond Locomotive and Machine Works, $69,558.39; of the Portland Company, $80,867.46; of William S. Grant, $77,989.38; and of Nancy E. Day, $3,041.66.

On No. 122: Inserts the provision proposed by the Senate, regulating the payment of interest money to the Sisseton and Wahpeton Indians of South Dakota, so modified as to require the reservation of not exceeding $30,000 per annum for educational purposes and expenses of necessary employees.

On No. 137: Inserts the provision proposed by the Senate, authorizing a credit in the accounts of William M. Masi, late postmaster at Cheyenne, Wyo., of $2,624.14.

On Nos. 147 and 148: Strikes out the appropriations proposed by the Senate to pay the claims of Winslow Warren, $500, and of R. D. Benedict, $500.

On Nos. 190 and 191: Appropriates, as proposed by the Senate, to pay Francis M. Cox, an employee of the Senate, $900, and Benjamin Durfee, an employee of the Senate, $2,500.

On No. 200: Strikes out the provision proposed by the Senate authorizing the payment of one month's pay to discharged employees of the House and Senate.

On Nos. 207 and 208: It is agreed to recommend that the Senate agree to the amendments of the House inserting $6,000 for payment of expenses in contested-election cases.

The bill as finally agreed upon appropriates $10,639,621.75, being $420,424.80 less than as it passed the Senate, and $5,846,031.30 more than as it passed the House.

J. G. CANNON,
JOSEPH D. SAYERS,
Managers on the part of the House.

Mr. CANNON. Mr. Speaker, if I had an hour in my own right I would submit some remarks touching appropriations and revenue and in explanation of this bill, but as I have not the time, and do not wish to trench upon the courtesy of the gentleman [Mr. LOCKHART] who so kindly yielded the floor in order that I

might call up this conference report, I will not attempt to detain the House at this time, but will, without objection, present in the RECORD a statement covering the subjects that I have mentioned.

Mr. SAYERS. Mr. Speaker, I desire to say that as one of the members of the minority of the Committee on Appropriations I will, under leave of the House (which has always been accorded to members of that committee), submit on behalf of the minority of the committee a statement as to this bill, and also as to other appropriation bills passed by this House.

The SPEAKER. If there be no objection, the gentleman from Illinois and the gentleman from Texas will——

Mr. KEM. I object, Mr. Speaker; I object.

The SPEAKER. Oh, the gentleman from Nebraska [Mr. KEM] objects. [Laughter.]

Mr. SAYERS. Mr. Speaker, I did not ask for unanimous consent, but intimated that I would ask the Committee on Rules to ask the House to accord to the members of the Committee on Appropriations this privilege, which I believe has never been refused on such an occasion.

Mr. CANNON. It is, in my opinion, a very proper privilege to be granted, because the amounts appropriated in these bills can not possibly be ascertained definitely until about the time of the adjournment of this session.

The question being taken on agreeing to the conference report, the Speaker declared that the ayes seemed to have it.

Mr. KEM. Division, Mr. Speaker.

The House divided; and there were—ayes 136, noes 0.

The SPEAKER. The vote seems to be unanimous.

Mr. KEM. No quorum, Mr. Speaker.

The SPEAKER (after a count). There are 179 gentlemen present; a quorum. The ayes have it, and the conference report is agreed to.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GROUT. Mr. Speaker, I submit a conference report on the bill making appropriations for the District of Columbia, and ask that the statement be read.

The statement of the House conferees was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5210) making appropriations for the expenses of the government of the District of Columbia for the fiscal year 1897 submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report on each of the amendments, namely:

On Nos. 1, 2, 3, 4, and 5: Appropriates for an additional assistant inspector of plumbing, at $1,000; increases the pay of the deputy property clerk from $1,000 to $1,200; inserts the provision proposed by the Senate authorizing the settlement of certain suspended accounts of the ex-Boards of Commissioners, and strikes out the proposed increase of one additional assistant inspector of buildings, at $1,000.

On No. 6: Strikes out the provision proposed by the Senate to repay to the Protestant Episcopal Cathedral Foundation the sum of $1,223.08 for water-main tax.

On Nos. 7 and 8: Strikes out the provision for the special-assessment clerk in the office of the assessor, the same being provided for elsewhere in the bill.

On Nos. 9, 10, and 11: Provides for a deputy collector, at $1,800, instead of at $2,000, as proposed by the Senate, and strikes out the provision for one clerk, at $1,000, in the collector's office.

On Nos. 12 and 13: Increases the pay of the disbursing clerk in the auditor's office from $1,500 to $1,600, as proposed by the Senate.

On Nos. 14, 15, 16, and 17: Appropriates for two market masters, at $1,200 each, as proposed by the Senate, instead of at $1,000 each, as proposed by the House; and appropriates $1,200, as proposed by the Senate, instead of $960, as proposed by the House, for hire of laborers for cleaning the markets.

On Nos. 18 and 19: Provides for one messenger clerk, at $720, as proposed by the Senate, instead of at $600, as proposed by the House, in the engineer's office.

On No. 20: Appropriates $11,900, as proposed by the Senate, for a special-assessment clerk and for nine clerks heretofore paid from the appropriation for assessment and permit work in the special-assessment office.

On No. 21: Appropriates $24,000, as proposed by the Senate, for employees in the street-sweeping office who have heretofore been paid from the appropriation for street sweeping.

On Nos. 22 and 23: Strikes out the increase of $650 proposed by the Senate for employees in the surveyor's office.

On Nos. 24, 25, 26, and 27: Appropriates $22,500, as proposed by the House, instead of $24,000, as proposed by the Senate, for contingent expenses; requires, as proposed by the House, that the whole cost of maintaining and keeping in good order the laboratory and apparatus in the office of the inspector of gas meters shall hereafter be paid by the Washington Gas Light Company; and requires, as proposed by the Senate, that the recorder of deeds shall make no charge for reporting to the assessor transfers of real estate as required by law.

On No. 28: Appropriates $9,000, instead of $7,000 as proposed by the House and $10,000 as proposed by the Senate, for rent of District offices.

On No. 29: Strikes out the appropriation of $12,000 proposed by the Senate for a morgue.

On No. 30: Appropriates $2,500, as proposed by the Senate, instead of $1,900, as proposed by the House, for general advertising.

On No. 31: Appropriates $7,500, instead of $7,000 as proposed by the House and $8,000 as proposed by the Senate, for advertising notice of taxes in arrears.

On Nos. 32 and 33: Appropriates $3,000, instead of $2,000 as proposed by the House and $4,000 as proposed by the Senate, for transcribing the general assessment and preparing the numerical book, with the provision, as proposed by the Senate, that employees in the office of the assessor may be assigned to such work and be allowed a reasonable compensation therefor.

On Nos. 34 and 35: Makes the appropriation for photolithographing plats of subdivisions in Georgetown immediately available, and appropriates $2,000, instead of $1,500 as proposed by the House and $2,500 as proposed by the Senate, for plats of subdivisions outside of Washington and Georgetown.

On No. 36: Appropriates $10,000, instead of $12,500, as proposed by the Senate, for expenses of completing the plan for extension of a permanent system of highways.

On No. 37: Appropriates $10,000, instead of $14,000, as proposed by the Senate, for advertising and court expenses under the act to provide a permanent system of highways.

On No. 38: Appropriates $26,684.09, as proposed by the Senate, for payment to owners of lots and parts of lots on the Potomac River Flats, under decrees of the supreme court of the District.

On No. 39: Strikes out the provision proposed by the Senate, setting aside the Potomac Flats as a public park under the name of Riverside Park.

On No. 41: Appropriates $140,000, instead of $125,000 as proposed by the House and $165,000 as proposed by the Senate, for assessment and permit work.

On Nos. 42, 43, 44, 45, 46, 47, 48, 49, and 50: Appropriates $150,000, instead of $100,000 as proposed by the House and $284,000 as proposed by the Senate, for paving streets and avenues; and $6,000, as proposed by the Senate, for paving Florida avenue south from Connecticut avenue to Eighteenth street, and $7,500 for paving P street northeast from North Capitol street to Florida avenue; and strikes out the appropriation of $15,000 proposed by the Senate for paving Eighteenth street extended and Cincinnati street from Eighteenth street to the east entrance of the Zoological Park.

On Nos. 51 and 52: Limits the price of asphalt paving of the ordinary quality to $1.80 per square yard, instead of $1.75 as proposed by the House and $1.90 as proposed by the Senate; and to $2, as proposed by the House, instead of $2.15, as proposed by the Senate, for asphalt paving of exceptional strength.

On Nos. 53, 54, 55, 56, 57, 58, 59, and 60, relating to sewers: Appropriates $50,000, as proposed by the Senate, instead of $45,000, as proposed by the House, for cleaning and repairing sewers and basins; $75,000, instead of $18,500 as proposed by the House and $121,000 as proposed by the Senate, for surburban sewers; $25,000 for constructing the Fifteenth street and F street portions of the F street and Easbys Point intercepting sewer, with authority to contract for the whole work at a cost not exceeding $87,000, instead of appropriating $87,000 therefor, as proposed by the Senate; $1,000 for sewer in Fifteenth street extended, between Columbia road and Kenesaw avenue, with authority to lay a water main in said street; $60,000, instead of $40,000 as proposed by the House and $190,000 as proposed by the Senate, for continuation of the Rock Creek and B street intercepting sewer; $4,000, as proposed by the House, instead of $5,000, as proposed by the Senate, for completion of the Kenesaw avenue sewer; and $1,000, as proposed by the House, instead of $2,000, as proposed by the Senate, for condemnation of rights of way for public sewers.

On No. 62: Appropriates $40,000, as proposed by the House, instead of $60,000, as proposed by the Senate, for repairs of county roads.

On Nos. 63, 64, 65, 66, 67, 68, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, and 86, relating to the construction of county roads: Appropriates $10,000, as proposed by the House, instead of $12,000, as proposed by the Senate, for grading and regulating Sherman avenue, Roanoke and Irving streets; $7,500 for taking down the brick building at Garfield Memorial Hospital grounds and constructing another building on said premises, made necessary by widening and grading Sherman avenue at that point; $5,000 for grading and regulating Columbia road, Sixteenth street extended, Prospect street, Crescent street, Superior street, and Meridian and Ontario avenues; $10,000 for grading Massachusetts avenue extended; $9,000 for grading and graveling Albemarle street; $5,000 for grading Illinois avenue; $3,000 for grading and graveling Pearce and High streets, Anacostia; $9,000 for court expenses and ground taken to open and extend Thirty-seventh street; $10,000 for improving and protecting Connecticut avenue extended; $5,000 for continuing the macadamizing of the road from the Broad Branch road to Chevy Chase circle; and $17,000, instead of $15,000 as proposed by the House and $25,000 as proposed by the Senate, for grading and regulating Yale, Bismarck, Princeton, Harvard, and Columbia streets; and strikes out the appropriations for county roads proposed by the Senate, as follows: $5,000 for paving Massachusetts avenue extended; $5,000 for grading Michigan avenue; $3,000 for paving Harewood avenue; $4,000 for grading Twenty-second and Twenty-fourth streets, Langdon; $10,000 for grading and regulating Twelfth street extended; $1,000 for grading and regulating Belmont and Kalorama streets; $10,000 for grading and graveling Pennsylvania avenue extended and Branch avenue; $4,500 for grading and regulating Emporia and Frankfort streets; $5,000 for grading and graveling Kenesaw avenue and Park row; and $2,500 for grading and regulating Twentieth street extended.

On No. 88: Makes an increase of $8,500, instead of $34,950, as proposed by the Senate, for sprinkling, sweeping, and cleaning streets.

On No. 89: Appropriates $20,000, instead of $17,000 as proposed by the House and $22,000 as proposed by the Senate, for the parking commission.

On Nos. 101 and 102: Appropriates $1,250, instead of $900, as proposed by the House, for repairs of harbor boat, and strikes out the appropriation of $50,000 proposed by the Senate for a new fire, ice, and wrecking boat.

On No. 103: Appropriates $8,500, instead of $7,000 as proposed by the House and $10,000 as proposed by the Senate, for public pumps, including the drilling of deep wells.

On No. 104: Strikes out the appropriation of $5,000 proposed by the Senate for protecting the inlet to the Aqueduct at Great Falls.

On Nos. 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, and 129, relating to public schools: Strikes out the increase of $200 proposed by the Senate in the salary of the clerk to the superintendent of schools and secretary to the board of trustees; provides for four additional teachers at $1,200 each in lieu of three at $1,000 each and one at $900; strikes out the appropriation of $1,200 for an additional engineer and machinist of the manual training school, and the increase from $500 to $600 proposed by the Senate in the compensation of janitors of 53 school buildings; appropriates $13,100 instead of $12,500, as proposed by the House, for rent of school buildings; $32,000, instead of $31,000 as proposed by the House and $33,000 as proposed by the Senate, for repairs to school buildings; $9,000, instead of $8,000 as proposed by the House and $10,000 as proposed by the Senate, for purchase of tools and material for instruction in manual training; $35,000, as proposed by the House, instead of $36,500, as proposed by the Senate, for fuel; $38,000, instead of $35,000 as proposed by the House and $40,000 as proposed by the Senate, for purchase of text-books and school supplies; $30,000, instead of $32,000, as proposed by the Senate, for reconstructing the Anthony Bowen school building; $8,000, instead of $10,000, as proposed by the Senate, for a four-room school building at Langdon; $8,000, instead of $10,000, as proposed by the Senate, for a two-room building near the line of Connecticut avenue extended; authorizes the purchase of a site out of the appropriation heretofore made for a school building on the Conduit Road; authorizes a contract for the construction of an eight-room building at Giesboro to cost not exceeding $21,000 instead of appropriating $14,000 therefor, as proposed by the Senate; strikes out the appropriations proposed by the Senate of $10,000 for a four-room addition to the Bennings school and of $10,000 for a four-room building at Hillsdale; and authorizes a contract for the new Western High School building, as proposed by the House, instead of appropriating in full therefor, as proposed by the Senate.

On Nos. 130, 131, 132, 133, 134, 135, 136, 137, 138, and 139, relating to the Metropolitan police: Appropriates for 25 additional policemen, instead of 75, as proposed by the Senate, and for two additional drivers, as proposed by the Senate; strikes out the provision for an additional lieutenant of police proposed by the Senate, and the increase in the pay of drivers from $480 to $600 each; authorizes the Commissioners to deposit with the Treasurer of the United States, out of receipts from fines in the police courts, a sufficient sum to meet any deficiency in the police fund or the firemen's relief fund; authorizes the allowance of twenty days' leave of absence each year to the members of the Metropolitan police, as proposed by the Senate; appropriates $19,500, instead of $18,500 as proposed by the House and $20,750 as proposed by the Senate, for miscellaneous and contingent expenses; and appropriates $3,500, as proposed by the Senate, for extending the patrol system.

On Nos. 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, and 152, relating to the fire department: Appropriates for 8 watchmen, instead of 6 as proposed by the House and 10 as proposed by the Senate, at $600 each; inserts the provision proposed by the Senate, regulating the firemen's relief fund; appropriates $3,500, instead of $3,000 as proposed by the House and $4,000 as proposed by the Senate, for repairs to engine houses; $3,000, as proposed by the House, instead of $3,500, as proposed by the Senate, for repairs to apparatus; $7,000, as proposed by the Senate, instead of $6,000, as proposed by the House, for purchase of hose; and $3,000, as proposed by the House, instead of $4,000, as proposed by the Senate, for fuel; appropriates $3,500, instead of $4,000, as proposed by the Senate, for exchange of an engine; $4,200, instead of $4,500, as proposed by the Senate, for a new engine for Mount Pleasant; and $15,900, as proposed by the Senate, for a house and lot in the vicinity of Brightwood, to accommodate chemical engine now at Mount Pleasant; strikes out the appropriations proposed by the Senate of $3,500 for an aerial truck, and of $55,000 for two additional engines, lots, houses, and furniture therefor.

On No. 153: Appropriates $11,000, as proposed by the House, instead of $13,000, as proposed by the Senate, for general supplies for the telegraph and telephone service.

On Nos. 155, 156, 157, and 158, relating to the health department: Appropriates $1,500, instead of $1,200 as proposed by the House and $1,800 as proposed by the Senate, for a chemist; strikes out the appropriation of $15,000 proposed by the Senate for incinerating combustible waste collected in the District of Columbia; and appropriates $5,000, as proposed by the House, instead of $8,000, as proposed by the Senate, for enforcing the act to prevent the spread of scarlet fever and diphtheria.

On Nos. 159 and 160: Appropriates $7,000, as proposed by the Senate, instead of $6,000, as proposed by the House, for witness fees in the police courts, and makes the appropriation for repairs to police-court furniture available for replacing the same.

On Nos. 161, 162, and 163: Requires that the appropriations for employees in the court-house and for salary of the warden of the jail be expended under the direction of the Attorney-General; strikes out the increase of $200 proposed by the Senate in the salary of the warden of the jail, and the appropriation of $20,000 for a wall around the jail grounds.

On Nos. 164, 165, and 166: Appropriates $1,748, as proposed by the Senate, for an additional overseer, night watchman, and carpenter for the Washington Asylum.

On No. 167: Appropriates $1,000, instead of $1,500, as proposed by the Senate, for painting and repairs of the almshouse and workhouse.

On Nos. 168, 169, and 170: Appropriates $5,040, instead of $4,700, as proposed by the House, for teachers and assistants for the Reform School for Boys, and strikes out the appropriation of $2,000 for a new bake oven, including brick building, at the said Reform School.

On No. 192: Makes the appropriation for the municipal lodging house available for the payment of rent.

On Nos. 196 and 197, relating to the militia: Appropriates $3,000, instead of $2,500 as proposed by the House and $3,500 as proposed by the Senate, for expenses of rifle practice and matches, and inserts the provision proposed by the Senate requiring that hereafter all leases and contracts on account of the militia shall be made by the Commissioners, and that appropriations for the militia shall be disbursed only on vouchers authorized by the Commissioners.

On Nos. 198, 199, and 200: Appropriates for an additional inspector at $900, as proposed by the Senate, in the water department, and strikes out the increase of $200 in the salary of the foreman of the distribution branch of the water department, proposed by the Senate.

The committee of conference have been unable to agree on the following amendments, namely:

On No. 40: Appropriating $202,380.56 for payment for property condemned for the extension of Sixteenth street:

On No. 61: Regulating the use of underground electric or cable street railways by other street railway companies:

On Nos. 69 and 87: Appropriating $6,000 for paving Connecticut avenue and Columbia road, and requiring that Connecticut avenue shall be extended straight from Le Roy place to the District line;

On Nos. 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, and 100: Appropriating for and regulating the price of gas and electric lighting;

On No. 105: Appropriating $266,546.38 out of the District revenues and reappropriating out of the general Treasury a like sum for completing the Washington Aqueduct tunnel;

On No. 154: Regulating telephone charges in the District of Columbia;

On Nos. 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 194, and 195: Relating to appropriations for charities in the District of Columbia; and

On No. 201: Requiring that not exceeding $300,000 of the surplus revenues of the District of Columbia be applied in payment of the water debt of the District.

The Senate, by its amendments, added to the bill $1,866,179.03. Of this sum, under the terms of the conference report, the Senate will recede from $870,960; the House will agree to $446,722.09; and $548,496.94 is involved in the amendments on which the conference committee have been unable to agree.

WILLIAM W. GROUT,
MAHLON PITNEY,
ALEX. M. DOCKERY,
Managers on the part of the House.

Mr. GROUT. Mr. Speaker, I do not propose to enter into any explanation of the work of the conference beyond what is submitted in the statement which has just been read and which deals briefly with every item. While most of the items and the largest part of the sum in controversy has been disposed of, there are still several items, among which are those relating to charities, on which the conferees of the two Houses still disagree.

Mr. Speaker, I move the previous question on the adoption of the report.

The previous question was ordered.

The conference report was adopted.

Mr. GROUT. Now, Mr. Speaker, I move that the House further insist upon its disagreement to the Senate amendments and agree to a further conference.

The motion was agreed to; and the Speaker appointed as conferees on the part of the House Mr. GROUT, Mr. PITNEY, and Mr. DOCKERY.

CONTESTED-ELECTION CASE—MARTIN VS. LOCKHART.

Mr. LOCKHART. Mr. Speaker, when I was broken in upon by the chairman of the Committee on Appropriations with his conference report, I was about to say that in all my experience I have never seen the right of a litigant to have all his pleadings and his whole matter of defense or of complaint, as the case might be, placed before the tribunal which was to try his cause unless there had been such gross neglect on his part as to forbid his receiving consideration; and in the present instance it can not be claimed that there has been any such neglect on our part. About nine days ago the majority report in this case was filed. It was filed without opportunity being given the minority to see the report, so as to ascertain on what matters the majority had based their conclusions. It was understood and agreed that the minority should have a definite time in which to prepare and file their views. Those views were prepared within the agreed time and submitted to the House, and the request was made by the minority that they be allowed to file their views and have them printed. Objection was made by the gentleman from Nebraska [Mr. KEM], who is of the same political faith and order (as they say down in my country) as the contestant in this case. He was appealed to by the majority of the committee to withdraw his objection; that he refused to do, and he has persistently objected up to this hour—for what purpose or reason I do not know, but it has had the effect to prevent the triers of this question from having before them the facts in this case as presented by the opposite sides.

Mr. Speaker, I do not know how it may be in a legislative body. I do not know whether men in such a body abandon their sense of right and justice and those methods which they would pursue in dealing with their fellow-men in their private relations or not. I can not say. I have not had sufficient experience or observation to enable me to judge of that.

But my idea has always been that when men came to try a grave and serious matter such as this is, they desired the opportunity to inform themselves on it in all its aspects and reach their conclusions as just, fair, and honest triers. This House is the sole judge of the qualifications and elections of its own members. It weighs the testimony; it adjudicates the law; and I should think that under such conditions it would want the whole matter before it.

I have twice in my life been a member of a legislative body—once in the house of representatives of my State, and once in its senate. In both those bodies I served on the judiciary committee, and in both on the committee on privileges and elections. In both I made reports in behalf of Republicans who were contesting for seats in those respective bodies. At one time (and I am the only man in North Carolina who ever did it) I filed a report in favor of a colored contestant who was opposed by a dear friend of mine—a classmate who had been with me in school. My life has been spent largely in training at the law; I have known but little else. I have never recognized any other rule than to try to do justice and right. And I want to say another thing. Not an election contest has arisen in my section of the State since I became a member of the bar and down to 1894 (none having occurred in my own county) when I have not been called upon by those who differed with me in politics to go and represent them before the courts and before the legislative tribunal.

A large part of the attack made upon the validity and integrity of my election has been based upon the election law of the State of North Carolina. And I want to pause here to say that a large part of it has been based upon the fact that the law of North Carolina requires at each poll several boxes in which shall be deposited the votes for different candidates. That is not anything new in North Carolina. It can not be said that this was resorted to in order to entrap, inveigle, or defraud illiterate voters. Such has been the practice and the law in North Carolina ever since I was born and long before, and for many years prior to the time when there was a colored voter recognized in that State. I will say that colored voters were always recognized in North Carolina prior to 1835, when by constitutional amendment the right to vote was taken from free negroes. But, sir, at our elections in North Carolina we have always had as many boxes as there were classes of officers to be voted for.

Now, as to the policy of the election law of North Carolina, that is not for this body to determine, if the States have any rights whatever remaining as a sisterhood in this Union; and I think they have. Every State regulates its own elections according to such methods as it deems best; and whatever may be said about this election law, under it in the last election the Democratic party had returned against it by Democratic poll holders and judges of election more than 20,000 majority. That does not look

very much as if there were great frauds and abuses committed in North Carolina by the Democratic party, as some people now pretend and claim to have been the case. There have been men of all political parties elected. There sit now in this House three Populists, three Democrats, and three Republicans returned as elected under the election laws of North Carolina. Whatever may have actuated the legislature in passing this law is not now for this House to inquire. Furthermore, I will state that the last general assembly of North Carolina was largely anti-Democratic; and these laws which have been complained of are now repealed: officers in opposition to the Democracy of the State have charge of the election machinery of the State. This has been all consummated, brought about, and perfected under the laws which gentlemen here denounce.

There has been decided by the courts of our State a somewhat celebrated case, in which the supreme court of North Carolina has passed upon the election law of the State as it existed in 1894. I had the honor to be one of the attorneys in that case asking that the provisions of that law be declared simply directory; and, as a lawyer, I took the ground that some of its provisions were unconstitutional. The parties to that case were a Republican against a Democrat; and I represented the Republican in all the courts. That law according to its very letter was sustained by the judicial tribunals that passed upon it.

Sir, in all this testimony there is not a single instance shown in which the election officers violated or disregarded the provisions of that election law. They construed it as the courts had construed it; they pursued it as the courts had directed they should pursue it. Whatever determination they made under it was according to the law of the State as interpreted by the supreme court of the State, the highest tribunal in the land for the settlement of that matter. If there was any fault in this case it is not the fault of the election officers; and this House should not stand here now to pass upon that law and condemn these honorable men (for most of them I know personally and know them to be honorable men) who conducted this election.

The majority report in this case rests its conclusions upon matters arising in the following precincts in the Sixth Congressional district: Wadesboro, Lilesville, Ansonville, and Lanesboro, in Anson County; Rockingham and Stewartsville, in Richmond County; Maxton, Red Springs, Alfordsville, and Lumberton, in the county of Robeson. Considerable is said in the report about Ansonville precinct. That township was discussed at length by the gentleman who has charge of this case for the contestant. As soon as I knew the facts in that case, as soon as I knew that the election officers had made an honest mistake with reference to 53 votes, I conceded that those votes should be counted for the contestant in this case.

In our State the ballots are printed—printed by the parties themselves. The law regulates how they shall be printed and what they shall contain. The printed ballots of contestant in this case, some way or other, were lost on the morning of the election. The contestant in the case charges their loss to the Democratic officers of election or to some of the Democrats. The testimony wholly disproves any such charge, insinuation, or assertion. They were in the possession of an old man, who was a crazy Populist, and who was so much afraid that somebody would do something to his ballots—for there never was a set of men so suspicious as these people are—he was so fearful that somebody would do something to these ballots that he took them and carried them off himself. That is amply proven in the testimony, and if this body will take the trouble to investigate the record of this case it will be seen. After quarreling about the loss until about noon on the election day the tickets were found about his own clothes and restored, and the people went on voting.

Now, pending their loss, or their seeming loss, or secretion by this old gentleman, somebody wrote ballots for the contestant, and he would write them in this way: "For Congress, Mr. Martin," "For Congress, Charles Martin"; "For Representative in Congress," So and So—in an informal and irregular way; and when the election officers came to count the ballots and found them in that condition (they were plain countrymen holding that election)—finding them in that condition, following out the custom and the regulation of elections in that State, they cast them out and made no return of them. When the proof was brought in showing how it happened, my counsel and myself conceded that these 53 ballots should be counted for the contestant and made no question about them.

Then in Lanesboro precinct or township it seems that there were two voters who were denied the right to vote by the judges of election. In this case two of the judges of election were Democrats and two of them were Republicans. They were Republicans whose character is as good as that of anybody—intelligent men—one of them long time a justice of the peace and a member of the board of commissioners of the county in which I live, and they joined with the other judges in excluding the voters in question from voting. The majority count the vote which I refer to, after first looking into it and showing their reasons, and the minority concede that probably the contestant was entitled to these votes and do not make any controversy about them.

At Wadesboro precinct they take two votes from the contestee—myself—on the ground that one was a minor when he voted and one had not been a resident of the State a sufficient length of time to entitle him to vote under our constitution and laws. The minority of the committee make no controversy about them, but yield that point.

In Lilesville precinct they add 40 votes to the returned vote of the contestant in this case; and I want to read to the House the testimony upon which that finding is made. I can not think that the distinguished gentleman who wrote the report weighed that testimony carefully before he arrived at that conclusion. It is a difficult job, a difficult undertaking to wade through a great mass of testimony printed as this is in book form like that which I hold in my hand. It is a matter of great difficulty. And when one has a predisposition in his mind—I do not mean to make any improper reflection on anybody; I do not do that—but when he has it in his mind that certain things have been done, and when his mind is filled with such an impression it is an easy matter to misconstrue or misinterpret the weight, the scope, or the proper construction of testimony.

Here is the testimony on which he asks these 40 votes, and says he is corroborated by other witnesses to the same extent. So, then, if there is other testimony such as this, it is merely corroborative of this state of fact, and whatever testimony there is corroborative of the same is merely circumstantial.

B. K. Jones is called as a witness for the contestant. He witnessed the count and his testimony is as follows:

B. K. Jones, of lawful age, being by us first duly sworn, deposes and says as follows:

Q. 388. What is your age and place of residence?
A. Thirty-nine years old and reside in Lilesville Township.

And the testimony is that on that day when the polls were closed 10 Democrats and 10 Populists were called in by the officers of election to view the count and see that it was correct. All citizens have the right to attend and see the count; but in order that there might be no charge of unfairness these election officers asked 10 men of the opposing parties, the most intelligent they could get on the other side, to come in and view the count; and these men saw the count, all of them. That did not look very much like anybody was trying to rob anybody at that election. This witness is asked:

"Q. 389. Did you vote at Lilesville precinct, Anson County, at the election held on the 6th day of November, 1894? If so, what ticket did you vote?
"A. Yes; the Populist ticket.
"Q. 390. Were you one of the Populists who were called in to witness the count after the close of the polls that day?
"A. I was.
"Q. 391. Did you see any tickets thrown out of the Congressional box and not counted because they were not in the right boxes?
"A. I did.
"Q. 392. About how many?
"A. I did not count the tickets, and can't be positive; but at least 40, I think."

Now, these could not have been the Congressional tickets. They were tickets for other officers, and were thrown out of the Congressional box because they were not in the proper box. The election law of the State requires a ticket to be put into the proper box and the box to be labeled.

One Mr. Smith, a Republican poll holder for that precinct, says he endeavored by all the means in his power to get the voters to put their tickets in the right boxes there; that the Populists on the outside were trying to control the election and domineer and direct it; and when the voter did get in, and had a Populist ticket, he would refuse to be guided by the advice of the election officers or refuse to be aided by them and would go on and vote in his own way.

These were madmen, and the testimony in this case shows it. All men who have experience and observation and knowledgs of people know how individuals who are not of the very highest order of intelligence, and sometimes those of the highest order of intelligence, suffering under real or supposed wrongs in matters of legislation, as these people have been taught, distrust everybody, lose confidence in every human being, repudiate the integrity and sincerity of their own neighbors, fly away and do the most foolish and the maddest of things. That was the conduct and that was the spirit of these men who were attempting to vote the Populist ticket in that election. If members of this House would take the trouble to read this testimony carefully, and weigh it, as judges, impartially, they would see the mad state of wild riot existing among these people who were following after the Populist banner in the Sixth Congressional district. Why, the gentleman from Nebraska [Mr. STRODE] says that the Republicans of the Sixth Congressional district indorsed the nomination of Mr. Martin, my reverend competitor. The testimony in this case is that this is not so. He has simply misread the testimony.

Mr. R. B. Russell, chairman of the Republican executive committee of that district, said that when Colonel Dockery, the Republican nominee, withdrew from that campaign the executive committee met and refused to indorse the Rev. Mr. Martin.

The Rev. J. S. Settle, a Republican member of that executive committee, swears that the committee met and refused to indorse the candidacy of the Rev. Mr. Martin. Mr. R. B. Russell is to-day the chairman of the Republican executive committee of the Sixth Congressional district. He was then. He has been recently re-elected chairman. He is to-day high in the counsels of his party in that district. I want to read you what he says about this election. He was a delegate in the last State convention from his county. At present, by reelection, he is chairman of the Republican committee of his district. The counsel who appeared before the committee undertook to malign and traduce him, and to say he had sold out to the Democrats, and all that sort of thing. I never had heard of that before. I have never heard of it since, except from that source, and I am prepared to believe that it is unqualifiedly false, for I never knew anything about it or heard of it.

It has been shown to be false in this, that he is still the trusted leader of his party in that district, and he says: "If any considerable number of Republicans in that district voted for contestant, he does not really believe they knew what they were doing." That is his testimony in this case. It is shown through all his testimony that at all these precincts on which this contest is based the Populists took charge of the elections, as opposed to the Democrats, and would place tickets in the hands of these people and send them off to vote, and the proof is that in numerous instances, after they would get away from them, they would throw their tickets down and get others. I want to read from the testimony of one of the witnesses for the contestant in this case.

The gentleman from Nebraska [Mr. STRODE] dwells largely upon Stewartsville Township in Richmond County, where he says a large number of voters were prevented from voting by reason of the defective registration of the voters. I read the following as a sample of the kind of men who were controlling the elections there. This is from the testimony of Mr. John McKinnon, who is an aspirant for Congress in that district on the Populist ticket:

Q. Did you not, in a speech at Rockingham last fall, refer to Senator SHERMAN, of Ohio, substantially, as "Old John Sherman, the greatest thief in the United States"?

A. Yes, sir, I did; and I am still of that opinion.

Q. You have made a great many public speeches on the subject of politics within the last three years?

A. Yes, sir.

Q. Did you not in all of them, or nearly all of them, denounce the Republican party as a great enemy of the people?

A. I denounced both the Republican and Democratic parties as enemies of the people, and styled them as twins.

Q. Did you not denounce the leaders of both the Democratic and Republican parties as conspirators against the liberties and prosperity of the people?

A. I denounced both the old parties as conspiring against the liberties and prosperity of the people, especially against the farming and laboring class.

That man was in charge of the Populist tickets at the town of Laurinburg, in the township of Stewartville, in the county of Richmond. Now, what is the evidence in that case? The contestee introduced no testimony from that precinct. His attorneys did not think it necessary that he should, after the abundant testimony which justified the conduct of the election officers and their returns as adduced by the contestant himself.

I will say, furthermore, that I had but little to do with the taking of testimony in my own behalf, and knew but little about it. That was left entirely to attorneys who directed that matter. I was present at scarcely any time when any testimony was being taken. I was present when two or three witnesses, out of two or three hundred, were examined. Beyond that I had nothing at all to do with it, and did not know what the testimony was until after it was all in, and much of it, not until after it was printed.

The registrar at that precinct pursued the law as he understood it. He is introduced and vouched for by the contestant. All of his witnesses who were asked about the matter at all testify that he is a man of good character. His first experience in elections was when he was appointed by General Canby, the military commander of that department, to hold an election in North Carolina in 1868. He testified that from that time to this he had had more or less to do with every election. He was an intelligent man, with the law before him. If you will take his testimony and read it, you will see that in every instance he endeavored to his utmost to get the electors to register their names in accordance with the law. He made all manner of suggestions to them that would lead them up to the subject and cause them to have the proper answers made on the registration books; but those people would decline his offices. They would bring their coachers and prompters with them, and insist that the registration should be made in accordance with the manner in which they directed it to be made.

What was he to do? The supreme court of North Carolina says that when the registrar reads the headings of the registration books in a manner which is suggestive of the proper answers to be given by the voter that that is a sufficient compliance with the law of the State. This man went further than that. These men refused to register according to his directions, and in their madness, in their foolishness, in their distrust, in their lack of confidence, inspired by men whose language was incendiary, they would not hear to anybody, and refused to register as the law prescribes they should.

When they came to vote they were excluded from voting; these were Republicans largely. There were Republican county candidates running in that county, and Mr. Martin, my honorable competitor, was the candidate for Congress. The testimony of McLaurin is that between 8 and 10 o'clock on the day of the election all the Republicans ceased to vote for Mr. Martin and only voted for the Republican county and legislative tickets; and that of those who were rejected on that day for defective registration 95 per cent of them, at least, did not offer to vote the Martin ticket in that election. There were one hundred and sixty-odd; give him the 5 per cent and it only makes a change of about 9. On what ground do the majority say they ceased to vote? Because the election officers were trying to cheat them.

There is no evidence to sustain that. There is no evidence here to sustain that grave charge against these honorable gentlemen. They are as brave and true men as ever lived, as incapable of wrong or injustice as they may see the right as anybody. The testimony here goes to show that the Populists had well-nigh excited the people of that community who were opposed to the Democracy to a spirit of riot on election day. All the testimony comes from the mouths of witnesses introduced and examined by the contestant. There was such conduct on that day, there were such questions asked on that day, such a manner displayed on that day as would indicate to all reasonable beings that those people who proposed to vote against the Democracy were in a state of high excitement, and unwarrantedly so.

Why, it was said they did it because they had a suspicion that the boxes were being changed. No man testifies that the order of the boxes was changed. A Republican judge of election who was there on that day, an intelligent colored man, and present the whole livelong day, was examined by the contestant, and nowhere does he say, or pretend to say, that the boxes were changed under any circumstances, or that the election officers attempted to prevent the voters from putting their ballots into the right box. Men get impressions sometimes and come to conclusions from general knowledge and suspicion which they have in their minds; but when we come to deal with a serious problem of fact and law just men are not to be guided by them, and voters are not to be permitted to act on unwarranted suspicion, abandon their right, and then come to this House, or any other body, and ask, because they have acted foolishly, that those who have acted sensibly shall be deprived of their right of franchise to the exclusion, the total exclusion, of their ballots.

Now, that is the Stewartsville precinct of Richmond County, where I received 295 votes and Mr. Martin 14. These people did not try to vote for him there; made no honest effort to vote for him. They did not want to vote for him. The testimony of Mr. Russell, chairman of the Republican committee of that district, is true—that these people did not desire to vote for him. They had no views in common. He and those who canvassed for him and thought as he did were the critics of the party and its leaders—that party with whom and with which they had been acting ever since they had been given the right to deposit a ballot.

That is Stewartsville precinct. That is to be thrown out and my defeat compassed, and the seat which I am entitled to under the laws and by the certificate which I hold taken from me and another put in it.

Now, as to the Lumberton district in Robeson County. There the testimony is that there were some irregularities, which I very much regret. The minority do not contend for the votes there which the committee give to Mr. Martin, my competitor. They count for him 111 votes in addition to those which he received. I do not believe he is entitled to them. But, however that may be, they have given them to him, and the minority of the committee do not claim them and grant that they take those 111 votes.

In the Red Springs district, in the county of Robeson, where the returned vote of Mr. Martin was 116 and the returned vote of the contestee, myself, some larger, the committee raised his vote from 116 to 126, adding those additional votes on the testimony of two men who were bystanders. The judges of election made their returns, swore to them, and the returns are changed by the majority of the committee here on the testimony of two bystanders. The testimony of the poll holders, who were examined, is this: That after the returns were made up they read aloud the returns to all the bystanders, these two men being among the number, and there was no objection to the returns when made up. These two men say that they counted the tallies. Who is most likely to make a mistake, these judges of election or these two bystanders? It is quite evident the returns are correct and that the 10 votes should not be added to Mr. Martin's vote.

Then at Alfordsville precinct, where I received 98 votes and Mr.

Martin 44 votes, that vote is entirely excluded by the majority. It is excluded on the ground, as they say, that the ballots were put in the wrong box, that the election officers were guilty of fraud, and that one of the election officers, a Republican, had formerly been convicted of crime, and then the distinguished chairman or acting chairman of this committee comments at some length on that matter.

Now, what is the evidence in respect to that? The testimony is that one voter said that he gave his Congressional ticket and his State ticket to one of the judges of election, who reversed them and put each in the wrong box. He says that the tickets were very much alike and very nearly the same size, though there was some difference, and that they were reversed and put in the wrong boxes. The judge of election says that is not true, that he never did any such thing. Still the honorable committee, or the majority of the committee, find that the testimony of this voter, who may have been mistaken, should overthrow that of an honorable man who had charge of the election and who, if he made the mistake, must have done it fraudulently, while the voter could honestly have been mistaken as to what he thought he saw.

Mr. Speaker, that is not fair trying; that is not righteous trying; that is not just trying. It is not such trying as ought to be had in any tribunal where the facts are sought to be arrived at upon proper testimony and after due consideration. One man, a judge of election, says that he saw two or three tickets put in wrong boxes, but he does not pretend to say that the judges of election put them there. He says that he saw two or three legislative tickets put in a county box, but he does not say a word about the Congressional ticket. This judge of election refused to sign the returns. All the returns were made at once. There were votes for Congressmen, for three judges of the supreme court, for county officers, sheriff, clerk, etc., for two members of the house of representatives of the general assembly, and for a State senator.

Elections for all these officers were being carried on at the same time. This man swears that he refused to sign the returns because the judges of election threw out legislative tickets on the ground that they were not written or printed on white paper, as the law directs. That is true. The law of the State requires that all ballots shall be without device and written or printed upon plain white paper. The judges of election did throw out ballots because they were not on white paper; but that did not apply to any other election for any other officer. It seems difficult for gentlemen in other parts of the country to understand the system of having several boxes to vote in at the same election, and I believe the system does not exist in a great many places, but it has existed in North Carolina time out of mind, since long before there was a Republican party in the State. I remember going to elections when I was not more than 6 years of age, a country boy, and sitting on my father's knee and seeing him put his hat down and spread a bandanna handkerchief over it, and the voters would come up and deposit their ballots.

That is the way that we used to hold elections in North Carolina. The system of having different boxes for the candidates of the different offices has prevailed in our State for a great many years. I will add, however, that since I have been grown I have never seen a box of ballots counted in any election; I go to the polls and vote and then go about my business.

Now, take the case of Alfordsville, that is thrown out. It is improperly thrown out. I have not time to go through with all the testimony, but if you would print the report of the minority of the committee, gentlemen, and read it, I should be better satisfied. If you should take that report and read it carefully and take time to investigate, and should then find the case against me, I should have no complaint to make; but I do not feel, and I shall not feel, that I have been treated right, if this House, without availing itself of the opportunity to investigate the whole case, deprives me of my seat in this body. I shall not feel that I have been treated with the justice or with the consideration which every citizen and every man who holds a seat in this body, or in any other, is entitled to at the hands of his fellows who are to pass upon his claim.

All I ask is fair and just treatment. It is easy to pick out extracts from the testimony. All men do not tell the truth. We know that some men tell falsehoods. But there are certain cardinal doctrines, some subtle and some plain, by which to judge of the testimony of individuals. You try these matters at best under disadvantages and difficulties. You have here a little record, printed in small type; it is irksome to examine, and you are deprived of that great advantage, that great aid in the trial of questions depending upon human testimony, the advantage of seeing the witnesses and having an opportunity to judge by observation of their manner, their frankness, their general bearing, and character.

I would be very glad if the witnesses who have testified on the one side and on the other in this case could be brought before this House to give their testimony orally, so that you might have an opportunity to judge of their trustworthiness by personal observation. I would be glad if that could be done, but of course it is impossible. I do ask the poor boon of having the whole of this case presented to you. I do ask the little privilege of having the report of the minority printed and laid upon your desks, that you may read it and judge of the whole case as presented there. All that I ask is a fair and impartial trial. I would not try a dog in this way. I would not try a dog under this rule. I can not believe that, when this House this morning voted to take up this case for consideration, members understood the circumstances. I do not believe they intended to jeopardize their own good name for fairness by proceeding in such a manner. I do not believe it.

Now, Mr. Speaker, I come back to Wadesboro Township, in Anson County, my home, where some things occurred that I would have preferred had not occurred. I was not present at the election myself, except long enough to vote. As I have before remarked, I go to the poll, deposit my vote, and then go about my business and leave other gentlemen to do the same. I never in my life solicited a vote of any man on election day. I have never solicited a voter. The election at that poll was held in an upper room in the court-house, adjoining the court room. The Populists took charge of the court-house. It seems that during the day a gentleman walked up to a Populist who was keeping a book of some kind and asked to be allowed to see it. The man declined to permit him to see it. They had been friends all their lives and the gentleman said that he did not wish to injure the book, but that he would like to see it. He was treated rudely. He remonstrated, and there was a controversy. The testimony of all the witnesses is that it was over in a minute.

The whole testimony goes to show that some boy went into the court room and threw two or three spoiled eggs. I learned of the fact a few minutes afterwards, when somebody came and told me. The sun was just about down when it happened. I expressed the deepest regret that any such foolishness had been carried on. The election officers knew nothing about it, and the testimony is that it did not affect a single vote.

It is charged here that the court room was darkened. It is true that some of the witnesses have so testified; have testified that the blinds of the court room were closed. But there are other witness, and a multitude of them, who say there is no word of truth in that statement; that the sun had disappeared behind the hills and houses, and dusk was coming on in that closed room. There was not a vote affected; nobody attempted to vote after that time.

The SPEAKER. The gentleman's time has expired.

Mr. STRODE of Nebraska. I would like to ask the gentleman a question.

Mr. PRINCE obtained the floor.

Mr. SULZER. I move that the time of the gentleman from North Carolina [Mr. LOCKHART] be extended.

The SPEAKER. For how long?

Mr. SULZER. For twenty minutes.

The SPEAKER. The gentleman from New York asks unanimous consent that the time of the gentleman from North Carolina be extended for twenty minutes. Is there objection?

Mr. KEM. I object.

Mr. BAILEY. Inasmuch as the gentleman from North Carolina has been speaking in the time which I had yielded to him, I submit to the Chair that he should now be recognized in his own right.

Mr. PRINCE. I do not desire to cut the gentleman off from any right he is entitled to. If the House desires to hear him for the remainder of the time allowed to that side, I have no objection.

Mr. MCMILLIN. The time of the gentleman from North Carolina could be extended, and an equal amount of additional time granted to the other side.

The SPEAKER. How much time does the gentleman from North Carolina desire?

Mr. LOCKHART. I think I shall be through in a very few minutes.

Mr. PRINCE. I have not yielded the floor. I am willing to yield the gentleman ten minutes out of my time.

The SPEAKER. The Chair will state that the gentleman from North Carolina has occupied an hour in addition to the seven minutes yielded to him by the gentleman from Texas.

Mr. BAILEY. Why, Mr. Speaker, there must be some misunderstanding. I could not have consumed more than four or five minutes of the hour to which I was entitled when recognized, and I yielded the entire residue of my time to the gentleman from North Carolina.

The SPEAKER. The gentleman from Texas consumed seven minutes. The remainder of that hour has been consumed by the gentleman from North Carolina, and seven minutes more.

Mr. BAILEY. What I intended to suggest to the Chair was whether, after the gentleman had occupied the time in my right, he was not entitled to recognition in his own right.

Mr. PRINCE. I have no objection to giving more time to the sitting member. I think he ought to have a full hearing upon

the case now before the House. I will grant him fifteen or twenty minutes of my time.

A MEMBER. Make it twenty.

Mr. PRINCE. I yield the gentleman twenty minutes if he desires it. If he does not need it, I should like to use it myself.

Mr. LOCKHART. Mr. Speaker, I will not consume much more time. As I stated in the outset, I did not expect this question to be discussed to-day and I did not have any argument arranged for presentation to the House, thinking that the views of the minority would be printed, and then time would be given hereafter for the hearing of this case. I can not, therefore, present this matter as I had wished. Indeed, I could hardly hope to present it effectively.

In the precinct to which I was just now referring it is not shown that the spoiled eggs were thrown by any voter. Among the men who testified was a colored minister of the gospel who said he was present, and he thought it was some foolish, wild boy, in the back part of the court-house, that dropped those eggs upon the bystanders—Democrats, Republicans, and all. That is immaterial. I only refer to it because it has been alluded to by the gentleman who opened the discussion of this case.

That precinct is not thrown out. The committee does not interfere with that precinct. They do deprive me of 2 votes there for reasons which were satisfactory to themselves and which may be entirely correct, 1 vote being that of a minor, the other that of a man who, it is claimed, had not been a resident of the State long enough to acquire citizenship and entitle him to vote. But that does not affect the result.

I must discuss one more precinct, Mr. Speaker, and I only discuss such as are criticised in the report and are made a part of the views of the majority of the committee. At Maxton precinct, which the committee utterly rejected, the minority find that that ought not to have been done. The testimony in this case shows that the men there who were in charge of the contestant's canvass did all they could to provoke and irritate the election officers in charge of the polls.

The law of the State of North Carolina is that the voter shall deposit his ballot himself, or he may hand his ballot to the judges of election, and they shall take the ballots and deposit them in the proper boxes. That is done in order that the illiterate voter may have his ballot put into the proper box. Generally they see fit to vote for themselves, and in their own way. They are educated to a system of lack of confidence and of distrust, and wrongfully so, in my judgment. Judge Ewart, a distinguished Republican judge in North Carolina, wrote an extensive article a year or two ago on the subject of elections in that State; and he said that in that State the elections were as fair and as honest as they were anywhere in the world. He was once a distinguished member of this House; and is to-day a distinguished member of a court in that State, and a Republican—an ardent Republican. I wish I had the article here, so that I could exhibit it to this House. It is a long, exhaustive document treating of the whole subject, and therein he says that there are as honest elections in North Carolina as anywhere else in the country.

In that precinct (Maxton) men who could read or write, intelligent men, Populists who came to the polls to put in their votes, by their conduct accused the election officers of a design to cheat them out of their right, and out of their votes. They would carry all of their tickets in their hands, offer them to one of the judges of election to deposit in the box, and on being tendered in that manner the judge declined to take them. Under the law, I believe the judge did right; that he had a right to decline to take them under such circumstances. But he said to them, "Hand me your tickets one at a time, and I will take them and put them in the proper boxes." That, however, they declined to do. Is there any excuse for this conduct on their part? Will any man say the judge of election was not entirely right in his request? Was it not pure, unadulterated, unmitigated contrariness on the part of these voters? Was it not a reasonable regulation or requirement on the part of the election officer.

He could not tell how many tickets the man had in his hand. He might have had 10, 12, 14, or more. Coming in that way and acting in that manner, it seemed as if the attempt was to lay the foundation for an accusation against him, and the officer of election, believing that it was an effort on the part of the voter to accuse him of wrongdoing, absolutely refused to receive the ballots except one at a time, as he had a perfect right to do. The boxes were labeled in plain roman letters, that anybody could see, that any man who could read at all could read, and yet these men, intelligent men, some of them, would not deposit their ballots, and attempted to make one of the judges take all of the ballots, as I have just suggested, and deposit them in the boxes for them. The judges of election not only refused to receive the ballots in a bunch that way, but pointed out to voters the various boxes, telling them, "There is the constable's box, there is the box for the sheriff, the box for the legislative officers, the box for the judiciary, State treasurer's box, and so on. There is a box for Congressman; put the tickets in yourself."

Mr. Speaker, there is not a witness introduced from this precinct, in respect to this election and the refusal of the judge of election to receive the ballots in that manner, who could not read or write for himself and deposit his own ballot.

When that precinct was counted every citizen who desired to do so was present and saw the count; and the minority and I say that it is wrong to throw out that box.

Now, at the Rockingham precinct, 103 votes were challenged and refused. The supreme court of the State of North Carolina, as I have already said, have construed the election law; and that decision prescribed the proper course for the voter to pursue when he came to register. There is a copy of the registry book in evidence here and filed with the majority report. There is one man counted for the contestant by the majority of the committee whose name does not appear at all on the register's list. He swore, however, that he offered to vote on election day, and is counted by them; Ben Parker, I think, is the name; and the majority in their report attempt to set up a copy of the registry list as testimony, and yet his name is not on the book at all. This only goes to show, Mr. Speaker, how the most careful men and the most scrutinizing may be misled at times in such matters.

Mr. STRODE of Nebraska. If the gentleman will permit me, is it not a fact that the registrar, who put the list in, says that he is not sure that he has given the names of all whose votes were challenged and rejected? And the list that is published is simply the list that he gave, although, as he said when he looked over it, he might have omitted certain names that were rejected.

Mr. LOCKHART. But this purports to be a copy of the registration book.

Mr. STRODE of Nebraska. That is true; but the registrar pointed out in his testimony that he may have omitted some names.

Mr. LOCKHART. Well, that may be so. I may be mistaken in my view of the matter. I am only taking the testimony that appears of record. I am not infallible, and am as liable to make mistakes as any other man. At all events, this man's name does not appear in the copy of the registry book.

Mr. STRODE of Nebraska. That is correct; the name does not appear.

Mr. WILLIAMS. And yet you vote him for the contestant, notwithstanding that his name does not appear on the registry list?

Mr. STRODE of Nebraska. His testimony is that he was registered and offered to vote, but his vote was rejected, and the registrar says he may have left his name off the list of rejected voters.

Mr. WILLIAMS. And on no stronger testimony, although he is not on the list, and not on the copy of the registration book which is offered here, you propose to count him as a voter?

Mr. LOCKHART. That is a copy of the registration book. The registrar copied from the registration book all those who were introduced there, whose names were upon the registration book, as I understand this matter.

Mr. WILLIAMS. And all who are registered are copied?

Mr. LOCKHART. Yes; all who are registered are copied, as I understand the testimony in this case. The majority report says that a list of them is given from the registration book, and this man is not among them.

Mr. STRODE of Nebraska. Will the gentleman allow me to read just a line or two, to correct this?

Mr. LOCKHART. Yes.

Mr. STRODE of Nebraska. This is the testimony of Mr. W. C. Leak:

> From a recent review of the registration book I find that 433 votes were cast by white men; this I believe to be correct, though I may have made an error in the count, or there may have been an error made in checking the registration book on election day.

Mr. LOCKHART. That is an entirely different matter. It just shows how men, in hurriedly looking over a thing of this sort, may misinterpret the meaning of a whole mass of testimony. The reading of that does not bear the construction which the distinguished gentleman seeks to give it.

Mr. OWENS. It does not indicate that his name has been left off. There might have been an error in the count.

Mr. LOCKHART. It does not bear that construction. But a number of these men were brought up there, and they testified on cross-examination that they voted for Mr. Martin for United States Senator, that they voted for him for governor, and for this, that, and the other thing. The truth is they were picked up, and they were prepared to swear to anything, many of them, and when put to the crucial test of a cross-examination they broke down. But let that go, as it does not change the result.

The minority of the committee figure out, after conceding many things in this matter, that I was elected by 256 majority. I want to call your attention to one other thing. So far as has been disclosed, there was but one precinct thrown out. Charges have been made that in North Carolina whole precincts have been thrown out by election officers and returning boards. So far as

appears here—and this is the truth—there was but one precinct thrown out in my entire Congressional district by election officers, and that was a precinct wherein I had, according to the testimony, 54 majority. The evidence is that I received those 54 votes. The contestant was notified to be present to examine the witnesses. The registrar, the poll holders, the judges of election, were examined about that matter, and testified that I received 54 lawful votes, and a majority of the committee declined to count them for me. They give no reason in the world why they decline to do it, but they leave them out. I suppose it is an inadvertence and that they did not see them at all. That escaped their attention. I can not account for it in any other way. So that is the result of the minority figuring up of this matter.

Gentlemen, this matter has two sides at least, and I should like this House to consider it in that view. I should like this House to consider it carefully and not at haphazard. Majorities of committees can be mistaken. The distinguished gentleman who wrote the report in this case did not hear a word of the argument made before the committee by counsel. When it was voted upon in committee, I doubt if he had ever read a line of the evidence. It has been gone over by him, and he has given his view of the matter.

I think I have represented the matter here in such a way as to show you the state of uncertainty there is about this thing, at least, and that the contestee has some rights as well as other people, and that this House can well afford to take up this matter and consider it impartially, and after a full knowledge of all the facts, as they have not been able to get them here at this time. It is impossible to present the case fully. One man can not do it when he feels circumscribed and bound for want of time. Especially is it difficult for the contestee to do so himself, being a party in interest in the matter.

I have endeavored to present the case as plainly as the time and the circumstances would allow, and as impartially as it could be presented under the circumstances, without undue excitement or feeling, without bitterness or ill feeling toward any human being upon the face of the earth. But if this House should not place this matter in such a condition that they could see for themselves how this is I should feel that I had been treated unfairly, and that judgment had been pronounced upon my cause without full opportunity on the part of the triers to know what they were about.

I am very much obliged to those gentlemen of the House who have done me the honor to listen to the rather incoherent presentation which I have necessarily made of this matter. Whatever may be the result, I am able to stand it as a man and as a citizen. I can go to my people conscious of having done no wrong in connection with this matter. I have not sought the favor of anyone in this respect. Since I have been here I have felt cramped, constrained, fettered with chains, by reason of the fact that title to my seat has been brought in question. I have, I hope, demeaned myself with propriety. I have not gone to the committee seeking this or that favor. I barely know the members of the committee. I have purposely abstained from making more than a bare acquaintance with them. I would not have any human being think I would bow or cringe to power or authority. I stand on my rights and my own, and what I have said is in vindication of myself and of those good people who have honored me with their suffrages and their certificate of a seat in this House. [Applause.]

Mr. PRINCE. Mr. Speaker, I can imagine how my fellow-members here in the House may have some hesitancy as to how they should vote on the pending question. I can appreciate the feeling that some of them may have because, they say, they have only one side of this case before them, namely, the report of the majority of the committee. Whose fault is that? Was it the fault of the majority of the committee? Is not that a committee of this House designated to do the work, namely, the Committee on Elections No. 2, and have not they manfully gone forward to do their work and reported their doings to this House? Have they transgressed their rights in that respect? Have they made a false report to this House? Should they be censured by this House in any way? Not in the least. On the 26th of May the chairman of the committee, who had this case in charge, reported the majority views to this House.

A little early history may be well now in reference to this case, to see whether our colleague, the sitting member, has had fair treatment in the matter. This case was presented to the committee at an early day. We gave to it careful investigation, and when the time for its final disposition came it was unanimously reported to this House. As a court we passed upon it, and, with one accord, unanimously agreed to the report of the majority of the committee that is reported to this House. Gentlemen representing the minority asked for two weeks in which to look up the matter, which privilege we accorded them.

Mr. MAGUIRE. Will the gentleman permit me to ask him a question?

Mr. PRINCE. Certainly.

Mr. MAGUIRE. Was the majority report shown to any member of the committee before it was filed?

Mr. PRINCE. I presume so.

Mr. MAGUIRE. I think not.

Mr. PRINCE. The gentleman from Nebraska can answer that question for himself.

Mr. STRODE of Nebraska. It was.

Mr. PRINCE. He says that it was.

Mr. MAGUIRE. Does he say that it was?

Mr. PRINCE. He says so.

Mr. MAGUIRE. I never heard of it, and I certainly did not see it.

Mr. PRINCE. The report was brought to the gentleman from Texas [Mr. BAILEY], and he was asked if he requested to see it, and he said he did not want to examine it until it was printed.

Mr. BAILEY. The fact is, I did not examine it. The gentleman from Nebraska asked me which I would rather do—examine the report in manuscript or examine it in print, and I replied, "In print."

Mr. PRINCE. But be that as it may——

Mr. LACEY. Will the gentleman allow me to ask him a question?

Mr. PRINCE. Certainly.

Mr. LACEY. Is not the contestant in this case a Populist?

Mr. PRINCE. The contestant in this case is a Populist, indorsed by the Republicans of his district.

Mr. LACEY. Well, the minority report could have been printed, could it not, if it had not been for the objection of one Populist? [Applause.]

Mr. KEM. Mr. Speaker, the gentleman——

Mr. PRINCE. I will say to the gentleman from Iowa that we are members of the American Congress, that as men representing freemen we ought not to vent our spite against a man who is elected to a seat because another man interposes an objection.

Mr. LACEY. Is there not some way in which the minority report can be printed?

Mr. MAGUIRE. The Committee on Rules can do it in fifteen minutes.

Mr. QUIGG. I would like to make a suggestion to the gentleman.

Mr. PRINCE. I yield to the gentleman.

Mr. QUIGG. I quite concede the suggestion that as members of the American Congress we ought not to vent our spite on a gentleman, nor are we to deny a man who is entitled to a seat in this House the right to have his place in it because he is a Populist.

Mr. PRINCE. True.

Mr. QUIGG. But does not the gentleman, as a member of the American Congress, think we ought to see both sides of the case before we decide? [Loud applause.]

Mr. PRINCE. I will say this to the gentleman: You can see, and if you will listen to my argument you will find that you have had an opportunity to see; but gentlemen upon the other side have fixed your eyes so that you can not see.

Mr. QUIGG. I beg pardon.

Mr. PRINCE. Well, wait until I get through.

Mr. QUIGG. I know about my own eyes.

Mr. PRINCE. Have you seen the report?

Mr. QUIGG. I can see both sides when I have a chance.

Mr. PRINCE. Have you seen the minority report?

Mr. QUIGG. No, sir; I have not seen it.

Mr. PRINCE. Did you see the report in the case of Mitchell against Walsh at the time it was presented and objected to by the gentleman from Nebraska [Mr. KEM]?

Mr. QUIGG. Let me answer your question. So far as the case of Mitchell against Walsh is concerned, I was very familiar with the facts myself and did not require to see the minority report.

Mr. PRINCE. Answer my question as frankly as I do yours. Did you see that report?

Mr. QUIGG. No, sir; I did not wish to see it.

Mr. WILLIAMS. Did the gentleman have an opportunity to see it?

Mr. PRINCE. If the gentleman will permit me, I will explain that when Mr. MAGUIRE of California, a member of the minority, asked leave that that be printed, it was objected to by the gentleman from Nebraska [Mr. KEM]. He then, knowing the rights that he possessed in this House, moved that it be referred to the Committee on Printing, which committee brought in a resolution, and it was made a privileged matter and laid before this body. Now, what would have prevented the gentleman from Texas, representing the gentleman from North Carolina, from doing the same thing? Will the gentleman from New York answer?

Mr. QUIGG. I do not care anything at all about the machinery by which the report is brought into the House. I choose to see and read the minority report in this case if I can get it. So far as regards the case the gentleman speaks of, that of Mitchell *vs.* Walsh, I knew something about that case. It was a New York City case, and I have studied it from the beginning. I have read

the reports in each of the cases I have voted upon here where there were two sides to the question, where there was anything else than a formal resolution, and I think we ought to have an opportunity of reading the reports in this case.

Mr. PRINCE. I have no objection so far as that is concerned; but I wish to say to the gentleman that as I understand the matter, being only a new member—and I heard it first from the lips of the Speaker, who does know—under the rules of the House, when the majority report is presented is the proper time to present the views of the minority, and unless they are presented at that time they can be presented only by unanimous consent. Now, here was the report in this case presented on the 26th, and in addition to that the gentleman from Nebraska [Mr. STRODE] had gone to the gentleman from Texas [Mr. BAILEY], previous to submitting the report to the House, and notified him that he was about to do so. Now, why could not the gentleman from Texas have presented his report at the time the majority report was presented?

Mr. BAILEY. I desire to say to the gentleman, because I suppose he wants to know, that the theory upon which the majority and the minority reports are required to be presented at the same time is that the majority report shall be read to the whole committee and approved as the report of the committee. In this case the majority report was never laid before the full committee. The committee never had a session from the day that report was ordered until it was filed. The gentleman from Nebraska had more than two weeks in which to prepare the report, but as he was sick the larger part of that time I acquit him of any intention to delay. I knew he would prepare the report as soon as he could, and he tells me that he had it in his hand when he came to me; so I make no question about that. Neither did I make any question that the usual time and opportunity would be given to the minority to file their views, and when the gentleman from Nebraska came to me and asked me about it he said—I believe I repeat his very words—"Would you prefer to read this in manuscript or after it is printed?" I will ask the gentleman if that is correct?

Mr. STRODE of Nebraska. I think so.

Mr. BAILEY. That was the gentleman's question, and I said I would prefer to see it after it was printed. He replied, "Very well," and sent his report to the Printing Office. No doubt if I had had an opportunity to examine that report at that time, and had done so, I could have prepared a reply, but nobody dreamed but that we would have ample time to prepare and file the views of the minority. In my absence the gentleman from California [Mr. MAGUIRE] very kindly tried to arrive at an agreement with the gentleman from Nebraska [Mr. STRODE]——

Mr. PRINCE. Mr. Speaker, I was willing to yield to the gentleman, but I do not want the gentleman's speech made in my time.

Mr. BAILEY. But since you have attempted to impute some degree of negligence to me, I think you can well afford to give me an opportunity to vindicate myself.

Mr. PRINCE. I will yield for any question which my colleague desires to put or for any statement he desires to make, but I do not want him to make a speech in my time.

Mr. BAILEY. When that understanding was presented by the gentleman from Nebraska we proceeded with the preparation of the report. I had it here on Monday, as it had been agreed that it should be filed that day. On Monday afternoon I had it before me ready to be presented to the House, but the House adjourned on the point of no quorum made by the gentleman from Nebraska [Mr. KEM]. I could not present it at that time, according to the agreement between the gentleman from Nebraska [Mr. STRODE] and the gentleman from California [Mr. MAGUIRE]. On Tuesday I again asked consent to file it and again objection was made. To-day is Thursday.

Mr. PRINCE. Why did you not introduce your resolution on Tuesday, the same as was done in the case of Mitchell against Walsh?

Mr. BAILEY. I asked consent right at the heels of the session, and I will be frank with the gentleman. As the majority report proposed to seat a Populist, if a Populist member undertook to prevent the House from making up the case in the usual way, I thought the Populist party ought to suffer for for it.

Mr. KEM. Will the gentleman from Illinois yield to me to ask the gentleman from Texas a question?

Mr. PRINCE. No, I can not.

Mr. KEM. Mr. Speaker, I have been assailed here and I think I have a right to reply.

Mr. PRINCE. I can not yield. The gentleman has objected to everybody else and now we will object to him.

Now, Mr. Speaker, with reference to this case—going on from where I stopped when I was interrupted—two weeks had come and gone before final action was taken on this matter by the committee. After two weeks had passed, we then determined as to what we would do with this question. Then three weeks more intervened, making in all five weeks, during which it was known how the majority would decide this question. It is true the formal report had not been made, but every member of the committee knew what the determination of the committee was. Then it came to the 26th of May; and you have heard in the shape of a running debate, questions asked and answered, the further history of this report.

Now, as to the report itself, let me say to you, fellow-members of this House, that there has been no election contest presented to Election Committee No. 2 in which it has been so clear as in this case that the contestant should be seated. We have had many cases before us. We have permitted five Democratic contestees to remain in their seats. We have declared one seat vacant. We have seated one Republican. We have turned down a Republican in North Carolina, and told a Democrat to keep his seat. We have told a Populist who knocked at the doors of this House, "You can not come in, but the sitting member, a Democrat, shall remain in the seat."

Have we undertaken to say that because a man was a Populist we would so lower ourselves as men as to say that a man who differed from us in political opinions should not have a seat here? The gentleman from Texas has said to you frankly and fairly, "I say to you that I thought because he was a Populist, and because a Populist had objected, therefore he ought not to be seated in this House." Oh, fellow-members, if such were the reasons why a man should not be seated, would the great Republican party ever have had a member on the floors of this House in the days gone by? We were once a minority party; we were once struggling against the party in power. We were right. I do not believe that the Populists are right or that their doctrine is true, but if the people of any district say at the polls that a man of that party shall represent them, it is our duty as members on this floor, having taken an oath to examine the evidence and the law and decide in accordance with them, to find that he is entitled to a seat. It is our duty to say he shall have the seat. [Applause.]

But objection is made on the ground that the views of the minority are not in print before us. Gentlemen, you have heard the evidence; you have heard the statements of the contestee. He has admitted that there was bribery; he has admitted that 53 votes on which the name of C. H. Martin was written should be counted. He has admitted that in his own home city, where the contestant had received a majority, there in the nighttime when the ballots were being counted and the returns were being prepared, rotten eggs were hurled at freemen who had cast their votes and were exercising their rights.

Mr. LOCKHART. That is a mistake.

Mr. PRINCE. Is that a fair ballot and an honest count—a free, fair election? Is it right that in this country of ours, North or South, East or West, men shall not have the right to cast their ballots and have them counted as cast? Gentlemen say that this right has been accorded to voters in this election. Not at all. Let me read the evidence of what occurred in the contestee's home city. I read from page 165:

Q. 54. What reasons, if any, existed to deter or prevent any elector from voting for Martin for Congress?

A. While we were distributing tickets there was a crowd around the table pushing against each other and against me. Some of them had clubs—

These were Federal officers, I suppose, though the law under which such officials could be appointed has been repealed—

I mean walking sticks (with large ends); some one of the crowd, while pushing against me, emptied a vial of stinking chemicals in my pocket; some parties threw several rotten eggs in the crowd, which fell near the table where we were distributing the Fusion tickets. The poll book in which we were recording the names of those who called for Fusion tickets was taken out of the hands of R. M. Flake, who was keeping a record of those names. The person who took the poll book refused to give it to R. M. Flake until I got up, and reached over, and took the book out of the gentleman's hand. I was then abused, cursed; telling me that he was "not going to hurt the durned old book, durn you." During the time the rotten eggs were being thrown the window blinds were closed, or a portion of the blinds on the west side of court room, so as to make the room dark. During the day I was informed while sitting at the table that I was going to be treated to a coat of tar and feathers if I remained here till night. Mr. J. T. Martin, during the time the rotten eggs were being thrown, proposed to leave the court room, stating that he did not wish to be rotten-egged. So we all left the court-house. Just as we were leaving one man wanted to vote; we took his name; gave him some tickets, but never recorded on the book the candidates voted for. After we got on the street a man told me he wanted to vote our ticket. I told him we had done broke up and left; thought perhaps he might be able to find some tickets up here at the table; so we all went home; don't know anything about how the vote was counted.

A nice procedure, is it not? No wonder the sitting member says he regretted exceedingly that little episode occurred in his home town.

Mr. MAGUIRE. Will the gentleman permit me a question?

Mr. PRINCE. I will.

Mr. MAGUIRE. What effect does the committee find all that had on the election, and what weight do they give to it in determining who was entitled to this seat?

Mr. PRINCE. The committee saw that there was no necessity for straining a point; that there was no necessity for taking advantage of the passions and prejudices of this House by playing

upon them in that way, because the evidence was so overwhelming outside of anything of that kind——

Mr. MAGUIRE. Then that constitutes, we understand, no part of the case on which you ask the House to unseat this man. Why, then, appeal to prejudice by going outside of the case to raise such a question?

Mr. PRINCE. I am undertaking to show in this way the character and conduct of these men who it is stated were so fair and honest in conducting the election.

Mr. MAGUIRE. Is there any evidence that a Democrat ever threw a rotten egg there?

Mr. STRODE of Nebraska. Yes, sir.

Mr. PRINCE. Yes, sir; the record shows it; and the names are given.

Mr. LOCKHART. Will the gentleman allow me a moment? I do not think he wants to misstate this case.

Mr. PRINCE. I yield to the gentleman.

Mr. LOCKHART. There is nothing in the evidence as to who threw the eggs.

Mr. PRINCE. It was done by Democrats.

Mr. LOCKHART. No, sir.

Mr. PRINCE. The record shows it.

Mr. LOCKHART. One man says that the parties who did it were Democrats, but he does not know who did it; and there is nobody, so far as I have been able to find out, who, up to this time, does know who did it. A colored preacher, a very respectable man, says that it was done by some boy in the back part of the court-house.

Mr. PRINCE. Very likely!

Mr. LOCKHART. There is another thing about which I wish to correct the gentleman. When the vote was counted there was present one Perry Robinson, a colored man, who was candidate for constable. He testifies there were Republicans in the room, and that nobody who wished was prevented from going there.

Mr. PRINCE. Well, there is enough in this evidence to make it as clear as the noonday sun that the contestant (though you may be prejudiced against him as a Populist) is entitled to the seat in accordance with the rulings of this House. There is no question about it.

But gentlemen say they want to see the minority report; they want to know something more about the case. I do not believe it is the policy of the Republican party, which is in the majority in this House, to take advantage of any man. I believe it has ever been its policy to see that the rights of every human being shall be properly protected before the law, whether at the polling booth or in the Halls of Congress. We have always adhered to that policy. We have succeeded by it. And the great Grant himself said that so long as certain proceedings and practices were carried on with reference to elections in portions of the country, just so long would it be necessary that there should be Republicans and a Republican party to see that men are accorded their legitimate rights under the law.

Our colleague from North Carolina feels perhaps that he has not been properly treated. It is not the fault of the Committee on Elections. He can not charge it to us. He feels perhaps that the House is going to railroad him out of his seat. We do not want to do that. It is not the disposition of the majority of the committee, and, Mr. Speaker, I am willing here and now to have the minority report read in my own time [applause] to avoid the objection of the gentleman from Nebraska [Mr. KEM], which he saw fit to make, and let it go into the RECORD and be laid on the desk of every member of the House, at his home or here in the House, so that he may read it to-morrow morning; and, after reading the Journal at 11 o'clock, if the House sees fit to pass upon it, I assure the House that there will not be a shadow of a question of doubt in the mind of any man that this contestant is entitled to the seat that is now occupied by the sitting member on this floor.

Mr. HENDERSON. If that is done there will be a good many more men acquainted with the report than if it was printed in the usual way, or if it was read in the hearing of the House.

Mr. PRINCE. Well, I do not know about that. That may be. But I imagine the majority of the House, when a committee of the House in whom they have confidence reports, as this committee has always reported, without any partisan bias or prejudice; a committee whose record is as free from such a charge as this one, and which committee has never in any questions on this floor in the discussions of these cases even used the words "Democrat" or "Republican," except when forced upon them—I think that report must command the respect and the confidence of the House. We have forgotten politics when we come to act as members of this committee. If these political questions arise they are forced upon us by gentlemen in discussing the cases. We have sought to do our duty under our oaths; and in our reports to the House we present the best views and our honest views as we understand the cases which we consider. You will find, gentlemen, if there is a member of this House who wears his conscience on the lapel of his coat, or has any doubt of the committee, you will find the case fully set out in our report; and I have no objection now, if the House desires it, to have the Clerk read the minority views in my own time. And I now offer that time and ask to have it done. [Prolonged applause.]

Mr. HENDERSON. That is business.

Mr. TAYLER. I ask unanimous consent that the views of the minority be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. KEM. I object.

The SPEAKER. The gentleman from Nebraska [Mr. KEM] objects. [Laughter.]

Mr. PRINCE. In view of the objection, and believing that the right of a member to a seat on this floor presents a question of higher privilege than the objections of an objector, I ask that it be read in my own time. [Applause.]

Mr. BAILEY. I want to admonish the Clerk that there are certain interlineations that must be followed.

A MEMBER. Read it yourself.

Mr. PRINCE. Let the Clerk read it. I will not attempt to read it. It is enough for me to give the time.

The Clerk read as follows:

Mr. BAILEY, from the Committee on Elections No. 2, submitted the following:

VIEWS OF THE MINORITY.

The undersigned members of Election Committee No. 2, being unable to agree with the majority of the committee, respectfully submit their dissenting views.

The majority of the committee rest their view of the final result and conclusion at which they arrive on the townships or precincts of Wadesboro, Ansonville, Lanesboro, and Lilesville in Anson County, Rockingham and Stewartsville in Richmond County, and Lumberton, Maxton, Red Springs, and Alfordsville in Robeson County.

ANSONVILLE.

The majority of the committee discuss at length the vote in Ansonville Township, and conclude that 53 votes should be added to the originally returned vote of the contestant. That was entirely unnecessary, as contestee in his brief conceded that such should be done.

LANESBORO AND WADESBORO.

The majority add 2 votes to the originally returned vote of contestant at Lanesboro and subtract 2 votes from the originally returned vote of contestee in Wadesboro. These findings the minority will not dissent from.

LILESVILLE.

At this precinct 263 votes were returned for contestee and 103 for contestant. The majority propose to add 40 votes for contestant. The majority base this addition on the following testimony of B. K. Jones, a witness for contestant:

"Q. 390. Were you one of the Populists who were called in to witness the count after the close of the polls that day?

"A. I was.

"Q. 391. Did you see any tickets thrown out of the Congressional box and not counted because they were not in the right boxes?

"A. I did.

"Q. 392. About how many?

"A. I did not count the tickets, and can't be positive, but at least 40, I think."

Examination of this testimony will plainly show that the majority entirely misapprehend the meaning of this testimony. The meaning of this testimony is, that the votes thrown out and not counted from the Congressional box were ballots for candidates other than for Congress. If these ballots had been for either of the competing candidates for Congress they would have been counted, as they were in the Congressional box; that is, the right box. This testimony in no sense warrants the conclusion arrived at by the majority.

The testimony of all the judges of election, Democratic and Republican, and the registrar is that the election was fairly and honestly conducted, and that the voters received such proper aid from the election officers as they requested.

Toney Smith, a Republican judge, testifies that some of the voters disregarded his efforts to direct them in a proper manner, so that whatever votes were in wrong boxes were placed there by the willful neglect of the voters themselves.

W. J. Harris, a witness for contestant, testifies that the election was fair and honest.

It is undisputed that 10 Democrats and 10 Populists were specially called in at the close of the polls to witness the count.

VOTES IN WRONG BOXES.

It has been the law in North Carolina for fifty years to have separate ballot boxes for the different classes of offices voted for. This law has given satisfaction to all parties.

A voter can deposit his own ballot, so that one man can put the same ticket folded for the same candidate in each box. In that case, when the judges count the votes at the close, it may happen that one candidate for Congress has 6 ballots from the same individual, one of his tickets having been placed in each box. It will thus be seen that when a ticket for Congress, for instance, is in the wrong box great injustice will follow if such vote is counted. The absurdity of counting tickets found in the wrong box is plainly illustrated by the evidence in this very case. At Stewartsville precinct, in Richmond County, it is proved that a large number of voters voted the same ticket (the legislative) in all the different boxes. If allowed, that would give the candidates voted for 6 votes from each voter.

ALFORDSVILLE.

The vote of this precinct is rejected from the count by the majority, but from the testimony that action is without reason. Daniel McCallum, J. L. Lassiter, Enoch McCallum, Isaac T. McLean, Malloy McPhail, and J. W. McLean were the only witnesses examined by contestant, and there is not a scintilla of evidence that there was any violence, or intimidation, or any wrong upon the part of the election officers, except that Enoch McCallum, a colored voter, testifies that he gave his Congressional and State treasurer's tickets to R. A. Atkinson, one of the poll holders, and that he put each of them in the wrong box by reversing them. Accuser testifies that the tickets were of about the same appearance. Atkinson positively denies the charge. Daniel McCallum (page 118) testifies that he saw the county ticket placed in

the legislative box two or three times, and he does not pretend to state that such was the fault of any election officer. He was a poll holder.

The testimony of all the witnesses examined in relation to this precinct is that where a voter offered his ballots to a poll holder the latter took them and put them in the boxes: that some of the voters deposited their ballots themselves and did not offer them to the poll holders. The evidence is that all persons who desired to do so were present at the count and viewed it. One witness for contestant stated that there were 29 tickets in the Congressional box that did not belong there, so that at the outside there could not have been more than 29 of contestant's tickets in the wrong boxes, but there being no testimony except as to 1 ballot that any of them were so placed by the fault of the election officers, and that one positively denied, it is apparent that none in wrong boxes should be counted for contestant, and if they should be, then Martin's vote at that precinct would be 73 and Lockhart's 98.

One of the judges of election, McCallum, refused to sign the returns on the alleged ground that the county and legislative tickets were excluded entirely from the returns by the judges of election on the ground that the same were not on white paper. The evidence is that none other than the legislative was excluded on that ground. The witnesses for contestee state that McCallum has repeatedly said that he had no other reason for not signing the returns. He is a Populist.

The returns were signed by the registrar and the other three judges, two of whom were Democrats and the other a Republican, all of whom testify to the fairness and freedom of the election. The majority report attacks the Republican judge, Trussie Taylor, who was once convicted in the State of South Carolina while a resident of the State of North Carolina of interfering with an officer in the discharge of his duties in South Carolina, but he was soon pardoned by the governor of the State, because it was made to appear to the governor that he was guilty of no crime. A number of witnesses testify that he is a man of excellent character, by profession a teacher, and not one testified to the contrary. His conviction and imprisonment were some twelve years before this election, and he has in the meantime been a resident of Robeson County. There is nothing in the record which upon careful consideration warrants the rejection of the returns from this precinct. A number of witnesses, who are uncontradicted, testify that voters came to the polling place with Populist tickets in their hands, and after getting in threw them away and got Democratic tickets and voted them. (See testimony of R. A. Atkinson, pages 202 and 204; V. G. Pleasants, pages 205 and 206; A. L. Bullock, pages 207 and 208.)

RED SPRINGS.

The vote of this precinct, as returned by the officers of election, is 110 for contestant and 143 for contestee. The majority propose to add 16 votes to that returned for contestant on the testimony of Brown, page 108, and Rowland, page 116, who state that they were present when the vote was counted, and that Martin's vote was 126. The vote was counted in the presence of many persons. After the returns were made out the vote was announced in the presence and hearing of the persons present, including Rowland and Brown, and there was no objection or protest from them or anyone else. (Record, page 224, questions 691, 692, 693, and 694.) The judges are men of good character, and it is not disputed. The conduct of the election is shown to have been perfectly fair and honest. A Republican judge had control of the Congressional box, and all of the boxes were fastened down so they could not be moved. The arrangement was such that there could be no mistake about the Congressional box, as it was some 10 feet from the others. The sworn and duly signed returns of the election officers, who, before they sealed up the returns, made known to all bystanders the result of the vote, in order that those who witnessed the count might know the result, should not be overthrown on the testimony of two witnesses who were present, and though they now claim they knew there was a discrepancy in the returns as about to be made and the actual count, said nothing about it. Their conduct shows that if such had been the fact they did not fear to speak out. The openness and fairness of the count, and the method pursued by the election officers in respect to the same, render the testimony of those two men ineffectual to discredit the returns. The circumstances, and the testimony of the election officers examined, render the further discussion of this question unnecessary. For a fuller understanding of the respective contentions of the majority and minority with regard to the remaining points of difference, it is necessery to make some reference to the law of North Carolina under which the election was held. It has been the rule of Congress to follow the laws of the State from which the contest comes.

The constitution of North Carolina, Article VI, section 2, provides that "no person shall be allowed to vote without registration," and the supreme court in the case of Harris *vs.* Scarboro (110 N. C. Rep., 232) holds that "invalid registration is no registration at all."

The legislature of the State, under the authority of the constitution, passed a registration law which provides:

"SEC. 2676. No registration shall be valid unless it specifies, as near as may be, the age, occupation, place of birth, and place of residence of the elector, as well as the township or county from whence the elector has removed, in the event of removal, and the full name by which the voter is known."

This provision in the State law, intended to protect the purity of the ballot box and prevent repeating and colonizing of voters, has been sustained by the supreme court in the case referred to supra.

In the construction of this provision of the law the court declared it to be not only constitutional, but mandatory, and in the able opinion rendered uses the following language:

"If the legislature sees fit to enact a reasonable regulation as to the manner of recording the names of voters, and the information which the voter must impart (in order that persons so inclined may inquire into the truth of his statements), and to pronounce the registration of each particular name invalid unless the elector shall comply with the requirements, it is manifest that the same reason exists for rejecting the ballot of each voter whose registration is not valid as for not counting a whole township not registered at all."

And in the same case the court says:

"Where such migratory characters are compelled to state on oath their ages, occupations, place of birth, place of residence, the township from which they have removed, and the full name by which they are known, they give data which, if upon inquiry it prove to be false, it invites further investigation to ascertain the fraudulent purpose that induced the perjury, and if it be a true history of the movements of the voter, affords the means of verifying or contradicting his statements as to age or disqualification for crime.

"In absence of proof to the contrary it is always presumed that the officer has done his duty. Every citizen is presumed to know the law governing his relations with others, as well as the mandatory rules which prescribe how he may secure the enjoyment of his rights. In the absence of any definite information on the subject, the failure to enter upon the registration books such facts connected with the history of an elector as the statute imperatively requires as a prerequisite to the exercise of the elective franchise must be considered due to the carelessness or inexcusable ignorance of such elector. The presumption can be rebutted only by showing that he offered to comply with the requirements of the statute, and was prevented by the neglect or willful act of the registrar. (McCrary, section 101.)

"We concur with the court below that it was the duty of the elector to make the answers as specific as the statutes require them, and that the registrar, if he read the headings calculated to elicit the requisite answers, certainly did all that the law required of him."

Reason, as well as authority, commend the view taken in the court below that the burden of showing a strict compliance with the law was on the relator instead of requiring the registrar to charge his memory with all that occurred, so as to be able to state whether the elector refused, when asked, or simply neglected to state definitely his places of birth and residence.

The electors of Little River Township who caused the name of the county of their birth to be recorded opposite their names and "Montgomery County" to be entered as their place of residence we think complied with the requirements of the statute; but the registration at Beans Mills precinct was fatally defective in stating the elector's place of birth to be "North Carolina."

The election which we are now considering was held under this law, and we must regard its provisions in deciding this case. It is proved in the record that the county commissioners in every precinct in dispute complied with the law in appointing two judges of election of different politics from the registrar. In some cases the Republicans refused to serve and in such cases it was the duty of the registrar to fill the vacancy. In every case where there were not two Republican judges it was because those originally appointed declined to serve.

ROCKINGHAM.

At this precinct the majority add 70 votes to the returned vote of contestant. While there may be ground of dispute as to all of these, there certainly should be none as to 8 of them, who, under the registration laws of the State, were clearly not entitled to vote.

Ben Parker, who, though examined by contestant, does not appear from the registration list to have been registered at all. See page 94 of record.

Ben Little, Thomas Terry, and Datus Wall, who registered their birthplace as "North Carolina," which is held by the supreme court to be insufficient. Therefore they were not legal voters.

Kit Little stated his residence as "North Carolina," and Samuel Ross stated his birthplace as "South Carolina." These are not such specifications as the law requires, and they are not legal voters.

Austin Leak and George McDonald, according to their testimony, had removed to the township since the election preceding that of 1894, and in registering they failed to give the places from which they removed. So that at the most only 62 votes should be added for contestant.

STEWARTSVILLE.

From this precinct there were returned 295 votes for contestee and 14 votes for contestant. The majority of the committee exclude this entire vote, setting forth their reasons at length. We think this vote should be counted as returned; but as there is some doubt raised as to 3 votes, though it does not distinctly appear that they voted for contestee, we assent to their being deducted from his returned vote.

Only the contestant took testimony at this precinct, and we think that contestee was fully warranted in relying upon the testimony of witnesses of contestant to establish his case, and that the whole of it, taken together and weighed by the rules of evidence, will not sustain the contention of contestant that this precinct should be excluded from the count. There is no evidence of violence or intimidation. There is no evidence that any elector was fraudulently deprived of his vote by the election officers.

The witness W. H. McLaurin was the registrar, and he was vouched for as a man of good character by contestant and his witnesses. The ballots of a number of voters were rejected because in the honest judgment of the judges of election they were not entitled to vote. The majority fix the responsibility for defective registration on the registrar. A careful scrutiny of the testimony discloses the fact that the voters at this precinct had been by their leaders rendered suspicious and distrustful; that they came, prompters with them, when they went to register, and insisted on having their registration made in their own way. The registration book contained columns with headings indicating the character of questions to be asked of the voters by the registrar to elicit the proper answer for entry on the register. The supreme court of North Carolina has declared, in construing the law, that if the registrar read over these headings in the form of an interrogatory to the candidate for registration this was a sufficient compliance with the law, and if the voter did not give the proper answers the fault was his, and if proper answer was not given the person should not be allowed to vote.

The testimony of McLaurin shows that he not only went as far as the court said he should, but used all necessary means to suggest the proper answers to the voters. It is to be noted that the contestant did not introduce the rejected voters to show that they endeavored to register properly, or to contradict the registrar, or to explain their conduct, or to show that they were entitled to vote. It is evident from the testimony of McLaurin that the voters excluded would not follow any suggestions made by the registrar nor permit him to aid them in the answers properly to be given. We can not see that the strictures of the majority on McLaurin and other officers of election are justified by the evidence. It is proven that between 8 and 10 o'clock a. m. on the day of election all the so-called fusion voters ceased to make any effort to vote for Martin, and the reason assigned is wholly untenable, there being only a rumor, entirely unfounded, so far as the testimony discloses, that the boxes were being changed. The Republican judge of election, John McLean, testified for contestant. He was present all day, and he nowhere says that any box was changed, and no one else says so. McLaurin testifies that at least 95 per cent of the rejected voters did not offer to vote or attempt to vote for Martin. So that if 5 per cent of the 168 rejected were counted for contestant, his vote at this precinct would be increased by 9 votes.

At this precinct most of the voters opposing the Democratic ticket were Republicans; and we find that one McKinnon, who was a former Democrat, whose testimony appears in the record, was contestant's active manager at the polls that day. He was an active canvasser before the election, and his testimony shows the character of his harangues, and shows that they were not calculated to inspire the confidence of Republicans in his candidate for Congress—Mr. Martin. Here is a sample of his testimony:

"Q. Did you not, in a speech in Rockingham last fall, refer to Senator SHERMAN of Ohio as 'Old John Sherman, the greatest thief in the United States'?

"A. Yes, sir, I did; and I am still of that opinion.

"Q. You have made a great many public speeches on the subject of politics within the last three years?

"A. Yes.

"Q. Did you not in all of them, or nearly all of them, denounce the Republican party as the great enemy of the people?

"A. I denounced both the Republican and Democratic parties as enemies of the people, and styled them as twins."

And, in answer to another question, said:

"I denounced both the old parties as conspiring against the liberties and prosperity of the people, especially against the farming and laboring classes."

While the officers of election owed the electors the duty of properly conducting the election, the voters owed it to themselves and to the officers to treat the election officers fairly and respectfully, and to make for themselves an honest effort to vote their will. This they did not do at this precinct. If they saw fit to govern their conduct by idle and unfounded rumors and

throw away their votes, it should not be assigned as ground for throwing away the ballots of more than 300 citizens who did their duty, asserted their rights, and gave expression to their will by their ballots. Precincts should not be thrown out except on the clearest evidence of willful neglect or other disregard of obligations by the officers. In this precinct the voters themselves abandoned Martin, the contestant, manifestly for the reason that they were not in sympathy with him, or because they were content to act upon idle and false rumors of misconduct on the part of election officers.

The testimony as to any bribery is confined to three persons who possibly voted for contestee, but this testimony is of a vague and shadowy character. The finding of the majority that bribery was carried on in presence of election officers is not supported by the testimony.

To reject this precinct is not only an injustice to the more than 300 voters whose ballots were properly cast and counted, but as well to the sitting member, who has a right to these votes.

Irregularities in election, unless fraudulent, or so gross as to be equivalent in their effects to fraud, should not vitiate an election. In this instance a careful perusal of the testimony will conclusively show that the voters themselves who did not express themselves by ballot are the authors of their own failure to vote. Honorable men conducted the election, and the witnesses award them the highest character.

So important is this precinct in determining the result in this case that we ask the House to carefully examine all of the testimony relating to it. That it may do so, we here set out in full the testimony of the officers of election introduced and examined by contestant.

Our opinion is that in no view of this case should this precinct be thrown out from the count, nor can more than 3 votes be taken from contestee or more than 9 votes be added to those of contestant.

The following is the testimony referred to:

"W. H. MCLAURIN, being duly sworn, says:

"(The contestee objects to the taking of the deposition of W. H. McLaurin for the reason that he has not had notice of the same in time, form, and manner as provided by law; and for the further reason that if any notice, as provided by law, was originally served on this contestee, and that fact is not admitted, but denied, then there has been a discontinuance of said notice, for the reason that said alleged notice of the taking of the deposition of the said W. H. McLaurin was returnable on the 25th day of February, 1895, and any continuance of the same now claimed to have been made was not entered of record until the present hearing, nor was said alleged continuance made by the express authority of this notary.

"This entry is made at the request of contestee's counsel.)

"Q. What is your name and where do you reside?

"A. William H. McLaurin; Stewartsville Township, Richmond County, N. C.

"Q. What position did you hold in connection with the election held in Stewartsville Township in November, 1894?

"A. I was registrar.

"Q. Who were the poll holders at that election?

"A. John Blue, William R. McEachin, John E. McLean, and John C. Davis.

"Q. How did John Blue come to be a poll holder?

"A. He was appointed by the county commissioners, I think.

"Q. Was he originally appointed or appointed to fill a vacancy, and was not Berry Bryant the original appointee?

"A. I don't recollect whether Bryant was originally appointed or not; we tried to get Bryant to serve, and he would not serve; don't know whether he was appointed and resigned or not.

"Q. You say, 'We tried to get Bryant to serve and he would not.' Who do you mean by 'we'?

"A. Those who selected men to recommend them to the county commissioners for appointment.

"Q. Well, who made these selections and who were selected; were they Democrats?

"A. I can not say. They were Democrats.

"Q. Who were selected?

"A. I don't know; all who were recommended.

"Q. Name those you do recollect.

"A. Randolph McEachin, M. H. McBryde, Rod McRae, Berry Bryant, Mack McKinnon, and A. M. McKinnon; they were all spoken of for poll holders; and John Blue. There may have been others. We tried to recommend men from all parts of the township among the Democrats, and John McLean and Jess Graham, Republicans.

"Q. Do you mean to say that Democrats in Stewartsville Township were actually recommending to the commissioners of Richmond County who they should appoint as the Republican judges of election of the township?

"A. We did not wish to be understood as saying that the commissioners should appoint any particular persons of either party as poll holders. These parties are mentioned as representative men of their parties.

"Q. Please give me a direct answer to the above question.

"(The contestee objects to this question for the reason that the party now on the stand is a witness for the contestant, and being asked by him what he meant by his answer to the previous question, and having stated what he meant, it is not competent for him to enter into a cross-examination of his own witness.)

"A. The Democrats of Stewartsville Township never presumed to select men for the Republican judges of election.

"Q. Did Democrats of Stewartsville Township recommend to the commissioners of Richmond County the appointment of John E. McLean and Jess Graham as Republican judges of election for the township, and did not the commissioners appoint these two men Republican judges of election for the township?

"A. They appointed these men judges of their own selection; they were among a number of men spoken of as competent. There was no formal recommendation of their appointment.

"Q. Was their appointment recommended formally or informally?

"A. Not as I know of; they were simply spoken of as competent representatives of their race.

"Q. Were they the equals in intelligence and education to the Democratic judges of election, and were they not obscure men?

"A. They were not as intelligent as the Democratic judges of election, but they are by no means obscure men. John McLean could read and write before the war, and has been a poll holder and judge of election frequently since the war. Jesse Graham is above the average negro in intelligence, and stands well with both races.

"Q. Did not some Democrats of Stewartsville Township decide or talk that they would approve of the appointment of these two men as judges of election before their appointment?

"(Question objected to by contestee.)

"A. As was said before, these and others were mentioned as representative Republicans, and the Democrats of Stewartsville Township do not wish to be understood as intending to act for the opposing party in the selection of judges.

"Q. How did John C. Davis come to be a poll holder?

"A. Jesse Graham did not present himself at the polls to act as judge of election, and as registrar I appointed John C. Davis to act in his stead.

"Q. What are the politics of Graham and of Davis, and did not the appointment of Davis make three Democratic judges of election and one Republican?

"A. Jesse Graham is a Republican; John C. Davis is a Democrat. There were three Democratic and one Republican poll holders.

"Q. Were you advised to appoint Davis?

"A. I can't say that I was. There were several spoken of as good men by Democrats, Republicans, and Populists.

"Q. What position did you hold in your party during last year?

"A. I acted as chairman of the Democratic executive committee of my township.

"Q. Do you hold any office in your county now?

"A. I am justice of the peace.

"Q. Did Berry Bryant attend the election in Stewartsville Township in November, 1894?

"A. He did.

"Q. Was he present at the polls in any capacity other than a voter?

"A. He was. I asked him to take charge of the selecting of men to keep the door and see that there was no obstruction to the voters in going to or away from the polls.

"Q. Did he not challenge some of the voters who offered to vote?

"A. My recollection is that he challenged quite a number of voters.

"Q. Were not the men who kept the door to the polls, and whom Mr. Bryant was in charge of, marshals or constables?

"A. The mayor of the town appointed a number of special constables or police for the town, and some of them may have been also selected by Mr. Bryant during the day for services about the polls. I do not know that he was in charge of them as a town officer or in any connection with the town.

"Q. Whose officer was Mr. Bryant?

"A. So far as I know he was only acting at my request around the polls.

"Q. Did you appoint him marshal or such like officer?

"A. I asked him to select men to guard the entrance and exit of voters. I don't know how to designate his office, but he was acting for me to keep order around the polls and prevent crowding going in and out.

"(The taking of the deposition of W. H. McLaurin was continued from February 27, 1895, to February 28, 1895, at 9 o'clock a. m., when it was again resumed, both parties being present by attorneys.)

"Q. How many colored voters and how many white voters were challenged at the election held for Stewartsville Township in November, 1894?

"A. I have made a hurried examination of the registration book and find 8 white and 284 colored voters challenged.

"Q. How many of these voters were rejected.

"(Question objected to.)

"A. I find 1 white and 167 colored voters marked rejected.

"Q. How many voters of each color voted?

"A. Two hundred and sixty-five whites are marked voted on the registration book; 41 are not marked as voted or being rejected; 133 colored are marked as voting, and 112 colored are not marked as voting or being rejected.

"Q. Give me the number of each color that are registered to vote.

"A. Three hundred and seven whites and 414 colored.

"Q. How many whites did not vote?

"A. Forty-one not marked voted or rejected.

"Q. Tell me the names of such persons as you recollect or made memoranda of as doing the challenging of voters.

"(Question objected to.)

"A. A. F. Bizzell, M. L. John, K. A. Blue, Walter P. Evans, D. McCormack, Berry Bryant, W. H. Neal, W. R. McEachin, John Blue, Peter McRae, J. P. McRae, Rod McRae, A. L. James, W. D. B. McEachin, Alex. Jones.

"Q. Do you know whether all these gentlemen are Democrats or not, except W. P. Evans?

"A. They are all Democrats. Evans is a Republican.

"Q. What became of the challenge of W. P. Evans, and did he challenge more than one man?

"A. My recollection is that he challenged only Charlie McArthur on residence. Charlie McArthur has lived several years on the farm of John Blue, having his residence there. Evans was called when Charlie offered to vote; he did not sustain his challenge and Charlie voted.

"Q. Did these gentlemen whose names you have called stand in and about the polling place when not actually voting?

"A. They were in calling distance, and when a man was reached whoever challenged him would be called for and they would come into the polling place. They were at different times in the voting place, but I can't say how long they stayed there consecutively.

"Q. Give me the names of each voter who was rejected and the particular entries in his registration, stating first his color?

"A. (As answer see book herewith sent, marked Exhibit A.)

"Q. Did you, as registrar of Stewartsville Township, make any record, memoranda, or entry of the causes on which were based the challenges of the voters you have just named?

"A. Some I did and some I did not.

"Q. State how many of the voters you have named who have registered their occupation as farming or farmer were challenged on account of such registering.

"(Question objected to by contestee's counsel as calling for secondary evidence.)

"A. About 113 so registered were challenged for occupation, and a good many of them for other defective registration.

"(Answer objected to by contestee's counsel.

"After the witness had answered the last question, and after the contestee had entered his objection to the answer, the counsel for contestee suggested to the witness 'does he mean of the number 113 that there were additional causes of challenge,' without the witness having been turned over to him for cross-examination, and when remonstrated with by contestant for speaking to or making suggestions to the witness, says that he knew he did wrong, and was just feeding the contestant out of the same spoon he had been fed out of. This entry made at the dictation of contestant's counsel.

"Counsel for contestee denies the occurrences in every material statement in the above entry made at the dictation of contestant's counsel.)

"Q. Please explain the challenge made to the voter who was challenged for occupation, and who stated his occupation as farming or farmer.

"(Question objected to by contestee's counsel as secondary evidence, except as to those cases which the registrar was called upon to vote as to whether voter's vote should be received or rejected.)

"A. None of the cases challenged as farmer or farming reached me for decision, the judges of election deciding all of them on testimony as to whether he was engaged as a farmer or cropper or worked for wages on a farm. My recollection is that the judges decided that where a man worked his own land, rented land for stipulated price or part of the crop that farmer or farming applied to him, and when he worked for wages on a farm or elsewhere it did not apply to him as a farmer any more than a clerk in a store as a merchant.

"(Answer objected to by contestee's counsel because twice while the witness was making his answer counsel for contestant made suggestions to the witness about his answer.

"After the counsel had made the above objection he laughed; whether at

himself or the time he had consumed is not understood. The above entry made at request of contestant.)

"Q. From what did you give the names stated in Exhibit A?

"(Question objected to by contestee's counsel because there is no evidence that the persons named therein as having been refused the right to vote offered to vote for contestant.)

"A. The registration book of Stewartsville Township.

"Q. Did you give their names and registration as shown by the registration book?

"A. We took them off of the registration book, and I think they are approximately correct. There might have been one or two left off or there might have been one or two not checked.

"(Objected to by contestee's counsel as secondary evidence.)

"Q. Did you give the 167 names mentioned in Exhibit A and their manner of registration to the notary as the same appear on the registration books?

"(Question objected to by contestee because it calls for secondary evidence.)

"A. I did.

"Cross-examination:

"Q. When you were appointed registrar for Stewartsville Township did you open the books for the registration of voters at the time required by law and keep the same open in accordance with the laws of North Carolina?

"A. I did.

"Q. How often since the war have you served as an election officer for your township?

"A. I held the election for the adoption of the Canby constitution by appointment of General Canby and have been either registrar or poll holder, either by appointment of the Republican or Democratic commissioners, in half or two-thirds of the elections held since.

"Q. You were appointed an officer of the election by a board of Republican county commissioners some years ago, were you not?

"A. I was.

"Q. Did you propound to each man offering for registration at the last election the questions provided by law, and did you record the answers exactly as each voter whose vote was rejected on the day of election gave them to you?

"A. I did.

"Q. Did you attend on the days provided by law for the books to be open for the inspection of the public, and were the books open to the public at the polling place on that day?

"A. I did; and the books were open.

"Q. Did you remain at the polls on election day as the law required you to do?

"A. I did; was only absent while I was eating dinner and absent for necessary purposes.

"Q. How long were you absent for necessary purposes?

"A. About five minutes.

"Q. Did you leave the registration books in the custody or under the supervision of the judges of election while you were so absent?

"A. I did.

"Q. Did you permit anyone to vote whose name was not on the registration book of your own knowledge?

"A. Not that I know of.

"Q. Whenever a voter was challenged did the poll holders or judges hear the evidence on both sides when it was tendered?

"A. They did, and permitted several of the challenged to bring evidence in their behalf before them more than once.

"Q. Challenged cases in which you were called on to vote, did you vote for or against receiving the ballots of challenged parties out of a partisan spirit, regardless of the law, or did you decide each case presented on the merits as you understood the law of North Carolina to be?

"A. I decided all cases of registration as I understood the law, without regard to the effect upon parties or individuals; the only case that reached me for decision on challenges on the day of election was a Republican; I decided in his favor and he voted.

"Q. Did all of the Republicans and Populists who voted in Stewartsville Township vote for Charles H. Martin for Congress, or did some of them vote the county and legislative ticket alternately in all of the boxes?

"A. They did not; the larger part of those who voted, voted county or leg islative ticket in every box; a large number of those that was rejected had county and legislative tickets in their hands and not Congressional tickets.

"Q. What per cent of those whose votes were rejected did not offer Congressional tickets; give me your best judgment?

"A. I would say 95 per cent did not offer Martin tickets. Some who were rejected early in the day may have had Martin tickets. After 9 or 10 o'clock the negro voters began voting county and legislative tickets in every box.

"Q. How many white voters were rejected on election day?

"A. One.

"Q. Were not most of the colored men whose votes were rejected illiterate?

"A. They were; but some of the most intelligent ones were also rejected.

"Q. How many of the latter do you suppose there were?

"A. Half a dozen.

"Q. Did you see any guns or whisky about the polls on election day?

"A. I did not see any guns nor did I see any whisky or any man take a drink of whisky about the polls on that day.

"Q. Did you and the judges of election and the officers of the election have any rule that discriminated against any party in the use of the entrances to the polling place?

"A. There were none that I know of.

"Q. Did any of the persons who came in at the back door at any time during the day vote or offer to vote the Republican or Populist ticket?

"A. So far as I know there were very few who voted who did not come in at the front door, nor do I know or believe there was any discrimination against any party which for special reasons wished to enter through the back door.

"(Answer objected to by contestant.)

"Q. Did any colored men vote the Democratic ticket at the last election in Stewartsville Township?

"A. There were quite a number of colored men there who are in the habit of voting the Democratic ticket and who voted it in the last election.

"(Answer objected to by contestant.)

"Q. Did you see any effort to bulldoze or intimidate Republican or Populist voters in your township on the day of election by Democrats?

"A. I did not.

"Q. Was the election not quiet and peaceable?

"A. It was as peaceable, quiet, and good-humored an election as I ever saw in the township.

"Q. Was there sufficient light in the inclosure in which the election was held to plainly see the letters and words upon the ballot boxes?

"A. The light was amply sufficient for all purposes. There was no difficulty in reading the marks on the ballot boxes or the smaller type of the printed tickets.

"Q. Were the boxes marked with roman letters?

"A. They were.

"Q. Was any error in the marking of the Congressional box called to your attention? If so, state when, and whether or not you made the correction suggested.

"A. My attention was called to an omission of some letter in the marking of a box—I don't remember what letter or box—before the voting began. The omission was promptly supplied, and satisfactorily; at least I heard no complaint. It may have been at the Congressional box.

"Q. Was any person refused the right to vote within your knowledge because he owed one of the judges of election 15 cents?

"A. I heard nothing of any debt from anyone in the polling place. If I had I would have overruled such objection and permitted the elector to vote unless otherwise disqualified.

"Q. Was any voter's vote rejected because he was too old and had been voting too long, within your knowledge?

"A. There was not, so far as I know. The judges of election excluded none but for legal cause.

"Q. Do you know the general character of W. R. McEachin and John Blue, who acted as judges of election for Stewartsville Township in the election for 1894? If so, state what it is.

"A. I do. Both of them are men of good character.

"Q. One Jesse W. Graham swore that he presented himself to serve as judge of election for Stewartsville Township in the election for 1894, and in your direct examination you testified that Jesse Graham, one of the judges of election appointed by the county commissioners, failed to appear to serve as a poll holder, and thereupon you appointed John C. Davis in his stead. Please explain this whole transaction.

"A. Jesse W. Graham registered October 9, and was particular to have W put in his name. On the day appointed for the judges of election and registrar to be at the polling place with the books open for inspection he appeared there to act as judge of election, and presented a notice he said was served on him as judge of election. I called his attention to the fact of his registering as Jesse W. Graham, and urged him to return the notice to the sheriff that it might be served on Jess Graham. He stayed around the polls the greater part of the day, perhaps all day, but was not sworn in or recognized as a judge of election. He insisted upon striking the W out of his name, that the notice might apply to him. When asked how he would register again after registering once as Jesse W. Graham, and called his attention to the fact that by registering in any other name than the one in which he was generally known he might endanger his chances of voting at all, he did not insist upon reregistration. On the morning of the election he appeared at the polls to act as judge of election, and said that he did not return the notice of election to the sheriff because he had been advised to hold on to it and act as judge. I did not recognize him as Jesse Graham. The judges of election agreed with me that he was not Jesse Graham, and I appointed John C. Davis poll holder and judge in the place of Jess Graham, who was not present at the opening of the polls. Sometime during the day he came in to vote as Jesse W. Graham. He was rejected on account of registration having given his place of residence as John A. McBryde's.

"Q. Is there a Jesse Graham in Stewartsville Township?

"A. There is; and he voted, as he appears as marked on the registration book; he is a colored man.

"Q. When you refused to recognize Jesse W. Graham as a judge of election, was you honestly of the opinion that he was not the man appointed a judge of election by the board of county commissioners?

"A. I was; and my frequent connection with the elections of the township familiarized me with his being familiarly known as Jesse W. Graham; he was formerly a school-teacher, and frequently acted as school committeeman for his school district, and as magistrate; I have approved vouchers for him as Jesse W. Graham.

"Q. Was John C. Davis, the man whom you appointed in Jesse Graham's place, a discreet person, as required by the law of North Carolina, in your judgment?

"A. He is.

"Redirect examination:

"Q. Will you swear the man who offered himself as Jesse Graham, to act as judge of election, was not the man the commissioners thought of when they made the appointment?

"(Question objected to by contestee's counsel as an improper question for contestant's counsel to ask his own witness.)

"A. I did not know who they thought of in appointing judges of election, and acted only upon the name contained in the notice.

"Q. When registering a voter did you not know, at the time of registration, whether his answers to questions were incomplete in point of law or not?

"(Question objected to as irrelevant and immaterial, and because it calls for witness's opinion on a question of law.)

"A. I thought I did, and frequently would ask questions and make suggestions to get them to complete their answers, especially when they come without prompters to register; some appeared to be suspicious that they were going to be tricked and would stick to their wrong registration; when they came in crowds, with prompters, and showed that they had evidently been drilled, I put down what they said, and would even permit those coaching them to suggest to them what to answer.

"Q. When one registered in an incorrect and incomplete way would you tell him he had not made complete answers under the law?

"(Question objected to as irrelevant and immaterial.)

"A. As I said before, when their answers were wrong or incomplete I tried, by questions and suggestions, to get them to complete them without expressing the opinion that the registration was wrong.

"Q. When a voter in registering in answer to the question, 'What is your place of residence,' stated John A. McBryde's, as did Jesse W. Graham, did you not know as a fact that John A. McBryde's was in Stewartsville Township, and notwithstanding such knowledge, register his residence John A. McBryde's, without stating the township you knew John A. McBryde's to be in, and thus leave him incompletely registered?

"(Objected to by contestee.)

"A. I knew that the registration was incomplete in such cases, and invariably explained that place of residence meant a legal division of the country, such as incorporated towns, townships, counties, and States; except when they were with their coachers, several answered John A. McBryde's, Daniel A. Patterson's, Roper's, and other farms, and I would try to get them to tell where those farms were located without success. I did not register for any of them. Frequently they would find out that they were wrong in their answers, and when they would return I would make such corrections as they wished. Some, in giving the place of birth, would say Richmond. I would explain to them that there was a Richmond, Va., Richmond, Ky., Richmond, N. C., and a Richmond County, Ga., Richmond County, Va., Richmond County, N. C., and asked them what Richmond they wished put down, the same as the other localities that were not definite. I knew that John A. McBryde's, Daniel A. Patterson's, Roper's, and other plantations mentioned by voters were in Stewartsville Township; but when they would not say so, I would not put it down.

"Q. Was there a single white man and Democrat rejected for improper registration?

"A. The only white man rejected was for improper registration, and he was a Populist.

"Cross-examination:

"Q. Did you think you had the right under the law to put down as an answer to questions asked the voter when registering anything except his exact final answer?

"(Objected to by contestant.)

"A. I did not; and when several asked me to put down what was right, I told them, whites and blacks, that if I could put down their answers to the different questions as I might know they ought to be, there would be no use to put any of them to the trouble of coming to register, as I would have the same right to do it for all others and thus make the book myself.

"Q. Did you make any discrimination in the manner of asking the white voters and the colored voters the questions which the law required when they were registering?

"A. I did not.

"W. H. McLAURIN.

"JOHN E. McLEAN, being duly sworn, says:

"(The contestee, James A. Lockhart, objects to the taking of said deposition for the reason that he has not had the notice served on him in time and manner as required by law, and waives no right by his appearance and cross-examination of witnesses.)

"Q. What is your name?

"A. John E. McLean.

"Q. How old are you?

"A. About 53.

"Q. What position did you hold at the election held in Stewartsville Township in Richmond County, N. C., in November, 1894?

"A. I was judge of election.

"Q. What box did you have charge of as judge of election?

"A. Township constable's box.

"Q. How did you happen to get charge of that box?

"A. Before the polls were open there was no particular box for anyone, and I taken the county box; did not know anybody had any claim on any box. Mr. Davis came in and said it was his box; he was going to hold it; Mr. John Davis; there was no other box there but what was claimed; and some of the judges told me to take charge of the constable's box; I could not remember which one told me.

"Q. How many judges of election was there?

"A. Four.

"Q. How many of the judges was Republican and how many Democrats?

"A. One Republican and three Democrat.

"Q. Who was the Republican judge of election?

"A. John E. McLean.

"Q. State whether there was regularly nominated candidates for the office of township constable to be voted for at the last election or not.

"A. Not as I know of.

"Q. Was the ballot prepared for the office of township constables as the ballots for other candidates; and state the kind of ballots voted for constables.

"A. No, sir; they were not prepared as the State and county tickets; they were written.

"Q. How was the State and county tickets prepared?

"A. They were printed.

"Q. Do you know where the tickets for the constable's office were written at? If so, state where.

"A. They were written in the room where they were voting.

"Q. When was the constable's tickets written?

"A. On the day of election, 6th day of November, 1894, where we was voting.

"Q. How many men were being voted for for constable?

"A. One.

"Q. State whether he was a Democrat or not.

"A. He was a Democrat.

"Q. State whether there was any cursing by any of the judges of election at the polls on the day of election or not; and if so, who was cursed?

"(The contestee objects to this question for the reason that it is not competent or relevant, and is not responsive to any matter or allegation set forth in the contestant's notice of contest.)

"A. I was cursed; John E. McLean.

"Q. Who cursed you?

"A. Mr. John Davis.

"Q. State whether Mr. John Davis was acting as a judge of election or not and what box he had charge of, if any.

"A. He was judge of election; he had charge of the county box.

"Q. What did he curse you about?

"A. I spoke to him about what I thought was right about the voting.

"Q. State whether any voters offered their tickets to any of the judges of election or not.

"A. Some of them offered them their tickets, and some told them to put them in themselves, and some put them in themselves.

"Q. Was there any persons besides the judges of election and registrar and the voter who was voting around the polls during the day of election?

"A. Yes, sir.

"Q. State how many bystanders there were at the election, what was their politics, and what was their business?

"A. I could not tell exactly how many there were—five or six a great many times. So far as my understanding, they were Democrats. They were looking after the election—the voters as they come in to vote.

"Q. Was any of them marshals?

"A. Yes, sir.

"Q. State how these marshals looked after the voters.

"A. As they come in they would show some how to vote; some they did not.

"Q. What was the politics of those they showed how to vote?

"A. The one that was being showed how to vote was a Democrat.

"Q. What did the marshals do for those who were offering to vote the Republican and Populist tickets? Did they show them how to vote or put them out?

"(Question objected to by the contestee because the form of the question is leading and because it suggests to the witness the kind of an answer which the contestant wishes the witness to make.)

"A. I can't recollect all what was done; they showed some of them; some they did not show.

"Q. Did they put any out?

"A. They did not put anyone particular out. The law was when they could not vote to go right on out; if anyone didn't go they put him out.

"Q. Who appointed these marshals?

"A. I don't know.

"Q. Did you see them appointed or have anything to do with their appointment?

"A. I did not have anything to do with their appointment, nor did not see them appointed.

"Q. Where was the election for Stewartsville Township held?

"A. In the town of Laurinburg, in a brick building called Mrs. Butler's.

"Q. Describe how the building was fixed for the election.

"A. It was a two-story building; it was prepared on the lower story for election.

"Q. State how it was fixed.

"A. Long counter, and the boxes was on the counter; it was walled up in front of the front door. On each side of the wall, just inside of the door, the voters would come in one side and vote and go out the other side.

"Q. What voters came in the front way?

"A. All that wanted to come in, I reckon.

"Q. Did the voters come in from any way except from the front of the house?

"A. Yes, sir.

"Q. Where did they come in at?

"A. They came in the back part of the building.

"Q. How did the voters that came in from the back of the house vote—what ticket?

"A. I don't know, only what they told me.

"Q. State what they told you.

"(Objected to by the contestee for the reason that the evidence proposed by this question is hearsay.)

"A. They told me that they voted the Democratic ticket.

"Q. State whether anyone except Democrats were allowed behind the wall and around the ballot boxes during the election who were not actually voting at the time.

"A. I could not say whether there were or not; I did hear no objection.

"Q. Was there anyone except the Democrats behind the wall at the boxes who was not voting?

"A. Not as I can remember.

"Cross-examination:

"Q. You were at the polls all the day, were you not?

"A. Yes, sir.

"Q. There was no fighting or broiling at the polls that day?

"A. No, sir.

"Q. Everything passed off, did it not, in a peaceful, lawful, and orderly manner?

"A. Except a few cross words me and Mr. Davis had.

"Q. The few word that passed between you and Mr. Davis was just before the polls opened, was it not?

"A. Good while after the polls opened; way along about 10 o'clock.

"Q. Did you see the other judges of election cast their ballots?

"A. I think I did; I think me and Mr. Randolph voted together.

"Q. Did you examine the ballots that the other judges of election cast to see what tickets they voted?

"A. I did not examine the ballots, but I saw the tickets they voted, Democratic tickets, on the table.

"Q. Did you examine all the tickets on the table?

"A. I did not examine all, but I examined some of them.

"Q. If you did not examine the ballots which the other judges of election placed in the box, and also all the ballots on the boxes, please explain how you can swear that the other judges voted the Democratic ticket?

"A. I examined the tickets on the table and saw nothing but Democratic tickets.

"Q. State how many constable's tickets you saw written?

"A. I could not tell how many.

"Q. State whether or not you saw the candidate for constable vote; and if so, what time of day did he vote?

"A. I don't recollect what time.

"Q. Will you swear he did vote that day?

"A. I can't recollect.

"Q. State whether or not you had any talk with that candidate for constable, before the election or since the election. as to whether or not he was a Democrat; and if so, tell the time and place.

"A. I never had any questions with him as to what was his politics.

"Q. How, then, can you swear that he was a Democrat?

"A. I did not swear that he was a Democrat.

"Q. Will you swear that the judges of election did not permit any person in the voting place except Democrats?

"A. No, sir.

"Q. Is it not a fact that during the day and while the voting was going on that the judges of election permitted various voters, irrespective of their political opinions, to be in the voting place while the voting was going on?

"A. Yes, sir.

"Q. After the polls had been closed were not the ballots counted out in the full presence and view of Populists, Republicans, and Democrats?

"A. Yes, sir.

"Q. Do you recollect about a month ago having a conversation with Mr. Randolph McEachin in front of Henry McNair's butcher shop, and did you not state to him that so far as you saw that election was fairly and honestly conducted under the law?

"A. I did not state it that way. I can explain it; he told me—he asked me did I recollect Mr. Dan Patterson bringing up a man to be voted; I told him I did; and the judges of election agreed by their own judgment that he was not a qualified voter, and he did not vote; furthermore, I told him under the law a great many could have voted had they registered right.

"Q. When a man came in to vote, I ask you if the matter was not proceeded with in this way—if he was challenged the judges of election passed upon the challenge, and if it was decided by a majority of them that he was not entitled to vote, he was politely requested to pass out?

"A. They told him to go out.

"Q. Please give the name of any marshal who stood at the polls and showed people how to vote.

"A. I can explain to best of my judgment on that: Mr. Walter McEachin, Mr. John McEachin, and Mr. Copeland, and Mr. Beasley; that was all I can recollect.

"Q. How many voters did you see those four gentlemen show where to place their ballots?

"A. I don't know; never kept an account of them.

"Q. Will you swear that you saw those four gentlemen each direct six men how to vote?

"A. I swear I saw them show more than six how to vote.

"Q. How many more?

"A. I could not tell; but was more than six.

"Q. Did you see any person while the voting was going on refuse information from those four gentlemen in reference to the proper box in which their ballots should be deposited?

"A. I did not.

"Q. You did not see any effort on the part of any person to intimidate or bulldoze?

"A. I did not.

"Q. You did not make any effort, did you, to hold any other box except the county box?

"A. No, sir.

"Q. Will you be kind enough to tell me the names of all the parties for whom you voted in the last election now under discussion?
"A. I can't recollect all their names.
"Q. Give them as near as you can recollect.
"A. Mr. Sheriff Smith, Zack Long, Mr. Dockery; I can't exactly recollect any more; I did not vote a full ticket.
"Q. If I understand you right, John, you voted your own party ticket for the legislature and county officers and did not care anything about the balance?
"A. I didn't say it.
"Q. What ticket did you vote except your county and legislative ticket?
"A. Don't recollect.

"Redirect examination:

"Q. Did you see behind the wall, where the ballot boxes were, Mr. W. H. Cox, M. L. John, Rod McRae, J. C. Ray, Kendall, J. P. McRae, A. F. Bizzell, Berry Bryant, Key Ritch, Archie Roper, Jno. D. Jones, on the day of election?
"(Question objected to by contestee for the reason that the contestant in his direct examination covered the same ground as that indicated by this question, and for the further reason that this question is not necessary or proper in response to any matter developed upon the cross-examination.)
"A. Yes, sir.
"Q. State as near as you can what they were doing.
"A. Mr. W. H. Cox was doing nothing but setting there and challenged one man; M. L. John wasn't doing anything there, but he written some of the tickets for Mr. Ray; Rod McRae was not doing anything but standing in there; J. C. Ray, I can't remember anything he was doing; Kendall was sort of a guard some of the time; did not see J. P. McRae do anything; sometimes A. F. Bizzell would be challenging the voters; Berry Bryant, I don't remember what he was doing; don't remember anything Key Ritch was doing; Archie Roper was there; don't remember anything he was doing; Jno. D. Jones challenged one or two; I don't recollect how many.
"Q. Do you know who was mayor of town of Laurinburg time of election?
"A. My recollection Mr. Fields was.
"Q. Do you know who was constable?
"A. Mr. Beasley was constable.
"Q. What was done with the ballots after they were counted?
"A. They were thrown down on the floor.

"Cross-examined:

"Q. Did you not see Mr. Rod McRae and Mr. M. L. John acting as clerk for the election at different times during the day?
"A. They may; don't recollect now.
"Q. Did you not also see Mr. Jno. D. Shaw, jr., attorney for the contestant, Martin, in the polling place on election day for some time after he had cast his ballot?
"A. If he come back after he voted, I don't remember.
"Q. Will you swear that he left as soon as he cast his ballot?
"A. I think he did, as far as my recollection; I think he did.
"Q. State what your politics are, and state if you can read and write.
"A. My politics are Republican, and I can read and write.

"JOHN E. McLEAN."

MAXTON.

At this precinct 15 votes were returned for contestant and 160 votes for contestee.

The majority reject this whole precinct. We can not agree that this course is proper. It is plain from the testimony that the Populists at this precinct were captious, unreasonable, and offensive in their dealings with the election officers. All of the ballot boxes were plainly labeled, so that anyone who could spell in large Roman letters was able to deposit his ballot for himself. Contestant's witnesses, every one of whom could read and write, testify that they offered their ballots to the election officers, who refused to take them, but told the voters to place them in the boxes themselves; and instead of doing so, the voters threw down their ballots and did not vote at all. The election officers swear that the voters offered them a bundle of ballots, and the officers asked them to pass in one at a time and they would put them in the proper boxes as they were handed in. This the voters refused to do, and refused to put the ballots in the boxes themselves. It may be that the judges of election might very properly have taken the ballots offered in bunches, but to require them to be handed in one at a time was not unreasonable, and a voter who lost his vote by his refusal of so reasonable a request was himself at fault and can not complain. It is doubtful if, where there are several ballot boxes and several officers, an offer to hand in all of the ballots to one officer, accompanied by a refusal to offer the ballots one at a time, is a tender of a ballot at all, and we are inclined to think it is not. These voters had the option to place the ballots in the boxes themselves. This they refused to do, and there being no sufficient testimony that the election officers refused to direct them how to vote properly, those who lost their right to do so of their own wrong can not fairly complain. So, on the whole evidence, the vote of this precinct should be counted as returned.

WELCHS CREEK TOWNSHIP, COLUMBUS COUNTY.

The majority make no reference to this precinct, so we assume that the same escaped their attention. The contestee established by unquestioned testimony that there were returned for him 54 legal votes which were not included in the tabulation made by the board of county canvassers of Columbus County, and returned to the board of State canvassers. The testimony is found on pages 187, 188, and 189 of the record. This vote should be added to the returned vote of contestee.

CONCLUSION.

The majority claim that contestant was elected by 330 majority.

We can not concur with this conclusion. We find according to the evidence in the case and the election laws of North Carolina that contestee was fairly elected.

As to Lilesville precinct, there is no ground for adding 40 votes to contestant. The testimony of B. K. Jones, upon whose testimony the change in the vote is proposed, is entirely misapprehended, and to call attention to the error is sufficient to refute it.

As to Rockingham precinct, of the 70 votes added to contestant, 8 are undoubtedly illegal, as shown in the report.

As to Red Springs, the majority add 16 votes to contestant. There is no good reason for this claim.

As to Alfordsville precinct, the majority propose to reject the entire vote of the precinct, where contestee received 54 majority. This claim is not sustained by the evidence.

As to Stewartsville precinct, where contestee received 281 majority, the majority of the committee propose to reject the entire returns. In this report we have given testimony from contestant's witnesses showing that the election officers did their duty, and that the election was fairly conducted. There is no just ground for rejecting the official returns. Nine rejected votes are conceded to contestant and 3 votes are to be deducted from contestee, leaving the majority at this precinct for contestee 269 instead of 281.

As to Maxton precinct, where contestee received 145 majority, it is proposed to reject the returns upon insufficient evidence.

As to Welch's precinct, it is proven that contestee received 54 votes which were not counted for him.

Our conclusions as to these precincts are that the majority has erroneously made changes against contestee of 40 votes at Lilesville, 8 at Rockingham, 16 at Red Springs, 54 at Alfordsville, 269 at Stewartsville, 145 at Maxton, and 54 at Welch's, making 586 votes. This overcomes the majority of 330 claimed for contestant, and shows that contestee was elected by 256 majority.

We therefore recommend the adoption of the following resolution, as a substitute for the resolution reported by the majority:

Resolved, That James A. Lockhart was duly elected a Representative in Congress from the Sixth Congressional district of the State of North Carolina, at the election held on the 6th day of November, 1894, and is entitled to the seat which he now holds as such Representative.

J. W. BAILEY,
JAMES G. MAGUIRE,
J. C. KYLE.

During the reading of the above report the hammer fell.

The SPEAKER. The time of the gentleman has expired.

Mr. LONG was recognized, and yielded to Mr. PRINCE, who directed the continuation of the reading of the report as above.

Mr. PRINCE. It seems to me, Mr. Speaker, that there is no need to discuss this question further. The majority of the committee have presented their report. They have now, through their members, submitted to the House for its inspection the views of the minority, and I desire to state that while we do not expect to have a vote this evening upon the main question, I now move the previous question.

Mr. BAILEY. I suggest to the gentleman to withhold that motion until to-morrow morning, because it can not be acted upon to-night anyway. I think there will be no disposition for further argument in the morning.

I will say frankly to the gentleman that I have in contemplation the withdrawal of the substitute which I offered, with the view to make a motion to recommit this case to the Committee on Elections. I feel confident, of course, that the motion to recommit would be in order, but there is some question about the withdrawal of the substitute after the previous question is ordered; and, upon thinking over the matter, I am not so clear as to what would be the proper parliamentary procedure.

But I think no good purpose would be served by insisting upon the previous question now, and that no delay will ensue from the House just adjourning and leaving the matter as it is.

Mr. PRINCE. I should prefer, Mr. Speaker, to close the matter up so that the House can act upon it.

Mr. BAILEY. It is perfectly apparent that the previous question can not be ordered if I insist.

The SPEAKER. If the previous question is ordered it would still be in order to move to recommit.

Mr. BAILEY. With the understanding that I have the right to withdraw the substitute if I conclude to take that course, I will agree.

Mr. PRINCE. I have no objection so far as I am concerned.

The SPEAKER. If there be no objection the substitute can be withdrawn.

Mr. KEM. I object.

The SPEAKER. But there is objection.

Mr. PRINCE. I renew my motion for the previous question.

Mr. BAILEY. I will serve fair notice on the gentleman that he can not adopt that motion. There is no use of putting the House in that attitude when the gentleman has a conference report over there.

Mr. PRINCE. Very well. I yield to permit the presentation of a conference report.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed with amendment the bill (H. R. 3771) for the relief of Stratton H. Benscoter; in which the concurrence of the House was requested.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 1420) granting an increase of pension to Elizabeth W. Sutherland.

The message also announced that the Senate had passed bills and joint resolutions of the following titles; in which the concurrence of the House was requested:

A bill (S. 3218) granting an increase of pension to Charles D. Hanscom;

A bill (S. 3206) to grant a right of way through the new Fort Bliss Military Reservation to the El Paso and Northeastern Railroad Company;

Joint resolution (S. R. 155) to authorize a scientific investigation of the fur-seal fisheries; and

Joint resolution (S. R. 158) to amend an act to authorize the reassessment of water-main taxes in the District of Columba, and for other purposes.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8293) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes.

The message also announced that the Senate had passed without amendment the bill (H. R. 8008) defining cheese, and also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of "filled cheese."

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, the following Senate bills and joint resolution were taken from the Speaker's table and referred by the Speaker as follows:

A bill (S. 3218) granting an increase of pension to Charles D. Hanscom—to the Committee on Invalid Pensions.

A bill (S. 3206) to grant a right of way through the new Fort Bliss Military Reservation to the El Paso and Northeastern Railroad Company—to the Committee on Military Affairs.

Joint resolution (S. R. 158) to amend an act to authorize the reassessment of water-main taxes in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the folfowing titles; when the Speaker signed the same:

A bill (S. 1420) granting an increase of pension to Elizabeth W. Sutherland;

A bill (H. R. 6739) for the relief of John N. Quackenbush, late a commander in the United States Navy; and

A bill (H. R. 7171) authorizing and directing the Secretary of the Navy to donate four condemned cannon and four pyramids of condemned cannon balls to James T. Shields Post, No. 45, Grand Army of the Republic, of Galesburg, Knox County, Ill., and for other purposes.

MRS. WILLIAM LORING SPENCER.

Mr. ANDERSON. Mr. Speaker, I present a conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4020) to increase the pension of Mrs. William Loring Spencer, widow of Gen. George E. Spencer, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows: In lieu of the amount proposed to be inserted insert "fifty"; and the House agree to the same.

W. C. ANDERSON,
W. S. KERR,
Managers on the part of the House.
J. H. GALLINGER,
JOHN M. PALMER,
Managers on the part of the Senate.

The question was taken; and the report of the committee of conference was agreed to.

Mr. PRINCE. Mr. Speaker, I now move that the House adjourn.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. MCRAE, indefinitely, on account of sickness.

The motion to adjourn was then agreed to; and accordingly (at 5 o'clock and 40 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Mrs. Pamelia H. Chamberlain, administratrix of Jacob Crizer, deceased, against The United States, was taken from the Speaker's table, referred to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. HOOKER, from the Committee on River and Harbors, to which was referred the concurrent resolution of the House (House Con. Res. No. 54) for the examination and survey of Mormon Channel and Calaveras River, in the State of California, with special reference to a dam at Bellota and cut-offs in the San Joaquin River below the city of Stockton, Cal., reported the same without amendment, accompanied by a report (No. 2189); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIS, from the Committee on the Public Lands, to which was referred House bill No. 9148, reported in lieu thereof a bill (H. R. 9345) to enable certain persons in the State of Mississippi to procure title to public lands, accompanied by a report (No. 2202); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. WOOD, from the Committee on Invalid Pensions:

The bill (H. R. 6321) granting an increase of pension to Cynthia J. Capron. (Report No. 2190.)

The bill (H. R. 7995) granting an increase of pension to Jackson Neace, late a member of Company H, Twenty-seventh Regiment Illinois Volunteers, in the war of the rebellion. (Report No. 2215.)

The bill (H. R. 8114) granting a pension to S. V. Cornish. (Report No. 2216.)

The bill (H. R. 8688) granting a pension to Andrew R. Jones. (Report No. 2217.)

By Mr. CROWTHER, from the Committee on Invalid Pensions:

The bill (H. R. 8896) to increase the pension of George W. Walton. (Report No. 2191.)

The bill (H. R. 8029) granting a pension to Mrs. Jane G. Kelly. (Report No. 2192.)

The bill (H. R. 5143) granting a pension to John Black. (Report No. 2193.)

By Mr. KERR, from the Committee on Invalid Pensions:

The bill (H. R. 8172) granting a pension to Matilda Zimmerman. (Report No. 2194.)

The bill (H. R. 5342) granting a pension to Richard M. Johnson. (Report No. 2207.)

By Mr. KIRKPATRICK, from the Committee on Invalid Pensions:

The bill (H. R. 3253) granting a pension to Jane Dykes. (Report No. 2195.)

The bill (H. R. 6964) granting a pension to Zebediah Robertson. (Report No. 2196.)

The bill (H. R. 8753) granting a pension to Henry Gilham. (Report No. 2208.)

The bill (H. R. 8365) granting a pension to Dr. J. B. Thurman. (Report No. 2209.)

The bill (H. R. 8150) granting a pension to James P. Newton. (Report No. 2210.)

The bill (H. R. 7221) granting a pension to Lafayette Taber, of Fort Dodge, Kans. (Report No. 2211.)

The bill (H. R. 8754) granting a pension to Martin M. Flint. (Report No. 2212.)

The bill (S. 1689) entitled "An act granting a pension to John F. Hathaway." (Report No. 2219.)

By Mr. MILES, from the Committee on Invalid Pensions: The bill (H. R. 7055) increasing the pension of Anna G. Valk. (Report No. 2197.)

By Mr. PICKLER, from the Committee on Invalid Pensions:

The bill (H. R. 9343) for the relief of John A. Courtney, reported in lieu of the bill H. R. 4092. (Report No. 2198.)

The bill (H. R. 9317) granting an increase of pension to George W. Bolster. (Report No. 2199.)

The bill (H. R. 9316) granting an increase of pension to Isaac Smouse. (Report No. 2213.)

The bill (H. R. 9163) granting an increase of pension to W. H. Williams. (Report No. 2218.)

By Mr. THOMAS, from the Committee on Invalid Pensions:

The bill (H. R. 3510) granting a pension to Alexander Purdy. (Report No. 2200.)

The bill (H. R. 3861) granting an increase of pension to Bernard Dunn. (Report No. 2201.)

By Mr. COFFIN, from the Committee on Pensions: The bill (H. R. 5995) granting a pension to Henrietta B. Lee, surviving child of Lieut. Daniel Bedinger, a soldier and officer in the Revolutionary war. (Report No. 2203.)

By Mr. BAKER of Kansas, from the Committee on Pensions: The bill (H. R. 8360) granting a pension to C. S. Alvord. (Report No. 2204.)

By Mr. HARDY, from the Committee on Pensions: The bill (H. R. 9048) granting an increase of pension to Lawyer Sugs. (Report No. 2205.)

By Mr. BRUMM, from the Committee on Claims: The bill (H. R. 8070) for the relief of Theodore F. Swayze, administrator de bonis non of the estate of John S. P. Wheeler, deceased. (Report No. 2206.)

By Mr. SULLOWAY, from the Committee on Invalid Pensions: The bill (H. R. 7392) granting a pension to Ann S. Andrews. (Report No. 2214.)

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced, and severally referred as follows:

By Mr. TRACEY: A bill (H. R. 9346) to establish a department

of commerce and manufactures—to the Committee on Interstate and Foreign Commerce.

By Mr. CUMMINGS: A bill (H. R. 9360) regulating the salaries of printers, bookbinders, and other skilled workmen employed in the Government Printing Office—to the Committee on Printing.

By Mr. LESTER: A joint resolution (H. Res. 197) to correct an error in the river and harbor act—to the Committee on Rivers and Harbors.

By Mr. RICHARDSON: A resolution (House Res. No. 404) authorizing the Public Printer to rebind such of the "original messages" of the Presidents as may require it for their preservation—to the Committee on Printing.

By Mr. HENDERSON: A resolution (House Res. No. 405) for printing 5,000 copies of House bill No. 8110, to establish a uniform law on the subject of bankruptcy throughout the United States—to the Committee on Printing.

By Mr. BLUE: A resolution (House Res. No. 406) for appointment of a committee to investigate the Soldiers' Home at Leavenworth, Kans.—to the Committee on Accounts.

By Mr. WILSON of Idaho: A resolution (House Res. No. 407) authorizing the employment of Albert E. Werner to continue as a messenger in the post-office of the House until December 3, 1896—to the Committee on Accounts.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. HAINER of Nebraska: A bill (H. R. 9344) granting an increase of pension to Charles F. Thorp—to the Committee on Invalid Pensions.

By Mr. CURTIS of Kansas: A bill (H. R. 9347) for the relief of James J. McCool—to the Committee on Military Affairs.

By Mr. EVANS: A bill (H. R. 9348) for the relief of James Trigg—to the Committee on War Claims.

By Mr. KERR: A bill (H. R. 9349) granting an honorable discharge to Wilson S. Lafferty—to the Committee on Military Affairs.

By Mr. PICKLER: A bill (H. R. 9350) granting an increase of pension to Patrick H. Smith—to the Committee on Invalid Pensions.

By Mr. RUSSELL of Connecticut: A bill (H. R. 9351) granting a pension to William H. Burbeck—to the Committee on Pensions.

Also, a bill (H. R. 9352) granting a pension to John C. Burbeck—to the Committee on Pensions.

Also, a bill (H. R. 9353) granting a pension to Charlotte A. Burbeck—to the Committee on Pensions.

By Mr. SOUTHARD: A bill (H. R. 9354) to correct the military record of John T. Glascoe, late private Henderson Guards, Second Battalion, District of Columbia Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 9355) to correct the military record of John Sauzenbacher, late private Company B, Thirty-seventh Ohio Volunteer Cavalry—to the Committee on Military Affairs.

By Mr. WHEELER: A bill (H. R. 9356) to pension widow and minor children of W. F. Matheny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9357) to pension John S. Long—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9358) for the relief of Mrs. Mary S. Thompson—to the Committee on Pensions.

Also, a bill (H. R. 9359) to pension Mrs. Rebecca Wood—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALZELL: Four petitions of sundry citizens of Pittsburg, Pa., in favor of House bill No. 260, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. DOWNING: Petition of citizens of Calhoun County, Ill., remonstrating against the improvement on the Mississippi River at Bulls Landing, Calhoun County, Ill.—to the Committee on Rivers and Harbors.

Also, petitions of citizens of Manchester, Pittsfield, and Jacksonville, Ill., asking for favorable action on House bill No. 838, to reduce letter postage to 1 cent per half ounce, and House bill No. 4566, to amend the postal laws relating to second-class matter—to the Committee on the Post-Office and Post-Roads.

By Mr. HILL: Petition of Warren W. Porter, of Fairfield, Conn., in favor of the metric system—to the Committee on Coinage, Weights, and Measures.

By Mr. MILLER of West Virginia (by request): Petition of E. Ensign, James A. Hughes, and others, citizens of Huntington, W. Va., in favor of bill to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. MILLIKEN: Remonstrance of W. B. Richmond and others, against military training in public schools—to the Committee on Education.

By Mr. OTJEN: Petition of F. F. Ladwig and 11 others, of Milwaukee, Wis., in favor of the metric system—to the Committee on Coinage, Weights, and Measures.

By Mr. POOLE: Petition of citizens of Syracuse, N. Y., praying for the passage of House bill No. 260, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. RICHARDSON: Papers relating to the claim of James C. Parker, of Carroll County, Tenn.—to the Committee on War Claims.

By Mr. SCRANTON: Petition of the Board of Trade of Scranton, Pa., in favor of Senate bill No. 2447, creating a department of commerce and manufactures—to the Committee on Interstate and Foreign Commerce.

By Mr. STEELE: Resolution of typographical union No. 97, of Peru, Ind., praying for Government ownership of telegraph lines—to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, *June 5, 1896.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

Mr. PLATT took the chair as Presiding Officer, under the designation made by the unanimous consent of the Senate yesterday.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. LODGE, and by unanimous consent, the further reading was dispensed with.

COMMISSION ON FORD'S THEATER DISASTER.

Mr. FAULKNER. I ask to be relieved from further service on the Ford's Theater Commission, and that the President of the Senate be authorized to fill the vacancy.

The PRESIDING OFFICER. The Senator from West Virginia asks to be excused from further service on the Ford's Theater Disaster Commission, and that the President of the Senate be authorized to fill the vacancy. Is there objection? The Chair hears none, and it is so ordered.

REPORTS OF COMMITTEES.

Mr. ROACH, from the Committee on Pensions, to whom was referred the bill (S. 3152) granting an increase of pension to Ransom S. Angell, late private of Company G, First Regiment Wisconsin Cavalry, reported it with an amendment, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on Pensions, to whom was referred the bill (H. R. 3990) granting a pension to Mrs. Eliza G. Pyne, reported it without amendment, and submitted a report thereon.

Mr. PLATT (Mr. PEFFER in the chair). A few days ago a report was made by a majority of the Committee on Patents upon the bill (S. 1453) for the relief of Daniel Drawbaugh. I now present the views of the minority of the committee, and ask that the views of the minority be printed with the majority report.

The PRESIDING OFFICER. Such will be the order, without objection.

RECIPROCITY AND COMMERCIAL TREATIES.

Mr. HALE, from the Committee on Printing, to whom was referred the following concurrent resolution of the House of Representatives, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring), That there be printed 10,000 copies each of the majority and minority reports of the Committee on Ways and Means concerning reciprocity and commercial treaties, and also 10,000 copies of the hearings before the subcommittee of said Committee on Ways and Means on reciprocity and commercial treaties; 3,000 copies of said reports and hearings for the use of the Senate and 7,000 copies for the use of the House of Representatives.

FUR SEALS IN BERING SEA.

Mr. HALE, from the Committee on Printing, to whom was referred the concurrent resolution submitted by himself on the 29th ultimo, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 1,000 additional copies of Part II, together with its accompanying atlas, of Senate Document No. 137, of the Fifty-fourth Congress, first session, for the use of the United States Fish Commission.

Mr. HALE. Let the accompanying communication be printed as a report.

The PRESIDING OFFICER It will be so ordered.

REPORT ON RUSSIAN FUR-SEAL ISLANDS.

Mr. HALE, from the Committee on Printing, to whom was referred the resolution submitted by himself on the 29th ultimo, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Public Printer is hereby authorized and directed to print 2,200 extra copies of the report of Leonhard Stejneger on the Russian fur-seal islands, being article 1 of the Bulletin of the United States Fish Commission for 1896; of the said number of copies 500 shall be for the use of the Senate, 1,000 for the House, 500 for the use of the Treasury Department, and 200 for the use of the Fish Commission.

The PRESIDING OFFICER. The accompanying letter will be printed.

ABNER D. LEWIS.

Mr. BURROWS, from the Committee on Claims, to whom was referred the bill (S. 1286) for the relief of Abner D. Lewis, of Fayette County, Tenn., reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 1286) entitled "For the relief of Abner D. Lewis, of Fayette County, Tenn.," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of section 14 of such act, and report to the Senate in accordance therewith.

ESTATE OF JAMES WARR.

Mr. BURROWS, from the Committee on Claims, to whom was referred the bill (S. 22) for the relief of the estate of James Warr, of Fayette County, Tenn., reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 22) entitled "A bill for the relief of estate of James Warr, of Fayette County, Tenn.," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of section 14 of such act, and report to the Senate in accordance therewith.

BILLS INTRODUCED.

Mr. WARREN introduced a bill (S. 3259) granting a pension to Mrs. Maria N. Flint; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3260) granting an increase of pension to Arthur Mahar; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3261) granting a pension to S. J. Brainard; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CHANDLER introduced a bill (S. 3262) granting a pension to John E. Farrell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

MORMON CHANNEL AND CALAVERAS RIVER.

Mr. PERKINS submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the local United States engineers in the State of California, under the direction of the Chief of Engineers of the United States, be, and they are hereby, authorized and directed to examine and survey Mormon Channel and Calaveras River, in the State of California, with special reference to a dam at Bellota and cut-offs in the San Joaquin River below the city of Stockton, Cal., and to report the result thereof to the Chief of Engineers of the United States as speedily as possible.

AMENDMENT OF THE RULES.

Mr. PROCTOR submitted the following resolution; which was referred to the Committee on Rules:

Resolved, That paragraph 1 of Rule XVI of the standing rules of the Senate be amended by striking out the words, "All general appropriation bills shall be referred to the Committee on Appropriations, except bills making appropriations for rivers and harbors, which shall be referred to the Committee on Commerce," and inserting the following:

The general appropriation bills shall be referred to committees as follows:

To the Committee on Appropriations: The bills for legislative, executive, and judicial expenses, for sundry civil expenses, and for all deficiencies, and for pensions.

The other appropriation bills shall be referred in the first instance as follows:

To the Committee on Agriculture: The bill for the Agricultural Department.

To the Committee on Foreign Relations: The consular and diplomatic bill.

To the Committee on Military Affairs: The bill for the military establishment, including the Military Academy.

To the Committee on Naval Affairs: The bill for the naval establishment.

To the Committee on Post-Offices and Post-Roads: The Post-Office appropriation bill.

To the Committee on Indian Affairs: The bill for Indians and Indian tribes.

To the Committee on Commerce: The bill for rivers and harbors.

To the Committee on Coast Defenses: The fortifications bill.

To the Committee on the District of Columbia: The bill making appropriations for the District.

And when the bills are reported to the Senate from these several committees, they shall be referred with the accompanying report to the Committee on Appropriations for final report.

In appointing committees of conference on appropriation bills which have been considered by two committees, two members of the committee shall be taken from the Committee on Appropriations, and one from the committee which first considered and reported the bill.

NORTHERN PACIFIC RAILROAD COMPANY.

Mr. MITCHELL of Oregon. On the 21st of April I reported from the Judiciary Committee the joint resolution (S. R. 124) to facilitate the reorganization of the Northern Pacific Railroad Company, to secure to actual settlers the right to purchase at a price not exceeding $2.50 per acre the agricultural lands within its grant, and to prohibit said company or any successor company from giving, by consolidation, sale, or other corporate action, control of its railroad to any corporation, company, person, or association of persons owning, operating, or controlling a parallel or competing railroad.

I now desire to submit a proposed amendment to the joint resolution, to come in at the end of the first section. I ask that the amendment may be printed, and I give notice that either this afternoon, if opportunity should present, or to-morrow, I shall ask the Senate to proceed to the consideration of the joint resolution. I ask that the proposed amendment may be read and go into the RECORD.

The PRESIDING OFFICER. The resolution will be received, read, and printed.

The Secretary read as follows:

Amendment intended to be proposed by Mr. MITCHELL of Oregon to the joint resolution (S. R. 124) to facilitate the reorganization of the Northern Pacific Railroad Company, etc.:

Add to the end of the first section the following:

"*And it is further provided*, That in every case of failure of the title to any lands heretofore conveyed or contracted to be sold by said Northern Pacific Railroad Company, any and all rights of such purchaser or his assigns in respect of such land, or in respect of the failure of such title, or in respect to the liability of said Northern Pacific Railroad Company on said contracts for the sale of lands, and all judgments heretofore or hereafter rendered against said Northern Pacific Railroad Company, or against any of the receivers thereof in any court of the United States, or in any State court on account of any such failure of title, or on any covenants of warranty, or on account of any injury to any person or property, shall survive and may be enforced against such successor company with the same force and effect and in the same manner as against the Northern Pacific Railroad Company; and all debts and liabilities which said Northern Pacific Railroad Company or the receivers thereof may have incurred on account of injuries to person and property, and on any covenants of warranty in any contract or deed for the conveyance of lands, shall, when final judgment thereon has been or may hereafter be obtained, be paid by such reorganized company, and may be enforced by execution or other proper final process directly against such reorganized company and its property, and shall be a prior lien thereon; and this act is upon condition that such successor company shall within thirty days from the passage of this act file in the office of the Secretary of the Interior its assent thereto and all the provisions thereof, and on failure to do so this act shall become ipso facto null and void."

Mr. CHANDLER. I should like to make a suggestion in reference to this proposed amendment. Do I understand the Senator from Oregon to state that it is an amendment to a bill that has been reported by a committee?

Mr. MITCHELL of Oregon. It is an amendment to a joint resolution which has been reported by a committee.

Mr. CHANDLER. I suggest to the Senator that the amendment is so important that before it is considered by the Senate it ought to go to some committee of the Senate. There would be objection, doubtless, to its adoption, unless it was considered by a committee. I suggest to the Senator, therefore, to have it referred.

Mr. MITCHELL of Oregon. I will state to the Senator from New Hampshire that I had intended to consult members of the committee, perhaps all of them, in regard to it. I do not think there will be any objection at all to the amendment; but I ask that it be referred to the Committee on the Judiciary.

Mr. CHANDLER. I would prefer to have it go to the committee.

Mr. MITCHELL of Oregon. I ask to have it referred to the Committee on the Judiciary, and we will endeavor to consult in regard to it.

Mr. NELSON. In connection with that amendment, and as bearing on the same matter, I beg leave to offer an amendment, to take the same course. I ask to have it read.

Mr. MITCHELL of Oregon. All right. I desire to explain in a word the two provisions of the amendment proposed by myself.

Mr. JONES of Arkansas. Let this amendment be read.

Mr. MITCHELL of Oregon. It can first be read.

Mr. NELSON. It is an amendment to the same joint resolution.

The PRESIDING OFFICER. The amendment submitted by the Senator from Oregon will be referred to the Judiciary Committee. The amendment submitted by the Senator from Minnesota will be read.

Mr. NELSON. It is to be added at the end of the joint resolution.

The Secretary read as follows:

And provided further, That such successor company, its successors and assigns, shall succeed to all the rights and be subject to all the liabilities created by any and all contracts for the sale of lands heretofore granted by Congress to the Northern Pacific Railroad Company, which said railroad company or its receiver or receivers have made or shall make prior to the acquisition of said lands by said successor company.

Mr. NELSON. I ask that that amendment may have the same reference as the other amendment.

The PRESIDING OFFICER. It will be so referred.

Mr. NELSON. And that it be printed.

The PRESIDING OFFICER. It will be printed.

Mr. MITCHELL of Oregon. The amendment proposed by the Senator from Minnesota is precisely in one respect the amendment offered by myself. It is intended to make the successor company, if organized, liable on the warranties of the old company for the sale of lands where there was a failure of title. In addition to that, my amendment goes one step further and makes the successor company liable for any damages on account of injuries to person or property by the present Northern Pacific Railroad Company after such liability shall have been merged in judgment. I do not think there ought to be any objection from any source to those two amendments.

Mr. CHANDLER. Mr. President, a word by way of suggestion merely. Here are railroad mortgages, and it is expected that there shall be foreclosures under them. The purchasers take under a foreclosure the rights which the original mortgages provide they shall take. They are subjected to the liabilities which the oirginal mortgages provide shall go with the purchase. I very much doubt (I take the liberty of making the suggestion to the Judiciary Committee) whether any law of Congress can either add to or take from those privileges and liabilities; and acts of Congress which undertake to deal with contracts already made in the mortgages should be scrutinized with care before they are passed.

Mr. MITCHELL of Oregon. Just one word, Mr. President, in reply to the Senator from New Hampshire. This new company, or proposed new company, are before Congress asking for certain rights, asking for the grant of a franchise, to be a corporation, and to exercise all the functions of a national corporation, which they can not exercise at all unless in pursuance of an act of Congress. Congress, therefore, has the right in making that grant, I take it, to impose any reasonable restrictions that may be thought prudent and proper. Those proposed restrictions are not very extensive. They do not go to the extent, by any means, of making the new company liable for all contracts and liabilities of the present Northern Pacific Railroad Company. They do propose, however, to make the new company, if we shall give them this grant, responsible on the warranties of the old company for the sale of lands where there has been a failure of title, where they received the money from purchasers and have failed to deliver the lands, and where in such a case judgment has been heretofore obtained or may hereafter be obtained against the company in any court of the United States or any State court. The other provision is simply to make them responsible for any judgment that may be obtained against the old company on account of injuries to person and property. That is all; nothing more.

Mr. CHANDLER. I still say that we can not impose any such liability by act of Congress. It is possible that we may annex conditions to a new grant which may effectuate the purpose which the Senator from Oregon seeks to carry out, but not otherwise.

Mr. MITCHELL of Oregon. I am a good deal surprised at the statement of the Senator from New Hampshire, I confess, because the Senator from New Hampshire is a most excellent lawyer and a very genial, pleasant gentleman besides, as we all know. That he should assert, however, as a lawyer that we have no right to impose upon this new company the conditions proposed by my amendment is simply amazing to me.

Mr. CHANDLER. The Senator misunderstood me.

Mr. MITCHELL of Oregon. Perhaps so. I hope I did.

Mr. CHANDLER. He is very apt to misunderstand. I said that I was not certain but that they could be imposed.

Mr. MITCHELL of Oregon. Oh, I beg pardon. I am glad I did misunderstand the Senator.

Mr. CHANDLER. I accept the compliment the Senator paid me, nevertheless.

Mr. NELSON. I ask just a minute to make a brief explanation in response to the statement of the Senator from New Hampshire.

The PRESIDING OFFICER. There is no question before the Senate, but the Senator from Minnesota, by unanimous consent, will proceed.

Mr. NELSON. There is as much before the Senate as there was when the Senator from Oregon and the Senator from New Hampshire were speaking.

The PRESIDING OFFICER. The Chair perhaps ought to have suggested that the debate was proceeding by unanimous consent.

Mr. NELSON. I desire simply to say that these railroad companies in connection with mortgaging their franchise also mortgaged their lands. The lands are constantly being sold to actual purchasers in little driblets. The deeds and contracts are signed first of all by the president and secretary of the company. Then they are signed (and I have seen many of them) by the trustees of the mortgage. So it becomes a deed on the part of the company and on the part of the owners of the mortgage. The proceeds of these lands have gone to pay the mortgages in part. By this reorganization the old company is extinguished, the new company steps into the shoes of the old, and why should not the purchasers of these lands, who hold contracts and deeds signed, not only by the officers of the company, the president and the secretary, but also by the trustees of the mortgage, be protected? Is it anything more than just both in law, equity, and morals? That is the entire scope of the amendment which I have proposed.

Mr. CHANDLER. I will say to the Senator that they should be protected if Congress can protect them, but can Congress protect them by altering the existing contract written in the mortgage?

Mr. NELSON. They come in here and ask of us to legalize their organization, and coming in as they do with that request, we have a right to impose conditions.

Mr. MITCHELL of Oregon subsequently reported from the Committee on the Judiciary without amendment an amendment this day submitted by him intended to be proposed to the joint resolution (S. R. 124) to facilitate the reorganization of the Northern Pacific Railroad Company, etc., and moved that it be printed; which was agreed to.

CAPTURE OF THE COMPETITOR.

Mr. MORGAN. I ask the Chair to lay before the Senate the resolution which I offered that came over from yesterday.

The PRESIDING OFFICER. If there are no further concurrent or other resolutions, the Chair lays before the Senate a resolution coming over from a former day.

Mr. MORGAN. I ask that it be read.

The Secretary read the resolution submitted by Mr. MORGAN on the 3d instant, as follows:

Resolved, That the Senate, being informed by common rumor, and by testimony taken by the Committee on Foreign Relations, that a vessel of the United States called the *Competitor* has been captured by a Spanish ship of war, and that one or more citizens of the United States were captured on board said vessel, and have been tried and condemned to death by a military tribunal in Cuba, and are now in prison at Habana awaiting the execution of the sentence. And the Senate having instructed said committee to inquire into and make report respecting the rights of said citizens, under the treaties existing between the United States and Spain, and under the laws of nations, the President is requested, in conformity with section 2001 of the Revised Statutes, to inform the Senate whether any such capture has been made by a Spanish war ship, and whether any citizen of the United States has been captured on or near such vessel, and "has been unjustly deprived of his liberty by or under the authority of" the Government of Spain, and whether the President forthwith demanded of Spain the reasons of such imprisonment, and, if such imprisonment is unlawful, and if such sentence to death violates the laws of nations, or the treaties with Spain, whether the President has demanded the release of such citizens.

And that the President communicate to the Senate all the facts and proceedings relative to such capture, sentence, and imprisonment of such citizens, as soon as practicable, in accordance with the statute in such cases made and provided, as follows:

"SEC. 2000. All naturalized citizens of the United States, while in foreign countries, are entitled to and shall receive from the Government the same protection of persons and property which is accorded to native-born citizens.

"SEC. 2001. Whenever it is made known to the President that any citizen of the United States has been unjustly deprived of his liberty, by or under the authority of any foreign government, it shall be the duty of the President forthwith to demand of that government the reasons of such imprisonment; and if it appears to be wrongful and in violation of the rights of American citizenship, the President shall forthwith demand the release of such citizen, and if the release so demanded is unreasonably delayed or refused, the President shall use such means, not amounting to acts of war, as he may think necessary and proper to obtain or effectuate the release; and all the facts and proceedings relative thereto shall, as soon as practicable, be communicated by the President to Congress."

The PRESIDING OFFICER. The question is on agreeing to the resolution.

Mr. MORGAN. Mr. President, the resolution heretofore adopted by the Senate upon which the resolution under consideration is predicated read as follows:

Resolved, That the Committee on Foreign Relations is directed to inquire and report to the Senate what are the rights of the United States, under our treaties with Spain, as to the trial of our citizens arrested in Cuba and now under condemnation and sentenced to death by the Spanish military tribunals for alleged offenses of a political or other character against the Spanish laws or Government, and to report on that subject by bill or otherwise.

This resolution is dormant and can not be executed, properly at least, until the resolution now before the Senate is acted upon by the President and until he answers it, or again refuses to answer it.

That resolution was adopted on the 16th day of May. The *Competitor* incident had occurred, it appears from information that the Committee on Foreign Relations have derived from the sworn testimony of Mr. Lawrence, some days prior to the offering and passage of that resolution.

The Senate, acting under the statute, section 2001, found it to be its duty to get information in some way or other about the

Competitor affair. We have no information on that subject except as this resolution recites, by public rumor and through the testimony which was taken by the subcommittee of the Committee on Foreign Relations. The subcommittee consisted of the Senator from Minnesota [Mr. DAVIS] and myself. Now, we are here for the purpose of executing that mandate of the Senate without the slightest information from the executive department that there has been any seizure of such a ship, or any capture of an American citizen, or any official information or intimation on the subject of that very grave affair from the executive department of the United States.

For the purpose of trying to get hold of information on this subject, the Senate addressed in the usual form a resolution to the President, the third branch of the same resolution from which I have just been reading, passed on the 16th day of May, as follows:

That the President is requested, if it is not incompatible with the public service, to communicate to the Senate copies of any correspondence that has taken place between the Governments of Spain and the United States respecting the said protocol and its bearing or effect upon the trial and condemnation of citizens of the United States who were recently captured on or near the vessel called the *Competitor*, which was seized under Spanish authority in Cuban waters or near to that island.

The second resolution of that series called for a literal copy, both in the Spanish text and in English, of a protocol which was signed on the 12th of January, 1877, by the Hon. Caleb Cushing, our minister to Spain, and Señor Collantes, minister of the Spanish Government to the United States.

By reference to the language of this statute we will find, I think, a good deal that is worthy of consideration in the action that we propose to take and some reasons for its justification that are absolutely insuperable, it seems to me. I will read that statute again:

SEC. 2001. Whenever it is made known to the President that any citizen of the United States has been unjustly deprived of his liberty by or under the authority of any foreign Government, it shall be the duty of the President forthwith to demand of that Government the reasons of such imprisonment; and if it appears to be wrongful and in violation of the rights of American citizenship, the President shall forthwith demand the release of such citizen, and if the release so demanded is unreasonably delayed or refused the President shall use such means, not amounting to acts of war, as he may think necessary and proper to obtain or effectuate the release; and all the facts and proceedings relative thereto shall, as soon as practicable, be communicated by the President to Congress.

It is a custom of Congress, of both Houses, and it is a very proper one, in regard to diplomatic affairs which are pending and are not completed, that the President should be requested to send any such communications as Congress may desire to examine, if he considers it compatible with the public interest to do so. That evidently relates to such matters as are continuing and are incomplete in themselves, to such matters of diplomatic intercourse between ourselves and a foreign country which have not been entirely completed. This is also simply a courtesy extended by Congress to the President of the United States, for the Constitution does not exempt the President in any case whatever from giving information as to the state of the Union or the state of public affairs to the Congress of the United States. In this case the law requires that he shall communicate all the facts and proceedings relative thereto as soon as practicable. But the mandate of the Constitution is a continuing one and operates upon the President of the United States at all times and under all circumstances so as to require of him to lay before the proper tribunal, either the Senate or the Congress, such information as he may consider important in regard to the state of the Union or in regard to any matter which concerns the foreign relation of the United States.

The construction that was placed upon the constitutional privileges of the President received a very early interpretation in our Government in the fact that President Washington was on some occasions present in the Senate by the invitation of the Senate for the purpose of conferring with that body on treaties and other diplomatic matters, and the confirmation of persons who were appointed to office. That was found to be an extremely inconvenient practice, and thereupon the President resorted very properly to the sending in of messages or his appointments and also of having those messages considered in his absence. But any information that the Senate might desire to gain in regard to the competency or qualifications of an appointee, or any information that they might desire to gain in regard to a negotiation that was being conducted, was something that the President, I suppose until a very late day, never thought of withholding from the Senate of the United States. Thereupon the courtesy arose of sending resolutions of inquiry to the Executive couched in the words which I have mentioned, and qualified so that he might have a discretion in sending in such matters as were not required positively by law to be sent into the Senate, such matters as related to pending negotiations between this Government and a foreign Government on any subject that was in hand.

Now, it is perfectly obvious that in respect to the *Competitor* case, if there is such a case (when we get official information about it from the President we will then know officially that there is such a case), and according to the statement made in the sworn testimony of Mr. Lawrence, which I will ask leave to append to my remarks in order that I may not take up too much time of the Senate just now, official information is indispensable in regard to all of those facts which are essential for the guidance of the committee in the execution of this command of the Senate——

Mr. TURPIE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Indiana?

Mr. TURPIE. With the permission of the honorable Senator, I should like to ask him what is the paper he has requested to have appended to his remarks?

Mr. MORGAN. It is the testimony of Mr. Lawrence, taken before the Committee on Foreign Relations.

Mr. TURPIE. That testimony was taken in confidence, and has only been printed for the use of the committee.

Mr. MORGAN. I have not so understood it.

Mr. TURPIE. The chairman of the committee is here.

Mr. HALE. We can not hear the colloquy between the two Senators upon the other side.

The PRESIDING OFFICER. The Senator from Alabama asked that some paper might be incorporated in his remarks. The Senator from Indiana rose to inquire what the paper is.

Mr. MORGAN. I was a member of the subcommittee, and I was not at all aware that there was any confidence about it. The committee, when it instructed its subcommittee to make this inquiry and administer oaths to the witnesses, or at least to take their testimony, did not impose upon us any qualification of confidence at all. I would be, I think, as reluctant as anybody could be to violate any rule of the committee, and if I misunderstand it now even, I will not ask that the testimony shall be printed. But I had no information until this moment to the effect that it was printed in confidence for the use of the committee. It is without any confidential marks upon it at all.

Mr. SHERMAN. What paper does the Senator refer to?

Mr. MORGAN. It is the testimony of Mr. Lawrence, taken before the subcommittee by the Senator from Minnesota [Mr. DAVIS] and myself about the trial in the *Competitor* case.

Mr. SHERMAN. I do not recall the paper, but I suppose it is some paper which was sent to the Committee on Foreign Relations.

Mr. MORGAN. The Senator can not fail to remember, I suppose, that he appointed the Senator from Minnesota [Mr. DAVIS] and myself a subcommittee to take the testimony of Mr. Lawrence and Mr. Diaz?

Mr. SHERMAN. Oh, yes; that is true.

Mr. MORGAN. Very good. Now, the question is, was that a confidential communication on the part of these witnesses to the subcommittee?

Mr. SHERMAN. I think it would be until the committee acted upon it. So far as I know, I see no objection at all to its being made public, but at the same time I think it ought not to be made public until the committee say so, because it is evidence taken by the committee. I submit it to the judgment of the Senator.

Mr. MORGAN. I will not make it public, then, until the committee say so.

Mr. SHERMAN. I submit it to the judgment of the Senator.

Mr. MORGAN. If the committee want that sort of delay about the matter by any hiding of facts here and their concealment from the country, very well. I prefer to have it done in a different way.

Mr. SHERMAN. I have no objection to its being printed if the Senator from Alabama thinks it ought to be made public.

Mr. DAVIS. That report has not at all been considered confidential. It has gone out to the country and it is as well known as any document reported to this body.

Mr. TURPIE. The Senator is not heard on this side.

The PRESIDING OFFICER. The Senator from Minnesota is not heard.

Mr. DAVIS. There ought to be no objection to its being incorporated in the RECORD.

The PRESIDING OFFICER. The Senator from Alabama asks that the paper which he has mentioned be incorporated in the RECORD. Is there objection? There being none, it will be put in the RECORD as a part of his remarks.

Mr. MORGAN. Now, I wish to comment a little further upon the legal duty and the legal powers of the President of the United States in the matter of communicating to either House of Congress whatever facts are in the possession of the Executive of an official character respecting any matter that we want to inquire into and feel it our duty to inquire into. I have referred to the courtesy that we have extended to the Executive to enable him to withhold from either House, at least from this body, any communication which he thinks might disturb the public tranquillity or might in any wise compromise the Government; but I contend that those transactions which he has the right thus to withhold

are not completed transactions, but they are transactions that are in fieri. It would be improper, and I think the Senate has always recognized that fact, that we should interfere with the diplomatic correspondence between the President and any foreign government upon a matter touching any vital interest or important question while that correspondence was going on. But here is a case which is covered by a statute, and that statute prescribes certain specific duties to the President of the United States in such a case, and the question arises whether the President is bound to obey the law or whether he may escape through some courtesy extended to him by the Senate. That is the question.

Matters of this kind are regarded by the Congress of the United States as extremely important and extremely critical. In the enactment of this law, which required the President to interpose a demand upon a foreign government under the circumstances that exist, as we are informed, in the *Competitor* case, in precisely the same state of circumstances, if it appears that a citizen of the United States has been wrongfully deprived of his liberty in violation of the rights of American citizenship, the President shall forthwith demand the release of such citizen. That does not give him an option to postpone it to some future time or to some convenience on his part. He must do it at once, if he is satisfied that the imprisonment is illegal, and must at once ascertain if it is illegal. The American statute as well as American honor demands that when its citizen is thus imprisoned, contrary to law, in violation of law, the President of the United States shall forthwith demand his release, "and if the release so demanded is unreasonably delayed or refused, the President shall use such means, not amounting to acts of war, as he may think necessary and proper to obtain or effectuate the release."

Why was the qualification "not amounting to acts of war" put into that statute? It is because the President of the United States does not possess the war power except with the consent of Congress, and here is a plain, palpable declaration of restraint upon him in this statute that is in exact conformity to the Constitution of the United States. He can not go out of this Union, out of our own domain, and make war against any foreign country or perform acts of war, even in a case where one of our own citizens is arrested unlawfully and may be sentenced to death under the decree of a foreign country, without first referring the matter to Congress and obtaining their consent.

It therefore becomes necessary in a matter of this kind that Congress shall cooperate with the President. It is indispensable that Congress shall cooperate with him, or else the citizen must lie there in chains and under condemnation of death until such time as Spain and the President of the United States may concur in agreeing that he may be discharged. Not released from a false imprisonment, but discharged from a rightful imprisonment by a pardon.

We, fortunately for ourselves, have enacted this law to compel the President to prompt action, and Congress has carefully defined a legal status between ourselves and the President of the United States and between our Government and foreign countries which is mandatory and is alike imperative in its requirements upon Congress and upon the President. He shall forthwith demand the release, "And if it is unreasonably delayed, or if it is refused, the President of the United States shall take such steps, not amounting to war, as shall be sufficient to obtain the release." Suppose the steps taken by the President, not amounting to war, fail to secure the release. What then? Congress must act or the citizen must perish. The duty comes right home to us. It comes home to us under our own laws as well as under the impulses of all sympathy and all humanity.

Now, what next? The resolution requires that all the facts and proceedings relative thereto shall as soon as practicable be communicated by the President to Congress. This is done to enable Congress to act so as to save our citizens. When we asked the President, extending the courtesy to him of withholding this information as to correspondence, and nothing else, to send those papers here, he sent a message to us on the 23d day of May, in which he says:

> It being in my judgment incompatible with the public service, I am constrained to refrain from communicating to the Senate at this time copies of the correspondence described in the third paragraph of said resolution.

This resolution now under consideration does not call for copies of any correspondence. It calls for an executive, official statement of the facts, a part of which are the acts of the President alone, not his correspondence with Spain.

Mr. DAVIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Minnesota?

Mr. MORGAN. Certainly.

Mr. DAVIS. I should like to inquire of the Senator from Alabama if he recollects whether the resolution which called upon the President for information referred to any particular case?

Mr. MORGAN. Yes, sir; it did. I will read it in answer to the Senator from Minnesota.

Mr. DAVIS. I ask the question in order to make the statement of facts complete.

Mr. MORGAN. I have the wrong print here, but I can interpolate the words as the resolution was amended:

> That the President is requested, if it is not incompatible with the public service, to communicate to the Senate copies of any correspondence that has taken place between the Governments of Spain and the United States respecting the said protocol and its bearing or effect upon the trial and condemnation of citizens of the United States who were recently captured on or near the vessel called the *Competitor*, which was seized under Spanish authority in Cuban waters or near to that island.

Mr. DAVIS. I merely asked the question to make the statement of facts complete.

Mr. MORGAN. I want to be definite. The third paragraph of the resolution called for the correspondence in respect to the seizure of the *Competitor* and the bearing and effect of the alleged protocol upon that seizure, and the President declined to furnish it. The pending resolution calls for the facts relating to the capture and condemnation of our citizens.

I wish to ask the Senate whether, without one word of official information from the President of the United States, when we know through the newspapers and through the sworn testimony of Mr. Lawrence, who witnessed the trial, that our citizens have been condemned by Spain, after a pretense of trial by a court-martial, without the assistance of counsel or witnesses, and sentenced to death, and are now in prison in Habana under that sentence, is not the Senate entitled, under this mandatory statute to the President of the United States, again to request him to furnish us with this information? If there had been no more done about it than the act of the Senate instructing its Committee on Foreign Relations to make this inquiry in regard to the rights of American citizens, that would be a sufficient predicate for this request. But in addition to that we have the sworn testimony of Lawrence to show how the trial took place, what sort of trial it was, who the parties were, and the condemnation that was passed upon those American citizens. We have all that here. But the President of the United States has paid no more attention to it or to the Senate's request for information than if it had been a case of the slaughter of some native negro or mulatto in the Cuban army engaged in the war.

The citizen of the United States is entitled to something more than that. The Senate of the United States is entitled to something more than that. The President of the United States, whatever may be his motive—I do not care what it is—has not any right under the statute to withhold from us this information; and I think the action of the Senate will be moderate when, after this long delay and after this request, which has heretofore been made and rejected, we merely request him to make an official statement to us whether there was a seizure of the *Competitor*, whether an American citizen was seized on board of it or near to it, whether that man or those men have been tried by any Spanish tribunal and are held in arrest and in prison, and whether sentence of death has been passed upon them, and whether the President has made a demand for the release of those people. I do not want to leave Washington City, when the Congress shall have adjourned, and commit this matter to the hands of the President, either to make war actual upon Spain or to manufacture stage thunder out of it. I want us to perform our duties to the American citizens who are in chains, under condemnation of death, in a foul Spanish prison. If it requires acts of war to release them, the President is prohibited by this statute from engaging in such acts.

Mr. MILLS. The Senator recollects, too, that the whole proceeding was in the Spanish language, and the man said he did not understand it.

Mr. MORGAN. The testimony which the Senate have kindly permitted me to incorporate in my remarks is here. All of the proceedings before the court-martial were in the Spanish language, and when the accused were required to stand up and to make answer to the accusation after the trial had ended, one of them said, "I know nothing of what you have been saying or doing. None of it has been translated to me. It is all Spanish to me. I can not answer. I do not even know of what I am accused." Thereupon immediately a translation was made by some officer——

Mr. DAVIS. There was no translation.

Mr. MORGAN. That is true.

Mr. DAVIS. There was a short explanation, and he was asked if he wanted to say anything.

Mr. MORGAN. Yes. Thereupon immediately, after some short explanation, sentence of death was pronounced upon that American citizen by that court-martial.

That was done when we have a treaty of 1795 with Spain which forbids absolutely any such proceeding against an American citizen, except in the civil courts, at least in time of peace. The legal attitude between the United States and Spain in respect to war in Cuba is an attitude of recognized peace. It has never been disturbed in the slightest degree, according to Spanish assertion, nor have we recognized that war exists there. So in every view of this question which can possibly be taken the understanding

between the United States and Spain is that a state of peace prevails in Cuba.

Mr. DAVIS. Will the Senator allow me to interpose at this point? Furthermore, Spain has never declared martial law against these belligerents on her own territory.

Mr. MORGAN. I was not aware of that fact.

Mr. DAVIS. I mean in regard to forbidding intercourse from the outside.

Mr. MORGAN. Yes. There has been so much obscurity as to the situation in Cuba imposed upon the whole world by Spain's censorship of the press and the cable and telegraph lines that of course we are in the dark—the whole world is in the dark—in regard to what transpires in Cuba. We hear the groans and the shrieks and the outcries of old men, women, and children as they are borne on the breath of rumor. Occasionally some missive is sent by a private citizen to the outside world to inform us of the revengeful and inhuman butchery that is going on in that terrible place. But so far as authentic information is concerned, either relating to what is transpiring in the massacre of human beings in Cuba or relating to the legal status that exists there, we have in large measure to rely upon mere rumor as we gather it from the press and other sources—private letters. I have received a good many letters, some with the seals broken by the Spaniards before they got out of the mails in Cuba, giving information to me as to what has been going on in the island. But we are thrown upon these precarious sources of information, and therefore the Senate will have to excuse me if I am not so well informed as my colleague on the Committee on Foreign Relations, the Senator from Minnesota [Mr. DAVIS], in respect to the fact that martial law has not been declared in Cuba as to any particular province.

Mr. DAVIS. As to the act of introducing arms into the island and seizure upon the sea.

Mr. MORGAN. Is it an unreasonable request on the part of the Senate of the United States, or is it a request as to which the President of the United States could take the slightest umbrage, respectfully to ask him, under section 2001, to perform his duty immediately, or as soon as practicable, that being the language of the statute, communicating these facts, which are known to him and unknown to us, officially to the Senate? That is the whole purpose of the resolution, to get his declaration and statement of facts. Upon what justifiable ground can this official statement be withheld from us?

The Senate wants to know if there was a *Competitor;* if there were Americans on it; if they were seized; if they were tried; if they were condemned to death. I want to know whether an immediate demand for their release has been made. I want to know the response to it. I want to know why it has been unreasonably delayed; why it is that these American citizens are required to remain in jail in Habana, in a place that is described as being utterly beastly, where as many as a hundred men are confined in a room that is not one-fourth the size of the Senate Chamber, and are not given even enough water to drink. I want to know of the President of the United States what the situation is before Congress shall adjourn and we shall go hence. Are we going to adjourn on Monday or Tuesday and leave these men in jail in Habana without information even as to their condition, and that, too, when the Senate has called for it and suggested to the President the duty that the statute requires him to perform?

I wish to state that I have the utmost reverence and respect for the office of Chief Executive of the United States. That is an American characteristic. It is one in which I really rejoice. At the same time this is a country of law. No man can move in the executive department, the judicial department, or the legislative department except as he is moved by the laws of this country and as he is restrained and directed by those laws. This is a country of laws. It is not a country that is ruled by the private will of the incumbents of any of the departments of this Government.

The President of the United States is enjoined by the Constitution faithfully to execute the laws, and then he swears in his official oath that he will obey the Constitution of the United States, so that he is as much under an obligation to obey that statute as is the Senate and every citizen of the United States. He can not say to us, "It is inconvenient for me, or it might put me in an unpleasant attitude, or it might disturb some diplomatic correspondence that I am conducting with Spain if I should give the Senate information as to facts where the statute requires that I shall do it, and do it as soon as possible."

Now, who supposes that it is too early for the President of the United States to inform us in regard to the state of facts inquired about in the resolution? Who will say so? I am not moving in this matter for any other purpose than merely to execute the laws of the United States and to obey the order of the Senate as a member of the Committee on Foreign Relations.

It is with exceeding regret that I have to bring forward a matter of this kind. It is unpleasant to me in the highest possible degree. At the same time, as a member of the Committee on Foreign Relations and as a Senator on this floor, when the Senate has instructed that committee to make an inquiry and to report by bill or otherwise all the facts relating to the *Competitor* case, I do not see how we can go away from here without requesting the President again to send us this information. When we get it, we will know whether it is necessary as a committee to make any report to this body at this session, whether the exigency is such as to require it. It may turn out—we do not know—that the Spanish Government has receded from the assertion of its right to arrest our citizens under the circumstances and to try them by military court, or it may turn out that we shall be humiliated by having the jurisdiction and power of the Spanish Government over our citizens reasserted, and that we shall have to go as a Government, or that the individual who has been condemned to death will have to go on his own account, and humbly beg pardon of Spain and get a pardon from the supreme authority in that State. I do not know how it will turn out. I would be glad to save the lives of these people in any way at all. At the same time I can not feel very proud if we shall save their lives under an order from Spain for their pardon, when we are demanding and asserting that the Spanish Government had no right to arrest them and no right to condemn them by military court, and that such a court had no jurisdiction to try them.

I do not suppose that in respect to any other Government existing in this world to-day the President of the United States would hesitate for one moment to make a demand for the release of these prisoners. Why does he hesitate to say to the Government of Spain, "You have no power or right to do this thing in time of peace. You can not take these people up and condemn them to death under your municipal laws, as you have done here in time of peace. In time of peace you can not try our citizens by military court-martial." That is an incident of war. That is a court that derives its jurisdiction in time of peace alone from the relation which the party charged holds to the military establishment of the country—necessarily so. Here is a military court-martial assembled in time of peace, and it pronounces summarily sentence of death upon one of our citizens, and, to appear extremely just to Spain, he leaves our citizens to the mercy of that Government. Has the President of the United States made a demand for their release upon the ground that the court had no jurisdiction, and will he consent to accept the pardon of these people? What will be the condition of the next batch of men who go there? We shall have admitted the jurisdiction of Spain to condemn them to death by permitting this sentence to go into execution and by our predicating upon it a plea for pardon. Spain would say, "Your Government, in the case of the *Competitor* and the men there arrested, has admitted the jurisdiction of the courts-martial to try them." Spain will say to us, "You came here and sued for pardon for these men, thereby admitting all the predicate in respect to our jurisdiction to arrest them and try them by a military tribunal." I do not want to leave this question in that shape.

I deprecate—perhaps there are some people in this world who disbelieve what I am stating now—the spirit the American people are now exhibiting in breaking away from our laws and keeping the executive department in hot chase after men who are trying to escape from the United States with arms and munitions of war to put them into the hands of the rebels in Cuba. I deprecate it because it violates the laws of the United States, and so long as there is a law upon the statute books of the United States I am in favor of its being executed. It makes no difference what the consequences may be to anybody. Let the law have its course, because this is a land of law. If we are to set aside the law because of our sympathy or anything like that, of course the whole fabric goes to pieces through the caprice of popular will. But as much as I deprecate that, and as much as I think every man in the United States who is a right-thinking man is bound to deprecate it, do we not know that it is a physical, a political, a moral impossibility to keep individuals from going to Cuba or to keep expeditions from being secretly organized to go to Cuba and carry arms and munitions of war? The people have broken over all bounds in regard to it, and the Government of the United States to-day has no power to prevent its people from going there. The people have so long fretted at the enormities of Spanish barbarity in Cuba that they have become restive and they are unwilling to obey their own laws, and those laws are virtually stricken down by the instincts and sympathies of a common humanity. But that is the situation. We can not prevent it.

It behooves us, Mr. President, to have an understanding with Spain upon this question, and inasmuch as the President is forbidden by the statute to perform any act amounting to war in order to get the release of one of our citizens thus captured and condemned to death—inasmuch as he can not make war for a purpose of that kind, it is the duty of the Congress of the United States to make such declarations now as are necessary to assist him if war has to be made. A joint resolution ought to be passed by this body, if the facts are as I suppose they are, that in the event these American prisoners are not speedily delivered to our consul, or in the event that they are not released within a reasonable time, according

to the language of this statute, the President shall be authorized to send ships to Cuba and there make war that shall be effectual to secure their release. But the President can not do this unless we authorize him to do it. The statute prohibits him. But, to justify such a course, Congress must first determine whether the condemnation of our citizens is just and in accordance with our treaties with Spain.

I wanted to present this subject to the attention of the Senate merely to inquire whether or not we are going away from here and leave this matter in the shape it is in. Let us pass the resolution and get the official facts from the President. He can recommend to us whatever he thinks is necessary to aid his powers in order to obtain the release of these men. They have been there nearly a month and have not been released, and every day that these men are imprisoned in that jail under sentence of death is a day of dark and marked dishonor to the United States of America. We have no right to stay here and have our citizens treated in this way, because we are not able even to get a response to a proper request from the President of the United States as to what the facts actually are. Let us again ask for information from the President, and, failing that, proceed to do our full duty to these men.

I move the adoption of the resolution.

APPENDIX.

CONDITION OF AFFAIRS IN CUBA.

WEDNESDAY, *May 20, 1896.*

Statement of Frederick W. Lawrence.

FREDERICK W. LAWRENCE was duly sworn.

By Senator DAVIS:

Q. What is your full name?
A. Frederick W. Lawrence.
Q. Where do you live?
A. In New York City at present.
Q. What is your employment?
A. Correspondent of the New York Journal.
Q. How long have you been so employed?
A. Since December.
Q. Are you a citizen of the United States?
A. Yes, sir.
Q. Have you visited the Island of Cuba recently?
A. Yes, sir.
Q. When did you arrive there?
A. Nine weeks ago last Saturday.
Q. Until when did you remain?
A. A week ago last Sunday.
Q. In what capacity?
A. As correspondent to the Journal.
Q. In what place in Cuba did you remain?
A. At Habana.
Q. Were you during your stay in Cuba at any time within the lines of the insurgent troops?
A. No, sir; I made no effort to disobey the laws of the Government of Cuba.
Q. Did you make any excursions from Habana?
A. Yes, sir.
Q. How many?
A. Three.
Q. State to what places and the distance to each place.
A. To Guines, a distance of about 40 miles; Guanabacoa, a distance of about 7 miles, and to Marinoa, a distance of about 9 miles.
Q. Were all of these places within the Spanish line?
A. Every one of them; yes, sir; that is to say, the Spanish claimed them, and at the time I went to them they were; but recently the insurgents have gone to at least one of them, that is Marinoa.
Q. Do you mean permanently advanced their line?
A. No, sir; they have no lines; that is, their columns have gone in and got out again; they have broken the Spanish lines.
Q. Under what circumstances did you leave the Island of Cuba?
A. I was expelled by order of the captain-general.
Q. Was that order verbal or in writing?
A. In writing.
Q. Have you a copy of it?
A. I have it in New York.
Q. Will you furnish a copy to the committee?
A. With pleasure.
Q. When was that order delivered to you?
A. It was delivered to me on Thursday before I left Habana.
Q. Does the order allege for what reason it was given?
A. Yes, sir.
Q. What reason was given?
A. It is alleged that both James Creelman and myself, he being named in the same order, were expelled from the Island of Cuba for sending to our papers false notices of cruelties by the Spanish troops, and inventing news of insurgent victories.
Q. Were those statements true?
A. Not a single statement made in the order of deportation is true, except the words that we are the correspondents. I so informed the captain-general in writing before I left there.
Q. Did you receive any response?
A. No, sir.
Q. When you arrived in Habana, which I understood you to say was March 20, 1896, did you place yourself in communication with the Spanish authorities?
A. Yes, sir.
Q. For what purpose did you place yourself in communication with them?
A. For the purpose of gathering information concerning the situation of affairs there and gathering news that would be of interest to the people of this country or to my paper.
Q. Did you state your purpose to them?
A. I made no statement to them, but made no attempt to conceal from them my purpose, and openly and avowedly stated I was there for the purpose of obtaining information.
Q. Did you desire to obtain information from the Spanish authorities as to the condition of affairs in Cuba?
A. Yes, sir.
Q. With what success?
A. Very little; absolutely none as far as the true condition of affairs was concerned.
Q. Did they give you at all their version of current events?
A. Yes, sir.
Q. Did you ascertain whether such information was reliable or unreliable?
A. At the time, having no other information at hand, I was compelled to accept it as reliable, and so sent it, but found afterwards that statements given to me were untrue.
Q. From what source did you find those statements were untrue?
A. From gentlemen who came into Habana and also gentlemen in Habana.
Q. From gentlemen who came from where?
A. From gentlemen who came into Habana from where the scene of action was laid.
Q. From territory occupied by the insurgents?
A. Yes, sir.
Q. In what respects, stating generally, did you find this information to be unreliable?
A. As to battles fought.
Q. Well, in what respect as to them?
A. The military censor is the man who gives out the Government reports of engagements between the Spanish and insurgents. He has hours for doing it, and at those hours all the newspaper men in Habana are supposed to be present. He edits them and the Habana newspapers are compelled to print them. Before they are written up they are compelled to be submitted to the censor, who arranges them as to what he wishes the public to know, and if the published news is changed in the smallest particular from the way it is handed in, the papers are subject to fine and the editors are subject to imprisonment. I found that in the reports of skirmishes the military censor invariably reported that the Spanish had killed from three to a dozen, or perhaps more, men, and had captured so many horses, or had killed so many horses, and had wounded so many, while communication from the ranks of the insurgents to their friends in Habana would be entirely the reverse. The news I received, then, would be entirely different from that given out from the Spanish censor. That was invariably the case.
Q. The result, then, was, you could not know which was nearest the truth?
A. Personally I have no knowledge of it. I did not go outside the lines and did not count the dead and dying or anything of that kind; but the gentlemen who would bring me information—and I did not have to seek for it; they were only too willing to give it to me—were men of the very highest character. They were men whose word is certain to be believed, at least on an equality with that of any man who walks the earth. I found that those gentlemen who brought me such information were conservative; that sometimes they would give the Spanish a victory and sometimes they would give the insurgent side a victory in these little skirmishes, while the news given us by the Spanish censor invariably gave the Spanish a victory.
Q. Were these gentlemen on the side of the insurgents?
A. Yes, sir.
Q. So for that reason you were inclined to give their account greater credit than that of the censor?
A. Yes, sir; and for this reason: I found the sympathizers with the insurgents were more conservative than the other; that is, they were willing to concede a battle now and then to the other side, while the Spanish side of the news was that of a Spanish victory.
Q. Was there anything in the Spanish account about the capture of Pinar del Rio?
A. The censor did not report the capture of Pinar del Rio; and, in fact, when it was reported that it was captured it was vehemently denied by the authorities.
Q. Did the censor give out that Maceo had attacked that town and been repulsed?
A. No, sir.
Q. I see in your report to Secretary Olney you say that "the Government gave out the announcement that Maceo had attacked the town and been repulsed in short order and with great loss, the Spanish loss not being stated."
A. That statement is made upon the statement of William Shaw Bowen, as ardent an admirer of Cuba as ever stepped foot in Habana. He told me that within a week after the account of the capture of Pinar del Rio was printed Weyler had informed him personally that the Cubans had not only attacked Pinar del Rio but had been repulsed.
Q. Did you report that?
A. Yes, sir.
Q. Did you afterwards state that was untrue?
A. From all the information I could gather from people who came in from Pinar del Rio—Cuban sympathizers, it is true, but honorable men—the city of Pinar del Rio was held for nearly two hours, and they created great destruction and were not driven off, but vacated the town of their own accord.
Q. Do you know anything of your own knowledge in regard to the treatment of American citizens by the Spanish authorities during your stay?
A. Do you mean by that was I personally present when ill treatment was inflicted upon them or have I the knowledge from the men themselves?
Q. Just answer that. Did you personally see or know of ill treatment of American citizens?
A. Yes, sir. I found Mr. Walter Grant Dygert, a citizen of the United States, from the State of Illinois, imprisoned at the prison at Guines, in a little cell, probably not half as large as this room, in which there were 22 other men and in which there were no sanitary arrangements worth speaking of.
Q. That would be a room about 16 by 18 feet. How many people were there with him?
A. Twenty-two; he made 23.
Q. Closely confined there all the while?
A. Yes, sir.
Q. What was the condition of the room as to cleanliness?
A. It was simply filthy. The people with him were the dirtiest men I ever looked on in my life, and I have been in a great many American prisons.
Q. How long had he been there?
A. About three months.
Q. How long did he remain there after you discovered him?
A. About two weeks.
Q. What was the charge made against him?
A. The charge made against him was that he was outside the territory designated as that proper to travel in by General Weyler. He was found on the outskirts of the city of Guines. That was one charge against him, and the other charge made against him was that he was William Gold, otherwise known as "Inglesito."
Q. Had there been any investigation made by the Spanish authorities?
A. Yes, sir.
Q. Any investigation at which he was present?
A. Yes, sir; and testimony taken; and Marquis Palmerola told me the Government was thoroughly satisfied of his innocence for two weeks. I saw the Marquis on a Saturday, and he told me they would have released him the day before or the day before that but for the fact that they were holy days—Holy Thursday and Holy Friday—and the Spanish do nothing on those days.

Q. Did you know anything about the kind of food furnished him?
A. Only what Mr. Dygert told me.
Q. What did he say?
A. He told me the food was execrable. He told me that but for the fact that the commandant of the prison, whose name I forget, but it is in my papers, was a pretty decent sort of a fellow, he would have committed suicide long before he saw me.
Q. Did these prisoners take any exercise?
A. I did not ask about that. They were in a cell with iron bars on the side; that is, they could get air, but not sufficient in that cell.
Q. Was it a stone cell?
A. Yes, sir; with the iron bars on one side.
Q. What kind of a floor?
A. Stone floor. Mr. Dygert told me at the time I was conversing with him that at that very moment he was crawling with vermin, and his scratching and conduct generally was pretty good evidence that he was.

By Senator MORGAN:

Q. What were the sleeping arrangements?
A. None. They had to sleep on the floor.
Q. They furnished him blankets, I suppose?
A. No, sir; that was perhaps unnecessary, for I suppose blankets would have been too warm.

By Senator DAVIS:

Q. Did he speak of being allowed a change of clothing?
A. He had not been allowed a change of clothing during his imprisonment.
Q. How long before his release was it that Marquis Palmerola told you that the Government had known his innocence?
A. He told me the Government had known it two weeks absolutely.
Q. That was three weeks before his discharge?
A. The Marquis Palmerola told me that the Government had been absolutely sure of his innocence two weeks prior to the day I saw the marquis.
Q. Then that makes about four weeks after they knew or confessed they knew he was innocent?
A. Yes, sir; and the testimony had been in the possession of Marquis Palmerola over two months.
Q. Did he tell you why he had not examined that testimony until after it had been two months in his hands?
A. It was not his business to examine it.
Q. Do you give that to me as his answer or your reason?
A. My reason——
Q. No; answer my question. Did he tell you why he had not examined that testimony for two months after it had been in his hands?
A. He did not.
Q. State any other instances of maltreatment of American citizens by the Spanish authorities there.
A. If you will permit me to state what the American citizens told me——
Q. I will cover that by a subsequent question.
A. I saw no other ill treatment, unless you consider the expulsion of American citizens from Habana ill treatment.
Q. Did you see any expulsion of American citizens?
A. Yes, sir. Mr. Rapley, correspondent of the New York Mail and Express, was resting in his bed——
Q. Did you see this?
A. No; I did not.
Q. Well, during your stay in Habana did you learn from sources you considered reliable of other instances of ill treatment of citizens of the United States by the Spanish authorities? If so, go on and state them, and give your sources of information.
A. Mr. Rapley, the correspondent of the New York Mail and Express, came to me one day about two or three weeks after I arrived at Habana and told me that upon the night before, between 2 and 3 o'clock in the morning, he had been aroused in his bed by the chief of police and three or four commissioners—police inspectors—and had been served with a notice of deportation. He showed me the notice, but it was in Spanish and I could only guess at its contents. He applied to Consul-General Williams to have his time extended. He was to leave on the first steamer, and the first steamer sailed on the following day and he could not get ready to go on it, so he applied to Consul-General Williams for permission to prolong his stay until the following steamer, and Mr. Williams secured him that permission. He left on the following steamer.
Q. What was the alleged cause?
A. Sending false information to his paper. That has been the reason that General Weyler has alleged for the expulsion of all the correspondents whom he has expelled. There were four of us expelled.
Q. Go on and give the next instance.
A. The case of Mr. Darling, an artist for Harper's Weekly, who has been arrested in territory that is not included in the captain-general's edict, released each time, but detained from one hour to several hours—by several hours I mean eight or ten. I am not certain about the American citizenship of Mr. O'Leary, so I will not state his case. Mr. Creelman, of the New York Herald, was expelled at the same time I was; forbidden to remain longer on the island.
Q. Upon what charge?
A. Upon the charge of sending false information as to the state of affairs in Cuba. I was expelled for the same reason at the same time.
Q. Now, these cases are those of newspaper correspondents. I apply my main question to ill treatment of other American citizens, resident or temporary, of the island.
A. The cases of Alfred Laborde and Milton.
Q. Citizens of the United States?
A. Citizens of the United States.
Q. Is your information derived from what they told you?
A. No, sir.
Q. Who did you get it from?
A. From the testimony produced at the court-martial and from Vice-Consul Joseph Springer.
Q. With what were these two men charged?
A. They were charged with bringing a filibustering expedition into the Island of Cuba.
Q. Is that the case of the *Competitor*?
A. Yes, sir. Those two men, American citizens, were arrested, and, so far as the testimony of the men who captured them goes, had no arms upon their persons. They were brought to Habana, tried by general court-martial, against the energetic protest of the United States consul-general there, condemned to death, and, as I am informed, their sentence delayed by the Madrid Government at the request of the Secretary of State, and still held in jail.
Q. Do you know whether they were assisted by counsel at their trial?
A. From the American point of view, they were not assisted by counsel at their trial; from the Spanish military point of view, they were.
Q. In what way?
A. They had a lieutenant in the navy, who asked no questions, who cross-examined no witnesses. There were none produced except Captain Butron and the other officers of the *Mensajerra*.
Q. Did this lieutenant advance by way of plea that these men were American citizens?
A. He stated in his plea that they were American citizens.
Q. Upon what grounds did he rest their defense?
A. He asked for mercy for Laborde, for the illustrious place his name had borne in the Spanish navy, and on account of the things his people had done for the Spanish Government.
Q. And the other man?
A. He asked for mercy for him, stating that he was not there for the purpose of fighting, but merely in his business as a newspaper correspondent.
Q. Do you know whether it appeared on that trial how far the *Competitor* was from the shore of Cuba when she was captured?
A. I do not remember.
Q. Do you know whether there was any evidence of that given on the trial?
A. At the trial there was no evidence given whatever.
Q. I mean as to the distance.
A. As to the distance or anything else.
Q. Have you any information as to the distance she was from the shore?
A. As to the exact distance, I do not know whether she was within the 3-mile limit or not.
Q. Was this trial secret or public?
A. Public.
Q. Did you attend it?
A. Yes, sir.
Q. Were the men in irons when tried?
A. No, sir.
Q. How long did it last?
A. From a little after 8 o'clock in the morning until afternoon.
Q. How many were tried?
A. Five, at once.
Q. How long was this after their arrest?
A. It was in the neighborhood of a week, more or less.
Q. Was any application made at the trial for postponement until they could communicate with their Government?
A. No, sir. Mr. Williams, however, saw them before the trial commenced and asked the judge-advocate in my presence what sort of a trial it was to be, and the judge-advocate replied, "A summary trial." Mr. Williams then replied, "I refuse to lend any official recognition to this trial. I protest against it"; and left.
Q. So that no officer of the consular service of the United States was present at that trial?
A. No, sir.
Q. In what manner was this lieutenant appointed?
A. I do not know. If you care for presumption, I presume the judge-advocate appointed him.
Q. Was he appointed as deputy judge-advocate?
A. No; he was appointed as what they call "defensor." There was a prosecutor also. He made his plea in about the same way as one of our district attorneys would make a plea in this country.
Q. Well, this person was an officer in the Spanish navy, was he?
A. Oh, yes. He asked no questions, however. Neither the prosecutor nor the counsel for defense asked a single question of anybody. There was not a particle of testimony offered except the officers of the *Mensajerra*.
Q. Was there an interpreter present?
A. There was an interpreter present, but he did not make his presence known to the prisoners until they were asked whether they had anything to say in their own defense. These long statements were read by the judge-advocate in Spanish.
Q. These long statements of the prosecuting officer, you mean; was the evidence given in Spanish and translated in their hearing?
A. No, sir.
Q. Did their defender communicate to them the substance of it?
A. He did not utter one single word to them.
Q. Can he speak English?
A. I did not hear him.
Q. Have you any reason to think he could speak the English language?
A. No, sir; I have every reason to think he could not?
Q. So that all this long harangue was delivered in Spanish?
A. Yes, sir.
Q. And then they were asked what they had to say?
A. Yes, sir; what they had to say in defense.
Q. Did he ask that in English?
A. He did not even do that. The presiding officer of the court-martial—there were ten of them, what we might call the jury—the presiding officer of that body said to Laborde in Spanish, "What have you to say?" He said a few words, and so it went until the last man was reached—William Gilday—and the presiding officer spoke to him and he did not understand him, and then the interpreter got up and said, "Do you wish to say anything?" Gilday arose and said, "All I have got to say is I do not understand one word that has been said to-day, for me or against me, and at any rate I appeal to both the British and American consuls."
Q. Now, how many of these prisoners could not speak or understand Spanish?
A. I believe there were two who could not speak and understand Spanish.
Q. Which two?
A. Milton and Gilday. Laborde understood Spanish.
Q. Milton was the American and Gilday the naturalized American subject?
A. Yes, sir; I believe there is some question whether Gilday is a British subject or American. The British consul claims that he is a naturalized American, but he himself says he never renounced his allegiance to Great Britain.
Q. How long was it after they were asked whether they had anything to say before the trial terminated?
A. The trial terminated immediately upon the last man having made his statement.
Q. And when was it the defense summed up in their behalf, if at all?
A. Immediately after the prosecution.
Q. How long did it take him to conclude that summing up?
A. It took probably fifteen minutes.

By Senator MORGAN:

Q. But his appeal, as I understand you, was entirely for mercy, and not for justification?
A. All for mercy, except you can call his plea for Milton that he was not there as a filibuster, but merely as a newspaper correspondent.

By Senator DAVIS:

Q. Did Milton undertake to give any account of why he was there?
A. Yes, sir.
Q. What account did he give?
A. He stated he came aboard the schooner as the correspondent of the Jacksonville Times-Union.
Q. Did he state he knew anything of the mission of the schooner?

A. He did not say. That is the statement that was made by him several days before the trial.
Q. What did Gilday have to say for himself?
A. He said he was a poor sailor earning his living, and he went aboard thinking the schooner was bound from Key West—I think it was for Sable Keys, going fishing; that he knew nothing of the nature of the business until after it started. Laborde claimed that his ship had been hired by some person for the purpose of going to Sable Keys for the purpose of fishing there, and he was simply held up by a revolver and told to go to Cuba.
Q. Laborde was the owner of the schooner?
A. No; he was the captain.

By Senator MORGAN:

Q. What did you ascertain to be the general feeling of the native Cubans you saw as to this rebellion or war?
A. The Cubans, all the natives of Cuba that I have seen who in the past have possessed any wealth at all, told me they had wrecked themselves to help along the war.
Q. I have seen statements in the papers about volunteer companies and regiments and perhaps brigades of native Cubans under the Spanish flag. Did you see anything of that sort there?
A. Yes, sir.
Q. To what extent, probably, were those enlistments?
A. Well, just giving a rough estimate—I never looked into the official records—but giving a rough guess, judging by the numbers of volunteers I saw in the streets, I should judge there were 3,000 volunteers.
Q. Were they volunteers for service in the field or for particular duty?
A. No, sir; they were volunteers for service in and around the outskirts of the city of Habana, guarding the banks, public buildings, theaters, and the like.

By Senator DAVIS:

Q. A sort of gendarmes?
A. That is it.

By Senator MORGAN:

Q. Sort of home guards?
A. Yes, sir. In fact they were not required to go into the field at all. Several of the volunteers who are now disgusted with the step they have taken would willingly join the insurgents.
Q. Have any of these volunteer organizations been sent to the trocha?
A. I could not find out. I tried to find out, but the government authorities would give me no information on the subject at all.
Q. What impression did the Spanish make upon you as to the character of the troops—the people employed in the army—as to whether they were substantial men, and men of intelligence and physical vigor, and so on?
A. They impressed me as being very patriotic and very courageous men—the Spanish themselves—but with one drawback, and that was lack of patriotism, caused, as they told me—that is, the privates, not the officers—caused by the fact that they are illy fed, illy clad, compelled to do the most menial service, and have not been paid for nearly five months. You go into the streets of Habana any hour of the night and if you look like a man of any means at all you will be asked for alms by Spanish soldiers. I used to go along there and give them 10 cents or a nickel or a quarter, whatever I might happen to have in my pocket when they asked me, and at the same time say "Americano," knowing that there was no knowing how long it might be before I would be in the hands of those men, and wished to be friendly with them. So, whenever I gave them anything, I always said "Americano."

By Senator DAVIS:

Q. In the course of that trial, were any attacks made by the prosecuting officer upon the United States Government?
A. No, sir.

By Senator MORGAN:

Q. While in Cuba did you visit any places around Habana?
A. Only the places I have named.
Q. How far out?
A. Forty miles.
Q. Did you leave the railroad track?
A. I did not leave the railroad track. I got off the train at the town of Guines and went about my business, which was to see Walter Dygert.
Q. Did you observe, or could you observe, the condition of the people in the country?
A. Yes, sir.
Q. What was it?
A. Wretched. Take a few coppers from your pocket and throw them in the street and half the population would scramble for them. I remember now where I went down one morning to the club and a little child playing around there attracted my attention. I gave it a few coppers and soon a dozen people came out and begged, saying they had no food. I went out on the drive one morning and went into a grocery store and was besieged by people who wanted me to buy groceries for them.
Q. What is the currency about Habana?
A. Copper, silver, and gold.
Q. No paper money?
A. No; no paper money, except now and then an American greenback.
Q. They have no national paper currency?
A. No, sir; not in Habana, at least.

By Senator DAVIS:

Q. Is there anything else of detail you would like to state that we have not interrogated you about?
A. I can not think of anything that would be of interest. Before leaving there I wrote to the captain-general, offering to prove to him every line I had written.

By Senator MORGAN:

Q. What, in your judgment, derived from what you ascertained while in the Island of Cuba, is the prospect of success of the insurgent government?
A. A very long fight and the ultimate success of the insurgent government if left alone—if left in the condition they are now. The insurgents are in a position, in my judgment, to fight for fifty years in the way they are fighting now.
Q. Did you derive any impression from Spanish sources while you were there as to their hopes for subjection of the insurgents?
A. Yes, sir.
Q. What was it?
A. Captain-General Weyler told me himself, within a week after I landed there, that he would have it suppressed within three months, and every Spanish officer I spoke to was very sanguine of it.
Q. I understand that the forces of Maceo and Gomez are divided now by what is called the trocha?
A. Well, they are divided by the trocha and quite a good deal of territory east of the trocha.
Q. In the military arrangements of that country Maceo has been assigned to the district called Pinar del Rio?
A. That is true.
Q. And other generals to two other different provinces, and Gomez is commander in chief of the whole army?
A. Of the entire army; and if Antonio Maceo obeys his orders that he has received from his chief, he will remain in Pinar del Rio.

By Senator DAVIS:

Q. Mr. Lawrence, I hold in my hand the New York Journal of May 19, containing your statement to the Secretary of State, signed by you, dated May 18, 1896. Is that statement true?
A. Every word of it.
The statement is as follows:

Hon. RICHARD OLNEY, *Secretary of State:*

In accordance with the understanding between yourself and Mr. Edward Marshall, of the New York Journal, I herewith submit to you a statement embracing such of my observations of the condition of affairs in Cuba as it seems likely may be of interest to yourself and the State Department. These were gained during my sojourn in Habana as the correspondent of the New York Journal. It is as much the duty of a newspaper man as it is the duty of a diplomatic agent to sift rumors and ascertain exact facts. This is what I endeavored to do.

I went to Cuba entirely unprejudiced and with instructions from Mr. W. R. Hearst, the proprietor of the New York Journal, to exercise the utmost care in preparing my telegrams and letters, and to especially avoid giving favor to one side at the expense of the other. At that time the impression generally prevailed that the wrongs which had led to the insurrection and the strength of the rebels had been somewhat exaggerated by the correspondents of American newspapers. I was one of those who believed that to be true.

On my arrival in Habana (March 20) I immediately placed myself in communication with the recognized Spanish authorities. It was my first effort to gain an impartial and complete view of the condition of affairs in Cuba as it then existed. I found that it was most difficult to obtain information from the Spanish authorities. Such information as they chose to give out—even of military movements long passed—was not announced in the form in which it had been communicated to the authorities by the commanders in the field, but was revised and changed in Habana. This became immediately evident.

SPANIARDS DISTORTED FACTS.

Even after the correspondents had made up their news dispatches from these revised Government reports the dispatches were subjected to the most rigid scrutiny by the press censor, who often changed facts so that they were in complete conflict with the statements which the Government had a few hours previously issued as truths. This was, it was noticeable, only done when the strength and operations of the insurgents could be belittled thereby, or the successful operations of the Spanish troops magnified.

For example, I will instance the capture of the city of Pinar del Rio, a Spanish fortress and stronghold in the Province of Pinar del Rio, in two hours, by the army of the Cuban Republic under the command of Gen. Antonio Maceo. This occurred during my first week on the island. The Government gave out the announcement that Maceo had attacked the town and been repulsed in short order and with great loss, the Spanish loss not being stated.

I accepted the Government's statement as true, and cabled it to the Journal. A few days later reliable information was received from General Maceo that the battle had resulted in a victory for the army of the Cuban Republic, the Spanish garrison having been driven from the town in a demoralized condition, after which the Cuban soldiers destroyed over 200 houses. The Cuban loss did not exceed 50 men, while 300 Spaniards were killed. This news I telegraphed to my paper after having verified it absolutely.

After its publication the Spaniards in Cuba vehemently denied its truth, reiterating their previous statements. Later the truth of the Cuban story was verified by cable dispatches from Madrid, the verification being based upon Captain-General Weyler's own report to the home Government. I may say that my second dispatch announcing the Cuban victory did not pass through the hands of the press censor. It was sent by means of a private messenger, via Key West, Fla. This is a fair sample of the methods which the Spanish authorities in Habana follow in giving out news to all parties.

FOREIGN POWERS DECEIVED.

The representatives of all the foreign governments in Habana receive their information through the same unreliable channels through which information is passed to the newspaper correspondents. It is invariably scrutinized and altered to suit the Spanish authorities before it is made public. On the other hand, it is quite as true that unreliable information and exaggerated reports are constantly being offered to correspondents and others by the insurgents and their sympathizers. This false news from the insurgent side, however, is without the official stamp. Such news as goes to the correspondents or others through the Cuban headquarters there, under the sanction of the authorities of the Cuban Republic, is, my experience teaches me, invariably reliable.

It is almost always ultimately verified by the Spaniards themselves, either in Habana or Madrid.

These statements, I think, dispose of any question which may arise concerning the reliability of the announcements made by American newspaper correspondents in Habana which have been denied by the Spanish authorities.

TREATMENT OF AMERICANS.

A matter which should, I think, be especially called to the attention of yourself and the State Department concerns the treatment of American citizens by the Spanish authorities in Habana. I will first refer to the case of Walter Grant Dygert, of Illinois. While taking a morning walk on the outskirts of the town of Guines, in the Province of Habana, within 20 miles of the Spanish capital of Cuba, he was arrested by Spanish soldiers under the supposition that he was William Gold, otherwise known as "Inglesito," a noted Cuban officer. He was placed in the military jail at Guines.

Evidence was found in his possession which proved conclusively that he had arrived in Cuba only three days prior to his arrest, and therefore could not have been "Inglesito," who had been fighting with the army of the Cuban Republic for almost a year past. Still, he was placed "incomunicado," which means that he could neither send nor receive communications to or from any living human being except the Spanish authorities. He asserted his American citizenship and his complete innocence of any offense against the Spanish laws, but the authorities even refused to notify the United States consul-general at Habana of the fact that Dygert had been arrested.

Through Cuban sympathizers who had learned of his predicament Mr. Charles Michaelson, who was then the Journal correspondent at Habana, was informed of Dygert's arrest. He immediately laid the facts before United States Consul-General Williams. I am informed that Consul-General Williams made every effort to communicate with Dygert, but that he could not gain from the Spanish authorities even an admission that Dygert was under arrest until the fact became so publicly known that further equivocation was useless.

INNOCENT MAN IN PRISON.

In the end the authorities admitted the innocence of Dygert—admitted it even to the American consul-general—but still held him in jail for over two months, in spite of the protests of Consul-General Williams. The reason that he was not released sooner was because he refused to sign a waiver of any claims for damages that he might have against the Spanish Government.

Another case is that of Frank Agramonte, a citizen of New York State, and a member of the militia of that Commonwealth. He was arrested and confined in the military jail in the Province of Santiago de Cuba. What has become of him no man except those who have been concerned in his disappearance can tell. The American consular office at Habana informed me that it has never been notified of the arrest of Agramonte, and that inquiries made at the palace of the captain-general have been met with the reply that they knew nothing about the case.

Personally I made inquiry concerning him, but was not able to learn from the Spanish authorities whether he was in prison or at liberty, alive or dead. That he was arrested there is not the slightest doubt. I have come in personal contact with four men who saw him in the custody of the Spanish soldiers.

You are probably better informed than myself regarding the cases of the Americans arrested in connection with the so-called *Competitor* expedition, but I may add to your information the facts that upon learning of their capture the captain-general issued orders for a court-martial to convene immediately upon their arrival, and personally expressed the hope that they would be executed within twenty-four hours, as a warning to others who might accompany or seek to accompany insurgent expeditions to Cuba. This was before the captain-general knew that the prisoners had been taken on the water, and were, therefore, subject to the jurisdiction of the naval and not the land authorities.

SPAIN VIOLATED THE PROTOCOL.

You know that in the trial of these men the Government of Spain violated both the letter and spirit of the protocol of 1877, known as the Cushing protocol. I was personally present when Consul-General Williams and Vice-Consul Springer protested against such procedure in the cases of American citizens. The protest was made in the name of the United States Government, and, as Mr. Williams stated, by order of the State Department. The officer who received the protest was the judge-advocate of the court-martial, and the time was one hour before the beginning of the trial.

I may state, however, that Mr. Williams had made the same protest in writing several days previously, and that his letter was read at the court-martial. The judge-advocate consulted with the prosecuting officer, who decided that the trial must proceed, notwithstanding the objections raised by the American Government. The fact that the trial was held and that the prisoners were found guilty and sentenced to death are matters on which you have already been informed by Consul-General Williams. Even though the Madrid authorities have ordered a suspension of sentence, at the request of Minister Taylor, the prisoners are still subject to the sentence, which may be carried out at any time at the will of the Spanish Government.

WEYLER'S QUEER IDEAS.

It should also be called to the attention of the State Department that Captain-General Weyler does not openly recognize the treaty rights of the United States in this matter, but that he describes concessions which are evidently made under treaty provisions as favors to the United States, thus placing this Government in the attitude of being under obligations to Spain. This may be illustrated by citing the cases of Charles Michaelson and Lorenzo Betancourt, correspondents of the Journal, who were arrested in Habana and confined in Morro Castle.

Messrs. Michaelson and Betancourt were arrested on the charge that they had passed the Spanish lines without the permission of the authorities. It immediately became evident that it was a case of mistaken identity, as neither of the men arrested had, in reality, passed the Spanish lines or had attempted to do so. Shortly after their arrest, and after the consul-general of the United States had made a formal demand upon the Spanish authorities for the release of the men, the *Bermuda* expedition was stopped by the United States Government officials as it was leaving New York Harbor.

Captain-General Weyler then released Michaelson and Betancourt with the statement that he did it as a favor to the United States in recognition of the prompt action of your Department in stopping the *Bermuda*. Thus, instead of admitting the treaty rights of the United States and according a civil trial to all American citizens arrested in Cuba not actually "with arms in hand," he places this Government in the humiliating position of suing for and accepting favors at the hands of the Spanish Government. I was informed shortly before I left Habana that the cases of Messrs. Michaelson and Betancourt had not been closed, but were still open. The two men are, then, merely on parole. The Spanish Government may take their cases up at any time. Michaelson has left Cuba, but Betancourt is still in Habana.

RECOGNIZES NO TREATY RIGHTS.

In not a single instance has Captain-General Weyler officially recognized the treaty rights of United States citizens in such matters. Invariably when he has ordered a civil trial he has announced that he did it as a favor to the United States. In the case of the *Competitor* Americans, he absolutely refused to concede their rights to other than summary trial by court-martial. He insisted, without any foundation in fact for the assumption, that these men were captured with "arms in hand." His own witnesses, Captain Butron, the engineer, and other officers of the war launch *Mensajerra*, which captured the *Competitor*, testified that the men made no resistance whatever; that they yielded to the demands of the officers of the *Mensajerra* without a struggle, and that they had no arms upon their persons.

Nevertheless, the captain-general would have carried out the sentence of death imposed had not the activity of your Department compelled an order from the home Government at Madrid ordering the sentences to be suspended. It is the general belief in Habana that dozens of Americans occupy cells in the military prisons in the eastern part of the island, and have been there for months past, without a hearing of any kind. In this contemptuous manner does Captain-General Weyler regard and treat Americans generally.

My statements of outrages perpetrated on the peasantry of Cuba by the officers of the Spanish army, and Colonel Melquizo in particular, are susceptible of the clearest and most conclusive proof, while on the other hand they are, I am convinced, only the merest hints of the dreadful state of affairs which really exists in Cuba. Were it possible to relieve some of the most important and highly respected men in the Island of Cuba from the fear of revengeful punishment by the Spaniards, I would give the names of the men of the highest standing and wealth who have witnessed every one of the horrors to which I have referred in my press dispatches.

VICTIMS OF THE "BUTCHER."

Some of the cases to which I have referred are as follows:

These men were shot without the slightest pretense at a trial near Campo Florida, near Habana: Domingo Lumones, Ramon Castellinos, Manuel Martinez, Jose Cejas, Jesus Ochoa Rodriguez, Joaquin Merina, Bargarito Zarzas, Eleno Guerra, Marguerito Verole, Basilio Rubiro, M. V. Collina, Florencio Rabelli, Benigno Galloso and son, Pedro Cardenas, his wife, Julia, and another woman named Maria Luiz; Apolo Camaronas, Inocento Rabell, Eduardo Sardenes, Cruse Ferrer, Abelardo Cartaya, Martin Diaz and son, Francisco Ferrer, Leonardo Llerena, Caridad Roys, Luz Guiterrez and son, and many others.

I might cite by name a list of men and women which would cover many pages of this statement, all of whom were murdered by the Spanish troops without the slightest excuse other than the unproved belief that they were Cuban sympathizers. It should be remembered that all these to whom I refer were noncombatants—peaceful white citizens engaged in following their daily callings when ruthlessly assassinated by the heartless men under Captain-General Weyler. Such murders are occurring daily, almost hourly, throughout the island. Weyler absolutely denies that these men are murdered, and asserts that they are killed in battle.

OFFERED TO PROVE HIS STORIES.

I personally offered to prove to the captain-general that if his officers report that these deaths are the regular casualties of battle their reports are false. I offered to take him or any reliable man whom he might designate and who should not be known as a Spanish official to the districts where these brutal killings occurred and bring him in contact with men who saw the executions, who knew that the victims were not soldiers in the army of the Cuban Republic, had never borne arms, and were not intending to bear arms; that they were peaceful farmers and farm laborers who, at the time they were murdered, were pursuing the peaceful callings of their inoffensive lives.

It was also called to my attention and proved that Captain-General Weyler was at the time I left Habana engaged in equipping his men with brass-tipped bullets, contrary to the convention signed at Geneva by Spain and all other civilized nations. Thus he violates the law of nations in the conduct of his warfare. After this bullet enters the body the brass tip spreads, mutilating flesh, tissues, and bones, and being likely to cause blood poisoning. These bullets I have myself seen.

Forty-eight hours before leaving Habana I wrote a farewell letter to Captain-General Weyler, in which I informed him of the monstrous conduct of his officers in the field, and concluded with this language:

"You still have time to order my arrest. I invite you to do so, and guarantee that an investigation shall be made, the result of which will prove you to be the most barbarous military savage the world has ever known."

The captain-general ignored such a vigorously worded challenge as that. In the letter I described to him the conduct of Colonel Melquizo's command while on the march from Jiquiabo to Minas. The soldiers were in the town of Jiquiabo.

CONDUCT OF SPANISH TROOPS.

From an eyewitness, a man of the highest standing in Cuba, who was present that night, I gathered the following information:

There was not a morsel of food in the town that had not been confiscated by Melquizo's men. Every food animal and fowl had been killed, and the people were compelled to appeal to the soldiers for sufficient food to drive away hunger. The women of Jiquiabo were in a state of terror bordering upon insanity because of the infamous conduct of the soldiers toward them. This conduct aroused the indignation of the men of the town, and they appealed to Melquizo in person for protection for the women.

His reply was that no loyal Spanish woman would refuse a Spanish soldier anything, and he presumed the women of Jiquiabo were loyal Spanish subjects. An instance was related by my informant of two soldiers entering a hut where they found a woman alone. They first spoke to her in such language as no good woman would listen to. Finally they attacked her. She secured a knife and fought them off as best she could until, when her strength was almost exhausted, she broke away from them and ran into the field. The men followed her and, realizing that the thought of escape was hopeless, the poor woman drove a knife into her breast and within a few minutes was a corpse. The name of this woman was Maria Garmuza.

This is only one of dozens of similar cases that have been reported to me. My information is of the most reliable kind, and, were a proper investigation made, I could prove it beyond a shadow of a doubt.

THE MILITARY SITUATION.

As to the military situation on the island: Enough people in this country to command respect believe that the Spaniards represent the only real army in Cuba from a soldier's point of view, and that the army of the Cuban Republic is composed of mere wandering bands of destroying outlaws led by men who respect and are subject to no law whatever. This is untrue. The Spaniards are in point of numbers superior to their opponents, but the leaders of the army of the Republic have exhibited superior brains, courage, and military genius.

Landing on the island with only a small following a year ago last February, Generals Gomez and Maceo have now under their command in the neighborhood of 100,000 men, whose numbers would be very largely increased if the men who desire to join them could pass through the Spanish lines. The Republic is in possession of almost the whole of the interior of the island. There is scarcely a town that they have not attacked and occupied.

To do this they have been compelled to drive the Spanish garrisons out of the cities, and they have done it most successfully whenever it has been attempted. The only portions of Cuba which the Spaniards have managed to hold are the capital, Habana, and other towns on the seacoast, where they have been favored with the protection of the Spanish gunboats. With their men as well armed as are the Spaniards, the Cubans could unquestionably overcome that advantage and hold the entire island against any force Spain might send against them. Even as it is the Cubans now menace the capital. General Gomez, with nearly 30,000 men, is marching westward and has reached a point in Matanzas close enough to the city of Habana to cause the authorities great trepidation.

HABANA CAN BE TAKEN.

The capital is in almost a defenseless condition against a land attack, the captain-general having sent nearly all of his available forces to the Province of Pinar del Rio to reenforce the trocha which he has established from the northern to the southern coast of the island. The fortress at Cabanas and the fortress of Santa Clara, which is situated in the city of Habana to the west of the harbor, might prove quite effectual against an attack by sea, but would, in the opinion of military men whom I have interviewed in Habana, prove totally inadequate to defend the city from an invasion on the land side. The only protection the capital has from an attack by land are a few insignificant stockade forts erected around the outskirts and garrisoned by poorly equipped, undrilled, half-starved volunteers, who, during the hours when they are off duty, may be seen in the streets of Habana asking alms of citizens like ordinary beggars.

It seems incredible that such men would succeed in holding Habana against an attack by such fighters as the Cubans under General Gomez have, on more than one occasion, proven themselves to be. In a march of over 500 miles which the commander-in-chief of the Cuban army has made since he left Puerto Principe on his second invasion he has not had a battle nor even a skirmish with the Spaniards, who have persistently avoided a trial of strength. The march has been made without the loss of a single man on either side,

and, incidentally, hundreds of peasants have swelled the ranks of the Cuban army by enlisting under General Gomez.

In Pinar del Rio Province General Maceo is commander of the situation. He has a comparatively small force, consisting, I have been told, of not over 5,000 men, who, however, are well-trained fighters and splendidly equipped with arms and ammunition. On the trocha, it was reported to me, there are over 40,000 Spanish soldiers, against which body of men flying columns of Spaniards, consisting of from 1,500 to 5,000 soldiers each, are attempting to drive Maceo's troops.

GENERAL MACEO'S VICTORIES.

They find it impossible, however, to get Maceo into a position from which he can not escape, and whenever he has met a force of Spaniards in battle he has invariably succeeded in defeating his enemies. For proof of this, his battles with the Alphonso XIII Battalion and with the force under General Suarez Inclan at the battle of Cacarajicara may be cited. After ten hours of fighting Maceo drove Colonel Dubos and the Alphonso XIII Battalion back to the seacoast, where they were compelled to take refuge on board the gunboat *Alerta*. The Spanish loss at this engagement was nearly 1,000, while General Maceo suffered a loss of not more than 200.

At Cacarajicara Maceo led Inclan into a trap and drove him back to Bahia Honda with great loss. This appears to be the fate of the flying columns that are sent after Maceo, while, on the other hand, hundreds of Spaniards on the trocha are being exterminated daily by yellow fever and other diseases.

The death rate is so high on the trocha that the supply of Spanish soldiers to take the places of those who have succumbed to disease is exhausted, and General Weyler has been driven to the extremity of calling upon the volunteers from Habana to reenforce the line. At the time I left Habana the captain-general had attempted to make a draft on the volunteers to go to the trocha, and these young men (who correspond to the State militia in this country) were in open rebellion against his order. The position they assumed was that it was their duty to guard the banks and public buildings of Habana in addition to doing guard duty generally around the city and its outskirts, and that neither General Weyler nor any other commander had authority to order them into the field.

CUBANS IN GOOD CONDITION.

The Cubans are in a position to maintain the present state of affairs for the next twenty years if Spain can find resources to keep up her end of the war for that length of time. Up in the mountains the leaders of the army of the republic have established ranches, where men are engaged in breeding and raising cattle for food purposes. The raising of vegetables is also encouraged by the Cuban commanders, and in addition to this means of subsistence they have the native food plants that grow in wild profusion all over the island.

From this it will be readily understood that no matter how long the war should last, or how much privation they should suffer in other directions, the republican army will never suffer dangerously from lack of food. As the Cubans are in a position to stop all farming except such as they indulge in themselves, the Spaniards will presently find that their own shortage of food is a great drawback to their campaign, and they will be compelled to resort to importing their rations from the United States, Spain, or some other country.

The Cubans have been accused of incendiarism in a criminal sense because they have destroyed sugar cane, tobacco, mills, and plantations. They insist that they should not be regarded as criminals, but that the orders which the commanders issued for the destruction of the island were justifiable war measures.

DESTROYED WITH OWNERS' CONSENT.

I have personal knowledge that in a great many cases the plantations have been destroyed with the consent of the owners. In fact, a great number of owners of plantations that have been destroyed informed me personally that they had invited the Cubans to do so because they did not want to grind their cane and thereby supply revenues to the Spanish Government. The fact that wealthy men cherish such hostility to Spain and are ready to help the Cubans in their fight should be sufficient refutation of the charge that the war for Cuban freedom is only backed by the ignorant classes and negroes.

I found that nearly three-fifths of the population of the island were either actively engaged in the war on the Cuban side or that the revolution enjoyed their active sympathy and support. Of course, these men dare not utter their sentiments openly, but they have willingly ruined themselves to aid the cause, and to those whom they can trust not to betray them they are not in the least backward in expressing their views.

Respectfully submitted.

FREDERICK W. LAWRENCE.

MAY 18, 1896.

Mr. MITCHELL of Oregon obtained the floor.

Mr. HALE. Mr. President——

Mr. MITCHELL of Oregon. I yield to the Senator from Maine.

Mr. SHERMAN. I rise to make a privileged motion under the thirty-fifth rule.

The PRESIDING OFFICER. The Chair recognized the Senator from Oregon, and he yielded to the Senator from Maine. Does the Senator from Oregon yield to the Senator from Ohio?

Mr. SHERMAN. I desire under the thirty-fifth rule to make a privileged motion. In my opinion the pending business requires secrecy, and I therefore ask that the galleries be cleared and the doors closed.

The PRESIDING OFFICER. Is there a second to the motion of the Senator from Ohio?

Mr. MILLS. I second the motion if the Senator from Ohio wishes to make it.

The PRESIDING OFFICER. The motion is seconded. Under the thirty-fifth rule the Chair directs the galleries to be cleared and the doors to be closed.

The Senate proceeded with closed doors to consider the resolution.

After forty minutes (at 1 o'clock and 2 minutes p. m.) the doors were reopened.

Mr. LODGE and Mr. MORGAN addressed the Chair.

Mr. HILL. I move that we go into secret session. That motion is in order.

The PRESIDING OFFICER. Is the motion seconded?

Mr. VEST and Mr. WHITE. I second the motion.

Mr. ALDRICH. I suggest that the rule be read. I think there is nothing in the rule which provides that we can go into secret session unless there is a matter pending before the Senate which in the opinion of Senators is required to be conducted in secret. No such matter is now pending before the Senate.

Mr. HILL. Yes; there is.

Mr. ALDRICH. Not that I am aware of.

Mr. HARRIS. I ask the unanimous consent of the Senate that the doors, notwithstanding the vote just taken, remain closed until the Senator from Alabama [Mr. MORGAN] shall have concluded his remarks.

Mr. MORRILL. I second that request.

Mr. HILL. Until otherwise ordered. Who knows but that some one else may want to speak?

Mr. HARRIS. Very well; until otherwise ordered by the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

Mr. MITCHELL of Oregon. I object to it.

Mr. SHERMAN and others. Question.

Mr. MITCHELL of Oregon. I do not object to the Senator from Alabama concluding his remarks.

Mr. MORRILL. That is all we ask.

Mr. HARRIS. I will confine my request to the conclusion of the remarks of the Senator from Alabama.

Mr. MITCHELL of Oregon. To that I do not object.

Mr. HARRIS. And then the future can take care of itself.

Mr. CULLOM. I hope there will be unanimous consent given to the request.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee? The Chair hears none. The Sergeant-at-Arms will clear the galleries and close the doors.

The doors were thereupon closed, and at the expiration of twelve minutes were reopened.

PROPOSED RESTRICTION OF IMMIGRATION.

Mr. LODGE. I move that the Senate proceed to the consideration of the bill (H. R. 7864) to amend the immigration laws of the United States.

Mr. MORGAN. May I inquire, as a matter of parliamentary information, what is the status of the resolution on which I have been talking?

The PRESIDING OFFICER. The Chair supposes that the resolution goes to the Calendar. The question is on agreeing to the motion of the Senator from Massachusetts to proceed to the consideration of the bill indicated.

Mr. MILLS. Let us have the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. FAULKNER (when his name was called). I am paired with the Senator from West Virginia [Mr. ELKINS].

Mr. GEAR (when his name was called). I am paired with the senior Senator from Georgia [Mr. GORDON].

Mr. MCBRIDE (when his name was called). I am paired with the Senator from Mississippi [Mr. GEORGE]. If he were present, I should vote "yea."

Mr. PASCO (when his name was called). I am paired with the Senator from Washington [Mr. WILSON]. In his absence I withhold my vote.

Mr. PERKINS (when his name was called). I am paired with the junior Senator from North Dakota [Mr. ROACH]. If he were present, he would vote "nay" and I should vote "yea."

Mr. PRITCHARD (when his name was called). I am paired with the Senator from Louisiana [Mr. BLANCHARD]. If he were present, I should vote "yea."

Mr. PUGH (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. HOAR].

Mr. SEWELL (when his name was called). I am paired with the Senator from Wisconsin [Mr. MITCHELL]. If he were present, I should vote "yea."

Mr. WALTHALL (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. WETMORE (when his name was called). I am paired with the junior Senator from Georgia [Mr. BACON]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. PALMER. I should like to ask if the Senator from North Dakota [Mr. HANSBROUGH] has voted?

The PRESIDING OFFICER. The Chair is informed that he has not voted.

Mr. PALMER. I withhold my vote, being paired with that Senator.

Mr. CARTER. I have a general pair with the junior Senator from Maryland [Mr. GIBSON], and therefore withhold my vote. I desire to announce that my colleague [Mr. MANTLE] is paired with the junior Senator from Virginia [Mr. MARTIN].

Mr. DUBOIS. I am paired with the senior Senator from New Jersey [Mr. SMITH].

Mr. BATE (after having voted in the negative). I voted, but I

am paired with the Senator from Utah [Mr. BROWN], whom I do not see in the Chamber, and as he has not responded to his name, I withdraw my vote.

Mr. CULLOM. I have a general pair with the Senator from Delaware [Mr. GRAY]. If he were present, I should vote "yea."

Mr. BURROWS. I have a pair with the senior Senator from Louisiana [Mr. CAFFERY].

The result was announced—yeas 23, nays 8; as follows:

YEAS—23.

Aldrich,	Gallinger,	Peffer,	Shoup,
Butler,	Hale,	Pettigrew,	Stewart,
Cannon,	Hawley,	Platt,	Teller,
Chandler,	Lodge,	Proctor,	Warren,
Clark,	Mitchell, Oreg.	Quay,	Wolcott.
Davis,	Morrill,	Sherman,	

NAYS—8.

Berry,	Chilton,	Jones, Ark.	Vilas,
Brice,	Harris,	Lindsay,	White.

NOT VOTING—58.

Allen,	Daniel,	Jones, Nev.	Pugh,
Allison,	Dubois,	Kyle,	Roach,
Bacon,	Elkins,	McBride,	Sewell,
Baker,	Faulkner,	McMillan,	Smith,
Bate,	Frye,	Mantle,	Squire,
Blackburn,	Gear,	Martin,	Thurston,
Blanchard,	George,	Mills,	Tillman,
Brown,	Gibson,	Mitchell, Wis.	Turpie,
Burrows,	Gordon,	Morgan,	Vest,
Caffery,	Gorman,	Murphy,	Voorhees,
Call,	Gray,	Nelson,	Walthall,
Cameron,	Hansbrough,	Palmer,	Wetmore,
Carter,	Hill,	Pasco,	Wilson.
Cockrell,	Hoar,	Perkins,	
Cullom,	Irby,	Pritchard,	

The PRESIDING OFFICER. No quorum has voted. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Davis,	Morgan,	Shoup,
Allison,	Faulkner,	Palmer,	Stewart,
Bate,	Gallinger,	Pasco,	Teller,
Blanchard,	Gear,	Peffer,	Turpie,
Brice,	George,	Perkins,	Vilas,
Burrows,	Harris,	Pettigrew,	Walthall,
Butler,	Hawley,	Platt,	Warren,
Carter,	Hill,	Pritchard,	Wetmore,
Chandler,	Lindsay,	Proctor,	White,
Chilton,	Lodge,	Pugh,	Wolcott.
Clark,	McBride,	Quay,	
Cockrell,	Mills,	Sewell,	
Cullom,	Mitchell, Oreg.	Sherman,	

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present. The question recurs upon the motion of the Senator from Massachusetts to proceed to the consideration of the bill known as the immigration bill.

Mr. HILL. Will the Senator from Massachusetts indulge me for just a moment?

Mr. LODGE. Certainly.

Mr. HILL. The Senator from Maryland [Mr. GIBSON], who is a member of the Immigration Committee, is opposed to this bill, and desires to be present when it is considered, I understand. Has the Senator from Massachusetts had any conversation with him in regard to it?

Mr. LODGE. I have had several conversations with him. I have told him over and over again that I should call up the bill at the earliest opportunity. He has been fully notified in regard to it. He knows that I intended to call it up at the earliest opportunity; that I considered it a bill of great importance and desired to get it up.

Mr. HILL. The Senator from Maryland [Mr. GORMAN] made a statement on the floor yesterday afternoon, the exact details of which I do not recollect, to the effect that the junior Senator from Maryland [Mr. GIBSON] was expected here some time this afternoon.

Mr. FAULKNER. He is on the Naval Academy Board.

Mr. HILL. He is on the Naval Academy Board, on official business.

Mr. HARRIS. If the Senator from New York will allow me, I will state that before leaving the Senator from Maryland [Mr. GIBSON] especially requested me to ask that the bill should not be considered until he could return. He is one of the Visitors to Annapolis. I do not know how soon, but I suppose it can not be more than a day or two or three days before the work of the Board will be completed, and I hope, as a courtesy to an absent Senator, off on official duty, that the bill may go over.

Mr. LODGE. The bill will not be disposed of in the absence of the junior Senator from Maryland. It is a matter, I take it, which will arouse some discussion. I do not myself know whether it will or not, but I suppose it will. If the bill never is to be taken up in the absence of a given Senator, he has nothing to do but to absent himself in order to kill any bill. I told the junior Senator from Maryland that I meant to call up the bill at any time. He is perfectly aware of my intention. I said it over and over again. He consulted me about going to Annapolis, but I told him that I could not agree to delay the consideration of the bill; that I must take advantage of the first opportunity to call it up.

Mr. HARRIS. Am I mistaken in supposing that I understood the junior Senator from Massachusetts to say yesterday evening that if the bill were taken up——

Mr. LODGE. I said I would not ask that it be taken up for consideration at that time. I assumed that the junior Senator from Maryland would return to-day.

Mr. HARRIS. My impression is that the Senator said he would allow the bill to go over until the return of the junior Senator from Maryland.

Mr. LODGE. No; on the contrary, I said that I would call it up to-day.

Mr. CHANDLER. I should like to state, in the same connection, that I said to the junior Senator from Maryland that I would endeavor to make it certain that the bill would not be taken up on Monday or Tuesday of this week, in order that he might go to Annapolis. But notwithstanding that he has talked with me on the subject several times, he has had no assurance from any one that he could remain away all of this week with the idea that the bill would be delayed on that account.

Mr. HILL. I ask the indulgence of the Senate one moment further. Can the Senator from Massachusetts give us the assurance that the bill will not be disposed of finally, if it shall be taken up, until the return of the junior Senator from Maryland, or until after a reasonable opportunity for him to return? With that understanding I suppose there will be no objection to taking up the bill.

Mr. LODGE. I do not understand exactly what the statement of the Senator from New York is.

Mr. HILL. I understood the Senator from Massachusetts to say a moment ago that the bill would not be or could not be disposed of—would not be probably—until the junior Senator from Maryland had an opportunity to return. What did the Senator mean by that statement?

Mr. LODGE. I meant that the bill might give rise to discussion. I do not know whether or not it will. No one has said anything about opposing the bill except the junior Senator from Maryland. It has been discussed. It is the Senate bill which is here and which has been discussed already.

Mr. HILL. If the junior Senator from Maryland is the sole opponent who desires to discuss the bill, I do not believe, from my observation here in the Chamber, that the Senator will take very long. He has not participated in debate very frequently, although he has a great interest in this bill.

Mr. LODGE. He has already made one speech of a couple of hours against the bill, and I dare say he may wish to renew it.

Mr. HILL. That, I think, was in answer to the speech of the Senator from Massachusetts, which took about an hour.

Mr. LODGE. Yes, sir; I think so.

Mr. CHANDLER. I desire to state further that the visitation at Annapolis concludes to-morrow, so that the junior Senator from Maryland can certainly be here on Monday. Possibly the Senator from New York can give us some information as to how soon Congress will get off the hands of the President and go away.

Mr. HILL. I am not controlling this Congress.

The PRESIDING OFFICER. The debate has thus far proceeded by unanimous consent.

Mr. LODGE. I should like to say one word.

Mr. HILL. I was only endeavoring to reach some adjustment of the matter.

Mr. LODGE. I am aware that the debate is proceeding by unanimous consent. The junior Senator from Maryland, whose interests are being cared for, is only so far away as Annapolis. I will gladly agree not to press the bill this afternoon. If it is taken up, I will agree that it may be temporarily laid aside. That will give the junior Senator from Maryland ample time to return to-morrow.

Mr. FAULKNER. I do not think the Senator from Maryland will get back here before to-morrow evening. I was on the Board last year. We worked very hard and could not get through before Saturday evening. I think it will take the Board fully until Saturday evening before the members can leave.

Mr. LODGE. If the junior Senator from Maryland is so interested in this bill as he is described to be, I think he could make an effort to come back here to-morrow. I will willingly agree not to press the bill this evening, but I should like to have it taken up and made the order of business. I will gladly agree not to press the bill for consideration to-day.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts [Mr. LODGE] to proceed to the consideration of the immigration bill, upon which the yeas and nays have been ordered. The Secretary will call the roll on agreeing to the motion of the Senator from Massachusetts.

The Secretary proceeded to call the roll.

Mr. FAULKNER (when his name was called). I am paired with the Senator from West Virginia [Mr. ELKINS].

Mr. GEAR (when his name was called). I am paired with the senior Senator from Georgia [Mr. GORDON]. If he were present, I should vote "yea."

Mr. PALMER (when his name was called). I announce my pair with the Senator from North Dakota [Mr. HANSBROUGH] and withhold my vote.

Mr. PASCO (when his name was called). I am paired with the Senator from Washington [Mr. WILSON]. In his absence I withhold my vote.

Mr. PERKINS (when his name was called). I again announce my pair with the junior Senator from North Dakota [Mr. ROACH].

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR].

Mr. SEWELL (when his name was called). I again announce my pair with the Senator from Wisconsin [Mr. MITCHELL].

Mr. WETMORE (when his name was called). I am paired with the junior Senator from Georgia [Mr. BACON].

The roll call was concluded.

Mr. BATE (after having voted in the negative). I desire to inquire if the vote of the Senator from Utah [Mr. BROWN] is recorded?

The PRESIDING OFFICER. It is not recorded.

Mr. BATE. Then I withdraw my vote, being paired with that Senator.

Mr. CULLOM. I have a general pair with the Senator from Delaware [Mr. GRAY]. If he were present, I should vote "yea."

Mr. PRITCHARD. On this vote I am paired with the Senator from Louisiana [Mr. BLANCHARD]. If he were present, I should vote "yea."

The result was announced—yeas 25, nays 9; as follows:

YEAS—25.

Aldrich,	Gallinger,	Peffer,	Smith,
Allison,	Hale,	Pettigrew,	Teller,
Cannon,	Hawley,	Platt,	Warren,
Chandler,	Lodge,	Proctor,	Wolcott.
Clark,	McBride,	Quay,	
Davis,	Mitchell, Oreg.	Sherman,	
Dubois,	Morrill,	Shoup,	

NAYS—9.

Brice,	Harris,	Lindsay,	Vilas,
Chilton,	Hill,	Morgan,	White.
Cockrell,			

NOT VOTING—55.

Allen,	Cullom,	Jones, Ark.	Pugh,
Bacon,	Daniel,	Jones, Nev.	Roach,
Baker,	Elkins,	Kyle,	Sewell,
Bate,	Faulkner,	McMillan,	Squire,
Berry,	Frye,	Mantle,	Stewart,
Blackburn,	Gear,	Martin,	Thurston,
Blanchard,	George,	Mills,	Tillman,
Brown,	Gibson,	Mitchell, Wis.	Turpie,
Burrows,	Gordon,	Murphy,	Vest,
Butler,	Gorman,	Nelson,	Voorhees,
Caffery,	Gray,	Palmer,	Walthall,
Call,	Hansbrough,	Pasco,	Wetmore,
Cameron,	Hoar,	Perkins,	Wilson.
Carter,	Irby,	Pritchard,	

The PRESIDING OFFICER. No quorum having voted, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Cockrell,	Mitchell, Oreg.	Quay,
Allison,	Cullom,	Morgan,	Sewell,
Bate,	Davis,	Morrill,	Sherman,
Berry,	Dubois,	Palmer,	Shoup,
Brice,	Faulkner,	Pasco,	Stewart,
Burrows,	Gallinger,	Peffer,	Teller,
Butler,	Gear,	Perkins,	Turpie,
Cannon,	Harris,	Pettigrew,	Vilas,
Carter,	Hawley,	Platt,	Warren,
Chandler,	Lindsay,	Pritchard,	Wetmore,
Chilton,	Lodge,	Proctor,	White,
Clark,	McBride,	Pugh,	Wolcott,

The PRESIDING OFFICER. Forty-seven Senators have answered to their names. A quorum is present. The question recurs upon agreeing to the motion of the Senator from Massachusetts to proceed to the consideration of the immigration bill.

Mr. HILL. I have learned from the Senator from Michigan [Mr. BURROWS] that the Senator from Maryland [Mr. GIBSON] is still on official business at Annapolis. The Senator from Massachusetts [Mr. LODGE] informs me that he does not desire to press the bill to a conclusion in the absence of the junior Senator from Maryland, and if the bill is taken up, as I understand it, he has no objection to its going over for actual consideration until Monday.

Mr. LODGE. I will very gladly allow the bill to be laid aside temporarily, by unanimous consent, until Monday, when I understand the junior Senator from Maryland will return.

Mr. HILL. With that understanding I can see no objection, so far as I am concerned, to allowing the bill to be taken up. I think that is the wisest course under all the circumstances.

Mr. HARRIS. I ask unanimous consent that the demand for the yeas and nays may be withdrawn.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the demand for the yeas and nays is withdrawn. The question is on agreeing to the motion to proceed to the consideration of the immigration bill.

The motion was agreed to.

Mr. MORGAN. I send to the desk an amendment which I intend to propose to the immigration bill, which I ask to have read.

The PRESIDING OFFICER. The proposed amendment will be stated.

The Secretary read as follows:

Provided, That this act shall not apply to persons arriving in the United States from any port or place in the Island of Cuba.

The PRESIDING OFFICER. The proposed amendment will be printed, and lie on the table.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4020) to increase the pension of Mrs. William Loring Spencer, widow of Gen. George E. Spencer.

MRS. EMILY E. CASH.

Mr. PRITCHARD. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 8248) to increase the pension of Mrs. Emily E. Cash, to report it without amendment. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to increase the pension of Mrs. Emily E. Cash, widow of Private Thomas W. Cash, a soldier in the Mexican war, to $20 a month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REPORT OF THE MONETARY COMMISSION OF 1876.

Mr. BUTLER. I offer a resolution, which I ask may be read and considered at the present time. It is simply to have a document printed.

The Secretary read the resolution, as follows:

Resolved, That there be printed 5,000 additional copies of Report No. 703, Forty-fourth Congress, second session, known as the Report of the Monetary Commission of 1876.

The PRESIDING OFFICER. By the rules of the Senate the resolution will go to the Committee on Printing.

Mr. BUTLER. It is to print additional copies. It is done every day here. I suppose there will be no objection to it. The edition of the document is exhausted.

The PRESIDING OFFICER. By the rules of the Senate the resolution has to go to the Committee on Printing.

Mr. BUTLER. If the Chair will pardon me, inasmuch as the edition is now entirely exhausted, I ask that the resolution be amended so as to read "3,000 copies," and that will bring it within the rule.

The PRESIDING OFFICER. Is there objection to the consideration of the resolution?

Mr. HANSBROUGH. I think it will be necessary to send the resolution to the Committee on Printing, for the reason that in cases of this kind the committee are obliged to obtain an estimate of the cost of the work from the Government Printer before authorizing the printing.

Mr. BUTLER. I will limit the number to a sum that will bring it within the rule. I hope the Senator from North Dakota will not object to it. This is the size of the document [exhibiting], and the resolution is for an additional number.

The PRESIDING OFFICER. The Chair was of the impression that the rule to refer to the Committee on Printing said "unless otherwise ordered by the Senate," but the Chair finds that motions to print an additional number shall be referred to the Committee on Printing. The rule is imperative. The resolution must go to the Committee on Printing.

Mr. BUTLER. By unanimous consent the Senate has often waived the rule. I have often had resolutions of this kind passed. I ask unanimous consent that 1,000 copies may be printed without a reference to the Committee on Printing. I will make the number small, but inasmuch as the edition is exhausted, I ask that a thousand copies be printed, because there is not one copy left in the document room.

Mr. HANSBROUGH. I shall not object to the printing of that number.

The PRESIDING OFFICER. The Senator from North Carolina proposes to modify the resolution. The resolution as modified will be read.

The Secretary read as follows:

Resolved, That there be printed 1,000 additional copies of report No. 703, Forty-fourth Congress, second session, known as the Report of the Monetary Commission of 1876.

The PRESIDING OFFICER. The Senator from North Carolina asks unanimous consent that the resolution may be considered at this time without a reference to the Committee on Printing. Is there objection?

Mr. HALE. What is the question?

The PRESIDING OFFICER. The resolution will be again read.

The Secretary again read the resolution.

Mr. HALE. Let the resolution go to the Committee on Printing.

Mr. BUTLER. I ask the Senator from Maine not to object. There is not one copy in the document room. This is the size of the document [indicating]. I ask for only 1,000 copies.

Mr. HALE. The rule of the Senate is an arbitrary one as to resolutions for printing, as it is in reference to payments from the contingent fund.

Mr. CULLOM. It is the law.

Mr. HALE. It is the law. Heretofore no question has ever been raised, and a request for unanimous consent has never been presented. Such resolutions go, as a matter of course, to the Committee on Printing. The committee will examine the subject, and, if it is a suitable and proper thing to do, will report the resolution very quickly.

Mr. PEFFER. I will say for the information of all parties concerned that early in the present session I offered a resolution of a similar character, and it was referred to the Committee on Printing and has not yet been reported. I do hope that whatever action is taken we shall have this printing done. It is a very important document. There is great demand for it.

Mr. HALE. I will state to the Senator from Kansas that I understand the printing he proposed would involve a very large expense and the committee did not think it worth while to embark on it.

Mr. BUTLER. I say to the Senator from Maine that I have myself presented several resolutions at this session where I would find a document exhausted and had requests from my constituents for them, and unanimous consent was given for the printing of additional copies, and there was never an objection interposed. This has been frequently done at the present session by others, and I have done it several times. There is not a copy of this document in the document room, and I have a number of requests for it. I have waited at this session because the Senator from Kansas told me he would ask to have it done. I ask the Senator from Maine not to object. Congress is about to adjourn and there is not a copy of it in the document room.

The PRESIDING OFFICER. The Secretary will read paragraph 2 of Rule XXIX.

The Secretary read as follows:

Motions to print additional numbers shall also be referred to the Committee on Printing; and when the committee shall report favorably the report shall be accompanied by an estimate of the probable cost thereof; and when the cost of printing such additional numbers shall exceed the sum of $500, the concurrence of the House of Representatives shall be necessary for an order to print the same.

The PRESIDING OFFICER. The Chair thinks that the resolution must go to the Committee on Printing.

Mr. BUTLER. Then, if it is going to the committee, as I am anxious to get a few copies before we adjourn, I ask leave to modify my resolution so as to provide for 3,000 copies and put it under the $500 limit. We can just as well print 3,000 copies as 1,000, and that number will come under the limit.

The PRESIDING OFFICER. The Senator from North Carolina proposes to modify his resolution so that it will provide for 3,000 copies instead of 1,000 copies. The Senator has that right. The resolution, as modified, will be referred to the Committee on Printing.

MRS. WILLIAM LORING SPENCER.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4020) to increase the pension of Mrs. William Loring Spencer, widow of Gen. George E. Spencer, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows: In lieu of the amount proposed to be inserted insert "fifty"; and the House agree to the same.

J. H. GALLINGER,
JOHN M. PALMER,
Managers on the part of the Senate.
W. C. ANDERSON,
W. S. KERR,
Managers on the part of the House.

The report was concurred in.

SECOND-CLASS MAIL MATTER.

Mr. BUTLER. I submit a resolution which will not lead to any discussion, and I ask for its adoption.

The resolution was read, as follows:

Resolved by the Senate, That the Postmaster-General be, and is hereby, directed to send to the Senate a copy of any and all rulings that have been made by him, or any official in the Post-Office Department, with reference to second-class mail matter during the last six months, including a ruling recently made prohibiting the passage through the mails, as second-class matter, certain publications which had before been allowed to pass as second-class matter, or any such orders or rulings that have been made and temporarily suspended, accompanied with the reasons for making such orders, and also the reasons for temporarily suspending such orders, if such orders have been made and temporarily suspended.

Mr. WOLCOTT. Let the resolution go over.

The PRESIDING OFFICER. The resolution will go over.

CONTEMPTS OF COURT.

Mr. BUTLER. I submit an amendment intended to be proposed by me to the bill (S. 2984) in relation to contempts of court, which the Senator from New York [Mr. HILL] gave notice that he would call up at an early day.

Inasmuch as the bill proposes to deprive persons of the right of trial by jury, I should like to get the amendment in. It relates to a vital question.

The PRESIDING OFFICER. The amendment will be received and printed.

ISSUE OF BONDS IN NEW MEXICO.

Mr. BRICE. I ask that the bill (H. R. 9275) approving certain acts of the legislative assembly of the Territory of New Mexico authorizing the issue of certain bonds of said Territory, which was called up yesterday by the chairman of the Committee on Territories, the Senator from Minnesota [Mr. DAVIS], be taken up and put upon its passage. It was read yesterday.

The PRESIDING OFFICER. The Senator from Ohio asks unanimous consent for the present consideration of the bill indicated by him.

Mr. BRICE. I ask that the Secretary read the statement made by the chairman of the Committee on Territories yesterday and what immediately followed.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The PRESIDING OFFICER. It is requested that the Secretary shall read the statement made by the chairman of the Committee on Territories yesterday.

Mr. HALE. That is not needed.

Mr. DAVIS. The bill has been read.

Mr. BRICE. The Senator from Minnesota is in the Senate Chamber, and I will withdraw the request and ask that the bill be put on its passage.

Mr. DAVIS. The bill was read in full yesterday. There is no occasion to read it again.

Mr. BATE. Mr. President, I wish to state that yesterday when this bill was called up I indicated my opposition to it, and I caused it to be laid over for a day that Senators might inform themselves of its object and terms, and I oppose it now. I do not desire, however, to delay the action of the Senate upon it. The bill in substance, though not this one, was before the Committee on Territories, of which I am a member. I observed yesterday when this bill was called up that no one of the committee was present except myself and the chairman, who reported the bill, and he reported it as coming from the committee. I want to say that it was not a unanimous report, and that I, at least, opposed it. The chairman brought it to me, and I agreed that he might report it to the Senate for its action, although I opposed the bill. And I now oppose it.

I think, without pretending to go into a discussion of its merits or demerits by detail, for I have not the data on which to do so, that it is unwise legislation. There are several series of bonds that have been issued by the Territory of New Mexico for quite a large amount, and of different character, due at different times, and some of those bonds have been refunded. The measure presents quite a complication in that regard, and I hold that it is unwise legislation for the General Government to permit the Territory to go on and pass her laws and issue her bonds, and then come afterwards and ask that the Congress of the United States shall, in the language of the bill, validate, approve, and confirm the issuance of those bonds, thus validating the laws under which they were issued and the means by which it was done. Yes, Mr. President, this bill is to validate, confirm, and approve the action of the legislature and the issuance of these bonds, although the United States Government is not bound for their payment. Some of them have been in the courts, as I am informed, and I believe in one instance perhaps adverse decision has been given, but that may have been remedied. I do not know how that is. If it is argued that it is essential that Congress should give its consent to such Territorial action, I think that consent should have been obtained before and not subsequent to the action of the Territory in the issuance of the bonds. However, I am not informed as to the details of this bill, nor as to the sentiment of the people of the Territory in regard thereto. I have understood that there was a division of sentiment there in regard to this matter, but I am not advised in such an authentic way that I can state it. Therefore, without

going into the details of this matter, I shall content myself by giving my vote against the bill. I do not desire to delay the action of the Senate at this late hour of the session upon this bill, but shall vote against it.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

POST-OFFICE APPROPRIATION BILL.

Mr. ALLISON. I desire to call up the Post-Office appropriation bill. I think it will take but a moment to dispose of it. The pending question is on the motion of the Senator from Massachusetts [Mr. LODGE] to recede from a portion of what is known as the Pasco amendment.

The Senate resumed the consideration of the disagreeing votes of the two Houses on amendment numbered 1 of the Senate to the bill (H. R. 6614) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1897.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts [Mr. LODGE] to recede from amendment numbered 1.

Mr. ALLISON. I hope the Senator from Massachusetts will withdraw the motion, and I think the conferees on the part of the Senate and the House will be able to adjust it so as to meet the views expressed by him a few days ago respecting the situation in Boston and vicinity.

Mr. LODGE. I merely desire to protect the 190,000 people in the neighborhood of Boston who are affected by the amendment. With the assurance of the Senator from Iowa that the amendment can be modified in conference to meet that difficulty, I will withdraw the motion to recede.

The PRESIDING OFFICER. The motion to recede is withdrawn.

Mr. PASCO. Mr. President, I had intended to make some remarks in reference to the amendment, but as it is going back into conference I will not at present have anything to say. I will state, however, that I have received some communications from the section of country to which the Senator from Massachusetts refers, and I can assure him that the sentiment is by no means unanimous with reference to the amendment. There are very strong influences there which are entirely in favor of the amendment which was offered in and adopted by the Senate. But in the present condition of things I will not have anything to say at this time.

Mr. ALLISON. I move that the Senate insist upon its amendment and request a further conference with the House of Representatives on the disagreeing votes of the two Houses thereon.

Mr. CHANDLER. Mr. President, I am in favor of the motion, and I take occasion to express the hope that the members of the Committee on Appropriations and members of conference committees will expedite their business as fast as possible. I know that with the enlarged jurisdiction which has recently been given to conference committees they require more time in the preparation of their reports, as we require more time to watch the reports when made. Therefore the committees ought to use extraordinary diligence. There is practically no business before the Senate, and we are anxiously waiting here, I will say to the chairman of the committee, now that the New Mexican bond bill has been disposed of, for the reports of conference committees. We are greedy for them, anxious for them, and when they come within reasonable limits we want to vote upon them.

Mr. BRICE. If there is nothing before the Senate I should like to call up a bill.

The PRESIDING OFFICER. There is a motion pending. The Senator from Iowa [Mr. ALLISON] moves that the Senate further insist upon its amendment numbered 1 and request a conference with the House of Representatives on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate at the further conference; and Mr. ALLISON, Mr. PETTIGREW, and Mr. BLACKBURN were appointed.

MRS. EMILY M. VAN DERVEER.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2143) granting a pension to Mrs. Emily M. Van Derveer, widow of the late Brig. Gen. Ferdinand Van Derveer, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

J. H. GALLINGER,
CALVIN S. BRICE,
Managers on the part of the Senate.

C. A. SULLOWAY,
BENSON WOOD,
WILLIAM BAKER,
Managers on the part of the House.

The report was concurred in.

ELECTION OF SENATORS BY DIRECT VOTE.

Mr. MITCHELL of Oregon. Mr. President, I have been endeavoring for some time to have the Senate proceed to the consideration of Senate joint resolution No. 6, providing for an amendment to the Constitution of the United States relating to the election of United States Senators.

Mr. HILL. Will it lead to debate? [Laughter.]

Mr. MITCHELL of Oregon. I have the floor now for that purpose.

Mr. BUTLER. Mr. President——

Mr. MITCHELL of Oregon. I decline to yield further.

Mr. President, it is now so late in the session that I have abandoned any hope of being able to get a final vote on the proposed amendment to the Constitution at this session. I shall ask, however, to have it taken up at this time to enable the Senator from California [Mr. PERKINS] to submit some remarks. I also wish to make a few remarks on the subject, and then I shall ask the Senate to join with me in fixing a time next December when the joint resolution shall be set down for consideration.

I now ask unanimous consent that the regular order be laid aside temporarily, and that the Senate proceed to the consideration of Senate joint resolution No. 6.

The PRESIDING OFFICER. The Senator from Oregon asks unanimous consent that the present order may be laid aside temporarily, and that the Senate proceed to the consideration of the joint resolution named by him. Is there objection? The Chair hears none.

Mr. HILL. I desire to give notice that at the conclusion of the two or three speeches to be made on the proposed constitutional amendment, I shall ask the Senate to take up the bill to provide for the punishment of contempts of court, etc.

Mr. LODGE. I understand that the unfinished business keeps its place.

The PRESIDING OFFICER. The unfinished business keeps its place, it being laid aside temporarily by unanimous consent.

The Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. R. 6) proposing an amendment to the Constitution of the United States providing for the election of Senators by the votes of the qualified electors of the States.

Mr. MITCHELL of Oregon. Mr. President, it is not my intention at this time to delay the business of the Senate with any extended remarks. I have heretofore on several occasions during the last ten years addressed the Senate at length in favor of the pending proposed amendment to the Constitution. I have on these occasions presented to the extent of my ability the arguments which to my mind are controlling in favor of this legislation, and answered, so far as I could, the objections in opposition to it.

From the first I have not by any means minimized or underestimated the importance of any proposition which has for its purpose any change, no matter what, in our fundamental law. I have realized that any attempt in this direction should only be contemplated, much less sought to be carried out, after the most deliberate consideration of every element involved in the proposition; and especially in proposing any amendment to the Constitution should we be quite certain that the amendment proposed does not either directly or inferentially impinge to the slightest extent on that fundamental principle involved in our governmental structure which the framers of the Constitution by express provision wisely provided should never without the consent of the State interested be disturbed by amendment.

That principle is the one involved in the constitutional provision providing for equal State suffrage in the United States Senate.

The men who made the Constitution, foreseeing the probable necessity that might arise for amendment, provided in that instrument that the Constitution might in all but one respect be amended, and they provided the manner in which any such amendment might be made. In one respect, however, and only one, the framers of the Constitution, regarding that as fundamental, and believing any change in that respect would be destructive of our Government, provided there should never be any change without the consent of the State to be affected. It is well, therefore, that we consider with care whether this proposed amendment trenches, even in the minutest degree, on the principle thus sought to be protected and forever perpetuated.

Article V of the Constitution, after providing the manner in which that instrument may be amended, contains the following proviso:

Provided, * * * That no State, without its consent, shall be deprived of its equal suffrage in the Senate.

This clause is the embodiment of a principle deemed by the framers of the Constitution absolutely essential to the framework—the fundamental political structure of our present form of government—a principle indispensable to the maintenance of the equilibrium of political forces emanating from and operating upon the national and State governments respectively. As to this,

therefore, it was wisely decreed by the authors of our present system of government there never should, on any pretense whatever, while our Government lasted, be any amendment or change without the consent of the State interested.

If, then, it could be shown that the pending proposed amendment in any degree, or to any extent whatever, invades the principle enunciated in this proviso, or that it in any manner opens the door in the slightest degree to future legislation which might have such tendency or effect, then I should at once concede the proposed legislation should not be enacted.

The principle of equal State suffrage in the United States Senate I believe to be one vital to the existence of our Government, and one, therefore, which should not under any circumstances be invaded by legislation of any character whatever; but, while believing this, I am equally firm in the conviction that a change in the mode of choosing United States Senators in no manner enters the domain of this principle or in any manner opens the door to its invasion by future legislation.

The principal objection urged against this amendment, as I understand it, is that, while not directly an infringement of this clause of the Constitution which forever prohibits any amendment which will deprive any State without its consent of its equal suffrage in the Senate, it does, nevertheless, in a measure open the door in a dangerous manner and to an alarming extent to the suggestion of such an amendment in the future, and that, therefore, it is one which should not obtain the sanction of Congress. That this criticism is not warranted is clearly manifest from a careful consideration of the proposed amendment.

The question of the ratio of representation and State suffrage in the United States Senate is one thing, and the manner or mode of choosing the number of Senators allotted to each State is quite another and entirely different thing. The one—the former—that is, equal State suffrage in the Senate, was irrevocably fixed by the Constitution. Therefore as to that there can be no change while our Government in its present form exists; whereas the other, that is, the mode of choosing Senators, is one open to amendment in the one or the other of the two modes of amendment pointed out in the Constitution, that is, either by the action of two-thirds of each House of Congress or by a convention called by the legislatures of two-thirds of the several States, the action in either case to be ratified by three-fourths of the legislatures of the several States.

The pending amendment relates solely to the latter; that is, it proposes a change in the mode of choosing Senators upon the part of the several States from that of the legislatures respectively to that of a vote by the people, the qualified electors.

The framers of the Constitution, in pursuance clearly of widely conflicting views upon this subject, provided that Senators should be chosen by the legislatures respectively of the several States.

It is believed by those who advocate the adoption of the pending amendment that the political history of this country touching this question, and especially the history of Senatorial elections during the past few years, as also their effect upon many other important questions of state and general polity, loudly demand this change in the mode of choosing Senators. The advocates of the measure are unwilling to yield to any their loyalty to that principle of equal State suffrage in the United States Senate which we all believe so absolutely essential to State and national equilibrium and to the maintenance and perpetuity of our present form of republican representative government. It is, therefore, with entire confidence we give to this measure our cordial and energetic support, being assured it in no respect disturbs in the slightest degree the relation now existing between the National Government and that of the several States respectively.

Whatever of independent sovereignty now attaches to either the General Government or the States respectively is in no wise either enlarged or diminished by the proposed amendment. The ratio of representation in each House of Congress is left precisely by this amendment as it exists to-day. The physical and political structure of our Government, both national and State, is not in the least modified. The political relation of the one to the other and of each to all remains precisely as now. This being so, the only remaining question to be considered is this: Is it wise, is it politic to provide for a change in the mode of choosing Senators, as proposed by the pending amendment? Are there any good reasons which operate to demand the change? Are there any controlling reasons why the change should not be made?

Some of the more salient reasons in favor of the proposed change in the mode of choosing Senators may be summarized as follows:

First. What the people are authorized to do indirectly through the means of the ballot they should be permitted to do directly through that medium. This is republicanism; this is democracy.

The present mode is tinctured with the spirit of aristocracy; it is tainted by the odor of monarchy. The proposed change is, therefore, an enlargement and widening of the individual right of suffrage, by permitting the people to do in their own right, and directly, that which they are only permitted to do now in a vicarious and indirect manner in the matter of choosing United States Senators.

Second. The present system of choosing Senators has a tendency to divert the attention of legislators from matters of legislation in which the State and the people of the State are vitally interested, and to the great detriment of the best interests of the State and of the people.

Third. The present system of choosing Senators converts primary and other elections into pool rooms of debauchery wherein the question absorbing every mind in the selection of members of the legislature is not as to the capacity or fitness of the selection for legislative duties, but rather how he will vote for Senator.

Fourth. The proposed change will, more than any other suggested reform of the present day, have a tendency to destroy the power of local and State political bosses and eliminate them, as they properly should be, from American politics, thus remitting to the people, where it properly and rightfully belongs, the control of political affairs in the State.

Fifth. The proposed change will place the position of United States Senator in a greater measure than at present beyond the reach of those whose sole qualification for the position is their wealth. In other words, it will minimize to a great degree the debauchery of legislatures, now unfortunately quite too prevalent.

Sixth. The proposed change will have a tendency to disarm unjust criticism of the United States Senate and to create more amicable relations between the Senate and the people, a consummation most devoutly to be wished.

Seventh. The change, in my judgment, will tend to elevate the character of the United States Senate and will tend to the exaction from each Senator of a fuller recognition of the rights of the people than is the case now under the present system.

Eighth. The history of Senatorial elections in the United States during the past ten or fifteen years, notably in the Senatorial elections in the States of New York, Oregon, Washington, Idaho, Montana, Wyoming, Delaware, Kentucky, Louisiana, and other States, furnishes an unanswerable argument in favor of the proposed change.

Ninth. The choosing of Senators by a direct vote of the people instead of by the legislatures of the several States is more in accordance with a republican and democratic government and less in sympathy with that of a monarchy or aristocracy. It is only in this manner that the moral and political sense of the people can find fitting and adequate expression.

Tenth and lastly. It is a reform demanded by the great majority of the people of this country, irrespective of party, and one that should, therefore, be promptly met and acceded to by Congress, and by no branch of the legislative department of the Government should this acquiescence be so readily and cheerfully given as by the United States Senate.

Having thus briefly outlined, as I believe, and accurately stated the real character and effect of the proposed legislation, and having heretofore on several occasions argued here and elsewhere in favor of the amendment, citing perhaps all the more salient arguments to be adduced in its support, and as other Senators have also heretofore ably argued in the same direction, notably the distinguished Senator from Indiana [Mr. TURPIE] in several elaborate and able speeches at this and other sessions of the Senate, and as the distinguished Senator from California [Mr. PERKINS] is desirous of speaking at some length on the same subject in support of the proposed amendment, I shall not at this time detain the Senate further, but shall give way to him, in the hope that any extended debate may be avoided, to the end that this measure, demanded by the people of this country irrespective of party, and one which, in my judgment, stands in the front rank of the reforms of the present age, may have early consideration.

Mr. PERKINS. Mr. President, the people whom I, in connection with my distinguished colleague, have the honor to represent have manifested their opinion on this question in no uncertain way. By a vote of 187,000 against 13,000 they have shown how strong is their belief that the election of United States Senators should be by popular ballot. In entering a plea for that mode of election I am, therefore, speaking for practically all persons in California who have a right to demand representation in those bodies that make the laws by which they are governed and levy the taxes which they are to pay. It is a right in defense of which their ancestors took up arms. It is a right which was established at the cost of suffering, privation, and blood, and which is recognized to be the foundation upon which rests the liberty that 70,000,000 people now boast of. It is because the people of the United States are jealous of that right and believe that it either has been, or is in danger of being, denied them that from one ocean to the other there has arisen a demand that they themselves shall by votes deposited in the ballot box by their own hands elect the Senators who are to represent them in this Chamber.

In debating this question attention has been called to the study

given to the principles of self-government by the framers of our Constitution which has imposed upon us the election of Senators by the legislatures of the several States. The members of the convention were, as has been said, of English stock, trained in the principles of English liberty. No deliberative body that has ever assembled has been influenced by so pure a patriotism, has so unselfishly devoted itself to a great cause, has been so earnest in its effort to establish human liberty on a sure foundation. But the members of the convention were men, and man is not infallible; neither can he foresee the conditions which the progress of civilization brings about. He is compelled as best he may to judge of the future by the present and the past, and shape his course by the light which history affords. And so these men of English blood, who had had occasion to study the principles of liberty as found in England, could not wholly emancipate themselves from the influence which English institutions exerted.

THE SENATE AND THE HOUSE OF LORDS.

Throughout our Constitution this influence is observable, but in no part in so marked a manner as in that provision relating to the United States Senate. It was here that their dependence upon the past was most strongly felt. Different conditions and different material necessitated some change, but as far as the members of the convention were able they fashioned the United States Senate after the English House of Lords. Mr. Dickinson, a member of the Constitutional Convention, frankly wished to make the Senate as nearly as might be like the upper house of the British Parliament. Hamilton said:

The best form of government, not attainable by us, but the model to which we should approach as near as possible, is the British constitution. * * * Its House of Lords is a noble institution. * * * It forms a permanent barrier against pernicious innovations on the part of both Crown and Commons. * * * The English model it the only good one.

The delegates believed that a difference in the interests of the two Houses was necessary, in order that, as in Parliament, all questions coming before Congress might be looked at from different points of view. The Federalists said that we must have a landed estate. There was here, however, no landed aristocracy, no titled nobility, no class distinct from that of the people at large, from whom such a Senate could be formed. All citizens of the United States were, and were to continue to be, free and equal, and entitled to representation. That great fact lay as an obstacle in their way, and gave rise to the fiction of the State as distinct from the people, and of its representation by Senators elected by legislatures, and not by popular vote. This idea of the necessity of a difference in the basis of representation still clings to the Englishman, though he is anxious to get rid of that House in which it has been so conspicuously manifested.

Those who propose to reconstruct the House of Lords—

Says Mr. Bryce—

are at their wits end to discover some plan by which it may be strengthened and made practically useful without such a direct election as that by which members are chosen to the House of Commons.

But they will find, as the United States has found, that there can be no true representation of the people unless the people themselves cast the vote.

THE MANNER OF ELECTING SENATORS.

It has been the custom of those who have spoken and written in praise of the United States Senate to ascribe much of its strength and usefulness to the manner in which its members are elected. It is assumed that the removal of their choice from the direct action of the people has given them an independence which they would not otherwise possess, and a point of view in looking at public questions which the man elected by the people by direct vote does not have. Though coming from the same State, surrounded by the same influences, imbued with the same popular ideas as his neighbor who goes to the House of Representatives, the Senator is supposed, by reason of the mere manner of his election, to view things differently. Mr. Dickinson, who wished to make the Senate as nearly like the House of Lords as possible, recognized the independence which a long term of office would give, and argued that, endowed with authority permanent and irrevocable for three, five, or seven years, Senators would decide with uncommon freedom from influence, freedom from the chances that they would take in the coming elections, freedom from those to whom they owe their position.

Mr. Mason argued that election by the people was the only security for their rights, and Mr. Rutledge could see no distinction between election by the people and election by the people's representatives. Mr. Wilson held that the General Government is not meant for the States, but for the individuals comprising the States, and that the individuals, therefore, not the States, ought to be represented in it.

WHY COMPLAINTS ARE MADE.

Mr. President, the complaints which are now heard on every side regarding the manner of election of United States Senators are due to the fact that the framers of our Constitution did not incorporate with every part of that instrument that idea of freedom for which they had heroically fought. There was that distrust of the people which is prevalent in England to-day and which is there the principal reason for the hesitation to reform the House of Lords. There was the same fear of popular corruption that has been expressed in this country by the defenders of the present method of electing Senators. Mr. Madison thought that if an election by the people promised as uncorrupted and impartial choice there could be no necessity for appointment by legislatures, nor was it apparent, he said, that a more useful check would be derived through legislatures than through the people. But has the history of the several States justified him in refusing to give the people the right of election? Have the scandals that have arisen shown that legislatures are above suspicion? The resolution introduced here during the present session and now under consideration is sufficient answer to that question.

Mr. Gerry thought it was necessary that the people should appoint one branch of the National Legislature in order to give them confidence. If the popular election of one branch would give confidence, would the popular choice of both branches give too much? The experience of the past twenty-five years has been that the election by the people of only one branch has failed to give the confidence expected. Mr. Gerry also thought that the election of United States Senators by the people would give the landed interest too much power and render the commercial interest insecure. But one of the criticisms made by those who disapprove of election by legislatures is that the present method gives the commercial interests too much power and renders the landed interests insecure. There was also an idea that unless the State legislatures were given what was called representation there would be danger that they would be abolished. But has not experience demonstrated the fact that contests for the selection of Senators have been in many instances at the sacrifice of local legislation for the State?

THE PEOPLE'S GOVERNMENT.

It will be seen therefore, Mr. President, that those supporters of the present method of election should not place too much confidence in an argument based upon the prescience of the framers of our Constitution. To amend our Constitution is not to cast discredit upon those great and patriotic men. They were human and liable to error, and it is our duty to correct their mistakes. Were they alive to-day they would be among the strongest advocates of any amendment which would improve their work. Thomas Jefferson, in that document which every patriot venerates, gave utterance to the thought that governments derive their just powers from the consent of the governed, and that whenever any form of government becomes destructive of this and other principles affecting their life, liberty, and the pursuit of happiness it is the right of the people to alter or abolish it and to institute a new form of government that will most effectually secure those ends. The great Webster, too, in a speech delivered in the Senate sixty years ago, alluded to the Republic as "the people's Government, made for the people, made by the people, and answerable to the people."

This noted saying, in one form or another, has been used by various orators, and notably by the immortal Lincoln in that famous address delivered in the presence of the nation's dead at Gettysburg. That the framers of the Constitution had these thoughts in mind when they drafted that instrument is evident from the report of every day's proceedings of the Constitutional Convention. But they had embarked upon an unexplored sea of democracy, and they wanted to mark well the beacon lights of experience that faintly glimmered through the mist of doubt from the most liberally constituted monarchy of the world. No question caused more discussion than the plan of choosing the Senators in such a manner as would best cherish and foster the principles of State sovereignty and at the same time express the will and choice of the people.

AMENDMENTS ADOPTED.

But with all the wisdom displayed by the fathers of the Government, with all the care they took in drafting that which was to be the supreme law of the land, some of the members of the convention would not sign the Constitution and much dissatisfaction was expressed by the people; and during the very first session of Congress ten amendments were proposed, and the eleventh within a few years afterwards, and all were promply ratified by the requisite number of State legislatures, in accordance with the provisions of the Constitution.

Even the manner of choosing the President of the United States was changed by an amendment afterwards adopted. Tinkering with the Constitution, I realize, is a serious thing. I also realize that many young legislators first making their advent into political life feel called upon to propose some amendment to the Constitution. I remember in the early days in California, when first sent to the legislature from one of our mining towns, I thought the first duty incumbent upon me was to offer an amendment to the constitution. Experience, however, has taught us a lesson and many of us have profited by that experience. I realize, as I

said before, that tinkering with the Constitution is a serious undertaking and should not be encouraged unless actually needed; but who is there who does not think those amendments were needed? Who would advocate the repeal of any one of them? They are adopted in accordance with the principles enunciated by Jefferson as to the right of the people to alter or amend forms of government that become destructive of their rights.

We have presented to us many petitions asking for different amendments to the organic law of the land that are not necessary and are not demanded by the people. One petition that has been extensively circulated and presented to Congress calls for the words "Almighty God" to be placed in the Constitution. It seems to me a conclusive answer to this petition is in the fact that God has inspired every line of the Constitution that breathes religious and civil liberty and has for its object the betterment of humanity. If we put God into our daily lives, in our love to Him, in obeying His commandments and doing to others as we wish them to do to us, He will never forsake us as a nation, but will give our people wisdom and strength to right every wrong, and generations yet unborn will rise up to call blessed those who framed this Constitution, a gift from God to man, a sacred heritage that it is the duty of every son of this great Republic to jealously guard.

THE TENDENCY OF CHANGES.

The tendency in all changes of our organic law affecting elections has been to secure more certainly and more directly than ever the influence of the people themselves in governmental affairs. They may be trusted at all times. Lincoln, in one of those sayings for which he was noted, remarked that a part of the people may be deceived all the time, and all the people a part of the time, but all of the people could not be deceived all the time. The people choose the members of the legislatures, and often pledges are given in advance that candidates, if elected, will vote for this or that citizen for United States Senator. There have been instances where State conventions have nominated candidates for Senator and the legislatures afterwards chosen have ratified the nominations thus made. This is similar to the present method of choosing our President. A national convention nominates a candidate and the several electors nominated in the various States are selected upon the theory that they will vote for the candidate designated by the national convention. The electors chosen in a State on the Presidential ticket are bound only in honor to vote for the names of the candidates who head the tickets; but that is enough; and there is not a man in the land that would dare betray the trust.

Thus it has come to pass that the action of the members of the electoral college is merely perfunctory or ministerial. Custom gives them no discretion; they merely meet to formally ratify the choice of their party as expressed in the national convention and the will of the people as expressed at the ballot box. But in the selection of United States Senators it has happened that a legislature fails to carry out the will of the State or district conventions in voting for a Senator. Each of us can recall instances of the kind where previous to the election but one candidate for the Senatorship was mentioned and the people were satisfied therewith, voting for members of the legislature firm in the belief that no other Senatorial candidate would be chosen should the legislature be dominated by men of his political faith, but after the election an entirely new man would come to the front and secure the patronage of the gentlemen whose votes were so essential to success.

The recognized campaign party candidate was supplanted by one who, much to the surprise of all, had been able to win to his side a majority of the party caucus and eventually the majority of the legislature. The result was that the public press teemed with charges of undue and improper influences and partisan slander, and rancor became unbridled, and it has been openly asserted that the choice of the people had been betrayed. I am, however, not prepared to admit that anyone ever improperly obtained his seat in this body; but all will agree that had there been a direct vote of the people in the election of Senators the partisan press would be disarmed from making the charge and the files unencumbered by the slanders.

IMPROPER INFLUENCE MORE DIFFICULT.

It may be said in reply to this argument that bribery and corruption are known in connection with State and Congressional elections, and, even if this amendment prevails, that in the years to come the charge will many times be made, possibly sometimes truthfully; but it is self-evident to every thinking person that it is much easier to manipulate by influence 100 members of a legislature than to improperly influence tens of thousands of voters of an entire State at the ballot box. Besides, it removes the unjust aspersion of the defeated candidate that is frequently used against the successful one, as well as that against the true and loyal friends that have stood by him.

It is urged that State conventions may make as bad selections as legislatures, but to this the reply may be made that the people, when the election comes off, will surely correct the mistake. The unfit candidate is always rejected when the people have a voice in the proceeding; but if the legislature choose an unfit man for Senator there is no redress; the people have no power to correct the mistake. It is useless for them to protest; they must abide the consequences.

Still another strong argument in favor of the proposed change is suggested by the liability under the present method that States may continue for a long time unrepresented. Technical questions seem to arise more easily over a legislative election than over one by the people. Witness the fact that during the Fifty-third Congress the States of Montana, Washington, and Wyoming were deprived of equal representation in this Chamber, the gentlemen sent here with certificates as Senators being regarded as lacking in title. In the present Congress the State of Delaware has had but one representative on this floor through a difference of opinion as to the law by the members of this Senate. Another State has wasted the whole limit of time allowed by law for the session of that legislature in the futile attempt to elect a Senator, and if a special session of the legislature is not convened for the purpose, that great State will have but one Senator on this floor after the 4th day of March next. I need not recapitulate the facts in the cases I have referred to; they are too familiar to all.

PROTRACTED CONTESTS THAT NOW OCCUR.

Not only in the States named, but in many of the other States, it is a frequent occurrence for the legislature to have long and protracted struggles before the Senator is finally selected. This is too often to the exclusion of other business and to the neglect of important local interests. Thus the burdens of the taxpayers are increased without corresponding benefits to them. The unseemly contests which sometimes begin many days before the meeting of the legislature are followed by schemes to insure control of the organization or to favor one section of a State to the exclusion of another. All this is unseemly and unworthy the dignity of the Republic.

It will probably be urged that technicalities may arise in elections by the people whereby vacancies might be created in the Senate. But while questions have arisen and will continue to arise concerning elections by the people, they do not approach in complexity the vexatious character of those which arise touching legislative contests.

It is the boast of writers who support constitutional monarchies that in some instances they are more responsive to the will of the people than is this Government of ours; that the will of the people in other lands is more quickly manifested in the administration of affairs than in our own country.

Public opinion is the safety valve of this great republican Government. It is public opinion that makes men do their duty, and God forbid the time should ever come when public opinion does not rule those whom the people send here to legislate and to make their laws. They are the source of all power in this form of government, and that man is not true to himself, not true to the people, who is so callous that he is not sensitive to the opinion of the people. We all desire the good opinion of our associates. We all desire the commendation and good will of those whom we respect. First of all, we desire to have, and we have if we do our duty, our own self-respect, and next to that we covet the good opinion of the people. So, after all, public opinion is the equalizer, the regulator, that will not permit this Government to go very far wrong.

It is explained that our President is elected for four years and he may hold office for that term without regard to public opinion as to his policy or official acts. Representatives are chosen for two years and Senators for six years, but the latter are not elected by the direct vote of the people. The Representatives do not meet until more than a year elapses after their election, and it is possible that in that period the will of the people may have changed; but, granting that they enact legislation in entire accord with prevailing sentiment among the people, their action may be annulled by the Senate, the members of which were elected by assemblymen whose official terms have come to an end and who can not longer exert any influence, if they would, to coerce the Senate in response to the popular will.

I do not presume to assail the conservatism which a longer term of office tends to impart to the membership of this body, for that conservatism I regard as the greatest safeguard against excesses in legislation and a wise provision for the preservation of the institutions of the Republic; but there is lacking that relationship which exists between the Representatives and the people and even between the President and the people, for the President is chosen more in response to public sentiment than are the Senators, since his nomination is first made by representatives of the people in party national convention assembled and afterwards ratified by the people, by their direct vote for representative electors at the ballot box in the respective States of the Union.

THE ONE GREAT TRUTH.

It is impossible to escape from the great truth that the strength of our Union of States lies in direct representation by men who are elected by the votes of those entitled to cast ballots. In discussing this question efforts are made to withdraw this fundamental principle from consideration and to satisfy the people with a shadow. But even the most learned and able of the defenders

of the present system are at last compelled to turn to the people as the source of national strength and as the only foundation upon which can be built a nation. Even so strong a supporter of election by legislatures as a former and very distinguished member of this body seemingly unintentionally reveals the bearing of this truth on this very question now under debate. He has made a very subtle distinction between the people and the State as one justification for the election of Senators by legislatures, but in speaking of this choice he says that each member of the legislature—

Must vote openly, so that their constituents may know whether or not their representatives have followed the general judgment of the particular communities they represent, a matter of vital importance in all representative government.

It seems to me that in this sentence the whole case of the defenders of election by legislatures is given away.

The eminent jurist dwells at length upon the theory that the Senate as such upholds the doctrine of State sovereignty by reason of the fact that in its membership all States, regardless of population, area, or wealth, are equally represented. The proposed change in no way affects the equality of representation which the States now possess, nor does it in any way change that representation; it only provides a different and more direct mode of ascertaining the choice of the people for their representatives on the floor of this Senate.

It is one of the most frequent, and is regarded as one of the strongest, arguments in favor of the present system that the House of Representatives and the Senate must have different constituencies; that one must be elected by the people and the other by the State. Yet in the quotation that I have just given it is tacitly acknowledged that there is not such a thing as a State in the sense that it can be represented without reference to the people; and even more, that if such representation were possible it would be destructive of all representative government. It shows how impossible it is to escape reliance upon the will of the people; that even legislatures which, in theory, are the depositories of the power of that mysterious thing, the State, are actually compelled to show by open ballots whether or not they have paid regard to the wishes of the people in respect to votes for Senatorial candidates.

THE PEOPLE THE ULTIMATE FACTOR.

In fact, Mr. President, in whatever way we look at this question the people—the people with votes in their hands—are found to be the ultimate factor in the problem. It is their will which it is the object of our institutions to make effective, and wherever there is an obstacle put in the way of its free exercise there will be found unrest. Is it possible to conceive of scandals in cases where legislatures elect as United States Senators those who are the choice of the majority of the people who vote? Would this same people complain if their choice were made the choice of their representatives? It is the constant effort of the people that they so constitute their State legislatures that they may be sure a Senator may be elected who will represent them and not some other constituency. It is true that they are often disappointed in the selection made; that those whom they would have rejected are chosen. And this happens most frequently because of the very method of Senatorial election, and not because corrupt means are used to defeat the popular will. In too many cases the method alone is at fault, and the people who demand and will have representation insist that it shall be changed.

Every person—

Says George William Curtis—

is born with an equal claim to every kind of protection of his natural rights which any other person enjoys. The practical question, therefore, is, How shall this protection be best attained? And this is the question of government which, according to the Declaration, is established for the security of these rights. The British theory was that they could better be secured by an intelligent few than by the ignorant and passionate multitude. * * * Nobody denies that the government of the best is the best government; the practical question is how to find the best. * * * And our fathers answered the question of the best and surest protection of national right by their famous phrase, "the consent of the governed."

But although the fiction of the State was brought forward as a justification for election by legislatures, it has been more and more ignored as political education has progressed and popular rights have become better understood. The resistless movement of the century toward the goal of direct and unfettered political action is manifested here and in this matter as in similar questions abroad.

THE PEOPLE ARE THE STATE.

Every change in European institutions has brought the people nearer to the seat of power. Reform in England has been in the direction of a full and direct representation of the people. One by one the fetters which bound them have been stricken off. One by one classes have gained a right to a voice in the conduct of public affairs. More and more influence have the people secured in public affairs; more and more intolerant have they become of that which stands between them and their will. One by one the fictions of government have been exposed, and step by step they have pressed forward toward a government for the people by the people. The body which has different interests from theirs, whose point of view is widely removed from their own, they now wish to cast aside as one of the relics of a time in which freedom was denied them. They distrust as makers of laws those who do not represent them. They are beginning to fully realize that they are the State; that government is for them and should be by them; and that this can be attained only by direct representation. They will be content only when every man shall know that his vote will count in the election of those who make the laws. They demand and will secure the same measure of liberty which the people of the English colonies in America demanded for themselves, and which has been so fully secured to them by our Constitution. "Plymouth Rock," said George William Curtis, "was but a stepping stone from one continent to another in the great march of the same historical development."

It was a denial of representation which caused our ancestors to take up arms. It is representation which now enables them to bear with equanimity the burdens and annoyances which mistaken legislation imposes upon them. They recognize the errors of those who were elected by their votes as their own errors, which they have it in their power to avoid in future. What we do here concerns not ourselves alone individually. If it did, the evil would not be so far-reaching; but the errors we commit here must be charged up as errors of the people who send us here to represent them. If we misrepresent those people it is almost an unpardonable sin in a republican form of government. But this attitude of mind has been made possible only by the belief that by their own acts have the governing bodies been constituted. Raise but a suspicion that they have been denied their right to influence the course of government, and their temper is changed and everything which stands between them and their representatives is looked at with suspicion. Nothing will remove their distrust but a right to cast their ballots and have them honestly counted for him whom they believe will best represent them.

RELATION OF SENATORS AND LEGISLATORS.

This constant, ever-active desire of man to exercise his right of suffrage has gradually wrought a change in the position which the United States Senator bears to the legislature which nominally elects him. As the people have become more conversant with public affairs, as they have become better educated through the public press and the schools which have been established on every side, they have understood more clearly their rights, and have sought to make the choice of United States Senators their own. Their efforts have not yet been wholly successful, but they have changed radically the character of elections by State legislatures. The latter are not the free, untrammeled agents that the Constitution designed them to be. Senatorial elections are not wholly uninfluenced by agencies outside the Senate Chamber. "Indeed," says Mr. Bryce, "it is worth observing that the election of Senators has in substance almost ceased to be indirect."

If we have lost the substance, why should we retain the shadow? It seems to me that it is as idle to assume that the entire people of a State would be more exposed to fraud and corruption in the case of the popular election of United States Senators than they are now in the election of Presidents. It seems to me that the argument based on the fear that there would be created temptations giving rise to corruption applies with equal force to the election of President. The latter, as I have before stated, is practically elected by popular vote, the whole people of each State casting ballots for certain members of the electoral college. The electoral candidates on each party ticket, however, are virtually one man, and that man a Presidential candidate. The case, therefore, is parallel with that of the election of a United States Senator by the people, and there can be no reason for believing that there would be more fraud, bribery, corruption, or illegal practices under the latter than under the former. The cases stand on one and the same footing, and an argument in favor of one is also in favor of the other; an argument against one is also against the other.

ELECTION OF SENATORS AND THAT OF PRESIDENT.

It seems to me, too, Mr. President, that other objections to the proprosed change in the Constitution apply with equal force to the present mode of electing our Presidents. It is objected that if Senators are elected by popular vote they will be selected by men who are not chosen in pursuance of law, upon whom no oath is imposed, who have no other responsibility than to make that selection, of whose action there is no record, who act by proxy, and who compose a body which lasts but a day. I do not see on what ground it can be maintained that greater evils would flow from the nomination of a Senator by a State convention than from the nomination of a President by a national convention. I do not see in what particulars the latter convention is more permanent, more subject to law, more responsible, or that it has any record of its action which a State convention has not. I do not see in what respect a national convention can be more in accord with the Constitution than a State convention, or how our scheme of government can be endangered by the action of the latter. The equality of the States would still be maintained, for that is assured by the constitutional provision establishing equality of representation, with which methods of election have nothing whatever to

do. The independence of the Senate would not be lessened, for that, too, has been insured by fixing the tenure of office. These are the two essential facts in the constitution of this body, and neither is in any way dependent upon a given method of election.

Mr. President, the scandals which have accompanied many Senatorial elections are without doubt baseless. I can not believe that such bodies of men as compose our legislatures are fairly open to so many or to such charges as have been brought against them. But the fact that such charges have been made has to a great extent impaired the confidence of the people in the present mode of election, and has led them to demand that the election of their Senators be placed in their hands. They believe the assumption that the State can exist apart from themselves should now be set aside forever. The physical conditions existing within the boundaries of the several States determine the industries by which the people shall live, and as these differ so do the interests of the people of the States differ. Within the borders of each State there is a community whose needs are not precisely those of its neighbor.

THE RIGHT OF THE PEOPLE.

In the large affairs of the nation this community should have power to at least protest against action that would injure it and to strive for that which would benefit, as well as to have a voice in the determination of measures for the common good of all. This community is the State. There can be nothing apart from it which can be represented by the election of representatives. There can be no other interests to represent than those of the entire community if liberty is to be maintained. There can, therefore, be no point of view of public affairs different from that of the community, and its representatives can not, by the mere manner of their election, be made to look with other eyes. In the bitterest moment of his life, when the legislature of his State passed the resolution censuring him for his action in this Chamber, Charles Sumner said: "I seem to lean on the great heart of Massachusetts." In that hour of his grief and despondency he found consolation in the thought that he could lean upon the people whom he represented. So does every Senator who here does his work according to his conscience rely upon the great and generous hearts of the people whom he represents, and whose wishes they expect him to regard.

The movement in favor of Senatorial elections by the people is growing stronger every year. Already at the ballot box or through their legislatures the voters of nine States have declared in favor of the change, and it is bound ultimately to be made. Its establishment by an amendment to the Constitution would tend to restore confidence between the people and those chosen by them to make the laws of the country, without which confidence in free government can not long endure. What the people now demand is that which our forefathers contended for when they supported by force of arms the Declaration of Independence; that for which the framers of the Constitution hoped and prayed; that for which the world has given its grandest examples of heroism—a government by the people, of the people, and for the people.

Mr. CHANDLER obtained the floor.

Mr. MITCHELL of Oregon. I suggest the absence of a quorum.

Mr. CULLOM. Before that suggestion is made I wish to present some petitions.

Mr. MITCHELL of Oregon. I suggest the absence of a quorum. I desire the Senate to hear the Senator from New Hampshire [Mr. CHANDLER].

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Cullom,	McBride,	Sewell,
Allison,	Davis,	Mills,	Sherman,
Bate,	Dubois,	Mitchell, Oreg.	Shoup,
Berry,	Elkins,	Morrill,	Smith,
Blanchard,	Gallinger,	Palmer,	Squire,
Brice,	Gear,	Peffer,	Teller,
Brown,	George,	Perkins,	Turpie,
Burrows,	Hansbrough,	Pettigrew,	Vilas,
Butler,	Harris,	Platt,	Walthall,
Chandler,	Hawley,	Pritchard,	Warren,
Chilton,	Hill,	Pugh,	White,
Clark,	Lodge,	Quay,	Wolcott.

The PRESIDING OFFICER. Forty-eight Senators have answered to their names. A quorum is present. The Senator from New Hampshire [Mr. CHANDLER] is recognized.

Mr. ALDRICH. Will the Senator allow me to offer a resolution for reference?

Mr. CHANDLER. Certainly.

FINAL ADJOURNMENT.

Mr. ALDRICH. I offer the concurrent resolution which I send to the desk.

The PRESIDING OFFICER. The resolution will be read.

The Secretary read as follows:

Resolved by the Senate and House of Representatives, That the President of the Senate and Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on Monday, the 8th day of June, instant, at 2 o'clock p. m.

Mr. ALDRICH. I move that this resolution be referred to the Committee on Appropriations, and I call the attention of the chairman of that committee to what I believe is a very natural impatience on the part of Senators to have the business of this session brought to a close. There are, I believe, some four or five of the principal appropriation bills now in conference. With the large experience of the Senate and House of Representatives in connection with such conference reports there ought to be no trouble in coming to an agreement upon those various bills within twenty-four hours, and I believe that there would not be if there was sufficient pressure brought to bear in the way of a sentiment in both Houses upon the committees of conference to secure agreements. I hope the Committee on Appropriations will give this matter very careful consideration.

The PRESIDING OFFICER. The resolution will be referred to the Committee on Appropriations, if there be no objection.

Mr. ALLISON. Only a word in respect to the resolution. Of course I have no objection to its reference to the Committee on Appropriations.

Mr. GEORGE. I should like to say something about the resolution.

Mr. ALLISON. Just one moment. The committees of conference having charge of appropriation bills are doing the best possible to bring them to a conclusion. There are differences of opinion, and of course time must be taken to settle those differences. I had hoped that by to-morrow we should be able to report upon all of those bills, but I now doubt very much whether we shall be able to do so before Monday. I assure the Senator from Rhode Island, and all other Senators who are interested in the spirit of the resolution, that we are doing the best possible. I will also say that during the session of the Senate it is almost impossible for the conference committees to make much progress, from the fact that Senators who are members of such committees are brought in here constantly to help make a quorum.

Mr. GEORGE. Mr. President, I know everybody is tired and wants to get away, but there is a measure on the Calendar of the utmost importance to the people of the country, which has passed the other House and been reported from the Judiciary Committee of the Senate with an amendment, in which a large number, a very large number, of the people of this country are interested. I do not think that we ought to adjourn until action is taken upon that measure. I refer to the bankruptcy bill; and I do hope that no adjournment will take place until the Senate has taken action upon it. I have letters from every State in the Union, except New England, urging the passage of that bill—letters stating that a large number of meritorious men, by the accidents of life and other causes, have been reduced to insolvency, that they can not pay their debts, and can not embark in any other business on account of their indebtedness.

I therefore hope that Congress will not adjourn, and, so far as I am concerned, I must be allowed to protest against the adjournment of Congress without action upon this measure.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. The Senator from New Hampshire [Mr. CHANDLER] is entitled to the floor. Does he yield to the Senator from Wyoming?

Mr. CHANDLER. I do.

Mr. WARREN. Mr. President, I do not wish to detain the Senate or take advantage of the courtesy of the Senator from New Hampshire [Mr. CHANDLER], who has so kindly yielded me the floor for a moment. I approve of the idea of an early adjournment, but it seems to me it is now too early to even consider an hour or a day when we shall finally adjourn. The Appropriations Committee, through its conferees, have very properly, in my judgment, insisted upon certain Senate amendments in disagreement with the House of Representatives. It requires only a casual glance at some of the appropriation bills to show that a number of the States, I might say a group of States, interested to but a slight extent, it is true, in these bills, are yet, nevertheless, interested in such a way that their only interests in the appropriation bills of this session are still at stake and yet unsettled. The Senate committees of conference are, in my judgment, faithful in undertaking to protect these interests. I do not believe we should cut short their time. So far as I am concerned, I shall certainly resist with my vote and voice any adjournment which will force upon our Appropriations Committee any action other than what they deem to be proper in holding out for the rights of such amendments as the Senate have insisted and are now insisting upon. I believe if the Committee on Appropriations would look in upon certain States of this Union and see the condition existing there and the necessities as to certain appropriations, not large in the aggregate, they would be willing to stay here days or even weeks rather than surrender certain Senate amendments. I know, so far as I am concerned, that I had sooner stay here in session all the remainder of the year, and even lose my vote next November thereby, than to undertake to explain to the people in my State why it is that

the Senate can not remain yet a few days in session, until the conference committees can have time and can so arrange and so insist upon an adjustment of differences in appropriation bills as to at least name the State which I in part represent, and some of the neighboring States, in one or more of the great appropriation bills.

The PRESIDING OFFICER. The resolution will be referred to the Committee on Appropriations.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills:

A bill (H. R. 956) for the relief of Sophia Sparks and Julia C. Sparks, of Annapolis, Md.;

A bill (H. R. 2006) to increase the pension of Harriet C. Gregg, widow of Col. and Bvt. Maj. Gen. John Irvin Gregg, from $30 to $50 per month;

A bill (H. R. 8008) defining cheese, and also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of "filled cheese"; and

A bill (H. R. 8293) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes.

BUREAU OF ANIMAL INDUSTRY.

Mr. WARREN. Mr. President, I wish to record a notice. I shall move at the first opportunity to take up the bill (S. 1147) for the establishment of a bureau of animal industry for the inspection of meat products and live stock, suppression and extirpation of contagious and infectious diseases among cattle and live stock, to regulate the transportation of cattle and live stock and prevent the exportation or importation of diseased cattle, live stock, or other animals, and for other purposes. I shall certainly call up the bill as soon as the pending matters are disposed of, and if a lull occurs in the meantime I shall ask the Senate to take it up, it being a bill which I think will not require much time, and it is a measure which is important to the entire country and especially to the agricultural interests and to the exporters.

PACIFIC RAILROADS.

On motion of Mr. GEAR, it was

Ordered, That 500 copies of Report No. 778, on the Pacific Railroad bill, and hearings on the same, be printed for the use of the Senate.

ELECTION OF SENATORS BY DIRECT VOTE.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. R. 6) proposing an amendment to the Constitution of the United States providing for the election of Senators by the votes of the qualified electors of the States.

Mr. CHANDLER. Mr. President, it is not my purpose to take up the time of the Senate at this late period of the session by any lengthy discussion of the question whether United States Senators should be chosen by the people. I do not intend even to attempt to reply to the eloquent argument of the Senator from California [Mr. PERKINS]. I wish, however, to make one or two suggestions and to emphasize again one or two points connected with the subject which I have hitherto presented to the Senate.

I am unable to understand why the proposition to elect the President and Vice-President by the people has dropped out of the minds and hearts of the advocates of a reformed Constitution. It is my design, whenever the pending amendment is seriously pressed for a two-thirds vote of this body, to move an addition which shall include the election of President and Vice-President by a direct vote of the people. I do not think that either Senators or the President and Vice-President ought to be so chosen; but if Senators are to be I think that the President and Vice-President ought to be. I do not myself believe with the Senator from California that the desire for the proposed change is strengthening in the minds of the people of this country. On the contrary, I believe it is a craze, a Populistic notion which has not really taken hold of the members of either of the two great political parties, but is only a hobby or a fad of the Populistic party; and I regret to see such naturally conservative Senators as the Senator from Oregon and the Senator from California on this side of the Chamber, the Senator from Illinois [Mr. PALMER] and the Senator from Indiana [Mr. TURPIE] on the other side of the Chamber, who have arrived at years of wisdom and gravity, allowing themselves to be swept away by this mere Populistic notion, which, if it is not adopted within a few years, will never be heard of again.

But, Mr. President, if the legislatures of the States are to vote upon a change in the Constitution under which Senators of the United States shall be chosen by the people, they ought also to have the opportunity to decide whether or not they will hereafter choose the President and Vice-President by direct vote. Indeed, these two things were in the beginning coupled together. They were both together the shibboleth under which the assumed movement for greater popular rights in this country began.

The first Senator on this floor who came here claiming to be the product of this new popular idea was the junior Senator from Illinois [Mr. PALMER], who now does me the honor to listen to me. The Senator came here in some sense himself a representative of the new development, because he was, I believe, named for the Senatorship by a State convention of the Democratic party. This practice of having the State conventions name Senators is unobjectionable, so far as I can perceive, and it can be adopted quite as well whether the Senators are actually elected by the people or by the legislatures in the present manner. But the Senator from Illinois entered the Senate advocating the election, not only of Senators by the people, but of President and Vice-President by the people. In his speech in the Senate he made this statement:

> From what I have said the conclusion is inevitable that none of the reasons which led the framers of the Constitution to deprive the people of the direct control of the executive department and of the Senate now exist. Experience long ago demonstrated the uselessness of the electors as agents for the selection of President and Vice-President. Electors are now but counters for the enumeration of the votes of the States, the John Does and Richard Roes of our political system.

Various State conventions of the Democratic party and all the conventions which have spoken on the subject of the Populist party have, I believe, declared that the President and Vice-President, as well as the Senators, should be elected by a direct vote of the people. Now, I ask in all seriousness, why is this part of the programme to be now omitted? I ask the Senator from California, who recently so eloquently addressed the Senate, why he proposes to elect United States Senators by the people and yet intends to deprive the people of the privilege of electing the President and Vice-President by direct vote? Why does he insist upon retaining these useless John Does and Richard Roes of our political system, as they have been characterized by the Senator from Illinois? Why does the reform stop with the United States Senators, if we are to change our Constitution at all? And I desire to know of the Senator from Illinois, whom I have learned to respect, whose views upon public questions often meet with my approval and secure my vote, why he, as a member of the Committee on Privileges and Elections, who has helped make the majority which has reported this joint resolution which is taken up in the last hours of the session, has given up the idea of electing the President and Vice-President by the people? I do not myself see when the Senator contemplates the programme with which he started when he entered the Senate, of a change in the Constitution in these two particulars, how he can justify himself in now striking down the most important feature of his change and saying no more to the Senate about the election of President and Vice-President by the people.

Mr. President, I know no reason why one change is not demanded as much as the other change. I have heard no such reason stated by the Senator from Oregon, though he may have stated it in some of the numerous reports and many speeches which he has made upon this subject in parts where I have omitted to read what he has said. I say if we are going to seriously enter upon this work of changing the Constitution we ought to let the people have the opportunity to change it in these two respects. But, of course, if all is mere buncombe, if the Senators are merely making their speeches in order to secure favor with the people at home, in order to make it easier for them to get reelected to the Senate, and can accomplish this object by the advocacy of the popular election of Senators only, then, as the half of a loaf is better than no bread, the purpose which they have in view may be as well accomplished without any advocacy of the election of President and Vice-President by the people, because there is no real seriousness whatever in the movement. I have always thought that the Senator from Oregon was serious in his advocacy of the proposition until now, when he insists, at this late hour in the session, upon getting it up, when there is no possibility of action, and it has been universally supposed it was to slumber at least until the coming short session of Congress.

Having given notice that I shall move the amendment for choosing the President by the people whenever the pending proposition is pressed, I desire to call the attention of the Senate, as I have done once before, to the fact that in one hundred and eight years there has never been any change in the form of the United States Government under the Constitution. This may seem strange to Senators who recall the fact that fifteen constitutional amendments have been adopted; and yet the truth indeed remains that in all these fifteen amendments we have made no change whatever in the form of our Government. It is exactly the same now that it was in 1788.

Mr. MITCHELL of Oregon. Will the Senator from New Hampshire allow me a question?

Mr. CHANDLER. I am anxious to be interrupted.

Mr. MITCHELL of Oregon. I imagine as much from the way the Senator has been plying other Senators with questions.

Mr. CHANDLER. I congratulate myself that I have succeeded.

Mr. MITCHELL of Oregon. Conceding what the Senator has just stated to be true, that there has never yet been in the one hundred and eight years of the existence of the Government any amendment that changes our form of government, I should like the Senator to point out wherein, to what extent, and in what respect the proposed amendment changes our form of government?

I insist that it does not do it at all.

Mr. CHANDLER. It will change the form of carrying on the Government, the method of carrying on the Government, and I say that as yet we have not changed the form and method of carrying on the Government. The only exception to this statement is the one indicated by the Senator from Illinois in his speech, and that has been made without a formal change in the Constitution. The original intention was that the electors of President and Vice-President should be governed by their own discretion and their own judgment in voting for a President and Vice-President. They have come in the process of time merely to register the decrees of political conventions, being the John Does and Richard Roes of our political system, to revert to the expression of the Senator from Illinois. But there has been no other change in the methods of carrying on this Government, and that has not been formally made. Here is, therefore, the wonderful fact which I wish to impress upon Senators who may think of this subject, if the Senator from Oregon chooses to bring it up again in this Chamber, that we have lived one hundred and eight years under this Constitution and have not changed the form and method of government at all. I said that might seem strange. Is it not, however, entirely true?

The first amendments of the Constitution were the ten that were proposed by the First Congress to the States in order to meet the objections that had been made in various State conventions when the Constitution was being ratified. On the 25th of September, 1789, Congress sent out the first ten amendments, and they were in due time ratified by the States. The Senator from Oregon will admit that those do not make any change. They are mere bills of rights. There is no change whatever in the Government itself in those ten amendments. Then comes Article XI.

Mr. MITCHELL of Oregon. The Senator will concede that those amendments impose a great many restrictions upon the power of Congress that did not exist under the original Constitution.

Mr. CHANDLER. They did not change in one single particular the method or the form of getting or continuing the Government in operation, and they did not make any change at all in anything. It was contended and believed almost universally by the wisest men of that day that the Constitution meant precisely the same before the ten amendments were adopted that it meant after the ten amendments were adopted.

Mr. MITCHELL of Oregon. Under the original Constitution there was no restriction on the power of Congress to legislate upon the subject of freedom of speech or freedom of the press.

Mr. CHANDLER. That is not changing the form of government. I do not say that the powers of the Government may not have been changed somewhat, as the powers of the Government had been diminished and enlarged by construction during one hundred and eight years, but the method of getting a government into existence and of carrying on that government has not been changed in all this time.

Mr. HAWLEY. It has always been stated by writers on this subject that the amendments were rather in the nature of a bill of rights, a general declaration of rights having been in a sense omitted in the Constitution.

Mr. CHANDLER. I had the fortune a few moments ago to anticipate the suggestion of the Senator from Connecticut. There is nothing making a change in the form of government in the ten amendments. Now, what is the eleventh?

> The judicial power of the United States shall not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign state.

I will not discuss that. It does not change the form of government. Not even the Senator from Oregon will say that it does, and he will argue almost any point that seems to strengthen any case he is trying to win.

Article XII is a long amendment, which I will not read, because everybody knows what it is. Here I shall have to qualify a little what I have said. Here is a slight change in the manner of getting a President and Vice-President. Under the Constitution as it was originally written, when the electors voted for President and Vice-President they did not designate for whom they voted for President and for whom they voted for Vice-President, and so affairs became mixed very soon. The person who had the largest number of votes was to be President and the person having the next largest number was to be Vice-President; but it so happened that shortly two persons received the same number of votes. That was in 1800, when Jefferson and Burr each received 73 electoral votes, and therefore it could not be determined who was elected President and who Vice-President, and the election had to be made by the House of Representatives.

This was a singular omission on the part of the very wise founders of the Constitution. Very much wiser were they, notwithstanding this little slip, than our modern Constitution tinkers who are appearing in the Populist party and in the Senate and House of Representatives. The twelfth amendment only makes the necessary change that when the electors vote for President they shall name A B for President, and when they vote for Vice-President they shall name C D for Vice-President. That is the twelfth amendment; and those of which I have spoken were all the amendments made to the Constitution down to the time of the civil war. We went on seventy-two years without any change. We grew from 4,000,000 people to 32,000,000 people. We did not find that we needed to change by a hair's breadth the form of the government of the United States which these wise fathers of ours had framed for the people of the several States and had put into operation.

Mr. President, it is almost unnecessary for me to say that what are known as the war amendments make no change in the Constitution. Article XIII, as everybody knows, declares the unconstitutionality of slavery. That was merely negative.

Article XIV first declares that citizens of every State shall be entitled to the privileges and immunities of the citizens of all the States. It is very general in this provision and makes no manner of change in the form of government. Neither does it in section 2, which provided a limited disfranchisement of rebels, and, as we all know, that when colored people were excluded from voting they should also be excluded from the basis for Representatives in the House of Representatives. There was also the declaration that the rebel debt should never be assumed either by the United States or any State. Lastly came the fifteenth amendment, which provides that the right to vote shall not be abridged in any State by reason of race, color, or previous condition of servitude.

Mr. President, I have recited all the amendments to the Constitution from I to XV, inclusive, and I defy anybody to show me that the form of government is changed in any particular. We have grown since the war began from 32,000,000 people to 70,000,000 people. Here appears the conservative character of the American people. Here it is shown that, notwithstanding we are reputed as being a people of mercurial temperament, there is really an element of conservatism down in the hearts of the people.

It was with the utmost difficulty that the people of this country were prevailed upon to lay their hands upon that sum of all villainies, human chattel slavery. In 1852 both political parties declared against any agitation of the subject, and it was only through the folly and madness of the slaveholders themselves, who undertook to extend slavery into Kansas and Nebraska, that the war of secession was begun, which resulted at last, after much tribulation, in the destruction of the system of human slavery. I insist the people of this country were in truth conservative on the slavery question; and when the war closed, and since the war, and down to this hour, when we have increased 40,000,000 of people, there has been no serious attempt to undertake the improvement of the wonderful Constitution of the United States.

So, Mr. President, I stand here to-day as a conservative on this pending question. I regret that the Senator from Illinois has lent himself in his riper years to the effort to amend the Constitution which was good enough for his fathers and has been good enough for him, and which he has fought bravely to maintain against armed rebellion. I regret that the Senator from Illinois has undertaken to proclaim the necessity of an alteration in this venerable instrument.

The more I study the Constitution of the United States the more I stand amazed at the marvelous wisdom, the far-reaching sagacity of the framers of that instrument. It is a wonder of brevity, to begin with. There is not in the whole range of human literature a document that contains so much expressed in so few words. When you take up the Constitution and turn over its pages in ordinary print, it is hard to realize that you have finished it within so few pages. The men who framed it were inspired not only by great love of country, not only by high moral and religious principles, as I believe, but they were controlled by a method of conciseness and brevity which it would be well for some of our modern legislators to imitate.

Here it is. Yet here is the Populist party crazy to change it. There are more propositions twice over in the astounding platform of the Populist party which the Senator from Nebraska [Mr. ALLEN], whom I regret not to see in his seat, read the other day, which are indorsed word for word and letter for letter, the whole of them, by the courteous and cultivated Senator from Kansas [Mr. PEFFER], than there are in the whole Constitution of the United States which our fathers wrote. I have no doubt the Populists would write them all in as one amendment if they could only secure the help of the Senator from California [Mr. PERKINS], the Senator from Oregon [Mr. MITCHELL], and the Senator from Illinois [Mr. PALMER] in the effort to put them in.

I close by saying I do not think the sober common sense of the American people will indorse this movement. I think it will disappear when the Populist party goes out, and that party will go out very soon unless it entirely absorbs, as possibly it may, the Democratic party. This change is a notion that will not continue to find favor with the American people, and when their judgment is challenged and their attention is drawn to the movement, it will be found that they will say in emphatic terms that they reject, with all the other wild ideas that are now floating about the country, the notion that it is necessary, in order to get honest

and capable and faithful Senators in this body, that the people shall take them from the nominees of political conventions, elected by the people, instead of taking them from the legislatures of the States as they have taken them during the last one hundred years, under a system of which we here now ought not to speak in derogation, as it has sent us here to represent our respective Commonwealths.

It is a good plan to speak well of the bridge that has carried us safely over, and I doubt not that when the Senator from California and the Senator from Oregon have been safely returned here by the legislatures of their respective States, chosen in the good old-fashioned way, as they will be, they will be entirely content to leave the Constitution just exactly as it is. I am half inclined to say that I regret that neither the people nor the legislature of Illinois will send to us our respected friend the junior Senator from Illinois, whom I see before me.

I had the honor to submit in a former Congress briefly my reasons against the adoption of the resolution to be sent out to the States for the election of Senators by the people, then proposed by the Senator from Oregon [Mr. MITCHELL]. It was numbered 8 and the present one is numbered 6. Strike out "8" and insert "6," and I ask to submit this as a report of the minority. It was a majority report before, I think. There has been one change in the committee, and by a bare majority the resolution is now reported to the Senate. I desire that this may be printed as a minority report.

The PRESIDING OFFICER. The Senator from New Hampshire asks that a report heretofore made by him may be printed as the views of the minority of the committee. Is there objection? The Chair hears none.

Mr. PALMER. Mr. President, no compliment can be paid to the wise conservatism of the American people that does not meet my very cordial approval. We have evinced under circumstances of great trial the conservative character of our people and the conservative nature of our institutions. The fact that to-day a part of the Senate is composed of Senators who have heretofore been in armed resistance to the Government and who with their people have submitted to the arbitrament of a great civil war is one of the highest compliments to the American people. We have also shown our conservatism by our contentment at least with all the methods and forms of the Federal Constitution. It has been the subject of fierce criticism, and the subject, too, of very strong intellectual and moral resistance on many occasions in our history. But still the Federal Constitution, with its great fundamental principles, embodying the Federal Union and the dignity and authority of the States, remains substantially intact, and those principles are still venerated and loved by all our people.

In this attempt to improve the Constitution no war is made upon its principles. The fundamental doctrine of the American Government to-day is that all power resides with the people, and that the methods of election are merely the means by which the popular will is ascertained. No one questions that doctrine, and in this movement, which has for its object a mere change in the manner of election, nothing more is expected or hoped for than that the people may more directly and emphatically and more truly express their preferences for United States Senators.

The Senator from New Hampshire [Mr. CHANDLER] intimates that if this doctrine is sound it ought to be extended to the election of the President and Vice-President. That may be so for aught I am prepared to controvert now, but whether that shall be done or not does not affect this question at all. It is not necessary for me to show, either, that the questions are entirely different, and that this, which concerns but one of the States, because it must be true that in the election of a Senator but a single State speaks, and the other proposition, which concerns all the States, is altogether different.

I have said before that the American doctrine is that all power resides with the people, and that all elections are made by them. The amendment proposed to the Constitution violates no principle. It does not obstruct the expression of the popular will. Indeed, it proposes to remove an obstruction to the free expression of the will of the people of the States. And that will bring me in a moment to another question. How is it now? The people choose the senators and representatives who compose the legislature of the State, to whom the election of Senators is confided by the Federal Constitution. What advantage has that method over the method proposed?

I do not mean to overlook the great changes which have been made in our political system. I have lived longer than most of the Senators now on this floor. I have witnessed the growth of that arbitrary, despotic institution known as the convention or the caucus, and that change in our system is as well and as completely fixed as any other alteration that can be imagined. To-day the primary question before the American people is, to which one of these arbitrary, despotic, extraconstitutional organizations shall we submit, and to which shall the American freemen submit? The caucus governs now, the convention governs now, and the Senator from New Hampshire, while no doubt his mind is at ease, expects to be the implicit, obedient servant of his party. He expects to obey. He expects to vote for the nominee of that convention, a purely extraconstitutional organization, one that has no place in our constitutional system. So the question may be addressed to each Senator here: Which one of these despotic organizations will you obey? And if you refuse to obey them, what will be the penalty of disobedience to this purely extraconstitutional institution which has become a part of our system?

Again, there are the minor caucus and the county caucus and the State caucus and the national caucus. This institution has grown up since the adoption of the Federal Constitution, and the legislatures of the States are dictated by these minor or superior caucuses. These extraconstitutional organizations we submit to with far more submissiveness than we do to the Constitution and the laws of the land. The penalty of disobedience to caucus domination, convention domination—perhaps I ought to use a milder phrase—the penalty for refusing to submit to the domination of these caucuses, the caucuses that make legislatures, is much more serious than the penalty for a mere misdemeanor, which looks to a violation of the law, because in the case of a mere misdemeanor it may involve a very few months of imprisonment or a fine, but under this despotic system it may involve the political life of a public man to disobey the dictates, the imperious, despotic commands of a party convention. By such means legislatures are made, and it is to these caucus-made legislatures that the Constitution has confided the election of Senators in the Congress of the United States.

What is the proposition on the other hand? It is that the people shall be invited to elect Senators. How much they will submit to in the way of preliminary dictation none of us can tell. It depends upon the habits of men. But this much will be certain, that the caucus will be compelled, after it makes its selection of a candidate for Senator, to submit its nominee to popular criticism. The people will at least have that much advantage which is not possible under the existing system. How is it now? The legislatures are composed of men chosen in different districts in a State. What particular influences dictate their selection none of us knows. At least I do not know in any particular instance. They assemble, and they are charged with the duties of State legislation, and when they thus have legislative powers, the Senatorial election becomes involved in controversies in regard to local and State interests, while, at least if the elections were made by the people, there would not be the facility for organizing and combining influences that are afforded under the present system.

Under the present system, I believe I could take the testimony of the Senator from New Hampshire himself that the legislatures which choose Senators are not always immaculate, but that interests, monetary interests, corporate interests, control them very often. It is possible, too, that corporate interests may exercise a very large influence on the people. But still, when the nomination is made by the party caucus in the legislature, the election follows immediately, while the two or three months or whatever the length of time which intervenes between the nomination and the election by the people affords ample time for popular criticism. It is impossible under present circumstances.

I repeat the proposition with which I started out, that the theory of our Government is that all power resides in the people, and to that I add a proposition which necessarily results from it. Every agency which interposes between the direct expression of the popular will is of necessity the subject of abuse. I may take examples found in the States. A member of the legislature is chosen by particular interests to advance certain purposes that are entirely legitimate on the part of the people who choose the representative or the senator. Other considerations enter into the choice of a Senator that are entirely distinct from the motives that led to his election, or if the senator or the representative in the State legislature is elected to serve party interests or to serve local interests that deserve consideration, the influences that control his vote for this great place may lead to an entire abandonment of the interests of his constituents on account of which he was chosen. That mode which contemplates the most direct expression of the public will, which suggests the fewest possible reasons for an abandonment of duty, is to my mind a consideration of very great consequence.

The Senator from New Hampshire intimates that I was nominated by a State convention. The fact is, I was not nominated by a State convention. I was nominated for the Senate by the votes of the primaries in 90 of the 102 counties in Illinois. The State convention did nothing more than to canvass the votes. I was a candidate as the result of the popular expression, and not as the result of the combinations that sometimes attend State conventions. I made the canvass before the people in more than 45 of the 102 counties in Illinois. I expressed my opinion upon every public question, and I declined to write letters otherwise than for publication. The plurality in the State for the members of the legislature who voted for me was over 33,000. The Senator from New Hampshire intimates that the same people would probably not return me now, and the Senator is doubtless correct. Since

that time new issues have been made, upon which I have the misfortune to differ with the machine of my State. One of the difficulties in the matter, and one of the ends to be secured by a popular election, is that the machine shall not have the power to dictate who shall represent the people of Illinois or of any other State. The machine has control in Illinois. The machine has control in other States. The machine differs with me in my opinion in regard to public measures. I defy the machine, and whether or not the machine is more powerful than the people I can not tell. I have never been in the habit of submitting to dictation from any quarter in regard to my individual views or my public conduct.

I have during my life entertained and expressed my own opinions. I say, therefore, that one of the objects that ought to be contemplated by this great change in the mode of electing a Senator is that a candidate for the Senate may appeal to the people against the machine, may resist it, and, perchance, may overthrow it. The machine will control the legislature beyond doubt. Two machines will control the legislature. The Republican machine in Illinois will control the Republican organization and the Democratic free-silver machine will control the Democratic part of the general assembly. The two machines will struggle, and one of those machines will elect, under the present system, a Senator. If the people had the right and power to choose a Senator by their direct vote, there would be some opportunity for a man of energy and force and patriotism and fearlessness; there would be some possibility of resisting and even overthrowing both those machines.

Mr. President, I have no expectation of a vote on this subject at this session of Congress. I have not interested myself very much in attempting to bring the matter before the Senate because the public mind is now engaged in other questions, and it is not probable that this question will be largely considered in the approaching canvass.

The Senator from New Hampshire [Mr. CHANDLER] speaks of this as a Populistic idea. Mr. President, I am not usually terrified by mere names. If the Populists should favor a truth, I would not reject it because of Populistic favor. I grant that the fact that the Populists teach a particular tenet is only prima facie evidence of its truth. I should want to investigate very thoroughly before I accepted it; but the Populists are wise in their generation. The Populists are attempting to appeal to the people; and my own opinion is—and I express it as a formula almost—that the rights of the people of this country are safe with the people. I recognize the old expression made half a century ago, that the sober second thought of the people will generally be right. I am quite content that this question shall lie over. I think just now the people are too profoundly engaged in the consideration of other questions to give it that consideration which it deserves. I am satisfied, too, that the machine which is found in the Republican party and the machine which will probably control the Democratic party, or such of them as will submit to the machine—I say these machines will control those serviceable party men, the men who are timid and who hesitate, the men who had rather follow the machine blindly than to encounter its wrath. Such men, I say, the machine will control.

Mr. CHANDLER. I wish to ask the Senator——

Mr. SQUIRE. I ask the Senator if he does not think it possible that the machine might control the popular nominations for Senator?

Mr. PALMER. The machines control the nominations?

Mr. SQUIRE. I refer to the nominations made by State conventions in the usual way.

Mr. PALMER. I do not quite understand the Senator.

Mr. SQUIRE. If the Senator were nominated by a popular convention, a convention of his party in his State, might not that convention be controlled by the machine?

Mr. PALMER. Possibly.

Mr. CHANDLER. Brilliant minds frequently strike the same idea. I was about asking the Senator the same question which the Senator from Washington [Mr. SQUIRE] has asked him; and as I addressed the Chair first, I had hoped that I should have had the advantage of priority of application. What I wanted to ask the Senator, seriously, was whether the election of a Senator by popular vote tends in any way to break up caucus rule and machine rule? I do not think it does. I should like to have the Senator elucidate that point.

Mr. PALMER. I think it does.

Mr. CHANDLER. I agree with the Senator that there is nothing more wicked and atrocious than machine rule when it drives one out of office instead of driving him in [laughter], but the question with me is how the election of Senators by the people will disestablish the caucus and the machine? I do not think the Senator has made that point clear.

Mr. PALMER. Mr. President, I have said that the election of Senators by the people gives to the people the opportunity at least of criticising the acts of the machine, and that it gives them an opportunity, if they think proper to exercise it, to resist and resent the domination of machines. The Senator from New Hampshire speaks of the machine as being an inconvenient institution when it turns men out of office. That, of course, is a sentiment which the Senator must feel very deeply, and one which will occur to him no doubt, but does not occur to other men with the same degree of force.

I have never myself submitted to a machine; I have never yet allowed myself to be controlled by a machine. My political life has been a somewhat varied one. I think I have come into fashion about once every ten years; very much like Sir Roger de Coverley's garments, I go out of fashion and come into fashion every now and then. I am inclined to think now on Democratic lines that I am out of fashion. But there is another consolation I have, that I am no longer in the political field. I have for three-score years and ten, at least, played my part in the politics of my State and of this country. I have always acted according to the dictates of my own judgment. Some people speak of the blessings of enjoying one's opinions. I have struggled to be and act as a free man. I have reached that limit in human life when submission to the machine is not so attractive to me as it is to my friend from New Hampshire, who may feel necessities which I do not feel.

Mr. President, it will be found on investigating this question thoroughly, and, indeed, I predict now, that the chains which make parties despotic are falling from the limbs of the people of this country. During the war, when the preservation of the Union was everything, when under the terrible pressure of the hour men yielded everything for the sake of the great result, none of us was particular about means, about how ends were to be accomplished; the great end was kept steadily in view. After the war its resentments and its bitternesses chained men into political parties—made us the slaves of mere organizations. That time has passed. The country is at peace, the authority of the Union is restored to all parts of the Republic, and there is no vestige anywhere within the limits of the United States, between the oceans or between the Lakes and the Gulf, of an unpatriotic spirit.

We are all once more Americans, and we are all intent, and the people are intent, upon the consideration of the preservation of their constitutional Government and the promotion, under that constitutional Government, of their own highest interests. Conditions as they existed one hundred years ago or fifty years ago no longer exist. To-day the schoolhouse is found everywhere; the newspaper, inaccurate as much of its information is, invades every neighborhood, and men are wiser than they were. I say wiser without meaning any disparagement to our patriotic ancestors; but men know more. Inventions have taken place, marvelous changes have taken place which embarrass us by their extent and their marvelous influence, and the people of the country are beginning to reach that point at which they are leveled up. Yes, I repeat the expression, they are leveled up, and they are far more competent now to select their President. I should have no objection myself, while the autonomy of the States is retained, to the election of President and Vice-President by the people. I am attached to the autonomy of the States, to their independence and sovereignty, and I desire that they shall preserve their just authority; and within that limit I should be perfectly satisfied that the election of President should be accomplished by direct vote. There are difficulties about it, as, for instance, the adjustment of the respective votes of the States.

As to the expression that the Senator from New Hampshire quotes from me, that the electors are now the mere counters in the election of a President, the mere John Does and Richard Roes, they are merely used as a means of determining the relative power of the States in the electoral college, and I do not know that that could be improved. But on this point, this is a question where the people would seriously select their candidate for the Senate, and the plurality would elect as it ought in the election of all public officers and does in regard to all public officers.

So this proposition involves nothing novel which ought to alarm the most conservative. It is simply a question whether the legislature, which is charged with the duty of conserving the interests of the State, shall be also required to separate themselves from those great duties and continue the exercise of the power of choosing Senators. That the duties interfere with each other nobody can doubt, because if there were no political influences—I mean if the legislatures of the States were disconnected entirely from the election of Senators—they would be the representatives of the real and present interests of the people of the States. Now, whatever may be the wants or the necessities of the people of the States with respect to local legislation, the legislators are elected with reference to the vote they will cast for Senator, and thus these duties are made to conflict, and the national interests, the party interests, are so overwhelming in comparison with those of the people of the States, of the local interests, that a Democratic legislature, or a Republican legislature, or a Populist legislature, instead of consulting the interests for which they are elected assume at once the sphere and field of political action, and if they elect a

Senator who is satisfactory to the party in power all their shortcomings in regard to the interests of the people of their States are forgiven, unless indeed they should be guilty of some crime which would subject them to indictment. It is a mixture of authority and a confusion of duties from which the legislatures of the States ought to be relieved.

Mr. HILL and Mr. HAWLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from New York [Mr. HILL] first addressed the Chair.

Mr. HAWLEY. If the Senator from New York will withhold his motion for a moment, I should like to say a few words on the pending bill.

Mr. HILL. I yield to the Senator.

Mr. HAWLEY. Of course I am not intending to take much of the Senate's time, but I should like to put on record my entire dissent, my vigorous dissent, from the Senators who are advocating the pending proposition to change the Constitution by providing for the election of Senators by the people.

The Senator from Illinois reminds me of one of the traditional stories of John Randolph, who, on some occasion like this, stretched his long form, threw forward his hand, and pointing with his skinny, long finger, lifted up his high-keyed voice and screamed, "Change is not reform." The American people have learned that, and it has been the general caution in considering constitutional changes. Certain it is that they have been made with exceeding deliberation and care. The amendments which followed speedily after the adoption of the Constitution have just been described, and I need not enlarge upon them. They were the deliberate judgment of the various States, and they were intended to supply what appeared to be simply broad general declarations, as in a bill of rights, and to more specifically describe reserved rights.

In the process proposed Senators would be chosen by a convention—if these gentlemen have their way, a popular convention. They are now chosen by a convention; and the question is, which is the more dignified and deliberate and safe body to which to refer this great question?

We all know what the popular State convention is. Each party would nominate in such a body a candidate for the Senate. How are the members of the convention chosen? A notice is put up that there will be a caucus at a hotel, or a schoolhouse, or a public hall at the county seat or in the township. How many attend? Perhaps 10 or 20, or in times of great excitement 50 per cent of the voters of the party.

They are the active party men, the young men out for a social afternoon or evening, and include the thoughtful schemers. Delegates are selected sometimes upon the nomination of a committee, sometimes by ballot. It is a compliment to be sent to the State convention, but it is by no means certain that a careful choice is made. Now, the millionaire or multimillionaire who is keen and a practiced hand and is determined to secure the convention, and will use money in large or small sums, according to the size of his State or the necessities of the case, has an enormous advantage. He can send his agents in advance or engage agents on the spot throughout the State to arrange for favorable delegations by packing caucuses.

Is not that so? Is not that a fair description of the manner in which a State convention can be and sometimes is controlled? Observe, it is a temporary affair, usually for a single day only. But there would be a far greater probability of selecting abler and truer men as candidates for the legislature.

But what is the other convention which now chooses a United States Senator? It is the legislature. The members of it are chosen at a formal election under the sanction of statutes, with a formidable list of careful restrictions as to how the voters shall be registered, how the ballots shall be printed, how they shall be received, how they shall be counted, and how the result shall be forwarded, and out of that comes the choice of a man to go to a convention that is to last a month or five months, as the case may be, according to the size of the State and the quantity of business. And it is a convention which has unlimited power to tax and is the maker of and mender of the whole body of laws.

It is a great deliberative convention, and to add to its dignity and secure the conservativeness, if I may say so, of the proceedings, the United States statute comes, without asking permission, into the legislature of the sovereign State, and regulates minutely the details of choosing a Senator. The election shall be held on the Tuesday after the meeting and organization of the legislature. The two houses assembled shall vote separately for him whom they would have to be their United States Senator. The next day the two houses meet in joint convention—a complete reconstruction of the old legislature, now, mind you, meeting as one body—and there the votes of the previous day are compared. If the two houses shall have agreed, then the election of a Senator is announced; if they shall not have agreed, they are to meet each day and give at least one ballot for their choice for Senator.

How can we lead the people—to use the old-fashioned New England phrase—how can we lead the people through a more deliberate and better-guarded process, a more conservative process, than this for choosing a Senator?

In the other case, the case of a nomination by a popular convention, there is no statutory sanction, no laws against double voting, no oath of office, no official record, no laws against bribery, no protection whatever be put around the vote. The whole affair is open to the rush and corruption, the unbarred and unpunished corruption of great popular assemblies.

I call attention to what you all know already, the extreme conservativeness of the Constitution of the United States. In many respects there is nowadays a rush and a cry in behalf of the people—"The people want this," "The people demand this," "Let this be referred to the people." Sir, the people made this conservative Constitution, with all its balances and checks, that their own hasty will or enthusiasm, their temporary passion, might have some check, some delay before taking the form of permanent statutes.

The choice of the electors of President and Vice-President was supposed to give a halting place for the will of the people; it was supposed that the electors would accept the trust and exercise an independent judgment, but that has become a fiction of law, yet not without its uses. Why, Mr. President, the Senate itself is one of those conservative interventions between the immediate expression of the will of the people and the final crowning of legislation. Why do not these gentlemen who talk so much about the will of the people, about referring measures to a popular vote, and all that, demand that the nation shall abolish the Senate and content itself with but one voice, and that the voice of the House of Representatives, who are called the strictly popular representatives of the people's will? Because the judgment of the wisest men in the world, not those of our great convention alone, but those of other countries, is that there ought to be two bodies, one, if possible, chosen for a longer term than the other, theoretically chosen from among men of rather more age and experience, and theoretically with a little more wisdom. And to them is given a longer term and the renewal of one-third only every two years. So this very Senate itself is one of those devices of the fathers for a halting, a stepping-stone, a place to consider, a check, a balance, before rushing popular action into final constitution and law.

I say with the Senator from New Hampshire, the longer I live the more I am amazed by those men striding about in that great convention of 1789 as if they had full knowledge of what was to happen in hundreds of years, and creating a Constitution which, as has often been said, is the greatest work of human hands. I would approach it with solemnity. I would hesitate long before I would change it. Of course nothing human is absolutely perfect, but there is nothing of human creation, in my judgment, so nearly perfect as that Constitution.

Now, a single lesson from history, a minor lesson from history in this matter. Our friends the enemy, the late Confederates, had a convention. They had a chance to make a complete constitution. What did they do? They took the old Constitution? What changes did they make in it? They did not content themselves with the present Democratic doctrine that protection by taxation is not permitted by the Constitution. They specifically prohibited it in their revised constitution. What else? They gave cabinet officers the right to sit in the two deliberative bodies. Now, if they made any other serious change, if those were not the two chief changes, my memory fails me. Does the Senator from Mississippi [Mr. WALTHALL] recollect anything further of consequence? There were some phrase changes besides. There were men in that convention who had seen all the errors, if there be such, all the defects and shortcomings of the old Constitution. They had a chance to make a perfect instrument. Did they change the method of electing Senators? They did not touch it. I doubt if they thought of it.

The present method, in my judgment, is the most conservative, the safest, the wisest. If I were to characterize this new process roughly with the freedom of the press, I should say that it was an attempt to provide that the United States Senate shall belong to rich and corrupt men.

Mr. HILL. Mr. President——

Mr. MITCHELL of Oregon. Will the Senator from New York yield to me a moment? We have made much more progress in the discussion of this important question to-day than I hoped we would be able to do. We have had a number of interesting speeches on both sides of the question. I do not know whether there is any disposition, in fact, upon the part of any Senator upon either side to discuss the measure further. If there is not, for one, I should be glad if we could come to a vote now in regard to the matter, but as I said before, if there is a disposition to discuss it further, then I would ask the unanimous consent of the Senate that the joint resolution go over until the next session and

be put down as the special order for the second Monday of December next. I ask unanimous consent that that be done.

The PRESIDING OFFICER. The Senator from Oregon asks unanimous consent that the joint resolution under consideration may be postponed until the next session and be made the special order for the second Monday of December at 2 o'clock. Is there objection? The Chair hears none, and that order is made.

CONTEMPTS OF COURT.

Mr. HALE. Mr. President——

The PRESIDING OFFICER. The Chair had recognized the Senator from New York. He yielded to the Senator from Oregon.

Mr. HILL. I ask that the unfinished business be temporarily displaced to take up for consideration the bill (S. 2984) in relation to contempts of court.

The PRESIDING OFFICER. The Senator from New York asks unanimous consent that the unfinished business may be further temporarily laid aside, and that the Senate proceed to the consideration of a bill which will be stated.

The SECRETARY. A bill (S. 9284) in relation to contempts of court.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The bill will be read.

Mr. ALDRICH. Mr. President——

Mr. HAWLEY. Will the Senator yield to me for morning business?

Mr. ALDRICH. Before the Senator proceeds——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Rhode Island?

Mr. HILL. Yes, sir.

Mr. ALDRICH. As the Senator's bill is a Senate bill and there are some important House bills that should be acted upon at this session, I ask the Senator from New York to yield to me to ask consent to take up a House bill which has been amended by the Senate committee, and which, I think, will not take any time.

Mr. HILL. I will yield.

IMPORTED PARCELS AND PACKAGES.

Mr. ALDRICH. I ask that House bill 6259 may be taken up.

The PRESIDING OFFICER. The Senator from Rhode Island asks unanimous consent that the Senate proceed to the consideration of a bill which will be read by title.

The SECRETARY. A bill (H. R. 6259) to expedite the delivery of imported parcels and packages not exceeding $500 in value.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. There are some matters requiring action in executive session. I move that the Senate proceed to the consideration of executive business.

Mr. HAWLEY. No; I trust not. Please let us transact some morning business.

Mr. WOLCOTT. Is this measure morning business?

Mr. HAWLEY. I have some morning business to present.

Mr. WOLCOTT. I supposed the Senator had finished. Of course I will give way for morning business.

Mr. ALDRICH. I hope the Senator from Colorado will allow this bill to be taken up and discussed. If there is any objection to it, of course I will not press it.

The PRESIDING OFFICER. The Senator from Colorado moves that the Senate proceed to the consideration of executive business.

The motion was not agreed to.

The PRESIDING OFFICER. Is there objection to the consideration of the bill indicated by the Senator from Rhode Island?

Mr. WOLCOTT. I object, Mr. President.

The PRESIDING OFFICER. The Senator from Colorado objects to the consideration of the bill for which unanimous consent is asked.

Mr. ALDRICH. I move that the Senate proceed to the consideration of the bill. I will state that I do not expect to continue the discussion of it.

Mr. LODGE. I should like to ask if that would displace the unfinished business?

The PRESIDING OFFICER. The Chair will state the question. Objection having been made, the Senator from Rhode Island moves that the Senate now proceed to the consideration of the bill indicated by him.

Mr. ALDRICH. I will state that I do not intend to keep the bill before the Senate if it leads to long discussion. I should like to have an opportunity to have it considered for a few minutes in order that I may make a statement of the purposes of the bill and the reasons why I desire to have it acted upon.

Mr. LODGE. I ask if that would have the effect of displacing the unfinished business?

The PRESIDING OFFICER. If the motion should prevail the Chair understands that it would displace the unfinished business.

Mr. LODGE. I trust that will not be done.

Mr. WOLCOTT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Davis,	Lodge,	Pugh,
Bate,	Dubois,	Mitchell, Oreg.	Quay,
Berry,	Elkins,	Mitchell, Wis.	Sewell,
Brice,	Gallinger,	Morgan,	Shoup,
Brown,	Gear,	Nelson,	Smith,
Butler,	George,	Palmer,	Squire,
Cannon,	Hale,	Pasco,	Turpie,
Chandler,	Hansbrough,	Peffer,	Walthall,
Chilton,	Harris,	Perkins,	Warren,
Clark,	Hawley,	Pettigrew,	Wolcott.
Cockrell,	Hill,	Platt,	
Cullom,	Lindsay,	Pritchard,	

The PRESIDING OFFICER. Forty-six Senators have answered to their names. A quorum is present.

Mr. HALE. It is evident that we can do nothing to-night. We have been sitting very late during all the week. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 6 minutes p. m.) the Senate adjourned until to-morrow, Saturday, June 6, 1896, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *June 5, 1896.*

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The SPEAKER. The Clerk will cause the Journal of the preceding session to be read.

Mr. KEM. Mr. Speaker, I make a point of no quorum.

The SPEAKER (after counting the House and a quorum appearing). The Clerk will read the Journal.

The Journal of yesterday's proceedings was read.

The SPEAKER. The question is on approving the Journal.

Mr. BROMWELL. Mr. Speaker, the Clerk, as he read the Journal, made it appear that the gentleman from New Jersey [Mr. LOUDENSLAGER] asked to have the bill relating to the relief of John Cahill referred to the Committee on Invalid Pensions. It was I who made that motion, having introduced the bill.

The SPEAKER. The correction will be made.

The Journal was approved.

SPECIAL ORDER FOR SATURDAY.

Mr. HENDERSON. I offer a privileged resolution, which I send to the Clerk's desk.

The Clerk read as follows;

The Committee on Rules, to whom was referred resolution No. 376, have had the same under consideration and report the following substitute therefor:

Resolved, That on Saturday, June 6, 1896, it shall be in order for individual members to move to suspend the rules, under the regulations and requirements of Rule XXVIII.

The resolution was agreed to.

ORDER OF BUSINESS.

Mr. STRODE of Nebraska. Mr. Speaker, I now move the previous question upon the contested-election case of Martin *vs.* Lockhart. I am requested to yield a moment, however, to the gentleman from Ohio [Mr. GROSVENOR] before asking a vote on the question.

EMPLOYEES IN THE DEPARTMENTS, ETC.

Mr. GROSVENOR. Mr. Speaker, I desire to call up House resolution numbered 357.

The Clerk read as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to furnish to the House of Representatives the following information, to wit:

First. The number of bureau officers, chiefs of division, clerks, and employees of every grade who were employed in the Treasury Department on the 4th day of March, 1893, and who have since been removed, or have died, or have resigned, separately stating the numbers of the several grades of clerkships, and separately stating those holding positions in the classified service under the civil-service law and those not in the classified service.

Second. The number, by the same designation of grades, of those appointed in the Treasury Department since the said date, with the same classification, to wit, those who have received appointments under the civil-service rules and those appointed not under the civil-service rules.

Third. The number of employees, clerks, chiefs of division, and other officers of the Treasury Department who were appointed during said period without civil-service examination and civil-service rules and who are now covered by the orders of the President extending the civil-service law, rules, and regulations to the employees of said Department.

Mr. GROSVENOR. Mr. Speaker, there is a substitute. I ask that the substitute be read.

The Clerk read as follows:

Resolved, That the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Attorney-General, the Postmaster-General, the Secretary of the Navy, the Secretary of the Interior, and the Secretary of Agriculture be, and they are hereby, directed to furnish the House of Representatives the following information, to wit:

First. The number, names, salary of each, and the States to which they are

credited, of all bureau officers, chiefs of division, clerks, and employees of every grade who were employed in their respective Departments on the 4th day of March, 1893, and who have since been removed or reduced in salary, or who have died or resigned, stating the same in classes according to grade and salary, and stating also, separately, those who were in the classified and those who were in the unclassified service.

Second. The number, names, salary of each, and the States to which they are credited, of all officers and employees of the classes above named who have been appointed or promoted to positions in their respective Departments since the 4th day of March, 1893, stating, separately, those in the classified and those in the unclassified service.

Third. The number, names, salary of each, and the States to which they are credited, of all the ex-Union soldiers in their respective Departments who have been appointed, promoted, reduced, or removed, stating them separately, or who have resigned or died, since the 4th day of March, 1893.

Mr. GROSVENOR. Mr. Speaker, the original resolutions were addressed to each of the Departments of the Government separately. The Committee on Reform in the Civil Service have reported back a substitute for one of the resolutions, and have made the substitute broad enough to cover all of the Departments, so that it will obviate the necessity or propriety of acting on the several resolutions which were introduced. This resolution is simply to make certain inquiries which can not be answered at the present session of Congress doubtless, but which will afford the country some knowledge of how skillfully and adroitly matters are being carried on in the interest of the enthronement of civil-service reform. Upon the adoption of this resolution I demand the previous question.

Mr. DOCKERY. I hope we shall have order, Mr. Speaker, so that we can hear the gentleman.

The SPEAKER. The gentleman asks for the previous question.

Mr. DOCKERY. Mr. Speaker, I hope that the gentleman will not call for the previous question at this time, because I desire to offer an amendment to the resolution.

Mr. GROSVENOR. I insist on the previous question.

Mr. DOCKERY. I ask my friend from Ohio——

Mr. GROSVENOR. I should like to accommodate my friend, but in the present condition of business I dislike to have any amendment offered to so pertinent a resolution.

Mr. DOCKERY. Will the gentleman allow me to state what the amendment is?

Mr. GROSVENOR. The gentleman can offer his as a separate resolution. I will support it without knowing what it is.

Mr. McMILLIN. I believe my friend from Missouri is a member of the committee.

Mr. DOCKERY. I am a member of the committee, in good standing, too, let me say. [Laughter.] I should like to have the privilege of offering the amendment. I ask the gentleman to let me read the amendment, and then perhaps he will accept it. I desire to strike out, in line 11 of the resolution, the words "ninety-three," so that the resolution will read "March 4, 1889." In other words, I desire to secure a statement from the Departments of all the removals since March 4, 1889, and covering the period to which the gentleman refers. The resolution, as it now stands, is under the suspicion of being a partisan resolution, and I know my non-partisan friend——

Mr. GROSVENOR. Oh, nobody would believe that if it were stated. [Laughter.]

Mr. DOCKERY. I know my friend does not desire the resolution to be subject to any such suspicion.

Mr. CANNON. Why not go back to 1883?

Mr. DOCKERY. No; I want to go back to 1889, so that we can cover the period from March 4, 1889, to March 4, 1893, and show the removals made under the last Administration. Now, it is alleged—of course I would not state it here—that the civil-service rules were suspended in the Post-Office Department for the purpose of turning out 1,700 Democrats.

Mr. McMILLIN. Twenty-one hundred.

Mr. GROSVENOR. Oh, I can not yield for a speech.

Mr. DOCKERY. I believe the number was 2,100. That is the allegation of some wicked Democrat, especially this Democrat from Tennessee who has just made it.

Mr. GROSVENOR. That is a wicked Democrat. You have got the right man. [Laughter.]

Mr. DOCKERY. This amendment if agreed to will allow the late Republican Administration to vindicate itself from that aspersion just made by the gentleman from Tennessee [Mr. McMILLIN]. [Laughter.]

Mr. GROSVENOR. Mr. Speaker, I decline to further continue debate on this subject. I want to preserve the pristine purity of my resolution.

Mr. DOCKERY. Then the gentleman denies me an opportunity to offer an amendment.

Mr. GROSVENOR. Let your proposition stand on its own merits. It has merit.

Mr. DOCKERY. Let the House have a vote on it.

Mr. McMILLIN. Surely the gentleman would not in a matter which was brought up two or three weeks ago debate it for two or three minutes so that debate could not be had after the previous question was ordered, and also thereby cut off an opportunity for offering amendments?

Mr. GROSVENOR. I did it for that express purpose.

Mr. McMILLIN. You did it for that purpose! I am glad you are bold enough to state that.

Mr. GROSVENOR. You would have understood it that way if I had denied it. [Laughter.]

Mr. McMILLIN. I am glad also—— [Renewed laughter.]

Mr. DOCKERY. The country understands the gentleman's purpose.

Mr. McMILLIN. The country understands your proposition.

The SPEAKER. The gentleman from Ohio demands the previous question.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. McMILLIN and Mr. DOCKERY. Division.

The House divided; and there were—ayes 146, noes 40.

Mr. McMILLIN. Let us have the yeas and nays on that. If we are to be cut off from debate we will have a little opportunity to meditate, at least.

The SPEAKER. The gentleman from Tennessee is not in order.

Mr. McMILLIN. I will try to make myself in order. I demand the yeas and nays. I will conform myself to the most fastidious requirement.

The yeas and nays were ordered.

The question was taken; and there were—yeas 170, nays 53, not voting 131; as follows:

YEAS—170.

Acheson,	Dovener,	Jenkins,	Scranton,
Adams,	Draper,	Johnson, Cal.	Shafroth,
Aldrich, Ala.	Eddy,	Johnson, N. Dak.	Shannon,
Allen, Utah	Ellis,	Kerr,	Sherman,
Anderson,	Evans,	Kiefer,	Shuford,
Andrews,	Fairchild,	Kirkpatrick,	Simpkins,
Arnold, Pa.	Faris,	Knox,	Skinner,
Arnold, R. I.	Fenton,	Kulp,	Smith, Ill.
Avery,	Fischer,	Lacey,	Southard,
Baker, Kans.	Fletcher,	Lefever,	Spalding,
Baker, Md.	Gamble,	Leighty,	Sperry,
Baker, N. H.	Gardner,	Leonard,	Stahle,
Barney,	Gibson,	Linney,	Stewart, N. J.
Belknap,	Gillet, N. Y.	Linton,	Stewart, Wis.
Bennett,	Goodwyn,	Long,	Stone, C. W.
Bishop,	Graff,	Mahon,	Strode, Nebr.
Black, N. Y.	Griffin,	Marsh,	Strong,
Blue,	Griswold,	McCall, Tenn.	Strowd, N. C.
Boutelle,	Grosvenor,	McClure,	Sulloway,
Brewster,	Grow,	McCormick,	Taft,
Broderick,	Hager,	McLachlan,	Tawney,
Bromwell,	Hainer, Nebr.	Mercer,	Tayler,
Brown,	Halterman,	Miller, W. Va.	Thomas,
Bull,	Hardy,	Milliken,	Thorp,
Burton, Mo.	Harmer,	Milnes,	Tracewell,
Burton, Ohio	Harris,	Minor, Wis.	Tracey,
Calderhead,	Hartman,	Mitchell,	Treloar,
Cannon,	Hatch,	Mondell,	Updegraff,
Chickering,	Hemenway,	Noonan,	Van Horn,
Clark, Iowa	Henderson,	Otjen,	Walker, Mass.
Clark, Mo.	Henry, Conn.	Overstreet,	Walker, Va.
Coffin,	Henry, Ind.	Parker,	Wanger,
Cook, Wis.	Hepburn,	Payne,	Warner,
Cooke, Ill.	Hicks,	Pearson,	Watson, Ohio
Cooper, Wis.	Hilborn,	Phillips,	Wilber,
Crowther,	Hill,	Pitney,	Willis,
Crump,	Howe,	Poole,	Wilson, Idaho
Curtis, Kans.	Howell,	Powers,	Wilson, N. Y.
Daniels,	Hubbard,	Prince,	Wilson, Ohio
Dayton,	Hulick,	Pugh,	Wood,
Dingley,	Huling,	Raney,	Wright.
Dolliver,	Hunter,	Reeves,	
Doolittle,	Hurley,	Russell, Conn.	

NAYS—53.

Abbott,	Dockery,	McCulloch,	Sparkman,
Allen, Miss.	Downing,	McDearmon,	Stallings,
Bailey,	Erdman,	McMillin,	Sulzer,
Bartlett, N. Y.	Fitzgerald,	McRae,	Swanson,
Bell, Tex.	Hall,	Meredith,	Talbert,
Black, Ga.	Harrison,	Money,	Tate,
Buck,	Hart,	Ogden,	Terry,
Catchings,	Hendrick,	Otey,	Turner, Ga.
Clardy,	Jones,	Owens,	Underwood,
Clarke, Ala.	Kleberg,	Pendleton,	Woodard,
Cobb,	Layton,	Robertson, La.	Yoakum.
Cooper, Tex.	Lester,	Russell, Ga.	
Culberson,	Little,	Sayers,	
Cummings,	McCreary, Ky.	Sorg,	

NOT VOTING—131.

Aitken,	Bowers,	Crowley,	Grout,
Aldrich, Ill.	Brosius,	Curtis, Iowa	Hadley,
Apsley,	Brumm,	Curtis, N. Y.	Hanly,
Atwood,	Burrell,	Dalzell,	Heatwole,
Babcock,	Cockrell,	Danford,	Heiner, Pa.
Bankhead,	Codding,	De Armond,	Hermann,
Barham,	Colson,	Denny,	Hitt,
Barrett,	Connolly,	De Witt,	Hooker,
Bartholdt,	Cooper, Fla.	Dinsmore,	Hopkins,
Bartlett, Ga.	Corliss,	Ellett,	Howard,
Beach,	Cousins,	Foote,	Huff,
Bell, Colo.	Cowen,	Foss,	Hull,
Berry,	Cox,	Fowler,	Hutcheson,
Bingham,	Crisp,	Gillett, Mass.	Hyde,

Johnson, Ind.	McCleary, Minn.	Patterson,	Stephenson,
Joy,	McClellan,	Perkins,	Stone, W. A.
Kem,	McEwan,	Pickler,	Strait,
Kendall,	McLaurin,	Price,	Towne,
Kyle,	Meiklejohn,	Quigg,	Tucker,
Latimer,	Meyer,	Ray,	Turner, Va.
Lawson,	Miles,	Reyburn,	Tyler,
Leisenring,	Miller, Kans.	Richardson,	Van Voorhis,
Lewis,	Miner, N. Y.	Robinson, Pa.	Wadsworth,
Livingston,	Moody,	Royse,	Washington,
Lockhart,	Morse,	Rusk,	Watson, Ind.
Lorimer,	Moses,	Sauerhering,	Wellington,
Loud,	Mozley,	Settle,	Wheeler,
Loudenslager,	Murphy,	Shaw,	White,
Low,	Murray,	Smith, Mich.	Williams,
Maddox,	Neill,	Snover,	Wilson, S. C.
Maguire,	Newlands,	Southwick,	Woodman,
Mahany,	Northway,	Spencer,	Woomer.
McCall, Mass.	Odell,	Steele,	

So the previous question was ordered.

The following pairs were announced:

Until further notice:

Mr. DALZELL with Mr. CRISP.

Mr. GILLETT of Massachusetts with Mr. COWEN.

Mr. BURRELL with Mr. COCKRELL.

Mr. STEPHENSON with Mr. NEILL.

Mr. STEELE with Mr. MCCLELLAN.

Mr. HEATWOLE with Mr. DINSMORE.

Mr. BARTHOLDT with Mr. DENNY.

Mr. MCCALL of Massachusetts with Mr. DE ARMOND.

Mr. FOSS with Mr. MCLAURIN.

Mr. NORTHWAY with Mr. PRICE.

Mr. COUSINS with Mr. LIVINGSTON.

Mr. BOWERS with Mr. MINER of New York.

Mr. SNOVER with Mr. MADDOX.

Mr. CORLISS with Mr. MOSES.

Mr. JOHNSON of Indiana with Mr. COX.

Mr. PICKLER with Mr. MILES.

Mr. BARHAM with Mr. KYLE.

Mr. MEIKLEJOHN with Mr. CROWLEY.

Mr. FOOTE with Mr. HUTCHESON.

Mr. COLSON with Mr. KENDALL.

Mr. WILLIAM A. STONE with Mr. LAWSON.

Mr. HICKS with Mr. SPENCER.

Mr. HITT with Mr. WASHINGTON (except Underwood case).

Mr. ROYSE with Mr. TURNER of Virginia (except Tucker-Yost election case).

Mr. SMITH of Michigan with Mr. BERRY.

On this question:

Mr. LEWIS with Mr. TYLER.

Mr. HOOKER with Mr. COOPER of Florida.

Mr. LOUD with Mr. WILSON of South Carolina.

Mr. BINGHAM with Mr. WHEELER.

Mr. VAN VOORHIS with Mr. WILLIAMS.

For this day:

Mr. BRUMM with Mr. ELLETT.

Mr. PERKINS with Mr. MEYER.

Mr. MCCLEARY of Minnesota with Mr. RUSK.

Mr. LEISENRING with Mr. TUCKER.

Mr. CURTIS of Iowa with Mr. RICHARDSON.

The result of the vote was then announced as above recorded.

Mr. DOCKERY. Mr. Speaker, I move to recommit the resolution to the Committee on the Civil Service, with instructions to report it back to the House with the words "ninety-three," in line 11, stricken out, and the words "eighty-nine" substituted therefor.

The question being taken on the motion to recommit, the Speaker announced that the noes seemed to have it.

Mr. DOCKERY. I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 61, nays 163, not voting 130; as follows:

YEAS—61.

Abbott,	Cummings,	McCreary, Ky.	Sparkman,
Allen, Miss.	Dockery,	McCulloch,	Stallings,
Bailey,	Erdman,	McDearmond,	Strowd, N. C.
Bankhead,	Fitzgerald,	McMillin,	Sulzer,
Bartlett, N. Y.	Hall,	McRae,	Swanson,
Bell, Colo.	Harrison,	Meredith,	Talbert,
Bell, Tex.	Hart,	Money,	Tate,
Berry,	Hendrick,	Ogden,	Terry,
Black, Ga.	Jones,	Otey,	Turner, Ga.
Buck,	Kem,	Owens,	Underwood,
Catchings,	Kleberg,	Patterson,	Williams,
Clardy,	Latimer,	Pendleton,	Woodard,
Clarke, Ala.	Layton,	Robertson, La.	Yoakum.
Cobb,	Lester,	Sayers,	
Cooper, Tex.	Little,	Shuford,	
Culberson,	Maguire,	Skinner,	

NAYS—163.

Acheson,	Arnold, R. I.	Bennett,	Bull,
Adams,	Avery,	Bishop,	Burton, Mo.
Aldrich, Ala.	Baker, Md.	Black, N. Y.	Burton, Ohio
Allen, Utah	Baker, N. H.	Brewster,	Calderhead,
Anderson,	Barney,	Broderick,	Cannon,
Andrews,	Beach,	Bromwell,	Chickering,
Arnold, Pa.	Belknap,	Brown,	Clark, Iowa
Clark, Mo.	Halterman,	Marsh,	Shannon,
Coffin,	Hardy,	McCall, Tenn.	Sherman,
Connolly,	Harmer,	McClure,	Simpkins,
Cook, Wis.	Hartman,	McCormick,	Smith, Ill.
Cooke, Ill.	Hatch,	McEwan,	Southard,
Crowther,	Hemenway,	McLachlan,	Spalding,
Crump,	Henry, Conn.	Mercer,	Sperry,
Curtis, Iowa	Henry, Ind.	Miller, W. Va.	Stahle,
Curtis, Kans.	Hepburn,	Milliken,	Stewart, N. J.
Daniels,	Hicks,	Milnes,	Stewart, Wis.
Dayton,	Hilborn,	Minor, Wis.	Stone, C. W.
Dingley,	Hill,	Mitchell,	Strode, Nebr.
Dolliver,	Howe,	Mondell,	Strong,
Doolittle,	Howell,	Mozley,	Sulloway,
Dovener,	Hulick,	Murphy,	Tawney,
Draper,	Huling,	Murray,	Tayler,
Eddy,	Hunter,	Noonan,	Thomas,
Ellis,	Hurley,	Otjen,	Thorp,
Evans,	Jenkins,	Overstreet,	Tracewell,
Fairchild,	Johnson, Cal.	Parker,	Treloar,
Faris,	Johnson, N. Dak.	Payne,	Updegraff,
Fenton,	Kerr,	Pearson,	Van Horn,
Fischer,	Kiefer,	Phillips,	Walker, Mass.
Fletcher,	Kirkpatrick,	Pitney,	Walker, Va.
Gamble,	Knox,	Poole,	Wanger,
Gibson,	Lacey,	Powers,	Warner,
Graff,	Lefever,	Prince,	Watson, Ohio
Griffin,	Leighty,	Pugh,	Wellington,
Griswold,	Leonard,	Raney,	Wilber,
Grosvenor,	Linton,	Reeves,	Wilson, Idaho
Grout,	Long,	Russell, Conn.	Wilson, N. Y.
Grow,	Loudenslager,	Russell, Ga.	Wood.
Hager,	Mahany,	Scranton,	Wright.
Hainer, Nebr.	Mahon,	Shafroth,	

NOT VOTING—130.

Aitken,	De Witt,	Leisenring,	Royse,
Aldrich, Ill.	Dinsmore,	Lewis,	Rusk,
Apsley,	Downing,	Linney,	Sauerhering,
Atwood,	Ellett,	Livingston,	Settle,
Babcock,	Foote,	Lockhart,	Shaw,
Baker, Kans.	Foss,	Lorimer,	Smith, Mich.
Barham,	Fowler,	Loud,	Snover,
Barrett,	Gardner,	Low,	Sorg,
Bartholdt,	Gillet, N. Y.	Maddox,	Southwick,
Bartlett, Ga.	Gillett, Mass.	McCall, Mass.	Spencer,
Bingham,	Goodwyn,	McCleary, Minn.	Steele,
Blue,	Hadley,	McClellan,	Stephenson,
Boutelle,	Hanly,	McLaurin,	Stone, W. A.
Bowers,	Harris,	Meiklejohn,	Strait,
Brosius,	Heatwole,	Meyer,	Taft,
Brumm,	Heiner, Pa.	Miles,	Towne,
Burrell,	Henderson,	Miller, Kans.	Tracey,
Cockrell,	Hermann,	Miner, N. Y.	Tucker,
Codding,	Hitt,	Moody,	Turner, Va.
Colson,	Hooker,	Morse,	Tyler,
Cooper, Fla.	Hopkins,	Moses,	Van Voorhis,
Cooper, Wis.	Howard,	Neill,	Wadsworth,
Corliss,	Hubbard,	Newlands,	Washington,
Cousins,	Huff,	Northway,	Watson, Ind.
Cowen,	Hull,	Odell,	Wheeler,
Cox,	Hutcheson,	Perkins,	White,
Crisp,	Hyde,	Pickler,	Willis,
Crowley,	Johnson, Ind.	Price,	Wilson, Ohio
Curtis, N. Y.	Joy,	Quigg,	Wilson, S. C.
Dalzell,	Kendall,	Ray,	Woodman,
Danford,	Kulp,	Reyburn,	Woomer.
De Armond,	Kyle,	Richardson,	
Denny,	Lawson,	Robinson, Pa.	

So the motion to recommit was rejected.

The question being taken on the adoption of the substitute reported from the committee, there were—ayes 111, noes 50.

Mr. MCMILLIN. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 167, nays 48, not voting 139; as follows:

YEAS—167.

Adams,	Cooper, Wis.	Hardy,	McCall, Tenn.
Aldrich, Ala.	Crowther,	Hatch,	McClure,
Anderson,	Crump,	Hemenway,	McCormick,
Andrews,	Curtis, Kans.	Henderson,	McEwan,
Arnold, Pa.	Daniels,	Henry, Conn.	McLachlan,
Arnold, R. I.	Dayton,	Henry, Ind.	Mercer,
Atwood,	Dingley,	Hepburn,	Miller, W. Va.
Avery,	Dolliver,	Hicks,	Milliken,
Baker, Kans.	Doolittle,	Hilborn,	Milnes,
Baker, Md.	Dovener,	Hill,	Minor, Wis.
Baker, N. H.	Draper,	Hopkins,	Mitchell,
Barney,	Eddy,	Howe,	Mondell,
Beach,	Ellis,	Howell,	Mozley,
Belknap,	Evans,	Hubbard,	Murphy,
Bennett,	Fairchild,	Hulick,	Murray,
Berry,	Faris,	Huling,	Noonan,
Bishop,	Fenton,	Hurley,	Otjen,
Black, N. Y.	Fischer,	Jenkins,	Overstreet,
Blue,	Fletcher,	Johnson, Cal.	Parker,
Boutelle,	Gamble,	Johnson, N. Dak.	Payne,
Brewster,	Gardner,	Joy,	Pearson,
Broderick,	Gibson,	Kerr,	Phillips,
Bromwell,	Gillet, N. Y.	Kiefer,	Pitney,
Brown,	Goodwyn,	Kirkpatrick,	Poole,
Bull,	Graff,	Knox,	Powers,
Burton, Mo.	Griffin,	Lacey,	Prince,
Burton, Ohio	Griswold,	Lefever,	Pugh,
Calderhead,	Grosvenor,	Leighty,	Raney,
Cannon,	Grout,	Linney,	Reeves,
Chickering,	Grow,	Linton,	Reyburn,
Clark, Iowa	Hadley,	Long,	Russell, Conn.
Clark, Mo.	Hager,	Loudenslager,	Scranton,
Coffin,	Hainer, Nebr.	Mahany,	Shannon,
Connolly,	Halterman,	Mahon,	Sherman,

Simpkins,	Strong,	Updegraff,	Willis,
Smith, Ill.	Sulloway,	Van Horn,	Wilson, Idaho
Southard,	Taft,	Walker, Mass.	Wilson, N. Y.
Sperry,	Tawney,	Walker, Va.	Wilson, Ohio
Stahle,	Tayler,	Wanger,	Wood,
Stewart, Wis.	Thomas,	Warner,	Woodman,
Stone, C. W.	Tracewell,	Watson, Ohio	Wright.
Strode, Nebr.	Tracey,	Wellington,	

NAYS—48.

Allen, Miss.	Erdman,	McCreary, Ky.	Russell, Ga.
Bankhead,	Fitzgerald,	McDearmon,	Sayers,
Bartlett, N. Y.	Hall,	McMillin,	Sparkman,
Bell, Tex.	Harrison,	McRae,	Stallings,
Black, Ga.	Hart,	Meredith,	Sulzer,
Buck,	Hendrick,	Money,	Talbert,
Catchings,	Jones,	Ogden,	Tate,
Clardy,	Kleberg,	Otey,	Terry,
Clarke, Ala.	Latimer,	Owens,	Turner, Ga.
Cooper, Fla.	Layton,	Patterson,	Williams,
Culberson,	Lester,	Pendleton,	Woodard,
Dockery,	Little,	Robertson, La.	Yoakum.

NOT VOTING—139.

Abbott,	Danford,	Livingston,	Settle,
Acheson,	De Armond,	Lockhart,	Shafroth,
Aitken,	Denny,	Lorimer,	Shaw,
Aldrich, Ill.	De Witt,	Loud,	Shuford,
Allen, Utah,	Dinsmore,	Low,	Skinner,
Apsley,	Downing,	Maddox,	Smith, Mich.
Babcock,	Ellett,	Maguire,	Snover,
Bailey,	Foote,	Marsh,	Sorg,
Barham,	Foss,	McCall, Mass.	Southwick,
Barrett,	Fowler,	McCleary, Minn.	Spalding,
Bartholdt,	Gillett, Mass.	McClellan,	Spencer,
Bartlett, Ga.	Hanly,	McCulloch,	Steele,
Bell, Colo.	Harmer,	McLaurin,	Stephenson,
Bingham,	Harris,	Meiklejohn,	Stewart, N. J.
Bowers,	Hartman,	Meyer,	Stone, W. A.
Brosius,	Heatwole,	Miles,	Strait,
Brumm,	Heiner, Pa.	Miller, Kans.	Strowd, N. C.
Burrell,	Hermann,	Miner, N. Y.	Swanson,
Cobb,	Hitt,	Moody,	Thorp,
Cockrell,	Hooker,	Morse,	Towne,
Codding,	Howard,	Moses,	Treloar,
Colson,	Huff,	Neill,	Tucker,
Cook, Wis.	Hull,	Newlands,	Turner, Va.
Cooke, Ill.	Hunter,	Northway,	Tyler,
Cooper, Tex.	Hutcheson,	Odell,	Underwood,
Corliss,	Hyde,	Perkins,	Van Vorhis,
Cousins,	Johnson, Ind.	Pickler,	Wadsworth,
Cowen,	Kem,	Price,	Washington,
Cox,	Kendall,	Quigg,	Watson, Ind.
Crisp,	Kulp,	Ray,	Wheeler,
Crowley,	Kyle,	Richardson,	White,
Cummings,	Lawson,	Robinson, Pa.	Wilber,
Curtis, Iowa	Leisenring,	Royse,	Wilson, S. C.
Curtis, N. Y.	Leonard,	Rusk,	Woomer.
Dalzell,	Lewis,	Sauerhering,	

So the resolution was adopted.

Mr. BAILEY. I desire to know whether I am recorded. If not, I desire to announce my presence if necessary to make a quorum.

The SPEAKER pro tempore. The gentleman is not recorded. His announcement that he is present will appear in the RECORD.

The result of the vote was announced as above stated.

Mr. GROSVENOR. I move to reconsider the last vote and also move that the motion to reconsider be laid on the table.

The SPEAKER pro tempore. If there be no objection, the motion to reconsider will be laid on the table.

Mr. McMILLIN. On that question we want a vote.

The SPEAKER pro tempore (having put the question on laying on the table the motion to reconsider). The ayes seem to have it.

Mr. McMILLIN. Let us have a division.

Mr. GROSVENOR. I withdraw the motion.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 2989) to increase the pension of Caroline S. Baker;

A bill (S. 3216) donating condemned cannon and condemned cannon balls to the Wyoming State Soldiers' Home, at Cheyenne, Wyo., and for other purposes;

A bill (S. 2923) for the better improvement of the Government reservation at the city of Fort Smith, in the State of Arkansas, and for other purposes;

A bill (S. 2742) for the relief of Charles Fletcher, alias James H. Mitchell;

A bill (S. 2334) construing the acts of Congress in relation to the award of life-saving medals;

A bill (S. 1785) for the correction of muster of Adolph von Haake, late major Sixty-eighth Regiment Veteran Volunteer Infantry;

A bill (S. 1551) granting a pension to Mrs. Selena McKay, of Suwanee County, Fla.;

A bill (S. 1501) granting an increase of pension to Mrs. Lucy Alexander Payne, widow of Capt. J. Scott Payne, Fifth United States Cavalry;

A bill (S. 1488) to provide for the payment of the claim of Christian M. Kirkpatrick for paving the street adjacent to the United States arsenal at Indianapolis, Ind.;

A bill (S. 1277) to place Henry Biederbick, Julius R. Frederick, Francis Long, and Maurice Connell on the retired list of enlisted men of the Army; and

A bill (S. 915) for the relief of Sarah R. Dresser.

The message also announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 8469) to authorize the Baltimore and Washington Transit Company of Maryland to enter the District of Columbia;

A bill (H. R. 4888) for the relief of George Hager;

A bill (H. R. 7919) granting a site for the erection and maintenance of a charity hospital by the city of Biloxi, Miss.;

A bill (H. R. 956) for the relief of Sophia Sparks and Julia C. Sparks, of Annapolis, Md.;

A bill (H. R. 4921) to relieve the North Georgia Agricultural College from the payment of $450 for damaged gun;

A bill (H. R. 5258) granting an honorable discharge to John B. Besler;

A bill (H. R. 5279) granting a pension to Jerusha H. Brown; and

A bill (H. R. 6607) for the relief of Helen Larned.

The message also announced that the Senate had passed with amendments the bill (H. R. 8262) authorizing and directing the Secretary of the Navy to furnish condemned cannon to certain Grand Army posts, a monument association, and army post; in which the concurrence of the House was requested.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1189) granting a pension to Eliza Sandford.

The message also announced that the Senate had passed the following resolutions; in which the concurrence of the House was requested:

Resolved by the Senate (the House of Representatives concurring), That the local United States engineers in the State of California, under the direction of the Chief of Engineers of the United States, be, and they are hereby, authorized and directed to examine and survey Mormon Channel and Calaveras River, in the said State of California, with special reference to a dam at Bellota and cut-offs in the San Joaquin River below the city of Stockton, Cal., and to report the result thereof to the Chief of Engineers of the United States as speedily as possible.

Also:

Resolved by the Senate (the House of Representatives concurring), That there be printed 1,000 additional copies of part 2, together with its accompanying atlas, of Senate Document No. 137, of the Fifty-fourth Congress, first session, for the use of the United States Fish Commission.

Also:

Resolved by the Senate (the House of Representatives concurring), That the Public Printer is hereby authorized and directed to print 2,200 extra copies of the report of Leonhard Stejneger on the Russian fur-seal islands, being Article I of the Bulletin of the United States Fish Commission for 1896. Of the said number of copies, 500 shall be for the use of the Senate, 1,000 for the House, 500 for the use of the Treasury Department, and 200 for the use of the Fish Commission.

The message also announced that the Senate had passed without amendment the following resolution:

Resolved by the House of Representatives (the Senate concurring), That there be printed 10,000 copies each of the majority and minority reports of the Committee on Ways and Means concerning reciprocity and commercial treaties, and also 10,000 copies of the hearings before the subcommittee of said Committee on Ways and Means on reciprocity and commercial treaties; 3,000 copies of said reports and hearings for the use of the Senate and 7,000 copies for the use of the House of Representatives.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, the following Senate bills and resolutions were taken from the Speaker's table and referred by the Speaker as follows:

A bill (S. 915) for the relief of Sarah R. Dresser—to the Committee on Indian Affairs.

A bill (S. 1277) to place Henry Biederbick, Julius R. Frederick, Francis Long, and Maurice Connell on the retired list of enlisted men of the Army—to the Committee on Military Affairs.

A bill (S. 1488) to provide for the payment of the claim of Christian M. Kirkpatrick for paving the street adjacent to the United States arsenal at Indianapolis, Ind.—to the Committee on Claims.

A bill (S. 2923) for the better improvement of the Government reservation at the city of Fort Smith, in the State of Arkansas, and for other purposes—to the Committee on the Public Lands.

A bill (S. 1551) granting a pension to Mrs. Selena McKay, of Suwanee County, Fla.—to the Committee on Pensions.

A bill (S. 1785) for the correction of muster of Adolph von Haake, late major Sixty-eighth Regiment Veteran Volunteer Infantry—to the Committee on War Claims.

A bill (S. 2334) construing the acts of Congress in relation to the award of life-saving medals—to the Committee on Interstate and Foreign Commerce.

A bill (S. 3216) donating condemned cannon and condemned cannon balls to the Wyoming State Soldiers' Home, at Cheyenne, Wyo., and for other purposes—to the Committee on Naval Affairs.

A bill (S. 2742) for the relief of Charles Fletcher, alias James H. Mitchell—to the Committee on Military Affairs.

A bill (H. R. 8262) authorizing and directing the Secretary of the Navy to furnish condemned cannon to certain Grand Army posts, a monument association, and army post, with Senate amendments—to the Committee on Naval Affairs.

Concurrent resolution—

Resolved by the Senate (the House of Representatives concurring), That the Public Printer is hereby authorized and directed to print 2,200 extra copies of the report of Leonhard Stejneger on the Russian fur-seal islands, being article 1 of the Bulletin of the United States Fish Commission for 1896. Of the said number of copies 500 shall be for the use of the Senate, 1,000 for the House, 500 for the use of the Treasury Department, and 200 for the use of the Fish Commission.

To the Committee on Printing.

Concurrent resolution—

Resolved by the Senate (the House of Representatives concurring), That there be printed 1,000 additional copies of Part II, together with its accompanying atlas, of Senate Document No. 137 of the Fifty-fourth Congress, first session, for the use of the United States Fish Commission.

To the Committee on Printing.

Concurrent resolution—

Resolved by the Senate (the House of Representatives concurring), That the local United States engineers in the State of California, under the direction of the Chief of Engineers of the United States, be, and they are hereby, authorized and directed to examine and survey Mormon Channel and Calaveras River, in the said State of California, with special reference to a dam at Bellota and cut-offs in the San Joaquin River below the city of Stockton, Cal., and to report the result thereof to the Chief of Engineers of the United States as speedily as possible.

To the Committee on Rivers and Harbors.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the reports of committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

A bill (H. R. 4020) granting an increase of pension to Mrs. William Loring Spencer; and

A bill (H. R. 2143) granting a pension to Mrs. Emily W. Van Derveer, widow of the late Brig. Gen. Ferdinand Van Derveer.

The message also announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 8248) to increase the pension of Mrs. Emily E. Cash; and

A bill (H. R. 9275) approving certain acts of the legislative assembly of the Territory of New Mexico authorizing the issue of certain bonds of said Territory, and for other purposes.

The message also announced that the Senate had further insisted upon its amendment to the bill (H. R. 6614) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1897, numbered 1, disagreed to by the House of Representatives, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALLISON, Mr. PETTIGREW, and Mr. FAULKNER as the conferees on the part of the Senate.

ORDER OF BUSINESS.

Mr. POOLE. I desire to present a privileged report.

Mr. STRODE of Nebraska. I believe I had the floor and yielded it temporarily.

The SPEAKER pro tempore. The gentleman from Nebraska [Mr. STRODE] is entitled to the floor.

Mr. POOLE. Will not the gentleman yield a moment for the presentation of a conference report?

Mr. STRODE of Nebraska. If it is a matter which will not take any time I shall be glad to yield.

Mr. POOLE. I think it will take but a few moments.

The SPEAKER pro tempore. Does the gentleman from Nebraska yield?

Mr. STRODE of Nebraska. I think I can not. I am afraid we may get engaged in something which will involve another call of the yeas and nays.

Mr. POOLE. This matter will probably not take five minutes.

ELECTION CONTEST—MARTIN VS. LOCKHART.

Mr. STRODE of Nebraska. I now ask the previous question on the pending contested-election case from the Sixth Congressional district of North Carolina.

The previous question was ordered.

The SPEAKER pro tempore. The first question is on the adoption of the substitute submitted by the gentleman from Texas [Mr. BAILEY].

Mr. BAILEY. Mr. Speaker, I believe that under the rules a motion to recommit would not be order in this case until after the substitute has been disposed of. But for reasons which the House will perfectly well understand, I ask unanimous consent that the vote may be taken on a motion to recommit before we vote upon the substitute.

The SPEAKER pro tempore. Is there objection?

Mr. KEM. I object.

The SPEAKER pro tempore. The gentleman from Nebraska objects. The question is on agreeing to the substitute.

The question being taken, there were on a division (called for by Mr. BAILEY)—ayes 49, noes 115.

Mr. BAILEY. No quorum, Mr. Speaker.

The SPEAKER pro tempore. The Chair overrules the point, as there was a quorum on the vote last taken.

Mr. BAILEY. I call for the yeas and nays.

The yeas and nays were ordered, 48 members voting in favor thereof.

The SPEAKER pro tempore. The Clerk will call the roll.

Mr. ATWOOD. Mr. Speaker, I ask unanimous consent that the resolution upon which we are about to vote be read. Sitting over in this corner, I can not hear much that is going on. I should like to have the resolution of the gentleman from Texas read.

The SPEAKER pro tempore. Without objection, the substitute offered by the gentleman from Texas will be reported.

Mr. KEM. I object.

The SPEAKER pro tempore. Objection is made by the gentleman from Nebraska [Mr. KEM].

Mr. LACEY. I make the point of order that we have the right to have a resolution read a second time when during the first reading there has been such confusion that it could not be heard.

The SPEAKER pro tempore. The Chair overrules the point of order. It is not in order to ask for the reading of the resolution after the roll call has been ordered.

The Clerk proceeded to call the roll.

Mr. ABBOTT (when his name was called). Mr. Speaker, I do not know what this resolution is. I ask that it be read.

The SPEAKER pro tempore. The roll call can not be interrupted. The gentleman is out of order.

The question was taken; and there were—yeas 57, nays 156, not voting 141; as follows:

YEAS—57.

Abbott,	Cummings,	McCreary, Ky.	Sparkman,
Allen, Miss.	Erdman,	McCulloch,	Stallings,
Atwood,	Fischer,	McDearmon,	Sulzer,
Bailey,	Fitzgerald,	McMillin,	Swanson,
Bankhead,	Hall,	Meredith,	Talbert,
Bartlett, N. Y.	Harrison,	Ogden,	Tate,
Berry,	Hart,	Otey,	Terry,
Black, Ga.	Hendrick,	Owens,	Turner, Ga.
Buck,	Jones,	Pendleton,	Underwood,
Catchings,	Kleberg,	Robertson, La.	Williams,
Clardy,	Latimer,	Russell, Ga.	Woodard,
Clarke, Ala.	Layton,	Sayers,	Yoakum.
Cobb,	Lester,	Shaw,	
Cooper, Fla.	Maguire,	Sherman,	
Culberson,	McClure,	Sorg,	

NAYS—156.

Adams,	Dayton,	Jenkins,	Pugh,
Aldrich, Ala.	Dingley,	Johnson, Cal.	Raney,
Allen, Utah	Dolliver,	Johnson, N. Dak.	Reeves,
Anderson,	Doolittle,	Joy,	Reyburn,
Andrews,	Dovener,	Kem,	Russell, Conn.
Apsley,	Draper,	Kerr,	Scranton,
Arnold, Pa.	Eddy,	Kiefer,	Shafroth,
Avery,	Ellis,	Kirkpatrick,	Shannon,
Babcock,	Fairchild,	Knox,	Simpkins,
Baker, Kans.	Fletcher,	Lacey,	Skinner,
Baker, Md.	Gamble,	Lefever,	Smith, Ill.
Baker, N. H.	Gardner,	Leighty,	Stahle,
Barney,	Gibson,	Leonard,	Stewart, N. J.
Beach,	Gillet, N. Y.	Lewis,	Stewart, Wis.
Belknap,	Goodwyn,	Linney,	Stone, C. W.
Bell, Colo.	Graff,	Long,	Strode, Nebr.
Bennett,	Griffin,	Mahon,	Strowd, N. C.
Bishop,	Griswold,	Marsh,	Sulloway,
Black, N. Y.	Grosvenor,	McCall, Tenn.	Taft,
Blue,	Grow,	McEwan,	Tawney,
Boutelle,	Hadley,	McLachlan,	Tayler,
Brewster,	Hager,	Mercer,	Thomas,
Broderick,	Hainer, Nebr.	Miller, W. Va.	Thorp,
Bromwell,	Halterman,	Milliken,	Tracewell,
Brown,	Hardy,	Milnes,	Tracey,
Bull,	Harmer,	Mitchell,	Treloar,
Burton, Mo.	Harris,	Mozley,	Updegraff,
Burton, Ohio	Hartman,	Murphy,	Van Horn,
Calderhead,	Hatch,	Murray,	Walker, Va.
Cannon,	Hemenway,	Otjen,	Wanger,
Chickering,	Henderson,	Overstreet,	Warner,
Clark, Mo.	Henry, Ind.	Parker,	Watson, Ohio
Coffin,	Hicks,	Payne,	Wellington,
Cooke, Ill.	Hill,	Pearson,	Willis,
Cooper, Wis.	Hopkins,	Phillips,	Wilson, Idaho
Crowther,	Howe,	Pitney,	Wilson, N. Y.
Crump,	Howell,	Poole,	Wood,
Curtis, Kans.	Hubbard,	Powers,	Woodman,
Daniels,	Huling,	Prince,	Wright.

NOT VOTING—141.

Acheson,	Brumm,	Cox,	Downing,
Aitken,	Burrell,	Crisp,	Ellett,
Aldrich, Ill.	Clark, Iowa	Crowley,	Evans,
Arnold, R. I.	Cockrell,	Curtis, Iowa	Faris,
Barham,	Codding,	Curtis, N. Y.	Fenton,
Barrett,	Colson,	Dalzell,	Foote,
Bartholdt,	Connolly,	Danford,	Foss,
Bartlett, Ga.	Cook, Wis.	De Armond,	Fowler,
Bell, Tex.	Cooper, Tex.	Denny,	Gillett, Mass.
Bingham,	Corliss,	De Witt,	Grout,
Bowers,	Cousins,	Dinsmore,	Hanly,
Brosius,	Cowen,	Dockery,	Heatwole,

Heiner, Pa.	Lockhart,	Neill,	Sperry,
Henry, Conn.	Lorimer,	Newlands,	Steele,
Hepburn,	Loud,	Noonan,	Stephenson,
Hermann,	Loudenslager,	Northway,	Stone, W. A.
Hilborn,	Low,	Odell,	Strait,
Hitt,	Maddox,	Patterson,	Strong,
Hooker,	Mahany,	Perkins,	Towne,
Howard,	McCall, Mass.	Pickler,	Tucker,
Huff,	McCleary, Minn.	Price,	Turner, Va.
Hulick,	McClellan,	Quigg,	Tyler,
Hull,	McCormick,	Ray,	Van Voorhis,
Hunter,	McLaurin,	Richardson,	Wadsworth,
Hurley,	McRae,	Robinson, Pa.	Walker, Mass.
Hutcheson,	Meiklejohn,	Royse,	Washington,
Hyde,	Meyer,	Rusk,	Watson, Ind.
Johnson, Ind.	Miles,	Sauerhering,	Wheeler,
Kendall,	Miller, Kans.	Settle,	White,
Kulp,	Miner, N. Y.	Shuford,	Wilber,
Kyle,	Minor, Wis.	Smith, Mich.	Wilson, Ohio
Lawson,	Mondell,	Snover,	Wilson, S. C.
Leisenring,	Money,	Southard,	Woomer.
Linton,	Moody,	Southwick,	
Little,	Morse,	Spalding,	
Livingston,	Moses,	Spencer,	

So the substitute was rejected.

Mr. QUIGG. Mr. Speaker, on this question I am paired with the gentleman from Massachusetts [Mr. MOODY]. If he were present, he would vote in the negative; I should vote "aye."

Mr. HURLEY. On this question I am paired with the gentleman from Texas [Mr. COOPER]. If he were present, he would vote "aye," and I should vote "no."

Mr. RICHARDSON. I am paired with the gentleman from Iowa [Mr. CURTIS], and withdraw my vote.

The following additional pairs were announced until further notice:

Mr. TOWNE with Mr. WILSON of South Carolina.

Mr. BINGHAM with Mr. DOCKERY.

The following were announced for this vote:

Mr. HURLEY with Mr. COOPER of Texas.

Mr. VAN VOORHIS with Mr. WHEELER.

Mr. ARNOLD of Rhode Island with Mr. MCRAE.

Mr. SOUTHARD with Mr. MONEY.

Mr. HOOKER with Mr. SPENCER.

Mr. HILBORN with Mr. STRAIT.

Mr. HULICK with Mr. TYLER.

Mr. FOWLER with Mr. BARTLETT of Georgia.

Mr. MOODY with Mr. QUIGG.

Mr. LOUDENSLAGER with Mr. SETTLE.

The result of the vote was then announced as above recorded.

Mr. BAILEY. Mr. Speaker, I move to recommit the pending resolution to the Committee on Elections No. 2.

The question was taken; and on a division (demanded by Mr. BAILEY) there were—ayes 39, noes 70.

Mr. BAILEY. No quorum.

The SPEAKER pro tempore (Mr. PAYNE). The point of order is overruled.

Mr. BAILEY. From that decision I appeal.

The SPEAKER pro tempore. The Chair declines to entertain the appeal. [Applause on the Republican side.]

Mr. BAILEY. Yeas and nays——

The SPEAKER pro tempore (continuing). The question is on the adoption of the resolution. [Applause on the Republican side.]

Mr. BAILEY. I demand the yeas and nays on the motion to recommit. I was endeavoring to do so when interrupted by Republicans applauding the Speaker for denying the constitutional right of a member.

The yeas and nays were ordered.

The question was taken; and there were—yeas 51, nays 149, marked present 1, not voting 153; as follows:

YEAS—51.

Allen, Miss.	Culberson,	McCreary, Ky.	Shaw,
Bailey,	Cummings,	McCulloch,	Sherman,
Bankhead,	Erdman,	McMillin,	Sorg,
Bartlett, N. Y.	Fitzgerald,	McRae,	Sparkman,
Bell, Tex.	Hall,	Meredith,	Swanson,
Bennett,	Harrison,	Money,	Talbert,
Black, Ga.	Hart,	Ogden,	Tate,
Buck,	Hendrick,	Otey,	Terry,
Catchings,	Henry, Conn.	Owens,	Turner, Ga.
Clardy,	Jones,	Pendleton,	Underwood,
Clarke, Ala.	Kleberg,	Robertson, La.	Williams,
Cobb,	Latimer,	Russell, Ga.	Woodard.
Cooper, Fla.	Lester,	Sayers,	

NAYS—149.

Acheson,	Belknap,	Calderhead,	Dolliver,
Adams,	Bell, Colo.	Chickering,	Doolittle,
Aldrich, Ala.	Bishop,	Clark, Iowa	Dovener,
Allen, Utah	Black, N. Y.	Clark, Mo.	Draper,
Anderson,	Blue,	Coffin,	Eddy,
Andrews,	Boutelle,	Cooke, Ill.	Ellis,
Apsley,	Brewster,	Cooper, Wis.	Fairchild,
Arnold, Pa.	Broderick,	Crowther,	Fischer,
Baker, Kans.	Bromwell,	Curtis, Kans.	Fletcher,
Baker, Md.	Brown,	Daniels,	Gardner,
Baker, N. H.	Bull,	Dayton,	Gibson,
Barney,	Burton, Mo.	Dingley,	Gillet, N. Y.
Goodwyn,	Joy,	Murray,	Strode, Nebr.
Graff,	Kem,	Otjen,	Strowd, N. C.
Griffin,	Kiefer,	Overstreet,	Sulloway,
Griswold,	Kirkpatrick,	Parker,	Tayler,
Grosvenor,	Knox,	Payne,	Thomas,
Grow,	Kulp,	Pearson,	Thorp,
Hadley,	Lacey,	Phillips,	Tracewell,
Hager,	Lefever,	Poole,	Tracey,
Hainer, Nebr.	Leighty,	Powers,	Treloar,
Halterman,	Leonard,	Prince,	Updegraff,
Hardy,	Lewis,	Pugh,	Van Horn,
Harmer,	Linney,	Raney,	Walker, Mass.
Harris,	Long,	Reeves,	Walker, Va.
Hatch,	Mahon,	Reyburn,	Warner,
Hemenway,	Marsh,	Scranton,	Watson, Ohio
Henderson,	McCall, Tenn.	Shafroth,	Wellington,
Hepburn,	McCormick,	Shannon,	White,
Hicks,	McEwan,	Shuford,	Willis,
Hill,	McLachlan,	Simpkins,	Wilson, Idaho
Howe,	Mercer,	Skinner,	Wilson, N. Y.
Howell,	Milliken,	Smith, Ill.	Wood,
Hubbard,	Milnes,	Southard,	Woodman,
Huling,	Mitchell,	Stahle,	Wright.
Jenkins,	Mondell,	Stewart, N. J.	
Johnson, Cal.	Mozley,	Stewart, Wis.	
Johnson, N. Dak.	Murphy,	Stone, C. W.	

MARKED PRESENT—1.

Loudenslager.

NOT VOTING—153.

Abbott,	De Witt,	Linton,	Robinson, Pa.
Aitken,	Dinsmore,	Little,	Royse,
Aldrich, Ill.	Dockery,	Livingston,	Rusk,
Arnold, R. I.	Downing,	Lockhart,	Russell, Conn.
Atwood,	Ellett,	Lorimer,	Sauerhering,
Avery,	Evans,	Loud,	Settle,
Babcock,	Faris,	Low,	Smith, Mich.
Barham,	Fenton,	Maddox,	Snover,
Barrett,	Foote,	Maguire,	Southwick,
Bartholdt,	Foss,	Mahany,	Spalding,
Bartlett, Ga.	Fowler,	McCall, Mass.	Spencer,
Beach,	Gamble,	McCleary, Minn.	Sperry,
Berry,	Gillett, Mass.	McClellan,	Stallings,
Bingham,	Grout,	McClure,	Steele,
Bowers,	Hanly,	McDearmon,	Stephenson,
Brosius,	Hartman,	McLaurin,	Stone, W. A.
Brumm,	Heatwole,	Meiklejohn,	Strait,
Burrell,	Heiner, Pa.	Meyer,	Strong,
Burton, Ohio	Henry, Ind.	Miles,	Sulzer,
Cannon,	Hermann,	Miller, Kans.	Taft,
Cockrell,	Hilborn,	Miller, W. Va.	Tawney,
Codding,	Hitt,	Miner, N. Y.	Towne,
Colson,	Hooker,	Minor, Wis.	Tucker,
Connolly,	Hopkins,	Moody,	Turner, Va.
Cook, Wis.	Howard,	Morse,	Tyler,
Cooper, Tex.	Huff,	Moses,	Van Voorhis,
Corliss,	Hulick,	Neill,	Wadsworth,
Cousins,	Hull,	Newlands,	Wanger,
Cowen,	Hunter,	Noonan,	Washington,
Cox,	Hurley,	Northway,	Watson, Ind.
Crisp,	Hutcheson,	Odell,	Wheeler,
Crowley,	Hyde,	Patterson,	Wilber,
Crump,	Johnson, Ind.	Perkins,	Wilson, Ohio
Curtis, Iowa	Kendall,	Pickler,	Wilson, S. C.
Curtis, N. Y.	Kerr,	Pitney,	Woomer,
Dalzell,	Kyle,	Price,	Yoakum.
Danford,	Lawson,	Quigg,	
De Armond,	Layton,	Ray,	
Denny	Leisenring,	Richardson,	

So the motion to recommit was rejected.

The following additional pairs were announced:

Mr. PITNEY with Mr. MAGUIRE.

Mr. GROUT with Mr. DOWNING.

The result of the vote was then announced as above recorded.

The SPEAKER pro tempore. The question recurs on the adoption of the resolutions submitted by the Committee on Elections.

The question was taken; and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. BAILEY. I demand a division.

The question was taken; and on a division there were—ayes 113, noes 5.

Mr. BAILEY. No quorum.

The SPEAKER pro tempore. The Chair overrules the point of order, a quorum having been disclosed on the vote just taken.

Mr. BAILEY. I appeal from the ruling of the Chair. The empty seats about me testify to the fact that there is no quorum present.

The SPEAKER pro tempore. The gentleman will be in order. The Chair declines to entertain the appeal. [Applause on the Republican side.]

So the resolutions were adopted.

Mr. STRODE of Nebraska. I move to reconsider the vote by which the resolutions were adopted, and also move to lay that motion on the table.

The SPEAKER pro tempore. In the absence of objection, the latter motion will be agreed to.

Mr. BAILEY. I object.

Mr. STRODE of Nebraska. I withdraw the motion.

Mr. BAILEY. I renew it.

The question was taken on the motion to lay on the table; and the Speaker pro tempore announced that the ayes had it.

Mr. BAILEY. Division.

Mr. GROW. I demand the yeas and nays.

Many MEMBERS. Oh, no.
Mr. GROSVENOR. Mr. Speaker——
Mr. GROW. I withdraw the demand for the yeas and nays.
Mr. BAILEY. I renew the demand.
The yeas and nays were refused, 4 members only rising in support of the demand, and 75 in opposition.
So the motion to lay on the table the motion to reconsider was agreed to.
Mr. BAILEY. I move that the House do now adjourn.
The SPEAKER pro tempore. The Chair declines to entertain the motion.
Mr. BAILEY. I appeal from the decision of the Chair.
The SPEAKER pro tempore. The Chair declines to entertain the appeal. [Applause on the Republican side.]
Mr. STRODE of Nebraska. Mr. Speaker, the contestant is ready to take the oath of office, and I ask that he be now sworn in.
Mr. Martin, having appeared at the bar of the House, was duly qualified, taking the oath of office required by law.
Mr. BAILEY. Call the next case on the docket. [Laughter.]

INTERNATIONAL EXPOSITION AT OMAHA.

Mr. MERCER. Mr. Speaker, I ask consent for the consideration of Senate bill No. 1506, to authorize and encourage the holding of a transmississippi and international exposition at the city of Omaha, in the State of Nebraska, in the year 1898; and I ask that the bill be read before objection is called for, as I desire the House to understand exactly what this matter is.
The bill was read at length.
Mr. MERCER. Mr. Speaker, I also desire to have read, as a part of my remarks, the report of the Committee on Ways and Means.
Mr. DINGLEY. Mr. Speaker, has consent been given for the consideration of the bill?
The SPEAKER pro tempore. It has not. Is there objection to the present consideration of the bill?
Mr. KEM. Mr. Speaker, "the gentleman from Nebraska, Mr. KEM," objects. [Laughter.]
The SPEAKER pro tempore. Objection is made by the gentleman from Nebraska [Mr. KEM].
Mr. MERCER. Mr. Speaker, if it is in order, I move that the House resolve itself into the Committee of the Whole for the consideration of this bill.
The SPEAKER pro tempore. That would not be in order.

CONTESTED-ELECTION CASE—RINAKER VS. DOWNING, SIXTEENTH DISTRICT OF ILLINOIS.

Mr. MOODY. Mr. Speaker, I desire to call up the contested-election case of Rinaker *vs.* Downing, and to present a report of Committee on Elections No. 1 thereon, which report has been prepared in accordance with the order of the House heretofore made. It is very brief, and I ask that it be read in my time, for the information of the House.
Mr. McMILLIN. I would ask the gentleman whether he proposes to proceed to the disposition of the case at this time?
Mr. MOODY. Mr. Speaker, I am directed by the committee to ask for a disposition of the case at the present time.
Mr. McMILLIN. I wish to state that one of the gentlemen who represents the minority on that Committee on Elections has been called home. Another [Mr. DINSMORE] is, as is well known, temporarily crippled and on crutches, and is absent from the Hall at this time. The only other is sick. I understand that the conclusion of the majority has only been reached within the last few minutes, or at least within half an hour, and that no opportunity has been given for the presentation of the views of the minority. I ask on behalf of the contestee, Mr. Downing, that a short time, a reasonable time only, be given for the presentation of the views of the minority. It is unheard-of to call a case up and dispose of it the hour the committee reports it, over the protest of the member, and when he asks only time to prepare the minority report.
Mr. MOODY. Mr. Speaker, I should like to ask the gentleman from Tennessee——
Mr. McMILLIN. I do this as preliminary to the presentation of the report.
Mr. MOODY. I did not catch the meaning of the gentleman. Does he ask time for the presentation of the report or time for some debate?
Mr. McMILLIN. For the presentation of the report. I think it is but reasonable, and I do all of this pending the presentation of the report of the committee, and before it is read, in order that we may have an understanding concerning it.
Mr. MOODY. Mr. Speaker, if the request of the gentleman from Tennessee [Mr. MCMILLIN] may remain pending, I think if the House will hear the report read they will be in a condition to act more intelligently upon that subject.
Mr. McMILLIN. But I want to state that if that very reasonable request is not granted I shall feel that it is our duty to raise the question of consideration on the case to get a little time to prepare the report. If an amicable arrangement, however, can be made as to the presentation of the views of the minority, why I have no desire to make that point.
Mr. MOODY. Let the report be read in my time.
Mr. McMILLIN. Pending the right to raise the question of consideration.
The SPEAKER pro tempore. Without objection, the report will be read.
Mr. KEM. I object.
The SPEAKER pro tempore. Does the gentleman from Massachusetts offer any resolution?
Mr. MOODY. The resolution is contained in the report.
The SPEAKER pro tempore. The Clerk will report the resolution.
Mr. McMILLIN. Then I raise the question of consideration.
The SPEAKER pro tempore. That will be in order when the resolution is read. The Clerk will read the resolution.
The Clerk read as follows:

Resolved, That Finis E. Downing was not elected a member of the House of Representatives of the Fifty-fourth Congress from the Sixteenth Congressional district of Illinois and is not entitled to the seat.
Resolved, That John I. Rinaker was elected a Representative to the Fifty-fourth Congress from the Sixteenth Congressional district of Illinois, and that he is entitled to the seat.

Mr. MOODY. Mr. Speaker, my purpose—I do not know but it may be modified by some objection—was to ask for the reading of the report in my time.
The SPEAKER pro tempore. That would be in the nature of debate.
Mr. McMILLIN. The question of consideration would have to be raised at this time?
The SPEAKER pro tempore. Yes, it would.
Mr. McMILLIN. Then I raise the question of consideration, if the gentleman insists. I want to state, to be entirely candid with the House, that it is insisted by the contestee that in order to reach this conclusion they had to count the 39 "assisted votes," which he claims were not legal votes, and that the gentleman himself now making the report agreed should not be counted before. To count these votes is in direct violation of the election law of Illinois.
The SPEAKER pro tempore. Debate is not in order except by unanimous consent.
Mr. McMILLIN. Then some votes that are not legal votes, and that look very much like doctored votes, have to be counted, and then only 5 majority is obtained. I think we ought to have the right to present these views. These numbered 26. After 158 of the 160 polling precincts had been examined and no material change, these were found and counted, though not folded as required by law.
Mr. MOODY. If the gentleman will pardon me, the statement that I make will appear fully in the report. The gentleman who presents his report has not changed his individual views in respect to the question of "assisted voters," but, as appears in the report——
Mr. McMILLIN. Will my friend permit me to ask him a question in that connection?
Mr. MOODY. Certainly.
Mr. McMILLIN. If the gentleman's contention the other day was correct, would not this contestee still be entitled to his seat? Do you not have to count these "assisted" votes in order to reach this result?
Mr. MOODY. If the contention which I made the other day, and which I still adhere to personally, is correct, the sitting member is entitled to retain his seat by a plurality of 27 votes.
Mr. McMILLIN. That is what I thought, and I wanted an opportunity to enter a protest by way of a minority report. Even after all of these are counted they are only able to oust Downing by 5 majority in a total vote of nearly 39,000.
Mr. MOODY. I will simply say what is indicated in the report, that I do not think that that is a practicable matter of discussion in the House. Whatever my personal views may be on the subject, I do not believe that on that branch they will be adopted by the House, as they were on the other branch when this case was here for consideration before; and I do not desire at this time of the session to take the time of the House in debating a subject which I believe is finally decided in the minds of the majority.
Mr. McMILLIN. But, Mr. Speaker——
The SPEAKER pro tempore. This debate is out of order.
Mr. KEM. Regular order, Mr. Speaker.
Mr. McMILLIN. I raise the question of consideration, but am willing to have the report read.
The SPEAKER pro tempore. The question is, Will the House now proceed to consider the resolutions offered by the gentleman from Massachusetts.
Mr. MOODY. Have I not the right to have the report read, Mr. Speaker?
The SPEAKER pro tempore. The Chair thinks not, except when the matter is under discussion.
Mr. CANNON. Well, I suppose we can determine to consider

the question, and then we can discuss it. We can hear the report read and be prepared to act intelligently on it.

Mr. HENDERSON. Undoubtedly.

Mr. McMILLIN. I insist that there should not be consideration without an opportunity to give this contestee a chance to present his side of the cause.

Mr. KEM. Regular order, Mr. Speaker.

The question was taken on the question of consideration; and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. McMILLIN. Division, Mr. Speaker.

The House divided; and there were—ayes 126, noes 25.

Mr. McMILLIN. No quorum, Mr. Speaker.

The SPEAKER pro tempore (after counting). One hundred and eighty-one present—a quorum; the ayes have it.

Mr. McMILLIN. Tellers.

The question was taken on ordering tellers.

The SPEAKER pro tempore. Twenty-seven gentlemen have risen—not a sufficient number—and tellers are refused. The ayes have it, and the motion is agreed to, and the House determines to consider the resolution.

Mr. MOODY. Mr. Speaker, I ask for the reading of the report in my time.

The Clerk read as follows:

In obedience to the resolution of the House adopted May 13, 1896, Committee on Elections No. 1 has caused the ballots cast in the disputed election to be recounted, under its direction and supervision.

The returns as originally canvassed were as follows:

Counties.	John I. Rinaker.	Finis E. Downing.	M. M. Cooper.	Peter D. Stout.
Cass	1,892	1,932	58	95
Morgan	3,838	3,478	168	218
Scott	1,113	1,209	20	144
Pike	2,631	2,911	164	921
Greene	1,736	2,104	95	153
Macoupin	4,486	3,749	214	311
Calhoun	667	752	13	58
Jersey	1,413	1,681	70	29
Total	17,776	17,816	802	1,929

Total vote for Congressman, 38,323.

The plurality for Mr. Downing upon the returns was 40.

The ballots in all the counties except Morgan County have been carefully preserved. In that county, although the custody of the ballots has been such as to prevent any unauthorized handling, they were returned and kept in so slovenly a manner that the committee deemed it wise in that county to accept the official returns instead of the recount, although the latter differed only slightly from the returns, and not enough to affect the result.

The following table shows the result of the recount by counties, so far as the contending parties are concerned:

Recount.

Counties.	Rinaker.	Downing.	Rinaker's gain.	Downing's gain.
Cass	1,900	1,930	10	
Morgan	3,838	3,478		
Scott	1,140	1,219	17	
Pike	2,643	2,915	8	
Greene	1,751	2,117	2	
Macoupin	4,485	3,737	11	
Calhoun	671	755	1	
Jersey	1,412	1,687		7
Total	17,840	17,838	49	7

Thus it appears that by the recount of the committee Mr. Rinaker made a net gain of 42 votes, and of the ballots cast had a plurality of 2 votes.

The committee heretofore has determined that 1 illegally rejected vote should be given to Mr. Rinaker, and 6 illegally cast votes should be taken from Mr. Downing and 4 illegally cast votes should be taken from Mr. Rinaker.

With these corrections the plurality for Mr. Rinaker is 5.

In this computation are included the ballots of illiterate voters who were assisted in marking their ballots without first taking the oath prescribed by the law of Illinois. If these ballots are rejected Mr. Downing's plurality would be 27. The majority of the committee, however, are of the opinion that these ballots ought to be counted. The minority of the committee, while still adhering to the opinion that the law requires the rejection of these ballots, which was fully expressed in a former report to the House, yet believe that the House would not adopt their opinion in that respect in the absence of a controlling decision by the court of final resort in the State of Illinois.

We therefore submit the following resolutions:

Resolved, That Finis E. Downing was not elected a member of the House of Representatives of the Fifty-fourth Congress from the Sixteenth Congressional district of Illinois and is not entitled to the seat.

Resolved, That John I. Rinaker was elected a Representative to the Fifty-fourth Congress from the Sixteenth Congressional district of Illinois, and that he is entitled to the seat.

Mr. MOODY. Mr. Speaker——

Mr. McMILLIN. Now, if the gentleman will permit me, I will make a request——

Mr. MOODY. Certainly.

Mr. McMILLIN (continuing). In the interest of what will at least be fair——

Mr. MOODY. The understanding is that the gentleman is speaking in my time, and that I do not yield the floor.

Mr. McMILLIN. Entirely so. This report, Mr. Speaker, shows that after even counting 39 "assisted" votes that the gentleman making the report thinks should not be counted, there is only 5 majority, by the greatest figuring that can be done, in favor of the contestant. This result was reached since this House assembled to-day, when we were in the midst of yea-and-nay roll calls, when it was impossible for members to attend committee meetings, and no opportunity has been given to the contestee to present his side of the cause. His attorney and he were prepared to do so, one gentleman, who is crippled and on crutches and away from here, was not able to be present, another sick, and a third out of the city, and I think it is but decent and fair that a reasonable time should be given; and I ask that it be given to file the minority report and allow this case to be decided on its merits.

Mr. MOODY. Mr. Speaker, I have no discretion in reference to this matter. The committee have directed me to prepare this report, to present it to the House, and to ask present action on it.

Mr. McMILLIN. The gentleman having the matter in charge has discharged his duty in that respect, and I can see how the demand of the committee would carry him thus far; but I think that, knowing his fairness as I do, he will agree with me that this is not an unreasonable request. The result is certainly a surprise to the contestee.

Mr. HOPKINS. I will ask the gentleman one question. If Mr. Downing had not secured an injunction, would not these ballots have been counted a year and a half ago?

Mr. McMILLIN. I am not informed as to that; but if that be true, a few hours' time will not hurt the presentation of it. When this case was up before it was of so questionable a character that the party in power in this House, with two-thirds majority, thought it ought to go back to the committee. The committee have reported the case, and the minority were trying to present their views, and here we have the committee asking, in hot haste, to take the matter up now and dispose of it without giving the sitting member a chance. I know it is entirely within your power to do so, but I do insist, as a member of the House, that I am making no unreasonable request when I ask that the case be postponed.

Mr. HULICK. I would like to ask the gentleman a question.

The SPEAKER pro tempore. The gentleman from Massachusetts has the floor. Does the gentleman yield to the gentleman from Ohio?

Mr. MOODY. I yield to the gentleman.

Mr. HULICK. Does the gentleman want to discuss the original question and all the facts in connection with the case, or does he wish to have presented to the House an exception to the recount as it was ordered by the House? Is it a new case that you wish to raise in regard to the count of these ballots and the conduct of the committee in reporting the case, or do you wish to go back and discuss all the original questions we have already discussed?

Mr. McMILLIN. We want to show, and I believe we could show to a fair-minded tribunal, as I trust this would be on presentation of the facts, that the conclusion reached in this report is not the result of such a legal count as ought to have been made. We desire to show, first, that 39 assisted votes were counted here in direct violation of the statute of Illinois, and secondly, that 24 votes were counted that have every appearance of having been doctored for a purpose since the election was held last November. We ask for justice, not merely delay.

Mr. MOODY yielded to Mr. CANNON, but subsequently said: If the gentleman from Illinois will first permit me to make a brief statement of the position of this case, I will then yield to him. The House will recall that when the case was last here for consideration the majority of the committee believed from the record that Mr. Rinaker was entitled to the seat by a plurality of 30 votes, and they based that belief largely upon the testimony of a person who had made an unofficial count of certain portions of the vote. The minority of the committee believed that it was safer to recommit the whole case to the committee and order a recount of the ballots, and the view of the minority was adopted by the House. Accordingly, the committee, with the purpose of finishing the controversy at the earliest possible moment, with all due diligence procured the ballots to be brought from the State of Illinois to this building, and proceeded to have them counted under their direction and supervision. There can be no possible doubt about the fairness and the diligence with which every member of the committee devoted himself to that recount.

There were 160 precincts in the district. As the recount proceeded 157 of those precincts were counted and the sitting member was still left in his seat by a considerable plurality. The one hundred and fifty-eighth precinct then came up for a recount. That was a precinct over which no doubt had been cast by the record. The contestant had not hoped to gain any votes in that precinct. The sitting member had not feared that he would lose any votes in that precinct. But when the recount was made it was found that there was a net gain of 26 votes made in that precinct for Mr. Rinaker. At once it was seen that the whole resu[lt]

of the recount depended upon that precinct, which never had been referred to before in the controversy. Naturally enough at that point in the count the attention of the committee was challenged by the extraordinary gain made there for the contestant, and the sitting member, who had felt that he was to be safe in his seat, expressed the greatest doubt of the accuracy and honesty of the ballots in that precinct. The extraordinary character of the result there challenged the attention of the committee and they had the ballots counted again twice over, the last time in the presence of the parties to the contest and of their attorneys.

They then, in accordance, I believe, with my own suggestion, caused the ballots to be counted with respect to every other candidate upon the ticket, and with respect to the vote upon two constitutional amendments which at that election were submitted to the people of Illinois.

In the first place, it appeared that there was nothing whatever suspicious about the ballots themselves. There was nothing upon the face of the ballots to indicate any wrongdoing on the part of anybody. That was conceded by the counsel for the sitting member.

In the second place the great weight of evidence was that when the inclosure containing those ballots was opened it was found sealed under the seal of the election officers of the precinct, which seals were not broken until the ballots were brought here. There was some evidence tending to show the contrary, but in my opinion, and in the opinion, I think, of every member of the committee who heard and read it, the great weight of the testimony was the other way, and we were satisfied that the ballots which showed this gain for the contestant were taken from a package which had been honestly and carefully secured from the day of the election until it was opened in this building.

In the third place, the precinct was one which was in Democratic control. There are six election officers in Illinois under the law. There are three judges of election, and at this precinct two of the judges were Democrats and one Republican. There are also three clerks, of whom two were Democrats and one Republican; making four Democrats and two Republicans election officers in that precinct. All of them are conceded to be honest, upright men. When these ballots left the hands of the precinct officers they passed into the hands of a Democratic clerk of the court. He was succeeded in a short time by another Democratic clerk of the court, and the ballots out of which these gains arise have been, from the time they left the hands of the voter until they were brought and opened here in the presence of our committee, in Democratic custody. It is not strange, Mr. Speaker, that the sitting member, under the conditions I have stated, when he found that the views which had been adopted by the majority of the committee heretofore had been entirely overthrown by the recount—it is not strange, I say, that he should feel solicitude when he thought he saw his seat taken from him by a loss in an entirely unexpected quarter. As I have said, the gain for Mr. Rinaker in this precinct challenged the attention of the committee, but I believe, and I think every other member of the committee believes, that that gain came from an honest ballot box, and that the reason it did not appear in the return was simply because the election officers had made a mistake.

Mr. ALLEN of Utah. Will the gentleman yield for a question?

Mr. MOODY. In a minute.

I will say in addition that according to the law of Illinois there must be a record kept of the voters by name who vote at any election—a poll list, as it is called. The poll list showed that 433 persons voted at that precinct; the ballot box showed 433 ballots cast at that precinct; and it was conceded by the counsel for the sitting member that those ballots bore no marks of suspicion; nay, he went further, and conceded that they were the very ballots themselves which were cast at that election.

Mr. ALLEN of Utah. The gentleman said that among the ballots counted were some for candidates for other offices. How did the count of those ballots compare with the count with regard to the candidate for Congress?

Mr. MOODY. Mr. Speaker, in reply to that question I will say that very many of the candidates upon the Republican ticket made precisely the same gain that General Rinaker did; some others made a less gain. I attached no very great significance one way or the other to that recount. I hoped I might be able to do so.

Mr. Speaker, I have gone thus far for the purpose of showing to the House that the only question rising on the recount arises out of that one ballot box alone. I have stated my views about it. If there is any way, without prolonging the debate here—and I shall have to be informed by others more skillful than I am in parliamentary proceedings—if there is any way in which an outline of the views of the other side can be presented to this House without any great delay, I shall be glad to have it done. But I do not want to precipitate a general debate and take up much time on that simple question.

Mr. HOPKINS. One question right there. Is it not a fact that when the committee met this morning to formulate the report that has just been read the Democratic members of the committee absented themselves from the meeting?

Mr. MOODY. Well, I should not say "absented themselves"; they were not present. [Laughter.]

Mr. MCMILLIN. The gentleman from Illinois [Mr. HOPKINS] has made an insinuation which he ought not to make. In order to meet that insinuation——

Mr. HOPKINS. There was no insinuation at all.

Mr. MCMILLIN. Mr. Speaker——

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. MOODY] is entitled to the floor.

Mr. MCMILLIN. Will the gentleman yield to me a moment?

Mr. MOODY. If I do not cover the matter in a moment in what I am about to say, I will yield to the gentleman. I beg pardon of the House for not saying it before. There are three Democratic members of that committee. One of those is at his home in Georgia; another, the gentleman from Arkansas [Mr. DINSMORE], has been injured by an accident, as many know; the other, the gentleman from Virginia [Mr. TURNER], is ill at his home. That accounts for the absence of those three gentlemen. I had no purpose of insinuating that they had purposely remained away; and that is the reason I did not accept the expression of my friend from Illinois [Mr. HOPKINS], who used the words "absented themselves." I simply said they were not present. I did not mean to insinuate that there was any purpose in their absence. On the contrary, I do not think there was any such purpose on the part of any member.

Mr. GROSVENOR. Then there is nobody here to make a minority report.

Mr. MOODY. One other remark, and I am done. It has been suggested by the gentleman from Tennessee that if the assisted voters be rejected in the count the sitting member is entitled to retain his seat. That is true. In that case, as appears by the report, he is entitled to hold the seat by a plurality of 27. It is also true, in my opinion, that the law requires the rejection of those votes. But, Mr. Speaker, the facts showed that those men voted in good faith; they were legal voters, and they supposed they were complying with the law. They had the right to vote, and while I personally believe that those votes ought to be rejected, I am not fool enough to believe that I can get a majority of this House to agree with me, whether I am right or wrong.

Mr. MCMILLIN. Permit me right there. The gentleman admits that he believes those votes were not legally cast.

Mr. MOODY. Not legally counted.

Mr. MCMILLIN. Not legally counted. In the next place, he admits that if those votes were not counted, the contestee would retain his seat.

Mr. MOODY. Yes, sir.

Mr. MCMILLIN. Therefore the gentleman who brings in this report believes that the contestee is entitled to this seat?

Mr. MOODY. Yes; and I intend so to vote. I am doing my duty by the committee and by the House. But my single point is that I do not care to bring up for discussion my private views on that question when I am satisfied that they will not be adopted by the House.

Mr. POWERS. Will the gentleman be kind enough to state the question which arises in regard to the assisted voters?

Mr. MOODY. Possibly the gentleman from Vermont [Mr. POWERS] was not present when that question was under discussion. I will therefore briefly state that the statute of Illinois contains a provision which in substance permits illiterate persons to have their votes marked for them whenever they shall take an oath that they are illiterate.

The statute contains no provision that if they did not take the oath the vote should not be counted. But in my own opinion, following the controlling authorities, in the first place in the State of Minnesota, in the second place in the State of Michigan, and in the third place in the State of Kentucky, legally the votes ought not to be counted even though cast in good faith; for a decision the other way would open the door wide to fraud; and also, Mr. Speaker, because the House, or rather the committee of the House, unanimously reported upon the same statutes of Illinois in the last Congress that the votes under such circumstances could not be counted.

Mr. POWERS. Did the evidence show that the voter was not sworn?

Mr. MOODY. There is no doubt whatever of the facts. The evidence is clear on that point. But I have already stated my conclusion in the matter, and, knowing that the House will not adopt that conclusion, I do not see the necessity for arguing the point. It has been once debated, and very fully debated in the House, and I do not desire to go into it again.

Mr. CANNON. Will the gentleman yield to me for a question?

Mr. MOODY. Certainly.

Mr. CANNON. I want to ask the gentleman if the evidence

showed that these assisted voters were, in fact, entitled to the assistance?

Mr. MOODY. The evidence in some cases did show it, but not in all of them.

Mr. CANNON. If entitled to assistance, by whom would they be assisted?

Mr. MOODY. By the election officers.

Mr. CANNON. Well, the gentleman has cited the Minnesota and Michigan cases. Let me ask if it is not true that the line of decisions in Illinois, with reference to the election law, do not tend to the conclusion, so far as that State is concerned, that this provision is directory only?

Mr. MOODY. That is the contention of our friends on the committee who do not agree with me. I think the contention is the other way since the adoption of the Australian ballot system. But the majority of the committee do not agree with my view on that point.

The thing in my mind, when the case was before the House on the report of the committee a few weeks ago, was what I conceived to be the iniquity of seating the contestant on the record as then made up. And I may be permitted to say, Mr. Chairman, that even in the eyes of my colleagues of the committee I was justified in that view, and the action of the House has testified, I think, that I was justified in the position I took before it. But I had no such feeling about the other questions. I had expressed my views fully with regard to the rights of the contestant and the contestee in this respect, and I desire to adhere to them.

Mr. RICHARDSON. Will the gentleman allow me to ask him a question?

Mr. MOODY. Certainly.

Mr. RICHARDSON. I understood you to say that in the recount of the 158 voting precincts the Committee on Elections unexpectedly discovered what they think is an error in one of them, which results in a loss to the sitting member of 26 votes?

Mr. MOODY. Yes, sir.

Mr. RICHARDSON. Will the gentleman please describe how this fact was developed, and in what the error consisted?

Mr. MOODY. Has the gentleman been here since the discussion of this case commenced?

Mr. RICHARDSON. I have been; and think I heard all the gentleman said on the question.

Mr. MOODY. I do not know, then, that I can explain any more clearly than I have already done the source of this error and its discovery. I will say to the gentleman, however, that these ballots were cast in a Democratic precinct, where Democratic officers were in control, where all of the Democratic and Republican officers are conceded to be honest men. They were counted in a way to give Mr. Downing a plurality of some 20 or 30 votes—the exact number does not matter—and nobody deemed at the time but that it was a correct count; no evidence was placed in the record with regard to the precinct. After the election the ballots were taken from the election officer, handed to a Democratic clerk according to the law, a man who is conceded to be an honest man, by him turned over to a Democratic successor, an honest man, and by him brought here under the subpœna of the Committee on Elections to be counted. According to the weight of evidence the package in which the ballots were contained was sealed up when opened here, and was in substantially the same condition that it was in when it left the election precinct on the night after the election.

The gain was in this way: Mr. Rinaker gained 24 votes, which seem not to have been counted for him, and Mr. Downing loses 2, the net gain for the contestant in the precinct being 26 votes. Without that gain of 26 votes, Mr. Downing, unquestionably, would be entitled to retain his seat by a considerable plurality. In my judgment and in the judgment of every member of the committee there was no fraud in this precinct, but simply an error in making up the count after the election. This error we correct; for the theory of a recount is that we may discover errors and correct them. No other errors were discovered in the precinct, and no one would question that this was merely an error, except that it was so great, so unexpected, and so disastrous in its consequences.

Mr. RICHARDSON. I want to ask the gentleman if he thinks that the same error which was detected in the count for Congressman obtained in the count for the other officers voted for in these ballots?

Mr. MOODY. It does in a great many, but not in all cases. There is a gain for the Republican ticket. Four or five of the officers upon the Republican ticket gained just 24 votes, as General Rinaker did. Some of them gained a less number. One man gained 25.

Mr. RICHARDSON. But as to the county officers, there is a gain.

Mr. MOODY. Yes.

Mr. RICHARDSON. Did it change the result in any of those cases?

Mr. MOODY. No; it was too late to change any result. Everybody accepted the result as final.

Mr. McMILLIN. It seems not too late to change this one.

Mr. REEVES. Will the gentleman now yield to me for a question?

Mr. MOODY. Yes.

Mr. REEVES. I want to ask if it is not true that in another precinct in some one of these counties a gain for Mr. Downing of 12 votes was discovered in substantially the same manner that the gain of 24 appears here for the other man?

Mr. MOODY. Mr. Speaker, that is true; but it deserves this qualification, that when the record was made up the sitting member put in evidence which satisfied me that the officers made a clerical mistake on the night of election and then and there corrected it, and so the cases are not quite on all fours. Now, Mr. Speaker——

Mr. McMILLIN. Will the gentleman permit me to ask another question?

Mr. MOODY. Yes.

Mr. McMILLIN. Touching those ballots, I hold in my hand one of the Illinois ballots, and I will get the gentleman to state whether the law does not require that the ballot shall be folded more than once; that it shall be folded in this way [illustrating], so as to make more than two folds?

Mr. MOODY. Yes.

Mr. McMILLIN. Now, I will get you to state whether or not those ballots that were found marked and not counted were not simply folded one time and strung on the wire.

Mr. MOODY. That is true, Mr. Speaker.

Mr. McMILLIN. Then they were not——

Mr. MOODY. Let me finish my answer. And it is also true of a great many other precincts throughout the district.

Mr. McMILLIN. And would it not be possible, with those ballots thus folded, to have simply turned them over and marked them for either ticket?

Mr. MOODY. Yes; possible, but not easy.

Mr. McMILLIN. Then it could be done. I think the gentleman is in error in supposing it could not be easily done. If he will take this one and fold it up in that way, he will see he is mistaken about that.

Mr. MOODY. It is hardly profitable to discuss one part of the evidence; but I will say, in reply to the gentleman from Tennessee, that those ballots were strung upon a wire so that they were held closely together. While it would be possible, if a person were so disposed, to get at parts of the ballot and mark, say, the Republican circle, in my opinion it could not be done without showing some result, and I will state to the House that there was no loss on the Democratic ticket. If these ballots had been marked by some fraudulent person there would probably have been not only a gain for the contestant, but there would have been shown, as the effect of the markings, a loss for the Democratic ticket, which did not appear. My opinion, therefore, is that by some of the accidents that may happen the ballots were overlooked in the count, honestly overlooked; and I say again that the evidence shows conclusively that nobody could have had any chance to get at these ballots in the manner in which it is suggested. Now, Mr. Speaker, if the gentleman on the other side will make some agreement as to some short time in which he desires to present his views to the House, I shall be glad to do that. Otherwise, I ought, I think, in obedience to the instructions of my committee, to ask the previous question.

Mr. McMILLIN. On behalf of the contestee, against whom this proceeding was not perfected in the Elections Committee until within the last hour, I have asked that the case be postponed a reasonable time, say until to-morrow, or whatever time is reasonable, in order that the views of the minority may be presented, and that Mr. Downing, contestee, may have that hearing to which he is entitled. The fact already appears that one member of this minority is sick, another away from the city, and the only remaining one crippled and on crutches. This is not unreasonable. It is extraordinary not to grant it. I have never in many years' service known this right denied. You claim only 5 majority in a poll of over 38,000. We can show that this claim is not true and Downing is entitled to the seat.

Mr. MOODY. Mr. Speaker, I move the previous question.

Mr. TERRY. I would like to ask the gentleman from Massachusetts a question.

The SPEAKER pro tempore. The gentleman from Massachusetts demands the previous question.

Mr. TERRY. I would like to ask the gentleman——

Mr. MOODY. If it is really a question I will yield.

Mr. TERRY. That is what it is, sir.

Mr. MOODY. I ask the gentleman if he wants to ask me a question?

Mr. TERRY. I want to ask you a question in order that the House may understand exactly from your answer and from the record what we are asked to do in this case. [Cries of "Regular order!"]

The SPEAKER pro tempore. Does the gentleman from Massachusetts yield?

Mr. MOODY. I do not know how I can make any further answer.

The SPEAKER pro tempore. The question is on the previous question.

Mr. TERRY. Will the gentleman permit me to ask him a question?

The SPEAKER pro tempore. The gentleman from Arkansas will be in order.

Mr. TERRY. I am endeavoring to be in order.

The SPEAKER pro tempore. The gentleman from Massachusetts declines to yield.

Mr. TERRY. I did not know that he had declined.

The SPEAKER pro tempore. The Chair informed the gentleman that he declined to yield.

Mr. TERRY. I preferred to hear that declaration from his lips.

The SPEAKER pro tempore. The gentleman from Massachusetts declined to yield. The question is on ordering the previous question, and no debate is in order.

Mr. FITZGERALD. I would like to ask the gentleman a question.

The SPEAKER pro tempore. Debate is not in order.

Mr. FITZGERALD. Have I not the right to ask the gentleman a question if he wishes to answer it?

The question was taken on ordering the previous question; and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. MCMILLIN. Division.

The House divided; and there were—ayes 146, noes 8.

Mr. MCMILLIN. The yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 165, nays 56, not voting 132; as follows:

YEAS—165.

Acheson,	Dayton,	Huling,	Prince,
Adams,	Dingley,	Hunter,	Pugh,
Aldrich, Ala.	Doolittle,	Jenkins,	Quigg,
Aldrich, Ill.	Dovener,	Johnson, N. Dak.	Reeves,
Anderson,	Draper,	Joy,	Reyburn,
Andrews,	Eddy,	Kerr,	Scranton,
Apsley,	Ellis,	Kiefer,	Shannon,
Arnold, Pa.	Evans,	Kirkpatrick,	Simpkins,
Arnold, R. I.	Fairchild,	Knox,	Skinner,
Atwood,	Faris,	Kulp,	Smith, Ill.
Avery,	Fenton,	Lacey,	Southard,
Babcock,	Fletcher,	Lefever,	Spalding,
Baker, Kans.	Gamble,	Leighty,	Sperry,
Baker, Md.	Gardner,	Leonard,	Stewart, N. J.
Baker, N. H.	Gibson,	Lewis,	Stewart, Wis.
Barney,	Gillet, N. Y.	Linney,	Strode, Nebr.
Belknap,	Goodwyn,	Linton,	Strong,
Bishop,	Graff,	Long,	Strowd, N. C.
Black, N. Y.	Griffin,	Loudenslager,	Sulloway,
Blue,	Grosvenor,	Mahany,	Taft,
Boutelle,	Grow,	Mahon,	Tayler,
Brewster,	Hadley,	Marsh,	Thomas,
Broderick,	Hager,	McEwan,	Thorp,
Bromwell,	Hainer, Nebr.	McLachlan,	Tracewell,
Brown,	Halterman,	Mercer,	Updegraff,
Burrell,	Hardy,	Miller, W. Va.	Van Horn,
Burton, Mo.	Harmer,	Milliken,	Walker, Mass.
Burton, Ohio	Harris,	Milnes,	Walker, Va.
Calderhead,	Hatch,	Minor, Wis.	Wanger,
Cannon,	Hemenway,	Mitchell,	Warner,
Chickering,	Henderson,	Mondell,	Watson, Ohio
Clark, Iowa	Henry, Ind.	Moody,	Wellington,
Clark, Mo.	Hepburn,	Mozley,	White,
Codding,	Hermann,	Murphy,	Willis,
Coffin,	Hicks,	Noonan,	Wilson, Idaho
Connolly,	Hilborn,	Otjen,	Wilson, Ohio
Cooke, Ill.	Hill,	Overstreet,	Wood,
Cooper, Wis.	Hopkins,	Parker,	Woodman,
Crowther,	Howe,	Payne,	Wright.
Crump,	Howell,	Pearson,	
Curtis, Kans.	Hubbard,	Phillips,	
Daniels,	Hulick,	Poole,	

NAYS—56.

Abbott,	Cobb,	Kem,	Sayers,
Allen, Miss.	Cockrell,	Kleberg,	Sherman,
Allen, Utah.	Cooper, Fla.	Latimer,	Shuford,
Bailey,	Cooper, Tex.	Layton,	Sorg,
Bankhead,	Culberson,	Lester,	Stallings,
Bartlett, N. Y.	Cummings,	Little,	Sulzer,
Bell, Colo.	Erdman,	McCreary, Ky.	Swanson,
Bell, Tex.	Fitzgerald,	McCulloch,	Talbert,
Bennett,	Hall,	McMillin,	Tate,
Berry,	Harrison,	Money,	Terry,
Black, Ga.	Hart,	Otey,	Underwood,
Catchings,	Hendrick,	Owens,	Williams,
Clardy,	Johnson, Cal.	Pendleton,	Woodard,
Clarke, Ala.	Jones,	Russell, Ga.	Yoakum.

NOT VOTING—132.

Aitken,	Colson,	De Armond,	Gillett, Mass.
Barham,	Cook, Wis.	Denny,	Griswold,
Barrett,	Corliss,	De Witt,	Grout,
Bartholdt,	Cousins,	Dinsmore,	Hanly,
Bartlett, Ga.	Cowen,	Dockery,	Hartman,
Beach,	Cox,	Dolliver,	Heatwole,
Bingham,	Crisp,	Downing,	Heiner, Pa.
Bowers,	Crowley,	Ellett,	Henry, Conn.
Brosius,	Curtis, Iowa	Fischer,	Hitt,
Brumm,	Curtis, N. Y.	Foote,	Hooker,
Buck,	Dalzell,	Foss,	Howard,
Bull,	Danford,	Fowler,	Huff,
Hull,	McDearmon,	Powers,	Stephenson,
Hurley,	McLaurin,	Price,	Stone, C. W.
Hutcheson,	McRae,	Raney,	Stone, W. A.
Hyde,	Meiklejohn,	Ray,	Strait,
Johnson, Ind.	Meredith,	Richardson,	Tawney,
Kendall,	Meyer,	Robertson, La.	Towne,
Kyle,	Miles,	Robinson, Pa.	Tracey,
Lawson,	Miller, Kans.	Royse,	Treloar,
Leisenring,	Miner, N. Y.	Rusk,	Tucker,
Livingston,	Morse,	Russell, Conn.	Turner, Ga.
Lorimer,	Moses,	Sauerhering,	Turner, Va.
Loud,	Murray,	Settle,	Tyler,
Low,	Neill,	Shafroth,	Van Voorhis,
Maddox,	Newlands,	Shaw,	Wadsworth,
Maguire,	Northway,	Smith, Mich.	Washington,
McCall, Mass.	Odell,	Snover,	Watson, Ind.
McCall, Tenn.	Ogden,	Southwick,	Wheeler,
McCleary, Minn.	Patterson,	Sparkman,	Wilber,
McClellan,	Perkins,	Spencer,	Wilson, N. Y.
McClure,	Pickler,	Stahle,	Wilson, S. C.
McCormick,	Pitney,	Steele,	Woomer.

So the previous question was ordered.

Mr. TRELOAR. Mr. Speaker, I have voted "yea," but being paired with the gentleman from Florida, Mr. SPARKMAN, I withdraw my vote.

Mr. TRACEY. Mr. Speaker, I am paired with the gentleman from Arkansas, Mr. MCRAE. If he were present, I would vote "yea."

The following additional pairs were announced:

Mr. TRACEY with Mr. MCRAE, until further notice.

Mr. PITNEY with Mr. MAGUIRE, on this question.

Mr. TRELOAR with Mr. SPARKMAN, for this day.

The result of the vote was then announced as above recorded.

Mr. MCMILLIN. Mr. Speaker, I now move to recommit this report to the Committee on Elections No. 1.

The question being taken on the motion of Mr. MCMILLIN, the Speaker pro tempore announced that the noes seemed to have it.

Mr. MCMILLIN. I ask for a division.

The House divided; and there were—ayes 31, noes 130.

Mr. MCMILLIN. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 48, nays 165, not voting 140; as follows:

YEAS—48.

Abbott,	Clarke, Ala.	Layton,	Shuford,
Allen, Miss.	Cooper, Fla.	Lester,	Stallings,
Bailey,	Cooper, Tex.	McCreary, Ky.	Sulzer,
Bankhead,	Culberson,	McCulloch,	Swanson,
Bartlett, N. Y.	Cummings,	McMillin,	Talbert,
Bell, Tex.	Erdman,	Money,	Tate,
Bennett,	Fitzgerald,	Otey,	Terry,
Berry,	Harrison,	Owens,	Turner, Ga.
Black, Ga.	Hart,	Pendleton,	Underwood,
Buck,	Hendrick,	Russell, Ga.	Wheeler,
Catchings,	Jones,	Sayers,	Williams,
Clardy,	Kleberg,	Sherman,	Yoakum.

NAYS—165.

Acheson,	Dingley,	Jenkins,	Pugh,
Adams,	Dolliver,	Johnson, Cal.	Quigg,
Aldrich, Ala.	Doolittle,	Johnson, N. Dak.	Reeves,
Anderson,	Dovener,	Joy,	Robinson, Pa.
Andrews,	Draper,	Kerr,	Russell, Conn.
Apsley,	Eddy,	Kiefer,	Scranton,
Arnold, Pa.	Ellis,	Kirkpatrick,	Shafroth,
Arnold, R. I.	Fairchild,	Knox,	Simpkins,
Atwood,	Faris,	Kulp,	Skinner,
Avery,	Fenton,	Lacey,	Smith, Ill.
Babcock,	Fletcher,	Lefever,	Spalding,
Baker, Kans.	Gamble,	Leighty,	Sperry,
Baker, Md.	Gardner,	Leonard,	Stewart, N. J.
Baker, N. H.	Gibson,	Lewis,	Stewart, Wis.
Barney,	Gillet, N. Y.	Linney,	Stone, C. W.
Belknap,	Goodwyn,	Linton,	Strode, Nebr.
Bishop,	Graff,	Long,	Strong,
Black, N. Y.	Griffin,	Loud,	Strowd, N. C.
Blue,	Griswold,	Loudenslager,	Sulloway,
Brewster,	Grosvenor,	Mahany,	Taft,
Broderick,	Grow,	Mahon,	Tawney,
Bromwell,	Hadley,	Marsh,	Tayler,
Brown,	Hager,	McLachlan,	Thorp,
Brumm,	Hainer, Nebr.	Mercer,	Tracewell,
Bull,	Halterman,	Miller, W. Va.	Updegraff,
Burrell,	Hardy,	Milliken,	Van Horn,
Burton, Mo.	Harmer,	Milnes,	Walker, Mass.
Burton, Ohio	Harris,	Minor, Wis.	Walker, Va.
Calderhead,	Hatch,	Mitchell,	Wanger,
Cannon,	Hemenway,	Mondell,	Warner,
Chickering,	Henderson,	Moody,	Watson, Ohio
Clark, Mo.	Henry, Conn.	Mozley,	Wellington,
Codding,	Henry, Ind.	Murphy,	White,
Coffin,	Hepburn,	Noonan,	Willis,
Connolly,	Hermann,	Otjen,	Wilson, Idaho
Cooke, Ill.	Hilborn,	Overstreet,	Wilson, Ohio
Cooper, Wis.	Hill,	Parker,	Wood,
Crowther,	Hopkins,	Payne,	Woodman,
Crump,	Howe,	Pearson,	Wright.
Curtis, Kans.	Hulick,	Poole,	
Daniels,	Huling,	Powers,	
Dayton,	Hunter,	Prince,	

NOT VOTING—140.

Aitken,	Bartlett, Ga.	Brosius,	Corliss,
Aldrich, Ill.	Beach,	Clark, Iowa	Cousins,
Allen, Utah	Bell, Colo.	Cobb,	Cowen,
Barham,	Bingham,	Cockrell,	Cox,
Barrett,	Boutelle,	Colson,	Crisp,
Bartholdt,	Bowers,	Cook, Wis.	Crowley,

Curtis, Iowa	Huff,	Meredith,	Shaw,
Curtis, N. Y.	Hull,	Meyer,	Smith, Mich.
Dalzell,	Hurley,	Miles,	Snover,
Danford,	Hutcheson,	Miller, Kans.	Sorg,
De Armond,	Hyde,	Miner, N. Y.	Southard,
Denny,	Johnson, Ind.	Morse,	Southwick,
De Witt,	Kem,	Moses,	Sparkman,
Dinsmore,	Kendall,	Murray,	Spencer,
Dockery,	Kyle,	Neill,	Stahle,
Downing,	Latimer,	Newlands,	Steele,
Ellett,	Lawson,	Northway,	Stephenson,
Evans,	Leisenring,	Odell,	Stone, W. A.
Fischer,	Little,	Ogden,	Strait,
Foote,	Livingston,	Patterson,	Thomas,
Foss,	Lorimer,	Perkins,	Towne,
Fowler,	Low,	Phillips,	Tracey,
Gillett, Mass.	Maddox,	Pickler,	Treloar,
Grout,	Maguire,	Pitney,	Tucker,
Hall,	McCall, Mass.	Price,	Turner, Va.
Hanly,	McCall, Tenn.	Raney,	Tyler,
Hartman,	McCleary, Minn.	Ray,	Van Voorhis,
Heatwole,	McClellan,	Reyburn,	Wadsworth,
Heiner, Pa.	McClure,	Richardson,	Washington,
Hicks,	McCormick,	Robertson, La.	Watson, Ind.
Hitt,	McDearmon,	Royse,	Wilber,
Hooker,	McEwan,	Rusk,	Wilson, N. Y.
Howard,	McLaurin,	Sauerhering,	Wilson, S. C.
Howell,	McRae,	Settle,	Woodard,
Hubbard,	Meiklejohn,	Shannon,	Woomer.

So the motion to recommit was rejected.

The following additional pairs, for this day, were announced:

Mr. COOK of Wisconsin with Mr. HALL.

Mr. HICKS with Mr. LITTLE.

Pending the announcement of the vote the Speaker pro tempore presented a report from the Committee on Enrolled Bills, as follows:

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 956) for the relief of Sophia Sparks and Julia C. Sparks, of Annapolis, Md.;

A bill (H. R. 2006) to increase the pension of Harriet C. Gregg, widow of Col. and Bvt. Maj. Gen. John Irvin Gregg, from $30 to $50 per month;

A bill (H. R. 8008) defining cheese, and also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of "filled cheese"; and

A bill (H. R. 8293) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes.

CONTESTED-ELECTION CASE—RINAKER VS. DOWNING, SIXTEENTH DISTRICT OF ILLINOIS.

The result of the vote was then announced as above recorded.

The SPEAKER pro tempore. On this question the yeas are 48 and the nays are 164, and the motion to recommit is disagreed to.

The question being taken on the resolution reported from the Committee on Elections No. 1, the Speaker pro tempore announced that the ayes seemed to have it.

Mr. MCMILLIN. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 140, noes 31.

Mr. MCMILLIN. I ask for the yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 167, nays 52, not voting 134; as follows:

YEAS—167.

Acheson,	Connolly,	Henry, Ind.	Milnes,
Adams,	Cooke, Ill.	Hepburn,	Minor, Wis.
Aldrich, Ala.	Crowther,	Hermann,	Mitchell,
Aldrich, Ill.	Crump,	Hilborn,	Mondell,
Anderson,	Curtis, Kans.	Hill,	Mozley,
Andrews,	Daniels,	Hopkins,	Murphy,
Apsley,	Dayton,	Howe,	Noonan,
Arnold, Pa.	Dingley,	Howell,	Otjen,
Arnold, R. I.	Dolliver,	Huling,	Parker,
Atwood,	Doolittle,	Hunter,	Payne,
Avery,	Dovener,	Hurley,	Pearson,
Babcock,	Draper,	Jenkins,	Phillips,
Baker, Kans.	Eddy,	Johnson, Cal.	Poole,
Baker, Md.	Ellis,	Johnson, N. Dak.	Powers,
Baker, N. H.	Fairchild,	Joy,	Prince,
Barney,	Faris,	Kerr,	Pugh,
Belknap,	Fenton,	Kiefer,	Quigg,
Bishop,	Gamble,	Kirkpatrick,	Reeves,
Black, N. Y.	Gardner,	Knox,	Reyburn,
Blue,	Gibson,	Kulp,	Russell, Conn.
Boutelle,	Gillet, N. Y.	Lacey,	Scranton,
Brewster,	Goodwyn,	Lefever,	Shafroth,
Broderick,	Graff,	Leighty,	Skinner,
Bromwell,	Griffin,	Leonard,	Smith, Ill.
Brown,	Griswold,	Lewis,	Southard,
Brumm,	Grosvenor,	Linney,	Spalding,
Buil,	Grow,	Linton,	Sperry,
Burrell,	Hadley,	Long,	Stewart, N. J.
Burton, Mo.	Hager,	Loudenslager,	Stewart, Wis.
Burton, Ohio	Hainer, Nebr.	Mahany,	Stone, C. W.
Calderhead,	Halterman,	Mahon,	Strode, Nebr.
Cannon,	Harmer,	Marsh,	Strong,
Chickering,	Harris,	McCormick,	Strowd, N. C.
Clark, Iowa	Hatch,	McLachlan,	Sulloway,
Clark, Mo.	Hemenway,	Mercer,	Taft,
Codding,	Henderson,	Miller, W. Va.	Tawney,
Coffin,	Henry, Conn.	Milliken,	Tayler,
Thomas,	Walker, Mass.	Wellington,	Wilson, Ohio
Thorp,	Walker, Va.	Wheeler,	Wood,
Tracewell,	Wanger,	White,	Woodman,
Updegraff,	Warner,	Willis,	Wright.
Van Horn,	Watson, Ohio	Wilson, Idaho	

NAYS—52.

Abbott,	Culberson,	Lester,	Shuford,
Allen, Miss.	Cummings,	McCreary, Ky.	Sorg,
Bailey,	Ellett,	McCulloch,	Stallings,
Bankhead,	Erdman,	McDearmon,	Sulzer,
Bartlett, N. Y.	Evans,	McMillin,	Swanson,
Bell, Tex.	Fitzgerald,	Money,	Talbert,
Berry,	Harrison,	Moody,	Tate,
Black, Ga.	Hart,	Newlands,	Terry,
Buck,	Hendrick,	Otey,	Turner, Ga.
Catchings,	Jones,	Pendleton,	Underwood,
Clardy,	Kleberg,	Russell, Ga.	Williams,
Clarke, Ala.	Latimer,	Sayers,	Woodard,
Cooper, Tex.	Layton,	Sherman,	Yoakum.

NOT VOTING—134.

Aitken,	Fischer,	Maddox,	Robinson, Pa.
Allen, Utah	Fletcher,	Maguire,	Royse,
Barham,	Foote,	McCall, Mass.	Rusk,
Barrett,	Foss,	McCall, Tenn.	Sauerhering,
Bartholdt,	Fowler,	McCleary, Minn.	Settle,
Bartlett, Ga.	Gillett, Mass.	McClellan,	Shannon,
Beach,	Grout,	McClure,	Shaw,
Bell, Colo.	Hall,	McEwan,	Simpkins,
Bennett,	Hanly,	McLaurin,	Smith, Mich.
Bingham,	Hardy,	McRae,	Snover,
Bowers,	Hartman,	Meiklejohn,	Southwick,
Brosius,	Heatwole,	Meredith,	Sparkman,
Cobb,	Heiner, Pa.	Meyer,	Spencer,
Cockrell,	Hicks,	Miles,	Stahle,
Colson,	Hitt,	Miller, Kans.	Steele,
Cook, Wis.	Hooker,	Miner, N. Y.	Stephenson,
Cooper, Fla.	Howard,	Morse,	Stone, W. A.
Cooper, Wis.	Hubbard,	Moses,	Strait,
Corliss,	Huff,	Murray,	Towne,
Cousins,	Hulick,	Neill,	Tracey,
Cowen,	Hull,	Northway,	Treloar,
Cox,	Hutcheson,	Odell,	Tucker,
Crisp,	Hyde,	Ogden,	Turner, Va.
Crowley,	Johnson, Ind.	Overstreet,	Tyler,
Curtis, Iowa	Kem,	Owens,	Van Voorhis,
Curtis, N. Y.	Kendall,	Patterson,	Wadsworth,
Dalzell,	Kyle,	Perkins,	Washington,
Danford,	Lawson,	Pickler,	Watson, Ind.
De Armond,	Leisenring,	Pitney,	Wilber,
Denny,	Little,	Price,	Wilson, N. Y.
De Witt,	Livingston,	Raney,	Wilson, S. C.
Dinsmore,	Lorimer,	Ray,	Woomer.
Dockery,	Loud,	Richardson,	
Downing,	Low,	Robertson, La.	

The following additional pairs were announced:

Mr. SIMPKINS with Mr. STRAIT, on this question.

Mr. FOWLER with Mr. BARTLETT of Georgia, on all election cases except Underwood's.

Mr. HULICK with Mr. TYLER, contested-election cases.

Mr. SPARKMAN. Mr. Speaker, I have voted, but I am paired with the gentleman from Missouri [Mr. TRELOAR], and I withdraw my vote.

Mr. RICHARDSON. Mr. Speaker, I ask respectfully to have the vote recapitulated.

The SPEAKER pro tempore. The Chair declines to direct a recapitulation of the vote.

Mr. RICHARDSON. Does the Chair decline to comply with a reasonable request like that?

The SPEAKER pro tempore. On this question the yeas are 167, and the nays are 51. The yeas have it, and the resolutions are adopted.

Mr. WHEELER. Mr. Speaker, I move to reconsider the vote.

Mr. COOKE of Illinois. I move that the motion to reconsider be laid on the table.

The question being taken on the motion of Mr. COOKE of Illinois, there were on a division (called for by Mr. WHEELER and others)—ayes 143, noes 15.

Mr. WHEELER, Mr. MCMILLIN, and others called for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 155, nays 45, not voting 154; as follows:

YEAS—155.

Acheson,	Brewster,	Dayton,	Hadley,
Adams,	Broderick,	Dingley,	Hager,
Aldrich, Ala.	Bromwell,	Dolliver,	Hainer, Nebr.
Aldrich, Ill.	Brown,	Doolittle,	Halterman,
Anderson,	Brumm,	Dovener,	Harmer,
Andrews,	Bull,	Draper,	Harris,
Apsley,	Burrell,	Eddy,	Hartman,
Arnold, Pa.	Burton, Mo.	Ellis,	Hatch,
Arnold, R. I.	Burton, Ohio	Evans,	Henderson,
Avery,	Calderhead,	Fairchild,	Henry, Conn.
Babcock,	Cannon,	Fenton,	Hepburn,
Baker, Kans.	Chickering,	Fletcher,	Hilborn,
Baker, Md.	Clark, Iowa	Gamble,	Hill,
Baker, N. H.	Clark, Mo.	Gardner,	Hopkins,
Barney,	Codding,	Gibson,	Howell,
Beach,	Connolly,	Goodwyn,	Hubbard,
Belknap,	Cooke, Ill.	Graff,	Huling,
Bishop,	Cooper, Wis.	Griffin,	Hunter,
Black, N. Y.	Crowther,	Griswold,	Jenkins,
Blue,	Curtis, Kans.	Grosvenor,	Johnson, Cal.
Boutelle,	Daniels,	Grow,	Johrson, N. Dak.

Kirkpatrick,	McLachlan,	Pugh,	Tawney,
Knox,	Mercer,	Quigg,	Thomas,
Kulp,	Miller, W. Va.	Reeves,	Thorp,
Lacey,	Milliken,	Russell, Conn.	Updegraff,
Lefever,	Milnes,	Scranton,	Van Horn,
Leighty,	Minor, Wis.	Shafroth,	Walker, Mass.
Leonard,	Mitchell,	Simpkins,	Walker, Va.
Lewis,	Moody,	Smith, Ill.	Warner,
Linney,	Mozley,	Southard,	Watson, Ohio
Linton,	Murphy,	Spalding,	Wellington,
Long,	Noonan,	Sperry,	White,
Loudenslager,	Otjen,	Stewart, N. J.	Willis,
Mahany,	Payne,	Stewart, Wis.	Wilson, Idaho
Mahon,	Pearson,	Stone, C. W.	Wilson, Ohio
Marsh,	Phillips,	Strode, Nebr.	Wood,
McCleary, Minn.	Poole,	Strong,	Woodman,
McCormick,	Powers,	Sulloway,	Wright.
McEwan,	Prince,	Taft,	

NAYS—45.

Abbott.	Cummings,	McCreary, Ky.	Swanson,
Allen, Miss.	Ellett,	McCulloch,	Talbert,
Bailey,	Erdman,	McDearmon,	Tate,
Bankhead,	Fitzgerald,	McMillin,	Terry,
Bell, Tex.	Harrison,	Miles,	Turner, Ga.
Black, Ga.	Hart,	Money,	Wheeler,
Buck,	Hendrick,	Otey,	Williams,
Catchings,	Jones,	Pendleton,	Woodard,
Clardy,	Kleberg,	Sayers,	Yoakum.
Cooper, Fla.	Latimer,	Sorg,	
Cooper, Tex.	Layton,	Stallings,	
Culberson,	Lester,	Sulzer,	

NOT VOTING—154.

Aitken,	Foote,	Maddox,	Russell, Ga.
Allen, Utah.	Foss,	Maguire,	Sauerhering,
Atwood,	Fowler,	Martin,	Settle,
Barham,	Gillet, N. Y.	McCall, Mass.	Shannon,
Barrett,	Gillett, Mass.	McCall, Tenn.	Shaw,
Bartholdt,	Grout,	McClellan,	Sherman.
Bartlett, Ga.	Hall,	McClure,	Shuford,
Bartlett, N. Y.	Hanly,	McLaurin,	Skinner,
Bell, Colo.	Hardy,	McRae,	Smith, Mich.
Bennett,	Heatwole,	Meiklejohn,	Snover,
Berry,	Heiner, Pa.	Meredith,	Southwick,
Bingham,	Hemenway,	Meyer,	Sparkman,
Bowers,	Henry, Ind.	Miller, Kans.	Spencer,
Brosius,	Hermann,	Miner, N. Y.	Stahle,
Clarke, Ala.	Hicks,	Mondell,	Steele,
Cobb,	Hitt,	Morse,	Stephenson,
Cockrell,	Hooker,	Moses,	Stone, W. A.
Coffin,	Howard,	Murray,	Strait,
Colson,	Howe,	Neill,	Strowd, N. C.
Cook, Wis.	Huff,	Newlands,	Tayler,
Corliss,	Hulick,	Northway,	Towne,
Cousins,	Hull,	Odell,	Tracewell,
Cowen,	Hurley,	Ogden,	Tracey,
Cox,	Hutcheson,	Overstreet,	Treloar,
Crisp,	Hyde,	Owens,	Tucker,
Crowley,	Johnson, Ind.	Parker,	Turner, Va.
Crump,	Joy,	Patterson,	Tyler,
Curtis, Iowa	Kem,	Perkins,	Underwood,
Curtis, N. Y.	Kendall,	Pickler,	Van Voorhis,
Dalzell,	Kerr,	Pitney,	Wadsworth,
Danford,	Kiefer,	Price,	Wanger,
De Armond,	Kyle,	Raney,	Washington,
Denny,	Lawson,	Ray,	Watson, Ind.
De Witt,	Leisenring,	Reyburn,	Wilber,
Dinsmore,	Little,	Richardson,	Wilson, N. Y.
Dockery,	Livingston,	Robertson, La	Wilson, S. C.
Downing,	Lorimer,	Robinson, Pa.	Woomer.
Faris,	Loud,	Royse,	
Fischer,	Low,	Rusk,	

So the motion to reconsider was laid on the table.

The following additional pair was announced:

Mr. PICKLER with Mr. RUSSELL of Georgia.

Mr. MAGUIRE. I am paired with the gentleman from New Jersey [Mr. PITNEY]. If he were present, I should vote "no" on this q estion.

Mr. RICHARDSON. I am paired on political questions with the gentleman from Iowa [Mr. CURTIS]. I do not know how he would vote; but if he were present, I should vote "no."

The result of the vote was announced as above stated.

Mr. COOKE of Illinois. Mr. Speaker, the gentleman who has just been declared elected is present; and I ask that the oath of office be administered to him.

Mr. John I. Rinaker, amid applause on the Republican side, came forward (accompanied by Mr. COOKE of Illinois) and was duly qualified by taking the oath of office prescribed by law. As he retired to his seat, Mr. Rinaker was again greeted with applause.

ORDER OF BUSINESS.

Mr. DINGLEY rose.

Mr. JONES. I move that the House do now adjourn.

The SPEAKER. The gentleman from Maine [Mr. DINGLEY] is recognized.

Mr. DINGLEY. Inasmuch as it is understood that a quorum will be required for the transaction of business this evening, and as no quorum can probably be obtained, I move that the House do now adjourn.

Mr. RICHARDSON. I submit that the remark just made by the gentleman from Maine is not in order, and should be excluded from the RECORD. Remarks have been excluded from the RECORD to-day on the same ground.

The SPEAKER. The Chair really thinks the gentleman from Tennessee [Mr. RICHARDSON] understands the difference between such a case as he refers to and the present——

Mr. RICHARDSON. But the gentleman from Maine stated——

The SPEAKER. And also the propriety of not interrupting the Speaker when he is addressing the House. [Laughter.]

Mr. RICHARDSON. "The gentleman from Tennessee" submits with becoming grace to the lecture from the Chair; but nevertheless the remark of the gentleman from Maine, which reflected upon this side of the House, was not in order, and the Chair knows it.

The SPEAKER. The Chair heard no remark of the gentleman from Maine which reflected on anybody.

Mr. RICHARDSON. He stated it was understood there would be no quorum here to-night.

Mr. GROSVENOR. Perhaps he meant it was understood that the Republicans would not be present. [Laughter.]

Mr. RICHARDSON. I do not think a remark like that of the gentleman from Maine ought to be made.

The SPEAKER. The Chair did not understand it to be a reflection on anybody. Perhaps if the present occupant of the chair had been here all the afternoon he might adopt a different construction. [Laughter.]

REPRINT OF A REPORT.

On motion of Mr. HURLEY, by unanimous consent, a reprint of House Report No. 795, to accompany the bill H. R. 7251, was ordered, the supply of the same having been exhausted.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. MURRAY for ten days, on account of sickness in family.

The motion of Mr. DINGLEY was then agreed to; and accordingly at (4 o'clock and 55 minutes p. m.) the House adjourned until 11 o'clock a. m. Saturday.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting an acknowledgment of the receipt of the House resolution of February 17, 1896, and making reply to the inquiries contained therein in regard to the amount of bonds offered and sold under the resumption act of 1875, greenbacks and Treasury notes redeemed, the surplus or deficiency of revenues, and amounts paid on account of the reduction of the public debt between July 1, 1879, and March 1, 1893, and between March 1, 1893, and January 1, 1896—to the Committee on Ways and Means, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting, in compliance with the provisions of the act of January 12, 1895, a statement of the documents received and distributed by the Department from January 1, 1895, to December 31, 1895—to the Committee on Printing, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS.

Under clause 2 of Rule XIII, bills were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MCCALL of Massachusetts, from the Committee on Elections No. 3, to which was referred the bill of the House (H. R. 1987) relating to contests of elections of members of the House of Representatives, reported the same with amendment, accompanied by a report (No. 2234); which said bill and report were referred to the House Calendar.

Mr. MCRAE, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 2923) entitled "An act for the better improvement of the Government reservation at the city of Fort Smith, in the State of Arkansas, and for other purposes," reported the same without amendment, accompanied by a report (No. 2236); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GAMBLE, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 9146) to provide for the revision and adjustment of the sales of the Otoe and Missouria Reservation lands, in the States of Kansas and Nebraska, and to confirm the titles under said sales, reported the same with amendment, accompanied by a report (No. 2237); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DINGLEY, from the Committee on Ways and Means, to which was referred the bill of the Senate (S. 1341) entitled "An act to prohibit the further issuance of interest-bearing bonds without the consent of Congress," reported the same adversely, accompanied by a report (No. 2246); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. BAKER of Kansas, from the Committee on Invalid Pensions:

The bill (H. R. 8683) granting a pension to Frederick Lierman. (Report No. 2220.)

The bill (H. R. 7551) for the relief of Oliver J. Lyon. (Report No. 2221.)

The bill (H. R. 9319) granting a pension to Malachi Salters, a sergeant of Company F, Ninth Regiment Illinois Volunteer Cavalry. (Report No. 2238.)

The bill (H. R. 9285) granting a pension to Henry H. Tucker, of Minneapolis, Kans., late a sergeant of Company E, Thirty-first Ohio Volunteer Infantry, and a first lieutenant of Company B, One hundred and forty-third Illinois Infantry. (Report No. 2239.)

By Mr. KIRKPATRICK, from the Committee on Invalid Pensions:

The bill (H. R. 3250) granting a pension to Levi R. Long. (Report No. 2222.)

The bill (H. R. 4525) granting a pension to Henry Hubbell. (Report No. 2224.)

The bill (S. 2456) entitled "An act granting a pension to Oliver P. Gooding." (Report No. 2225.)

The bill (H. R. 1306) to increase the pension of Benjamin F. Douglass. (Report No. 2240.)

The bill (H. R. 3585) granting a pension to George W. Bailey. (Report No. 2245.)

By Mr. PICKLER, from the Committee on Invalid Pensions:

A bill (H. R. 9362) granting an increase of pension to Col. Benjamin Beach, reported in lieu of House bill No. 9231. (Report No. 2226.)

The bill (H. R. 9350) granting an increase of pension to Patrick H. Smith. (Report No. 2227.)

The bill (H. R. 9312) granting an increase of pension to Stephen H. Morse. (Report No. 2228.)

The bill (H. R. 9315) granting a pension to H. R. Draper. (Report No. 2241.)

By Mr. POOLE, from the Committee on Invalid Pensions:

The bill (H. R. 7350) to increase the pension of Susan D. Yates. (Report No. 2229.)

The bill (H. R. 921) granting a pension to Ira Ingraham. (Report No. 2230.)

By Mr. THOMAS, from the Committee on Invalid Pensions:

The bill (H. R. 616) granting a pension to Charles Beckwith. (Report No. 2231.)

The bill (H. R. 617) granting a pension to Lovinia Parker. (Report No. 2232.)

The bill (H. R. 7964) granting a pension to Annie E. Bassett. (Report No. 2242.)

The bill (H. R. 5262) granting a pension to Maria C. Hill. (Report No. 2244.)

By Mr. LOCKHART, from the Committee on Military Affairs: The bill (H. R. 4498) to correct the date of muster of Rosalvo Brazelton as second lieutenant of Company D, Forty-second Regiment Indiana Volunteer Infantry. (Report No. 2233.)

By Mr. HURLEY, from the Committee on War Claims: The bill (S. 581) entitled "An act for the relief of the legal representatives of Hiram Somerville." (Report No. 2235.)

By Mr. SULLOWAY, from the Committee on Invalid Pensions: The bill (S. 3218) entitled "An act granting an increase of pension to Charles D. Hanscom." (Report No. 2243.)

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. PARKER: A bill (H. R. 9361) to increase the efficiency of the Regular Army of the United States and to localize the recruiting of regiments in time of war—to the Committee on Military Affairs.

By Mr. McLACHLAN: A bill (H. R. 9381) granting lands to the city of Santa Barbara for the purpose of a permanent water supply for said city—to the Committee on the Public Lands.

By Mr. GROSVENOR: A joint resolution (H. Res. 198) to authorize the further retention in the Treasury of the residue from the first payment derived from the sale of the Cherokee Outlet—to the Committee on Indian Affairs.

By Mr. CHICKERING: A resolution (House Res. No. 410) to have printed 10,000 additional copies of the majority and minority reports of the Committee on Ways and Means on Senate bill 1341, for the use of the House—to the Committee on Printing.

By Mr. BISHOP: A resolution (House Res. No. 411) for the relief of Samuel Lee—to the Committee on Claims.

By Mr. BOUTELLE: A resolution (House Res. No. 412) for the consideration of Senate resolution No. 149 on Saturday, June 6, immediately after reading of the Journal—to the Committee on Rules.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 9331) to increase the pension of Louis Alexander Dunlop, alias Alexander Dunlop; and the same was referred to the Committee on Pensions.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BLUE: A bill (H. R. 9363) granting a pension to Anna B. Gillett—to the Committee on Invalid Pensions.

By Mr. CURTIS of Kansas: A bill (H. R. 9364) granting an increase of pension to Stephen R. Smith—to the Committee on Invalid Pensions.

By Mr. HARRIS: A bill (H. R. 9365) for the relief of George Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9366) to grant an honorable discharge to James Geissinger—to the Committee on Military Affairs.

Also, a bill (H. R. 9367) to grant an honorable discharge to John M. Bassler—to the Committee on Military Affairs.

By Mr. KERR: A bill (H. R. 9368) to pension Levi Benedict—to the Committee on Invalid Pensions.

By Mr. McCLEARY of Minnesota: A bill (H. R. 9369) granting a pension to Mrs. Lavina Estlick—to the Committee on Pensions.

By Mr. McCREARY of Kentucky: A bill (H. R. 9370) for the benefit of Harrodsburg Presbyterian Church—to the Committee on War Claims.

By Mr. McEWAN: A bill (H. R. 9371) to remove the charge of desertion from the record of Samuel C. Shureman, alias Samuel C. Wadsworth—to the Committee on Military Affairs.

By Mr. McMILLIN: A bill (H. R. 9372) granting a pension to Lon M. Staring—to the Committee on Invalid Pensions.

By Mr. SPALDING: A bill (H. R. 9373) granting a pension to Jane Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9374) granting a pension to Eliza Ann Harrington—to the Committee on Invalid Pensions.

By Mr. McLACHLAN: A bill (H. R. 9375) to grant a pension to Clara A. Wycoff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9376) for the relief of Lucy M. Cleveland—to the Committee on Pensions.

Also, a bill (H. R. 9377) for the relief of Henry S. Hill—to the Committee on Military Affairs.

Also, a bill (H. R. 9378) for the relief of the legal representatives of John Moshier—to the Committee on War Claims.

Also, a bill (H. R. 9379) for the relief of Homer A. Wells—to the Committee on Invalid Pensions.

By Mr. McCLEARY of Minnesota: A bill (H. R. 9380) placing Capt. Aaron Tyler's company of Minnesota militia on the roll of United States Volunteers—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BOUTELLE: Petition of citizens of Bangor, Me., in favor of House bill No. 260, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. DALZELL: Petition of sundry citizens of Pittsburg, Pa., in favor of House bill No. 260, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. DOLLIVER: Sundry petitions of citizens of the State of Iowa, asking for favorable action on House bill No. 838, to reduce letter postage to 1 cent per half ounce, and House bill No. 4566, to amend the postal laws relating to second-class matter—to the Committee on the Post-Office and Post-Roads.

By Mr. FARIS: Petition of A. A. Hargrave and 40 other citizens of Rockville, Ind., favoring House bill No. 6851, in behalf of Wilberforce University—to the Committee on Military Affairs.

By Mr. GROSVENOR: Memorial of Columbus Golden Post, No. 89, Department of Ohio, Grand Army of the Republic, in favor of House bill No. 7860, favoring the erection of a monument to the memory of the private soldiers and sailors of the Union armies—to the Committee on the Library.

By Mr. HENDERSON: Telegram from Thomas J. Elderken, of Chicago, Ill., urging the passage of the seamen's bill—to the Committee on Rules.

Also, telegram from P. P. Morrissey, grand master of the Brotherhood of Railroad Trainmen, urging the passage of the arbitration bill—to the Committee on Rules.

By Mr. MCLACHLAN: Petition of members of the California Yearly Meeting of Friends, assembled in Whittier, Cal., protesting against military drill in public schools—to the Committee on Education.

Also, petition of George R. Trampton and others, urging the removal of the Marquette statue from the Capitol—to the Committee on the Library.

By Mr. SPALDING: Papers to accompany House bill No. 3924, to remove charges from the record of Franklin Benham—to the Committee on Military Affairs.

By Mr. WATSON of Ohio: Telegram from F. W. Arnold, general secretary and treasurer of the Brotherhood of Locomotive Firemen, urging the passage of the arbitration bill—to the Committee on Rules.

SENATE.

SATURDAY, *June 6, 1896.*

The Senate met at 12 o'clock m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The VICE-PRESIDENT resumed the chair.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

ENROLLED BILLS SIGNED.

The signature of the Vice-President was announced to the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

A bill (S. 1420) granting an increase of pension to Elizabeth W. Sutherland;

A bill (H. R. 6739) for the relief of John N. Quackenbush, late a commander in the United States Navy;

A bill (H. R. 7171) authorizing and directing the Secretary of the Navy to donate 4 condemned cannon and 4 pyramids of condemned cannon balls to James T. Shields Post, No. 45, Grand Army of the Republic, of Galesburg, Knox County, Ill., and for other purposes;

A bill (H. R. 956) for the relief of Sophia Sparks and Julia C. Sparks, of Annapolis, Md.;

A bill (H. R. 2006) to increase the pension of Harriet C. Gregg, widow of Col. and Bvt. Maj. Gen. John Irvin Gregg, from $30 to $50 per month;

A bill (H. R. 8008) defining cheese, and also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of "filled cheese"; and

A bill (H. R. 8293) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes.

RIVER AND HARBOR BILL.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of State, acknowledging the receipt of the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," returned by the President of the United States with his objections, and passed by both Houses of Congress, upon reconsideration of the same; which was read, and ordered to be placed on the files.

ALCOHOL IN THE ARTS.

The VICE-PRESIDENT appointed (in compliance with the act approved June 3, 1896, entitled "An act to repeal section 61 of an act to reduce taxation, to provide revenue for the Government, and for other purposes, which became a law August 28, 1894") Mr. PLATT, Mr. ALDRICH, and Mr. JONES of Arkansas members of the joint select committee on the part of the Senate to consider all questions relating to the use of alcohol in the manufactures and arts, free of tax, etc.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented a petition of the Trade and Labor Assembly of Galesburg, Ill., praying for the Government ownership and control of the telegraph lines; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Atwood Camp, No. 73, Sons of Veterans, of Atwood, Ill., praying for the enactment of legislation to constitute organized camps of Sons of Veterans, United States Army, a national reserve, and directing the Secretary of War to furnish them with arms, etc.; which was referred to the Committee on Military Affairs.

He also presented a petition of Encampment of the Department of Illinois, Grand Army of the Republic, praying for the enactment of legislation to establish a national park to commemorate the campaign, seige, and defense of Vicksburg; which was ordered to lie on the table.

Mr. BURROWS (for Mr. MCMILLAN) presented a petition of the Baptist Church of Wheatland, Mich., and a petition of the Woman's Foreign Missionary Society of the Methodist Episcopal Church of Detroit, Mich., praying for the enactment of a Sunday-rest law for the District of Columbia; which were referred to the Committee on the District of Columbia.

He also (for Mr. MCMILLAN) presented a petition of the Council of Trades and Labor Unions of Detroit, Mich., praying for the enactment of legislation restricting immigration; which was ordered to lie on the table.

He also (for Mr. MCMILLAN) presented a petition of Wolverine Division, No. 182, Order of Railway Conductors, of Jackson, Mich., praying for the passage of the so-called arbitration and contempt bills; which was referred to the Committee on Education and Labor.

He also (for Mr. MCMILLAN) presented a memorial of the faculty of the University of Michigan, remonstrating against the passage of Senate bill No. 1552, for the further prevention of cruelty to animals in the District of Columbia; which was ordered to lie on the table.

Mr. TELLER presented a petition of Bainbridge Council, No. 14, Junior Order United American Mechanics, of Leadville, Colo., praying for the enactment of legislation restricting immigration; which was ordered to lie on the table.

He also presented a memorial of the Medical Society of Weld County, Colo., remonstrating against the passage of Senate bill No. 1552, for the further prevention of cruelty to animals in the District of Columbia; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Colorado praying that the right of equal suffrage be granted to women; which was ordered to lie on the table.

He also presented sundry memorials of citizens of Colorado, remonstrating against the reception of the Père Marquette statue; which were ordered to lie on the table.

He also presented a petition of the Granite Cutters' National Union of Denver, Colo., praying for the enactment of an eight-hour law; which was referred to the Committee on Education and Labor.

He also presented a petition of the Trades and Labor Assembly of Denver, Colo., praying for the enactment of legislation prohibiting the use of convict labor in the construction of public buildings erected by the Government; which was referred to the Committee on Education and Labor.

He also presented petitions of the Trades and Labor Assembly of Aspen, Colo.; of Typographical Union, No. 29, of Peoria, Ill.; of Local Union, No. 1, Association of Buffers and Polishers, of Meriden, Conn., and of Local Union, No. 10, United Brotherhood of Carpenters and Joiners, of Chicago, Ill., praying for the free and unlimited coinage of silver; which were ordered to lie on the table.

Mr. VILAS. I present a memorial of citizens of Polish nationality, of Milwaukee, Wis., setting forth at some length their reply to certain criticisms that have been made in regard to the immigration of citizens of Poland. It is, I think, a very interesting and important memorial. It is not very long, and I ask that it be printed as a document.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The memorial will be referred to the Committee on Immigration, and it will be printed as a document, if there be no objection. It is so ordered.

Mr. BRICE presented a petition of the Trades and Labor Assembly of Sandusky, praying for the enactment of legislation authorizing money-order post-offices to receive money on deposit; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Christian Endeavor Union of Cincinnati, Ohio, and a petition of the Citizenship League, of Cincinnati, Ohio, praying for the enactment of legislation to prevent interstate gambling by telegraph, telephone, etc.; which were referred to the Committee on Interstate Commerce.

SPECIAL LIQUOR TAXES.

Mr. PEFFER. I present two petitions, both relating to the same subject, one being the petition of John A. Reed and 13 other citizens of Kansas, praying for the passage of Senate bill No. 239, to prohibit the collection of special liquor taxes from persons other than those who are duly authorized by State laws to traffic in intoxicating liquors; and also the petition of H. H. Bowen and 19 other citizens of Kansas, asking for the same relief.

In this connection I wish to make a brief statement. I think this is the proper time to make it, as there seems to be a misapprehension in the public mind as to the object of Senate bill 239, to which the petitions relate. In order to relieve the misapprehension I will read that bill. It is entitled "A bill to prohibit the collection of special liquor taxes from persons other than those who are duly authorized by State laws to traffic in intoxicating liquors." The bill itself has but one section, as follows:

Be it enacted, etc., That whenever, in any State, by the laws thereof duly enacted, traffic in spirituous, vinous, malt, or other intoxicating liquors is limited to particular persons or classes of persons, collectors of United States internal revenue shall not hereafter collect special liquor taxes from, nor

shall they issue stamps or receipts therefor to, any person or persons within such State other than those who at the time are duly authorized by the laws of such State and in accordance with the provisions thereof to engage in or carry on such trade or traffic: *Provided*, That nothing in this act shall be held to relieve any person or persons from the penalties prescribed under provisions of existing laws for engaging in the business of manufacturing or dealing in any kind of intoxicating liquors without having first paid the special taxes imposed by the laws of the United States.

A week or ten days ago a meeting of Presbyterians was held in the State of Kansas, and, as has been the custom with other religious denominations in that State the last three months or more, the preachers in the assembly proposed a resolution indorsing the object of Senate bill No. 239. The report of that meeting, as it is printed in the newspapers, shows that some lawyers present quibbled at the proposed legislation, and gave it as their opinion that the bill was based on or was the product of ignorance on the part of the Senator from Kansas. The trouble with the lawyers was that they themselves did not understand the object of the bill.

The object of this bill has not been, it is not now—and the bill so provides—to prohibit in any manner interference with the rights of either the Government or the rights of the States. It simply provides that in States where the liquor traffic is limited to particular persons, no revenue-tax receipts shall be issued to persons other than those who are authorized by the State laws to engage in the traffic in intoxicating liquors, and it applies the same in a license State or in a local-option State as in a prohibition State.

I found extreme difficulty—practical impossibility—in getting favorable consideration of that bill upon the part of the Finance Committee of the Senate. I then introduced another bill, which I thought would relieve our situation in Kansas and in other places where we have like trouble. I proposed to amend the existing statute so as to require the collectors of internal revenue in the several districts, at the end of every calendar month, to make out a list of the persons who had paid the taxes in the several counties in the district during the last preceding calendar month, and to supply the county officers having charge of the county records with that list. The Committee on Finance referred the bill to the Treasury Department. Here is the answer of the Secretary of the Treasury:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., May 28, 1896.

SIR: I have the honor to acknowledge the receipt of your letter of the 21st instant, inclosing Senate bill No. 3115, "to amend section 3243, Revised Statutes, relating to taxes under the internal-revenue laws."

You request my views on the bill. In reply I have the honor to state that your letter and the bill were referred to the Commissioner of Internal Revenue, and herewith I transmit copy of his report.

I fully concur in his opinion that "the proposition to impose upon collectors of internal revenue the duty of making monthly reports to State officers is in every way objectionable," and therefore I can not approve the bill.

Respectfully, yours,

J. G. CARLISLE, *Secretary.*

HON. JUSTIN S. MORRILL,
Chairman Committee on Finance, United States Senate.

This is the letter of the Commissioner of Internal Revenue:

TREASURY DEPARTMENT,
OFFICE OF THE COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., May 25, 1896.

SIR: I have the honor to acknowledge receipt by your reference from the Committee on Finance of the Senate of a copy of Senate bill 3115, on which you ask my views.

The bill proposes to add to section 3243, Revised Statutes, as it now stands, the following: "And in order to make the provisions of this section more effectual it shall be the duty of collectors of internal revenue, on the first day of every calendar month, to prepare and forward by mail to the officer or person having custody of county records in each of the counties within the particular collection district a statement showing how many and what persons, with their post-office addresses, paid such taxes in said county during the last preceding month, and for what trade or business the tax was paid."

In my opinion the proposition to impose upon collectors of internal revenue the duty of making monthly reports to State officers is in every way objectionable. The law as it now stands (section 3240, Revised Statutes) requires an alphabetical list of special taxpayers to be kept conspicuously in the collector's office for public inspection. In my opinion it would be contrary to sound public policy to enlarge this provision as proposed in the bill.

I return the papers as requested.

Respectfully, yours,

G. W. WILSON,
Acting Commissioner.

To the honorable the SECRETARY OF THE TREASURY.

Mr. President, we have the statement of the Secretary of the Treasury in approval of the opinion of the Commissioner of Internal Revenue that such a proposition is contrary to public policy, and I make some emphasis upon this point in order that persons who are interested in the passage of such legislation as I am proposing here may understand that the Government of the United States has finally removed itself wholly and absolutely from all sympathy and connection with the laws of any State in the Union with respect to the enforcement of its penalties against the illicit traffic in intoxicating liquors.

This is all I care to say.

The VICE-PRESIDENT. The petitions will be referred to the Committee on Finance.

GOLD AND THE WHEAT FARMERS.

Mr. LODGE. I present a paper by L. G. Powers, containing certain data relative to gold and the world's wheat farmers. I move that the paper be printed as a document. It will involve a very small cost.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. FAULKNER, from the Committee on the District of Columbia, to whom was referred the bill (S. 1604) for the relief of John A. Fairfax, of the District of Columbia, reported it with amendments, and submitted a report thereon.

Mr. MITCHELL of Wisconsin, from the Committee on Military Affairs, to whom was referred the bill (S. 111) to correct the military record of Reese P. Peoples, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 2424) to provide for the appointment of five police magistrates for the District of Columbia, and for other purposes, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

He also, from the Committee on Pensions, to whom was referred the bill (H. R. 9139) granting a pension to Margaret J. Young, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 396) granting a pension to Henry Farmer, reported it without amendment, and submitted a report thereon.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (H. R. 5407) to remove the charge of desertion now standing against Oscar A. Bulette, known in his military title as Austin Bulette, late private in Company E, Fifty-second Illinois Infantry Volunteers, during late war, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2202) to reorganize the line of the Army, etc., reported it with amendments.

He also, from the same committee, to whom was referred the bill (H. R. 4199) to correct the military record of Edward H. Munson, late a private in Company H, Thirty-second Regiment New York Infantry, reported it without amendment, and submitted a report thereon.

Mr. BROWN. I was unanimously instructed by the Committee on Indian Depredations, to whom was referred the bill (S. 2726) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891, to report it with amendments, and submit a report thereon.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. WARREN, from the Committee on Agriculture and Forestry, to whom was referred the joint resolution (S. R. 157) extending the scope of the investigations by the Agricultural Department in the matter of the improvement of public roads, reported it without amendment.

Mr. HANSBROUGH, from the Committee on the Library, to whom was referred the bill (S. 3251) to procure a site and erect a peace monument at Appomattox, Va., reported it with an amendment, and submitted a report thereon.

REPORT OF LIBRARIAN OF CONGRESS.

Mr. HANSBROUGH submitted the Annual Report of the Librarian of Congress for the calendar year 1895; which was ordered to lie on the table.

He also, from the Committee on the Library, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Annual Report of the Librarian of Congress be printed, and that 500 copies, with covers, be printed for distribution by the Librarian.

BILLS INTRODUCED.

Mr. TURPIE introduced a bill (S. 3263) for the relief of Henry Folkenning, of Indianapolis, Ind.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. PUGH introduced a bill (S. 3264) for the relief of I. J. Lee; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. WETMORE introduced a bill (S. 3265) to promote Lieut. William McCarty Little, United States Navy, retired, to be a commander on the retired list; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. CARTER introduced a bill (S. 3266) for the relief of Albert L. Pitney; which was read twice by its title, and referred to the Committee on Claims.

NORTHERN PACIFIC RAILROAD.

Mr. SMITH submitted an amendment intended to be proposed by him to the joint resolution (S. R. 124) to facilitate the reorganization of the Northern Pacific Railroad Company, etc.; which was ordered to be printed.

PURCHASES OF INTERNAL-REVENUE STAMPS.

Mr. PLATT. I introduce and ask to have considered at this time a resolution for the restatement of some accounts.

The resolution was read, as follows:

Resolved, That the Secretary of the Treasury and the proper accounting officers be, and they are hereby, authorized and directed to restate the accounts of the persons and firms named herein, and report the same for the information of the Senate, showing the balance of commissions due them on their purchases of internal-revenue stamps printed from their private dies, as provided in section 3425 of the Revised Statutes of the United States, on the full amount, face value, of stamps purchased without distinction as to the time when such purchases were made, namely:

William Bond & Co., William Roeber, H. & W. Roeber, The New York Consolidated Card Company, Samuel Hart, John J. Levy, Lawrence & Cohen, Andrew Dougherty, Byam, Carlton & Co., Byam & Carlton, C. W. Lord, Lord & Robinson, James H. Wheedon, Excelsior Match Company, American Match Company, James Eaton, P. Eichele & Co., Cowles & Leete, C. S. Leete, Phineas T. Ives, William Gates, A. J. Griggs, Henry Stanton, F. P. Newton, Brocket & Newton, The Clark Match Company of Woodbridge, Conn.; Joseph Loehr, Swift & Courtney, Michael Daily, J. R. Brown, Brown & Durling, Newbauer & Co., B. Bendel & Co., A. Messenger, Griggs & Scott, Griggs & Goodwin, L. G. Hunt, Schmitt & Schmittdiel, John Loehr, J. E. Hethrington, Jeremiah Curtiss & Son, John I. Brown & Son, I. S. Johnson & Co., The Centaur Company, Johnston, Holloway & Co., Dr. J. H. McLean, B. Brandreth, George A. Brandreth, executor; J. E. Schwartz, Schwartz & Haslett, B. A. Fahnestock & Co., J. H. Schenck & Son, Dr. J. C. Ayer & Co., R. P. Hall & Co., Demas Barnes, Demas Barnes & Co., P. H. Drake & Co., Fleming Bros., H. R. Stevens, A. L. Scoville & Co., Thomas J. Husband, Kennedy & Co., A. Vogeler & Co., C. N. Crittenton, Frederick Brown, Barclay & Co., D. Ransom, Son & Co., Dr. D. Jayne & Son, The World's Distributing Medical Association, Dr. R. V. Pierce, John Bull, A. S. Low, C. E. Hull & Co., J. Burnett & Co., Merchant's Gargling Oil Company, Hiscox & Co., R. H. McDonald & Co., Trenton Match Company, George F. Wilson, Herman Tappan, W. T. Brown & Co. (or Portland Match Company), Iron City Match Company, The Swift and Courtney and Beecher Company, A. Beecher & Sons, E. R. Tyler, Curtiss & Brown, D. M. Richardson, The Richardson Match Company, S. R. Hartman & Co., and Henry Dalley, jr.

Mr. ALLISON. It does not occur to me that the Senate can authorize a restating of an account. It seems to me that if an account is to be restated it must be done by a joint resolution. I do not know what object the Senator has in view, but certainly this would require a great number of investigations to be made relating to old accounts. I do not like to object to the resolution, but I do not quite understand why there should be a restating of the account by the auditing officers of the Treasury and then open an account already closed, as it appears to me.

Mr. PLATT. I suppose that it is necessary in order to put them in a position where Congress can pass upon them.

Mr. SHERMAN. Is there a bill?

Mr. ALLISON. This is a Senate resolution, I understand.

Mr. PLATT. Let it be made a joint resolution.

Mr. ALLISON. I do not see how the Senate can direct an accounting officer.

Mr. PLATT. It may be made a joint resolution, if that is deemed necessary.

Mr. SHERMAN. The object is to get information in regard to a bill pending here?

Mr. PLATT. The bill is pending here.

Mr. ALLISON. It is a request for the accounting officers to restate an account. That means that they shall open an account already closed in the Treasury and restate it here for the purpose of laying a foundation for a claim. I do not believe that ought to be done.

Mr. SHERMAN. Information in support of a claim or against a claim could be called for, but it seems to me that there is no necessity for restating the account.

Mr. PLATT. Let it be made a joint resolution and go over.

The VICE-PRESIDENT. The resolution will be modified as indicated, and go over under the rule.

The joint resolution (S. R. 160) for the relief of William Bond & Co. and others was read twice by its title.

SECOND-CLASS MAIL MATTER.

The VICE-PRESIDENT. The Chair lays before the Senate the resolution of the Senator from North Carolina [Mr. BUTLER] coming over from yesterday. The resolution will be stated.

The SECRETARY. A resolution directing the Postmaster-General to send to the Senate a copy of any and all rulings made with reference to second-class mail matter during the last six months.

Mr. HILL. Is the resolution printed?

The VICE-PRESIDENT. The resolution has been printed. It comes over from a previous day.

Mr. HILL. I have not a copy of it at my desk.

Mr. SHERMAN. I do not think the resolution is understood. I ask that it be read.

The Secretary read the resolution submitted yesterday by Mr. BUTLER, as follows:

Resolved by the Senate, That the Postmaster-General be, and is hereby, directed to send to the Senate a copy of any and all rulings that have been made by him, or any official in the Post-Office Department, with reference to second-class mail matter during the last six months, including a ruling recently made prohibiting the passage through the mails, as second-class matter, certain publications which had before been allowed to pass as second-class matter, or any such orders or rulings that have been made and temporarily suspended, accompanied with the reasons for making such orders, and also the reasons for temporarily suspending such orders, if such orders have been made and temporarily suspended.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2143) granting a pension to Mrs. Emily M. Van Derveer, widow of the late Brig. Gen. Ferdinand Van Derveer.

The message also announced that the House had passed the bill (S. 2169) to regulate mail matter of the fourth class.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 2143) granting a pension to Mrs. Emily M. Van Derveer, widow of the late Brig. Gen. Ferdinand Van Derveer;

A bill (H. R. 4020) granting an increase of pension to Mrs. William Loring Spencer;

A bill (H. R. 4888) for the relief of George Hager;

A bill (H. R. 4921) to relieve the North Georgia Agricultural College from the payment of $450 for damaged gun;

A bill (H. R. 5258) granting an honorable discharge to John B. Besler;

A bill (H. R. 5279) granting a pension to Jerusha H. Brown;

A bill (H. R. 6607) for the relief of Helen Larned;

A bill (H. R. 7919) granting a site for the erection and maintenance of a charity hospital by the city of Biloxi, Miss.;

A bill (H. R. 8248) to increase the pension of Mrs. Emily E. Cash;

A bill (H. R. 8469) to authorize the Baltimore and Washington Transit Company, of Maryland, to enter the District of Columbia; and

A bill (H. R. 9275) approving certain acts of the legislative assembly of the Territory of New Mexico, authorizing the issue of certain bonds of said Territory, and for other purposes.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 141.

That the House recede from its disagreement to the amendment of the Senate numbered 140, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$325,000"; and the Senate agree to the same.

The committee of conference have been unable to agree upon the amendments of the Senate numbered 2, 3, 4, 6, 7, 8, 13, 15, 16, 17, 32, 61, 97, 109, 122, 123, 124, 146, 147, and 161.

W. B. ALLISON,
EUGENE HALE,
A. P. GORMAN,
Managers on the part of the Senate.

J. G. CANNON,
E. J. HAINER,
JOSEPH D. SAYERS,
Managers on the part of the House.

The VICE-PRESIDENT. The question is on concurring in the report.

Mr. ALLISON. When the report is concurred in I shall make a statement in regard to the disagreeing votes.

Mr. SHERMAN. I think the Senator ought to state the leading features of the agreement. What is the first amendment which was agreed to? We can not tell by the numbers to what the amendments relate.

Mr. ALLISON. No. 140, which is the first amendment on which the House recedes, is an amendment relating to the Oregon improvement. The House inserted the word "completed," while making the appropriation. The Senate inserted the word "continuing," the appropriation not being sufficient to complete the work, and the House recedes from its disagreement.

Mr. MITCHELL of Oregon. So that the word "continuing" remains in the bill?

Mr. ALLISON. The word "continuing" remains in. The Senate receded from amendment numbered 141, the substance of the same being in the river and harbor bill.

As to amendment 96, the House recedes from its disagreement with an amendment. That is the amendment of the Senate relating to the survey of public lands. The House originally inserted "$250,000" for surveys. The Senate increased the appropriation to $400,000. The item was divided, and the amount retained in the bill, if the conference report is agreed to, will be $325,000.

Those are the only amendments which have been agreed to in conference. When the report is agreed to I desire to make a statement in respect to the amendments still in disagreement.

The report was concurred in.

Mr. ALLISON. Mr. President, I desire to make a brief statement respecting the disagreements between the two Houses on the amendments stated in the conference report as read at the desk. I make this statement with a desire that in some way the Senate may express its opinion as respects the differences. There is, I know, some restlessness on account of the prolongation of these conferences. The Senate conferees, representing the views of the Senate, have not been willing to recede from certain amendments until they could know something more of the wish of Senators respecting them. The House conferees refuse to agree to certain amendments proposed by the Senate having reference to public buildings. These public buildings are of two classes.

Mr. PLATT. May I inquire of the Senator from Iowa whether those are all the matters now in disagreement?

Mr. ALLISON. They are not. I am mentioning first the disagreement on the public-building amendments. These items are of two classes, one class relating to the enlargement of the limit of certain buildings as compared with the limit prescribed hitherto. They comprise six buildings in all. First, they relate to the buildings at the capitals of the three new States of Idaho, Wyoming, and Montana; secondly, they relate to public buildings that have already had expended upon them large sums of money, but which can not be completed, as reported from the Supervising Architect's Office, without a small addition to the limit of cost. These are the buildings at Kansas City, Mo., Savannah, Ga., and Camden, N. J., three in all.

The Senate also inserted an item for a new public building at Salt Lake City, Utah, that being a State capital, and also for a new public building as an addition to the National Museum in this city.

The House conferees refuse to deal with any of these public buildings where a limit has been increased, embracing not only these capitals of new States, but also embracing two or three public buildings that are far on the way toward completion and upon which large sums of money have been expended. So much for the public-building amendments, which embrace practically the amendments from 2 to 17.

Mr. HAWLEY. Before the Senator from Iowa passes from the public-building amendments I should like to make an inquiry, if he will pardon me, because it is rather difficult to keep the run of the bill by the numbers merely. There was in the bill an innocent little public-building proposition to give the great sum of $15,000 to replace the rotten old building at Fortress Monroe for a post-office. Has that gone out?

Mr. ALLISON. I thank the Senator from Connecticut for calling my attention to that item. It is still in disagreement. The Senate conferees felt that they could not give up so important an office, although the amount is small, without the consent of the Senate, and therefore that is also in disagreement.

Mr. HAWLEY. I am glad to hear it.

Mr. ALLISON. I omitted to mention that, as I ought to have done.

There is another important amendment still in disagreement, known as amendment numbered 97, relating to the reclamation of arid lands in the new States, which I think I need not dwell upon, because I believe that can be arranged if another conference is ordered.

The next item is a small appropriation made by a Senate amendment for the International Exposition at Brusels next year, to which the Government of the United States is invited. We made, by an original amendment in the Senate, an appropriation of $35,000 for this purpose. We proposed to the House conferees to reduce that amount greatly, changing the phraseology so that a small sum could be used, having been informed that it is absolutely necessary for the Congress of the United States in some way to make recognition of the International Exposition in order that the State Department may accept the invitation of the Government of Belgium. The House conferees refused to put anything in the bill for that purpose. That item is still in disagreement, and we shall be glad to know the sense of the Senate upon it.

Amendments 122, 123, 124, on page 81 of the bill, relate to the lighting of the Executive Mansion and the public grounds. The question of lighting has been under consideration during most of the present session. It is found not only in the sundry civil bill, but it is also found in the bill making appropriations for the government of the District of Columbia.

During the progress of the conferences it was tacitly agreed by the conferees on both sides that we would abide by and conform to the bill that was pending in both Houses of Congress relating to the price of gas in this District. Therefore this matter was held in abeyance until the question of the price of gas, not only to private consumers, but to the Government of the United States and the government of the District of Columbia, should be settled by the action of the two Houses upon the subject. The two Houses have acted upon the subject, and have agreed on the price to be paid by private consumers and the price to be paid by the Government of the United States and by the government of the District of Columbia. Now the House conferees refuse to conform to the recent statute upon the subject, but insist that we shall go on and deal with the subject as though the two Houses had not done anything respecting it. The conferees on the part of the Senate felt that we were bound by the action of the two Houses on this subject, and therefore proposed to the conferees on the part of the House that the rates to be provided for in this bill should be the rates provided by law, without mentioning any rates. That is disagreed to.

There are two amendments relating to hospitals of this city, the Garfield Hospital and Providence Hospital, upon which the conferees have not been able to agree.

There is another amendment on page 107 of the bill, known as amendment 161, relating to the regulation of the distribution of materials and articles used in the various Soldiers' Homes. This amendment was proposed by the Managers of the National Soldiers' Home, and it has been stated as absolutely important and essential to the efficient and careful and economical management of those Homes. The amendment was inserted in the Senate as a regulation of the appropriations for that purpose. The conferees on the part of the House of Representatives refuse to agree to it, and that item is still in disagreement.

Now, I believe I have stated all the disagreements between the two Houses upon the subject. Most of them are important, and the Senate conferees do not feel that they would be justified in abandoning these carefully prepared provisions, affecting as they do many States and many people in various portions of the country, without taking the advice of the Senate.

I shall be glad for one to have the members of the Senate familiar with the arrangement in regard to the price of gas make some statement before I make the motion which I intend to make later on, that the Senate shall still further insist upon these amendments.

Mr. DUBOIS. Mr. President, I desire to address the Senate briefly in regard to the amendment numbered 2, public building at Boise City, Idaho; numbered 4, public building at Cheyenne, Wyo.; numbered 7, public building at Helena, Mont., and numbered 17, public building at Salt Lake City, Utah.

As has been stated on this floor a number of times, there is not a public building in any one of those States. The representatives from those States in the Senate vote cheerfully $11,000,000 for fortifications. We are absolutely safe so far as we are concerned; there is no gun that could shell us; but we believe it is for the public interest. Our constituencies indorse us in voting for that appropriation and we do it cheerfully. We vote $60,000,000 for rivers and harbors, scarcely a dollar of which will be spent in our part of the country. It is for the general good, and our constituencies indorse our action in that respect. We vote from eight to twelve million dollars for battle ships. That subject is of less interest to us directly than to any other portion of the country, yet it is for the general good. But when we ask that you give us one public building in each of our capital towns, we are confronted with the statement by the House that we shall not have them.

In these capitals are the courts, the offices of the surveyors-general, all the Federal offices, which have been enumerated in the Senate before. Outside of any matter of justice or right it would be economy for the Government to erect these buildings. Yet it is an open secret that the Speaker of the House and the chairman of the Committee on Public Buildings and Grounds of that body say that there is no further need for public buildings at this time, and that they have determined that no public buildings shall be erected.

I wish to call attention to the fact that the First district of Maine, where the Speaker resides, has 153,000 people, and they have in that district $1,153,929 worth of public buildings. In the Second district, with 169,000 people, there is a public building at Lewiston, one at Bath, one at Wiscasset, and one at Waldoboro. In the district represented by the chairman of the Committee on Public Buildings and Grounds of the House there is a public building at Ellsworth, one at Castine, one at Belfast, one at Rockland, and one at Augusta, and there is in that district a population of 154,000 people.

I dare say there is no more need for public buildings in those districts. There is no place in which to put them. Yet when the Senate says that these new States ought to have public buildings those gentlemen insist that there is no occasion for the erection of other public buildings. The chairman of the Committee on Appropriations of the House lives in a town which would not make a respectable suburb of some of these capitals. He has a very handsome public building there. It is only a county seat. There is not a United States court and there is no Federal office at that place.

Mr. CULLOM. It has been provided for.

Mr. DUBOIS. There is none at the present time. They have public buildings sufficient. I insist that in fairness, in justice, public buildings ought to be granted to these new States.

There are county seats in those States larger than any of the

towns I mentioned in the districts represented by these gentlemen, yet we do not ask for public buildings for those places. We do not ask one for Butte, Mont., which has a population of nearly 60,000 people, but we do ask for public buildings at our capitals. I move that the Senate insist on the amendments numbered 2, 4, 7, and 17, which provide for public buildings at the capitals of the new States; and I shall ask for a yea-and-nay vote of the Senate on the proposition.

Mr. SHOUP. Mr. President, I desire also that the committee of conference on the part of the Senate shall insist on the retention in the bill of the appropriations for the buildings in the recently admitted States. In the Fifty-first Congress my colleague at that time introduced a bill for a public building at Boise City, the capital of Idaho. The bill passed the Senate, but did not pass the House of Representatives. In the Fifty-second Congress I introduced a bill appropriating $200,000 for a public building at Boise City. The bill passed the Senate and was reported favorably by the Committee on Public Buildings and Grounds in the other House, but did not pass that body. In the Fifty-third Congress I again introduced a bill for a public building at Boise City. So we have been striving ever since Idaho has been admitted to the Union to secure an appropriation for a public building at that place, but up to the present time have failed. While the bill introduced in the Fifty-third Congress did not pass the Senate, there was at that time an agreement made with the Appropriations Committees of both branches of Congress whereby it was arranged that an appropriation should be made in the Fifty-fourth Congress for the erection of public buildings at the capitals of the new States.

For this reason, and for the reason that there is not a public building at any of the capitals of these new States, I believe, Mr. President, that the conferees on the part of the Senate should insist on the retention of these items in the appropriation bill.

Mr. SEWELL. It appears to me, Mr. President, that the item of the bill appropriating $125,000 for the construction of a public building at Camden, N. J., should be retained in the bill. If we delay much longer the erection of a public building at that place the price of land will have quadrupled in value, so that we shall have to come to Congress and ask for a great deal more money for the purpose. I trust that the conferees on the part or the Senate will be instructed to hold out for the appropriation for all the public buildings appropriated for by the amendments of the Senate.

Mr. VEST. Mr. President, I simply desire to state in regard to the items of the sundry civil bill which apply to these public buildings that, having served upon the Committee on Public Buildings and Grounds since I have been a member of the Senate, part of the time as chairman of the committee, I am familiar with these provisions. A rule has obtained in that committee for many years before I became a member of it, which was some eighteen years ago, that the capitals of all the States in the Union should have public buildings; and when these new States were admitted this question was taken up for consideration. An adjustment was finally made as to the cost of the sites in those new States, and sums were agreed upon as to the public buildings to be erected in the capitals in each one of them. Utah at that time had not been admitted. Since that adjustment was made the State of Utah has come ito the Union, and, as is known to every Senator present, Salt Lake is one of the most beautiful cities of the Union, as well as one of the most important, and promises to be the metropolis of a vast section of country, which agriculturally and for mining wealth is unsurpassed. I must express my astonishment that the House of Representatives should oppose appropriations so manifestly just as these in regard to the capitals of the new States.

In regard to the sums which are absolutely necessary to those buildings that are already in process of construction at Kansas City, Savannah, and Camden, N. J., those improvements were entered upon deliberately, with the full knowledge of every Senator who paid the slightest attention to that matter. We have put up the foundations and partially constructed the buildings, and, as they are exposed to the weather, it is worse than extravagance to leave them in their present condition. If we do the materials will be injured. We shall be not only retarding the work, but absolutely throwing away the money which has already been expended. It is false economy in a business point of view, and it is utterly indefensible to leave these partially constructed buildings in their present condition. It is useless to consider now whether it was right or wrong to commence them; but we made appropriations for them, we bought the sites, we commenced the work, and we have entered into contracts as to a great deal of it. Now, the other House, by refusing to approve these appropriations put in by the Senate, deliberately says it is willing to risk losing all the expenditures we have made.

I sincerely hope the Senate will insist upon its amendments.

Mr. MORRILL. Mr. President, the rule was first established in the Senate Committee on Public Buildings and Grounds that the capital of every State should have a public building if they asked for it and there was any business for it. There was never any trouble at all about bills which were reported from that committee for public buildings in the State capitals receiving the attention of the other House and passing there until they changed their rules, so that the Committee on Public Buildings and Grounds of that House does not have charge of public buildings, but they go to the Committee on Appropriations, thereby depriving the House Committee on Public Buildings and Grounds of any control of any part of that business so far as appropriation is concerned.

Mr. DUBOIS. I move that the Senate further insist on its amendments numbered 2, 4, 7, and 17, providing for public buildings at the capitals of the States of Idaho, Wyoming, Montana, and Utah, respectively.

Mr. VEST. Does the Senator's motion include the partially constructed buildings in other cities?

Mr. DUBOIS. Whilst I should cheerfully vote for the other amendment, I prefer to keep the four State buildings separate and free from any other complication.

The VICE-PRESIDENT. The Secretary will state to the Senate the motion of the Senator from Idaho.

The SECRETARY. That the Senate further insist upon its amendments numbered 2, 4, 7, and 17.

Mr. BACON. Mr. President, I understand the desire of the Senator from Idaho to be that the vote shall be taken separately as to the public buildings which are authorized by the Senate amendments, and also separately upon the amendments relative to the public buildings now in the process of construction.

Mr. VEST. If the Senator from Georgia will permit me, I will ask the Senator from Idaho to embrace in his motion the amendments in regard to the public buildings in Kansas City, Savannah, and Camden, so as to take the vote upon all together.

Mr. BACON. I think that should be done.

Mr. DUBOIS. Very well.

Mr. PLATT. I think the motion ought to be with reference to all the amendments relating to public buildings.

Mr. ALLISON. If the motion of the Senator from Idaho is modified to that extent, it will include amendments numbered 2, 3, 4, 6, 7, 8, 13, 15, 16, and 17.

Mr. PLATT. I do not know specifically what amendments it will include.

Mr. BACON. I have not yielded the floor, Mr. President.

The VICE-PRESIDENT. The Chair had recognized the Senator from Georgia [Mr. BACON], who has not yielded the floor.

Mr. PLATT. I was not aware of that.

Mr. BACON. Mr. President, I shall detain the Senate but a moment. I simply desire to state in reference to the public building at Savannah that the matter is now at a stage where if it is not acted upon, as is proposed by the Senate amendment, at the next session it will be too late. It must either be done now or not at all. There is a proposed change in the building, which has had the architect's estimate, and there is a communication from the Secretary of the Treasury stating the fact that it is necessary that it shall be done at once; that it can not be postponed. I trust, in view of the statement made by the distinguished Senator from Missouri, to which I will not attempt to add, that this amendment will be insisted upon by the Senate, as well as the other amendments which the chairman of the Committee on Appropriations has reported back to the Senate.

I have nothing further to say except to present the fact of the necessity for immediate action, and that postponement will defeat the object which is sought to be attained.

Mr. PLATT. Mr. President, I do not know where these buildings are located which are partially completed and the work upon which the Senate thinks and the Senate conferees think should be continued. The Senator from New Jersey [Mr. SEWELL] says there is one in his State. There is certainly none in mine, and therefore I may say a few words in reference to this subject without the suspicion that I have any interest in representing my State on the subject.

I can not understand the feeling that seems to prevail on the part of the House conferees that no money shall be expended upon a public building, no matter how great the necessity or the economy. I can understand perhaps that another body shall say that no new buildings shall be commenced, but to say that the work on those in process of construction shall stop simply because of the arbitrary determination that money shall not be expended for such a proposition, is, it seems to me, entirely unjustifiable, and I think the Senate ought to take a very firm stand upon the question.

This Government is not going into bankruptcy. I think we have heard that quite too often in the Senate. There is no prospect of the bankruptcy of the United States. Senators even seem to roll that word under their tongue as though it were a sweet morsel. It would not be sweet to them if they believed there was any real danger of bankruptcy in this country. The truth about it is that we have a good deal of money in the Treasury. It was obtained by the sale of bonds, which I wish it had not been necessary to sell, but it is there, and no amount of deficiency which can be contemplated is going to exhaust the surplus in the Treasury within the next two years. I can not understand the policy

which, in the case of an individual, would lead him to borrow money and pay interest upon it and put the money in his pocket, keeping it to pay the note when it should fall due. It certainly can not be the policy of this Government, having borrowed money and having $170,000,000 that we have no use for, to keep it until the bonds fall due, thirty years from now. We have plenty of money to make these improvements and to build these buildings, and I think the Senate ought to insist, and to do so very strongly, on the subject.

Mr. WARREN. Mr. President, I shall detain the Senate only a moment.

I indorse very heartily what has been said in favor of sustaining the conferees on the part of the Senate both as to the buildings in the capitals of the new States and as to the other public buildings yet in disagreement. There is a little difference in the situation as to the two classes, and I should prefer that the vote be taken on them as separate propositions. I hold myself ready to vote yea upon them as separate propositons or if voted on together. I think it is better, however, to vote on them separately, because the capitals are exactly on the same basis one with another and from one view, and are on a little different ground from the others in another view and from another standpoint. Some will consider that the unfinished buildings should have preference; others that the capitals should have preference; and I think a separate vote will injure neither one nor the other.

Now, as to the buildings at the capitals, there is a business side and a sentimental side. Go, for instance, to the town in which I reside, the capital of Wyoming, and ask for the State offices and you will find a magnificent capitol building, costing more money than is asked for to build this United States building. You will find all the State officers comfortably and safely lodged therein. If you ask for the county offices—it being a county seat—you will be directed to a building which cost nearly one-half as much as is proposed for this building. You will find all of the county and school-district officers comfortably and safely housed and papers covered at night by sufficient fireproof vaults. Ask for the city offices and you will find a suitable city hall and office building; you will find magnificent buildings for the fire companies and their apparatus, and, in fact, suitable offices and buildings for all branches of the service. The officers are housed and properly taken care of. You ask for the United States offices and you will find them scattered all over the city. some in third stories, some in second stories, some on ground floors, and perhaps some in basements and isolated rooms. You will find the United States land office, the register and receiver's office, in quarters otherwise sufficient, but which have no fireproof vaults. Their papers are subject to be destroyed any day or any night by fire.

Thus, in a country where the people think enough of themselves to provide for all branches of their Government proper buildings and proper safeguards for their papers and valuable documents, we find the United States with nothing at all. There are no permanent United States improvements. Not a dollar has ever been spent by the National Government inside of the State for permanent improvements for civil purposes. It seems to me that as a matter of safety for the records, as a matter of business, to save rent and expenses, the Government should provide a proper building in which to house its officers and documents. If we fail to do this, what are the people of that State to think of the paternal Government, when they, the people of that State, have gone forward in their infancy and comparative poverty and have built all these State and municipal buildings, while the United States would seem to have so little regard for the people of that State, and has so little confidence in the State, that it neglects to carry out by appropriations in the pending bill legislation that has already been had, in fact, because these buildings have been authorized by laws heretofore passed?

It seems to me we ought not to be confronted with the proposition, whenever we are asked where the United States buildings are, and where the United States is represented in Wyoming, to have to admit that, so far as tangible evidence is concerned, the United States has not yet been apprised of the fact that the State of Wyoming is in the Union.

Mr. CULLOM. Mr. President, I only desire to say a word in reference to this subject, pertaining to public buildings in the country especially.

It seems to me there is no question about what the duty of the Senate is in the premises, and so far as I am concerned I am perfectly willing to have a separate vote, if the Senators who are representing the States in which the capitals interested are located are desirous that the proposition shall be separately voted upon, or I am willing to vote to adhere to the appropriations inserted in the bill by the Senate in favor of all the buildings that are named in the measure.

I find upon inquiry of the chairman of the committee, the Senator from Iowa, that altogether the amount for appropriations involved in this matter in the pending bill is only $395,000, and I am informed by the Senator at least $100,000 of that amount can be taken off without at all interfering with the progress of the work. So it seems to me there is no question as to the duty of the Senate to adhere to those appropriations, so that the public buildings in these State capitals shall be constructed, and so that the work on the buildings which are in progress of construction shall be carried on. I hope that the Senate will give a united expression in favor of adhering to these items of appropriation. If $100,000 of the total sum is taken off it will amount to only $295,000. It seems to me it is a very small item to be disputed between the two Houses of Congress, when everybody knows that the construction of these public buildings has to be carried on in order to protect the work, and to get the buildings completed to accommodate the people.

In the case of the new States, where they have State capitals and no public buildings, I do not think Congress ought to hesitate a moment in allowing a reasonable appropriation, so that the work there can be begun.

The VICE-PRESIDENT. The Chair understood the Senator from Idaho [Mr. DUBOIS] to agree to the suggestion. Is that correct?

Mr. DUBOIS. I prefer to have a separate vote. I am for the others, and will vote for them very cheerfully. My colleagues on the floor representing the new States agree with me, I think, that under the circumstances, as the question of buildings in their State capitals occupies a peculiar position, we will desire a separate vote, all of us being willing and anxious to vote for the other appropriations and will do so.

Mr. SEWELL. I do not think the Senators representing the new States ought, on reflection, to ask for a separate vote. It looks like they will get through their matters, and we will be left. I shall be obliged to move to amend the motion by putting the others on.

Mr. VEST. We can not hear what the Senator from New Jersey says.

Mr. SEWELL. I shall feel obliged to move to amend the motion, if the Senator will not consent to take a vote on the whole proposition.

Mr. DUBOIS. I will say to the Senator that if he prefers it we will vote on his proposition first. I can not see how it will jeopardize the other buildings in the least degree. If it does, then it will have the effect of defeating the proposition for our buildings. That must be the logical sequence.

Mr. SEWELL. Will the Senator from Idaho explain to the Senate the object of having a separate vote? I can not understand that.

Mr. DUBOIS. I can explain it very easily. Everyone admits the absolute justice of our claim, and the last Congress, as a matter of fact, appropriated money for the construction of these buildings in the new States, but the money has never been expended or the work carried on.

Mr. SEWELL. The State I represent has a stronger claim than that, as the original appropriation for the building I refer to was made before the Senator's State was admitted.

I wish to amend the proposition of the Senator from Idaho by including all of the other public buildings the appropriations for which have been disagreed to by the House of Representatives.

Mr. DUBOIS. I shall accept the amendment, if the Senator from New Jersey is so insistent upon it.

Mr. SEWELL. I think it is but right that all should be included.

Mr. CARTER. I hope the Senator from Idaho will accede to the request of the Senator from New Jersey [Mr. SEWELL] to incorporate in his motion all the public-building propositions provided for by the amendments of the Senate, to the end that there may be a vote to insist upon the primary proposition of the Senate.

Mr. CULLOM. I think that is the proper course, and the one more likely to secure a solid vote of the Senate.

Mr. CARTER. I hope the Senator from Idaho will accept that.

Mr. DUBOIS. I have accepted the suggestion of the Senator from New Jersey.

The VICE-PRESIDENT. The Chair submits to the Senate the question, Will the Senate further insist upon its amendments, the numbers of which will be stated by the Secretary?

The SECRETARY. Amendments in relation to public buildings, numbered 2, 3, 4, 6, 7, 8, 13, 15, 16, and 17.

The VICE-PRESIDENT. The question is on the motion of the Senator from Idaho [Mr. DUBOIS] that the Senate still further insist on the amendments the numbers of which have been stated.

Mr. DUBOIS. On that I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I have a general pair with the Senator from Delaware [Mr. GRAY], but I am satisfied that if present he would vote on this question as I do, and therefore I vote "yea."

Mr. DUBOIS (when his name was called). I will ask the Senator from New Jersey [Mr. SEWELL] whether I can assume that his colleague [Mr. SMITH], with whom I am paired, would vote "yea" on this proposition, if present?

Mr. SEWELL. Yes.

Mr. DUBOIS. Then I vote "yea."

Mr. GEAR (when his name was called). I am paired with the Senator from Georgia [Mr. GORDON], but being satisfied that he would vote the same way as I do upon this proposition if he were present, I vote "yea."

Mr. PASCO (when his name was called). I am paired with the Senator from Washington [Mr. WILSON], but understanding that he would vote "yea" if present, I vote "yea."

The roll call having been concluded, the result was announced—yeas 58, nays 0; as follows:

YEAS—58.

Aldrich,	Cullom,	McBride,	Quay,
Allison,	Davis,	Mills,	Sewell,
Bacon,	Dubois,	Mitchell, Oreg.	Sherman,
Bate,	Faulkner,	Mitchell, Wis.	Shoup,
Berry,	Gallinger,	Morgan,	Stewart,
Blanchard,	Gear,	Morrill,	Teller,
Brown,	George,	Nelson,	Turpie,
Burrows,	Gorman,	Palmer,	Vest,
Butler,	Hale,	Pasco,	Walthall,
Cannon,	Hansbrough,	Peffer,	Warren,
Carter,	Harris,	Perkins,	Wetmore,
Chandler,	Hawley,	Pettigrew,	White,
Chilton,	Jones, Ark.	Platt,	Wolcott.
Clark,	Lindsay,	Pritchard,	
Cockrell,	Lodge,	Pugh,	

NAYS—0.

NOT VOTING—31.

Allen,	Elkins,	Jones, Nev.	Smith,
Baker,	Frye,	Kyle,	Squire,
Blackburn,	Gibson,	McMillan,	Thurston,
Brice,	Gordon,	Mantle,	Tillman,
Caffery,	Gray,	Martin,	Vilas,
Call,	Hill,	Murphy,	Voorhees,
Cameron,	Hoar,	Proctor,	Wilson.
Daniel,	Irby,	Roach,	

So the motion was agreed to.

Mr. SEWELL. I would inquire whether the Senator from Iowa has submitted any further motion as to the sundry civil bill?

Mr. ALDRICH. I understood the Senator from Iowa to move that the Senate still further insist on its amendments which have been disagreed to by the House of Representatives.

Mr. ALLISON entered the Chamber.

Mr. CULLOM. The Senator from Iowa is now present.

The VICE-PRESIDENT. The Chair understood the Senator from Iowa to intimate that he would subsequently make the motion referred to by the Senator from Rhode Island [Mr. ALDRICH], but the motion is not pending.

Mr. ALLISON. I believe the motion of the Senator from Idaho [Mr. DUBOIS] covers all the amendments to No. 17, inclusive. I now move that the Senate insist upon the remainder of the amendments still in disagreement and ask for a further conference. Before the vote is taken I desire to have some expression of the Senate respecting amendments numbered 122, 123, and 124, in order that I may be either strengthened or weakened in what I understand to be the situation respecting those amendments.

Mr. FAULKNER. Mr. President, I shall only detain the Senate a moment in response to the request of the Senator from Iowa. I am very much surprised to hear from the Senator that there is any disagreement upon those amendments by the House of Representatives, as a bill which has been passed by the Senate and House of Representatives and is now in the hands of the President on this subject is the original bill of the House of Representatives which had been sent to the Senate, and the very question about which the other House disagrees with the Senate the Senate gave way to the House in conference upon that bill. The original bill provided—

That the Washington Gas Light Company of the District of Columbia is authorized to charge and collect, after the passage of this act, for illuminating gas furnished to and paid for by the Government of the United States, and other consumers in the District of Columbia, at the rate of not exceeding $1.

The Senate amended that by making the rate $1.15, and the conference report on it, which was adopted by both Houses, fixed the amount at $1.10 for private consumers, and yielded to the House in reference to dollar gas for the Government and for the District of Columbia. Therefore the Senate has in reference to this question agreed to the original proposition contained in the House bill as to the cost of gas for the District of Columbia and for the Government of the United States.

The conference report on the amendments submitted by the Senate conferees embraced the words "Government buildings," but for fear that that phrase would prevent the price for street lamps from being fixed at a dollar, the House conferees insisted upon striking out the word "buildings," using the words "United States Government and the government of the District of Columbia," which was agreed to by the Senate conferees. Therefore I can not understand, the Senate having yielded the entire question as to the particular subject in controversy, how, in the conference committee represented by the Senator from Iowa, those representing the House of Representatives should maintain a disagreement when the Senate is willing to yield to the original proposition of the House.

I desire also to submit this statement, that in the House bill the amount was fixed definitely at $1 per thousand cubic feet of gas consumed either by the Government or by the District, for this reason: Some members of the House conference were of the opinion that the plan of lighting the city of Washington was a mistake; that, instead of having the same number of street lamps we have now burning 6 cubic feet of gas per hour, we should have double the number of street lamps burning 3 cubic feet an hour, which would not cost any more to the city, but would diffuse the light more generally throughout the streets, especially on those streets where there are a number of trees; and for that reason they declined to fix any amount as to street lighting, except fixing it by the thousand cubic feet, which they fixed at $1 per thousand. That was another reason why the bill fixed definitely the amount to be paid per thousand cubic feet.

As to the repair and keeping in proper condition of the street lamps, the House conferees very properly said that was a matter that the District Commissioners have the right to control themselves; they have the right either to do it themselves or they have the right to lease it by contract to a third party, and the gas company has no right to complain one way or the other in reference to this subject. All they are required to do under this bill is to furnish the gas, which is paid for at a certain rate per cubic foot.

I will not add anything further, but will ask that there may be incorporated at the end of my remarks a table furnished to the Committee on the District of Columbia by the District Commissioners of the cost of street lights in 24 cities, including Washington, and I will state to the Senate that that table, which includes all the leading cities in the United States, shows that Washington is getting its light cheaper than any other city in the Union, except two, and those are Cleveland and Allegheny, where the cost of material is not more than one-fourth what it is here.

The table referred to is as follows:

Price of gas for the year 1893 in a list of 24 cities, being the same list adopted by the Board of Commissioners for the District of Columbia in its report made to the second session of the Fifty-first Congress in the year 1891.

Cities.	Gas burned per lamp per year.	Cost per M for gas used in public lamps.
New York	12,000	$1.53
Chicago	15,144	1.32
Philadelphia	19,402½	1.14
Brooklyn	11,700	1.74
St. Louis	14,000	2.64
Boston	15,312	1.07
Baltimore	20,000	1.16
San Francisco	17,272.5	2.28
Cincinnati	15,276	1.34
Cleveland	24,440	0.76
Buffalo	15,800	1.32
Milwaukee	*19,422	1.26
Newark	13,200	1.64
Minneapolis	13,200	1.18
Jersey City	12,957	1.54
Louisville	20,000	1.00
Omaha	20,000	1.25
Rochester	22,000	1.07
St. Paul	24,000	1.22
Kansas City	10,310	1.90
Providence	16,700	1.25
Indianapolis	10,000	1.50
Allegheny	14,400	0.70
Washington	18,000	0.94 1/16

* Average.

Mr. GORMAN. Will the Senator from West Virginia permit me to ask him a question for information?

Mr. FAULKNER. Certainly.

Mr. GORMAN. Do I understand the Senator from West Virginia to say distinctly that in this adjustment made between the Committees on the District of Columbia of both Houses, where there has been allowed $1 a thousand for gas for the use of the Government and the District of Columbia, that that is exclusive of the cost of the maintenance and repair of street lamps?

Mr. FAULKNER. I do state so most emphatically; and that the whole subject of the cost, including the cost of repair and keeping in condition the lamps, was fully considered by the conference committee; and the whole subject of the reduction of price to the Government from $1.25 to $1 in its buildings was included in the consideration of this question.

Mr. GALLINGER. Mr. President, a single word before this matter passes from the consideration of the Senate. I have served on the Committee on the District of Columbia during the entire five years that I have been a member of this body, and among the vexed questions which have troubled us at every session of Congress has been the matter of regulating the price of gas in the District of Columbia. We have given a great deal of consideration to it at the present session, and I am sure that every member of the committee congratulated himself, as I congratulated myself very recently, that we had reached a fair and just agreement on this question and that we probably would not be troubled with it in the near future again.

We have reduced the price of gas from $1.25 to $1.10 for private consumers and from $1.25 to $1 for the Government of the United States and for the government of the District of Columbia. It is a very large reduction, and it seems to me, after a very careful consideration of the matter, that we shall be doing ourselves and the gas company with which we are dealing an injustice if we undertake a further reduction than that which was made.

I desire to put on record my dissent from legislation such as is contemplated on this appropriation bill. Both Houses of Congress have recorded their verdict on this question. They have passed a bill that undoubtedly will receive the sanction of the President of the United States, and why, after Congress has given its time, and after committees of this body have given days and weeks to the consideration of this question, we should have it disturbed upon an appropriation bill, passes my comprehension. We have given to the subject what we claim to have been intelligent consideration; we have listened patiently hour after hour and day after day to the representations of all parties in interest; and we reached a conclusion that both Houses of Congress unanimously ratified. It does seem to me, in view of that fact, that this body ought to stand by the Committee on the District of Columbia and ought to instruct its conferees to insist that the conclusions reached in the bill which has passed both Houses of Congress should stand for the present as the law.

We went beyond that. At the request of the House conferees we increased the candlepower of gas from 24 to 25. I am inclined to think that in that bill the candlepower is perhaps higher than is required or given in any other city in the United States. We have done everything that we could consistently and properly do to relieve the people of this District and the government of the District and of the nation from the exactions from which it was claimed they were suffering because of this company, which they are pleased to call a monopoly. I am astounded, Mr. President, that after both Houses of Congress have recorded their votes, and I think upon the conference report without a dissenting voice, this question should be reopened and we should be asked to disturb it on an appropriation bill.

I do not know that the Senator from Iowa [Mr. ALLISON] desires that a vote shall be taken on this question; but if he does, I am prepared to move that it is the judgment of the Senate that the conferees on the part of this body shall insist upon keeping this matter at the same rate which is provided in the bill that has recently passed both Houses of Congress. Of course I shall defer to the Senator from Iowa in that matter.

Mr. ALLISON. Unless there is some objection in the Senate, as one of the conferees I shall take it for granted that the Senate does not now propose to reverse its action taken after so many months of examination.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Iowa [Mr. ALLISON], that the Senate further insist on the remainder of its amendments disagreed to by the House of Representatives and ask for a further conference.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. ALLISON, Mr. HALE, and Mr. GORMAN were appointed.

INDIAN APPROPRIATION BILL.

Mr. PETTIGREW. I present a conference report on the Indian appropriation bill. It is a final report. It is very important that it should go to the House, and I ask for its present consideration.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 6249) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That the Secretary of the Interior be, and he is hereby, directed to withhold any further distribution and payment out of the money derived from 35 per cent of the judgment in favor of the Old Settler or Western Cherokee Indians against the United States in the sum of $800,386.31, set apart for the payment of expenses and for legal services justly and equitably payable on account of the prosecution of said claim, until otherwise authorized by law."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: Strike out, in line 9 of the matter inserted by said amendment, the word "ninety-eight" and insert in lieu thereof the word "ninety-seven"; and the Senate agree to the same.

R. F. PETTIGREW,
H. M. TELLER,
F. M. COCKRELL,
Managers on the part of the Senate.

J. S. SHERMAN,
CHARLES CURTIS,
GEORGE C. PENDLETON,
Managers on the part of the House.

Mr. LODGE. I understand that an agreement is reported upon the three amendments which went back to conference on disagreement. Two of those amendments, numbered 69 and 70, relate practically to one subject. The House conferees recede from their disagreement to one amendment and they recede from their disagreement to the other with an amendment. The other amendment, 64 I think the number is, relates to the Old Settlers' claims, so called. I desire a separate vote on amendments numbered 69 and 70, relating to schools.

Mr. CULLOM. That can not be done.

Mr. LODGE. Very well. Then I shall ask for a yea-and-nay vote on the whole report, which covers those three amendments, because—I will state my objection—the report substantially agrees to the Senate amendments to the House proposition in regard to sectarian schools. It reduces the time provided in the original Senate amendment from two years to one, but it practically leaves the whole matter open to be fought over again in the next Congress. It is really a concession to the Senate amendment, to which I have been opposed from the beginning, and therefore I am opposed to agreeing to this settlement of it. On that question I should like a vote.

Mr. CULLOM. I should like to inquire of the Senator from South Dakota whether this is the final report upon all the amendments which have not been disposed of heretofore?

Mr. PETTIGREW. It is a final report.

Mr. CULLOM. It closes up the bill if the report is adopted.

Mr. PETTIGREW. The Senate practically recedes from its amendment in regard to the Old Settlers' attorneys' fees matter and leaves the matter as it stands now—that is, with an amendment that the money shall not be distributed until further provided by law.

The House recedes from its disagreement to the Senate amendment in regard to schools, with an amendment to it which makes the time for finally disposing of the question of sectarian contract schools July 1, 1897, instead of July 1, 1898, as provided in the Senate amendment. Amendment numbered 70 simply inserts the word "*further*" after the word "*Provided*," which creates a subhead, and has no material effect so far as the merits of the bill are concerned. The House recedes from its objection to that amendment.

Mr. TELLER. We leave in the bill the declaration as to the policy of the Government to take charge of these schools in the future, so that it practically closes up the sectarian schools or the non-Government schools after the 1st of July, 1897. I do not think it leaves it open for further controversy. I think it establishes what is the policy of the Government in respect to the matter from that time on.

Mr. LODGE. It seems to me it does leave it open, but as it is impossible to get a separate vote on it, and we can only vote on concurring in the whole report, which is a final report, I shall not press the request for the yeas and nays.

The VICE-PRESIDENT. The question is on concurring in the report of the committee of conference.

The report was concurred in.

IMPORTED PARCELS AND PACKAGES.

Mr. SEWELL. I ask unanimous consent to call up the bill (H. R. 6259) to expedite the delivery of imported parcels and packages not exceeding $500 in value.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Finance with an amendment, to strike out all after the enacting clause and insert:

That articles, not merchandise intended for sale, not exceeding $500 in value, imported in packages not exceeding 100 pounds in weight, in vessels of the United States, may be specially delivered to and appraised at the public stores, and the entry thereof liquidated by the collector under such regulations as the Secretary of the Treasury may prescribe, and after such appraisement and liquidation may be delivered, upon payment of the liquidated duties under the bond provided for in this act, to express companies or other duly incorporated inland carriers bonded for the transportation of appraised or unappraised merchandise between the several ports in the United States: *Provided*, That not more than one such consignment to one ultimate consignee from the same consignor shall be imported in any one vessel: *And provided*, That the original appraisement of and liquidation of duties on such importations shall be final against the owner, importer, agent, or consignee, except in the case of manifest clerical errors, as provided for in section 24 of the act of June 10, 1890: *Provided*, That nothing contained in this act shall apply to explosives, or any article the importation of which is prohibited by law.

SEC. 2. That such express companies or other inland carriers shall be responsible to the United States under bond for the safe delivery of such articles to the ultimate consignee: *Provided*, That if any package shall not be delivered to the ultimate consignee by the express company or other inland carrier, and shall be returned to the collector of the port where such articles are entered under the provisions of this act within ninety days from the date of importation intact, the collector shall take charge of such package and dispose of it as unclaimed merchandise, and the duties, including additional duties, if any, under section 7 of the act of June 10, 1890, paid shall be refunded by the Secretary of the Treasury out of any moneys in the Treasury not otherwise appropriated; and the express company or other inland carriers shall be relieved of any liability therefor under its bond; and before any express company or other inland carrier shall be permitted to receive and transport any such articles they shall become bound to the United States in such bonds, in such form and amount, and with such conditions not inconsistent with law, as the Secretary of the Treasury may require.

SEC. 3. That articles transported under the provisions of this act shall be corded and sealed in such manner as shall from time to time be prescribed by

the Secretary of the Treasury; and the collector of the port of first arrival shall retain in his office a permanent record of such merchandise so forwarded.

SEC. 4. That such packages may be consigned to and entered by the agents of the express company or other inland carrier or steamship company, who shall at the time of entry state the ultimate consignee, and in all cases where a certified or other invoice is now required by law such invoice may be attached to or inclosed in the package, under such regulations as the Secretary of the Treasury may prescribe; and the delivery of such articles to the express company or other inland carrier shall not be delayed because of the nonarrival of the triplicate invoice, but the ultimate consignee shall be liable for any increased duty found due on reliquidation, if any, after receipt of said merchandise from the express company or other inland carrier or steamship company making entry under this act; and the provisions of section 2857, Revised Statutes, shall not apply to importations under this act.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported by the Committee on Finance.

Mr. MILLS. I should like to have the bill explained. It seems to me to be a very important measure.

Mr. ALDRICH. The bill was reported from the Committee on Finance, and it is proposed to be amended upon the suggestion of that committee. The bill in its present form merely permits merchandise, not intended for sale, which is sent here by express companies, to be expedited. It does not change the law in any respect whatever as to appraisement of merchandise. It simply allows expedition in cases of merchandise, not intended for sale, forwarded by express.

Mr. MILLS. What is it intended for?

Mr. ALDRICH. For that very purpose.

Mr. MILLS. To be expressed where?

Mr. ALDRICH. Between this country and any other country.

Mr. MILLS. It relates to merchandise transported in bond?

Mr. ALDRICH. Merchandise transported under bond given by the express company. It has the hearty approval of the Treasury Department, and everybody else, I think, who has investigated the subject.

Mr. MILLS. I merely want to understand it. There is a law now in relation to transporting goods in bond.

Mr. BATE. What is the meaning of the provision that the express company shall be relieved from its bond?

Mr. ALDRICH. It can not be relieved except on the return of the goods. If the goods are not delivered to the ultimate consignee, if he can not be found, and the goods are returned to the collector of the port of original entry, then that provision applies.

Mr. BATE. In that event the company is relieved.

Mr. ALDRICH. That is all. It is not relieved in any other case. The bill is very carefully guarded.

Mr. BATE. And the Treasury Department approves the bill?

Mr. ALDRICH. Yes; it has the hearty approval of the Department.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on agreeing to the amendment reported by the Committee on Finance.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. ALDRICH. I move that the Senate request a conference with the House of Representatives on the bill and amendment.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. ALDRICH, Mr. ALLISON, and Mr. VEST were appointed.

HUDSON RESERVOIR AND CANAL COMPANY OF ARIZONA.

Mr. PEFFER. I ask unanimous consent to call up the bill (S. 3167) to grant to the Hudson Reservoir and Canal Company of Arizona the right of way through the Gila River Indian Reservation.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Indian Affairs with an amendment, in section 8, line 13, after the word "*Provided*," to insert the following proviso:

Provided, That the rights herein granted are upon the express condition that the grantee thereof, its successors or assigns, shall at all times during the continuance of the grant furnish the Indians located under its canal along said right of way with water sufficient for all domestic and agricultural purposes and purposes of irrigation, on such just and reasonable terms and under such rules and regulations as shall be prescribed by the Secretary of the Interior.

Mr. HILL. I should like to inquire who introduced that bill.

The PRESIDING OFFICER. The bill was introduced by the Senator from Kansas [Mr. BAKER] by request, and reported by the Senator from South Dakota [Mr. PETTIGREW].

Mr. PEFFER. From the Committee on Indian Affairs.

The PRESIDING OFFICER. From the Committte on Indian Affairs.

Mr. PEFFER. It has the approval of the Secretary of the Interior.

Mr. HILL. The bill seems to create a very great monopoly, and I was rather surprised to find it championed by the Senator from Kansas [Mr. PEFFER]. It needs some explanation to the Senate.

Mr. VILAS. What is the Calendar number?

The PRESIDING OFFICER. Eleven hundred and eighty-four is the Calendar number.

Mr. PEFFER. If it will relieve the Senator from New York——

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. PEFFER. Question.

The amendment was agreed to.

Mr. BATE. Is this a Senate bill? We know nothing of it over here.

Mr. HILL. Do I understand that the Senator from Kansas declines to explain this bill?

Mr. PEFFER. I do not know what the Senator from New York says. I only guess at it spiritually. I will say to the Senator, however, for his relief, that my colleague, Mr. CURTIS, in the House, called my attention to the bill and is very anxious to have it disposed of, so that it may become a law during the present session.

Mr. BATE. I ask that the bill be read again.

The PRESIDING OFFICER. The bill will be again read.

Mr. TURPIE. I object to the further consideration of the bill.

The PRESIDING OFFICER. The Senator from Indiana objects to the further consideration of the bill.

RHODA AUGUSTA THOMPSON.

Mr. PLATT. There are two pension cases on the Calendar, House bills, which I think there is special reason for passing at this session. I will ask the indulgence of the Senate to consider them now. The first is the bill (H. R. 6826) granting a pension to Rhoda Augusta Thompson, daughter of the late Thaddeus Thompson, a private in the Revolutionary war.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place upon the pension roll the name of Rhoda Augusta Thompson, daughter of the late Thaddeus Thompson, a private in Colonel Lamb's regiment of artillery and in Capt. Joseph Thomas's company of artillery, and to pay her a pension of $12 per month during her natural life.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MINOR CHILDREN OF PATRICK F. REYNOLDS.

Mr. PLATT. The next case on the Calendar which I desire to call up is one of peculiar merit and hardship. It is the bill (H. R. 6603) to pension the minor children of Patrick F. Reynolds.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the names of the minor children of Patrick F. Reynolds, deceased, late a member of Company H, First Connecticut Volunteer Cavalry, and to pay to their legal guardian the pension to which they would have been entitled under the act of June 27, 1890, had not the soldier left a widow surviving at the date of his death.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM SODEN.

Mr. VILAS. I ask the Senate to take up and consider the bill (S. 3059) granting a pension to William Soden, which has been reported by the Committee on Pensions.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place upon the pension roll the name of William Soden, late a private of Company E, Twenty-third Wisconsin Volunteer Infantry, at $20 a month.

Mr. MILLS. The bill has been reported, I take it, by the Committee on Pensions?

Mr. VILAS. Oh, yes.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HENRY PRINCE.

Mr. PUGH. I ask the Senate to take up and consider the bill (H. R. 1826) granting a pension to Henry Prince.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place upon the pension roll the name of Henry Prince, late private in companies commanded by Captains Christmas and Spirey, Georgia Volunteers, Indian war of 1836, and to pay him a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. QUAY. Mr. President——

Mr. PUGH. I also ask the Senate to take up the bill (H. R. 1827) granting a pension to Nancy B. Prince, widow of Elbert Prince.

Mr. HALE. I rise to a privileged report.

Mr. QUAY. Will the Senator from Maine pardon me for one moment? I wish to have passed a private pension bill.

Mr. HALE. I will yield to the Senator from Pennsylvania, but I must insist upon presenting a conference report when that matter is concluded.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. QUAY. At the request of my colleague [Mr. CAMERON], who is necessarily absent, I ask unanimous consent to call up the bill (S. 3141) granting a pension to Rachel Kern.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment, in line 8, after the words "Reserve Corps," to insert "at the rate of $12 per month"; so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rachel Kern, foster mother of James M. Allen, late corporal of Company D, Twelfth Regiment Pennsylvania Reserve Corps, at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANCIS E. HOOVER—VETO MESSAGE.

Mr. GALLINGER. I desire to make a statement. Some days ago I gave notice that on June 3, after the routine morning business, I would ask the consideration of the message of the President of the United States vetoing the bill (H. R. 1149) granting a pension to Francis E. Hoover. I will say that I am very anxious to get an opportunity to call that bill up to-day, inasmuch as the claimant is moved by machinery and is utterly helpless. The committee are unanimous in their view that the bill ought to pass notwithstanding the objections of the President. I beg consideration at the earliest possible moment that I may ask that that bill be laid before the Senate.

PROPOSED RESTRICTION OF IMMIGRATION.

Mr. HALE. I submit a conference report on the naval appropriation bill.

Mr. LODGE. The hour of 2 o'clock having arrived, is it not in order that the unfinished business shall be laid before the Senate?

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 7864) to amend the immigration laws of the United States.

Mr. HALE. I ask that the unfinished business be temporarily laid aside, that the Senate may proceed with the conference report.

Mr. HILL. I desire to call the attention of the Senator from Massachusetts to the fact that this bill was temporarily laid aside and the contempts bill was taken up last night.

Mr. LODGE. It has to come up each day, I think, and be temporarily laid aside, so as to keep its place as the unfinished business.

The PRESIDING OFFICER. Under the rule it is proper that it shall be laid before the Senate at this hour. What is the pleasure of the Senate in regard to the bill?

Mr. HALE. I ask that it be temporarily laid aside.

The PRESIDING OFFICER. The Senator from Maine asks the unanimous consent of the Senate that the bill be temporarily laid aside in order that the Senate may proceed to the consideration of other matters.

Mr. HALE. Of a conference report.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

NAVAL APPROPRIATION BILL.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 39, 42, 43, 44, 45, 46, 47, 48, 51, and 52, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the word "two" inserted by said amendment insert the word "three"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: Insert after the word "one," in line 24, page 49 of the bill, the following: "and not more than one"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: Strike out in line 3 of said amendment the word "five" and insert in lieu thereof the word "four"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with amendments as follows: Strike out, in line 5 of said amendment, the words "three hundred and fifty" and insert in lieu thereof the words "four hundred and twenty-five"; and add at the end of said amendment the following: "That if the Secretary of the Navy in any case shall decide to make a contract for the completed ship, including armor, and the lowest bid shall exceed a fair estimated price, allowing for the finished armor said average of $425 per ton, he shall accept none of the bids, but shall report the same to Congress on the first day of its next session: *And provided further*, That the Secretary of the Navy shall examine into the actual cost of armor plate and the price for the same that should equitably be paid to contractors therefor, and shall report the result of his investigation to Congress not later than January 1, 1897"; and the Senate agree to the same.

EUGENE HALE,
M. S. QUAY,
Managers on the part of the Senate.
C. A. BOUTELLE,
AMOS J. CUMMINGS,
Managers on the part of the House.

The PRESIDING OFFICER. The question is on concurring in the report.

Mr. CHANDLER. As I understand the report, the conferees on the part of the Senate have consented to three battle ships instead of two. I still adhere to my opinion that the third battle ship will not be advanced a single month or a single day by being authorized at this time instead of being authorized next winter. Two battle ships a year are all we ought to build, and we ought to build two each year for the next ten years. We ought not to overwhelm the contractors for armor with a great amount of work to-day and leave their establishments empty and idle to-morrow. The moment that we adopt this policy, when they have no work they come here and complain that the Government has induced them to build up the establishments, to put large sums of money in them, and they say, "Now, you are bound to give us work; you are under a moral obligation to give us work"; and they make that outcry notwithstanding we may have paid them enough for the work already done to repay to them every dollar of the whole cost of their plant.

Mr. GEORGE. I desire to ask the Senator from New Hampshire a question.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Mississippi?

Mr. CHANDLER. Certainly.

Mr. GEORGE. How many establishments, navy-yards, or whatever you call them, are there in this country at which these ships can be constructed?

Mr. CHANDLER. There are only two concerns that now have the hydraulic press and the heavy machinery for shaping armor.

Mr. HALE. The Senator from Mississippi is asking about the construction of the battle ships.

Mr. CHANDLER. There are only two establishments that can make the armor. There are half a dozen establishments that could build the hulls of the ships. There are, I will say, half a dozen manufacturers of steel who could in nine months get ready to make this armor by getting their hydraulic press and some of their machinery from abroad. There is no doubt about that. There are only two establishments now fitted up, however, to make armor; but within nine months a third or a fourth establishment could get ready to manufacture armor.

I repeat, there is not the least need of authorizing a third battle ship at this time. But that is not my principal objection to the conference report. It is that the Senate conferees have consented to increase the price of armor which the Secretary of the Navy may pay from $350 a ton for finished armor, the amount recommended by the Senate Committee on Naval Affairs, to $425 per ton. The judgment of the committee was that the cost of the armor was $300 a ton. The allowance of the committee was $350 a ton. The conference report carries that amount up $75, from $350 to $425, which is an increased cost of the armor of each battle ship, assuming the quantity to be 3,000 tons, of $225,000.

Mr. GEORGE. An increased cost.

Mr. CHANDLER. An increased cost by the concession of the conference committee over the $350 a ton which by the decision of the Senate committee and the decision of the Senate itself was a fair price with a fair profit added. I do not believe that that concession ought to be made. I do not believe that we ought to pay the price which shall be paid under this conference report for armor.

I agree with the graphic statement made by the Senator from Georgia [Mr. BACON], that it is impossible to conclude that a steel ingot, which can be procured at the price of $17 a ton, and which is only hardened and shaped into great masses of armor to go upon a ship's side, can be increased to $425 a ton before it is placed upon the side of the ship. The price we are paying for armor is as much per pound as a highly finished gun costs. Take one of the most elaborately finished cannon of the Navy, which is bored and polished and made almost as carefully as a watch is made, and it does not cost more than $450 or $500 a ton. Here for these great masses of armor, which require heavy machinery to handle it, of course, but which is not difficult to fabricate, we propose to pay 20 cents a pound.

Mr. PLATT. May I ask the Senator——

Mr. CHANDLER. It is an extravagance that we ought not to commit ourselves to by adopting this conference report.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Connecticut?

Mr. CHANDLER. I yield to the Senator.

Mr. PLATT. If we fix in the bill $425 as the maximum cost, does not the Senator believe that $425 per ton will be the cost? Does the Senator suppose that there will be any competition which will bring the price below that figure?

Mr. CHANDLER. Undoubtedly we shall pay $425, because there is no competition. There is a large profit in the armor at $425. The makers of the armor have already made armor for foreign governments at $300 a ton, and we propose now to better that price by $125 a ton, which is too much profit, when you consider the fact that we propose to give these two establishments the armor to build for three ships in addition to the contracts for two ships that have lately been made.

Mr. HAWLEY obtained the floor.

Mr. MITCHELL of Oregon. I should like to ask the Senator in charge of the bill a question.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MITCHELL of Oregon. The question simply is whether any change has been made, and, if so, what, in regard to the place where the battle ships are to be constructed.

Mr. HALE. That is all left as the Senate fixed it.

Mr. MITCHELL of Oregon. It is as the Senate fixed it?

Mr. HALE. The House receded from all those amendments.

Mr. SQUIRE. In this connection, may I be allowed a question before the Senator from Connecticut proceeds? Has there been any change in the provision in regard to the construction of torpedo boats?

Mr. HALE. All those items are left unchanged.

Mr. CHANDLER. Mr. President, is debate going on upon the bill?

Mr. BACON. We are unable to hear anything the distinguished gentlemen say.

Mr. HALE. All the Senate amendments were left in regard to that matter. The House receded.

The PRESIDING OFFICER. The question is on concurring in the report of the committee of conference.

Mr. HAWLEY. I have been once recognized. I think I have the floor. Have I not?

The PRESIDING OFFICER. The Senator from Connecticut was recognized, and he will proceed.

Mr. HAWLEY. Mr. President, I am, I freely say, a good deal surprised by the tone of the remarks made by the Senator from New Hampshire, and I regret them, because his former very honorable experience as Secretary of the Navy will give an undue weight to what he has been saying. I am bound to suppose that he speaks without interest or prejudice. I certainly do. I have not a personal friend aside from the ordinary general friendly acquaintance with officers. I have no citizen friend who has any interest whatever in the Bethlehem works or in the Carnegie works, and none myself, direct or incidental. If the Senator from South Carolina [Mr. TILLMAN] were here I should make some remarks upon his intimation as to whether there were lobbyists in the Senate, and all that sort of thing.

Now, one question is, shall we get a contract at all if we make the price $425 per ton for armor? I am very glad that the conferees have brought back so favorable a report as they have done. I happen to know from a very thorough investigation what was the custom in Europe some eight or ten years ago, and an inquiry at the Navy Department shows me that it has not changed. No government in Europe manufactures armor. The Senator from New Jersey [Mr. SMITH] has proposed that the Government shall erect and build an establishment for the manufacture of its own armor. The experiment has been tried. We have not discussed any proposition on this subject for the last two years that has not been discussed by the European governments and the experiments have been mostly tried. In the manufacture of guns the British Government entered into a sort of partnership with Gray, Armstrong & Co. some years ago. After going on with it a while the Government went out of it and paid $325,000 to get rid of the whole concern. Some of them do make some guns, but they make contracts usually for the rough parts, as we do, and have them finished in finishing establishments where the fine finishing is put on, and the pieces are assembled.

I asked the Navy Department, with all these contracts made by European governments with private concerns, as we have been doing here, if there had not come to be a market rate; whether there was not a price which was understood from the experience which has been had to be a reasonable one. We have a bureau of information with some very bright, active men in it; we have the attaches of our legations abroad, whose business it is to secure all the information of this sort which may be useful to our Government. The Navy Department tell me that the bids on the last award of contracts made they considered a fair average price, and the lowest price to be received by one of these manufacturers is the one to be received by the Bethlehem works for $525 a ton.

I suppose there are some Senators here who have been to these establishments, and who have seen and been able to judge from their own inspection what must be the enormous cost of such a plant. The Bethlehem Company claim to have a plant for this work costing $4,000,000; and they say that they should have a 5 per cent dividend at least; that they should have what is usual in many establishments, a 10 per cent allowance for the repair and replacement of their machinery and of their great machine tools. I really do not believe that fairly we can expect them to make this armor under perhaps $500 per ton.

I have spoken not only of the enormous plant, the waste, and the reasonable dividends to be made upon the investment, but there is another very large element which every business man and every experienced Senator understands perfectly well, and that is the element of uncertainty as to the number of tons they will be allowed to make. Whenever the concern is stopped, whenever it is without a Government contract, the waste is going on, the pay of the men to keep the machine tools in order, the pay of many workmen who must be kept within reach somewhere ready for the renewal of business.

You could not get up a very general competition upon this matter if you embraced the whole civilized world, because there are no concerns that are going to spend three or four million dollars simply to go into a general competition. No capitalists can be assembled anywhere who will advance such an amount of money without quite a reasonable probability—yes; you might say an absolute certainty—that they would be able to get some business which would be sufficient to compensate them for their outlay; for what other use is a 125-ton hammer, such a one as there is at Bethlehem, except perhaps occasionally for making steel shafts or propellers? There is nothing else for which such a hammer can be used, I believe, except it may be used in the manufacture of some of the larger parts of a great engine. But the money invested in such establishments is practically idle capital if they can not get contracts from the Government.

I am willing to vote for this report, but I protest against the idea that $300 or $350 is sufficient compensation for armor. I will inquire of the Senator from New Hampshire [Mr. CHANDLER] what was the contract made with the Russian Government by the Bethlehem concern?

Mr. CHANDLER. Two hundred and fifty-nine dollars.

Mr. HAWLEY. Two hundred and fifty-nine dollars. That is no guide in the world. I am assured by the representatives of that concern, and every great steel man in the country will tell you the same, that there was a large loss to them upon that contract; but they plunged into the field in competition with European manufacturers, determined to make an impression, if possible, because there was a possibility of their being compelled to lie idle here, and it is one of the commonest things in the history of great enterprises that they will carry on their works at a decided loss for a time rather than to allow the machinery to rust and throw their skilled hands out of employment. Now they are in what may be called fair competition; and they have been awarded the manufacture of some armor at a cost of $525 per ton.

As I have said, I am willing to vote for the conference report.

Mr. GEORGE. Mr. President, the first thing that strikes one who is unacquainted with the arcana of this matter is this, that steel, which costs the manufacturer $17 a ton, is turned out to the Government at $425 a ton in the shape of armor plate. I believe that is so.

Mr. HAWLEY. Not a plate exactly. It is a curved armor.

Mr. GEORGE. A curved plate?

Mr. HAWLEY. It is in the curving form of armor plate.

Mr. GEORGE. I want to call the attention of the Senate to the very extraordinary pains which the committee have taken in making this report to secure for these contractors the sum of $425 per ton.

The report is rather a curious one, and I will read it and explain it to the Senate. Before I do that, though, I had as well call the attention of the Senate to a fact pretty well known—that there are only two establishments in the United States which can make this armor plate, and therefore there will be no competition, and unless the United States is protected either by the action of Congress or by the action of the Secretary of the Navy there is no protection at all to the Treasury. Now, I will read from this report, so that the Senate may understand it:

> That if the Secretary of the Navy in any case shall decide to make a contract for the completed ship, including armor, and the lowest bid shall exceed a fair estimated price, allowing for the finished armor said average of $425 per ton, he shall accept none of the bids.

Mr. President, on its face that would appear to be fair. If it had provided that upon the making of bids and examination of the contract he thought no contract was low enough he should not accept the bids, that would be right; but the committee are particular to exclude from him and from his consideration the question whether $425 per ton is a fair price or not.

Then I want to call the attention of the Senate to the remainder of the amendment, which shows the wrong of thus excluding from the consideration of the Secretary of the Navy, when he comes to determine whether he will accept the bid or not, the question whether $425 is a fair average price or not. The committee seems to have been of the opinion that the true, equitable price of this plate was unknown; and in what I am going to read to the Senate they require the Secretary of the Navy to inquire into that; but all his information, however much he may get, is excluded from his consideration when he accepts this bid, for the report says:

And provided further, That the Secretary of the Navy shall examine into the actual cost of armor plate and the price of the same that should equitably be paid to contractors therefor, and shall—

Do what? Shall deduct it from the $425, if he shall believe that is too much? No. But if he reaches the conclusion that $300 per ton, as the Senator from New Hampshire [Mr. CHANDLER] says, is a fair price, he must nevertheless go on and make the contract at $425 per ton. I will read the whole sentence:

And provided further, That the Secretary of the Navy shall examine into the actual cost of armor plate and the price for the same that should equitably be paid to contractors therefor, and shall report the result of his investigation to Congress not later than January 1, 1897.

Mr. GORMAN. Will the Senator from Mississippi permit me to interrupt him?

Mr. GEORGE. Certainly.

Mr. GORMAN. The Senator from Mississippi will not understand this amendment as being one framed by the conference committee. This amendment was reported from the Committee on Naval Affairs and adopted by the Senate. It was not the verbiage at all of the conference committee.

Mr. GEORGE. I am reading from the conference report.

Mr. GORMAN. That amendment is the action of the Senate, and no change whatever has been made in that language by the conference committee. This was the amendment offered by the distinguished Senator from Georgia [Mr. BACON] from the Committee on Naval Affairs.

Mr. GEORGE. What was the action of the Senate?

Mr. GORMAN. The provision as adopted was for $350 a ton.

Mr. GEORGE. It makes a great deal of difference, Mr. President, whether it is $350 a ton or $425. So the way the thing stands now is this: The conference committee acknowledged they do not know, and it is not known, what is a fair and equitable price for this armor plate. They fix it at $425 per ton, and they require the Secretary of the Navy to reject a bid which appears to be too high on all other parts of the contract, but he must stand by that. It is for that reason that I think we ought to reject this conference report.

Mr. PETTIGREW. Mr. President, I judge from what was said in the Senate a few days ago that the situation in regard to this armor-plate controversy is about this: There are two establishments which make armor plate in this country, the Carnegie Works and the Bethlehem Steel Works, and those two plants are in a combination, so that there is no competition. They make a price that they will charge the Government, and they bid for a foreign contract, at $259 per ton while they charge us four hundred or five hundred dollars per ton for the same plate.

It is said that in bidding for this foreign contract they put the price so low as to be compelled to make the plate at a loss. I believe that it is practically stated that they did that because they saw foreign armor-plate makers were plundering the foreign governments by charging $550 per ton, and they went over there and made their bid in order to get in. Having got in, the price was at once raised to $525 a ton for foreign nations, and they got part of it. This is urged as a reason why we should pay this same outrageous price.

The Committee on Naval Affairs, it appears, have investigated the cost of armor plate, and they find it can be made at a profit for about $300 a ton, and they reported for the payment of $350 a ton, so that there should be a profit to those people who, it is also admitted, out of the first contracts which they received from this Government, made a profit which paid for their entire plant. Now, Senators stand here and say we must give them $425 a ton, so that they shall be sure to reap a profit upon a plant which we have bought and presented to them. That is about the proposition.

It seems to me, in the face of these facts all the way through, that all the Senate can do under the circumstances is to refuse to build any battle ships at all, and yet the astonishing proposition is brought in here by our committee that we shall increase the number of battle ships from two to three and give the armor companies $75 more per ton as a gratuity. In what kind of a position is the Republican party going to be in the next campaign, taking these admitted facts? Who is going to defend this sort of thing on the stump? It will be heard at every schoolhouse throughout the West. The Populist party will use what has been said on this floor here, and how are we to go forward and undertake to defend it? I am not going to do it.

It seems to me that the Senate ought to recede from the position, the outrageous and astonishing position, in which we are placed, and ought to refuse to buy one pound of armor plate. Have we not an antitrust law? And yet we propose to be the third party in a trust and to reach our hands into the Treasury of the United States and take out $75 a ton, or $225,000 on 3,000 tons, more than our own committee has reported to the Senate is a fair profit.

I can not vote for a conference report on the naval appropriation bill which justifies any such transaction. I think we ought to reject the report and send the committee back and see if it can not make a better bargain with the other House.

Mr. BACON. Mr. President, I can scarcely doubt, if the Senate fully appreciate the exact situation, that they will fail to agree with this report. If it were the fact that these ships were now about to be constructed and no delay in the decision of this question were practicable, then, rather than decide in a manner which would do injustice to those contractors, we might with propriety go forward and agree to pay an amount larger than we thought was a proper amount, but the fact exists that it is not necessary in order that these ships shall be constructed in due time that the question of the price of this armor shall be settled at this session of Congress.

We are in this remarkable position. The Committee on Naval Affairs of the Senate sat for months engaged diligently in the effort to ascertain what was the proper price to be paid for this armor. Those who are most directly interested in the matter had it in their power to inform us what was the cost of this armor. They had the information. It can not be conceived that these great works are blundering in the dark and do not know what is the cost of the armor which they are furnishing to the Government; and yet, in face of the fact that the Government, through a committee of this Senate, was diligently seeking to get that information, with that information in their possession and with these two companies by their principal officers before that committee giving testimony, that information is withheld from us.

Mr. SQUIRE. Will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Washington?

Mr. BACON. Yes, sir.

Mr. SQUIRE. Does the Senator state to this body that the committee are absolutely without facts as to what the armor costs?

Mr. BACON. I mean to state, in reply to the inquiry of the Senator, that so far as any information given by the proprietors of those two plants is concerned we are absolutely without information as to the cost of the armor.

Mr. SQUIRE. May I inquire what information the committee had?

Mr. BACON. It is set out in the report. There is a great mass of information, from which various conclusions may be drawn, and from which conclusions were drawn by the committee.

Mr. QUAY. Will the Senator permit me?

Mr. BACON. I hope the distinguished Senator from Pennsylvania will permit me to answer the question asked by the Senator from Washington before he interrupts me. I shall then be very glad to respond to what he intends to ask me, if I can.

There was, as I say, a great mass of information. This examination as to the cost of material, the cost of labor, and the cost of plant occupied months, but from that information only general conclusions can be drawn. No specific, direct, accurate, absolute figures can be stated as those which are taken from the testimony. But we had this much of direct testimony: There is at the Bethlehem works and at the Carnegie works an officer of the Navy detailed, whose duty it is to inspect this armor, and while they have not detailed minute information as to the cost of processes, etc., as educated men, familiar with this kind of work, they have had very general opinions formed, and upon a careful consideration of the question propounded each one of these officers has stated to the committee, and through that committee to the Senate, that he does not believe that it is possible that that armor could have cost those two companies exceeding $250 a ton for material and labor, not including the question of interest on the plant.

In that immediate connection I want to call the attention of the Senate to this significant fact: Not only have these companies failed and refused to give us information as to what is the cost of this armor, but in the face of the fact, known to them, that this testimony had been given by these two officers that the armor did not cost exceeding $250 a ton, they were still dumb and have never denied or sought to prove the contrary.

Mr. President, what is the situation in view of that fact? I agree with the distinguished Senator from Connecticut [Mr. HAWLEY] that we ought to deal liberally with these parties, and I want to deal liberally with them; I want them to have what would be considered by everyone as a liberal profit; and, in order to do that,

in order that liberality on our part may be properly exercised, it is due to the Government that the gentlemen who compose these companies should give to Congress the information which they have, and should let us know what is the cost of this armor.

Mr. SQUIRE. I desire to still further inquire on this subject of the cost of armor whether the committee—I understand the Senator from Georgia was a member of the committee——

Mr. BACON. I was.

Mr. SQUIRE. Therefore I suppose I am quite right in addressing him for information, not only for myself, but other Senators on the floor. I would ask him whether the committee took into consideration, in their endeavor to ascertain the real and full cost of this armor, the cost of what are called running expenses in manufacturing—that is to say, the cost of the power, the cost of the office help, the light, and everything else which goes into the production of a great manufacturing plant.

Mr. President, in explanation of this question perhaps I may be permitted to state that for many years of my life I was connected with a very large manufacturing institution, an establishment for the manufacture of arms for the Government, and I know how important it is that those items should be considered in getting at the real cost.

Mr. BACON. I hope the Senator will make his argument in his own time. If he has any distinct question to ask me, I shall be happy to answer it, but it is not exactly the thing——

Mr. SQUIRE. I am not endeavoring to make a speech, but I should like to know whether the Senator has taken the cost of the items which I have mentioned into consideration.

Mr. BACON. If the Senator asks me that question I shall try to answer it.

It is not pretended by the committee that we, in suggesting $350 a ton, have fixed a price which, upon a consideration of all the items of expenditure is deemed by us as the exact, accurate price; but upon a survey of all the testimony, upon a consideration of all that could be learned from the owners of this property and from others with the information within their power to give as to what is the cost of this armor, if they will not give it, we suggest that Congress shall fix it at this price, not as the absolute, final determination of the matter, but fix it with a limit beyond which the Secretary of the Navy shall not make a contract, with the view that if he can not make a contract within that figure that fact shall be reported to Congress in order that Congress within the time, which will be ample, may make the proper investigation and see what is the proper price.

Mr. President, I declined to yield to the Senator from Pennsylvania [Mr. QUAY] at a particular time. I shall be glad to hear now what he wished to ask me.

Mr. QUAY. I merely wished to put the question to the Senator which he has answered in reply to the Senator from Washington [Mr. SQUIRE] as to statements before the Committee on Naval Affairs as to the cost of the labor and material in the production of a ton of armor, and to say that the contention of the armor manufacturers is that they ought not to be held to a mere ordinary measure of profit upon the capital invested and the labor and material until they have received back the money invested in the plant at the request of the Government. That is the entire question involved here. The Senator from Georgia holds, I think, with me, that this manufacture of armor can not be treated as though it was an ordinary branch of business, for the product of which there were consumers all over the world, and which was free to all. The fact is that this plant can produce nothing but armor plate, and there are no customers for it but the Government. The plants were established at the request of the Government, and with the understanding that the price of the armor was to be upheld until they had got back the money invested.

Mr. BACON. I desire to say, what I have not only once said, but twice, and probably three times said, that I quite agree with the proposition of the distinguished Senator from Pennsylvania [Mr. QUAY], which had been previously announced by the Senator from Connecticut [Mr. HAWLEY], that we ought to deal liberally with these parties, and that they ought to be allowed a profit greater than the profit which ought to be considered sufficient for ordinary enterprises.

Mr. QUAY. Mr. President——

Mr. BACON. I ask the Senator to excuse me one moment before yielding further.

I say, before we can do that, before we can understand, before we can determine what is a liberal profit, we must know the cost. How can it be estimated what is a liberal profit if the cost is concealed? These parties have it in their power to give us the information and will not do so.

I have been supporting the proposition for four battle ships. I want to see a navy which will be a protection to us, and which will stand in readiness in a case of an emergency demanding that protection. I know that in this day especially a navy can not be improvised, and for that reason I am in favor of proceeding as rapidly as possible in the construction of an efficient navy. But I am here to say now that if this proposition is to be carried through, if the Government of the United States is to be called upon to make contracts for armor for the ships at these prices, which I consider to be exorbitant, then I will not only go down to three battle ships, but I will stand with those who are willing to vote for only two battle ships. If the emergency is such or the conditions are such that we have to make contracts in the dark, with the absolute refusal of those parties to tell us what is the proper price to pay for armor, then I shall not vote for the number of ships that I think ought to be constructed under proper circumstances, and I shall only vote for those which I conceive to be absolutely necessary and without which we can not afford to do.

Mr. GEORGE. Let me ask the Senator from Georgia a question. Did the parties when they were before the committee know that the committee were inquiring into the cost of making the armor?

Mr. BACON. They did know it in the most absolute and unqualified manner that it is possible for information to be conveyed to man.

Mr. GEORGE. And they declined to give the information?

Mr. BACON. Yes, sir; they absolutely failed to give us any information, and we are standing here to-day with the proposition that ingot steel, which costs $17 a ton for both material and labor after it has been cast and is ready to be forged into armor, and which subsequently has incorporated into it nothing except that which it derives from the Harveyizing process, is to be converted into a product at the enormous price of $425 per ton by the processes through which it is put by these companies, and they will not tell us how much of that is the actual cost and how much is profit, and we are proceeding in the dark.

Mr. SQUIRE. Will the Senator tell me what is the reduction proposed from the price formerly paid?

Mr. BACON. It is only about $75 a ton.

Mr. SQUIRE. It was $500 a ton before?

Mr. BACON. Five hundred dollars a ton was paid before for what they did, and the extra processes and the material furnished by the Government ran the price up to over $600 per ton. It is a fact that an iron plate not so long as the desk at which the clerks sit, taller or wider, as you may term it, will cost from $25,000 to $30,000—a piece of iron.

Whenever we are called upon to pay such exorbitant prices, those who demand them should give us the information and should not say, "You must pay this sum, or we demand that you pay this sum, and at the same time we will not let you know how much profit we are to make upon it." We concede that they ought to have liberal profits, but how is it possible to estimate the amount of profit without knowing the cost?

Mr. SQUIRE. Does the Senator from Georgia charge that there is any collusion between the firms engaged in this business, or any combination or trust?

Mr. BACON. We went all over that matter the other day when the distinguished Senator from Washington was not present. If he will turn to the RECORD of last Wednesday he will see full statements on that question. I desire to say, though, on this question, that of course I take no part in any charges of impropriety on the part of anybody, and nothing that I have said can be construed into anything of the kind. It is purely a business matter. But I do not think these manufacturers are dealing with the Government in a proper business way. It is true they are entitled to the consideration of the Government. It is true they have gone forward and put up a plant for the purpose of constructing the armor plate for the Government, and it is further true that they can not look to any other parties, possibly, except foreign governments, for whom they make some of this armor. But practically in this country at least they can look to no other parties for patronage than the Government. Therefore, they are entitled to the consideration of the Government. They are entitled to be given the work, if they will do it at proper prices, and I think they are entitled to compensation exceeding in liberality the compensation given to parties engaged in ordinary enterprises. But, I repeat, the whole scope of the contention is this: The contracts for the construction of the hulls of the ships can proceed. They will not be delayed by this.

The report of the committee shows, from the evidence of distinguished officers who were before it, that it is not necessary that the contracts for the armor shall be given out until next winter. If within proper limits a contract can be made prior to that time, so that the manufacturers will know what work they will have ahead, well and good. But if they decline to give us information, and if contracts are only to be made at prices which we think are too high, is it too much to ask that the Government shall wait until next winter to determine this matter? The amendment from the committee simply provided that if the Secretary of the Navy could make contracts at $350 per ton no further communication with Congress on the subject was needed; but believing, as we

did, that that was an ample price, we named that sum, and said that if he could not get armor at that price he should report to Congress in order to make further investigation.

In closing I will simply add one thing in respect to the question whether the manufacturers were informed of the fact that we were charged with the duty of inquiring as to the cost of the armor. They not only knew that we were inquiring into the cost of the armor for the purpose of determining what is a proper price for the Government to pay, but they knew that we were inquiring as to the cost of armor, because the Senator from New Jersey [Mr. SEWELL] had introduced a bill under which, if enacted into law, the Government would erect its own plant and make its own armor. So the parties were upon the most distinct notice that the purpose of the committee was to get the most accurate information which was obtainable. In the face of that knowledge we stand to-day before the Senate to say that the committee was absolutely unable to get from those men anything which would give us information upon which we could base a legitimate and proper and accurate conclusion.

Mr. QUAY. Before the Senator from Georgia takes his seat I desire to ask him a question for information. I understand that the president of the Carnegie works and the president of the Bethlehem Iron Company were before the committee. Were they asked what was the cost of the armor?

Mr. BACON. They were asked a number of questions, all of which were asked for the purpose of eliciting information on that point.

Mr. QUAY. Why was not a straightforward question put to them? Why could not the committee put the straightforward question to them, "What does the armor cost you per ton?" I ask for information. I do not know.

Mr. BACON. I understand that, and if the Senator will take the evidence he will find a number of questions asked of Mr. Wharton, to which in each instance he replied: "That is a matter of detail about which I do not know. You must ask some one else." If the Senator will examine the evidence he will not be in any doubt that the committee not only sought diligently to ascertain from the gentlemen what was the proper cost of the armor, but that the gentlemen themselves could be in no doubt whatever that such was the desire of the committee.

Mr. QUAY. The desire of the committee could have been manifested by its asking the question, it seems to me.

Mr. BACON. The testimony is rather lengthy, and I can not stop to read to the Senator several hundred pages of testimony. It is printed, and I presume the Senator has a copy in his desk. If the committee has failed in its duty to propound proper questions I have no doubt he can point it out. The committee is not composed of gentlemen of the inexperience of myself, but contains among its number the distinguished Senator from Maine [Mr. HALE], who has been so long connected with the committee, the distinguished Senator from New Hampshire [Mr. CHANDLER], who has not only long been a member of the committee, but was formerly Secretary of the Navy, and the Senator from California [Mr. PERKINS], familiar with shipbuilding, and others, and any man who will examine the testimony must come to the conclusion that the committee did all it was proper to do.

I recollect one question put to Mr. Wharton was what dividends were paid, and he declined to tell. What is the use of pressing further when questions are asked and a man says "I do not know; that is a matter of detail. To find that out you must go to somebody else." What is the use of pressing further if, when a crucial question is asked, by which the committee could form some conclusion as to what is the cost and fair profit, such as "What dividends does your company pay?" the witness declines to tell?

Mr. SQUIRE. Mr. President, I do not desire to make any extended remarks on this subject, but on the very point which has come up during the interlocutory discussion this morning I desire to say a very few words.

I do not think the committee can blame manufacturers for refusing to disclose the secrets of their business. I do not think the committee has a right to exact from the company information which the company does not see fit to publish to the world.

Mr. BACON. As the distinguished Senator from Washington interrupted me several times, will he pardon me right here to make a suggestion?

Mr. SQUIRE. I should like to finish the statement, if the Senator will permit me.

Mr. BACON. Very well.

Mr. SQUIRE. Often manufacturers have obtained peculiar processes that reduce the cost as compared with the cost of a similar process conducted by like institutions throughout the world, and they do not care to impart this information to all those engaged in similar business. It is not right that they should be required to lay bare all the secrets of the business establishment.

I remember very well that during the late war, and near the end of it, there was a commission (I think Robert Dale Owen was a member of it; it is sometimes called the Robert Dale Owen Commission) appointed to make an investigation as to contracts in regard to the cost of small arms which were being purchased by the United States Government from contractors with the United States, and that an endeavor was made to ascertain the cost of the manufacture of the separate parts and the cost of various processes. When various manufacturers were called upon to give information they declined, I believe, in all instances except one that I happen to think of. Perhaps there were others, but I recall but one instance where a manufacturer was disposed to give the commission the information as to the exact cost in detail of the various processes. It so happened that in this case the manufacturer saw fit to make such a statement, and he was given the benefit of his frankness. But the others refused to do so, and nobody charged that they were wrong, nobody proposed that the Government should refuse to give them contracts for that reason. They received their contracts from the Government just as they had before.

It seems to me unreasonable that we should exact from these manufacturing institutions details as to the cost of their various processes. It is not fair to them. It is right for the Government to patronize these great institutions. They are of great service to the Government in time of peace, and particularly so in time of war. They save the Government a large outlay which would be necessary to establish plants, whether for the manufacture of armor plate or of great guns or of other instruments of war. I believe it is to the advantage of the Government to encourage private parties and private companies to engage in the manufacture of materials of war. I believe it can be done far cheaper. So far as my information goes, and it has been extensive in some directions in connection with the manufacture of war material, such material can be constructed at far less cost by private individuals and by private companies than it can by the Government, when you come to take into consideration the cost of the plant, the deterioration, the improvements constantly to be introduced.

The Senator from Connecticut [Mr. HAWLEY] referred a few moments ago to the 125-ton steam hammer at Bethlehem. I was in Bethlehem a few days ago. I have no personal or private interest whatever in the work, of course, as the Senator from Connecticut said he had none; but I visited the place a few days ago, and my attention was called to the fact that this steam hammer was absolutely idle. It cost thousands and thousands of dollars. It is not used. Why? Because another process has been adopted by which the work of forging is conducted to better advantage, and of course the last improvement was introduced expressly with the view to the manufacture of these plates, which we saw forged on the day the Committee on Naval Affairs visited that great establishment.

I believe it to be for the interest of the Government to promote the manufacture of its war material by private persons rather than that the Government should engage in its manufacture. Let the risk be taken by these people. Let them have a profit. The time will come soon enough when they will have to go out of business. They can not keep the institutions running forever at this rate, and some allowance must be made for the fact that the plant after a time will become of less value. I believe it is right for the Government to stimulate not only the building of ships by private parties, but the building of ships' armor and the building of great guns. I wish that more of our guns for the Army and Navy could be supplied by private companies or persons. It would be of advantage.

When we come to consider the question of cost we must regard all elements, not only the cost of material and labor, but we must take into consideration all that comes under the head of running expenses. These running expenses are ordinarily figured at from 25 to 50 per cent on the cost of labor and material. Take $250 as the cost, and say 40 per cent, which would be $100, and that would make $350, without considering the question of interest upon plant or any profit to the manufacturer.

Mr. BACON. Will the Senator from Washington allow me to make a suggestion?

Mr. SQUIRE. Let us be reasonable, and——

The PRESIDING OFFICER (Mr. BURROWS in the chair). Does the Senator from Washington yield to the Senator from Georgia?

Mr. BACON. I wish the Senator would pay me one-fifth of the time he took from me, in order to permit me to say a few words at this point.

Mr. SQUIRE. Very well; I yield.

Mr. BACON. I wish to suggest, in reply to the argument of the Senator from Washington that we ought not to require any manufacturer to disclose his secrets; that while it is eminently true in a case where there is competition, it is not true where there is no competition. In the case of an ordinary manufacturer who deals with the Government, if the Government does not like his price or his work it can go to somebody else; but in the case of a business recognized as a monopoly, recognized as one established with the expectation that it would be a monopoly, the most

open dealing is required on the part of the party who deals with the Government in order that the Government may see what is a proper price to pay, so that with a knowledge of the cost a proper liberality may be exercised in determining what price shall be paid for the material. There is no competition in this case.

Mr. SQUIRE. I agree with the Senator if it is really true that there is no competition whatever and that the plant is confessedly under a Government subsidy. But is such the admitted fact? Is the latter point proven? No, sir. It is an assumption not warranted.

Mr. BACON. One other word, if the Senator will permit me. He and I were both at the works together. There is no secret there. There is nothing intricate there. The distinguished Senator says he is familiar with machinery. He will bear with me that the machinery there, while extremely ponderous, is not intricate and not delicate. It has to be accurate, of course, but it is nothing like the machinery which is used in the building immediately alongside where guns are made, and nothing like the accuracy or delicacy of work is required in the one that there is in the other.

Mr. SQUIRE. We all know that it is needful to have some special knowledge and skill to conduct these great operations. We all understand that it takes a high class of talent. While the Senator says these operations appear to be simple, there are many of them the result of a great deal of study. It is very simple to see it done. It is a good deal like the problem of making an egg stand on its end. It is easy after you know how. I believe it was said that it was very easy for Columbus to discover America after he had done it. When somebody referred to the fact, Columbus asked him to stand an egg on end. He could not do it. Columbus just tapped the end of it. It stood up. Then it was said, "That is nothing." It is easy to do a thing after you know how. So it is very easy, apparently, for us to witness these operations and say how beautiful and simple they all are, but it takes a great deal of study, a great deal of time. There is a great loss of time, and oftentimes when money has been expended it is practically of no value, because the work has to be done all over again.

What did we see when we visited that establishment? The Senator from Georgia will remember that we saw one of those plates, which cost $25,000, thrown aside, not accepted by the Government. That is a little item—$25,000. One of the plates had been thrown aside and was not paid for; so often these incidents occur. I do not know that there are many such instances, but that one was an object lesson to us that day. It seems to me we ought to indulge in a reasonable amount of liberality in this business. The idea of a great Government screwing and twisting down a manufacturer to the last cent is absurd. I believe in being fair and honorable and expecting good work and a high grade of inspection. I believe we ought to have the best, and I believe we are now getting better material than the nations which are paying lower prices. I know we are getting a higher grade of inspection. That is an open secret; it is a fact. In my judgment we are getting a better class of armor plate than that furnished abroad at the lower prices.

As the Senator from Connecticut [Mr. HAWLEY] said a few minutes ago, it is a fact that sometimes great manufacturing concerns do take work to be supplied to foreign nations at rates for which they could not afford to do it in their own country as a regular business. They do that because they have to keep their works running and keep their men together. Here are two or three or perhaps five thousand men. You discharge them and they go away. They are scattered all over the country. Many of them are specialists. You can not begin to get the same class of men together in a short time. We should be reasonable about this proposition. The idea of quibbling over a few dollars a ton more or less! It seems to me all wrong that we should criticise this measure so severely as it has been criticised.

Mr. CHANDLER. How much does the Senator from Washington think it costs to manufacture armor, and what does he think is a fair profit on it?

Mr. SQUIRE. In the first place, I am not qualified; but if I were to make a shrewd guess at it, when the officers who have been interrogated put the price at $250 a ton for labor and material alone, I should say the actual cost of the work, including money expended, would probably be $350 a ton; and then on that I think there should be a fair profit. There should be enough profit to provide for deterioration and the final abandonment of this class of business, because this work is conducted at the pleasure of the Government. It is a great business while it runs, but after it is all over there is no use for such an establishment. Of course the other branches of the business can go on, but I refer to the manufacture of cannon or armor plate. You know it is proverbial that republics are changeable as to their policies in some respects, particularly in regard to building a navy. I was talking with Admiral Ammen a few days ago on that subject, and he made use of that remark. He said, "Our nation is going on swimmingly and we are all agreeable to the doctrine of an increase in the Navy; but how long will the American people be in that condition?" It is different in those great imperial nations where absolutism exists and a fixed policy is to prevail for a long term of years. When the time comes that there is a change on that subject the people owning this great plant will have nothing to do or comparatively little in this line of business. Hence great risks are being taken for which there should be reasonable compensation. I repeat that in a fair estimate of the cost other items should be considered beyond the bare cost of labor and materials.

I say this fact ought to be taken into consideration, and we ought to give them a good, fair price. I want to see these three ships built. It has been suggested that we should be satisfied with two. I do not believe in bunching the ships together too much. I think, as the Senator from New Hampshire [Mr. CHANDLER] very wisely said a few moments ago, it would do to have two or three ships a year for perhaps eight or ten years to come. It would be well to do so. There are going to be improvements in ships. We have seen that in the past. We see the improvements that have taken place in the last ten years in naval architecture. There will be other improvements, and it is not wise or well to have too many ships of one pattern made in any one year or in any one limited period. But I believe we need a greater Navy. We ought to have at least a dozen battle ships, and the sooner we have them the better for our trade as a nation, the better for our safety as a nation, and for reasonable independence in our foreign intercourse. We ought to have a larger Navy, and I should be willing to vote for four battle ships to-day, as I did when the bill was before the Senate, but I shall be satisfied if we have three.

I believe the Senate and the House have spent enough time on this subject, and that we ought to come to a conclusion and sustain the conferees in their report.

Mr. GORMAN obtained the floor.

Mr. QUAY. Will the Senator from Maryland yield to me for a moment?

Mr. GORMAN. Certainly.

Mr. QUAY. In reply to the suggestion of the Senator from New Hampshire [Mr. CHANDLER] to the Senator from Washington [Mr. SQUIRE], I am not, so far as I am concerned, prepared to say what, under the circumstances, would be a reasonable profit to the manufacturers of armor. But I am prepared to say what, in my judgment, is an unreasonable profit. The only figures given in the testimony taken before the Naval Affairs Committee upon which to base an estimate of cost and profit are those of the naval officers who inspect at the different works that $250 is the probable cost of labor and material. With that information before them, the committee agree that $350 will pay the companies for the cost of labor and material and a reasonable profit. In other words, that a reasonable profit will be a hundred dollars.

It appeared before the committee that $3,000,000 has been invested in the Carnegie plant alone, and that they have delivered to the Government 8,800 tons of armor since the plant was established. It would make the actual profit received from the Government up to date $880,000 against an original investment of $3,000,000 in the works. I do not think the Senate will consider that a fair rate of profit, notwithstanding the prophecy of the Senator from New Hampshire.

Mr. GORMAN. Mr. President, as one of the conferees on this bill, I feel it due to myself that I should make a statement to the Senate of the reasons why I did not concur in the report. I do not care to detain the Senate by contesting the matter of the construction of ships. It is perfectly well known that I have from the beginning been very earnest in advocacy of the reduction of the number of battle ships from four to two. I never have contemplated stopping altogether the construction of these machines of war. But it is due that I should say to the Senate that the conferees on the part of the Senate have in my judgment obtained the very best possible arrangement they could get from the conferees on the part of the House without delaying and possibly putting the bill in jeopardy. With respect to the number of battle ships, the usual course has been followed which conference committees as a rule pursue—compromising the differences. The Senate conferees added one to the number which the Senate had voted for, making three. Of course I myself did not agree to that change. If the entire responsibility were put upon my shoulders I never could have agreed to it.

As to the other matter—the armor for the ships—it was said to those representing the Senate, and said with truth, that neither the Department nor any officer of the Government charged with the duty of protecting the Government's interest has ever suggested a reduction or limitation of the prices to be paid for the armor; that it never had been investigated except by the Committee on Naval Affairs of this body, and, so far as they could gather from that testimony, it was not by any means conclusive that the armor could be manufactured at all, even for the amount inserted in the report—$425 a ton. They said to us with great force, "There are the Secretary of the Navy and the Chief of the

Ordnance Bureau of the Navy Department, who are opposed to limitation, and we do not believe it is safe to make any limitation whatever." They further said to us that in view of the fact that the French Government pays $540 a ton for the same class of armor and that the English Government pays $438 a ton, they could not agree to make much of a discount below the prices paid by those two great countries, and that therefore, on the basis of the information, on the statements presented, they could not agree to the radical reduction that the Senate had made. That is all there is in the case.

It was new legislation, practically, on the part of the Senate, objected to on the part of the House; and while, as I said a moment ago, I have not agreed to the report and have not signed it, I do not believe, from the temper exhibited and the earnestness exhibited and the statements they have made, that better terms can be made. I deem it due to myself and the other conferees to make that statement, although I could not agree with them in the report.

Mr. WHITE. Mr. President, I have no doubt the conferees have done the best the circumstances would permit; but I rise more particularly for the purpose of calling the attention of the Senate to a matter already noted by the Senator from Washington [Mr. SQUIRE]. He says that in his judgment the manufacturers referred to ought not to be required to divulge their secrets. Of course not. For instance, if they told us that their dividends were enormous we would have an absolute basis upon which we could proceed to reduce the price of the armor plate, and that would be highly improper.

The Senator from Washington says that we ought to have some confidence in these people—that faith is all that we require; and I call the attention of the Senator from New Hampshire especially to the fact that what he lacks in this connection is faith. We ought to have entire faith in the proposition that the proprietors of these works would not charge the Government a cent beyond the very lowest market rate.

There is one thing also which strikes me as being particularly pertinent in this discussion, as sustaining the report of the conferees and likewise the views of the Senator from Washington. He says that our inspection produces a better class of armor plate than is furnished to any other purchaser. Of course, the fact must not get abroad that the inspection results in a better class of armor plate, and we ought, therefore, to pay more for it. The precise number of additional blowholes that may be in the plate sold to our enemies is not given, but it is somewhat cheering and encouraging to us to know that in these warlike days we are furnishing our enemies with armor plate which we may penetrate with ease. [Laughter.]

Mr. SMITH. Mr. President, I am not going to detain the Senate more than a very few minutes on this question, because I do not think a great amount of talk is needed to vote intelligently on what we shall do with the report of our conferees.

The question is simply this: We are confronted with a combination of armor-plate manufacturers for whose work we have practically paid in a price for armor plate beyond what was a fair and reasonable profit, believing when we agreed to pay it that they in return would be willing to make the armor plate for the Government at a fair and reasonable price after the manufacture was established. They now refuse to do that. We have carried out our part of the contract.

Mr. QUAY. Will the Senator from New Jersey permit an interruption?

Mr. SMITH. Certainly.

Mr. QUAY. A few days ago when this subject was under consideration I presented figures to the Senate showing that, instead of the Government having paid in full for these plants, the Carnegie Company and the Bethlehem Company were actually $3,000,000 short of their outlay. I took those figures from the report of his own committee.

Mr. SMITH. With all due respect to the Senator from Pennsylvania, the figures will not warrant that statement. The facts are as I state them, that we have paid enough money over and above the actual amount, with a fair profit on the works, to own them.

Now, the question is whether we are willing to go on record as Senators to continue that monopoly. I believe that it is our duty to send the report back into another conference; and whether there are any battle ships built or not we owe it to ourselves to try and keep these men on a fair businesslike basis when we are to give them a price such as will permit them to realize more than any ordinary profit that is given to any manufacturer in this country that I know of at this time, except perhaps the manufacturers of bicycles.

Mr. President, I am not going to detain the Senate in regard to this matter. It is purely a business question whether we want to continue to pay enormous prices for armor plate without an effort to get it at a fair price. If we believe that we ought to make an effort to get it at a fair price, the conferees should be instructed to go back and insist on our amendment. If we think that we ought to continue in the hands of this monopoly and pay them any price they demand, then I say we should vote to receive and accept the proposition of the conference report.

Mr. CHANDLER. Mr. President, I do not wish to be understood as criticising the Senate conferees for agreeing to advance what may be called the Senate price of armor from $350 to $425 a ton. I certainly can not blame the honorable Senator from Pennsylvania [Mr. QUAY] who sits before me for endeavoring to secure what he deems to be a fair and reasonable price for armor for the Bethlehem works and the Carnegie works. Those are great industrial enterprises in his own State. There are at the Carnegie works regularly employed, I think, 25,000 men; at the Bethlehem works there are over 5,000 men employed; and it is a commendable act in the Senator from Pennsylvania that he endeavors to secure a liberal price, so that these battle ships may go forward. It would be far from me to suggest that the Senator from Pennsylvania has been in any degree influenced by the fact that this work is to go to his own State to think that a larger price should be paid than his public duty would require him to advocate.

The Senator from Maryland [Mr. GORMAN], I believe, did not sign the conference report, and I did not distinctly understand his position upon the question after he had finished the remarks which he lately submitted to the Senate.

The Senator from Maine [Mr. HALE] has the natural desire which a member of the Appropriations Committee has to bring this session to an end; and he recognizes the necessity of having an agreement reached. The Senator, with his great skill and adroitness in the management of conference reports, has met with firm, strong, determined antagonists at the other end of the Capitol. The House, with views championed by young and active and energetic committeemen, have fought with zeal, possibly with desperation, according to the character of some committees and some members of some committees, for the views which they have entertained, and they have insisted upon it that we should make contracts for this armor without any limitation whatever upon the contractors; that we should legislate the Secretary of the Navy into their hands, so that when the combination of these two great concerns fixed a price and said to the Secretary of the Navy, "That is the lowest price we will give you," the Secretary of the Navy should have nothing to do but to make the contract, as he has had nothing to do in connection with the contracts for the *Kentucky* and *Kearsarge* but to take the price of $550 a ton which these two combined armor concerns have chosen to affix. The Secretary of the Navy congratulated himself that in connection with the contracts for the *Kentucky* and the *Kearsarge* he had succeeded in reducing the price of finished armor from $600 a ton down to $550 a ton, and the Secretary of the Navy stands, unless he is assisted by Congress, helpless in the presence of this combination of armor manufacturers.

The Senator from Pennsylvania and the Senator from Washington and other Senators say we have not sufficient evidence as to the cost of armor. Mr. President, we have such testimony as we have been able to procure. The Senator says that the committee believe that it costs for labor and material $250 a ton to make this armor. That was the impression of the Government experts; but, if I am not mistaken, there is no member of the committee who thinks it costs in labor and material alone $250 to make the armor. There are one or two members of the committee who believe that it does not cost and could not possibly be made to cost for labor and material $150 a ton.

Mr. President, we have the further fact, to which I call the attention of the Senate, that although the foreign combination and the American combination, formerly two and now one, get $550 a ton whenever they can get it, whenever there is no competition or they can prevent competition, yet, as reported by the Chief of the Bureau of Ordnance, as recorded in the testimony taken before the committee, and as found in my remarks on this subject the other day, their price for the foreign trade is $300 a ton. If anybody believes that they make and sell that armor in the foreign trade for less than cost or that they make and sell that armor in the foreign trade without a reasonable profit, he does not comprehend the situation in this country and in Europe in connection with the manufacture of armor.

The great fact with which the Senate is confronted is that which has been stated by the Senator from New Jersey [Mr. SMITH], that there is no competition in this country for the armor. Ex-Secretary Tracy testified as a reason for making the contract with Carnegie, Phipps & Co. that we had but one concern in the country which could make armor—the Bethlehem Company—and he thought it was a mistake for this Government to be wholly in the hands of one concern, and, therefore, he invited the Carnegie Company to take a contract for the manufacture of an amount of armor equal to that manufactured by the Bethlehem Company. He induced them to do it, in order that there might be two concerns in this country that could make armor, and in order that, if

we went on to build additional battle ships, we might have competition.

Mr. President, the two concerns were built, and in my belief—without reckoning interest, and I think if the Senator from Pennsylvania is going to reckon interest on one side he ought to reckon it on both sides—we have paid these concerns every dollar that their armor has cost and every dollar that they have put into the plant with which they are now engaged in making armor.

Mr. President, these figures are apparent. The result depends somewhat upon what you think armor costs. I do not believe that the cost for labor and material, as I said, is over $150 a ton.

The unpleasant fact to which I call the attention of the Senate is that, notwithstanding the efforts that were made, advisedly made, deliberately made, to put the Navy Department in a position to have competition when it should wish to purchase armor, there is no competition to-day. There is a close combination between the Carnegie Company and the Bethlehem Company. This was proved by the Senator from Georgia [Mr. BACON] the other day, when he showed how carefully the two concerns, in bidding for armor for the *Kentucky* and the *Kearsarge*, had so planned it that the price of one for armor should be a little lower than the price of the other on the one ship, and a little higher than the price of the other on the armor of the second ship, and that both prices should be substantially the same, with just the necessary difference to give each one the armor for one ship, and that the price should be about $550 a ton, exactly what the representatives of the two concerns had told the Secretary of the Navy a few days before that they would bid, and they told him that not one dollar less than that would they bid.

The Secretary of the Navy, having made the two contracts for the hulls of the *Kentucky* and the *Kearsarge*, was obliged to agree to pay $550 a ton for armor to these two combines and to give the armor for one ship to the one concern, and the armor for the other ship to the other concern. And the House of Representatives, to-day represented on this floor, has insisted upon it from the beginning to the end of these conferences that we should legislate the Secretary of the Navy into the hands of this combination, and that we should order the construction of four more battle ships without the slightest protection against extortionate prices for armor, and in the face and eyes of the fact, which the House of Representatives well knew, that one of these same concerns had furnished a large quantity of armor to a foreign government for less than $260 a ton.

Mr. President, I care no more for this measure than any other Senator. As I said, I do not criticise the chairman of the conferees on the part of the Senate for his anxiety to have an end to this business. I do not criticise the Senator from Pennsylvania, who, as a member of the conference committee, represents his own State, and the United States as well, in the performance of public duty. I do not criticise even the Senator from Maryland, who refused to sign the conference report, yet who has not made the fight against its adoption which is characteristic of the Senator from Maryland when he has deep convictions upon any subject.

Mr. President, for one I propose to discharge my duty on this question. I stand by the members of the Senate Committee on Naval Affairs, who, after investigating this subject, are still of the opinion that $425 is an enormous price for the armor, which we propose to submit to if this conference report is adopted, because the whole scheme of competition in the manufacture of armor has failed and because the House of Representatives is unwilling to have any legislative protection whatever enacted against the extortions of the combined armor manufacturers.

Mr. HAWLEY. Mr. President, I am not going to take the time of the Senate. I do not see how the House of Representatives is dictating to us, for I do not see how it has turned over the Government bound hand and foot to the manufacturers of armor plate. The House prescribed no price at all for armor, as I understand it, in the bill as it came to us, leaving the Secretary of the Navy and the very capable officers under him to go on and build the ships. Such has been the uniform custom up to this time. I am entirely willing, speaking only for myself, to eliminate entirely from the bill any reference whatever to prices, and I have the highest confidence that if the present Secretary of the Navy should make a contract at four hundred next year it would be found upon investigation that he was entirely justified in what he had done. I do not understand what the Senator means by the House of Representatives having a representative on this floor, and the House having dictated to us, or dictated to the Government, or anything of the sort.

Mr. PERKINS. Mr. President, as a member of the Committee on Naval Affairs I have listened to the argument of the Senator from New Hampshire and the Senator from Georgia and other members of the committee, and I want to say that which they have not stated, I think, that we did not volunteer to go into an investigation of this question. It was brought before the Naval Committee by a resolution properly presented in the Senate and adopted. After communicating with the Secretary of the Navy upon the subject-matter, and obtaining what information he could present to us, we then called before us witnesses who were competent by reason of their profession to give us such testimony as the committee desired or thought necessary to have in order that they might arrive at an intelligent conclusion. We had no feeling whatever in the matter. It is a matter of common notoriety, aye, of official record, that there has been severe criticism in years gone by of those who manufacture armor plate.

It has been stated here, and not controverted, perhaps, that we had no real data whereby we could fix an absolute figure the steel was costing this great trust, for it evidently is a trust, because if one company receives a contract for one ship the other company receives a contract for the other ship, as was the case with the *Kearsarge* and the *Kentucky*. We first ascertained what was the price of billet or ingot steel, which was $17 a ton. Then we asked the manner in which it was manipulated to make it into armor plate fit to protect a ship against the shell and shot of its adversary. As has been so well stated, we believed that $350 per ton would leave them a handsome margin of profit, from the fact that the same companies had furnished steel armor plate to the Russian Government for $300 per ton, and those who know their energy, their business zeal, and capacity would never accuse them of manufacturing the plate and selling it for less than it has cost them.

But what impressed me perhaps more strongly than any proposition was my own knowledge of what certain classes of machinery cost to forge. I am somewhat familiar with the forging of steel and the cost of heavy steel engine plates, and especially steel shafting. The shafting for a great steamer is a ponderous piece of work. It requires a steam hammer of great capacity, of 50 tons or more, and after it has been forged into shape and prepared as near as a rough implement can get it, it must then go into a lathe, and it is turned down carefully in that lathe; every inch of it being carefully scrutinized, for the very life and safety of the ship and her cargo and passengers depends perhaps upon the solidity of that piece of steel shafting, to which the propeller, which forces her through the water, is attached. For one of these shafts when completed the very highest price in the market, I think, is about 10 cents a pound, or about $224 a ton for a long ton of 2,240 pounds. Why should this armor cost us nearly twice that much—25 cents a pound more? Why should this piece of plate cost that much more?

But I do not care to weary the Senate by going into details. I want the Senate to understand that your committee did investigate, so far as it was practicable for them to do so, and the result of that investigation has been presented in the printed testimony submitted to the Senate.

The question now before us, however, is the report of the conference committee. The Senate believed that the price fixed in the report of the Naval Committee was right; the Senate conferees believed that it was right and so stated, but we are only one branch of the legislative department of this Government, and while we may wrap around ourselves the robes of our own assumed self-knowledge and righteousness and think we know it all, yet there is another, a coordinate branch, which is, I think, our equal in every respect. We have disagreed upon this proposition. It is one of compromise now, and we have selected our committee, as did the House of Representatives select theirs. They have met, they have consulted and interchanged views upon this question, and have submitted their report to us for our ratification or disapproval.

The naval bill carries in it much more than the question of armor plate. It makes declaration to the country that we are going to continue to build up this great Navy to defend our country and maintain the dignity and honor of the old flag whether on our own shores or in foreign waters, and I am so deeply interested in the success of the bill that I am more than half disposed to vote to concur in the recommendation made by the committee of conference, to refer this matter to the Secretary of the Navy, who is not obliged to make a contract immediately for this armor plate. The bill provides that the contract for the three battle ships, if we provide for building that many, shall not be entered into for three months—ninety days—which brings it late into the autumn. Then there will be plenty of time to make a contract for the armor plate, and knowing the Secretary of the Navy as we do, knowing how zealous he is in maintaining the efficiency of that Department, how zealous he is in guarding its finances so that the Government shall get value for every dollar expended, I do not believe, with the light he now has before him on this question, that he will enter into any contract for armor plate for these three additional ships until Congress shall have again convened.

I would make a suggestion to him, if I might be permitted to do so, in regard to his dealings with this trust. I do not mean to use the term "trust" in an offensive way. They are two great companies, developing our great manufacturing resources, employing thousands and thousands of men, taking the iron ore from the earth, running it into pig iron, from pig iron into ingots of steel,

and from ingots of steel rolling it out into great plates, and putting those plates upon those vessels, which are magnificent pieces of marine architecture. I say all honor to those engaged in American industry who develop the great resources of our country. But, nevertheless, these companies have combined upon the manufacture and upon the price of this armor plate, and it is our duty, representing the Government here in our legislative capacity, and it is the duty of the Secretary of the Navy, to say to them: "Other great works, machine shops, are taking contracts to repair ships, to build pieces of machinery, for 10 per cent advance upon the cost. That percentage will leave you a good profit. I may be willing to enter into such a contract with you for armor plate for two or three of those ships. Then we will show to our representatives just what it costs, just what you can manufacture it for, and at the same time leave you a handsome profit."

I want to say one word in defense of these two great manufacturing companies; and that is, that while they have been receiving great profits in the manufacture of this plate, we must not forget that they have not had continuous work for their different great factories. Only a part of the time have they been employed, and the balance of the year they have remained idle. As has been said also, they have no other customers except the Government; and therefore we should, as the Senator from Georgia [Mr. BACON] says, deal with them liberally, give them a generous profit, but not permit them to take advantage of our Government by extortionate charges or by a combination and forming a great trust.

But, as I said, the question now is, shall we concur in the report of the committee of conference, or shall we reject it, thereby placing in jeopardy the very life of this bill? It would be a great misfortune if the bill should fail to become a law; and believing, as I have said, that the Secretary of the Navy will use that wise business judgment, that wise discretion, with which we all credit him, and that he will not hastily enter into a contract for the manufacture of this armor plate for these three ships, if we authorize the construction of that many, I shall vote to concur in the report of the committee of conference.

Mr. HAWLEY. I wish to ask the Senator one question for information. The Senator spoke, and I was very glad to hear him speak, from knowledge of the manufacture of those splendid shafts for steamships. They are made in sections, it is true, and they are the simplest form of straight and round pieces of steel, and yet they cost what?

Mr. PERKINS. Two hundred and forty dollars a ton.

Mr. HAWLEY. Two hundred and forty dollars a ton. Now, these great plates for the turrets, and other similar pieces of armor, are made with a great deal of care, and a large expenditure is incurred in forming them into the shape required. The shape of the plates must be perfectly adapted to the vessel, and they must be tempered with exquisite care and skill; and yet Senators think that to make such armor plate would not cost twice as much as to make a straight, simple shaft.

Mr. PERKINS. The plate is made by a great hydraulic press, a great power press, while the shaft must go into the lathe and there be turned down with an exact nicety and skill, which is necessary for it to revolve smoothly and without moving out of its center.

Mr. HAWLEY. Yes; but all the pieces of armor must always exactly fit.

Mr. PLATT. Mr. President, I think, on the whole, I shall vote to sustain the conference report, and yet there are some very embarrassing conditions with reference to it. One thing which I do not like is that Congress shall attempt to fix the price which the Government shall pay for the material or the labor or in any way the cost of what it has to purchase. In the carrying on of the operations of this Government I think that is an innovation. I do not remember that an executive officer has ever before been limited in this way by the action of Congress, and if we are going to limit an executive officer with reference to the amount which shall be paid for the armor which is to go on a ship, we may as well limit him with reference to the woodwork, the machinery, the boilers, and all the other materials which go to make up the ship.

Mr. CHANDLER. Will the Senator allow me a moment?

Mr. PLATT. Yes.

Mr. CHANDLER. We have never authorized any vessel of the Navy whatever without putting a limit to the price.

Mr. PLATT. A limit to the price, perhaps, but not a limit as to the rest of the materials of which the vessel is constructed, and there is no reason why we should do it with reference to a vessel and should not do it with reference to other supplies which the Government has to purchase. Congress should investigate, I think, the cost of steel which is furnished by private parties for the Government to make cannon if they are going to investigate the price of armor plate; and this discussion has really suggested that probably the steel which is furnished out of which the Government constructs its guns may be extravagant in price; or, when we construct a public building, like the Congressional Library, for instance, or the post-office, that we should investigate and see whether we should not limit the price of the granite which enters into the work. So it seems to me that, unless here is a very clear case, we ought not to put any limit upon the Executive. The only reason which can be given why we should limit the Executive in obtaining these supplies as to the price for steel armor is that there are only two concerns in the United States which can make it, and they are supposed to be in combination not only as between themselves but with foreign makers.

When the Senator from New Jersey [Mr. SMITH] introduced his bill directing that the Government should establish a plant for the making of steel armor, I thought that that was hardly advisable; I thought it much better that armor should be supplied by private concerns. I think always, where it is practicable, the Government had better buy what it needs from private manufacturers rather than to attempt to go into the manufacturing business itself. But perhaps, Mr. President, that is the only way in which we can obtain steel for armor plates, for cannon, and for the various uses in our naval and military operations in which we must have it, and I am not sure that the Senator from New Jersey has not hit the real way in which to remedy any extravagance of price to which the Government may have been submitting or may have to submit. I do not like that feature of the amendment.

Mr. HALE. The Senator will remember that this amendment was not reported from the Committee on Appropriations on the bill originally, but was put on in the Senate.

Mr. PLATT. I know it was. I am not finding any fault.

Mr. BACON. Will the Senator from Maine kindly repeat his observation, so that we may hear it on this side?

Mr. HALE. I say the amendment to which the Senator from Connecticut is objecting was not put on by the Appropriations Committee, but was put on the bill in the Senate on the report of the Naval Committee. I do not know but that the Senator from Georgia himself offered it. I think he did.

Mr. BACON. That amendment did not fix the price, but simply fixed the limit beyond which it should not go, and directed if a contract could not be made within that limit that the matter should be reported to Congress for its action at the next session.

Mr. HALE. That was an amendment offered in the Senate.

Mr. PLATT. Mr. President——

Mr. BACON. If the Senator from Connecticut will pardon me, that was an amendment I offered under the instructions of the Naval Committee. It was not my amendment, but an amendment of the Naval Committee.

Mr. PLATT. I am not criticising the conference committee and I am not criticising the Naval Committee; I am not finding any fault with either; but I do not like to find myself in this position, voting that unless certain materials can be obtained at a certain price we are to stop building ships; or if material can not be obtained for our cannons at a certain price we are to stop having cannon. It seems to me that this Government ought in some way to be run so that the Executive can be trusted with obtaining what the Government needs to carry on its military and naval operations. If there is any great scandal about it, it would be the subject of investigation, and if shown to be improper upon investigation public sentiment would compel it to cease. The trouble about this case in particular seems to me to be that there has not yet been any such investigation as to determine whether there is anything which amounts to a scandal. So in the second branch of the case we do not know whether the limitation which is put upon this armor plate is too low or too high. We are going in the dark about it. I am not sure this investigation of the Naval Committee was directed especially to this point. I think possibly this was a matter which came out as incidental to the object of the investigation of the Naval Committee. At any rate we find ourselves in this position: That the Naval Committee say that not more than $300 or $350 a tons ought to be paid for this armor plate, and the Senator from Pennsylvania [Mr. QUAY] and other Senators here, and I think my colleague [Mr. HAWLEY], think that that is too small, and that even the compromise sum of $425 per ton is probably, under the circumstances, altogether less than we ought to pay. This is legislation by guesswork, Mr. President; that is to say, we guess that armor plate ought not to cost more than so much to the Government, and legislate that if the Government can not get it for that sum then we shall stop building ships.

I do not like it in either branch. I do not like to limit the executive. I do not like to fix the price of armor plate by legislative action and then say that if it can not be obtained for that we shall stop building ships. But, on the whole, I am left nothing to do except to vote for the conference report.

The PRESIDING OFFICER. The question is on the motion

of the Senator from Maine [Mr. HALE] to concur in the report of the conference committee.

Mr. MILLS. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. HALE. Mr. President, I shall not long detain the Senate at this hour, but shall try to state the situation in a business way.

The two Houses came to a deadlock on two general and important propositions; first, as to the number of new battle ships that should be authorized by the bill—an old controversy which had between the two Houses been fought out repeatedly before and almost always settled by compromise, as conference reports are wont to settle controversies.

The other controversy was not an old controversy that had been settled heretofore by adjustment, but was an absolutely new proposition put upon the bill, not by the committee reporting it, but by the Naval Committee, which had considered a new subject and reported a proposition limiting the cost of armor plate in any future contract, thereby taking upon itself what, as the Senator from Connecticut [Mr. PLATT] has well said, had not been undertaken before by the legislative body in determining and limiting the price of particular materials used by the Department to whom Congress commits the discretion of making the contracts. The Senate conferees could not avoid that conflict. They met on equal terms with the House conferees and the House conferees on equal terms with them. The first point that was settled, as I have said, was settled by a compromise, as it invariably is or almost invariably is.

The House of Representatives had committed itself more than once by a yea-and-nay vote in favor of four battle ships; the Senate had equally committed itself by more than one yea-and-nay vote to two battle ships; and unless both sides yielded partially, or one side yielded entirely, the two Houses would remain at loggerheads, and every vote which had been taken in either body after a determined resistance and disagreement would have only hardened each body in its attitude, and we should have been here with the subject suspended in the air, each House fighting for its own proposition, and believing earnestly and seriously in its own proposition—the House that four ships were not too much, we that two ships were enough.

On that proposition the conferees at last determined that it was a fair subject-matter for adjustment, that three ships were large enough, that three ships were not too large; better upon one side, as we thought, than four; better upon the other side, as the House thought, than two; and so, in the spirit of adjustment and of compromise, we agreed to the three ships. I do not say that two would not have suited me better; I do not say, and am not called upon to say, that four would not have suited me better. I was well content to take three. It is enough; it is a large enough grant to be given this year. It is not, I think, sir, too large. Under this condition that the popular body, which originates appropriation bills, which comes direct from the people, believing that the general feeling on this subject required four ships to establish our Navy upon a basis that would not bring us into war, but would hinder war—that being, as I considered, the main thing in the controversy, and I do so consider it now—the conferees, exercising their best wisdom, agreed to the three ships.

Then we came to another subject-matter, and that was a limitation for the first time put upon an appropriation bill, in which it is declared—

That in case the Secretary of the Navy shall make separate contracts for the armor and armor plate for said battle ships, he shall not accept bids at a rate exceeding an average of $350 per ton of 2,240 pounds; and in case the said Secretary can not make contracts for said armor and armor plate within said limit, he shall delay action and report the offers made to the next session of Congress.

Mr. President, that was put on the bill by the Naval Committee in the Senate, and by the united action of the Naval Committee. I was myself a member of the committee which conducted that investigation, and a considerable part of the time had charge of the proceedings, presiding in the body. The Committee on Naval Affairs was faithful and industrious, early and late, in bringing out what it could of the facts. It was engaged in a new domain; it was engaged in a difficult domain. The impression made upon that committee was—and it was made upon my mind—that the contractors were receiving an undue profit, a larger profit than they should make; but as to what the amount of that profit was one man had one view and another man had another.

When we came into conference, the House committee did not put itself upon the ground especially that one price was needed, or one limit or another; but they said that while the Senate has the information upon this subject-matter, it is an innovation and it can not be urged upon us that we shall consent necessarily to the Senate proposition, which imposes a measure never before put upon a Department without more reasons. Finally I said, as did my colleague on the committee—I did especially, because I represented both committees—"The Senate committee investigated this subject thoroughly." "Where is the report?" "Well, the committee has made no report." The committee has not been able to make a report, Mr. President. The Naval Committee has not reported as a conclusion fixed in dollars and cents that $350 is the absolute figure beyond which a contract shall not be made. Some of the committee believe that is too high, and some, perhaps, believe that it is too low, but we have submitted no report; we were not able to submit a report; we have had no time to submit a report; we have had no opportunity of coming to a conclusion. "There is the testimony," we said, "and the House must take it for what it is worth." But the House had a right to say that under present conditions the Senate should not drive the House to absolutely submit to this amendment that the Senate had put on, fixing $350, while one of the conferees, and perhaps two, on the part of the Senate, are urging here that there should be no limitation whatever. The Senator from Maryland [Mr. GORMAN] was in favor of no limitation, and the Senator from Pennsylvania [Mr. QUAY] was in favor of no limitation. There was the attitude of the Senate conferees.

Mr. BACON. Permit me to call the attention of the Senator to the fact that the Senator from Pennsylvania and the Senator from Maryland, to whom he has referred, are not members of the Senate Naval Committee.

Mr. HALE. Undoubtedly, but they were members of the conference, and were dealing with the House conferees, who are members over there of the House Naval Committee. But there was the difficulty we were in.

Now, what should be done, Mr. President? One question has been asked me which I have not been able to answer, "If $350 is an absolute rule of limitation that ought to be put in the bill, why was it not put on the Secretary last winter when you were conducting your examination as applied to the *Kearsarge* and the *Kentucky?* Was it not before the committee?" What was the answer I could make? This was the only answer: "Yes," I said; "it was more than that. The Secretary of the Navy asked the Naval Committee, which was investigating this subject of armor plate, if it desired to indicate any limitation to him on the *Kearsarge* and the *Kentucky*, as he had made no contract, and the answer that the committee sent back in the midst of their examination was that it did not intend to interfere with those ships, although the Secretary waited for an admonition." Why, Mr. President? Because some of us believed that a certain figure was not enough. We did not believe that we had come to an actual demonstrated result and conclusion that would justify us in saying to the Secretary of the Navy that he should not make those contracts. He made those contracts at $550 per ton.

I was not able to answer when I was asked why, if it were so important that this contract price should be $350, we did not stop a contract at $550. But we were not able; we had not gone far enough; we had not arrived at a definite conclusion. What was the result? The result was that at last we were not willing to yield absolutely the question of limitation to the House conferees, and my coconferees at last agreed, or at least the Senator from Pennsylvania [Mr. QUAY] and I did, making two of us, that we would take $425.

Now, Mr. President, I want to say as a matter of fact—and I want Senators to listen to this—it is not that $425 is going to fix the price of armor for these new ships; it is not that $350 is going to fix the price; I do not know that I would have agreed to $425 if I had not been face to face with the other fact that we had already agreed to an amendment providing that the Secretary of the Navy in making contracts for the hulls alone shall have one hundred and twenty days, or four months, which carry him nearly to the middle of October, six weeks before the meeting of Congress, and therefore Congress will not commit itself to $425 or $350. There will be no contract made by any Secretary until the next Congress gets together.

But we did not stop there—I did not. I was anxious to save the rights of the Government, as I have been all through this controversy in the Naval Committee, as earnest as any other member. We put on another provision asking the Secretary to make a full examination into the actual cost of armor and to report to Congress the result of his investigation in the early part of the next session, so that we shall have the result of that investigation and the result of the investigation of the Naval Committee and everything else. On that basis the conferees agreed to this result. It was the best that they could do.

Mr. President, I am not in favor of legislating the Secretary of the Navy into the hands of contractors, and have never in any controversy taken any such position; but I realized that we were confronted here by the House of Representatives that had made no such investigation; that we had not even made a report and formulated our results; that we had declined to interfere with the contract that the Secretary had already made, and the best thing we could do out of this controversy was to get the three ships and get the limitation of $425, which I do not count as of any importance, and request the Secretary to make an examination and report the facts.

If we have done wrong, if we have been legislating anybody

into the hands of contractors, then, if the Senate wants to reject this report and send it back, let it do it; but there will be only one result out of it.

Mr. SQUIRE. Mr. President——

Mr. HALE. I wish the Senator would not interrupt me.

If you go back, it will only be a question of figures. What if you get $400, which everybody will agree to, instead of $425? It is leather and prunella. It is not of the slightest account. No contract will be made at either price, and you will have the whole thing open with a chance, as the House conferees notified us, that if they go back into conference they will feel at liberty to revert to the original House proposition, in which they were largely sustained by that body, providing for four battle ships instead of three or two; and we will be hung in the air again.

I leave it to the Senate, and if they think the conference have not done the best, they will reject the report. If, on the other hand, the Senate believe under these conditions that we have done our best, put the report through by a vote of the Senate, and Senators will find when Congress assembles in December that no harm will have been done.

Mr. SQUIRE. There is only one question I should like to ask, in order to make it perfectly clear. Is there any implication, either in law or in any other way, that the Secretary shall make the contract at $425? I understand the Senator to mean that there is no implication whatever. In the case of river and harbor contracts, an outside figure is named for the improvement, and it is supposed that the work will proceed up to the extent of the appropriation for that purpose.

In this case I understand the Senator to mean that there is no implication whatever. We are not binding the Secretary to make contracts at that price. There is no reason in the world why he should make contracts at that price.

Mr. HALE. I have said that already. I am entirely willing to have a vote. The yeas and nays have been called for and ordered.

Mr. PETTIGREW. It appears in this case that there are two parties only in this country who can make armor plate. That they are in collusion is admitted. They have a combination, and yet Senators stand up here and assure us that there is no probability that we will pay $425 a ton. It seems to me it takes a great deal of confidence to vote upon it with any such belief.

The PRESIDING OFFICER. The question is on concurring in the report of the committee of conference, on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY]. Not knowing how he would vote, I withhold my vote.

Mr. HANSBROUGH (when his name was called). I am paired with the junior Senator from Illinois [Mr. PALMER].

Mr. PASCO (when his name was called). I am paired with the Senator from Washington [Mr. WILSON].

Mr. PERKINS (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. ROACH]. I transfer my pair to the Senator from Montana [Mr. MANTLE] and vote "yea."

Mr. PUGH (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. HOAR].

Mr. SHOUP (when his name was called). I am paired with the Senator from California [Mr. WHITE]. I am informed that he would vote "yea" if present, and I will therefore record my vote. I vote "yea."

Mr. WALTHALL (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON]. I transfer my pair to the Senator from Kentucky [Mr. LINDSAY] and vote "nay."

The roll call was concluded.

Mr. MITCHELL of Oregon. I was requested by the Senator from Nevada [Mr. STEWART], who was compelled to leave the Chamber, to announce that if he were present, he would vote against the adoption of the report.

Mr. PRITCHARD. I am paired with the Senator from Louisiana [Mr. BLANCHARD], but I understand that he would vote "nay" if present. I will therefore vote. I vote "nay."

Mr. GEAR. I am paired with the Senator from Georgia [Mr. GORDON]. If he were present, I should vote "yea."

Mr. PUGH. I transfer my pair with the senior Senator from Massachusetts [Mr. HOAR] to the senior Senator from South Carolina [Mr. IRBY] and will vote. I vote "nay."

Mr. GORMAN. I announce my pair with the Senator from Maine [Mr. FRYE].

Mr. BACON (after having voted in the negative). I have a general pair with the junior Senator from Rhode Island [Mr. WETMORE]. Under our arrangement either has the right to vote in his discretion and in matters not political. I will therefore permit my vote to stand in this case, although he is not present.

Mr. ALLISON. I have a general pair with the Senator from Missouri [Mr. COCKRELL], who is absent to-day on account of illness. I am authorized to vote in case my vote is necessary to make a quorum. I vote "yea."

Mr. SQUIRE. I should like to announce that I have a general pair with the Senator from Virginia [Mr. DANIEL], but in this case I feel at liberty to vote under our understanding. I vote "yea."

Mr. BATE (after having voted in the negative). I should like to inquire whether the Senator from Utah [Mr. BROWN] has voted.

The PRESIDING OFFICER. The Senator from Utah has not voted, the Chair is informed.

Mr. BATE. I have a right to vote to make a quorum, and for that purpose I will allow my vote to stand.

Mr. CULLOM. I feel at liberty to vote in order to make a quorum. I vote "yea."

Mr. HANSBROUGH. I will record my vote to make a quorum. I vote "yea."

The result was announced—yeas 22, nays 24; as follows:

YEAS—22.

Allison,	Hansbrough,	Morrill,	Squire,
Burrows,	Hawley,	Perkins,	Teller,
Clark,	Lodge,	Platt,	Turpie,
Cullom,	McBride,	Quay,	Warren.
Davis,	Mitchell, Oreg.	Sewell,	
Hale,	Morgan,	Shoup,	

NAYS—24.

Bacon,	Chandler,	Jones, Ark.	Pritchard,
Bate,	Chilton,	Mills,	Pugh,
Berry,	Dubois,	Mitchell, Wis.	Smith,
Butler,	George,	Nelson,	Vest,
Caffery,	Harris,	Peffer,	Walthall,
Cannon,	Hill,	Pettigrew,	Wolcott.

NOT VOTING—43.

Aldrich,	Daniel,	Irby,	Roach,
Allen,	Elkins,	Jones, Nev.	Sherman,
Baker,	Faulkner,	Kyle,	Stewart,
Blackburn,	Frye,	Lindsay,	Thurston,
Blanchard,	Gallinger,	McMillan,	Tillman,
Brice,	Gear,	Mantle,	Vilas,
Brown,	Gibson,	Martin,	Voorhees,
Call,	Gordon,	Murphy,	Wetmore,
Cameron,	Gorman,	Palmer,	White,
Carter,	Gray,	Pasco,	Wilson.
Cockrell,	Hoar,	Proctor,	

So the report was nonconcurred in.

Mr. HALE. I move that the Senate further insist on its amendments and request a new conference.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate at the further conference; and Mr. HALE, Mr. QUAY, and Mr. GORMAN were appointed.

REPORT OF THE MONETARY COMMISSION OF 1876.

Mr. QUAY. I move that the Senate proceed to the consideration of executive business.

Mr. BUTLER. I desire to offer a resolution.

Mr. QUAY. I withdraw the motion for the purpose of enabling the Senator from North Carolina to offer a resolution.

Mr. BUTLER. I submit a resolution and ask that it be read and lie on the table. I shall call it up on Monday.

The resolution was read, as follows:

Resolved, That there be printed 3,000 additional copies of Report No. 703, Forty-fourth Congress, second session, known as Report of the Monetary Commission of 1876.

Mr. HARRIS. The resolution should go to the Committee on Printing.

The PRESIDING OFFICER. The request of the Senator from North Carolina is that it lie on the table.

Mr. HARRIS. If that be the request, let that course be pursued.

The PRESIDING OFFICER. The resolution will lie on the table and be printed.

EXECUTIVE SESSION.

Mr. QUAY. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirty-three minutes spent in executive session the doors were reopened.

COLUMBIA INSTITUTION FOR DEAF AND DUMB.

Mr. VILAS, Mr. HANSBROUGH, and others addressed the Chair.

Mr. HALE. One trouble is, if Senators get bills through in which they are interested, they may leave the city and on Monday we shall have no quorum.

Mr. VILAS. I am not going to call up a bill.

Mr. HALE. I do not object.

Mr. VILAS. Mr. President, some time ago you did me the honor to appoint me a director on the part of the Senate of the Columbia Institution for the Instruction of the Deaf and Dumb in place of the Senator from Mississippi [Mr. WALTHALL], who

left the Senate, very much to the regret of his associates, but has now returned. I ask leave to resign that position.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. VILAS. The Vice-President has the power under the law to make the appointment.

The VICE-PRESIDENT. The Chair will appoint Mr. WALTHALL as the successor of Mr. VILAS.

MARITIME CANAL OF NORTH AMERICA.

Mr. HANSBROUGH. I ask unanimous consent for the present consideration of the bill (S. 3049) to incorporate the Maritime Canal of North America, and for other purposes.

The VICE-PRESIDENT. The bill will be read for information.

The Secretary proceeded to read the bill, but before concluding was interrupted by

Mr. HALE. That bill can not go through, Mr. President, by unanimous consent. It is a great project for a canal.

Mr. HAWLEY. From what committee was the bill reported?

Mr. HALE. The bill can not go through without discussion.

Mr. HANSBROUGH. The bill was reported unanimously by the Committee on Commerce. It has the sanction of the War Department. It does not ask for a cent of money from the Government of the United States, not even to make a survey. It is for the construction of a canal entirely upon American soil, and it simply asks for a charter for the incorporation of the company.

Mr. HALE. Where is the canal proposed to be located?

Mr. HANSBROUGH. Between Lake Erie and the Hudson River.

Mr. HALE. That clearly can not go through without debate.

Mr. PLATT. From what I heard of the reading of the bill so far as it has gone it is proposed to give by the United States power to condemn land in the State of New York.

Mr. HAWLEY. A corporation wholly in one State.

Mr. HALE. Of course.

The VICE-PRESIDENT. Objection is made, and the Chair will recognize the Senator from Texas [Mr. CHILTON].

Mr. CHILTON. I ask leave to call up a bill.

Mr. HANSBROUGH. Do I understand there is objection to the consideration of the bill which I called up?

The VICE-PRESIDENT. The Chair understood the Senator from Maine [Mr. HALE] to object.

Mr. HALE. Yes, sir. The bill will be debated, Mr. President. I move that the Senate adjourn.

Mr. CHILTON. I hope the Senator will allow the bill which I desire to have considered to be passed. I tried to get it up yesterday, but the Senator from New Hampshire objected in order that he might have time to investigate it, and it was passed over. It will only take a moment, and it is a very short bill.

Mr. HALE. Well, let us see, Mr. President.

EASTERN JUDICIAL DISTRICT OF TEXAS.

Mr. CHILTON. I now ask unanimous consent for the present consideration of the bill (H. R. 2708) to constitute a new division of the eastern judicial district of Texas, and to provide for the holding of terms of court at Beaumont, Tex., and for the appointment of a clerk for said court.

The VICE-PRESIDENT. The bill will be read for information, subject to objection.

The bill was read; and by unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider it.

The bill was reported from the Committee on the Judiciary with amendments, in section 1, line 4, after the name "Tyler," to strike out "Angelina"; so as to make the section read:

That the counties of Jefferson, Orange, Newton, Jasper, Hardin, Liberty, Tyler, San Augustine, Sabine, Polk, and San Jacinto shall constitute a division of the eastern judicial district of Texas.

The amendment was agreed to.

The next amendment was, in section 3, line 3, after the name "Tyler," to strike out "Angelina"; so as to make the section read:

SEC. 3. That all civil process issued against persons resident in the said counties of Jefferson, Orange, Newton, Jasper, Hardin, Liberty, Tyler, San Augustine, Sabine, Polk, and San Jacinto, and cognizable before the United States courts shall be made returnable to the courts, respectively, to be held at the city of Beaumont; and all prosecutions for offenses committed in either of said counties shall be tried in the appropriate United States court at the city of Beaumont: *Provided*, That no process issued or prosecution commenced or suit instituted before the passage of this act shall be in any way affected by the provisions hereof.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

GEORGE W. FREEMAN.

Mr. BURROWS. I ask unanimous consent for the present consideration of the bill (H. R. 5280) for the relief of George W. Freeman.

Mr. HALE. I do not make the suggestion, Mr. President, but I am afraid there is not a quorum.

Mr. BURROWS. This is a very brief bill, and there will be no objection to it.

Mr. HALE. We ought to adjourn.

Mr. BURROWS. We can adjourn after the passage of this bill. It will give rise to no discussion.

Mr. HALE. Very well.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5280) for the relief of George W. Freeman. It directs the Secretary of War to amend the military record of George W. Freeman for the removal therefrom of the charge of desertion, and that he issue to him an honorable certificate of discharge from the military service of the United States, to date July 12, 1868, but no back pay, bounty, or other emoluments shall become due and payable by virtue of its passage.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

UNIFORM STANDARD OF CLASSIFICATION OF GRAIN.

Mr. GEAR. I ask unanimous consent for the present consideration of Senate bill 353.

I wish to state in advance that if the bill creates any debate I shall withdraw it. It is the same as a bill introduced by the senior Senator from Ohio [Mr. SHERMAN] two years ago, which then passed the Senate unanimously. It is indorsed by the late Secretary of Agriculture, General Rusk, and also by the present Secretary, Hon. Sterling J. Morton.

The VICE-PRESIDENT. The bill will be read for information, subject to objection.

The Secretary read the bill (S. 353) to provide for fixing a uniform standard of classification and grading of wheat, corn, oats, barley, and rye, and for other purposes.

Mr. HALE. That is a very important bill. It ought not to pass without debate.

Mr. GEAR. I do not consider it a very important bill. It is a bill that provides for a standard measure for oats and all kinds of grain, provided it does not conflict with the Chicago or New York or any other standard for the measure of grain that is established.

Mr. HAWLEY. It can not agree with them all.

Mr. GEAR. It does not propose to. In the absence of an agreement, if you buy a carload of grain——

Mr. HAWLEY. Let me make a suggestion——

Mr. TURPIE. I object to the consideration of the bill, Mr. President.

The VICE-PRESIDENT. The Senator from Indiana objects.

Mr. HALE. I move that the Senate adjourn.

Mr. MITCHELL of Oregon. Let me pass one bill.

Mr. HALE. No; I move that the Senate adjourn.

Mr. SHOUP. Will the Senator yield to me?

Mr. PLATT. If the Senator from Maine does not insist upon his motion I shall.

The VICE-PRESIDENT. The Chair submits the motion of the Senator from Maine, that the Senate do now adjourn. [Putting the question.] The ayes appear to have it. The ayes have it.

Mr. HAWLEY. Ought we not, if we now adjourn, to adjourn until 11 o'clock on Monday?

Mr. HALE. It is too late now, and we have committees to meet on Monday morning.

The VICE-PRESIDENT (at 5 o'clock and 15 minutes p. m.). The motion is agreed to; and the Senate stands adjourned until Monday, June 8, 1896, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate June 6, 1896.

APPOINTMENT IN REVENUE-CUTTER SERVICE.

William E. Atlee, of New York, to be a third lieutenant in the Revenue-Cutter Service of the United States, to succeed A. L. Gamble, promoted.

PROMOTIONS IN THE ARMY.

Artillery arm.

Lieut. Col. Francis Luther Guenther, Fifth Artillery, to be colonel, June 6, 1896, vice Closson, Fourth Artillery, retired from active service.

Maj. William Sinclair, Second Artillery, to be lieutenant-colonel, June 6, 1896, vice Guenther, Fifth Artillery, promoted.

Capt. Edward Field, Fourth Artillery, to be major, June 6, 1896, vice Sinclair, Second Artillery, promoted.

First Lieut. Harry Reuben Anderson, Fourth Artillery, to be captain, June 6, 1896, vice Field, Fourth Artillery, promoted.

Second Lieut. Wilmot Edward Ellis, Fifth Artillery, to be first lieutenant, June 6, 1896, vice Anderson, Fourth Artillery, promoted.

POSTMASTER.

Frank Boynton, to be postmaster at Fayetteville, in the county of Onondaga and State of New York, in the place of John A. Ecker, whose commission expires June 20, 1896.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 6, 1896.

CONSUL-GENERAL.

David N. Burke, of New York, to be consul-general of the United States at Tangier, Morocco.

CONSUL.

George F. Smithers, of Delaware, to be consul of the United States at Chungking, China.

SPECIAL EXAMINER OF DRUGS, ETC.

Alexander G. Maylie, of Louisiana, to be special examiner of drugs, medicines, and chemicals in the district of New Orleans, in the State of Louisiana.

CHIEF EXAMINER, CIVIL SERVICE COMMISSION.

Abram R. Serven, of New York, to be chief examiner of the Civil Service Commission.

APPOINTMENTS IN THE NAVY.

Samuel B. Palmer, a citizen of Georgia, to be an assistant surgeon in the Navy.

Harry W. Jones, a resident of New Jersey, to be a chaplain in the Navy.

PROMOTION IN THE REVENUE-CUTTER SERVICE.

Third Lieut. Aaron L. Gamble, of Indiana, to be a second lieutenant in the Revenue-Cutter Service of the United States.

APPOINTMENT IN THE REVENUE-CUTTER SERVICE.

William E. Atlee, of New York, to be a third lieutenant in the Revenue-Cutter Service of the United States.

POSTMASTERS.

Frank Boynton, to be postmaster at Fayetteville, in the county of Onondaga and State of New York.

James McCloskey, to be postmaster at Johnsonburg, in the county of Elk and State of Pennsylvania.

Jennie T. Dessert, to be postmaster at Macon, in the county of Macon and State of Missouri.

B. O. Guthrie, to be postmaster at Burlington, in the county of Alamance and State of North Carolina.

Henry G. Walter, to be postmaster at Lebanon, in the county of Lebanon and State of Pennsylvania.

Boyce Rankin, to be postmaster at McDonald, in the county of Washington and State of Pennsylvania.

HOUSE OF REPRESENTATIVES.

SATURDAY, *June 6, 1896.*

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

THE JOURNAL.

The SPEAKER. The Clerk will read the Journal of the proceedings of yesterday.

The Clerk proceeded to read the Journal.

Mr. KEM. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The Clerk will suspend. [After a pause, during which the Speaker counted the House.] The Chair hopes the members of the House will remember that it is their duty to be here at 11 o'clock promptly, and that we have been delayed this morning for fifteen minutes by the neglect of members to attend to their duty.

A quorum being now present, the Clerk will read the Journal.

The Journal of the proceedings of yesterday was read and approved.

ORDER OF BUSINESS.

The SPEAKER. The unfinished business first in order this morning is the matter which was under consideration on the last suspension day.

RECIPROCITY AND COMMERCIAL TREATIES.

Mr. HOPKINS. Mr. Speaker, I have a privileged report which I desire to submit from the Committee on Ways and Means. This is a report of the hearings of the committee on reciprocity and commercial treaties, a matter which was referred to the committee for consideration. I am directed by the Ways and Means Committee to submit that report, and ask to have it printed.

Mr. TURNER of Georgia. Mr. Speaker——

The SPEAKER. The gentleman from Illinois submits the following privileged report from the Committee on Ways and Means, concerning reciprocity and commercial treaties, which will be printed.

Mr. HOPKINS. Mr. Speaker, a moment. The gentleman from Georgia [Mr. TURNER] has a minority report which he desires to submit.

Mr. TURNER of Georgia. Mr. Speaker, may I be recognized?

The SPEAKER. The gentleman from Georgia will submit the minority views, and the report of the committee, together with the views of the minority, will be printed.

PROPOSED ADMISSION OF NEW MEXICO.

Mr. CATRON. Mr. Speaker, I present a privileged report from the Committee on the Territories on the bill (H. R. 7909) to enable the people of New Mexico to form a constitution and State government, and ask that it be printed and recommitted to the committee.

Mr. KNOX. Mr. Speaker, the minority of the committee desire to submit their views in connection with the matter.

The SPEAKER. Unless the views are submitted now, it can only be done by unanimous consent.

Mr. KNOX. I am ready to submit them now.

The SPEAKER. Then the gentleman moves that the report of the committee, together with the views of the minority on this subject, be printed and recommitted to the committee.

The motion was agreed to.

ISSUANCE OF INTEREST-BEARING BONDS.

Mr. CHICKERING. Mr. Speaker, I desire to submit a privileged report from the Committee on Printing.

The SPEAKER. The report will be read.

The Clerk read as follows:

The Committee on Printing have considered House resolution 410, to print 10,000 additional copies of the majority and minority reports of the Committee on Ways and Means on Senate bill 1341, and beg leave to report the following resolution, and recommend its passage.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Resolved, That there be printed 10,000 additional copies of the majority and minority reports of the Committee on Ways and Means on Senate bill 1341, for the use of the House.

The resolution was agreed to.

PAY OF OFFICERS OF HOUSE AND SENATE FOR JUNE.

Mr. ALDRICH of Illinois. Mr. Speaker, I desire to submit a privileged report from the Committee on Accounts.

The SPEAKER. The report will be read.

The Clerk read as follows:

The Committee on Accounts, to whom was referred the accompanying joint resolution (H. Res. 195) to pay the officers and employees of the House and Senate for the month of June on the day following the adjournment of Congress, report back and recommend the passage of the same.

The SPEAKER. The joint resolution will be read.

The joint resolution was read, as follows:

Resolved, etc., That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby, authorized and directed to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of June, 1896, on the day of said month next following adjournment.

Mr. ALDRICH of Illinois. I move the adoption of the resolution.

The joint resolution was read a first and second time, ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

THE INDIAN TERRITORY.

The SPEAKER. The matter before the House first in order is the unfinished business coming over from the last suspension day, being the motion of the gentleman from New York [Mr. SHERMAN] to suspend the rules and pass the bill (H. R. 7907) the title of which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 7907) for the protection of the people of the Indian Territory, extending the jurisdiction of the United States courts, providing for the laying out of towns, the leasing of coal and other mineral, timber, farming, and grazing lands, and for other purposes.

The question being taken on the motion to suspend the rules and pass the bill, two-thirds voting in favor thereof, the rules were suspended and the bill passed.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House of Representatives, by Mr. PRUDEN, one of his secretaries, who also announced that the President had approved and signed bills of the following titles:

On June 3, 1896:

An act (H. R. 5731) to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof in the District of Columbia;

An act (H. R. 1436) relating to commutations of homestead entries, and to confirm such entries when commutation proofs were received by local land officers prematurely;

An act (H. R. 3689) increasing the pension of Jefferson Fueston, of Company M, Tenth Ohio Volunteer Cavalry;

An act (H. R. 75) granting a pension to Mary F. Davenport;

An act (H. R. 2605) granting pension to Henry V. Andrews, of Fulton County, Ill., a survivor of the Black Hawk war;

An act (H. R. 3932) granting a pension to Mrs. Elizabeth Richardson;

An act (H. R. 4475) granting a pension to Mrs. Catherine Gaffney;

An act (H. R. 3001) granting a pension to Cynthia A. Lapham, widow of William B. Lapham;

An act (H. R. 3221) granting a pension to John Dalton;

An act (H. R. 3234) granting a pension to William Durley;

An act (H. R. 4395) for the relief of Miss Juliette Betts;

An act (H. R. 4122) granting an increase of pension to James H. Jones;

An act (H. R. 3216) granting an increase of pension to James P. Hurley;

An act (H. R. 7983) to pension Frances E. Wickware; and

An act (H. R. 5999) to correct the military record of Elbridge McFadden.

FOURTH-CLASS MAIL MATTER.

Mr. LOUD. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2159) to regulate mail matter of the fourth class.

The bill was read, as follows:

Be it enacted, etc., That mailable matter of the fourth class shall embrace all matter not embraced in the first, second, or third class which is not in its form or nature liable to destroy, deface, or otherwise damage the contents of the mail bag or harm the person of anyone engaged in the postal service, and is not above the weight provided by law, which is hereby declared to be not exceeding 4 pounds for each package thereof, except in case of single books weighing in excess of that amount, and except for books and documents published or circulated by order of Congress, or printed or written official matter emanating from any of the Departments of the Government or from the Smithsonian Institution, or which is not declared nonmailable under the provisions of section 3893 of the Revised Statutes as amended by the act of July 12, 1876, or matter appertaining to lotteries, gift concerts, or fraudulent schemes or devices.

The SPEAKER. The gentleman from California moves to suspend the rules and pass the bill which has just been read.

Mr. RICHARDSON. Mr. Speaker, I demand a second. I am willing to agree that it be considered as ordered.

Mr. CANNON. Is it proposed to pass this bill under a suspension of the rules?

The SPEAKER. The Chair thinks that is the proposition.

Mr. CANNON. Who makes the motion?

The SPEAKER. The gentleman from California [Mr. LOUD].

Mr. LOUD. I will say to the gentleman from Illinois that he need not get frightened. This is not the bill he thinks it is.

Mr. CANNON. I think this is the bill touching packages.

Mr. LOUD. Oh, no; this is perfectly harmless.

The SPEAKER. A second is demanded. The gentleman from Tennessee asks that a second be considered as ordered.

Mr. KEM. I object.

The SPEAKER. Objection is made. The gentleman from California [Mr. LOUD] and the gentleman from Tennessee [Mr. RICHARDSON] will please take their places as tellers.

The House divided; and the tellers reported—ayes 125, noes 4.

Accordingly a second was ordered.

The SPEAKER. The gentleman from California [Mr. LOUD] has the floor for twenty minutes, and the gentleman from Tennessee [Mr. RICHARDSON] for the same time. Matters will be presented to-day under suspension of the rules which are of serious public importance, and the Chair hopes that particular attention will be given by the House to their consideration, and that proper order will be maintained.

Mr. LOUD. Mr. Speaker, this is a simpler matter than members of the House probably suppose. Alarm may have been unnecessarily aroused in relation to a bill which I have introduced—H. R. 4566. This bill—S. 2169—passed the Senate unanimously and I trust that it will pass the House unanimously. I do not believe there is a person in the House who can raise any possible objection to it. We reenact the law relating to fourth-class matter, adding to it just two words. I will read that portion of it that you may know the object of the insertion of these two words. The old law allows the Government to send through the mails anything that may be termed official matter under this reading:

And except for books and documents published or circulated by order of Congress, or official matter emanating from any of the Departments of the Government.

We amend that law by inserting the words "printed or written" so that if this bill shall pass it will confine mailable matter of the fourth class—and this does not apply to anything beyond free matter—it will confine mailable matter of the fourth class to its original intent, of printed and written matter. I will say to the members of this House that it will not disturb you in any of your documents or matter that you are now in the habit of franking, because any written or printed matter can be sent under this law as under the present law.

Mr. CANNON. What does it cut out?

Mr. LOUD. I will read a portion of the report of the Postmaster at Washington, and then the gentleman from Illinois will understand what we intend to cut out. This is in reply to a letter addressed to the Postmaster-General by Senator WOLCOTT, the chairman of the Post-Office Committee in the Senate. He says:

WASHINGTON CITY POST-OFFICE, OFFICE OF THE POSTMASTER,
Washington, D. C., February 8, 1896.

SIR: In reply to your reference slip "C. V. 7631," February 5, 1896, transmitting letter of Senator E. O. WOLCOTT, chairman Committee on Post-Offices and Post-Roads, United States Senate, respecting the class of Government matter passing through the Washington City post-office, I would refer you to section 1037, Postal Laws and Regulations, which has been stretched to cover the articles enumerated below.

During the past year there have been dispatched from this office from the—

Stationery division of the Treasury Department: 3,302 cases and packages, an average of 200 pounds each	660,400
73 bales of carpet, an average of 90 pounds each	6,570
Stationery division, Interior Department, 2,638 cases, packages, and sacks, 125 pounds each	330,750
Document division, Interior Department, 1,576 sacks, 125 pounds each	197,000
Agricultural Department, 300 sacks, at 75 pounds each	22,500
War Department, 467 sacks, at 110 pounds each	51,370
Total	1,268,590

This is all registered matter. It consists of supplies for the various Departments. Under this, the act of 1879, which put in the words "official matter," all of the supplies of the various Departments have been dumped upon the Post-Office Department and sent through as mail.

Mr. CANNON. I ask my friend, why not? These are Government supplies for the Government service. Why drive all this matter to the express companies at a much higher rate?

Mr. LOUD. I am very glad my friend has asked that question.

Mr. CANNON. I want an answer to it. Perhaps it is all right.

Mr. LOUD. I wish I had more than twenty minutes in which to go over this subject, but I think I can explain it in two. It costs the Government to transmit its mail matter double the price that it ought to cost, and it costs the Government to-day more than four times as much as it would cost to transmit the same matter by express. Now, that is one of the principal reasons.

Mr. CANNON. Is not that a good argument for the abolition of the whole mail service, and the doing of it all by express?

Mr. LOUD. Oh, well; I do not propose to enter now upon that subject. Mr. Speaker, I want to say to the House that packages weighing three, four, five hundred, a thousand, fifteen hundred, and as high as eighteen hundred pounds are frequently brought to the post-office for mailing. That matter costs the Post-Office Department on an average 8 cents a pound to transmit, not taking into consideration the question of handling. This matter is all registered. It is handled with great care. It must go through from city to city and be transmitted by contract wagon service, and must be delivered. You will find that this matter is costing the Government on an average more than 12 cents a pound to transmit and handle, where it could be transmitted by express companies and delivered at an average of less than 2 cents a pound. And this is not express; it is simply freight matter.

Mr. WILSON of Idaho. May I ask the gentleman a question?

Mr. LOUD. Certainly.

Mr. WILSON of Idaho. Will the Government have to lessen the facilities for doing postal business; and if this matter is transferred to the express companies would not the Government lose exactly what it pays the express companies, the Government having to pay the expenses of shipping these supplies?

Mr. LOUD. If the gentleman understood the working of the Post-Office Department he would know that mail is carried by weight, and while the representatives of the railroad companies before our committee, in discussing this bill, said that the Government had withheld heavy matter during the weighing, any gentleman who has read the exposé made by our Postmaster-General with reference to the Coast or Seaboard Air Line here he will see that the facts exist, as I stated here, that the mails are stuffed during the weighings; and we must not forget that 1,000 pounds of this Government matter transmitted during the weighing has to be paid for every day for four years.

Mr. CANNON. May I ask the gentleman right at that point this question? The weighing is once in four years, as I understand it?

Mr. LOUD. That is right.

Mr. CANNON (continuing). But it is entirely discretionary on the part of the Department to weigh as often as it chooses. Now, then, is it possible that the Postmaster-General will allow a fraud of that kind knowingly to exist and allow it to run four years instead of reweighing and discharging every employee who had anything to do with the perpetration of such a fraud?

Mr. LOUD. Oh, well, permit me to say further that the Postmaster-General can not put himself in every nook and corner of the United States and examine the weighing. He can and probably will order a new weighing of the line mentioned, but a weighing or reweighing costs a good deal of money and is an expensive

luxury. I want to say to the House that this matter is only technically mailable matter. It has no business in the Post-Office Department. We have no business to flood the Post-Office Department with the supplies of the various Departments.

Mr. LONG. Will the gentleman allow me to ask him a question?

Mr. LOUD. Certainly.

Mr. LONG. Will this bill prohibit the sending of garden seeds through the mail?

Mr. LOUD. If in packages under 4 pounds—no.

Mr. LONG. It says "printed and written official matter."

Mr. DOCKERY. This does not affect the franking privilege, does it?

Mr. LOUD. It would confine all mailable matter, outside of printed and written matter, just the same as we confine it to every individual in the country, to 4 pounds weight.

Mr. LONG. It affects that kind of matter only.

Mr. ARNOLD of Pennsylvania. Will the gentleman allow me to ask him a question?

Mr. LOUD. Certainly.

Mr. ARNOLD of Pennsylvania. Suppose I were to mail a sack of garden seeds, a large mail sack, to my home, to have its contents addressed there to my constituents. Would that affect it?

Mr. LOUD. If in packages of over 4 pounds they would be affected; but I assume that put up in packages as they are usually sent it would not affect them.

Mr. ARNOLD of Pennsylvania. Suppose the sack, with all included, should weigh over 4 pounds.

Mr. LOUD. Why, no. The Post-Office Department have urged and continued to urge Congress for the last ten years to pass a law of this character. The gentleman on my right [Mr. SHAFROTH] asked me what character of matter has been going through the mails. During the last fall, in the city of Baton Rouge, there was offered for mailing the camp equipage of a Coast Survey party. It was refused mailing, and the correspondence is here in this report. In an appeal to the Department the Chief of the Coast Survey stated that this was the first time that the supplies of the Coast Survey had ever been refused mailing. These supplies contained tents, tent poles, saddles, and everything that a party of that character would have.

I want to say to the House, in all candor, that there is nothing in this bill that will affect any privilege now exercised by any member of Congress. There is nothing except what is right, just, and proper; and it will save the Government at least a million dollars a year.

Mr. TRACEY. Does it affect the sending of garden seeds?

Mr. LOUD. Not at all, under 4-pound packages. If I had it in my power I would do so; but this bill does not affect that.

Mr. WILSON of Idaho. Will the gentleman allow me to ask him a question?

Mr. LOUD. How much time have I, Mr. Speaker?

The SPEAKER. The gentleman from California has eleven minutes remaining.

Mr. LOUD. I yield to the gentleman for a question.

Mr. WILSON of Idaho. If this bill passes, you contemplate the discharge of postal employees sufficient to make this million dollars?

Mr. LOUD. Oh, no; we do not contemplate the discharge of any employees.

Mr. WILSON of Idaho. How are you going to save the million dollars?

Mr. LOUD. Now, one moment. The full effect of this will not be felt for three or four years. It will be felt in the next annual weight of the transmittals; it will gradually affect the railway postal clerks, and the clerks in the post-office, because there will be no increase of business.

Mr. WILSON of Idaho. If this bill passes, will not the business immediately go to the express companies instead of being carried through the mails?

Mr. LOUD. Certainly it will go by express or freight, where it properly belongs.

Mr. WILSON of Idaho. And then we shall have the burden of an expensive organization for the handling of this matter without having the business to do.

Mr. LOUD. Possibly, if the gentleman wants it that way.

Mr. MILLIKEN. Let me ask the gentleman where is the saving to be effected if we have to pay the same amount for mailing this matter and at the same time pay for sending it by express?

Mr. LOUD. Permit me to say, Mr. Speaker, that if gentlemen come in every three or four minutes and ask me the same questions that I have already answered, I can not make much progress. I have stated that it costs the Government to transmit and handle this matter 12 cents per pound, and that the same matter can be sent by express at an average cost of 2½ cents per pound, and by freight at 1½ cents per pound, and really it is nothing but freight—it is not even express matter.

Mr. MILLIKEN. Since the gentleman professes to know so much and thinks that I know so little about that, I should like to hear an explanation from him as to why it costs the Government 12 cents a pound to do this business while it can be done by express for 2 cents a pound?

Mr. LOUD. I explained that a few moments ago, and if the gentleman had been here he would have heard my explanation.

Mr. MILLIKEN. I am always unfortunate when I fail to hear the gentleman from California.

Mr. LOUD. I will put one point to the gentleman now, if he will give me his attention. All of the Western roads which are land-grant roads are carrying the mails at 40 per cent less than the Eastern great trunk lines receive, and they are so anxious to secure the carriage of the mails that they are bidding against one another for the privilege. All of the Western roads starting out from these great trunk lines are very anxious to carry this mail matter at a reduction of 40 per cent below what the Eastern roads receive, although the Eastern roads get the large concentration of mails. Does that satisfy the gentleman?

Mr. MILLIKEN. I do not know whether it satisfies me or not. I do not think I have got much information out of that answer.

Mr. LOUD. I have stated that we are paying for the transmission of the mails more than double what any corporation or individual would pay for like service. Is that satisfactory?

Mr. ARNOLD of Pennsylvania. As the law now exists, why can not the heads of Departments direct that this matter be sent not by mail but in some other way?

Mr. LOUD. Because the law prohibits it. The law permits the Departments of the Government to send any official matter by mail.

Mr. ARNOLD of Pennsylvania. That is simply permissive; but the heads of Departments can direct that the matter be sent otherwise, can they not?

Mr. LOUD. If that portion of the law is permissive, then the whole law relating to fourth-class matter is permissive.

Mr. ARNOLD of Pennsylvania. Not necessarily.

Mr. LOUD. Well, it is all in the same section and reads right along, and if the gentleman is right, the head of the Department might refuse to accept any fourth-class matter.

Mr. MITCHELL. Is not the real difference this, that this matter, being carried by weight, is carried at a much less rate by express than by post-office rates?

Mr. LOUD. Of course it is. I have said so several times.

Mr. DOCKERY. I understand that this proposition was recommended by Postmaster-General Wanamaker and is also recommended by the present head of the Department?

Mr. LOUD. Yes, sir; it has been recommended by Mr. Wanamaker, by Mr. VILAS, by Mr. Bissell, and by the present Postmaster-General. The Department has been begging Congress to make this enactment.

Mr. BRUMM. Is not this more a question of antagonism between the different Departments than a question of merit?

Mr. LOUD. I have never heard of any such antagonism. Can the gentleman advance any reason why the Post-Office Department should be required to carry the freight matter of the War Department?

Mr. BRUMM. It does seem that the other Departments, if they chose, could prevent this evil which the gentleman describes.

Mr. LOUD. But they do not choose to do so. They get a certain allowance for the transmission of their matter and then they force this class of matter on the Post-Office, and thereby save the funds of their own Department.

Mr. MILLIKEN. Then is there really any loss to the Government? Does it make any difference to us whether we pay the same amount of taxes for the benefit of one Department or of another?

Mr. LOUD. It costs us 12 cents a pound to transmit this matter by mail, while it can be transmitted for 2½ cents by express.

Mr. RICHARDSON. If this War Department matter were to be sent by express rather than by mail, that Department would have to pay the cost of transmittal, would it not?

Mr. LOUD. Certainly. Each Department would pay out of its own funds.

Mr. DOCKERY. Of course the saving would apply to matter transmitted by the Government, but as it stands now individuals get the benefit of this cheap mail transportation. Does this bill apply to individuals or does it relate entirely to the Department?

Mr. LOUD. It relates to departmental matter wholly.

Mr. Speaker, I reserve the balance of my time.

Mr. RICHARDSON. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I differ with the gentleman from California [Mr. LOUD] with great diffidence. It may be that he is right in his contention that the law on this subject ought to be amended; but I am not prepared to say that he is. This whole question is in a nutshell, as I understand it. The private citizen can send through the mail packages not exceeding 4 pounds in weight. That has been a very great benefit to the country, because

it has kept down the express rates and has yielded revenue to the Government.

Now, some years ago I had this matter called to my attention. The practice of the Government touching supplies for the public service has been changed. Reforms have been brought about through appropriations and limitations upon appropriation bills. This reform commenced many years ago, was followed up by Mr. Randall, and right or wrong has been followed since. Formerly postmasters, registers and receivers of land offices, and various Government officers throughout the country bought, each one for himself, the supplies necessary for his office, getting poor supplies at high rates. Under our system the supplies are furnished under contract by the various Departments and shipped on requisition to the various postmasters and other officers.

Now, the Government has all the machinery for doing this work. It has its thousands of postal clerks. It has its 67,000 or 70,000 postmasters. It has its mail service over 175,000 miles of railway. Now, why should not the Government utilize its own machinery to transmit these supplies? Suppose we do not do it. The result is that all the post-office supplies—the postal cards, the envelopes, etc.—and all the Treasury supplies will have to go by express instead of by mail.

Mr. HEMENWAY. A railroad company that has just had its weighing gets for three years and eleven months the rate of pay called for by that weighing, while at the same time every express company would be paid for this same service if this bill becomes law.

Mr. CANNON. Certainly. Now, the gentleman from California says that it costs 12 cents a pound to transmit these supplies.

Mr. LOUD. To transmit and handle them; 8 cents a pound to transmit them.

Mr. CANNON. I do not agree with the gentleman. I think that the cost of sending out these supplies through the post-office is largely inappreciable, because we have all the machinery; and to make now the change proposed will not cut down the service to the extent of a single employee.

Mr. LOUD. Will the gentleman allow me a moment?

Mr. CANNON. Certainly.

Mr. LOUD. The gentleman must know that this matter of transportation is not a question as to the number of Government employees at all. We contract with the railroad companies for carrying the mails at so much per pound.

Mr. CANNON. I know that.

Mr. LOUD. And it costs us in a single year $38,000,000, in round numbers, for transportation. Now, dividing that by 450 any child can estimate what this transmission costs us per pound.

Mr. CANNON. And so does it cost you to transmit by the express companies. The moment you throw these packages of matter required in the Government service out of the mails that moment you are at the mercy of the express companies. That is all there is of it. And I undertake to say that your bills for transportation by express will amount to more than the present cost of the service through the postal system. At least I am afraid that would be the case.

The mails are weighed once in four years. The gentleman says that when they are weighed the cost is cheapened; that these officers of the Government—the Postmaster-General, the Secretary of the Treasury, and the Secretary of the Interior—take this bulky stuff sent out and weigh it for thirty successive days. I do not believe it.

The SPEAKER. The time of the gentleman from Illinois [Mr. CANNON] has expired.

Mr. CANNON. I ask the gentleman from Tennessee [Mr. RICHARDSON] to give me a minute or two more.

Mr. RICHARDSON. I yield the gentleman two minutes more.

Mr. CANNON. If it should be found that the Departments permit the kind of fraud which is suggested, it would be an impeachable offense. And here is a safeguard: If frauds are committed in the way suggested, there is a discretion on the part of the Postmaster-General under the law to have the weighing once every year or once every six months.

Some gentlemen say that this proposed change will cut our seeds from the advantage of mail transportation. I do not know whether it will or not. The gentleman from California says it will not, and if he has examined the matter I have great respect for his opinion, for he is a most competent man.

Mr. LOUD. The gentleman has misquoted me. I hope he wants to be fair. Let us settle this question now.

Mr. CANNON. I can not yield to the gentleman. He has some time left and can answer me in his own time.

Mr. LOUD. I will yield you a minute additional.

Mr. CANNON. All right.

Mr. LOUD. The gentleman misquotes the statement I made. I did not say or intimate that the heads of the Departments were stuffing the mails. I have not time in twenty minutes to show how the mails have been stuffed; but in this instance it was done not by the heads of Departments, but upon certain matter sent South by gentlemen who have the franking privilege.

Mr. CANNON. Well, sir, if anybody stuffs the mails—if any member of Congress or anybody else who has the franking privilege does it—turn on the "X rays" and let the whole thing be exposed. If such frauds have been committed, somebody ought to be expelled.

Oh, gentleman, I have been long enough in Congress to see great popular waves against the franking privilege. I have seen statistics upon the subject piled up mountain high to influence Congressional action against its continuance. But the amount of matter—governmental matter—transmitted through the mails in comparison with the great private service of the Department—that that is sent throughout the mails by private citizens—is in my judgment insignificant.

That is all I desire to say upon the subject.

Mr. RICHARDSON. Mr. Speaker, I yield now five minutes to the gentleman from Mississippi [Mr. KYLE].

Mr. KYLE. Mr. Speaker, I want to state to the House, briefly, my reasons, or some of the reasons at least, why in my opinion this bill ought to pass. I can not in the brief time allotted to me discuss it fully.

In the first place, it is in the interest of economy and better postal service to pass the bill. According to the best information the Committee on the Post-Office and Post-Roads has been able to obtain, it will result in a saving of about $1,000,000 a year to the Government. In the next place, it is in accordance with good business principles to pass it. Why? Because the chief in control of this Department of the Government, not only the present Postmaster-General, but that Department year after year for a long time past, has exhibited a desire for the passage of such a law as this. Why do they want it passed? In order to keep out of the mail matter not proper to put there.

Now let us examine for a moment what they have been carrying through the mails. According to a letter written by the Postmaster-General which is embodied in this report, tent poles and I do not know what else—every sort of stuff—have been dumped into the mails to be transported instead of sending it by freight or express, as it should have been sent. Now, how is the postal service of the Government affected by this condition? In the first place, it must be remembered that it costs the Government more, in dollars and cents, to transport matter of this character through the mails, under present conditions, than to send it in any other way that you can think of by any transportation company in the country. It has been suggested by the gentleman from California [Mr. LOUD] that it costs about 12 cents a pound to transmit such matter through the mails and to handle it. But let us put it at only one-half of that, and say it costs but 6 cents a pound to transmit it, I ask whether, in the range of your imagination, you can imagine any transportation company that is charging at the rate of 6 cents a mile for transporting tent poles or camp equipage or any such matter?

In this Louisiana case, to which reference has been made in the report, there were put into the mails at Baton Rouge for transportation, as we are informed by the Department, four parcels which had a penalty label, as follows: One sack weighing 68 pounds, one box weighing 200 pounds, one trunk weighing 78 pounds, and one set of tent poles weighing 34 pounds, all addressed to the United States Coast and Geodetic Survey, Baton Rouge, La.

Now, the gentleman from Illinois says that this is a matter the Postmaster-General can control; and that he has the discretion now to weigh the mails, if he deems proper, every six months or every year. That may be true; he may have the discretion; but it is very expensive to weigh the mails every six months.

Mr. ADAMS. Will the gentleman allow an interruption for a suggestion?

Mr. KYLE. Well, if it be a very brief one.

Mr. ADAMS. I was five years on the Geological Survey of the United States; and I wish to suggest to the gentleman that the time that would be saved in transporting the tent poles and camp equipage through the mails, rather than by freight or otherwise, might save to the Government a month's wages of thirty or forty men engaged in these expeditions. They can get them by mail much faster than by freight.

Mr. KYLE. Why, you can purchase tent poles for less than the amount it costs to transport them from point to point through the mails.

Now, why is it that the Government is to be burdened with this sort of thing? The gentleman said, and I started to reply to him, that the Government might weigh the mails every six months, and get rid of it in that way. I am at a loss to conceive how you are to get rid of it in that way, even if it were possible for the Postmaster-General to weigh the mails so frequently. He can not do it, to begin with.

As I said before, there is no reason why this bill should not pass.

The Postmaster-General, after careful investigation of the question, and not only the present one, but his predecessors, have been anxious, as I am informed, for the passage of such a bill, because they say it would be in the interest of the best business principles and the most economic management of the office. I hope, therefore, the motion of the gentleman from California will prevail.

Mr. RICHARDSON. I yield three minutes to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Speaker, I wish to state to the House that this matter has been carefully considered by the Committee on the Post-Office and Post-Roads of the House; and it is unnecessary to say that we can not discuss in the brief time allotted to us under the rule the merits of the matter. I will state, however, that the seventeen members of the Committee on the Post-Office and Post-Roads, after hearing all of the testimony in the case on both sides, are unanimous in their opinion on this question and are in favor of this bill.

Under the present law it costs $10,000,000 a year more to run the Post-Office Department than the receipts of the postal business produce to the Government. The result of it is that whenever we ask for an extension of mail privileges we are met constantly on the threshold by this immense deficit of $10,000,000 with regard to mail transportation.

The testimony is undisputed and indisputable before our committee that it costs 12 cents per pound to handle this matter as it is at present handled. Now, just consider for a moment what they are mailing under this franking privilege. They are mailing such things as saddles, blankets, harness, and thousands of yards of carpet, and not carpet in the original bulk as it comes from the manufacturing department, but these carpets are sent here and made up, and put up in bulky bundles, after being made to fit the rooms for which they are intended. They are then shipped by mail. Desks and things of that kind are mailed, in spite of the fact that the same matter could be sent by the express companies at the rate of 2 cents a pound, which would save the Government 10 cents a pound, and decrease the deficit with which we are constantly faced when we ask for an extension of mail privileges. I wish to state that there is no division in the committee on this question. After a careful investigation we are all united in favor of the proposition.

Mr. WILSON of Idaho. Do you say this matter could be sent by express for 2 cents a pound?

Mr. HALL. That is the testimony before the committee.

Mr. WILSON of Idaho. You do not mean to say it could be sent across the continent for 2 cents a pound, or for 6 cents a pound, by express? It would cost more than that to ship it across the continent. It might go from here to Baltimore at the rate you mention, but these charges are made according to the distance.

Mr. HALL. I understand from the statement of the Department that 2 cents a pound is the average cost of transportation by express, as compared with 12 cents a pound, the average cost of transportation through the mail under the law.

Mr. WILSON of Idaho. That certainly is not 2 cents a pound.

Mr. HALL. I do not believe there is any lawyer in this House who would have thought that anyone would have attempted to send saddles and harness and desks through the mail under the words "official matter." All the amendment we ask to the law is to put in the words "printed or written," not abridging the right of any member of Congress, but to allow the Government to save this sum, so that when we who live in the West especially come forward and ask an extension of mail privileges, we shall not be met constantly with a ten-million-dollar deficit.

Mr. RICHARDSON. I do not desire to use any time myself in opposition to this measure; but if any member of the House desires time, inasmuch as I control the remainder of the time in opposition, I will cheerfully yield to him. If not, I have nothing further to say.

Mr. LOUD. I ask for a vote, Mr. Speaker, unless some gentleman wants to ask some question.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and on a division there were—ayes 102, noes 32.

Accordingly, two-thirds voting in favor thereof, the rules were suspended and the bill passed.

ATLANTIC AND PACIFIC RAILROAD COMPANY.

Mr. POWERS. Mr. Speaker, I move to suspend the rules and pass the bill S. 1832, which I send to the Clerk's desk.

The bill was read, as follows:

An act (S. 1832) to define the rights of purchasers under mortgages authorized by an act of Congress approved April 20, 1871, concerning the Atlantic and Pacific Railroad Company.

Be it enacted, etc., That whenever any mortgage made by the Atlantic and Pacific Railroad Company under and by virtue of acts of Congress is foreclosed in any court of the United States, or of any State or Territory thereof, and any sale of the road, equipment, lands, franchises, privileges, and other rights and property covered by said mortgage is made under a decree or decrees of such courts, the purchaser at any such sale or sales, and their associates or assigns, shall constitute a new company, which shall have and shall be entitled to hold and possess the franchises and property so sold, and to exercise the same rights, powers, privileges, grants, and franchises, including the franchise to be a corporation, granted by the act of Congress approved July 27, 1866, incorporating the Atlantic and Pacific Railroad Company, and by acts amendatory thereof and supplemental thereto, which were owned and possessed by said Atlantic and Pacific Railroad Company, or said mortgagees at the time of such decree of foreclosure; and the incorporation as hereby provided shall be completed and become effective whenever the said purchasers and their associates or assigns shall file with the Secretary of the Interior a certificate of incorporation hereunder, duly acknowledged, specifying the name of such new corporation, its president, and the names of its directors, the amount of its proposed capital stock and bonds, together with certified copy of the decree or decrees ratifying such sale; but nothing in this act shall make such purchasers and their associates or such new corporation liable for any debts or claims or contracts of the old corporation not expressly assumed in their contract of purchase at said judicial sale: *Provided*, That the amount of the proposed issue of stock of such new corporation shall not exceed the aggregate amount which the Atlantic and Pacific Railroad Company has already issued and is now outstanding, except that said corporation may issue an additional amount of stock which, with the stock heretofore issued, shall not exceed the aggregate amount heretofore authorized by Congress, and such additional stock shall not be issued except for money, labor, or property, estimated at its actual cost value, in exchange for such stock at its full or par value: *Provided further*, That nothing herein contained shall be construed as making any additional grant of lands or other franchises to such successor corporation, or as a waiver of any rights of the United States now existing to enforce any forfeiture of lands heretofore granted to the said Atlantic and Pacific Railroad Company, or as in any manner affecting the vested rights of any settler or settlers on any of the lands heretofore granted to the Atlantic and Pacific Railroad Company or of any purchaser or purchasers of said lands from said company.

SEC. 2. That Congress shall at all times have the power to alter, amend, or repeal this act.

Mr. HOPKINS. Mr. Speaker, I demand a second on that.

The SPEAKER. Does the gentleman desire to consider a second as ordered?

Mr. HOPKINS. Yes, Mr. Speaker.

The SPEAKER. Without objection, a second will be considered as ordered.

Mr. TERRY and Mr. KEM objected.

Mr. POWERS and Mr. HOPKINS were appointed tellers.

The House divided; and the tellers reported—ayes 55, noes 15.

Accordingly a second was ordered.

Mr. POWERS. Mr. Speaker, this is a bill to enable the bondholders of two several mortgages of sections of the Atlantic and Pacific Railroad to organize themselves into a corporation upon the completion of foreclosure proceedings which are now pending upon these two mortgages.

The history of the road, briefly stated, is this: In 1866 Congress passed an act chartering the Atlantic and Pacific Railroad Company, with authority to build a railroad from Springfield, in the State of Missouri, through the Indian Territory and one or two other Territories, to California and the Pacific Coast. Certain land grants were made to enable that road to complete its line. It was then supposed that the need for a railroad was urgent enough to call out popular subscriptions to the capital stock of $100,000,000, fixed by the original act, and that thereby the road would be completed; but like most other projectors of railroad enterprises, these gentlemen were disappointed in their expectations, and found themselves under the necessity of obtaining authority to mortgage their road, which authority did not exist under the original act. Accordingly, in 1871, they came to Congress, and on the 20th of April in that year Congress authorized them to mortgage their property under a section which has been held by the court to be too narrow to enable them to mortgage the franchise, to become corporations.

Now the holders of those mortgages are in just this plight: They have a valid mortgage, covering the property of the company, but they have no mortgage that would enable them, under it, to reorganize into a corporation with the power to be a corporation. It becomes necessary, therefore, to confer this additional franchise upon them. I am sure that no gentleman who has read the report in this case, that was made in the Senate, and which has been duplicated in the House, can fail to see that the measure is one entirely just to the owners of these two mortgages. The road was built from Springfield to the east line of the Indian Territory some years ago, and has passed out of the hands of the original company and now forms a part of the St. Louis and San Francisco Railway. The central division was that line from the line of the Indian Territory to Albuquerque, N. Mex., and this mortgage on that division is in controversy in this matter. The western division runs from Albuquerque west to California, and the mortgage of that division is also in question.

Now, then, the bondholders of the two mortgages last named, on the central and western divisions, have foreclosed their mortgages, and very soon the property under those foreclosures will be sold and the bondholders are probably the only persons who will bid for the property. It is of no interest to anybody else. It is mortgaged for probably far more than it is worth. They desire this additional legislation to enable them to become a corporation and operate their line under their corporate existence.

This bill was unanimously reported by the Committee on the Judiciary of the Senate, passed the Senate unanimously, came to the House, and has been unanimously reported by the committee

of this House. I am not conscious that there can be any objection to this matter at all. I once attempted to get it up before the House and asked unanimous consent for that purpose, but objection was made by two or three gentlemen, with whom I have since conversed, and upon examination of it since with them I am authorized to say that they have no personal objection whatever to the bill.

Mr. CONNOLLY. Will the gentleman allow me to ask him a question?

Mr. POWERS. Certainly.

Mr. CONNOLLY. Was there any provision in the original land grant requiring that the lands should be sold in any particular time to settlers, or at any particular price?

Mr. POWERS. I am very glad my friend called out that matter. I meant to state it. The land grant to this road under act of Congress has been forfeited. The company resisted the forfeiture, and the case is now pending in the Supreme Court; but this bill reserves whatever rights the United States may have in that case in the event the decision is made against us; but the lands are actually forfeited by act of Congress.

Mr. HENDERSON. Then this is for the purpose of enabling the purchasers under the foreclosure sale to become a corporation?

Mr. POWERS. Yes; to become a corporation.

Mr. HENDERSON. Under State or Federal law?

Mr. POWERS. Under Federal law, because the line runs through the Indian Territory.

Mr. HENDERSON. Does the gentleman say they can not organize and incorporate under a State law?

Mr. POWERS. The road does not run through States altogether. It runs through the Indian Territory; and there is no way for it to be incorporated through State law.

Mr. HENDERSON. Except by act of Congress?

Mr. POWERS. Exactly. So that it becomes necessary to have a Federal charter.

Mr. CONNOLLY. Are there not several roads running through the Indian Territory under State charters?

Mr. POWERS. That may be. But my friend will see the awkwardness of the situation which this would be in. This charter was originally granted by Congress, and you are simply extending this provision to the new corporation. The gentleman will see how awkward it would be to have it incorporated by a different jurisdiction.

Mr. CONNOLLY. Why not have a general provision? Notwithstanding the Federal charter, it should, for the purpose of giving judicial jurisdiction, be regarded as a citizen of each State or Territory through which it runs.

Mr. POWERS. I will say to my friend there is a general bill pending, and I hope it will pass, applying to all such corporations.

Mr. CONNOLLY. If that bill should pass, that would not affect this.

Mr. POWERS. If there is a general law, of course it would be applicable to all Federal corporations, because the right to alter and amend remains.

Mr. HENDERSON. Now, what provision is made for judgments and claims against the old company, and damage suits, and all that sort of thing.

Mr. POWERS. Of course any judgment against the old company is a valid judgment that no legislation of ours can affect. It will be a vested right that could not be disturbed by the granting of a new charter.

Mr. HENDERSON. Do you make any provision for the preservation of the rights of judgment holders?

Mr. POWERS. We do not, any more than the general law.

Mr. MITCHELL. Will the gentleman kindly define a little more fully what is meant by lines 28 to 32?—

But nothing in this act shall make such purchasers or their associates or such new corporation liable for any debt or claims, or contracts of the old corporation not expressly assumed in their contract of purchase at said judicial sale.

Mr. POWERS. It means, as to the rights of the mortgagee, he shall not be compelled to pay any debt except such as his mortgage is subject to. You can not compel the mortgagee of a farm to pay the mortgagor's debts unless those debts are paramount to the mortgage.

Mr. CONNOLLY. We could refuse to give him any new rights unless he did that.

Mr. POWERS. My friend from Illinois is too good a lawyer not to know that he could not have any new rights better than those which he has.

Mr. CONNOLLY. But we could refuse to give him a charter which would put him beyond the reach of the State courts.

Mr. POWERS. My friend would not ask us to legislate for a thing that the law protects everybody in already.

Mr. CONNOLLY. We have reported from the Judiciary Committee a measure providing for the reorganization of the Northern Pacific, and containing a requirement that they shall pay the debts of the old company.

Mr. POWERS. I understand that in the resolution relating to the reorganization of the Northern Pacific Railroad a specific regulation was made with reference to that matter, but it is wholly unimportant in this case, because these mortgages all antedate any debts created against this corporation.

Mr. BURTON of Missouri. Did not the original charter exempt the property, or certain property, of this road from taxation?

Mr. POWERS. I have not seen the original charter in full, but I think I can with perfect safety say that Congress never passed such a charter.

Mr. BURTON of Missouri. I know that at one time the road contested the right to levy a certain tax upon its property, but I can not now recall the result of the contest.

Mr. POWERS. Well, I think I can say, in answer to my friend, that Congress never has chartered a corporation of this kind and exempted it from taxation.

Mr. BURTON of Missouri. I may be confused in regard to the road. It may have been a road which was merged into this.

Mr. POWERS. States have sometimes passed such laws, but Congress never has, according to my recollection. Mr. Speaker, I reserve the balance of my time.

Mr. CONNOLLY. Before the gentleman sits down I wish to ask him another question. Has not this Atlantic and Pacific Railroad been running for some years as a part of the Southern Pacific system?

Mr. POWERS. Not at all.

Mr. CONNOLLY. To what system does it belong?

Mr. POWERS. To the Santa Fe system. The western division, from Albuquerque westward, is now a part of the Santa Fe system. It has no relation whatever to the Southern Pacific Railroad.

Mr. BRUMM. I understood the gentleman from Vermont to say that the provision here exempting these parties from liability for debts, etc., is inserted because the law would exempt them at any rate—that this being a first mortgage, and being basic, it could not be held liable for debts subsequently incurred. Now, that being the law, and the gentleman knowing it to be the law, what is the use of having such a provision in this bill?

Mr. POWERS. I will be perfectly frank with the gentleman and say that I do not know why that provision is in the bill. This bill came over from the Senate containing that provision.

Mr. BRUMM. But should it not be stricken out if there is no reason for having it in the bill?

Mr. POWERS. I think not, because it is entirely harmless; and if it is stricken out, my friend can see what will be the probable fate of the bill at this stage in the session.

Mr. BRUMM. The only question is whether there is not something hidden here.

Mr. POWERS. Oh, no. My friend will understand that this is a very important matter to the mortgagees below, and the bill having come to us from the Senate in this form, containing this provision, about which I feel as the gentleman does, we did not wish, at this late hour of the session, to run the risk of its failing, so we made no point about that.

Mr. HOPKINS. Mr. Speaker, I opposed this bill when the gentleman brought it up some time ago and asked unanimous consent for its consideration. My purpose in doing so was to force him to have the bill go to a committee, where it could be considered and amended if, in the judgment of the members of the House, amendments should be made. This is a bill for the reincorporation of an organization that first received its corporate authority in 1866, at a time when the Congress of the United States was giving extravagant donations to railroad companies, or proposed railroad companies, extending over different parts of the country. Gentlemen will remember that the date of this charter was only a year or two after the grants were made to the Central Pacific and the Union Pacific railroads. The termini of this road were to be Springfield, Mo., on the east and the Pacific Ocean on the west, and the capital stock was to be $100,000,000. The road was never built in accordance with the terms of the charter granted in 1866; neither was it completed under the terms of the amendment adopted in 1871. Mortgages were given, and it is claimed that those mortgages have been foreclosed.

Now, this bill proposes to give the purchasers under the foreclosure decree all the powers, rights, and authority that were granted to the original incorporators, including the land that was granted in aid of the construction of the road. A number of years ago the members of the House and of the Senate agreed upon a bill forfeiting a large portion of the lands granted to this road, but the company resisted that act, and has taken the question into the courts and is litigating it and undertaking to defeat the will of Congress in the matter of restoring these great tracts of land to the Government. Now, it seems to me that if this road is to be allowed to be incorporated under this bill, as proposed here, the corporation ought not to have the rights granted to the original incorporators. They do not pay for those rights. They get this road at a minimum price. The chartered rights, the rolling stock,

and the other interests which they get under the decree will be a full equivalent for all that they pay, even if the lands are permitted to revert to the United States. But under this bill they have, as I have just suggested, the same rights that the original corporators had. At the same time, all the obligations of those original corporators outside of these mortgage obligations are cut off by the decree; and the persons who purchase under that decree take the road, stripped from the obligations to which the original corporators would be subjected. I think, Mr. Speaker, that in this matter rights and obligations should be reciprocal. If the new company is to have the same rights that the original company enjoyed, it ought to assume the same obligations. Another reason why I oppose this bill is that under the motion to suspend the rules no amendment can be made to the measure.

Mr. POWERS. Will the gentleman yield a moment?

Mr. HOPKINS. I will.

Mr. POWERS. I think my friend has failed to notice the proviso in this bill.

Mr. HOPKINS. If I have failed to notice anything important as bearing on this question I shall be pleased to be corrected.

Mr. POWERS. The last proviso is—

That nothing herein contained shall be construed as making any additional grant of lands or other franchises to such successor corporation, or as a waiver of any rights of the United States now existing to enforce any forfeiture of lands heretofore granted to the said Atlantic and Pacific Railroad Company, or as in any manner affecting the vested rights of any settler or settlers on any of the lands heretofore granted to the Atlantic and Pacific Railroad Company or of any purchaser or purchasers of said lands from said company.

Mr. HOPKINS. Does not the gentleman see that by the very provision he has just read the right which belonged to the original corporators to resist forfeiture by the Government of the United States is conveyed to the new corporation? That is the effect of the express language of the clause which the gentleman has just read.

Mr. POWERS. Why should they not have that right?

Mr. HOPKINS. The point I am making is that there ought to be a provision here prohibiting this new company from prosecuting a proceeding in the courts to take those lands from the United States.

Mr. POWERS. Does the gentleman as a legislator on this floor propose to interfere with the right of people to go into the courts and establish their rights?

Mr. HOPKINS. These people are here asking for privileges which they claim are necessary.

Mr. POWERS. Suppose they are; does that give us the right to exact from them something which they are under no obligation to surrender—to practically levy blackmail?

Mr. HOPKINS. The persons constituting this new company have bought this road at a merely nominal figure; and there is no reason on earth why, acquiring the property in that way, they should have the same right that the original corporators had to litigate the question of forfeiture in the courts. The question is whether this vast territory which was granted to the original corporators should be given to this new company.

Now, Mr. Speaker, I yield seven minutes to the gentleman from Arkansas [Mr. TERRY].

Mr. TERRY. Mr. Speaker, this is a very important matter and one which really ought to have been considered by the Committee on the Judiciary. It involves questions which, as suggested by the distinguished gentleman from Illinois [Mr. HOPKINS], may gravely affect important rights of the United States Government. By this bill it is proposed to grant to the purchasers under foreclosure proceedings the right to take all the lands originally granted to the Atlantic and Pacific Railroad, and to use them in such way as the purchasers may deem proper. Under this bill all the coal and mineral lands (if there be such) along the right of way embraced in the great empire originally given to this company for nothing will become the property of this new company, which may organize itself virtually into a coal company and obtain a monopoly on the coal business and supply by furnishing discriminating facilities to themselves or those they may designate, and shutting out all others. In the great West—in Colorado and other Western States—this is one of the crying evils of the present day. Where the railroad company obtains possession of a coal mine and is allowed to operate the same, it can discriminate in favor of its own mines and against those owned by others so as to destroy competition, thus raising the price of this great necessity of civilization to whatever point the monopolists may please.

In the bill for the reorganization of the Northern Pacific Railroad Company which was referred to the Committee on the Judiciary that committee after careful consideration adopted amendment after amendment to protect the people against things of that kind. It was also provided that the company should pay its debts. Under this bill you permit this reorganized company to take all the benefits of the Government's bounty and to assume none of the burdens which should accompany the gift. This is not a measure which this House can afford to pass under suspension of the rules. Furthermore, in the Northern Pacific Railroad bill there was inserted by the Judiciary Committee a proviso requiring that company to submit itself to the jurisdiction of the State courts in the States through which the roads might pass. There is nothing of that kind in this bill. Under the pending measure this reorganized corporation, when sued by a citizen of any of the States or Territories, can drag him hundreds of miles to a Federal court in order to maintain his suit. Do gentlemen suppose that the people of that part of the country will look with any degree of toleration upon an act of Congress permitting an outrage of that sort upon their rights? What will they say to a House that is responsible for legislation of this character? I think the majority of this Congress, on that side of the House, should heed the warning given to them by the gentleman from Illinois and go slowly, considering well before passing such a bill.

I might go further, Mr. Speaker, but there are other gentlemen from the States specially interested in this matter who may wish to say something, and I will yield back to the gentleman from Illinois the time I have not consumed.

Mr. HALL. I wish to direct the attention of my friend from Arkansas, before he takes his seat, to page 2 of the bill, line 28, beginning with the word "but." I will read the paragraph to which I refer:

But nothing in this act shall make such purchasers and their associates, or such new corporation, liable for any debts or claims or contracts of the old corporation not expressly assumed in their contract of purchase in said judicial sale.

Now, if this is the common law, why should that clause be put into the bill?

Mr. TERRY. That is an express provision evidently put in to give them the rights and privileges which the old company possessed without requiring them to assume any of the obligations. It is simply emphasizing the point I was trying to make.

Mr. HOPKINS. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has seven minutes.

Mr. HOPKINS. Before concluding——

Mr. DOCKERY. If the gentleman will permit me, I desire to ask whether this bill has been submitted to the gentlemen representing any part of the State of Missouri through which the line of road runs?

Mr. HOPKINS. I am informed by one of the members from Missouri that it has not been.

Mr. DOCKERY. I have an impression that some of the Representatives from that State are opposed to the passage of the bill.

Mr. HOPKINS. Mr. Speaker, I think the objection I originally made comes with additional force to-day, that this bill ought not to go through under a suspension of the rule.

The gentleman from Arkansas [Mr. TERRY] has pointed out the fact that under the original act, if this bill becomes a law, this company will succeed to all of the rights and privileges of the old organization—the new company taking the place of the other organization—with a view to assuming charge and control of that great empire which the United States Government forfeited in 1886 and which is being resisted by this very company in the United States court to-day.

I desire to emphasize the fact that if these gentlemen seek to have a bill passed and are to be exempted from all of the obligations expressly as they are exempted from the obligations in this bill, as appears by reference to lines 28, 29, 30, 31, and 32 of the bill, that they should also be excluded from the great benefits that inured to the original corporation by reason of the land grants made by the Government.

Every person familiar with the condition of legislation relating to the great continental lines knows that that legislation went through the House without very great care, or such care as the importance of the subject seems now that it should have demanded, and that it gave millions upon millions of acres of land to these incorporators. And I see no reason at this late date, when we have plenty of lines of railroad between this and the Pacific Coast, to reincorporate the old company, reviving and giving new life to it, and give it the privilege of contesting in the courts the right to take these lands.

I trust the members of the House will defeat the bill to-day, and let the gentleman bring it up at the next session of Congress, where we can go into it fully, where it can be considered in the Committee of the Whole and amended so as to properly protect the interests of the United States. If it passes to-day it passes without amendment, with all these objectionable features embodied in it, precisely as it is presented here.

We have seen enough even in this desultory debate here to-day to know that the interests of the United States are not properly guarded and protected by the pending bill.

Mr. MITCHELL. Will the gentleman yield to me for a question?

Mr. HOPKINS. Yes, sir.

Mr. MITCHELL. I would like to ask the gentleman if he can

explain how it is that this provision embraced in lines 28, 29, 30, and 31 got into the bill? It seems to be a most extraordinary provision.

Mr. HOPKINS. I do not know, but I can understand, of course, that it was put in for the benefit of the company, or the proposed company.

Mr. WELLINGTON. Will the gentleman allow me to ask him a question?

Mr. HOPKINS. Certainly.

Mr. WELLINGTON. If this bill passes, would it not give to this corporation the powers and privileges which were conferred upon the old corporation, while at the same time it relieves them of all of the debts and obligations?

Mr. HOPKINS. That is contained in express terms in the bill.

Mr. WELLINGTON. I have so understood.

Mr. MCMILLIN. If the gentleman from Illinois will yield to me for a moment, I desire to submit a suggestion to the gentleman in charge of this bill. This bill relieves the new company from the obligations of the old company and gives it all of the rights of the old company. It seems to be a measure of vast importance, involving many interests; and it is proposed by the gentleman from Vermont to pass it under a suspension of the rules, when there is no opportunity for amendment. Neither is there an opportunity for an adequate explanation of the bill.

I ask the gentleman whether he is not willing to change the motion for a suspension of the rules and passage of the bill to a motion to fix the time for the consideration of the bill, so that it may be subject to amendment when it is taken up for consideration? That insures to him consideration of the bill. That insures to the House an opportunity to fully understand it, and insures to the country such a consideration as can not be had here now.

Mr. DOCKERY. Will the gentleman allow me just one word?

Mr. HOPKINS. I yield to the gentleman from Missouri.

Mr. DOCKERY. I only desire to say that I have not had an opportunity to examine the provisions of this bill. I do not know whether they are wise or unwise, but I do know there is no right of amendment under a motion to suspend the rules, and inasmuch as this bill affects, perhaps, the people of Missouri, I hope the House will vote down the motion, if it is insisted upon, to suspend the rules and pass this bill. I quite agree with the suggestion of the gentleman from Tennessee [Mr. MCMILLIN] that the motion should be changed so as to fix a time for consideration.

Mr. HOPKINS. I yield three minutes to the gentleman from Missouri [Mr. TRACEY].

Mr. POWERS. In view of the suggestion just made, I have no objection myself to the bill being postponed until Monday, immediately after the reading of the Journal, and that it be considered at that time, subject to such amendment as is proper to be made. I do not want to have it drop out. There is nothing in this bill, I can assure the House, but what is perfectly proper when it is understood, and for that reason I am entirely willing that the House should have all the opportunity that is desired to consider it.

Mr. MCMILLIN. It strikes me that would be the better course to pursue.

Mr. TRACEY. I believe I am entitled to the floor.

The SPEAKER. The gentleman from Missouri [Mr. TRACEY] is entitled to the floor, if he claims it.

Mr. TRACEY. Mr. Speaker, I desire to say to the members of the House that this bill affects my own district, or at least I believe it does. The road to which the land grant was originally given, and which this bill affects, runs through my district. The people whom I represent are interested. It would certainly be wrong and unjust, it seems to me, to pass a bill of this kind in this way, which gives no member——

Mr. POWERS. Will the gentleman yield to me for a moment? He is entirely mistaken in supposing this road runs through his district. No part of it which is affected by this bill is in Missouri. It is simply the central and western divisions of the road, running through the Indian Territory and west, which are affected.

Mr. TRACEY. This affects the Atlantic and Pacific Railroad?

Mr. POWERS. Very good; but if you will read the bill——

Mr. TRACEY. The Atlantic and Pacific Railroad begins at my town.

Mr. POWERS. I know, but this bill does not affect any part of the road in your town nor in your State.

Mr. BRUMM. It touches the road, however.

Mr. POWERS. No; it does not touch the road. That has gone into other hands. I want to say that this mortgage is not on the Missouri portion of the road.

Mr. TRACEY. The purchasers under the foreclosures and sales that have heretofore taken place are affected by this bill, and I want time, as a representative of those who I think are affected by the bill, to investigate it and to amend it if necessary, so as to protect the interests that I believe I represent; or I want to have an opportunity to convince myself that the interests I represent are not affected by the bill. I think I am entitled to that, and I trust the bill will be postponed until I can have that opportunity.

Mr. HENDERSON. Will the gentleman from Illinois [Mr. HOPKINS] yield to me for a minute?

Mr. HOPKINS. I yield to the gentleman from Iowa [Mr. HENDERSON].

Mr. HENDERSON. Mr. Speaker, I do not want to discuss this bill, but I should like to say to the membership of this House that if we want to get away at an early date we should all stay here to-day and attend to the business that will be brought before the House. We have conference reports and other matters coming in which are of great importance, and if we keep together and attend to our work we are going to get away very soon. Otherwise we shall be here for several days.

Mr. HOPKINS. What would be your suggestion about this bill?

Mr. HENDERSON. I am not discussing that now.

Mr. POWERS. I yield two minutes to the gentleman from Kansas [Mr. BLUE].

Mr. BLUE. Mr. Speaker, I am convinced from this discussion that very many gentlemen on the floor of the House are not conversant with this bill or its features. They evidently have not examined either the bill or the report of the committee. I apprehend, sir, that no gentleman here desires to do any injustice. Neither, as I understand it, is it the desire of those interested in having this bill become a law to take any undue advantage. There may be some omissions that ought to be supplied. If this original charter does not provide for making this corporation a citizen of each of the States and Territories through which it passes, that amendment should go on this bill. Gentlemen are mistaken when they say that this bill provides for the bondholders to reorganize. It provides that the purchasers under this mortgage foreclosure may reorganize. It is entirely likely, I suppose, that the bondholders may become the purchasers, but that is not necessarily so. I think that the provisions of the latter part of this bill are amply sufficient to protect the rights of all parties. I do not apprehend that any gentleman here, when he considers this matter fully, will wish to compel a reprisal by saying that the rights which are claimed by the original corporation must all be surrendered, and that a suit now pending in the courts for the purpose of determining the meaning of a law shall be dismissed before this bill becomes a law.

It may be doing injustice to defeat this bill, because this is for the purpose, as I understand it, of reorganization, and it is an imperative necessity; but in the interest of fairness, so that all may understand it, I trust that the suggestion of the gentleman from Tennessee will be followed. In that way the defeat of the bill may be prevented, and it can be modified to suit all parties.

Mr. BRUMM. Will the gentleman permit me to ask him a question?

Mr. BLUE. Certainly.

The SPEAKER. The time has expired upon both sides.

Mr. FARIS. Mr. Speaker, I would like to suggest to my colleague in charge of the bill that he withdraw it, and let it go over until next session.

Mr. POWERS. In accordance with the suggestion that has been made, I will move that the bill be postponed until Monday, immediately after the reading of the Journal.

The SPEAKER. The difficulty about that is that it would disarrange the whole proceedings of the House.

Mr. DINGLEY. Such a motion would not be in order—to postpone further consideration of a bill under an order for suspension of the rules that continues only to-day.

Mr. POWERS. My desire is to substitute for the original motion an understanding that the bill be considered on Monday.

Mr. MCMILLIN. That is what I would do.

Mr. DINGLEY. I hope that will not be done, and that no assent of that kind will be given on a bill of that character.

Mr. DOCKERY. Let it go over until next session.

Mr. POWERS. Mr. Speaker, I withdraw the bill from consideration.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Vice-President had appointed, in compliance with the act approved June 3, 1896, entitled "An act to repeal section 61 of an act to reduce taxation, to provide revenue for the Government, and for other purposes, which became a law August 28, 1894," Mr. PLATT, Mr. ALDRICH, and Mr. JONES of Arkansas members of the joint select committee on the part of the Senate to consider all questions relating to the use of alcohol in manufactures and arts free of tax, etc.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes; had further insisted upon its amendments numbered 2,

3, 4, 6, 7, 8, 13, 15, 16, 17, 32, 61, 97, 109, 122, 123, 124, 146, 147, and 161, disagreed to by the House of Representatives; had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALLISON, Mr. HALE, and Mr. GORMAN as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6249) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposee.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 6826) granting a pension to Rhoda Augusta Thompson, daughter of the late Thaddeus Thompson, a private in the Revolutionary war;

A bill (H. R. 6603) to pension the minor children of Patrick F. Reynolds; and

A bill (H. R. 1826) granting a pension to Henry Prince.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 6259) to expedite the delivery of imported parcels and packages not exceeding $500 in value, asked a conference with the House on the bill and amendments, and had appointed Mr. ALDRICH, Mr. ALLISON, and Mr. VEST as the conferees on the part of the Senate.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, the following Senate bills were taken from the Speaker's table and referred by the Speaker as follows:

A bill (S. 1501) granting an increase of pension to Mrs. Lucy Alexander Payne, widow of Capt. J. Scott Payne, Fifth United States Cavalry—to the Committee on Pensions.

A bill (S. 2989) to increase the pension of Caroline S. Baker—to the Committee on Pensions.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 4020) granting an increase of pension to Mrs. William Loring Spencer;

A bill (H. R. 4888) for the relief of George Hager;

A bill (H. R. 8469) to authorize the Baltimore and Washington Transit Company of Maryland to enter the District of Columbia;

A bill (H. R. 7919) granting a site for the erection and maintenance of a charity hospital by the city of Biloxi, Miss.;

A bill (H. R. 8248) to increase the pension of Mrs. Emily E. Cash;

A bill (H. R. 2143) granting a pension to Mrs. Emily M. Van Derveer, widow of the late Brig. Gen. Ferdinand Van Derveer;

A bill (H. R. 9275) approving certain acts of the legislative assembly of the Territory of New Mexico, authorizing the issue of certain bonds of said Territory, and for other purposes;

A bill (H. R. 5258) granting an honorable discharge to John B. Besler;

A bill (H. R. 5279) granting a pension to Jerusha H. Brown;

A bill (H. R. 6607) for the relief of Helen Larned; and

A bill (H. R. 4921) to relieve the North Georgia Agricultural College from the payment of $450 for damaged gun.

VETO MESSAGE.

The SPEAKER. The Chair desires to lay before the House the following message of the President of the United States.

The Clerk read as follows:

To the House of Representatives:

I hereby return without my approval House bill No. 8293, entitled "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes."

To the extent that the Constitution has devolved upon the President a participation in legislation, I suppose his action on bills presented to him for approval involves a duty to be performed, like others pertaining to his office, with care and circumspection, and in full view of his responsibility to the people and his obligation to subserve the public welfare. It is difficult to understand why, under the Constitution, it should be necessary to submit proposed legislation to Executive scrutiny and approval except to invoke the exercise of Executive judgment and invite independent Executive action.

The unpleasant incidents which accompany the use of the veto power would tempt its avoidance if such a course did not involve an abandonment of constitutional duty and an assent to legislation for which the Executive is not willing to share the responsibility.

I regret that I am constrained to disapprove an important appropriation bill so near the close of the present session of Congress. I have, however, by immediate action after the receipt of the bill endeavored to delay as little as possible a reconsideration of this proposed legislation, though I am thus obliged to content myself with a less complete explanation of my objections than would otherwise be submitted.

This bill is, in many of its features, far removed from a legitimate deficiency bill, and it contains a number of appropriations which seem to me to be exceedingly questionable. Without noticing in detail many of these items, I shall refer to two of them which in my judgment justify my action in the premises.

The bill appropriates $1,027,314.09 for a partial payment upon claims which originated in depredations upon our commerce by French cruisers and vessels during the closing years of the last century. They have become quite familiar to those having Congressional experience, as they have been pressed for recognition and payment, with occasional intervals of repose, for nearly one hundred years.

These claims are based upon the allegations that France, being at war with England, seized and condemned many American vessels and cargoes in violation of the rules of international law and treaty provisions, and contrary to the duty she owed to our country as a neutral power and to our citizens; that by reason of these acts claims arose, in favor of such of our citizens as were damnified, against the French nation, which claims our Government attempted to enforce, and that in concluding a treaty with France in the year 1800 these claims were abandoned or relinquished in consideration of the relinquishment of certain claims which France charged against us.

Upon these statements it is insisted by those interested that we as a nation having reaped a benefit in our escape from these French demands against us through the abandonment of the claims of our citizens against France, the Government became equitably bound as between itself and its citizens to pay the claims thus relinquished.

I do not understand it to be asserted that there exists any legal liability against the Government on account of its relation to these claims. At the term of the Supreme Court just finished the Chief Justice, in an opinion concerning them and the action of Congress in appropriating for their payment, said: "We think that payments thus prescribed to be made were purposely brought within the category of payments by way of gratuity—payments of grace and not of right."

From the time the plan was conceived to charge the Government with the payment of these claims they have abided in the atmosphere of controversy. Every proposition presented in their support has been stoutly disputed and every inference suggested in their favor has been promptly challenged.

Thus, inasmuch as it must, I think, be conceded that if a state of war existed between our country and France at the time these depredations were committed, our Government was not justified in claiming indemnity for our citizens, it is asserted that we were at the time actually engaged in war with the French nation. This position seems to be sustained by an opinion of the Attorney-General of the United States, written in 1798, and by a number of decisions of the Supreme Court delivered soon after that time.

We had certainly abrogated treaties with France, and our cruisers and armed ships were roaming the seas capturing her vessels and property.

So, also, when it is asserted that the validity of these claims was acknowledged in the treaty negotiations by the representatives of France, their declarations to a contrary purport are exhibited.

And when it is alleged that the abandonment of these claims against France was in consideration of great benefits to the Government, it is as confidently alleged that they were in point of fact abandoned because their enforcement was hopeless and that even if any benefit really accrued to us by insistence upon their settlement in the course of diplomatic negotiation, such result gave no pretext for taxing the Government with liability to the claimants.

Without noticing other considerations and contentions arising from the alleged origin of these claims, a brief reference to their treatment in the past and the development of their presentation may be useful and pertinent.

It is, I believe, somewhat the fashion in interested quarters to speak of the failure by the Government to pay these claims as such neglect as amounts to repudiation and a denial of justice to citizens who have suffered. Of course the original claimants have for years been beyond the reach of relief; but as their descendants in each generation become more numerous the volume of advocacy, importunity, and accusation correspondingly increases. If injustice has been done in the refusal of these claims, it began early in the present century and may be charged against men then in public life more conversant than we can be with the facts involved, and whose honesty and sense of right ought to be secure from suspicion.

As early as 1802 a committee of the House of Representatives reported the facts connected with these claims, but apparently without recommendation. No action was taken on the report. In 1803 a resolution declaring that indemnity ought to be paid was negatived by a vote of the same body. A favorable committee report was made in 1807, but it seems that no legislative action resulted. In 1818 an adverse report was made to the Senate, followed by the passage of a resolution declaring "that the relief asked by the memorialists and petitioners ought not to be granted." In 1822 and again in 1824 adverse committee reports on the subject were made to the House, concluding with similar resolutions.

The presumption against these claims arising from such unfavorable reports and resolutions and from the failure of Congress to provide for their payment at a time so near the events upon which they are based, can not be destroyed by the interested cry of injustice and neglect of the rights of our citizens.

Until 1846 these claims were from time to time pressed upon the attention of Congress with varying fortunes, but never with favorable legislative action. In that year, however, a bill was passed for their ascertainment and satisfaction, and $5,000,000 were appropriated for their payment. This bill was vetoed by President Polk, who declared that he could "perceive no legal or equitable ground upon which this appropriation can rest." This veto was sustained by the House of Representatives.

Nine years afterwards and in 1855 another bill was passed similar to the one last mentioned, and appropriating for the settlement of these claims a like sum of money. This bill was also vetoed, President Pierce concluding a thorough discussion of its demerits with these words: "In view of what has been said, there would seem to be no ground on which to raise a liability of the United States unless it be the assumption that the United States are to be considered the insurer and the guarantor of all claims of whatever nature which any individual citizen may have against a foreign nation." This veto was also sustained by the House of Representatives.

I think it will be found that in all bills proposed in former times for the payment of these claims, the sum to be appropriated for that purpose did not exceed $5,000,000. It is now estimated that those already passed upon, with those still pending for examination in the Court of Claims, may amount to $25,000,000. This indicates either that the actual sufferers or those nearer to them in time and blood than the present claimants underestimated their losses or that there has been a great development in the manner of their presentation.

Notwithstanding persistent efforts to secure payment from the Government and the importunity of those interested, no appropriation has ever been made for that purpose, except a little more than $1,300,000, which was placed in the general deficiency bill in the very last hours of the session of Congress on March 3, 1891.

In the long list of beneficiaries who are provided for in the bill now before me on account of these claims, 152 represent the owners of ships and their cargoes and 186 those who lost as insurers of such vessels or cargoes.

These insurers by the terms of their policies undertook and agreed "to bear and take upon themselves all risks and perils of the seas, men-of-war, fire, enemies, rovers, thieves, jettison, letters of mart and counter mart, surprisals, takings at sea, arrests, restraints, and detainments of all kings, princes, or people of what nation, condition, or quality whatsoever."

The premiums received on these policies were large, and the losses were precisely those within the contemplation of the insurers. It is well known that the business of insurance is entered upon with the expectation that the premiums received will pay all losses and yield a profit to the insurance in addition; and yet without any showing that the business did not result in a profit to these insurance claimants, it is proposed that the Government shall indemnify them against the precise risks they undertook, notwithstanding the fact that the money appropriated is not to be paid except "by way of gratuity—payments as of grace and not of right."

The appropriations to indemnify against insurance losses rest upon weaker grounds, it seems to me, than those of owners; but in the light of all the facts and circumstances surrounding these spoliation claims, as they are called, none of them, in my opinion, should be paid by the Government.

Another item in this bill which seems to me especially objectionable is an appropriation in favor of Charles P. Chouteau, survivor, etc., of $174,445.75 in full satisfaction of all claims arising out of the construction of the ironclad steam battery *Etlah*.

The contract for the construction of this battery was made by the Government with Charles W. McCord during the war, and he was to be paid therefor the sum of $386,000. He was paid this sum and $210,991 for extras, and in May, 1866, gave his receipt in full. The assignee of McCord in bankruptcy assigned to Chouteau and his associates in 1868 all claims of McCord against the United States for the precise extras for which he had receipted in full two years before. Chouteau brought suit in the Court of Claims for such extras and was defeated. I can not gather from the facts I have been able to collect concerning this appropriation that it is justified on any ground.

In 1891 my immediate predecessor vetoed a bill allowing the matter to be examined again by the Court of Claims.

If the additional payment proposed in this bill was made, the cost of the battery in question would be almost double that of the contract price.

I have determined to submit this incomplete presentation of my objections to this bill at once in order that the Congress may act thereon without embarrassment, or the interruption of plans for an early adjournment.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 6, 1896.*

[Applause.]

Mr. CANNON. Mr. Speaker, I would be glad, after a minute of observation, to have a vote that will dispose of the veto. I want to say that, in my judgment, if amendment numbered 233 on the general deficiency bill, covering 700 items, aggregating in round numbers $2,000,000, had been fully understood by any and all members of the House in all its provisions the House would not have concurred in that amendment. I did the best I possibly could, along with other gentlemen, against concurrence, as gentlemen will recollect. I do not now expect to discuss the merits of the 700 provisions. I have neither the knowledge nor the time. That amendment could not get in on any House bill except by unanimous consent. The Senate picked them out, put them in an omnibus, and sent the matter here with their compliments.

Now, I do not believe that any member on the floor of this House would have voted to concur, whatever he might think of the French spoliations claims, whatever he might think of the claims under the Bowman Act, if he had known that, fastened as a leech, under false pretenses, that Chouteau claim was on. The Chouteau claim is there. A brief statement will cover it. I have had occasion to examine into it since. It was paid in full. Full receipt given by the contractors; suit in the Court of Claims in 1873, and the contractor or his assignees defeated. A well-considered opinion was rendered. It was sent by the Committee on Claims of the House under the Bowman Act to the Court of Claims and turned down, the Court of Claims refusing to take jurisdiction, saying that the Committee on Claims had no power to send it to them. Now, then, so much for that—$174,000! It is not necessary for me to discuss it. I will not take time.

There are others, some of which I hold in my hand, and I have examined them. They are not under the Bowman Act and are without merit and without equity.

Now, the President, a coordinate branch of the Government, vetoed it, refuses to concur; and it is for us to pass the bill over the veto or to ratify the veto. And in the event it fails to get the two-thirds, then to take up a deficiency bill that will provide for the ordinary expenses of the Government for the remainder of the year.

I want to say to the House that I have here in my hands, prepared with great care, a bill concerning which, if the Speaker will recognize me and this bill should not pass over the President's veto, I will move to suspend the rules and pass a deficiency bill that is precisely as the deficiency bill that is vetoed, except that it is freed of these 700 items contained in amendment numbered 233, in which the House concurred.

Mr. SAYERS. Will the gentleman allow me?

Mr. CANNON. Certainly.

Mr. SAYERS. In other words, I understand the gentleman from Illinois to say that he has in his hand, if the Speaker will recognize him, a deficiency bill, word for word and figure for figure, as passed both Houses of Congress, leaving out the Senate amendment which includes the French spoliation claims, the Southern war claims, the Chouteau claim, and about $11,000 of another claim. In other words——

Mr. WALKER of Massachusetts. What other claim?

Mr. SAYERS (continuing). There are four distinct classes of claims in this single Senate amendment.

Mr. CANNON. I will answer. I believe I have the floor.

Mr. RICHARDSON. I would like to ask the gentleman a question.

Mr. CANNON. One moment. Gentlemen ask what other. To Fish & Co., assignees; Sutro & Co., assignees; and then to Charles W. Roberts, not Southern war claims, and without merit, and all large amounts; but I do not expect to go into that matter. There is not time during the remainder of this session to discuss the merits of these claims. I say to the gentleman, in reply to his question, the bill which I hold in my hand is the deficiency bill as it passed the House without that amendment 233 that he refers to.

Mr. SAYERS. My question was asked in order that members might have exact information as to what they would be called upon to vote on in case the veto should be sustained and the Speaker should then recognize the gentleman from Illinois to move to suspend the rules and pass another deficiency bill.

Mr. ADAMS. Will the gentleman from Illinois permit a question?

Mr. CANNON. In a minute. Mr. Speaker, if the House concurs with the President in his veto or refuses to pass the deficiency bill over his veto—a question on which, as I understand, we shall vote in the near future—then, under a motion to suspend the rules, this bill, which, as I have said, has been prepared with great care and which provides for the necessary deficiencies to carry on the Government, can be passed here inside of sixty minutes, and, if the Senate is equally prompt, it can be sent to the White House before the sun goes down.

Mr. ADAMS. It takes a two-thirds vote to suspend the rules. Now, suppose you do not get that, what position will you be in then?

Mr. CANNON. Oh, suppose that Congress fails to appropriate the money to pay the ordinary expenses of the Government!

Mr. ADAMS. We have appropriated it.

Mr. CANNON. If Congress fails to appropriate the money necessary to carry on the Government unless by attaching to the bill 700 items of claims, then there is nothing on the Lord's earth but a wholesome, honest, public sentiment to fall back upon. [Applause.]

Mr. WILLIAMS. Will the gentleman permit a question?

Mr. CANNON. I will hear the gentleman from Tennessee first, who first asked me to yield.

Mr. RICHARDSON. The question I desire to ask the gentleman from Illinois is this: The President having vetoed this bill, which has passed both Houses of Congress, does not the gentleman think that it is but fair to report his new deficiency bill from his committee containing every item in the first bill to which the President has not objected?

Mr. CANNON. No.

Mr. RICHARDSON. In other words, the President has made no objection to the appropriation to pay the claims of loyal people in the South, and I insist that the gentleman from Illinois ought not to come in here now and undertake to exclude those claims, inasmuch as the President has made no objection to them.

Mr. CANNON. The President expressly says that he has not had time to examine all the matters in the bill, nor have any of us had time to do it, and if the Committee on Appropriations should accept the suggestion of the gentleman from Tennessee and report a bill covering the Southern war claims, a single point of order would strike every one of them out.

Mr. RICHARDSON. Not upon a motion to suspend the rules.

Mr. CANNON. Well, the Speaker would have to recognize somebody other than myself to move to suspend the rules to pass a bill covering any of the claims embraced in amendment numbered 233 sent here from the Senate. [Applause.]

Mr. RICHARDSON. The President does call attention to other claims in the bill, and it is obvious that he did not intend to object to these Southern war claims, because, while they amount to some $548,000, he does not mention them, but does call attention to a claim which amounts only to a little over $170,000, a much less sum.

Mr. CANNON. Now, Mr. Speaker, I will yield to the gentleman from Mississippi.

Mr. WILLIAMS. The question I desired to ask would have been pertinent to what the gentleman had just been saying when I asked him to yield, but it would not be pertinent or interesting now.

Mr. CANNON. Very well. I yield five minutes to the gentleman from Pennsylvania [Mr. MAHON].

Mr. MAHON. Mr. Speaker, am I recognized in my own right?

The SPEAKER. The gentleman is recognized for five minutes.

Mr. MAHON. I want ten.

Mr. CANNON. I can not yield the gentleman more than five minutes.

Mr. MAHON. Mr. Speaker, I do not propose to discuss over again at this time the merits of the French spoliation claims. I simply say that I will put against the gentleman at the other end

of the Avenue men like Calhoun and Webster and Clay, men who were among the greatest lawyers that ever graced the bar of this nation, and who went upon record without hesitation over and over again to the effect that this Government, not as a matter of charity, not as a gratuity, but as a bounden duty, ought to pay those claims. I am willing to take my teaching on all legal questions from men like Webster and Calhoun rather than from the gentleman who now occupies the Presidential chair. [Applause.] But, Mr. Speaker, as I have said, I have not time now to discuss again the merits of the French spoliation claims. I simply want to call attention to the fact that these claims to the amount of $1,085,240.43 were passed by the Fifty-first Congress, a Republican Congress presided over by the present Speaker, and were signed by a Republican President, a man who has always held and will hold the highest esteem of the people of this country as a lawyer and as a statesman.

Mr. HENDERSON. And they were beaten at the next session out of sight.

Mr. MAHON. Not on this question. Then, again, Mr. Speaker, in the deficiency bill for 1892 these claims to the amount of $102,440.74 were contained, and the bill was duly approved by President Harrison. In the deficiency bill for 1893 I find French spoliation claims to the amount of $19,776, and Mr. Cleveland himself did not object to them at that time. In the deficiency bill for 1894, which he signed, there were claims of this character to the amount of $4,190.16. In the deficiency bill for 1895, which he signed, there were claims of this character, French spoliation claims, to the amount of $21,830—the amount that had been passed upon by the court up to that time. I have thrown this statement into tabular form, as follows:

Statement showing amount of money appropriated by Congress for the payment of "French spoliation claims."

For the fiscal year—	Approved by—	Amount.
1891	President Harrison	$1,085,240.43
1892	do	102,440.74
1893	President Cleveland	19,776.00
1894	do	4,190.16
1895	do	21,830.00
Total		1,233,477.32

This bill which the President has vetoed also contains appropriations to pay claims arising under the Bowman Act. Appropriations for the payment of such claims have been heretofore made by Congress and approved by President Harrison and President Cleveland as follows. Congress has appropriated the following amounts to pay claims allowed under the provisions of the Bowman Act, to wit:

Congress.	Approved by—	Amount.
Forty-ninth	President Cleveland	$8,627.98
Fiftieth	do	119,510.75
Fifty-first	President Harrison	573,763.30
Fifty-second	do	597.00
Fifty-third	President Cleveland	48,528.38
Total		751,027.41

Claims arising under the terms of the Tucker Act have been approved by the court and paid by Congress to the amount of $4,525. The total amount paid under these acts is $11,934,721.69.

In the present Congress bills have been passed and approved by President Cleveland to pay the claims of John G. Shipman, $17,811.96; Sarah Case, administratrix, $475, and John Biglow, $284.66.

The total amount of French spoliation claims approved by President Cleveland is $56,000. The total amount of claims arising under the Bowman Act approved by him is $187,207.75.

Now, Mr. Speaker, the Senate of the United States and this House have by a majority vote decided to pay a certain amount of these claims. This is not a question for the President of the United States to settle. He has not only repudiated his own party, he has repudiated the courts of this Government; he is now repudiating the Congress of the United States and his own action.

Mr. Speaker, even if I had voted against this amendment when acted on in the House, I would, after a majority of the House and the Senate had put it upon the bill, stand by the dignity of this House and teach the occupant of the White House that Congress has its function to perform and he has his. If we propose to allow him to dictate to us what bills we should pass and what we should not pass we might as well surrender the whole business to him and go home.

The gentleman from Illinois has a bill prepared as a substitute for the one now returned by the President. I do not know what may finally have been done in committee of conference upon some of the amendments of the Senate, but I know in the deficiency bill as it came from the Senate there were, outside of the amendment we are now discussing, war claims to the amount of $200,000 carried by that bill. Whether they are in it to-day or not I can not say; I do not know whether they were stricken out in conference.

Mr. CANNON. To what does the gentleman refer?

Mr. MAHON. I refer to war claims that were on this bill as it came from the Senate, and as it went to the committee of conference—war claims outside of those embraced in the amendment we are discussing.

Mr. CANNON. I do not know of any war claim such as the gentleman refers to that is in the bill.

Mr. MAHON. I say they were among the amendments to the bill when it came from the Senate.

Mr. CANNON. I was a member of the conference committee, and I think there is no such war claim upon the bill.

Mr. MAHON. Well, they were in the bill as it came from the Senate.

Mr. CANNON. Has the gentleman read the bill since the conference committee agreed to it?

Mr. MAHON. No, sir; I have not had time to do so, and I do not propose, if my vote can prevent it, to allow you to pass through this House under a suspension of the rules a bill which no one else has had an opportunity to lay his hands on. [Applause.]

Mr. CANNON. I did not expect to get the gentleman's vote.

Mr. MAHON. The bill of the gentleman has not been printed and I have had no chance to examine it. I ask him whether there are in the bill any items covering claims growing out of the war?

Mr. CANNON. As I understand, not.

Mr. MAHON. Is the Grant case?

Mr. CANNON. No. Now ask about another case.

Mr. MAHON. I will recall other cases in a moment. Claims of that kind were on the bill as it came from the Senate.

Mr. CANNON. They are not in the bill as passed by the conference committee.

Mr. MAHON. I say to the gentleman that in the bill as it came from the Senate there were war claims outside of the big Senate amendment. I have not had opportunity to examine the bill that the gentleman proposes to present. I simply wanted to know as a matter of information whether such claims are in the bill now.

Mr. CANNON. Does the gentleman from Ohio [Mr. GROSVENOR] desire some time?

Mr. GROSVENOR. Yes, sir.

Mr. CANNON. I yield five minutes to the gentleman.

Mr. GROSVENOR. Mr. Speaker, I do not know which to admire most—the enormous capacity of the President of the United States in being able to write such a message as that in the few brief hours that have passed since the delivery to him of the deficiency appropriation bill, or the wonderful resources of the Appropriations Committee, who can under this new system of illumination—these rays that penetrate the minds of other people——

A MEMBER. "X rays."

Mr. GROSVENOR. X rays—who can thus be prepared on this very brief notice with a bill which just fits into the veto message of the distinguished President of the United States. [Laughter.] That shows that we have a mighty country.

A MEMBER. And mighty men in it.

Mr. GROSVENOR. It shows that we are capable of meeting almost any possible emergency that can happen. We are told by the public prints—and I suppose we have a right to rely on them—that this bill had not been signed by the Vice-President of the United States until some time during the hours of darkness last night.

Mr. MAHON. It was signed this morning at the depot.

Mr. GROSVENOR. I understand that the bill was signed by the Vice-President at the depot this morning; and in the short space of time that has elapsed between the arrival of that distinguished functionary and the appearance in this body of the genial messenger from the White House the President of the United States, having acquired information in the public way that he has, has sent here a rehashing of all the stale old repudiated arguments upon this question. He has gone back to his Democratic predecessors of nearly half a century ago; but he has failed to state how often the greater men of this country, in the Senate and the House, have approved of these French spoliation claims. He has made two distinct mistakes of fact. In the first place, he cites the decision of the Attorney-General of the United States, made, as he says, in 1798, before this treaty had been made between France and the United States, giving his opinion as to the legal efficacy of it. Then again he says there are in this bill 180 claims of insurance companies for losses upon vessels caused by these spoliations; and there is not one such claim.

We have a President of the United States who, in vetoing a bill, makes against it allegations of that character, not one word of which is justified by the facts of the case. He points out that there are 180 claims for insurance losses on these vessels, and then uses the old, stale, stock argument that these insurances were put at a rate that justified the extra hazard of the service in those

times. And yet the Senate has carefully excluded every one of them, and in the debate on this floor the question was put directly to the gentleman from Pennsylvania [Mr. ADAMS]; and when, in great triumph, one member pointed out that some insurance company had a claim, it was discovered to be a company organized nearly a hundred years after the claims originated, and was simply the guarantor on the administration of an estate in which the claim, or one of the claims, was involved. And the President comes here and repeats that statement.

Mr. Speaker, I have only this to say: This particular occupant of the Executive chair has done more to bring into disrepute and unpopularity in the United States the power conferred on the President to veto bills than all of his predecessors combined, because he has defied public opinion; he has defied the opinion of the lawmaking branch of the Government; he has defied the power to which has been assigned, under the Constitution, the sole power to originate money bills, and he has done it so often that the people of this country are delighted to think that they may count on the fingers of their two hands, and with a surplus left over, the length of time that he can thus tyrannize over the people's wishes in this regard. [Applause on the Republican side.] He has made more vetoes, ten to one, than all of his predecessors combined; and I suppose he justifies it under his statement in the message sent here a few days ago in which he says that patriotism is at a low ebb. But it will be news to the country that this President is now upholding the flag of patriotism. [Applause on the Republican side.]

We have been unable to supply the demands of the country for money. The fact might as well be recognized one time as another that the advent of the Democratic party into power has placed the country into a substantial condition of bankruptcy. Labor is unemployed because we are buying our goods abroad. Money is piling up in the great money centers, but lying idle for want of employment.

I append here a statement from official sources showing the imports of merchandise into the United States during the fiscal year 1894 and the calendar year 1895. This statement will show where our money goes and why our producers are idle:

Comparative statement of the imports of merchandise into the United States during the fiscal year 1894, and the calendar year 1895.

Fiscal year ended June 30, 1894; Wilson law began operation August 28, 1894; calendar year began January 1, 1895. Compiled by O. P. Austin, from official records.]

Articles.	Fiscal year 1894, last full official year under McKinley law.		Calendar year 1895, first full official year under Wilson law.	
	Quantities.	Values.	Quantities.	Values.
		Dollars.		*Dollars.*
Agricultural implements ..... free				4,487
Animals (number):				
Cattle ..... do	312	5,349	9,253	57,118
Do ..... dutiable	1,280	13,355	227,635	1,391,394
Horses ..... free	1,516	836,157	1,145	199,688
Do ..... dutiable	4,650	483,415	12,188	641,627
Sheep ..... free	2,537	63,022	3,928	43,793
Do ..... dutiable	240,031	725,159	319,525	796,886
All other, including fowls ..... free		186,339		166,069
Do ..... dutiable		88,450		69,548
Total ..... free		1,090,867		465,668
Total ..... dutiable		1,310,379		2,899,455
Antimony ore, and regulus or metal ..... free (lbs.)			4,051,022	230,946
Articles, the growth, produce, and manufacture of the United States, returned, n. e. s ..... free		2,543,924		3,234,252
Art works ..... do		240,810		4,580,010
Do ..... dutiable		1,484,184		
Asphaltum or bitumen, crude ..... free (tons)	77,449	203,883	79,294	212,407
Bark, hemlock ..... free (cords)	46,269	212,350	52,766	259,765
Bolting cloths ..... free		194,632		224,394
Books, music, maps, engravings, etchings, photographs, and other printed matter ..... do		1,875,286		1,970,533
Do ..... dutiable		1,584,182		1,468,186
Brass, and manufactures of ..... do		167,270		158,822
Breadstuffs:				
Barley ..... dutiable (bush.)	791,061	358,744	1,235,098	501,137
Corn ..... do	2,199	1,508	14,644	6,465
Oats ..... do	8,345	3,928	154,097	40,715
Oatmeal ..... dutiable (lbs.)	421,459	24,483	446,002	19,407
Rye ..... dutiable (bush.)	50	37	288	497
Wheat ..... do	1,181,060	769,177	1,929,139	1,284,789
Wheat flour ..... dutiable (bbls.)	401	1,946	2,185	8,996
All other, and preparations of, used as food (farinaceous substances, etc.) ..... free		220,462		314,092
Do ..... dutiable		821,602		710,638
Total		2,201,887		2,886,736
Bristles (pounds):				
Crude, not sorted, bunched, or prepared ..... free			1,354	2,030
Sorted, bunched, or prepared ..... dutiable	892,520	929,231	1,525,424	1,427,472
Total	892,520	929,231	1,526,778	1,429,502
Brushes ..... dutiable		559,767		719,976
Buttons and button forms ..... do		464,912		1,311,713
Cement, Roman, Portland, and other hydraulic ..... dutiable (lbs.)	1,015,133,873	3,265,087	1,198,958,147	3,873,123
Chemicals, drugs, and dyes:				
Alizarin and alizarin colors or dyes, natural or artificial, including extract of madder ..... free (lbs.)	3,959,572	722,265	6,356,162	1,004,956
Argal, or argol, or crude tartar ..... do	22,373,180	1,504,200	28,688,331	2,196,707
Barks, cinchona, or other, from which quinine may be extracted ..... do	2,497,439	143,249	2,018,421	123,787
Coal-tar colors and dyes ..... dutiable		1,499,978		2,834,364
Cochineal ..... free (lbs.)	104,284	28,124	194,646	59,996
Dyewoods—				
Logwood ..... free (tons)	53,705	1,313,376	69,153	1,649,335
All other ..... free		136,907		124,442
Extracts and decoctions of ..... dutiable (lbs.)	2,582,646	189,197	5,165,850	319,160
Total		1,639,480		2,092,937
Glycerin ..... dutiable (lbs.)	8,321,853	519,296	16,234,827	938,352
Gums (pounds)—				
Arabic ..... free	1,089,589	108,868	1,229,856	121,822
Camphor, crude ..... do	1,323,932	309,407	1,158,875	240,439
Gambier, or terra japonica ..... do	27,397,460	981,329	37,421,443	1,252,527
Shellac ..... do	4,868,681	996,706	6,426,434	1,330,889
All other ..... do		2,783,420		3,460,892
Total		5,179,730		6,406,569

Comparative statement of the imports of merchandise into the United States during the fiscal year 1894 and the calendar year 1895—Continued.

Articles.	Fiscal year 1894, last full official year under McKinley law.		Calendar year 1895, first full official year under Wilson law.	
	Quantities.	Values.	Quantities.	Values.
Chemicals, drugs, and dyes—Continued.		*Dollars.*		*Dollars.*
Indigo.....free (lbs.)	1,718,534	1,218,576	3,933,667	1,842,593
Licorice root.....do	70,158,301	1,209,728	83,361,779	1,367,465
Lime, chloride of, or bleaching powder.....do	81,610,463	1,507,076	103,317,968	1,628,877
Mineral waters, all not artificial.....free (galls.)	1,627,965	356,416	1,951,448	478,127
Opium (pounds)—				
Crude or unmanufactured.....free	716,881	1,691,914	344,005	693,326
Prepared for smoking, and other containing less than 9 per cent of morphia, dutiable	50,102	310,771	117,262	837,200
Potash (pounds)—				
Chlorate of.....free	4,131,180	520,571	4,917,636	456,342
Muriate of.....do	81,611,438	1,280,795	81,732,736	1,296,184
Nitrate of, or saltpeter, crude.....do	9,671,217	251,418	11,419,090	305,207
All other.....do	21,123,547	543,716	29,780,401	793,758
Total	116,537,382	2,596,500	127,849,863	2,851,491
Soda—				
Caustic.....dutiable (lbs.)	38,987,832	850,753	72,019,114	1,211,090
Nitrate of.....free (tons)	88,079	2,785,048	118,477	3,778,360
Sal soda.....dutiable (lbs.)	16,893,760	120,794	23,002,982	114,889
Soda ash.....do	256,293,395	2,520,921	284,023,122	2,206,723
All other salts of.....do	14,829,622	104,800	9,943,015	155,006
Total		6,382,316		7,466,068
Quinia, sulphate of, and the alkaloids or salt of cinchona bark.....free (oz.)	2,485,490	488,929	2,153,843	499,846
Sulphur, or brimstone.....free (tons)	86,965	1,337,900	125,959	1,593,148
Sumac, ground.....dutiable (lbs.)	8,383,570	192,647	14,461,018	269,959
Vanilla beans.....free (lbs.)	171,556	727,853	192,206	769,816
All other.....free		4,486,116		4,594,787
Do.....dutiable		3,810,106		4,911,994
Total chemicals, drugs, and dyes.....free		27,433,907		31,663,628
Total chemicals, drugs, and dyes.....dutiable		10,119,263		13,798,737
Chicory root, raw, unground.....free (lbs.)	7,951,042	168,892	12,848,803	185,850
Clay, or earths of all kinds.....dutiable (tons)	67,330	526,543	98,862	716,590
Clocks and watches, and parts of:				
Clocks, and parts of.....dutiable		101,648		510,410
Watches, and watch materials, and movements.....do		1,098,972		1,132,695
Coal, bituminous.....dutiable (tons)	1,148,454	3,704,113	1,226,386	3,637,085
Cocoa or cacao, crude, and leaves and shells of.....free (lbs.)	17,634,779	2,402,382	29,969,518	3,198,659
Coffee.....do	531,705,072	87,173,108	642,318,319	96,512,370
Coffee (section 3, act of Oct. 1, 1890).....dutiable (lbs.)	19,229,265	3,141,568		
Total.....(lbs.)	550,934,337	90,314,676	642,318,319	96,512,370
Copper, and manufactures of:				
Ore (fine copper contained therein).....dutiable (lbs.)	7,251,157	494,422		
Ore and regulus.....free (tons)			9,634	404,439
Pigs, bars, ingots, old, and other unmanufactured.....free (lbs.)			9,381,800	839,603
Do.....dutiable (lbs.)	3,571,206	312,934		
Manufactures of.....dutiable		53,544		60,342
Total, not including ore		366,478		899,945
Cork wood or cork bark, unmanufactured.....free		985,913		1,074,478
Cotton, and manufactures of:				
Unmanufactured.....free (lbs.)	27,705,949	3,003,888	49,692,431	5,171,099
Manufactures of—				
Cloth (square yards)—				
Not bleached, dyed, colored, stained, painted, or printed.....dutiable	1,152,798	95,565	1,926,732	159,078
Bleached, dyed, colored, stained, painted, or printed.....do	27,172,415	3,385,241	48,380,746	5,826,863
Total.....do	28,325,213	3,480,806	50,307,478	5,985,941
Clothing, ready-made, and other articles of wearing apparel, etc.....do		1,658,778		2,866,735
Knit goods: Stockings, hose, half hose, shirts, drawers, etc.....do		4,360,655		6,729,760
Laces, edgings, embroideries, insertings, neck ruffings, etc.....do		8,021,769		11,965,007
Thread (not on spools), yarn, warps, or warp yarn.....dutiable (lbs.)	747,038	326,224	3,072,303	896,587
All other.....dutiable		4,498,315		6,667,802
Total manufactures		22,346,547		35,101,832
Earthen, stone, and china ware:				
China, porcelain, parian, and bisque, earthen, stone, and crockery ware—				
Not decorated or ornamented.....dutiable		1,258,881		2,016,427
Decorated or ornamented.....do		5,222,075		8,085,796
All other.....do		398,481		422,385
Total		6,879,437		10,524,608
Eggs.....dutiable (doz.)	1,791,430	199,536	1,954,962	219,459
Feathers and downs, crude, not dressed, colored, or manufactured.....free				2,189,157
Feathers and downs, natural, dressed, colored, or manufactured, and dressed and finished birds for millinery ornaments.....dutiable		726,692		844,469
Feathers, flowers, fruits, grains, and leaves, artificial, for millinery use.....do		1,727,996		1,798,728
Fertilizers (tons):				
Guano.....free	5,260	96,606	4,066	48,917
Phosphates, crude or native.....do	23,879	114,799	17,840	122,898
All other.....do		927,889		806,872
Total		1,139,294		978,687
Fish (pounds):				
Fresh—				
Salmon.....free			1,337,233	127,444
Do.....dutiable	1,631,336	146,606	33,405	3,498
All other.....free				1,532,236
Do.....dutiable		413,043		274,439

Comparative statement of the imports of merchandise into the United States during the fiscal year 1894 and the calendar year 1895—Continued.

Articles.	Fiscal year 1894, last full official year under McKinley law.		Calendar year 1895, first full official year under Wilson law.	
	Quantities.	Values.	Quantities.	Values.
Fish (pounds)—Continued.				
Cured or preserved—		*Dollars.*		*Dollars.*
Anchovies and sardines, packed in oil or otherwise ..... dutiable		976,952		952,149
Cod, haddock, hake, and pollock, dried, smoked, salted, or pickled ..... do	13,406,193	509,395	12,559,756	488,479
Herring—				
Dried or smoked ..... do	3,227,808	77,079	3,549,516	68,455
Pickled or salted ..... do	29,180,600	962,311	31,183,172	1,132,884
Mackerel, pickled or salted ..... do	19,655,600	1,133,509	14,880,702	1,049,232
Salmon, pickled or salted ..... do	1,107,081	84,715	900,844	61,855
All other ..... do		340,136		456,727
Total		4,643,746		6,147,398
Fruits, including nuts (pounds):				
Bananas ..... free		5,122,503		4,533,621
Currants ..... do	52,664,843	774,802	26,096,544	423,786
Do ..... dutiable			3,709,576	54,759
Dates ..... free	12,408,192	387,586		
Do ..... dutiable			12,823,118	228,756
Figs ..... do	7,985,959	392,040	13,440,604	698,894
Lemons ..... do		4,285,278		4,080,897
Oranges ..... do		1,127,005		2,830,330
Plums and prunes ..... do	9,908,122	416,342	3,963,007	168,656
Raisins ..... do	13,751,050	554,081	10,429,642	445,082
Prepared or preserved fruits ..... do		526,561		619,200
All other fruits ..... free		1,820,274		629,867
Do ..... dutiable		1,160,310		1,312,271
Total fruits		16,568,782		16,026,119
Nuts—				
Almonds ..... dutiable	7,436,784	769,453	6,814,838	670,016
Cocoanuts ..... free		786,777		
Do ..... dutiable		631,759		493,865
All other ..... do				755,455
Total fruits and nuts		18,754,841		17,945,455
Furs:				
Fur skins, undressed; and dressed, suitable only for hatters' furs ..... free		2,641,205		3,573,398
Furs, and manufactures of ..... dutiable		4,979,079		7,739,183
Glass and glassware:				
Bottles, vials, demijohns, and carboys, empty or filled ..... do		506,183		424,112
Cylinder, crown, and common window glass, unpolished ..... dutiable (lbs.)	52,437,068	1,067,787	37,952,366	798,350
Cylinder and crown glass, polished (square feet)—				
Unsilvered ..... dutiable	102,438	22,314	423,361	91,765
Silvered ..... do	3,006,010	786,004	4,148,962	1,168,163
Plate glass (square feet)—				
Fluted, rolled, or rough ..... do	727,346	38,121	481,821	25,209
Cast, polished, unsilvered ..... do	1,956,605	449,086	3,571,598	806,551
Cast, polished, silvered ..... do	243,228	75,106	60,663	23,865
All other ..... do		2,272,215		4,191,880
Total		5,216,816		7,529,895
Grease and tallow ..... free (lbs.)				1,542,875
Hair:				
Unmanufactured ..... free		839,972		1,392,625
Manufactures of ..... dutiable		122,466		1,432,766
Hats, bonnets, and hoods, materials for, composed of straw, chips, etc ..... free		2,017,678		2,764,771
Hay ..... dutiable (tons)	86,784	761,940	278,226	2,191,635
Hides and skins, other than fur skins (pounds):				
Goatskins ..... free	(a)	8,170,563	59,764,036	12,537,317
Goatskins (section 3, act of Oct. 1, 1890) ..... dutiable	1,780,183	412,603		
All other ..... free	(a)	7,668,325	223,742,757	23,895,672
All other (section 3, act of Oct. 1, 1890) ..... dutiable	6,014,559	534,661		
Total		16,786,152	283,506,793	36,432,989
Hops ..... dutiable (lbs.)	828,022	484,415	2,578,797	547,045
Household and personal effects, and wearing apparel in use, etc ..... free		2,775,982		2,507,139
India rubber and gutta-percha, and manufactures of:				
Unmanufactured (pounds)—				
Gutta-percha ..... do	498,763	84,340	3,031,155	181,025
India rubber ..... do	33,757,783	15,077,993	41,766,774	19,164,047
Total unmanufactured	34,256,546	15,162,333	44,797,929	19,345,072
Manufactures of—				
Gutta-percha ..... dutiable		30,654		75,962
India rubber ..... do		309,308		309,513
Total manufactures		339,962		385,475
Iron and steel, and manufactures of:				
Iron ore ..... dutiable (tons)	218,550	388,720	524,153	786,207
Pig iron ..... do	25,763	585,988	53,232	1,337,978
Scrap iron and steel, fit only to be remanufactured ..... do	2,822	45,967	6,066	103,523
Bar iron, rolled or hammered ..... dutiable (lbs.)	22,763,623	421,997	44,910,023	772,822
Bars, railway, of iron or steel, or in part of steel ..... dutiable (tons)	2,178	42,325	1,447	27,076
Hoops or ties for baling purposes, barrel hoops, etc ..... dutiable (lbs.)	1,792,392	32,032		
Hoop, band, or scroll iron or steel ..... do	2,225,690	64,158	33,168	2,925
Ingots, blooms, slabs, billets, and bars of steel, and steel in forms, n. e. s ..... do	27,880,946	820,541	58,811,651	1,610,889
Sheet, plate, and taggers iron or steel ..... do	60,523,632	1,191,045	32,559,127	727,638
Ties for baling cotton ..... free (lbs.)			7,806,304	102,309
Tin plates, terne plates, and taggers tin ..... dutiable (lbs.)	454,160,826	11,969,518	491,780,709	11,482,380
Wire rods of iron or steel ..... do	56,228,155	993,802	60,107,521	1,090,707

Comparative statement of the imports of merchandise into the United States during the fiscal year 1894, and the calendar year 1895—Continued.

Articles.	Fiscal year 1894, last full official year under McKinley law.		Calendar year 1895, first full official year under Wilson law.	
	Quantities.	Values.	Quantities.	Values.
		Dollars.		*Dollars.*
Iron and steel, and manufactures of—Continued.				
Manufactures—				
Anvils ..... dutiable (lbs.)	735,811	47,805	1,124,425	70,901
Chains ..... do	462,384	25,120	1,061,065	87,097
Cutlery ..... dutiable		805,799		2,092,038
Files, file blanks, rasps, and floats ..... do		36,800		61,083
Firearms ..... do		122,710		623,760
Needles, hand sewing and darning ..... free		278,101		314,426
Machinery ..... dutiable		1,419,512		2,199,518
Shotgun barrels, forged, rough-bored ..... free		53,302		56,665
All other ..... dutiable		1,494,164		2,291,515
Total, not including ore		21,314,489		25,772,151
Ivory (pounds):				
Animal ..... free	123,843	374,685	252,716	745,258
Vegetable ..... do	7,220,799	101,397	9,563,704	106,743
Jewelry, manufactures of gold and silver, and precious stones:				
Diamonds and other precious stones, rough or uncut, etc ..... do		566,267		111,033
Jewelry, and manufactures of gold and silver ..... dutiable		498,000		1,051,203
Precious stones, and imitations of, not set ..... do		4,844,809		6,623,669
Lead, and manufactures of:				
Lead, and manufactures of (as reported previous to January, 1894) ..... do		4,270,573		
Pigs, bars, old and other in ore (since January, 1894) ..... dutiable (lbs.)	43,266,839	2,335,609	200,996,955	2,909,647
Manufactures of (since January, 1894) ..... dutiable		683		12,961
Leather, and manufactures of:				
Leather—				
Bend or belting, and sole leather ..... do		16,459		294,353
Calfskins, tanned, or tanned and dressed, and patent, enameled, and japanned, dutiable		384,796		692,975
Skins for morocco ..... dutiable		2,484,740		4,105,939
Upper leather, dressed, and skins, dressed and finished ..... do		1,622,335		2,651,825
Total leather		4,508,330		7,745,092
Manufactures of—				
Gloves, of kid or other leather ..... dutiable		4,412,597		7,453,320
All other ..... do		495,218		592,289
Total manufactures		4,907,815		8,045,609
Malt, barley ..... dutiable (bush.)	5,010	5,676	5,621	5,092
Malt liquors (gallons):				
In bottles or jugs ..... dutiable	931,172	885,537	1,052,987	1,013,520
In other coverings ..... do	1,979,368	625,230	2,188,031	654,713
Total	2,910,540	1,510,767	3,241,018	1,668,233
Marble and stone, and manufactures of:				
Marble, and manufactures of ..... dutiable		807,141		864,733
Stone, and manufactures of, including slate ..... do		481,855		411,122
Total		1,288,996		1,275,855
Matting for floors, manufactured from round or split straw, including Chinese matting, free		1,874,977		1,947,365
Metals, metal compositions, and manufactures of:				
Bronze manufactures ..... dutiable		523,574		521,505
All other ..... do		3,962,821		4,179,991
Total		4,486,395		4,701,496
Mineral substances ..... dutiable		180,856		
Musical instruments		619,466		1,252,686
Oils (gallons):				
Animal or rendered—				
Whale and fish ..... dutiable	569,835	179,556	212,139	220,620
Other ..... do	3,597	1,232	15,970	4,069
Mineral ..... free			7,891	5,573
Do ..... dutiable	194,028	26,751	1,909,932	49,390
Vegetable—				
Fixed or expressed—				
Olive, salad ..... do	757,478	909,897	842,654	1,044,764
Other ..... free		1,336,802		2,129,249
Do ..... dutiable	438,360	393,995		591,299
Volatile or essential ..... free		914,023		1,219,907
Do ..... dutiable	1,133,255	188,085		352,937
Total		3,950,341		5,617,808
Paints, pigments, and colors ..... free				87,670
Do ..... dutiable		980,715		1,276,987
Paper stock, crude:				
Rags, other than woolen ..... free (lbs.)	49,089,521	739,602	64,814,373	1,133,815
All other ..... free		2,308,492		2,767,574
Total		3,048,094		3,901,389
Paper, and manufactures of ..... dutiable		2,628,351		3,180,079
Perfumeries, cosmetics, etc ..... do		427,850		635,068
Pipes and smokers' articles ..... do		314,578		415,639
Platinum, unmanufactured ..... free (lbs.)	2,995	397,037	5,115	690,584
Plumbago ..... free (tons)	7,935	410,819	8,984	260,111
Provisions, comprising meat and dairy products:				
Meat products—				
Meat and meat extracts ..... dutiable		412,666		523,643
All other ..... do		12,291		26,367

Comparative statement of the imports of merchandise into the United States during the fiscal year 1894 and the calendar year 1895—Continued.

Articles.	Fiscal year 1894, last full official year under McKinley law.		Calendar year 1895, first full official year under Wilson law.	
	Quantities.	Values.	Quantities.	Values.
Provisions, comprising meat and dairy products—Continued.				
Dairy products (pounds)—		*Dollars.*		*Dollars.*
Butter ..... dutiable	144,346	23,356	65,155	10,866
Cheese ..... do	8,742,851	1,247,198	10,440,863	1,471,091
Milk ..... do	.....	102,336	.....	74,163
Total	.....	1,797,847	.....	2,106,130
Rice (pounds):				
Rice ..... dutiable	77,695,053	1,183,662	112,959,082	1,664,573
Rice (free under reciprocity treaty with Hawaiian Islands) ..... free	9,115,483	357,330	3,791,500	153,394
Rice flour, rice meal, and broken rice ..... dutiable	55,351,281	833,843	84,356,365	1,137,362
Total	142,161,817	2,374,835	201,106,947	2,955,329
Salt ..... free (lbs.)	.....	.....	548,823,139	747,162
Do ..... dutiable (lbs.)	345,479,066	592,722	8,045,916	13,649
Total	345,479,066	592,722	556,869,055	760,811
Seeds:				
Linseed, or flaxseed ..... dutiable (bush.)	592,820	701,866	3,030,727	2,975,988
All other ..... free	.....	1,328,116	.....	1,101,587
Do ..... dutiable	.....	365,621	.....	572,855
Total	.....	.....	.....	4,650,430
Silk, and manufactures of:				
Unmanufactured (pounds)—				
Cocoons ..... free	181,824	112,385	366,429	158,642
Raw, or as reeled from the cocoon ..... do	4,956,875	15,627,822	9,119,870	28,458,400
Waste ..... do	763,786	493,975	985,651	392,732
Total unmanufactured	5,902,485	16,234,182	10,471,950	29,009,774
Manufactures of—				
Clothing, ready-made, and other wearing apparel ..... dutiable	.....	1,496,699	.....	2,715,177
Dress and piece goods ..... do	.....	9,695,863	.....	9,763,659
Laces and embroideries ..... do	.....	2,320,224	.....	3,178,000
Ribbons ..... do	.....	1,063,116	.....	1,159,053
All other ..... do	.....	10,235,871	.....	14,842,777
Total manufactures	.....	24,811,773	.....	31,658,666
Soap:				
Fancy, perfumed, and all descriptions of toilet soap ..... dutiable (lbs.)	693,760	294,870	835,561	250,268
All other ..... dutiable	.....	283,940	.....	585,742
Total	.....	578,810	.....	836,010
Spices:				
Unground (pounds)—				
Nutmegs ..... free	1,140,878	395,977	1,576,386	506,627
Pepper, black or white ..... do	12,764,215	665,576	19,331,305	752,640
All other ..... do	14,857,688	943,155	20,045,335	1,051,041
All other ..... dutiable	1,664,246	257,845	2,503,525	307,598
Total ..... lbs.	30,427,027	2,262,553	43,456,551	2,617,906
Spirits, distilled (proof gallons):				
Of domestic manufacture, returned (subject to internal-revenue tax) ..... free	1,060,627	910,526	835,713	763,247
Brandy ..... dutiable	201,433	568,458	298,347	776,930
All other ..... do	893,131	931,146	1,232,821	1,388,148
Total	2,155,191	2,410,130	2,366,881	2,928,325
Sponges ..... dutiable	.....	259,446	.....	450,559
Sugar, molasses, and confectionery:				
Molasses ..... free (galls.)	19,670,663	1,984,778	505,388	31,463
Molasses above 40° polariscopic test ..... dutiable (galls.)	.....	.....	13,894,595	1,245,242
Sugar (pounds)—				
Not above No. 16 Dutch standard in color—				
Beet sugar ..... free	510,350,276	15,793,041	.....	.....
Do ..... dutiable	.....	.....	203,607,429	3,611,646
Cane and other sugar ..... free	3,775,878,029	108,842,016	290,219,354	7,688,225
Do ..... dutiable	.....	.....	2,994,623,902	56,112,455
Above No. 16 Dutch standard—				
Beet and cane sugar ..... do	.....	.....	91,374,039	2,355,502
Cane and other sugar ..... do	.....	.....	.....	.....
All above No. 16 (kind not specified), as reported previous to September, 1894, dutiable	58,965,576	2,236,832	.....	.....
Total ..... free	4,286,228,305	124,635,057	290,210,354	7,688,225
Total ..... dutiable	58,965,576	2,236,832	3,289,605,400	62,079,603
Confectionery	.....	42,215	.....	33,335
Tea ..... free (lbs.)	93,518,717	14,144,243	97,883,051	13,320,341
Textile grasses and vegetable fibers, and manufactures of:				
Unmanufactured (tons)—				
Flax, and tow of ..... free	.....	.....	7,344	1,398,516
Flax, hackled, etc ..... dutiable	4,352	1,336,845	1,702	840,404
Hemp, and tow of ..... free	.....	.....	10,159	1,171,584
Hemp, hackled, etc ..... dutiable	1,635	239,918	174	40,659
Istle or Tampico fiber ..... free	4,789	257,089	11,715	649,138
Jute and jute butts ..... do	50,037	1,716,298	106,874	2,337,817
Manila ..... do	35,233	4,013,255	46,404	3,365,261
Sisal grass ..... do	48,468	3,742,073	48,618	2,758,321
All other ..... do	10,207	858,003	5,719	239,048
Total unmanufactured ..... free	148,734	10,586,718	236,833	11,919,685
Total unmanufactured ..... dutiable	5,987	1,576,763	1,876	881,063

Comparative statement of the imports of merchandise into the United States during the fiscal year 1894, and the calendar year 1895—Continued.

Articles.	Fiscal year 1894, last full official year under McKinley law.		Calendar year 1895, first full official year under Wilson law.	
	Quantities.	Values.	Quantities.	Values.
		Dollars.		*Dollars.*
Textile grasses and vegetable fibers, and manufactures of—Continued.				
Manufactures of (pounds)—				
Bags for grain, made of burlaps—free				1,591,150
Bagging, gunny cloth, and similar material suitable for covering cotton—do				63,033
Bags and bagging—dutiable		1,431,683		
Burlaps—free				6,189,279
Burlaps, except for bagging for cotton—dutiable		4,566,798		
Cables, cordage, and twine, n. e. s—do	333,746	26,726	374,889	34,294
Coir yarn—free	5,492,993	130,740	4,785,799	97,553
Twine, binding—do			1,157,515	65,572
Yarns or threads—dutiable	3,070,641	469,207	3,375,688	561,989
All other—do		12,735,607		19,131,430
Total manufactures		19,360,761		27,734,300
Tin, in bars, blocks, pigs, etc. (pounds)—free			54,252,045	7,405,619
Do—dutiable	16,785,362	2,640,770		
Tobacco, and manufactures of (pounds):				
Leaf—				
Suitable for cigar wrappers—do	4,447,308	5,098,461	4,630,738	5,570,471
Other—do	15,215,951	5,886,925	26,724,682	9,655,255
Total leaf	19,663,259	10,985,386	31,355,420	15,225,726
Manufactures of—				
Cigars, cigarettes, and cheroots—dutiable	463,923	2,083,984	473,753	2,052,367
All other—do		70,202		74,575
Total manufactures		2,154,186		2,126,942
Toys—dutiable		2,149,660		2,337,061
Vegetables (bushels):				
Beans and pease—do	1,184,081	1,117,969	1,032,788	1,138,632
Potatoes—do	3,002,578	1,277,194	1,048,970	516,728
Pickles and sauces—do		341,135		308,234
All other—				
In their natural state—do		653,259		683,248
Prepared or preserved—do		505,510		729,134
Total		3,895,067		3,375,976
Wines:				
Champagne, and other sparkling—dutiable (doz.)	237,360	3,498,522	249,507	3,674,512
Still wines—				
In casks—dutiable (galls.)	2,599,693	1,817,813	2,933,177	2,034,612
In bottles—dutiable (doz.)	296,097	1,423,143	320,879	1,512,978
Total		6,739,478		7,222,102
Wood, and manufactures of:				
Unmanufactured—				
Cabinet woods—				
Mahogany—free (M feet)			14,804	692,191
All other—free				721,649
Logs and round timber—free (M feet)			302,080	2,459,047
Timber, hewn and sawed, etc—do			9,098	93,741
Do—dutiable		48,018		
Lumber—				
Boards, planks, deals, and other sawed lumber—free (M feet)			759,215	8,332,309
Do—dutiable (M feet)	514,619	6,136,961	116	1,570
Shingles—dutiable (M)	378,632	732,284		
Other lumber—dutiable		1,419,665		27,370
All other unmanufactured—free		5,966,472		4,095,670
Do—dutiable		44,020		310
Manufactures of—				
Cabinetware or house furniture—do		272,843		431,218
Wood pulp—dutiable (tons)	35,587	1,664,547	36,029	1,024,103
All other—dutiable		1,869,263		2,028,291
Total wood and manufactures		18,154,073		19,907,469
Wools, hair of the camel, goat, alpaca, and other like animals, and manufactures of:				
Unmanufactured (pounds)—				
Class 1—free			126,435,569	19,657,912
Do—dutiable	10,685,469	1,748,359		
Class 2—free			18,757,042	4,002,656
Do—dutiable	1,548,505	399,875		
Class 3—free			103,796,606	10,019,591
Do—dutiable	42,918,584	3,959,204		
Total unmanufactured—free			248,989,217	33,770,159
Total unmanufactured—dutiable	55,152,558	6,107,438		
Rags, noils, and wastes—free (lbs.)			18,174,321	1,949,819
Do—dutiable (lbs.)	143,002	47,522	2,543,787	809,659
Manufacturers of—				
Wool, carbonized—do			250,265	64,960
Carpets and carpeting—dutiable (sq. yards)	421,758	959,526	873,558	1,428,684
Clothing, ready made, and other wearing apparel, except shawls and knit goods, dutiable		858,827		1,401,379
Cloths—dutiable (lbs.)	7,456,417	6,756,321	40,070,143	25,281,668
Dress goods, women's and children's—do	41,667,031	8,580,962	30,143,137	22,549,485
Knit fabrics—dutiable		1,005,899		2,305,849
Shawls—do		157,352		426,047
Yarns—dutiable (lbs.)	546,408	357,414	3,651,550	1,783,268
All other—dutiable		715,549		2,318,483
Total manufactures		19,391,850		60,319,301

Comparative statement of the imports of merchandise into the United States during the fiscal year 1894 and the calendar year 1895—Continued.

Articles.	Fiscal year 1894, last full official year under McKinley law.		Calendar year 1895, first full official year under Wilson law.	
	Quantities.	Values.	Quantities.	Values.
		Dollars.		*Dollars.*
Zinc or spelter, and manufactures of:				
In blocks or pigs, and old ..... dutiable (lbs.)	327,242	14,129	864,113	29,352
Manufactures of ..... dutiable	.....	13,079	.....	12,183
Total	.....	27,208	.....	41,535
All other articles ..... free	.....	15,099,564	.....	10,037,527
Do ..... dutiable	.....	5,873,810	.....	8,190,620
Total value of merchandise dutiable	.....	275,199,086	.....	416,853,327
Total value of merchandise free of duty	.....	379,795,536	.....	384,810,163
Total value of imports of merchandise	.....	654,994,622	.....	801,663,490
Imported direct from foreign countries	.....	617,840,920	.....	751,163,799
Imported through exterior ports, without appraisement	.....	37,153,702	.....	50,499,691
Entered for immediate consumption	.....	559,689,443	.....	690,206,171
Entered for warehouse	.....	95,305,179	.....	111,457,319
Brought in cars and other land vehicles	.....	29,623,095	.....	37,169,386
Brought in American vessels: Steam	.....	69,174,077	.....	79,201,885
Sailing	.....	52,387,116	.....	39,082,104
Brought in foreign vessels: Steam	.....	466,219,183	.....	611,169,349
Sailing	.....	37,591,151	.....	35,040,766

SUMMARY—IMPORTS AND EXPORTS OF MERCHANDISE.

Groups.	Fiscal year 1894, last full official year under McKinley law.		Calendar year 1895, first full official year under Wilson law.	
	Dollars.	Per cent.	Dollars.	Per cent.
IMPORTS.				
Free of duty:				
Articles of food and live animals	244,414,833	64.36	132,992,389	34.56
Articles in a crude condition for domestic industry	105,281,017	27.72	194,888,463	50.64
Articles manufactured—				
For mechanic arts	16,164,529	4.26	29,199,386	7.59
For consumption	11,106,160	2.93	19,106,475	4.97
Articles of voluntary use, luxuries, etc	2,828,997	.73	8,623,450	2.24
Total free of duty	379,795,536	100	384,810,163	100
Dutiable:				
Articles of food and live animals	34,238,734	12.44	98,556,386	23.64
Articles in a crude condition for domestic industry	33,641,718	12.23	24,632,569	5.91
Articles manufactured—				
For mechanic arts	47,797,155	17.37	73,283,600	17.58
For consumption	89,830,519	32.64	131,752,371	31.61
Articles of voluntary use, luxuries, etc	69,690,960	25.32	88,628,401	21.26
Total dutiable	275,199,086	100	416,853,327	100
Free and dutiable:				
Articles of food and live animals	278,653,567	42.54	231,538,775	28.88
Articles in a crude condition for domestic industry	138,922,735	21.21	219,531,032	27.38
Articles manufactured—				
For mechanic arts	63,961,684	9.77	102,482,986	12.78
For consumption	100,936,679	15.41	150,858,846	18.82
Articles of voluntary use, luxuries, etc	72,519,957	11.07	97,251,851	12.14
Total imports of merchandise	654,994,622	100	801,663,490	100
Per cent of free	.....	57.98	.....	48
EXPORTS.				
Domestic:				
Products of—Agriculture	628,363,038	72.28	545,714,375	67.56
Manufactures	183,718,484	21.14	201,152,771	24.90
Mining	20,449,598	2.35	19,820,505	2.45
Forest	28,010,953	3.22	30,662,093	3.80
Fisheries	4,261,920	.49	6,232,224	.77
Miscellaneous	4,400,944	.52	4,158,048	.52
Total	869,204,937	100	807,740,016	100
Foreign:				
Free of duty	8,841,180	38.60	8,474,579	49.50
Dutiable	14,094,455	61.40	8,647,880	50.50
Total	22,935,635	100	17,122,459	100

Mr. DOCKERY. Will the gentleman from Illinois yield to me for a few moments?

Mr. CANNON. I will yield two minutes to the gentleman from Missouri [Mr. DOCKERY], then to my colleague on the committee [Mr. SAYERS], and will follow that by two minutes to the gentleman from Pennsylvania [Mr. BRUMM], after which I will occupy two minutes myself, and then I will take the sense of the House on the demand for the previous question.

Mr. DOCKERY. Mr. Speaker, I want to say but one thing; that is, to emphasize the suggestion of the President that bills carrying appropriations for the necessary support of the Government should not be permitted to degenerate into general claims bills. And on that ground, if for no other reason, I shall sustain the veto of the President. [Applause.]

This general deficiency bill, providing appropriations for the collection of customs dues and for maintaining the various branches of the public service, is loaded down with an amendment carrying 700 items in all of claims put on the bill by a coordinate branch of the legislative department. Against such a policy I earnestly protest, and will sustain the veto of the President, and I believe and trust the House will. [Renewed applause.]

Mr. CANNON. I yield now two minutes to the gentleman from Texas [Mr. SAYERS].

Mr. SAYERS. Mr. Speaker, I sustain the veto of the President on two grounds. One is that the claims—four classes of them, one class of which has never appeared on a general appropriation bill before, at least since I have been a member of Congress—are involved in a single amendment, and I believe that such action is altogether unjustifiable.

In the second place, I think that his objections to the French

spoliation claims and to the Chouteau claim stand upon substantial grounds; for which reasons, if for none other, I will vote to sustain the veto. [Applause.]

Mr. CANNON. I yield two minutes to the gentleman from Pennsylvania [Mr. BRUMM].

Mr. BRUMM. Mr. Speaker, I simply want to say that on general principles I have grave doubts, and had all along, whether it was a proper policy to put the French spoliation claims and the other claims to which reference has been made by the gentleman from Illinois on this bill. As chairman of the Committee on Claims of this House I questioned it all along, and I question it now.

But I rose more especially to say that the assertions of the President with reference to the French spoliation claims are not errors. Setting aside the billingsgate he indulges in——

Mr. SAYERS. Mr. Speaker, I call the gentleman to order. He has no right to refer to the President of the United States in such manner.

Mr. BRUMM. I am entirely responsible for what I assert.

Mr. SAYERS. Oh, your responsibility amounts to nothing.

Mr. BRUMM. And I repeat my assertion, with a full sense of my responsibility.

Mr. SAYERS. A responsibility which does not amount to anything.

Mr. BRUMM (continuing). And his declaration as to the existence of war between this country and England at that time is absolutely false; and when he cites the decision of a Chief Justice he cites one that was rendered, as already stated, before the treaty negotiations were entered into——

Mr. GROSVENOR. You mean the Attorney-General, not the Chief Justice?

Mr. BRUMM. The Attorney-General; but the decision of the court was before the correspondence between this country and France was unearthed, and before we had possession of it. Therefore I say that it is deceptive; it was intended as a cheat and a fraud and a falsehood, to go before this country. That is all I have got to say about it.

Mr. SAYERS. I desire a minute or two now. The language of the gentleman from Pennsylvania [Mr. BRUMM] is not only unparliamentary but it is absolutely indecent. [Applause on the Democratic side.] The President of the United States, in his reference to the French spoliation claims, has quoted the opinion of an Attorney-General who was Attorney-General at the very time——

Mr. BRUMM. Before the facts were known.

Mr. SAYERS (continuing). At the very time when these claims were accruing, and the question is whether the Attorney-General in the year 1798 or the gentleman from Pennsylvania is the better qualified to judge. I must protest, Mr. Speaker, against the gentleman from Pennsylvania or any other member upon this floor using such language with reference to a coordinate branch of the Government, and especially since that language is unparliamentary and discourteous.

Mr. WILLIS. I ask this question in good faith and in cool blood: Why does the gentleman not protest against the moral lectures that the President sees fit to administer to this Congress, and the insinuations which he incorporates into his veto messages?

Mr. SAYERS. I do not see that the President has delivered any moral lecture. The President has simply exercised a constitutional duty imposed upon him.

Mr. CANNON. I desire just a minute or two in conclusion. It is well enough to proceed in a matter of this kind in the light of judgment, and not of abuse or partisanship. Let us find out what is right, what is our duty under the peculiar circumstances that we have now before us. I desire the attention of the gentleman from Ohio [Mr. GROSVENOR]. I have no desire to go with him into an argument touching the French spoliation claims. It is not necessary for me to condemn or to indorse them; nor touching the Bowman claims. It is not necessary for me to condemn or indorse them. The question is, under the Constitution, what is our duty as American Representatives? As this matter is presented—an omnibus provision put on by the Senate, with so much in it that everybody will condemn it as improper, whatever views he may have about the French spoliation claims—we have to turn it down or swallow it all. I am for turning it down and then passing a proper bill. [Applause.] The gentleman from Ohio [Mr. GROSVENOR] says there are no insurance claims in this bill.

Mr. MAHON. Not one.

Mr. CANNON. Yet it is stated, and I believe it to be true——

Mr. MAHON. The President alone has stated it, and it is not true.

Mr. CANNON (continuing). That there are over a hundred insurance claims.

Mr. MAHON. They are not in it.

Mr. CANNON. I say, from reliable information, they are in it.

Mr. MAHON. And if the President had taken time to examine it, in place of having had an hour to examine it, he would have found out that fact.

Mr. CANNON. The gentleman now seeks to muddy the water, following the example of the gentleman from Ohio [Mr. GROSVENOR] by saying that the President had only a short time——

Mr. MAHON. Ten or fifteen minutes.

Mr. CANNON. Ten or fifteen minutes to consider this bill, when the bill, with all its provisions printed, containing information such as the gentleman and I had about it, has been for days, if not weeks, accessible to the whole country, the President included!

Now, a word in conclusion. Generally I have differed from the President of the United States. He is my President and your President. I have differed radically, but always respectfully, and I do not differ from him touching this veto. I believe it is well conceived and patriotic. I believe this omnibus amendment never ought to have gone on the bill, that it is a vicious method of legislation; and while it may contain some good things, it is a whited sepulcher, filled with dead men's bones. [Applause.] Now, Mr. Speaker, I move the previous question.

Mr. MAHON. Will the gentleman allow me to ask him a question?

Mr. CANNON. I can not.

The previous question was ordered.

The SPEAKER. The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding? Under the Constitution the vote must be taken by yeas and nays.

The question was taken; and there were—yeas 39, nays 171, not voting 144; as follows:

YEAS—39.

Adams,	Gibson,	Hurley,	Reyburn,
Anderson,	Griswold,	Johnson, Cal.	Richardson,
Arnold, Pa.	Grout,	Knox,	Russell, Conn.
Arnold, R. I.	Grow,	Mahany,	Smith, Ill.
Atwood,	Harmer,	Mahon,	Sperry,
Baker, N. H.	Hartman,	McDearmon,	Sulloway,
Boutelle,	Henry, Conn.	Meredith,	Van Horn,
Draper,	Hicks,	Milliken,	Wellington,
Fairchild,	Hill,	Moody,	Willis.
Gardner,	Howell,	Newlands,	

NAYS—171.

Abbott,	Cummings,	Layton,	Reeves,
Aldrich, Ala.	Curtis, Iowa	Lefever,	Rinaker,
Allen, Miss.	Curtis, Kans.	Leighty,	Russell, Ga.
Allen, Utah	Dalzell,	Leisenring,	Sayers,
Andrews,	Daniels,	Lewis,	Scranton,
Apsley,	Dayton,	Linney,	Shafroth,
Avery,	De Witt,	Linton,	Shannon,
Babcock,	Dockery,	Little,	Sherman,
Bailey,	Eddy,	Long,	Simpkins,
Baker, Kans.	Ellett,	Loud,	Skinner,
Bankhead,	Erdman,	Low,	Sorg,
Barney,	Faris,	Marsh,	Southard,
Beach,	Fenton,	Martin,	Stahle,
Belknap,	Fletcher,	McCall, Mass.	Stallings,
Bell, Colo.	Gillet, N. Y.	McCall, Tenn.	Stewart, N. J.
Bell, Tex.	Graff,	McClure,	Stewart, Wis.
Bennett,	Griffin,	McCreary, Ky.	Strong,
Bingham,	Grosvenor,	McCulloch,	Strowd, N. C.
Bishop,	Hager,	McLachlan,	Swanson,
Blue,	Hainer, Nebr.	McMillin,	Talbert,
Brewster,	Hall,	Mercer,	Tate,
Broderick,	Hardy,	Miles,	Tawney,
Bromwell,	Harris,	Miller, W. Va.	Terry,
Brown,	Harrison,	Milnes,	Thomas,
Brumm,	Hart,	Minor, Wis.	Thorp,
Burrell,	Hatch,	Mitchell,	Tracewell,
Burton, Mo.	Hemenway,	Mondell,	Treloar,
Calderhead,	Henderson,	Mozley,	Tucker,
Cannon,	Henry, Ind.	Murphy,	Turner, Ga.
Chickering,	Hepburn,	Ogden,	Underwood,
Clardy,	Hooker,	Otey,	Updegraff,
Clark, Iowa	Hopkins,	Overstreet,	Walker, Va.
Clark, Mo.	Hubbard,	Patterson,	Wanger,
Clarke, Ala.	Hulick,	Payne,	Warner,
Cobb,	Hunter,	Pearson,	White,
Cockrell,	Johnson, N. Dak.	Pendleton,	Williams,
Codding,	Joy,	Phillips,	Wilson, Idaho.
Connolly,	Kem,	Pitney,	Wilson, Ohio.
Cook, Wis.	Kiefer,	Poole,	Wood,
Cooper, Fla.	Kirkpatrick,	Prince,	Woodard,
Cooper, Wis.	Kleberg,	Pugh,	Wright,
Crowther,	Lacey,	Quigg,	Yoakum.
Culberson,	Latimer,	Raney,	

NOT VOTING—144.

Acheson,	Cooke, Ill.	Fisher,	Huling,
Aitken,	Cooper, Tex.	Fitzgerald,	Hull,
Aldrich, Ill.	Corliss,	Foote,	Hutcheson,
Baker, Md.	Cousins,	Foss,	Hyde,
Barham,	Cowen,	Fowler,	Jenkins,
Barrett,	Cox,	Gamble,	Johnson, Ind.
Bartholdt,	Crisp,	Gillett, Mass.	Jones,
Bartlett, Ga.	Crowley,	Goodwyn,	Kendall,
Bartlett, N. Y.	Crump,	Hadley,	Kerr,
Berry,	Curtis, N. Y.	Halterman,	Kulp,
Black, Ga.	Danford,	Hanly,	Kyle,
Black, N. Y.	De Armond,	Heatwole,	Lawson,
Bowers,	Denny,	Heiner, Pa.	Leonard,
Brosius,	Dingley,	Hendrick,	Lester,
Buck,	Dinsmore,	Hermann,	Livingston,
Bull,	Dolliver,	Hilborn,	Lorimer,
Burton, Ohio	Doolittle,	Hitt,	Loudenslager,
Catchings,	Dovener,	Howard,	Maddox,
Coffin,	Ellis,	Howe,	Maguire,
Colson,	Evans,	Huff,	McCleary, Minn.

McClellan,	Odell,	Shuford,	Towne,
McCormick,	Otjen,	Smith, Mich.	Tracey,
McEwan,	Owens,	Snover,	Turner, Va.
McLaurin,	Parker,	Southwick,	Tyler,
McRae,	Perkins,	Spalding,	Van Voorhis,
Meiklejohn,	Pickler,	Sparkman,	Wadsworth,
Meyer,	Powers,	Spencer,	Walker, Mass.
Miller, Kans.	Price,	Steele,	Washington,
Miner, N. Y.	Ray,	Stephenson,	Watson, Ind.
Money,	Robertson, La.	Stone, C. W.	Watson, Ohio
Morse,	Robinson, Pa.	Stone, W. A.	Wheeler,
Moses,	Royse,	Strait,	Wilber,
Murray,	Rusk,	Strode, Nebr.	Wilson, N. Y.
Neill,	Sauerhering,	Sulzer,	Wilson, S. C.
Noonan,	Settle,	Taft,	Woodman.
Northway,	Shaw,	Tayler,	Woomer,

Mr. BERRY. Mr. Speaker, I desire to withdraw my vote. I am paired with the gentleman from Michigan, Mr. SMITH.

Mr. WILLIAMS. Mr. Speaker, my colleague, Mr. KYLE, voted upon the roll call. He was called from the House by a conference committee meeting, and requested me to ask that his vote be withdrawn, because he is paired with the gentleman from California, Mr. BARHAM.

Mr. TRACEY. Mr. Speaker, I voted inadvertently. I am paired with the gentleman from Arkansas, Mr. MCRAE, and desire to withdraw my vote. Were he present, I would vote "nay." I would like at the same time, if I am in order, to ask that the RECORD of yesterday be corrected so as to show the same thing.

The SPEAKER. It will not be in order.

Mr. TRACEY. At present?

Mr. DINGLEY. I am paired, and withdraw my vote.

The following pairs were announced:

Until further notice:

Mr. GILLETT of Massachusetts with Mr. COWEN.

Mr. STEPHENSON with Mr. NEILL.

Mr. SPALDING with Mr. SPENCER.

Mr. STEELE with Mr. MCCLELLAN.

Mr. HEATWOLE with Mr. DINSMORE.

Mr. BARTHOLDT with Mr. DENNY.

Mr. FOSS with Mr. MCLAURIN.

Mr. NORTHWAY with Mr. PRICE.

Mr. COUSINS with Mr. LIVINGSTON.

Mr. BOWERS with Mr. MINER of New York.

Mr. SNOVER with Mr. MADDOX.

Mr. TOWNE with Mr. WILSON of South Carolina.

Mr. SMITH of Michigan with Mr. BERRY.

Mr. TRACEY with Mr. MCRAE.

Mr. CORLISS with Mr. MOSES.

Mr. JOHNSON of INDIANA with Mr. COX.

Mr. BARHAM with Mr. KYLE.

Mr. MEIKLEJOHN with Mr. CROWLEY.

Mr. FOOTE with Mr. HUTCHESON.

Mr. COLSON with Mr. KENDALL.

Mr. WILLIAM A. STONE with Mr. LAWSON.

Mr. HITT with Mr. WASHINGTON, except on election contest of Aldrich *vs.* Underwood.

Mr. ROYSE with Mr. TURNER of Virginia, except on Tucker-Yost election case.

For this day:

Mr. MCCLEARY of Minnesota with Mr. RUSK.

Mr. KULP with Mr. MAGUIRE.

Mr. HADLEY with Mr. COOPER of Texas.

Mr. JENKINS with Mr. DE ARMOND.

Mr. PICKLER with Mr. CATCHINGS.

Mr. DINGLEY with Mr. WHEELER.

Mr. WOOMER with Mr. SULZER.

On this question:

Mr. ROBINSON of Pennsylvania with Mr. CRISP.

Mr. SPARKMAN with Mr. LESTER.

Mr. CHARLES W. STONE with Mr. OTJEN.

The SPEAKER. On this question the yeas are 39, the nays are 171; and accordingly the House, upon reconsideration, refuses to pass the bill.

DEFICIENCY APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I move to suspend the rules and pass the following bill.

The SPEAKER. The gentleman moves to suspend the rules and pass the following bill.

The Clerk read as follows:

A bill making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the reading of this bill may be dispensed with, and I would state in that connection that this is an exact copy of the bill that passed the House and the Senate and went to the President——

Mr. RICHARDSON. I object to debate, Mr. Speaker.

Mr. CANNON. I ask unanimous consent to dispense with the reading of the bill.

The SPEAKER. Unanimous consent is asked to dispense with the reading of the bill.

Mr. RICHARDSON. I object; because I do not know what is in the bill.

The SPEAKER. Objection is made by the gentleman from Tennessee.

The Clerk proceeded to read the bill.

Mr. RICHARDSON (interrupting the reading). Mr. Speaker, I think that the bill which the Clerk is reading can not be the original bill, or else parts of it are being omitted in the reading, as it does not correspond to the one I have here.

The SPEAKER. The Chair understands that the Clerk is reading the proper bill.

The Clerk resumed and continued the reading.

Mr. RICHARDSON (during the reading). Mr. Speaker, I rise to a question of order. I desire to call the attention of the gentleman from Illinois [Mr. CANNON] to the fact that the bill the Clerk is reading is not the bill which I understood the gentleman to say he had reported from his committee.

Mr. CANNON. Mr. Speaker, I will take this opportunity to say to the gentleman again that the bill the Clerk is reading is precisely the bill that went to the President, minus the items covered by amendment No. 233, put upon the bill by the Senate.

Mr. RICHARDSON. That is what I understood; but the Clerk is reading a list of names of claimants and omitting some names that are in the copy of the bill that I have here.

Mr. CANNON (inspecting Mr. RICHARDSON'S copy). This is not a copy of the bill as it went to the President. This is the first print of the bill in the House, with the Senate amendments. Let the gentleman send to the document room and get a copy of the bill as it passed when the conference report was adopted. Of course the copy he has here does not correspond to the bill at the desk.

Mr. RICHARDSON. I should not have thought that the list of the claimants for the Ford's Theater disaster would have been changed.

Mr. CANNON. It is changed, Mr. Speaker. Now that the gentleman knows exactly what the bill contains, I appeal to him again to withdraw his objection to dispensing with the first reading of the bill. I ask unanimous consent that the further reading of the bill be dispensed with.

Mr. SAYERS. I will say to the gentleman from Tennessee that there is no question as to this bill being the same as the deficiency bill which passed the House, with the exceptions stated by the gentleman from Illinois.

Mr. RICHARDSON. Mr. Speaker, I do not think that a bill carrying thirty or forty millions——

Mr. CANNON. Oh, no. It was only eleven millions, and now it is only nine millions.

Mr. RICHARDSON. Well, I do not think that a bill carrying $9,000,000 ought to be passed without being read to the House.

The SPEAKER. Does the gentleman object?

Mr. RICHARDSON. I think we ought not to pass the bill without reading it.

The SPEAKER. The Chair hears no objection.

Mr. RICHARDSON. I object.

The SPEAKER. Objection is made. The Clerk will resume the reading of the bill.

The Clerk continued the reading of the bill.

Mr. RICHARDSON (during the reading). Mr. Speaker, I desire to call the attention of the gentleman from Illinois to Senate amendment No. 89 and to ask him whether it is omitted from his bill. It appears in the bill that I have before me, but it has not been read by the Clerk in the bill at the desk. It is the amendment relating to the pay of the Mexican Boundary Commission.

Mr. CANNON. The gentleman will find that that amendment went out in conference.

Mr. RICHARDSON. Just before this there was an omission of about half a page, although I understood the gentleman from Illinois to say that, with certain exceptions, this new bill was identical with the one passed here a few days ago.

The SPEAKER. The Chair desires to say that this discussion of a bill while it is being read is somewhat irregular. He does not object to it if it facilitates the passage of the bill, but would be unwilling that it should be drawn into a precedent. [Laughter.]

Mr. CANNON. The gentleman from Tennessee has not the proper bill at all.

Mr. RICHARDSON. This is the bill which the messenger brought me after the gentleman from Illinois suggested that the one I had first was not the proper bill.

Mr. CANNON. Neither one is the proper bill.

Mr. RICHARDSON. Well, I will ask the gentleman whether there are any printed copies of the bill which is now being read?

Mr. CANNON. The gentleman should know that better than I. Whether an act that has been passed by the House and by the Senate and signed by the Speaker of the House and by the Vice-President of the United States is usually printed or not I do not know. I ask that the Clerk proceed with the reading of the bill.

The Clerk proceeded and completed the reading of the bill.

The SPEAKER. The question is on the motion of the gentleman from Illinois to suspend the rules and pass this bill.

Mr. MAHON. I demand a second.

Mr. CANNON. I ask unanimous consent that a second be ordered.

Mr. MAHON and Mr. KEM objected.

The House divided on the question of ordering a second; and there were—ayes 166, noes 18.

So a second was ordered.

Mr. CANNON. Does the gentleman from Tennessee desire to say anything upon the bill? If not, I am ready for a vote. [Cries of "Vote!" "Vote!"]

Mr. RICHARDSON (to Mr. MAHON). Do you want to debate this?

Mr. MAHON. Yes.

Mr. CANNON. I think the House understands it.

Mr. RICHARDSON. The gentleman from Pennsylvania [Mr. MAHON] controls the time in opposition.

Mr. ATWOOD. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ATWOOD. Do I understand that if the rules of this House are now suspended upon the motion of the gentleman from Illinois no amendment to this bill will be in order?

The SPEAKER. That is correct.

Mr. ATWOOD. I hope the House fully understands that point at least.

The SPEAKER. If no debate is desired, the Chair will put the question on the motion of the gentleman from Illinois to suspend the rules.

Mr. MAHON. I desire to debate it, Mr. Speaker.

Mr. RICHARDSON. I wish to speak.

Mr. MAHON. We want to occupy our twenty minutes. I yield five minutes of the time to the gentleman from Tennessee.

Mr. RICHARDSON. Mr. Speaker, as I have only five minutes, I must necessarily speak rapidly. The proposition here is to pass this bill under a motion to suspend the rules—a bill which has not been considered by any committee of this House, a bill of which the gentleman from Illinois himself could not tell the contents when the inquiry was propounded to him by the gentleman from Pennsylvania [Mr. MAHON]. This bill is not even open to amendment. The President of the United States vetoed the deficiency appropriation bill, because, as he stated, it contained appropriations for the payment of the French spoliation claims, and for a claim that is known as the Chouteau claim. Now, if the gentleman from Illinois had presented the vetoed bill, with those items eliminated, there would have been no possible objection or word of dissent to its passage. But after the President exercised his constitutional right to veto the bill, on account of these two, and no other objections, the gentleman from Illinois interposes his veto, and says you must take the bill now with not only those items eliminated which the President vetoed, but also with the additional claims stricken out which the gentleman from Illinois vetoes. [Laughter and applause.]

Now, Mr. Speaker, I say we ought to vote down the proposition to pass the bill by a two-thirds vote, and if two-thirds of the members should fail to vote for it we will defeat the motion and defeat the bill. Then if the gentleman desires to prepare it, with the Southern claims embodied in it—the claims voted on by this House for payment of the loyal citizens of the border States, the States of Pennsylvania, Maryland, and other States—we can pass it in five minutes. The gentleman from Illinois sees fit, however, to go even beyond what the President did, and says he would not be willing to allow the House even to vote upon a proposition for the payment of these war claims. He will not even allow an amendment to the bill. He will not allow the House to do what it has already done by a yea-and-nay vote. They decided on a yea-and-nay vote to pay the claims to the loyal citizens in my section and in the other border States of the Union. The House decided by a yea-and-nay vote that it would pay them, but the gentleman from Illinois comes and says, "You must take the bill as I present it without these claims embodied in it"; and will not even permit a vote of the House, in the shape of an amendment, to put them back in the bill.

Mr. Speaker, I say this is not right. We ought to vote down the motion of the gentleman and refuse to pass the bill by a two-thirds vote. Let the gentleman place back in it the claims he has eliminated but which the House decided should go into the bill, which the Senate decided should go into the bill, and to which the President interposes no objection. [Applause.]

This $550,000 of claims goes to the loyal people of the South—the border States. It does not come to my district, except $450 of it. In the Fifty-first Congress we passed a bill through the House and Senate appropriating $550,000 for the payment of such claims without objection. What has come over the gentleman from Illinois since that time that has caused him to object to the payment of the claims now? He says that they ought not to go on the deficiency bill; but this bill has now in it claims standing precisely on the same basis. There are claims in it involving the same conditions. I call the attention of the gentleman to the Quartermaster's findings on page 53 of the printed bill.

Mr. CANNON. I challenge the gentleman's statement as incorrect.

Mr. RICHARDSON. Well, I undertake to say that I am correct, and in this respect the gentleman from Pennsylvania [Mr. MAHON] will concur with me, that I am accurate in that statement.

Mr. CANNON. I challenge the statement of both gentlemen as being absolutely incorrect.

Mr. RICHARDSON. Well, I have the floor, I believe. You confessed this morning, when the gentleman from Pennsylvania asked if these claims were in the bill, you admitted that you did not know whether they were or not. [Laughter and applause.] And I certify here and now that you paid no attention to the reading of the bill at the Clerk's desk, so that you do not know now what is in it. The gentleman has not read the bill himself, that is the trouble. He has had it made up for him, but does not know what is in it, I venture to say.

Now, that is a question of fact. The gentleman from Pennsylvania [Mr. MAHON] is a very intelligent gentleman, the chairman of the War Claims Committee, and he says these claims are exactly like this.

The SPEAKER. The time of the gentleman has expired.

Mr. RICHARDSON. Well, I am very sorry, I would like to have had a little more time.

Mr. MAHON. I yield five minutes to the gentleman from Kentucky [Mr. EVANS].

Mr. EVANS. Mr. Speaker, I had an opportunity a short time ago to express to the House the very earnest views that I entertained upon the subject of the war claims which had been adjudicated by the Court of Claims, a tribunal to which Congress had submitted their consideration. These claims were passed upon by the House; they were passed upon by the Senate, and if any consideration is to be given to these acts of the House and Senate it would seem to require that the Committee on Appropriations of this House, if they considered this bill at all, which I doubt, should have included all of these claims in this measure when they proposed to suspend the rules and pass it.

I have not an objection to a single item in the proposed bill, so far as I know; probably all of them should be paid, and probably all are proper subjects for appropriation in this manner. But this House, after the most mature consideration, expressed its judgment, its decision—I might say its order—to the committee with reference to these particular claims; and the President of the United States, in the exercise of those functions that he is constitutionally entitled to exercise, has not in his veto of the former bill objected to the claims now sought to be included in the new bill by those who are opposed to it in its present shape. It seems to me that if there can be any instruction or command of the House which should be obeyed by the Committee on Appropriations or its chairman it is our instruction to include these claims in the measure now brought before the House for passage. I do sincerely hope for one that Congress will not adjourn until this measure of justice has been done to a number of long-suffering creditors of the United States, whose claims are as just, whose demands are as meritorious, as the most highly lithographed evidence of indebtedness could make a claim in favor of any creditor of the United States. These claims have been ascertained perfectly well. We all understand them. The Committee on Claims of this House has considered and reported them, whether the Appropriations Committee has done so or not; and I do most earnestly hope that Congress will continue in session, that it will not finally adjourn, until these claims are provided for and the persons entitled to this money paid.

Mr. EVANS. Mr. Speaker, I ask the House to consider now whether there is any reason given by the President of the United States, the chairman of the Committee on Appropriations, or anybody else why we should reverse our action of a week or two ago and say now that because some one or two men do not want these claims inserted in the general deficiency bill the House will not order them to be put there. Let us not suspend the rules, but leave this matter open until we can get them in. Let us vote down this proposed measure and see whether the Committee on Appropriations will not obey the will of the House as heretofore expressed frequently, clearly, and unequivocally.

If the gentleman from Illinois representing the Committee on Appropriations had, as remarked by the gentleman from Tennessee [Mr. RICHARDSON], brought before us a bill which left in every item except those which the President had objected to in the vetoed bill there would have been no objection whatever interposed by anybody to such a bill. It does seem to me—and I respectfully submit it to members who shall vote on this question—that that was the proper, the right, the just thing for the gentleman from Illinois to do. He should have brought before us a bill on which we could vote this afternoon, embracing every item except those the President of the United States objected to; for these war claims, resting upon findings of the Court of Claims, are just as good debts against the United States—I mean they have as much

merit in them—as any item provided for in this bill from beginning to end. For one I think these items stand on stronger ground than many others in the bill, because they are supported by the solemn judgment of a court that they are just claims against the United States. That very fact, it seems to me, should induce us to make the appropriation to pay them. I hold the doctrine that the Government ought to pay every honest debt as soon as it is ascertained to be honestly due and the amount properly fixed.

For these reasons I hope, gentlemen, that you will consider whether we should allow this bill to pass until these claims which were left in the former bill pursuant to our judgment and order have been embraced in this bill. [Applause.]

I yield back any time I may have to the gentleman from Pennsylvania [Mr. MAHON].

Mr. MAHON. I yield five minutes to the gentleman from Maryland [Mr. WELLINGTON].

Mr. WELLINGTON. Mr. Speaker, I voted the other day for the passage of this general deficiency bill, including every line, as it was sent to us from the Senate. I believed it right to pass the bill in that way; and if I thought so then I believe so now. I voted this afternoon to pass the bill over the veto of the President, and I shall vote now against the bill as proposed by the chairman of the Appropriations Committee [applause]; and I call upon members of this House to stand by us in this matter.

The claims that gentlemen are attempting to strike out here are as much claims against the Government of the United States as any other debt or demand embraced in the bill. The other day we passed in this House a bill which would drive into bankruptcy individuals who refuse to pay their honest debts. I believe that governments and individuals should stand upon the same moral plane in this matter. If the Government owes a debt, it should as well pay it as an individual. [Applause.]

These claims are war claims. A part of these claims that members have to-day stricken out or attempted to strike out arose in the State from whence I come; several pages of this bill were devoted to claims due the citizens of the State of Maryland. When the great war began, our State, bordering on the two sections, was wedged in between them. One day the Confederates would be on our soil; the next the Federals would be with us. The property of citizens of Maryland was taken by the Government. They have waited year by year for reimbursement. They have proven their claims again and again. Under an act of Congress known as the Bowman Act those claims have been taken before the Court of Claims. Every claimant stood upon his trial; every man proved his claim. And then these claims were sent to your Committee on War Claims. Every one of them was passed upon by that committee as an honest claim against the Government.

Those claims have been included by the House and the Senate in this bill, and I stand here to-day to appeal to this House not to strike out these claims because the chairman of the Committee on Appropriations says that you must do so. It has been intimated that the chairman of that committee and a leading Democratic member of the committee gave the President the assurance that if he would veto this bill—if he would strike it down and send it back to the House—they would see that this House would pass such a bill as he wanted. They go one step further. They propose not only to pass a bill such as the President wanted, but to cut out a great many things to which the President in his message has made no allusion. The President said not one word against the war claims in that bill. He said not one word against the honest claims of the citizens of Maryland for goods taken from them by the soldiers of the Army during the war. Therefore I say these gentlemen go one step further, and they strike out these claims, and they come to this House and say, "Under a suspension of the rules to-day during the latter hours of this session of Congress you must pass just such a bill as we offer to you or you can have no bill at all."

Now, if that is the question, then I say, let us have no bill until we can get some consideration for these honest claims of the Government. [Applause.] I for one, as I say, believe that this Government if it owes an honest debt should pay it. I contend here to-day that these claims are honest. They have been proven again and again. These men are loyal. This money belongs to them, and why should you say that it shall not go to them?

So far as the other claims are concerned, so far as the French spoliation claims are concerned, I believe that they ought to be paid, and I will again vote for a bill that will say that they should be paid. But if there is any division of opinion, if they must go out, very well; I am satisfied. But I say here to-day, I want to emphasize it again, that the Republican party owes it to itself, this House owes it to itself, not to strike down these claims. What did you do the other day when the President vetoed the river and harbor bill? I am sure that there were claims in that bill which were more objectionable than the war claims for which we are asking payment to-day. Yet this House passed that bill over the veto of the President. I voted for that, and am willing to stand upon that vote, but in what position——

[Here the hammer fell.]

Mr. MAHON. I think the other side ought to use a little of their time before we exhaust ours.

Mr. CANNON. Does the gentleman desire to say anything more?

Mr. MAHON. Yes.

The SPEAKER. The question is on suspending the rules——

Mr. MAHON. Mr. Speaker, I am not through. I simply asked the gentleman whether he would consume some of his time.

Mr. RICHARDSON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. Will the gentleman from Illinois have twenty minutes after the gentleman from Pennsylvania has used his remaining five?

The SPEAKER. He will have twenty minutes.

Mr. RICHARDSON. I ask, Mr. Speaker, if it is not usual and customary, under the rules of the House, for each side to alternate?

The SPEAKER. The Chair thinks it is usual and customary, under the rules of the House, to alternate the time; but if a gentleman chooses to have a vote taken without saying anything, and does not desire to use his twenty minutes, and if the other gentleman does not use his five, why, that is his right.

Mr. RICHARDSON. I have never known a case in which one side consumed the entire time without the other side alternating.

Mr. CANNON. I want to be entirely fair. I expect to use, probably, from three to five minutes. That is my present intention. I was quite willing that a vote should be taken without discussion. Now, in complete fairness, as I do not expect to consume my time, I ask the gentleman from Pennsylvania [Mr. MAHON] if he desires to go ahead?

Mr. MAHON. Mr. Speaker, I do not desire to say anything more about the French spoliation claims or the Chouteau claim. The President of the United States has exercised his right to veto this bill on the ground that these two items were in it, and he has objected to these two items alone. Now, Mr. Speaker, that bill was not signed by the Vice-President until this morning at 10 o'clock. This bill which the gentleman has introduced here to-day was in the Public Printing Office last night. If the gentleman from Illinois [Mr. CANNON] and the gentleman who assisted in making up that bill had stricken from the bill the items that the President indicated to them that he would veto there would be no contest here to-day. But pray, sir, after the Senate and the House have passed upon another item in this bill, upon which the President makes no objection, I say why should the gentleman from Illinois or any other two or three gentlemen, in a star chamber, in the dark hours of the night, strike out a portion of this bill that has been passed by both Houses and that was not objected to by the President? Mr. Speaker, we have one man in this country who is using the veto power to excess, about as much as this country can stand, and we do not want to introduce any other gentleman into the legislation of this country to use the veto power too. [Applause.]

Mr. CANNON. Will you nominate him?

Mr. MAHON. The gentleman from Illinois [Mr. CANNON] and the gentleman who assisted him did not strike out from this bill the Bowman Act cases because the President objected to them, but they put this House in this position to-day. You have passed the Bowman Act claims, which are right and just, and the Senate passed them; but the gentleman from Illinois [Mr. CANNON] and the gentleman from Texas [Mr. SAYERS] say: "We have got you. You have got to pass the deficiency bill under a suspension of the rules, and we will make you pass it with certain items stricken out to which the President has no objection."

I want to say to members of this House that I know what I am talking about; and if this House will pass the bill with the Bowman claims on it, the Senate will pass it and the President will sign it; and I simply plead here, not because I have a few people in my State who are interested in this matter, because they are scattered all over the country—I say, as chairman of the Committee on War Claims, that every Bowman Act case included in that amendment was for three months carefully scrutinized and passed upon by the Committee on War Claims. The Court of Claims has passed upon them, and declared that those people were loyal people; that they furnished the property to the Government of the United States; that the Government of the United States used it, and that the Government owes these people for it.

Mr. GIBSON. And the Government has been owing them for thirty years. [Laughter and loud applause.]

Mr. MAHON. I plead the cause of the poor people of this country who had their property taken. I come from Franklin County, where 280,000 men tramped over the ground during the war, and when the last bluecoat left you could not see a blade of grass, and there was not a particle of wheat or a fence rail or a chicken coop left, for the county was stripped. The gentleman from Illinois was safe with his constituents on the Illinois prairies. He knows nothing about the character of the troubles that befell the people who lived in the border States. These are not claims for devastations of war. They are for stores, corn and oats, cattle, and other

stuff of that kind furnished to the Army of the United States to feed her soldiers and her cavalry and artillery horses. In the name of Heaven, do you propose to repudiate these debts? I want to say that they are as honest as any that are contained in this bill. In this very bill I find claims allowed for Indian depredations on findings by the Court of Claims, put in by the gentleman from Illinois himself. There are judgments for Indian depredations committed by the Indians during Indian wars. If there is a place in the deficiency bill for such claims, the Bowman Act claims stand upon as high ground and should have the same place. I say to members who are interested in these claims, you have been struggling here for four years to get the payment of these claims. The Senate has decided in your favor. You will have to stand by yourselves. Refuse to suspend the rules, and keep on refusing until these gentlemen do what is right for these people. [Loud applause.]

I yield the remainder of my time to the gentleman from Massachusetts [Mr. WALKER].

The SPEAKER. The time of the gentleman has expired.

Mr. CANNON. Now, Mr. Speaker, if I can have special attention for a minute or two I can cover practically the situation. The deficiency bill that the House and Senate passed was vetoed. It is as dead as Julius Cæsar. [Laughter.] We all want to get away from here.

Mr. WELLINGTON. We do not want to get away until we settle this matter [applause], and I will stay here all summer for that purpose.

Mr. CANNON. "And still the villain pursues." [Laughter.]

Mr. WELLINGTON. And I will keep on pursuing.

Mr. CANNON. That is all right. We all want to get away. [Cries of "Oh, no!"] Well, then, stay!

The SPEAKER. The House will be in order.

Mr. CANNON. This is not the first time. It is possible by great industry, if we can keep a quorum, we may get away from here Wednesday next.

Now, the Speaker of the House recognized me to move to suspend the rules and pass the bill which has been read. I have stated to the House what it contains—appropriations of judgments of the Court of Claims, audited claims, adjudicated by the Departments, such as invariably go upon the bill. Then for the current service of the Government, including the contingent fund of the House, for the payment of members' clerks in vacation, and so forth, and so on. Now, then, I did this for the reason that there is not now time to originate a new bill in the Committee on Appropriations and report it regularly to the House, have it go to Committee of the Whole on the state of the Union, and pass it as such bills usually pass; and the gentlemen now cry out, "Let us rebuke Mr. CANNON, because he has dared to move to suspend the rules without putting on the Bowman claims!" Well, suppose you do. Suppose you clap your hands——

Mr. MAHON. Let me ask you a question.

Mr. CANNON. Suppose you clap your hands and rebuke Mr. CANNON for proposing to pass this bill under suspension of the rules. Let us see what you gain.

Mr. MAHON. I want to ask you a short question.

Mr. CANNON. Oh, well, now—say, who is making this speech anyhow? [Laughter.]

Mr. Speaker, I ask attention. I only want a minute.

The SPEAKER. The gentleman asks for order, and the members of the House will please take their seats. The Chair must insist upon it.

Mr. CANNON. I did not move to suspend the rules and include the claims under the Bowman Act, because under the rules of this House they have no place upon a general appropriation bill. Let me say to gentlemen one of two things must happen: You have either to change the rules of this House or I have got to be out of the House before those claims can go upon a general appropriation bill originating in the House of Representatives under the rules of the House. [Applause.] Therefore if you take the course that is suggested here you will gain nothing. You can follow the gentleman from Pennsylvania [Mr. MAHON] and the gentleman from Maryland [Mr. WELLINGTON] and the eloquent gentleman from Tennessee [Mr. RICHARDSON] if you choose. If you do, you are without any deficiency bill, and you can not adjourn this Congress without very seriously embarrassing yourselves and all the Departments of the Government by a failure to provide for the current expenses of the Government.

Now, I will tell you what I think is wise. I think it is wise to vote two-thirds to pass this bill and send it to the Senate. If you think not, if you see proper to say that the Committee on Appropriations shall go to work and originate a new deficiency bill, we will do it and bring the bill in here; but I notify the gentleman from Pennsylvania now that when he moves to put the Bowman Act claims upon that bill by way of amendment, I will stand here and make the point of order under Rule XX, and he knows as well as I do that they will not go on the bill.

Mr. MAHON. They will "get there."

Mr. HENDERSON. Let me ask the gentleman from Illinois a question. If this bill goes through in its present shape, will not gentlemen who are interested in these claims under the Bowman Act have the same rights at the other end of the Capitol that they had in the first instance?

Mr. CANNON. Certainly.

Mr. MAHON. We want to hold on to them while we have got them.

Mr. HENDERSON. You can not do it in the House under the rules.

Mr. WELLINGTON. We can prevent the consideration of this bill until you gentlemen do right. This House has the right to do that.

Mr. HENDERSON. Not under the rules.

Mr. WELLINGTON. Under the rules it has that right.

Mr. CANNON. Let us keep our judgment, gentlemen. I do not believe that the American House of Representatives stands ready to follow the lead of the gentleman from Maryland and the distinguished gentleman from Pennsylvania——

Mr. WELLINGTON (interrupting). I tell you that the House of Representatives can not go wrong in following the lead of Maryland in this particular.

Mr. CANNON. The gentleman is soon to be transferred to another body, but I hope he will observe the rules of this body while he remains here. [Laughter.]

Mr. WELLINGTON. I have not been transferred yet, and I have a right——

The SPEAKER. The gentleman from Illinois has the floor. The gentleman from Maryland is out of order.

Mr. WELLINGTON. I bow to the decision of the Chair.

Mr. CANNON. I do not believe, Mr. Speaker, that the American House of Representatives stands ready, out of all rule, to follow the lead of these two eminent gentlemen and to say that the appropriations for the ordinary expenses of the Government shall not be made unless we submit to having them carry through these 30-year-old claims. I ask for a vote.

The question being taken on the motion to suspend the rules and pass the bill, the Speaker declared that the ayes seemed to have it.

Mr. MAHON and Mr. RICHARDSON demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 172, nays 44, not voting 138; as follows:

YEAS—172.

Aldrich, Ala.	Crump,	Howe,	Phillips,
Aldrich, Ill.	Culberson,	Howell,	Pitney,
Allen, Miss.	Curtis, Iowa	Hulick,	Poole,
Allen, Utah	Curtis, Kans.	Hurley,	Prince,
Andrews,	Dalzell,	Jenkins,	Pugh,
Arnold, Pa.	Daniels,	Johnson, N. Dak.	Quigg,
Arnold, R. I.	Dayton,	Joy,	Raney,
Avery,	De Witt,	Kem,	Reeves,
Babcock,	Dingley,	Kiefer,	Rinaker,
Bailey,	Dockery,	Kirkpatrick,	Russell, Conn.
Baker, Kans.	Draper,	Kleberg,	Russell, Ga.
Bankhead,	Eddy,	Knox,	Sayers,
Barney,	Ellis,	Kulp,	Scranton,
Beach,	Erdman,	Lacey,	Shafroth,
Belknap,	Faris,	Layton,	Sherman,
Bell, Colo.	Fenton,	Lefever,	Simpkins,
Bell, Tex.	Fletcher,	Leighty,	Smith, Ill.
Bennett,	Gardner,	Leonard,	Sorg,
Bingham,	Gillet, N. Y.	Linton,	Southard,
Bishop,	Goodwyn,	Long,	Sperry,
Blue,	Graff,	Loud,	Stallings,
Boutelle,	Griffin,	Low,	Stewart, N. J.
Brewster,	Grosvenor,	Maguire,	Stewart, Wis.
Broderick,	Grout,	Martin,	Strong,
Brown,	Grow,	McCall, Tenn.	Strowd, N. C.
Brumm,	Hager,	McCleary, Minn.	Talbert,
Buck,	Hainer, Nebr.	McClure,	Tawney,
Bull,	Hall,	McLachlan,	Thomas,
Burrell,	Hardy,	Mercer,	Thorp,
Burton, Mo.	Harmer,	Miller, W. Va.	Tracewell,
Calderhead,	Harrison,	Milliken,	Treloar,
Cannon,	Hart,	Milnes,	Turner, Ga.
Chickering,	Hatch,	Minor, Wis.	Updegraff,
Clark, Iowa	Hemenway,	Mitchell,	Walker, Va.
Clark, Mo.	Henderson,	Mondell,	Wanger,
Clarke, Ala.	Hendrick,	Money,	Warner,
Cockrell,	Henry, Conn.	Moody,	Watson, Ohio
Codding,	Henry, Ind.	Murphy,	White,
Connolly,	Hepburn,	Overstreet,	Wilson, Idaho
Cook, Wis.	Hilborn,	Owens,	Wood,
Cooke, Ill.	Hill,	Parker,	Woodard,
Cooper, Wis.	Hooker,	Payne,	Woodman,
Crowther,	Hopkins,	Pearson,	Yoakum.

NAYS—44.

Atwood,	Fitzgerald,	Mahany,	Richardson,
Baker, Md.	Gibson,	Mahon,	Robertson, La.
Baker, N. H.	Hermann,	McCreary, Ky.	Skinner,
Catchings,	Hicks,	McCulloch,	Sparkman,
Clardy,	Hunter,	McDearmon,	Sulloway,
Cobb,	Johnson, Cal.	McMillin,	Terry,
Cooper, Fla.	Kerr,	Noonan,	Van Horn,
Cooper, Tex.	Latimer,	Ogden,	Walker, Mass.
Cummings,	Lester,	Otey,	Wellington,
Evans,	Lewis,	Patterson,	Williams,
Fairchild,	Little,	Pendleton,	Willis.

NOT VOTING—138.

Abbott,	Fischer,	McClellan,	Snover,
Acheson,	Foote,	McCormick,	Southwick,
Adams,	Foss,	McEwan,	Spalding,
Aitken,	Fowler,	McLaurin,	Spencer,
Anderson,	Gamble,	McRae,	Stahle,
Apsley,	Gillett, Mass.	Meiklejohn,	Steele,
Barham,	Griswold,	Meredith,	Stephenson,
Barrett,	Hadley,	Meyer,	Stone, C. W.
Bartholdt,	Halterman,	Miles,	Stone, W. A.
Bartlett, Ga.	Hanly,	Miller, Kans.	Strait,
Bartlett, N. Y.	Harris,	Miner, N. Y.	Strode, Nebr.
Berry,	Hartman,	Morse,	Sulzer,
Black, Ga.	Heatwole,	Moses,	Swanson,
Black, N. Y.	Heiner, Pa.	Mozley,	Taft,
Bowers,	Hitt,	Murray,	Tate,
Bromwell,	Howard,	Neill,	Tayler,
Brosius,	Hubbard,	Newlands,	Towne,
Burton, Ohio	Huff,	Northway,	Tracey,
Coffin,	Huling,	Odell,	Tucker,
Colson,	Hull,	Otjen,	Turner, Va.
Corliss,	Hutcheson,	Perkins,	Tyler,
Cousins,	Hyde,	Pickler,	Underwood,
Cowen,	Johnson, Ind.	Powers,	Van Voorhis,
Cox,	Jones,	Price,	Wadsworth,
Crisp,	Kendall,	Ray,	Washington,
Crowley,	Kyle,	Reyburn,	Watson, Ind.
Curtis, N. Y.	Lawson,	Robinson, Pa.	Wheeler,
Danford,	Leisenring,	Royse,	Wilber,
De Armond,	Linney,	Rusk,	Wilson, N. Y.
Denny,	Livingston,	Sauerhering,	Wilson, Ohio
Dinsmore,	Lorimer,	Settle,	Wilson, S. C.
Dolliver,	Loudenslager,	Shannon,	Woomer,
Dooljttle,	Maddox,	Shaw,	Wright.
Dovener,	Marsh,	Shuford,	
Ellett,	McCall, Mass.	Smith, Mich.	

So (two-thirds voting in favor thereof) the motion of Mr. CANNON was agreed to, and the bill was passed.

The following additional pairs were announced:

For this day:

Mr. LOUDENSLAGER with Mr. ABBOTT.

Mr. LEISENRING with Mr. TUCKER.

On this vote:

Mr. CHARLES W. STONE with Mr. OTJEN.

Mr. KYLE. I am paired with the gentleman from California, Mr. BARHAM. I desire to be noted as present.

Mr. TATE. Mr. Speaker, I wish to inquire how I am recorded.

The SPEAKER. The Clerk informs the Chair that the gentleman is not recorded.

Mr. TATE. I was present during the roll call and did not hear my name.

The SPEAKER. Was the gentleman listening?

Mr. TATE. I was here in my seat during the roll call.

The SPEAKER. Was the gentleman listening at the time when his name should have been called, and did he fail to hear it?

Mr. TATE. I was present and failed to hear my name called.

The SPEAKER. The Chair desires to say that in matters of this kind he simply enforces the rule of the House. The exception under which gentlemen are allowed to have their votes recorded after the roll call rests upon the idea that by some mistake the name was not called. The object of the rule is to command the attention of members during the vote. The gentleman, understanding now the state of the case, can answer as he thinks correct.

Mr. TATE. I did not hear my name. I was in my seat and attending all the time.

The SPEAKER. The Chair thinks that the gentleman can not vote under the rule.

Mr. TRACEY. I should like to vote.

The SPEAKER. Was the gentleman present and listening at the time when his name should have been called, and did he fail to hear it?

Mr. TRACEY. I was listening and did not hear it. A member sitting close to me heard it and called my attention to the fact after my name had been passed. I did not hear it myself.

The SPEAKER. The gentleman's name having been called, the Chair can not entertain his request to vote now.

Mr. TRACEY. I was listening for my name and did not hear it.

The result of the vote was announced as above stated.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON. I rise to present a conference report, which I send to the desk.

The Clerk proceeded to read the report, but was interrupted by

Mr. CANNON. I ask that the accompanying statement of the conferees be read in lieu of the report.

The Clerk read the following statement of the House conferees:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the sundry civil bill submit the following written statement in explanation of the action recommended in the accompanying conference report on each of said amendments, namely:

On No. 96: Appropriates $325,000, instead of $250,000 as proposed by the House and $400,000 as proposed by the Senate, for surveying public lands.

On Nos. 140 and 141: Makes the appropriation for improving the canal at the cascades of the Columbia River available for continuing the work, as proposed by the Senate, instead of completing, as proposed by the House, and strikes out the provision proposed by the Senate requiring that $20,000 of said appropriation be applied to certain work proposed in the modified project of October 18, 1894.

The committee of conference have been unable to agree on the following amendments, namely:

On Nos. 2, 3, 4, 6, 7, 8, 13, 15, 16, and 17, relating to public buildings, as follows:

Boise City, Idaho, increasing limit of cost from $150,000 to $200,000, and appropriating $50,000;

Camden, N. J., increasing limit and appropriating $25,000;

Cheyenne, Wyo., increasing limit from $150,000 to $250,000, and appropriating $50,000;

Fortress Monroe, Va., for post-office building, $15,000;

Helena, Mont., increasing limit from $150,000 to $300,000, and appropriating $50,000;

Kansas City, Mo., increasing limit from $1,200,000 to $1,316,000;

Omaha, Nebr., appropriating $100,000, instead of $70,000, as proposed by the House;

St. Paul, appropriating $125,000, instead of $60,000, as proposed by the House;

Savannah, Ga., increasing limit $100,000, and appropriating $25,000; and

Salt Lake City, Utah, appropriating $75,000 for site and commencement of building.

On amendment numbered 32, appropriating $15,000 for a light-house on Swan Island, in the Caribbean Sea.

On amendment numbered 61, appropriating $250,000 for an additional fireproof building for the use of the National Museum.

On amendment numbered 97, relating to the reclamation of arid lands.

On amendment numbered 109, appropriating $35,000 to enable the Government to take part in the International Exposition at Brussels, Belgium.

On amendments numbered 122, 123, and 124, relating to the price to be paid for gas lamps in the public grounds.

On amendments numbered 146 and 147, relating to the support and medical treatment of destitute patients and to the Providence and Garfield hospitals.

On amendment numbered 161, relating to the disbursement of appropriations for the National Home for Disabled Volunteer Soldiers.

J. G. CANNON,
E. J. HAINER,
JOSEPH D. SAYERS,
Managers on the part of the House.

Mr. CANNON. I move the adoption of the conference report.

Mr. RICHARDSON. I do not think the report has been read. We ought to hear it, if there is any. It has not been read.

Mr. CANNON. I understood that the reading was waived. I asked that the statement might be read.

The SPEAKER. As the Chair is informed at the Clerk's desk, the gentleman from Illinois requested that the reading of the conference report be omitted.

Mr. RICHARDSON. Did the Chair submit the request?

The SPEAKER. The Chair did not submit it. The conference report must be read if objection is made.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as fo lows:

That the Senate recede from its amendment numbered 141.

That the House recede from its disagreement to the amendment of the Senate numbered 140, and agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$325,000"; and the Senate agree to the same.

The committee of conference have been unable to agree upon the amendments of the Senate numbered 2, 3, 4, 6, 7, 8, 13, 15, 16, 17, 32, 61, 97, 109, 122, 123, 124, 146, 147, and 161.

J. G. CANNON,
E. J. HAINER,
JOSEPH D. SAYERS,
Managers on the part of the House.

W. B. ALLISON,
EUGENE HALE,
A. P. GORMAN,
Managers on the part of the Senate.

The SPEAKER. The question is on agreeing to the report.

Mr. LESTER. I wish to know whether the adoption of the report will cut off other questions that may arise as to amendments not agreed to.

Mr. CANNON. Let us close up the matter by adopting the conference report on the matters on which we have agreed.

Mr. LESTER. I wish to ask the Speaker——

Mr. CANNON. I will say to the gentleman from Georgia [Mr. LESTER] that there has been no agreement in regard to the public building at Savannah, Ga., and that will not be affected by the vote on the adoption of the report.

Mr. LESTER. I wish to ask the Speaker what will be the effect of agreeing to the conference report—whether the amendment to which the gentleman from Illinois has referred will go back immediately to conference, or whether I can ask a vote of the House upon concurring in that amendment?

The SPEAKER. Agreeing to the conference report will not send back to conference amendments still in controversy without a further order of the House.

The question being taken, the report of the committee of conference was agreed to.

Mr. CANNON. Mr. Speaker, I move that the House further insist on its disagreement to the amendments of the Senate, as specified in the report, and agree to the conference asked by the Senate.

Mr. LACEY. Mr. Speaker, I move to recede from the disagreement to No. 97——

The SPEAKER. Does the gentleman yield?

Mr. CANNON. The gentleman from Iowa, I understand, desires a separate vote on one of the amendments, and wishes to make a motion, and I suppose the gentleman from Georgia [Mr. LESTER] also desires to make a motion to recede from the disagreement to another amendment.

Mr. LACEY. I wish to call the attention of the House to amendment 97, and propose to move to concur in that amendment.

Mr. LESTER. I move to concur in amendment 16, on the Savannah post-office building.

Mr. HARTMAN. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendments numbered 2, 3, 4, 6, 7, 8, 13, 15, 16, and 17, being the public building amendments.

Mr. CANNON. Does the gentleman want a separate vote on each amendment?

Mr. HARTMAN. No; let it be in bulk.

Mr. CANNON. Oh, well, I guess we will possibly get along better by letting each case stand on its own merits. We must have a separate vote.

The SPEAKER. The Chair understands a separate vote is asked on the amendments named by the gentleman from Montana, and also on amendments 97 and 16. The Chair will submit the question on the other amendments.

The question being submitted, the House insisted on its disagreement to the other amendments.

The SPEAKER. The Clerk will now read amendment numbered 2, on which a separate vote is demanded.

Mr HARTMAN. Are we not entitled to have a vote on my motion as a whole?

The SPEAKER. The Chair thinks, the gentleman from Illinois having demanded a separate vote on the amendments, that they must be voted on in detail, each one of the amendments standing by itself. The Clerk will read amendment numbered 2.

The Clerk read as follows:

On page 2, after line 8, insert:
"For public building at Boise City, Idaho: For continuation of building, $50,000; and the limit of cost of said building and site is increased from $150,000 to $200,000."

The question being taken on the motion of Mr. HARTMAN to recede from disagreement, it was rejected.

So the House insisted upon its disagreement.

Mr. HARTMAN. In order to save the time of the House, the temper of the House being evidenced by the vote just taken, I will withdraw the demand for a separate vote on the other amendments.

The SPEAKER. The gentleman from Montana withdraws the demand for a separate vote, and as the Chair understands it, separate votes are only asked on amendments 16 and 97.

Mr. KEM. Do I understand, Mr. Speaker, that unanimous consent is asked to withdraw the demand for a separate vote?

The SPEAKER. Unless the gentleman from Nebraska demands a separate vote, it will not be taken on any of them.

Mr. KEM. I shall object to unanimous consent to withdraw.

Mr. CANNON. The gentleman has a right to withdraw the demand.

The SPEAKER. It is withdrawn; and the disagreement to these amendments, except 16 and 97, will be considered as insisted upon.

There was no objection.

Mr. LESTER. Now, Mr. Speaker, I ask a separate vote on amendment numbered 16, the other amendments having been nonconcurred in.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 3, after line 14, insert:
"For court-house at Savannah, Ga.: For completion of building, $25,000; and the limit of cost of said building is increased $100,000."

Mr. CANNON. I yield to the gentleman from Georgia for five minutes.

Mr. LESTER. Mr. Speaker, I move that the House concur in this amendment.

In reference to this matter I have stated to the House on a former occasion the situation of that public building. Ten years ago this building was provided for, and shortly afterwards the erection was begun. Last year the foundation of the building—the first story, as it is called—was completed. Bids were then called for for the completion of the building, and also for finishing the face of it in marble to correspond with the ideas of the structure that ought to have been erected at that place, and for the purpose for which it is intended, namely, a court-house, post-office, and public building of the United States.

It turned out during the progress of the work that a site had been purchased and the building commenced, which was unsatisfactory. Afterwards an exchange was made for another site, and in the exchange the appropriation lost about $100,000. The consequence of this is that, instead of being able, so the Secretary of the Treasury informs me, to finish the building in marble or stone, they can finish it only in brick, as the limit of cost will not permit the other material to be used. That, however, is a fault lying in the fact that a loss was made on account of the $400,000 provided for in the first instance, because of the reason I have already stated, and unless the limit is extended to give to the Secretary the amount of money sufficient to complete the building in marble it will have to be completed in brick.

Now, we think, Mr. Speaker and gentlemen, that such a building ought not to be completed in that way. We do not think a Government building of that kind, in such a place, should be limited in cost so as to require the structure to be completed of brick, which is not suitable for the purpose. In order, however, that that shall be done this limit of cost must be extended. I will say to the House that bids were submitted both for brick and marble. It turned out that the bid for marble was more than the limit would allow, and the consequence was that the bid for brick was accepted. Afterwards it was discovered that the brick would not be suitable, and the contractor, at the instance of the Secretary of the Treasury, suspended his right to proceed with the contract until June 1, in order to give Congress an opportunity to extend the limit of cost of this building, so as to permit it to be built as it ought to be built. That time is now up. The Secretary of the Treasury has made an arrangement with the contractor to wait for two or three days more. At the end of that time he will go on with the construction of brick, because he has a right to insist upon his contract. He is willing to complete the contract in marble, provided the amount allowed by Congress is sufficient to pay him for doing it. That is the situation of affairs.

I ask that the Senate amendment which provides for the extension of the limit of cost for that purpose, and that purpose alone, be concurred in. I ask that the House recede from its disagreement and concur in the amendment of the Senate to that effect.

Mr. CANNON. Mr. Speaker——

Mr. GROSVENOR. I should like to know from the gentleman from Illinois [Mr. CANNON] how much is involved in all this disagreement between the two Houses.

Mr. CANNON. About $125,000 for a National Museum down here, and, I suppose, a matter of about five or six hundred thousand dollars on other buildings.

Mr. GROSVENOR. Somebody, in the end, will have to get down, of course.

Mr. CANNON. Yes.

Mr. GROSVENOR. Would it not be better for us to get down here, and let the other fellows get down part way?

Mr. CANNON. If the gentleman can reconcile this House to getting down on the public-building propositions, I have no objection.

Mr. GROSVENOR. I should like to aid the committee in reaching a conclusion.

Mr. CANNON. I want to be entirely frank. I think the gentleman from Ohio [Mr. GROSVENOR] could not have been present during all the time of the contest about this bill. The limit is broken for public buildings at Savannah, Camden, Kansas City, and three points in the Western States. A new building is authorized at Salt Lake. Now, there is no Senate amendment breaking the limit at Omaha or St. Paul, or any one of probably twenty or twenty-five other places where there are public buildings authorized and where gentlemen desire increases. There is no amendment for the public building in my district, nor any at Akron, Ohio; and so with reference to other places all over the country.

Mr. GROSVENOR. There is also a lack at Chillicothe, in my district, too.

Mr. CANNON. Yes. Now I want to say to the gentleman that I have no opinion about this contrary to the wishes of the House. I have said to the House time and again that if these public-building matters were receded upon, the House must do it; that as long as I was a conferee I would not assent to making a report that receded——

Mr. GROSVENOR. Without a vote of the House.

Mr. CANNON. Certainly. Now, let me say to the gentleman that the Senate, through its courtesy to various Senators, is standing pat, if I may use that word.

Mr. GROSVENOR. I do not understand that.

Mr. CANNON. Well, I will educate the gentleman if he will come around and see me this evening. [Laughter.]

Mr. MILLIKEN. How much will the gentleman's education probably cost him? [Laughter.]

Mr. CANNON. Now, a word. The Senate proposes legislation as well as appropriation in every one of these amendments. The rule between the House and the Senate has always been that where one body, on a general appropriation bill, proposes legislation and the other body will not agree to it, the body proposing the legislation recedes. Now, by that rule, if the House is stubborn and does not recede on this legislation authorizing these buildings, why, the Senate will have to recede. If, however, the House desires to recede, I hope it will do so at once.

Mr. GROSVENOR. I understand there is one of these buildings at Camden, one at Savannah, one at Kansas City, and one at Salt Lake City.

Mr. CANNON. Yes; and one at Boise City, one in Montana, and one at Cheyenne. There is also one at Salt Lake City, and the National Museum down here.

Mr. GROSVENOR. Well, the National Museum can wait.

Several MEMBERS. They can all wait.

Mr. CANNON. The Senate says it can not wait. I want the House to understand fully what the situation is, now that we all want to go home. If the House does not recede, then the other body, proposing the legislation, will recede, if it follows the unvarying rule. If, however, the House wants to recede, amen. So far as I am individually concerned, it is immaterial to me.

Mr. HENDERSON. Will the gentleman permit me to ask him a question?

Mr. CANNON. Yes.

Mr. HENDERSON. I understand that no public-building bills have been reported to the House at this session because of the condition of the Treasury.

Mr. CANNON. I know they have not reported one for Joliet, and none other.

Mr. HENDERSON. And no other bills have been reported on the part of the House.

Mr. CANNON. That is correct.

Mr. HENDERSON. If we recede, then the Senate accomplishes what we have refused to members of the House.

Mr. CANNON. Yes, sir.

Mr. GROSVENOR. Have not they accomplished their purpose on the naval bill?

Mr. CANNON. Not yet.

Mr. BOUTELLE. Oh, no; I hope not.

Mr. GROSVENOR. And do not they accomplish their purpose generally? Do not they insist; and usually do not they hold on and hold on, and after wearying ourselves out we finally yield to the Senate?

Mr. HENDERSON. Let us hold them down until we can take care of ourselves.

Mr. CANNON. I ask for a vote.

Mr. LESTER. I would like to have a few minutes more.

Mr. CANNON. I will yield the gentleman a minute. We have yet amendments where there is a real contest.

Mr. LESTER. Mr. Speaker, as I understand the question it is simply on this amendment, numbered 16, providing for a building at Savannah. I do not understand, Mr. Speaker, that this House has committed itself in any manner or shape to the proposition that it will not vote for a public-building bill at this session. The Committee on Public Buildings and Grounds agree to this very bill. They agreed, I understand, that they would not bring bills into this House for consideration; but the House has never committed itself; the House has said nothing; the House has done nothing on that subject whatever; and if the Committee on Public Buildings and Grounds has at any time objected to the way in which these public buildings have been placed upon this bill, I think I can say to the gentleman from Illinois that the Committee on Public Buildings and Grounds, since ten, at least, public-building bills have been put on in Senate amendments, they are not now so opposed to them as they were before. The only idea for not reporting these bills, as I understand it, is this, that inasmuch as the temper of the House was such that they could not get through their public-building bills, and could not get a day for their consideration, they had best not report back any bills on account of the opposition in this House. But I beg to state that the House itself here has already receded from its disagreement to the amendments in a number of cases. [Cries of "Vote!"]

The SPEAKER pro tempore. The time of the gentleman has expired. [Cries of "Vote!" "Vote!"] The question is on the motion of the gentleman from Georgia that the House recede from its disagreement to the Senate amendment and concur.

The question was taken; and the Speaker pro tempore announced that the noes seemed to have it.

Mr. LESTER. I call for a division, Mr. Speaker.

The House divided; and there were—ayes 67, noes 90.

So the House refused to concur, and insisted upon its disagreement.

The SPEAKER pro tempore. The Clerk will report amendment numbered 97.

The Clerk read as follows:

That under any law heretofore or hereafter enacted by any State, providing for the reclamation of arid lands, in pursuance and acceptance of the terms of the grant made in section 4 of an act entitled "An act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1895," approved August 18, 1894, a lien or liens is hereby authorized and shall be valid on and against the separate legal subdivisions of land reclaimed, for the actual cost and necessary expenses of reclamation and reasonable interest thereon from the date of reclamation until disposed of to actual settlers; and when an ample supply of water is actually furnished in a substantial ditch or canal, or by artesian wells or reservoirs, to reclaim a particular tract or tracts of such lands, then patents shall issue for the same to such State without regard to settlement or cultivation: *Provided*, That in no event, in no contingency, and under no circumstances shall the United States be in any manner directly or indirectly liable for any amount of any such lien or liability, in whole or in part.

Mr. LACEY. Mr. Speaker, I move to concur in this amendment with an amendment which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Concur in amendment numbered 97 with an amendment as follows: Strike out the word "and," in line 11, page 65, and insert the following: "To be created by the State to which said lands are granted, and by no other authority whatever, and when created."

Mr. CANNON. I yield the gentleman five minutes.

Mr. LACEY. Mr. Speaker, I do not know whether I can make this matter clear to the House in five minutes or not. This is a very important amendment, and one which, in my judgment, ought not to have been inserted in an appropriation bill; but we find it here, and it has been in repeated conferences. The Committee on Appropriations were desirous to obtain the views of the House upon this particular amendment. What was known as the Carey Act was passed in 1894, giving each of the States that had arid lands a million acres of land, with the requirement that the State should irrigate that land, make the necessary ditches, prepare the land for cultivation, and dispose of the land to actual settlers, and when the actual settlers occupied the land that then the patents should issue to the purchasers.

It has been found impracticable and impossible under that law for States such as Wyoming and Montana and others to comply with the terms of the law. They have constitutional provisions forbidding them to incur indebtedness exceeding $100,000, the most of which has already been exhausted. The limit has been either reached or so nearly reached that they are unable to borrow the money on the credit of the State so as to construct the necessary irrigating ditches. It is proposed now by this amendment to authorize those States to provide means by which liens can be created upon the land to be irrigated, and that those liens shall be enforced up to the time that the land is patented to the settler; and also to modify the Carey Act to the extent of providing that when the water and the irrigating ditches have been arranged so as to irrigate the land properly then patents to the land may issue at once.

Mr. HENDERSON. Is there not danger that large syndicates may get in there and monopolize the water?

Mr. LACEY. That would be within the control of the States; but that, I suppose, might be the result of this system. In fact it is impracticable to irrigate these very large tracts of land in a body without extensive and expensive reservoirs and ditches. It takes a large amount of capital to construct those reservoirs and ditches, and when the capital is put in, of course it involves combinations of capital. The proposition here is to make extensive reservoirs and ditches, and I repeat it is impossible to do that without combinations of capital. So that on the one hand we invite combinations of capital and on the other we say that we do not desire that they shall be made. The result has been that this barren land has remained unoccupied, and it will continue to be so and the States will be unable to avail themselves of the benefits of the Carey Act unless there is some such legislation as this.

Mr. HERMANN. If the gentleman will permit me, I will say that the experience of the arid land regions demonstrates the fact that money can not be obtained for purposes of irrigation until the General Government has given its assent to the creation of these liens, and I will add that this legislation is in accord with the general desire of the people of those States.

Mr. BRUMM. What is to prevent the States themselves from doing this?

Mr. LACEY. The States have constitutional provisions limiting their indebtedness, and it is impossible for them to borrow the necessary money. This land at present is utterly worthless. Nothing will grow upon it but sagebrush, and no living thing but lizards; but when the water is turned upon it, it blossoms like the rose. We have instances in Utah, in Montana, in Wyoming, in Arizona, and in New Mexico, where the most beautiful and fertile fields in the world have been reclaimed from this condition, and the States wish to have the experiment tried on a large scale.

My friend the chairman of the Committee on Appropriations [Mr. CANNON] has been unwilling to take up this matter. He has objected to this legislation, not because he thought it was bad legislation or because he was dissatisfied with the form in which it was proposed by the Senate, but because he thought that land legislation ought not to be incorporated in a general appropriation bill. He has, therefore, invited gentlemen connected with the Public Lands Committee to give this matter investigation so that he might have the benefit of their labors in that direction and might be aided in determining whether the proposed legislation would be beneficial or whether it would be wise to enact it. I have taken pains in this irregular way to confer with the representatives of those States and Territories——

The SPEAKER. The time of the gentleman has expired.

Mr. CANNON. I yield the gentleman from Iowa three minutes more.

Mr. LACEY. I have taken pains to confer with the Delegates and Representatives from these States in regard to this proposed amendment and also with gentlemen connected with the Committee on Arid Lands, and I think the amendment is a good one. The original Carey bill was a part of the sundry civil bill of 1894, and that was the difficulty about it. Having been put hastily into an appropriation bill, it was left in a crude form. I believe that this amendment of the Senate, with the amendment which I have just sent to the Clerk's desk, and which does not create the liens, but authorizes the States to enact laws by which liens can be created, will accomplish the desired result and enable these States to take these great bodies of land and try the experiment in good faith. If it should succeed, no doubt it will be deemed wise to convey to them further tracts of this land for the same purpose, and if it fails the Government will have lost nothing, because the land in its present condition is worth nothing.

A MEMBER. And this carries no appropriation?

Mr. LACEY. It carries no appropriation.

Mr. GROSVENOR. I wish to ask the gentleman from Illinois a question. Was this amendment put into this bill by the Senate?

Mr. CANNON. Certainly.

Mr. GROSVENOR. Is it not in the nature of new legislation?

Mr. CANNON. Certainly.

Mr. GROSVENOR. Is it competent, under our rules, on an appropriation bill?

Mr. CANNON. If it originated in the House it would not be; but, unfortunately, we can not get rid of a Senate amendment by a point of order under our rules.

Mr. GROSVENOR. Is it competent to have this Senate amendment put on the bill, and then to have new legislation added in the form of an amendment to that Senate amendment?

Mr. CANNON. If you consider it at all, it is competent to amend it.

Mr. GROSVENOR. Then this question of the Appropriations Committee standing firm in its opposition to new legislation depends upon the character of the new legislation?

Mr. CANNON. Not at all; and the gentleman is not just to himself or me when he makes that suggestion. I did not invite, nor did the House invite, this amendment. It is here. It is far reaching and important, covering the whole arid section. The Senate insists on this amendment being considered by the House. I went to the chairman of the Committee on Public Lands [Mr. LACEY] two or three days ago and told him I knew nothing about the matter, and asked him to consider it. I have gone to other gentlemen and said: "If this thing is to go, it ought to go in safe form." And the gentleman from Iowa [Mr. LACEY], exercising now his right as a member, moves that the House agree to the Senate proposition with an amendment. I can not help it. If the House wants the amendment of the Senate to go off the bill, let it say so, and I will insist that it go off so long as I may be continued as its servant. If the House wants to perfect the amendment, well and good. It is only along that line—obeying the will of the House so far as I can—that I am exercising all the patience I can in the premises.

Mr. GROSVENOR. I am in favor of the amendment and will vote for it, but I wanted to point out the fact that it makes considerable difference what the "new legislation" is.

Mr. CANNON. Oh, the gentleman is too old a legislator to show his resentment because an amendment that he was attached to has been "turned down."

Mr. GROSVENOR. I am an old enough member to know that it is just as incompetent to amend with "new legislation" an amendment of the Senate as it is to originate "new legislation" in the House.

Mr. CANNON. On the contrary, the gentleman when he makes that statement betrays his utter lack of parliamentary knowledge. On this proposition anything that is germane is in order as an amendment, the original amendment being before the House for consideration.

Mr. LACEY. The gentleman from Ohio could have made a point of order, if he thought it well taken.

Mr. GROSVENOR. I did not want to do so. I am in favor of the amendment.

Mr. CANNON. I now yield for a moment to the gentleman from Colorado [Mr. SHAFROTH].

Mr. SHAFROTH. Mr. Speaker, under the Carey Act each State, upon making certain improvements, is entitled to certain arid lands. That law has been found to be inoperative on account of the fact that large capital is required to undertake the reclamation of the arid lands. The amendment now proposed by the chairman of the Committee on Public Lands proposes to allow the legislatures of the States to authorize liens to be made so that capital can undertake the construction of these canals for the purpose of reclaiming the arid lands. This amendment offered by the chairman of the Committee on Public Lands proposes to perfect the Carey law and make it operative. It seems to me it should be adopted unanimously.

Mr. CANNON. I now yield five minutes to the gentleman from Nebraska [Mr. HAINER].

Mr. HAINER of Nebraska. Mr. Speaker, I think the legislation contemplated by these amendments is exceedingly dangerous, and that the House should be very slow in adopting it. I recognize the fact that the Carey Act as it now stands is inoperative. I also recognize the fact that these arid lands are practically of no avail without irrigation. I also recognize the very strong desire on the part of the people of the arid States that substantially this amendment be incorporated into law. Yet the constant policy of the Government in the past has been—and I think wisely so—to prevent the accumulation of vast bodies of lands in single holdings; in other words, it has been our policy that land monopolies should as far as possible be prevented.

The Carey Act cedes practically a million acres of land to each of the arid States for the purpose of reclaiming arid lands. The amendment proposed by the gentleman from Iowa would allow the legislatures of the States to make contracts with syndicates for such reclamation. This authority, I ask gentlemen to recollect, is to be given by the State legislatures. These legislative bodies are made up of gentlemen from various parts of the Commonwealth having no special interest in any particular tract of land, so that logrolling is practically invited. Even the Congress of the United States is not free from logrolling, as I have observed in the last few days. In the provision now pending you in effect place a special premium upon logrolling.

The argument is made that these lands are worth nothing without water. But the right to the water is given to the first appropriator of the lands under the law of these States. It follows that you give a practical monopoly of the water to the first company that may build the ditch. You give such company a lien on the land for the contract price, which may be fixed by the act of the legislature, and you make that a perpetual lien running at interest. I submit if we wanted to place these lands in single holdings in tracts of a million acres each we could not devise a better method than this. I simply point out this fact, and reenforce the suggestion already made that it is bad policy, fraught with great danger, to legislate on a matter of so much importance, involving millions of acres of land, on an appropriation bill under circumstances which do not permit the proposed legislation to be carefully considered and properly guarded. The greatest and most obnoxious monopolies of the past have been land monopolies. We should not in this hasty manner give life to the most stupendous land monopolies of the age.

I trust that the House will not pass this legislation here and now. It is a dangerous matter to deal with in this way. We will return here in December. There is no special hurry about it. There is no special demand at this time for any increased output of agricultural products in this country. Their prices are all low enough now, God knows. There is no crying need for this legislation. We can wait until next winter, then formulate legislation which will be safe and well guarded in the ordinary and business manner. I trust, therefore, that the amendment will be promptly voted down by the House.

Mr. HENDERSON. Have you any objection to the amendment proposed to the amendments of the Senate?

Mr. HAINER of Nebraska. Certainly.

Mr. HARTMAN. If the gentleman will permit me, I understand him to say that rather than take the chances of having the legislatures of the States make a proper contract with parties with reference to these irrigation matters, he will be entirely willing to let the waters still run to waste and continue on their way down to the sea without being utilized at all.

Mr. HAINER of Nebraska. What I say is that this is not a proper way to enact legislation of such an important character. I say further it is most dangerous to delegate to any legislative body the creation of such stupendous liens.

Mr. HARTMAN. Let me say to the gentleman that the failure now to adopt such a proposition as this will result in the suspension of the operations of four or five State enterprises—enterprises of magnitude in my own State, which will be precluded from further working during this entire summer.

Mr. HAINER of Nebraska. I make no question but that it would be temporarily hard on some such enterprises. But in the end I claim that it is for the interest of the people of this country.

Mr. OWENS. Does the gentleman think there is a good chance to get irrigation in that region without a combination of capital to produce that result?

Mr. HAINER of Nebraska. I hope so.

Mr. HARTMAN. It is impossible, let me say to the gentleman, for a man owning 160 acres of land to build an irrigating ditch 12, 15, 20, or even 30 miles long, as he must do in some cases, to take the water to his land and be able to make it a paying investment. The expense is too great for any man owning so small a tract of land.

Mr. HAINER of Nebraska. Well, the gentleman from Montana, like myself, is a lawyer, and not a practical irrigator. He probably knows very little about that subject.

Mr. HARTMAN. I beg the gentleman's pardon. I am also a lawyer, but I have had a great deal of experience in this matter, and I would state to the gentleman that I have probably tried more irrigating suits than the gentleman has ever had any connection with.

Mr. HAINER of Nebraska. That is probably true, for I have never tried any.

Mr. HARTMAN. And I am now the attorney for three large irrigating companies that are engaged in business out there. I have been all over that region and I know the difficulties that surround this subject.

Mr. HENDERSON. Do the laws of the State endeavor to protect their own citizens against unjust discriminations in this matter?

Mr. HAINER of Nebraska. They do as far as they can.

Mr. LACEY. I would ask the gentleman from Nebraska if he would not leave this subject to the State, to which he seems to object, where would he leave it?

Mr. WILLIAMS. And does not the objection go to the right of popular action in that matter?

Mr. HAINER of Nebraska. My point is simply this: You propose to put a vast body of land, millions of acres of land, in the hands of the legislatures of the States to be disposed of by contract, and you start out on the theory that the land is worthless. Now, I am combating that theory. That has been our theory in the past, under which we have made grants of immense bodies of our public lands which we afterwards regretted—grants made in haste and repented at leisure. We ought to go slow in this matter, in the light of our experience in the past, and not act ill advisedly, or without consideration on the part of the House, or on the part of its committees, and without taking the testimony of experts; but in this hurried manner, in the closing days of the session, place such legislation as this on the statute books—legislation that is not wholly or properly matured.

Mr. SHAFROTH. Have you any plan by which this can be accomplished other than that suggested by the gentleman from Iowa?

Mr. HAINER of Nebraska. No; I have not a plan, and I want time—that is the very essence of the matter—I want time in which the House may perfect a plan in order to meet the very difficulties that I apprehend will arise if action of this hurried and inconsiderate nature is taken.

Mr. LACEY. There is no other way than this, as far as I am able to understand.

Mr. WILLIAMS. None whatever.

Mr. CANNON. I yield now a few minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I have much more confidence in the legislatures and the people of the arid States than the gentleman from Nebraska [Mr. HAINER] seems to have. I believe it is entirely safe to provide that the legislatures of the arid-land States shall pass such laws as may tend to the irrigation, cultivation, reclamation, and settlement of the lands within their borders.

The question of the irrigation of lands in the Western States and Territories is a paramount issue, perhaps the most important of all the questions that come before our people in that region for solution at the present time. These matters have been discussed for years. Our people fully understand the conditions that surround us and the difficulties of irrigating those tracts of arid lands still left to be irrigated. I know that in my own State and in all the Western States, so far as the legislatures have acted upon the question of irrigation of the arid lands and the distribution of water, there can be no question about the laws passed having been such as to absolutely protect the citizen holding small tracts of land in his water rights.

The Carey land act, passed by the last Congress, was intended to provide for the irrigation of large tracts of land in the various States and Territories that could not be irrigated by small holders in small tracts. The time has passed, in most of the Western States, when the individual holder, the small farmer, can extend further the irrigation systems. The tracts of land lying along the mountain streams have long since been filed upon, and where ditches could be taken out at a moderate cost, that has been done. There remain vast tracts of bench lands, back some distance from the larger streams, requiring the expenditure of a vast amount of capital for their irrigation. It is absolutely necessary that, in inviting capital to the irrigation of these vast tracts, we shall make such provision as shall absolutely insure to capital a fair return on the investment made. We simply provide in this amendment that the State shall pass such laws as will adequately protect both the capitalists and the small holders of land.

Now, in regard to the water laws, the gentleman from Nebraska says that the prior appropriator has the use of the water, and that thereby we create a monopoly. Not at all; the water, when diverted to the land, becomes appurtenant thereto. The land can be patented only to actual settlers, in tracts not exceeding 160 acres each. The settler is absolutely protected, and there is no possibility of monopolistic holdings.

Mr. HAINER of Nebraska. This very amendment proposes a perpetual lien——

Mr. LACEY. Not a perpetual lien; a lien until patents issue.

Mr. WILLIAMS. A lien until payment.

Mr. MONDELL. It is but reasonable when capitalists undertake to irrigate vast areas of desert land, which, without irrigation, will absolutely not sustain animal or vegetable life, that they should expect to be reasonably protected in the investment they make. It is only by providing for this protection that we can ever hope to have our country developed. It is true there is no particular need at this time for an increase of the agricultural output, but we of the Western States do not care to be held back by the same argument that for a long time was made with a view of retarding the development of the great interior valley of our country, namely, that there was enough produce raised in the East to supply the nation. This country is developing rapidly; our population is increasing rapidly. It may be that to-day we do not need any more agricultural lands, but shall we say that the time has now come when the magnificent development of this country in an agricultural direction shall cease, because forsooth the Mississippi Valley raises a large quantity of agricultural produce? [Applause.]

Mr. CANNON. Mr. Speaker, I should be glad to have a vote, but before it is taken I want to see if I am correct. The gentleman from Montana [Mr. HARTMAN], the gentleman from Colorado [Mr. SHAFROTH], the gentleman from Wyoming [Mr. MONDELL], who has just spoken, and the gentleman from Utah [Mr. ALLEN]——

Mr. LACEY. And the gentleman from Idaho [Mr. WILSON]——

Mr. CANNON. And the gentleman from Idaho [Mr. WILSON], who represent these arid regions, as I understand it, indorse this Senate amendment with the proposed House amendment. Am I correct?

Mr. HARTMAN. That is correct.

Mr. CANNON. Because in the future, if it breeds evil, I want to wash my hands of it. I do not know anything about it.

Mr. HENDERSON. I want to say to the House that there are two other conference reports ready and that a third will be ready by the time they are disposed of, and if members will stay right here and keep together and keep on with the work we shall get along pretty well this evening. [Applause.]

Mr. SHAFROTH. The Committee on Arid Lands have had this matter under consideration, and we have practically indorsed this same proposition. [Cries of "Vote!" "Vote!"]

Mr. CANNON. With the understanding that these gentlemen indorse this proposition, I ask for a vote.

The SPEAKER. The question is on concurring in the amendment of the Senate numbered 97, with the amendment which has been reported to the House.

The motion was agreed to.

Accordingly, the House concurred in amendment of the Senate numbered 97, with an amendment.

Mr. CANNON. I believe that completes the amendments to that bill.

The SPEAKER appointed as conferees Mr. CANNON, Mr. HAINER of Nebraska, and Mr. SAYERS.

RETURN OF A BILL TO THE SENATE.

The SPEAKER. The Senate has sent to the House the following resolution:

Resolved, That the Secretary request the House to return to the Senate the bill (H. R. 1189) granting a pension to Eliza Standford.

Mr. PARKER. I offer the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the Committee on Pensions be discharged from the further consideration of Senate bill (S. 1189) granting a pension to Eliza Sandford, and that the same be returned to the Senate in accordance with their request.

The resolution was agreed to.

NAVAL APPROPRIATION BILL.

Mr. BOUTELLE. Mr. Speaker, I call up the conference report on the naval appropriation bill.

The Clerk proceeded to read the report.

Mr. BOUTELLE. Mr. Speaker, I would suggest, if it is in order, that a brief statement might save the time of the House.

The SPEAKER. If there be no objection, the gentleman can make a statement.

Mr. KEM. I object, Mr. Speaker.

Mr. BOUTELLE. I reckoned without the gentleman from Nebraska.

The Clerk resumed the reading of the report.

The SPEAKER. The Chair would like the attention of the gentleman from Maine. This is a conference report which has been disagreed to by the Senate.

Mr. BOUTELLE. Yes, sir; it has been disagreed to.

The SPEAKER. What motion does the gentleman make?

Mr. BOUTELLE. The Senate desire the return of the conference report, and request a further conference.

The SPEAKER. Then, the gentleman can reach that by moving that the House agree to the Senate's request.

Mr. BOUTELLE. I desire to make that motion, but I also feel that it is due to the House to state the situation of this bill.

Mr. Speaker, the committees of conference of the House and Senate at the time of the last disagreement had finished the consideration of the bill with the exception of the portion relating to the construction of new ships, and also including the provision in regard to the price of armor plate, some amendments of the Senate in regard to the number of ships that should be built in certain localities, and various other minor provisions. The bill as it came back to the House from the Senate contained an amendment providing that the Secretary of the Navy, in making separate contracts for armor plate, should not make a contract to pay more than $350 per ton, and that if he failed to make contracts at that price he should report the fact to Congress at the next session.

I stated to the House on a previous occasion that the Secretary of the Navy, in an official communication, had called attention to some of the provisions of the amendment which it is thought would lead to confusion, and attention was called to that point by the House conferees, with the purpose of having the difficulties removed. This morning, at a conference on this bill, an agreement was reached between the conferees of the two Houses, based upon a proposition made to your conferees in the nature of a compromise. The compromise consisted in a reduction of the House requirement for the construction of four ships, and an increase over the Senate vote for two ships, to a provision for three battle ships; and accompanying that proposition was a modification of the clause in relation to the purchase of armor, raising the limit of price from $350 to $425 per ton.

It also provided for the contingency to which the Secretary of the Navy had referred in his official letter to the chairman of the Committee on Naval Affairs of this House in regard to the possibility of contractors making bids for the construction not only of the hulls of the ships, but of the armor also, in which case the Secretary thought that a construction of the amendment might be made that would remove entirely the limit of price to be paid for armor to the contractor for the full ship, while the limitation would still be held applicable to any contract made separately for the manufacture of that material. The original amendment provided that the Secretary should not contract at above $350 per ton, and, failing in that, should report the fact to Congress. The compromise amendment included a provision that the Secretary of the Navy be authorized to contract for the armor required for the ships to be authorized this year at a price not exceeding $425 per ton, and also required him to cause an investigation of the whole subject of the cost of armor plates to be made, and to report to Congress at its next session, not later than the 1st day of January.

In view of all the circumstances, especially including and giving prominence to the lateness of the session, in view of the fact that this bill had passed the House of Representatives on the 26th day of March, seventy-two days ago, during nearly all of which time this great public measure has been in the possession of another branch of Congress than that which I am now addressing, your conferees felt that they would be justified, if they could thereby report to the House a final agreement upon this bill, in making concessions to the Senate conferees, and they therefore agreed to the compromise, with such an understanding, however, as could be had under the circumstances that there was no considerable doubt that the compromise would be acceptable to and promptly accepted by the Senate.

I may be permitted to state that the rejection of the conference report was, as I am informed, by only 2 majority, and it seems to have been based entirely upon dissatisfaction with the clause in regard to the price of armor plate. I do not think there is any probability that the conference report would have been disapproved by the Senate on account of the number of battle ships authorized, but a controversy arose over the provisions in regard to armor plate, the limit of price of which had been raised in conference from $350 to $425, and the result is a disagreement to the report and the return of the papers to this House. I feel it my duty, not only to myself and my colleagues on the conference committee, but to the House of Representatives itself, to say, in reply to very serious statements which have been made elsewhere and which are likely to find their way to the public, that neither the House of Representatives nor the conferees whom it has appointed have been in any way responsible for delaying this bill or for insisting upon the fixing of a price to be paid for this war material.

I am entirely frank in saying that, this House having sent to the Senate a naval appropriation bill framed along the customary lines and, in accordance with previous bills, providing an extreme limit for the cost of a ship, beyond which the Secretary of the Navy should not be permitted to make contracts, but within which he is permitted under the law—a very specific and carefully guarded law passed as long ago as 1886—to make contracts with the lowest bidder, after public advertisement, for the construction of vessels and the furnishing of materials, the conferees on the part of the House had no information, and they have not at present any information, such as would justify them in assuming to fix the price that should be paid for armor plate.

Mr. McMILLIN. Does my friend think that the amount fixed by the Senate would not be a fair compensation for the plate?

Mr. BOUTELLE. I will repeat to the gentleman my last sentence, that the conferees on the part of the House, or the Committee on Naval Affairs of the House, have not had and have not now in their possession any such information as would enable them to determine that question. Up to this time it has been regarded as a matter entirely of executive administration. It has been one of those things that Congress has deputed to the executive administration of the Government, just as it has deputed the purchase of the supplies used for the Government service. The only information of which I have even incidental knowledge is in the nature of reports that have reached the public press, and of which I have personal cognizance, that a committee of the other branch of Congress—not the committee from which the conferees on this bill were appointed, but the Committee on Naval Affairs—have made during the present session an investigation in regard to matters connected with the furnishing of armor and cognate matters, and that this amendment which was put upon the naval bill in the Senate was the result of that investigation, or that it represented to a certain degree the conclusions of that committee.

How full their investigation was, how complete their information may have been, I have no means of ascertaining, because I have not known anything about the evidence adduced before them until within a few days, when I was furnished a copy which had been printed for the use of the committee solely. Neither Congress nor the public has had access to the information upon which the Senate amendment was based. For these reasons, Mr. Speaker, your conferees have, throughout the consideration of this measure, simply held the position that they were not sufficiently informed to feel justified in attempting to fix the price at which the Secretary should be permitted to contract for this armor plate.

Mr. McMILLIN. What would be the cost of the armor of one of these battle ships according to the usual contracts?

Mr. BOUTELLE. The armor for the hull—what is known as the hull armor—on the *Kentucky* and *Kearsarge* was estimated by the Bureau to cost about six hundred thousand and odd dollars.

Mr. McMILLIN. And how much for the armor for the other portions of the vessel?

Mr. BOUTELLE. I can not give the figures exactly without consulting papers.

Mr. McMILLIN. Approximately?

Mr. BOUTELLE. Well, the contract price for those two ships for the hulls and machinery, without the armor, was $2,250,000 each. The hull armor was estimated to cost about $600,000, and the armament, which included all of the guns and such portions of the armor as are used for gun defense, was to cost about $2,400,000 more, making a total of $5,300,000.

Mr. McMILLIN. Then it is safe to estimate that the armor cost of one of these vessels is not under a million dollars?

Mr. BOUTELLE. Possibly so. But before I enter into that detail I would like to complete my statement as to the attitude assumed by the conferees of the House. I want to say again that we did not undertake to determine the question of the proper price for armor plate, because we had no data before us to enable us to determine it. Not only have we never had any official communication from the Department requesting us to investigate the matter, but we actually never did investigate it. Therefore, we simply insisted that the whole responsibility for fixing a price for the armor should be assumed by others than ourselves. We were not ready to say that the Secretary should pay a certain price or should not pay a certain price. I desire to say, as a matter of fact, that the original amendment fixing the price of armor at $350 per ton and the amendment made to the bill as reported to the Senate to-day, raising that price from $350 to $425 per ton, were entirely the work of others than the House conferees. We had nothing whatever to do with fixing those terms. But when that proposition came to us coupled with a request that we yield one of the vessels for the sake of an agreement, we yielded to the proposition that came to us from the other body; and that report was made to the Senate.

So I desire, Mr. Speaker, with all the explicitness and all the emphasis that it is possible for me to use, to correct and refute the statement which I must assume was inadvertently made in another place, that the House, through its conferees, has been

throughout these conferences holding the Secretary of the Navy at the mercy of the contractors for furnishing armor plate. We have had nothing whatever to do with that matter, except that when a final proposition comprising two or three factors of compromise and agreement was presented to us we agreed to that compromise, and it was reported to the Senate.

That brings the matter back here with the request for the appointment of a new conference committee. I desire to say that the House conferees have almost exhausted industry and patience, and have drawn unlimited drafts on their good nature, in the endeavor to discharge their duty to this House and to bring about legislation. Under the conditions which obtain here with regard to all these bills, and with which we are all familiar, that is a very difficult task. I ask the House to repose further confidence in its conferees—to accept this report and further insist on its disagreement. I yield for a moment to my colleague on the committee, the gentleman from New York [Mr. CUMMINGS].

Mr. CUMMINGS. Mr. Speaker, in the Fifty-third Congress an investigation into this armor-plate business was made by the Naval Committee of the House. That committee reported a resolution or resolutions asking for the removal of certain plates upon certain battle ships and testing them for the purpose of continuing the investigation. This House unanimously passed that resolution and sent it to the Senate. The Senate put it to sleep. They thus virtually refused the continuance of the investigation. Now the Senate Committee on Naval Affairs has held an investigation on its own hook, and instead of asking a vote of the House on it or anything of that kind, they inject into this naval appropriation bill a provision which, if placed there in this House, would have gone out on a point of order, and they attempt to force that, through the Senate Committee on Appropriations, upon the conferees of the House.

There is hardly an item in this naval appropriation bill placed there by the Senate to which the House conferees have not agreed for the purpose of closing up the business of this session and getting home. The only important item left was the provision in regard to the four battle ships. We have promptly attended the conferences. They have been always delayed on the Senate side. On this side the instant anything was done in the conference committee the House acted promptly. The matter has been held over, just as the matter was held over in the short session of the last Congress, when this House was forced to vote on the naval appropriation bill as it came from the Senate and to accept all their items without even the courtesy of a conference committee. The same pressure, through this shrewd delay, is being placed upon this House to-day.

In a spirit of fairness, in a spirit of justice to the House, and with a due regard to the safety of the country, we to-day accepted a proposition made by the Senate conferees. It was not our proposition. We stood on instructions from the House by 60 majority. We accepted it with the assurance that the Senate would pass it—that there was no doubt about it. But we accepted it with this reservation, that in case the Senate did not accept it the whole matter should stand where it was when we went into conference again this morning—four battle ships under the usual provisions.

I feel that the House should know these facts before voting upon the bill, so as to know where it is standing and whether it is a coordinate branch of this Government or whether we are the satraps and servants of another branch. No more now, Mr. Speaker.

Mr. BOUTELLE. I desire only to add that the naval bill was passed last year under a suspension of the rules at 2 o'clock in the morning, without even being read in this House; that we have in this bill yielded to nearly every amendment that was originally put upon it by the Senate. Many of those amendments were not specially important. But we have exhausted every possible means of extending all parliamentary courtesy to that body. Now, I ask that the House further insist on its disagreement and agree to the further conference asked by the Senate.

The motion of Mr. BOUTELLE was agreed to.

The SPEAKER announced the appointment of Mr. BOUTELLE, Mr. ROBINSON of Pennsylvania, and Mr. CUMMINGS as conferees on the part of the House at the further conference.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes, had further insisted upon its amendments numbered 32, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, and 52, disagreed to by the House of Representatives, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. QUAY, and Mr. GORMAN as the conferees on the part of the Senate.

The message also announced that the Senate had passed the bill (S. 3059) granting a pension to William Soden; in which the concurrence of the House was requested.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, the bill (S. 3059) granting a pension to William Soden was taken from the Speaker's table and referred to the Committee on Invalid Pensions.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles:

A bill (H. R. 1826) granting a pension to Henry Prince;

A bill (H. R. 6826) granting a pension to Rhoda Augusta Thompson, daughter of the late Thaddeus Thompson, a private in the Revolutionary war;

A bill (H. R. 6603) to pension the minor children of Patrick F. Reynolds; and

A bill (S. 2169) to regulate mail matter of the fourth class.

POST-OFFICE APPROPRIATION BILL.

Mr. LOUD. Mr. Speaker, I present a conference report on the Post-Office bill.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6614) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1897, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 3.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 6, 7, 9, 10, 11, 12, 13, and 14, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$10,500,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For pay of letter carriers, $12,243,000; for marine free-delivery service, $3,500; for horse hire allowance, $344,000; for car fare and bicycle allowance, $170,000; for street letter boxes, posts, and pedestals, $15,400; for package boxes, $10,250; twelve mechanics in the six largest cities, exclusively employed in repairing boxes and locks, and erecting boxes, planting posts and pedestals, at $900 per annum, $10,800; incidental expenses, including repairs, painting, freight, straps, time cards, maps, directories, furniture, etc., $24,000; in all, $12,818,250: *Provided*, That 10 per cent of the foregoing amount for free-delivery service may be available interchangeably for expenditure in the objects named, but no one item of appropriation shall thereby be increased more than 10 per cent: *Provided further*, That $10,000 of this amount may be used to defray the expenses of experiments in rural free delivery, under the direction of the Postmaster-General, and that the amount heretofore appropriated for this purpose and still unexpended be available for said experiments."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$28,000,000"; and the Senate agree to the same.

On the amendment of the Senate numbered 1 the committee of conference have been unable to agree.

E. F. LOUD,
GEO. W. SMITH,
J. C. KYLE,
Managers on the part of the House.

W. B. ALLISON,
R. F. PETTIGREW,
CHAS. J. FAULKNER,
Managers on the part of the Senate.

Mr. LOUD. I ask that the statement accompanying the report be inserted in the RECORD.

The SPEAKER. The statement will be incorporated in the RECORD.

The statement of the House conferees is as follows:

The managers on the part of the House submit the following statement in writing, showing the nature and effect of the Senate amendments retained in the bill, and also those stricken out by the action of the conferees in the report herewith submitted:

Amendment 1. Conferees report a disagreement. It provides that no consolidation of post-offices shall hereafter be made when such office to be consolidated is beyond the corporate limits of the city or town into which said office is to be consolidated, and further, when such consolidation has included a county seat the post-office shall be reestablished and the consolidation cease.

(2) The effect of which is to reduce the amount by $100,000 as carried by Senate and an increase of $50,000 as provided by House for compensation to post-office clerks.

(3) Senate recedes, leaving amount to be expended for clerk hire in third and fourth class offices discretionary instead of mandatory.

(4) Senate recedes and allows the segregation in free-delivery service to stand as it passed the House with the following amendment: *Provided*, That 10 per cent of the foregoing amounts for free-delivery service may be available interchangeably for expenditure on the object named, but no one item of appropriation shall thereby be increased more than 10 per cent. Also provides for amount of $10,000 and any unexpended balance now remaining for rural free delivery; strikes out proposition relating to employment of post-office inspectors to be paid out of money appropriated for support of free-delivery service, and makes 10 per cent of each item available for use in any other item, provided said item is not increased thereby more than 10 per cent.

(5) The House recedes and agrees to amendment of Senate increasing amount for "postmarking" and "rating stamps," $2,500.

(6) The House recedes and agrees to increase proposed by Senate of $20,000 for mail bags, catchers, repairing, equipment, etc.

(7) The House recedes and agrees to amendment of Senate which increases amount to be expended for mail locks, keys, etc., $5,000.

(8) Increases amount as provided by House $500,000, and reduces by $500,000 amount provided by Senate for inland transportation by railroad routes.

(9) Increases by amount of $100,000, as provided by House, for pay of railway post-office clerks.
(10) Provides that $10,000 of amount for transportation of "foreign mails" may be used for transferring of such mails between steamboat piers in New York City and Jersey City and the post-office and railroad stations.
(11) Is a new item of $80,000 for pay of carrying mails by Oceanic Steamship Company from San Francisco to Hawaiian Islands and Australian colonies, and is agreed to on part of House conferees.
(12) Is for rent of office for use of agent of Post-Office Department for distribution of stamps, $600; and is agreed to by House conferees.
(13) Accepts the consolidation in one amount of money provided for mail depredations and post-office inspectors, as has been provided in appropriation bills heretofore, and discards segregation of items as provided by House bill; increases amount above House bill $3,906.34, and is same as provided in estimate of Post-Office Department for said service.
(14) Reduces amount for detection and arrest of post-office burglars, highway mail robbers, etc., $10,000 below amount carried in House bill.
Senate recedes $600,000.
House recedes $762,006.34.
The bill as it left the House carried $91,904,257.88.
The bill as it left the Senate carried $93,256,264.22.
And as agreed to by the conferees, $92,656,264.22.

E. F. LOUD,
J. C. KYLE,
GEO. W. SMITH,
Managers on the part of the House.

The conference report was adopted.

Mr. LOUD. Mr. Speaker, I move that the House further insist on its disagreement to the remaining amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes thereon.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. LOUD, Mr. SMITH of Illinois, and Mr. KYLE as managers of the conference on the part of the House.

INDIAN APPROPRIATION BILL.

Mr. SHERMAN. Mr. Speaker, I submit the following report on the Indian appropriation bill.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 6249) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That the Secretary of the Interior be and is hereby directed to withhold any further distribution and payment out of the money derived from 35 per cent of the judgment in favor of the Old Settler or Western Cherokee Indians against the United States in the sum of $800,386.31, set apart for the payment of expenses and for legal services justly and equitably payable on account of the prosecution of said claim until otherwise authorized by law."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: Strike out, in line 9, in the matter inserted by said amendment, the word "ninety-eight" and insert in lieu thereof the word "ninety-seven."

J. S. SHERMAN,
CHARLES CURTIS,
GEO. C. PENDLETON,
Managers on the part of the House.

R. F. PETTIGREW,
H. M. TELLER,
F. M. COCKRELL,
Managers on the part of the Senate.

The statement of the House conferees is as follows:

Statement of House conferees to accompany conference report No. 5 on Indian appropriation bill.

The Senate recedes from its amendment numbered 64, being the so-called Old Settlers claims, with an amendment. The amendment simply directs the retention of the funds in the hands of the Secretary of the Interior until disposed of by direction of Congress.

The House concurs in Senate amendments 69 and 70, being the so-called sectarian schools amendments, with an amendment limiting the time within which contracts can be made with such schools to July 1, 1897, instead of July 1, 1898. The declaration as to the policy of the Government to not longer contract with such schools remains unchanged.

J. S. SHERMAN.
CHARLES CURTIS.
GEO. C. PENDLETON.

Mr. SHERMAN. Mr. Speaker, this is the final report on the Indian appropriation bill. Amendment numbered 64 relates to the so-called Old Settlers claim. Upon that the Senate conferees were very insistent. The House conferees were equally insistent upon striking it out. That amendment has been discussed at every one of our numerous meetings, as many as six or eight, I think. The House conferees finally announced to the Senate conferees as an ultimatum that they never would agree to the amendment, but did offer to refer all the claims therein contained to the Court of Claims. This suggestion did not meet with the approval of the Senate conferees, so we could not meet on that proposition. Finally the Senate conferees, at our last meeting, made the offer which the conferees accepted, to wit, to strike out all the claims enumerated, amounting in all to about $80,000, but to insert a provision prohibiting the Secretary of the Interior from paying out this money, keeping it in his hands, so that that matter might be disposed of in the appropriation bill next session. The House conferees were loath to accept this, but, as gentlemen in the House understand, where there are radical differences, there must be some concessions on both sides, and as it seemed to us absolutely essential to go thus far, we have done it.

Amendment numbered 70 is simply a formal amendment, in connection with the so-called sectarian schools, adding simply the word "further," in case the modified Senate amendment 69 is agreed to, and in that we concur.

Amendment numbered 69 is the one in reference to sectarian schools. On that question the House a week ago instructed its conferees to insist upon its disagreement and insist upon the House provision. We followed that instruction during several meetings. We insisted upon this section as passed by the House. The Senate instructed its conferees to insist upon their provision, and during half a dozen meetings we have deadlocked right there. Finally, at the last meeting, we reached a middle ground, and that middle ground is contained in this report. The House provision of this bill put a stop to all contracts for so-called sectarian schools at once, at the end of the fiscal year, and declared it to be the policy of the Government to expend no money for sectarian schools hereafter.

The Senate amendment made the same declaration with reference to sectarian schools, and provided that no appropriation should be expended for this purpose after July 1, 1898, or the second fiscal year in advance. The proposition as finally agreed to substitutes the words "ninety-seven" for "ninety-eight." The section provides further that during the next fiscal year the Secretary of the Interior may contract for the education of children in these schools but to an amount not exceeding 50 per cent of the amount contracted for in the fiscal year ending June 30, 1896; with the further provision that the Secretary shall only make such contracts at places where nonsectarian schools can not be provided for. So if the House accepts the amendment that the conferees propose no sectarian schools will be supported after July 1, 1897, anyway, and during the next fiscal year there can be expended not to exceed 50 per cent of the amount expended in the present fiscal year.

Now, it does seem to me, Mr. Speaker, that the House being decidedly one way and the Senate decidedly another, that this provision is fair and reasonable, and ought to meet the demands of each side; that upon that ground we ought to agree without any further difficulty, whether the members of the House believe in the continuation of sectarian schools or not. It seems to me that is a fair ground on which they can meet. The next appropriation bill will be framed by this same House. The matter will be finally disposed of by the same gentlemen who dispose of this bill. The Secretary of the Interior can not expend to exceed one-half of what he expended during the last fiscal year, and he can not expend anything, where it is possible for him to make other provisions, under the wording of this section. That is reasonable, and I hope that the report will be adopted.

Mr. ALLEN of Mississippi. I understand the gentleman to say that the whole business is concluded in 1897.

Mr. SHERMAN. That is right. At the end of the next fiscal year the whole business is concluded under the terms of the amendment which we have agreed upon. July 1, 1897, terminates the whole business of contracts for sectarian schools.

Now I will yield five minutes to the gentleman from Massachusetts [Mr. FITZGERALD] if he desires it.

Mr. FITZGERALD. Mr. Speaker, it seems to me that the proposition which has been submitted by the conferees and accepted by the Senate is a very fair one, and ought to meet with the approval of a majority of the members of this House. It provides—

That the Secretary of the Interior may make contracts with the present contract schools for the education of Indian pupils during the fiscal year 1897, but shall only make such contracts at places where nonsectarian schools can not be provided for such Indian children, and to an amount not exceeding 50 per cent of the amount so used for the fiscal year 1895.

The subject of appropriations for these schools has lead to a great deal of ill-tempered criticism by many of the advocates of extreme Americanism; and I think it is due the American people at this time to make a plain statement of the exact condition of affairs. The contract system for the education of Indian children was first established in 1870 at the suggestion of President Grant, and increased rapidly after the year 1885. No single church and no single creed was conspicuously prominent in trying to obtain contracts for the education of Indian children. The Government importuned the various sects to establish these schools and encouraged them to spend very large sums of money in the construction of buildings to properly educate the Indian youth. It so happened that the Catholic Church took more interest in reclaiming the Indians from infidelity than the other denominations and spent more than $1,500,000 throughout the States and Territories. She was encouraged in this from time to time by the Commissioners of Indian Affairs and the Secretaries of the Interior.

Mr. Oberly, in his report as Commissioner of Indian Affairs in 1888, said:

The Indian Office avails itself of every suitable means for the education of Indian youth, and since Government appropriations are insufficient to support the pupils who are anxious to enter schools, and since, also, Government school buildings will accommodate but little more than one-fourth of the number of children of school age, it has become the policy of the office to make contracts for the education of the Indian children with religious organizations that agree to train the pupils properly and to furnish buildings suitable for their accommodation.

Acting upon liberal invitations like these, the Catholic Church entered actively into the work of Indian education, and thus the contract system was extended from year to year until it has assumed its present proportions.

The contract schools, while supplying equally as good education and facilities for education for the Indian youth as the Government schools, are much more economical, as will be seen from the following statement:

For the fiscal year 1896 the average per capita cost to the Government of contract schools is, for boarding pupils, $114, and for day pupils $30, while the Government schools cost $161 per capita for boarding pupils and $37 per capita for day pupils, making the expense of the Government boarding schools 44 per cent more and the day schools 23 per cent more than the contract schools. It follows that, if all the contract schools were abolished and their pupils placed in Government schools, the Government, in addition to the amount that would be required in erecting and equipping the schools, surely not less than $1,500,000, would be put to an annual expense of at least 44 per cent more for boarding and 23 per cent more for day schools than is now necessary for the care and tuition of pupils in such schools.

It is a well-known fact that money appropriated is for food, lodging, clothing, tuition, and medical attendance.

About $310,000 is now needed for contract boarding pupils and $8,000 for day pupils. If these pupils were placed in Government schools, the annual cost to the Government would be about $450,000 for boarding and $10,000 for day pupils; that is, an additional cost of $142,000. In every item in the present Indian bill in aid of Government schools an appropriation of $167 per head is allowed for the education of every Indian pupil.

Those very gentlemen who argue against the Senate amendment on the ground of sectarianism within a very short period in this very bill voted for an appropriation for the Lincoln School at Philadelphia, which is under the control of the Episcopalian Church, and for the Hampton (Va.) school, under the control of the Congregationalist denomination. Indian children are educated in both these schools.

To prove that these schools are sectarian I wish to quote the following:

An act to incorporate the Lincoln Institute.

SEC. 3. The affairs and concerns of the said Lincoln Institute shall be conducted by a board of managers consisting of 30 ladies and a board of council consisting of 30 gentlemen, of which board the bishop of the Protestant Episcopal Church of the diocese, together with the rectors of the churches which shall be represented in the board of managers, shall be ex officio members.

SEC. 4. Applicants may be admitted without regard to their religious belief, but the inmates shall in all cases have respect for the faith of the Protestant Episcopal Church of the United States and submit to the religious exercises of the household, which shall always be in accordance with the belief of that church; and all children received under 12 years of age shall be trained in that faith.

The report of superintendent of Hampton Institute says:

Almost every teacher in the institute is also a teacher in the Sunday school, those who lead colored classes during the week meeting with the colored school on the Sabbath and the Indian teachers with the Indians. In order to give unity to the religious teachings of the week, the subject for study in the international series of Sunday school lessons has been made the subject of the prayer meeting during the week.

The Sunday school is the center of the religious work of the school and the teachers representing five different denominations become responsible for the religious training of the students, a large portion of whom are Baptists and Methodists.

It is submitted that the foregoing extracts prove clearly that the Hampton Institute and Lincoln Institution are religious schools. Does it not follow that an appropriation, such as is made yearly by Congress for the education of Indian youth at these schools, is an appropriation of money for the propagation of religion? And is this not just as much union of church and state as would be the appropriation of money for the education of Indians in Catholic schools? [Applause.]

Sectarianism is only seen by these worthy gentlemen when it can be used as a club against the Catholic Church.

The Senate amendment simply makes provision for the education in the contract schools of those pupils who can not be provided with instruction in the Government schools, and the simple alternative presents itself of putting the Indian pupils out on the prairies without education and without restraint, or allowing them to receive instruction in the contract schools until such time as the Government can make suitable provisions for them. This proposition ought to meet with the approval of every person not guided by bigotry or prejudice. I am aware, however, that a large number of the members of the House either belong to or are largely influenced by that nefarious organization known as the A. P. A., and this matter is not the only instance of the interference of this organization during this session.

I think it might be well at this time, in order to show how far back the members of this organization can trace their American ancestry, to note the fact that a certain Mr. Palmer, who was elected supreme secretary of the association at its national convention held here three weeks ago, took out his naturalization papers in the State of Montana one year ago last October.

And yet this man dares to tell native-born Americans what rights and privileges are justly theirs in the United States of America!

Read what two famous Americans say about such organizations as the A. P. A.:

All secret, oath-bound political parties are dangerous to any nation, no matter how pure or how patriotic the motives and principles which first bring them together. No political party can or ought to exist when one of its corner stones is opposition to freedom of thought and to the right to worship God according to the dictates of one's own conscience, or according to the creed of any religious denomination whatever.—*U. S. Grant.*

Secret society politics—Knownothingism—had about as many elements of persistence as an anticholera or antipotato-rot party would have.—*Horace Greeley.*

In October, 1893, the following joint resolution authorizing the State of Wisconsin to place in Statuary Hall, at the Capitol, the statue of Père Marquette was unanimously adopted by Congress:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Wisconsin be, and is hereby, authorized and granted the privilege of placing in Statuary Hall, at the Capitol, the statue of Père Marquette, the faithful missionary whose work among the Indians and explorations within the borders of said State in early days are recognized all over the civilized world, the same to be received as one of the two statues furnished and provided by said State in accordance with the provisions of section 1814 of the Revised Statutes of the United States.

In accordance with that vote, almost six weeks ago the Senate of the United States adopted a resolution thanking the people of Wisconsin for the statue of James Marquette, and that resolution was sent to this House for concurrent action. I have repeatedly urged the Republican members of the Committee on the Library to report the resolution favorably to the House, so that suitable action would be taken by this body. Father Marquette was one of the noblest men that ever lived. The record of his great achievement in the discovery of the Mississippi is the honest pride of every true American. He was a loyal soldier in the army of Christ, and he spread the gospel of Christianity in regions hitherto unknown and undiscovered by the white man. For six years he endured every sort of privation and hardship, sustaining himself on frozen fish and rock moss, and finally sacrificing his life by his strict devotion to duty among the Indians he labored for so hard.

Parkman, in speaking of Marquette, said:

A subtle element of romance was blended with the fervor of his worship and hung like an illumined cloud over the harsh and hard realities of his daily lot; kindled by the smile of his celestial mistress, his gentle and noble nature knew no fear. For her he burned to dare and to suffer, discover new lands, and conquer new realms to her sway.

And Parkman thus describes the closing scenes of his life:

At night, seeing that they were fatigued, he told them to take rest, saying that he would call them when he felt his time approaching. Two or three hours after they heard a feeble voice, and hastening to his side found him at the point of death. He expired calmly, murmuring the names of Jesus and Mary, with his eyes fixed on the crucifix which one of his followers held before him. They dug a grave beside the hut, according to the directions which he had given them; then reembarking they made their way to Michillimackinac, to bear the tidings to the priests at the mission of St. Ignace.

To show the love and devotion with which he was regarded, a band of Ottawas, seven years before his pupils at La Pointe de St. Esprit—

washed and dried the bones and placed them carefully in a box of birch bark. Then, in a procession of 30 canoes, they bore it, singing their funeral songs, to St. Ignace of Michillimackinac. As they approached priests, Indians, and traders all thronged to the shore. The relics of Marquette were received with solemn ceremony and buried beneath the floor of the little chapel of the mission.

The governor of Wisconsin has sent a memorial to this body, the present session, asking that recognition be given this saint and martyr, and yet this Republican House on the eve of adjournment stands convicted of willful and deliberate neglect in refusing to take action on the resolution sent here by the Senate.

This is the first time in the annals of Congress that official recognition has been denied when statues have been presented by any of the numerous States, and the Republican party must take the responsibility. This neglect is particularly to be deplored for the reason that there is no body of men to whom the people of these United States are more deeply obligated than to the early missionaries who carried the lamp of the Christian faith amongst the savages.

It is a well-known historical fact that the first heralds of Christianity in savage climes have been immolated, and the spark of Divine faith was not permitted to ignite in the soul of the savage breast until the wilderness had been profusely watered with the blood of those who had been commissioned to plant it. I am confident, however, that when the conscience of the American people is aroused, their opinions crystallized into speech, they will make a demand upon this Republican House for the official recognition of Father Marquette that it will not dare refuse.

I want to call attention that the Republican members of this

House are responsible for the failure to pay proper respect to this saint and martyr; that the French nation, of which Father Marquette was an illustrious son, rendered too valuable and too great services in the struggle for independence to allow such an indignity to be placed upon her, and I shall be surprised if his countrymen in the United States do not resent it at the polls.

The Catholic people of this country have borne persecution and tyranny with the same meekness and the same spirit that animated our dear Saviour when, pale, bruised, and blood-stained, mocked and goaded by the brutal guard and fiendish mob, the rough Roman soldiery nailed Him to the cross, His lips murmuring, "Father, forgive them, for they know not what they do." Those words have rung in the ears of all mankind through all the ages, and have been the guiding star for persecuted Catholics in every part of the world. [Applause.]

In Ireland for more than two centuries the members of the Catholic faith were subjected to every form of persecution, and yet her people stand to-day as they have always stood, the noblest specimens of Catholic Christianity in the world.

The civil oppression of Ireland would have terminated the moment she embraced the Protestant religion.

The fact that they were deprived of every privilege and denied every right, refused, under penalty of imprisonment, the opportunity to hear mass, not allowed to vote, not allowed to serve in the militia, compelled to attend Protestant services, deprived of their property, their priests scourged and hounded and every form of indignity heaped upon them, only served to strengthen the ties that bound them to the mother church and kindled a stronger flame for Catholicism in their hearts.

In Ireland, too, in all her movements for religious and political freedom, the Catholic people idolized the Protestant leaders of the time in the persons of Lord Edward Fitzgerald, Henry Grattan, Robert Emmet, Wolfe Tone, and Charles Stewart Parnell with a devotion as remarkable as it was strong and lasting.

But I seriously question, Mr. Speaker, whether in the future in this country it will be the part of wisdom to continue this forgiving spirit. I am glad to say, however, on the floor of this House that the great body of the Protestant people have no sympathy with the attack that is being made upon the members of the Catholic Church. They believe, as the Catholics do, in the inspiration of the Bible, in the divine origin of the Ten Commandments, in the divinity of Christ, in the necessity of Christian faith and morality for the salvation of mankind. They know that national prosperity depends on respect for the law, for the rights of persons and property, and the sanctity of oaths. They feel that if there should be general disregard of the law, anarchy and communism in their worst forms would follow. The progress of crime is in direct proportion with irreligion, and every true Christian recognizes the fact that whatever tends to diminish crime makes an additional safeguard to the family and the State.

It is to the fair-minded spirit of this class of the members of this House that I ask for an honest and fair settlement of the contract-school system.

Mr. Speaker, to-day in this country there are in round numbers 12,000,000 Catholics in a total population of 70,000,000, or 20 per cent of the whole, and yet in this House of Representatives, composed of more than 350 persons, I know of but three members who are communicants of that body. I make this statement to the people of the United States in answer to the charge that has been made that the Catholic Church is engaged in an organized attempt to control the political machinery of this Government.

The Catholic Church in this country has grown tremendously in the past century, and to-day has more communicants than any other denomination. From 40,000 in the time of the Revolution, they have now reached 12,000,000, with property valued at $118,000,000, and have made themselves felt in every branch and avenue of intellect and industry. In every village, steeple or tower tipped with the cross tells where Catholics pray, and thousands, aye, hundreds of thousands, gather in these edifices each day to render homage to Almighty God. They are proud of the history of their church, and persecution and tyranny only add to their zeal. [Applause.]

For fifteen hundred years the Catholic Church preserved faithfully for all mankind the teachings of God concerning faith and morals, and during all that time she has remained the same, guarding with unremitting care the same deposits of faith and morals, and dispensing the same sacraments for the spiritual nourishment of souls. During all that period she has taught her children the faith which raises human life above mere animal existence, and has scattered the treasures of her enlightened intellect into every corner of the globe.

She is here to-day in America, in the closing days of the nineteenth century, not in weakness or decay, but in the full prime and vigor of her immortality and strength, towering in the consciousness of her own rectitude, scorning to tamper with the rights of other denominations, but brooking no interference with her own.

In closing, Mr. Speaker, I wish to impress upon the members of this House that in voting for the Senate provision they are only acting in accordance with the equities and justice of this whole matter. The Indians are wards of the nation, and we are under the deepest obligations to educate them.

At the suggestion of the Government, the different denominations erected school buildings, and in this work the Catholic Church spent about $1,500,000, a great deal more than all the other denominations combined. They went on building, in this way reclaiming the Indian youth from ignorance and infidelity, until a short time ago, when hostile legislation warned them to desist.

The first opposition to these appropriations came some few years ago, and it was agreed that the appropriation should be cut down 20 per cent every year until wiped out. These terms were accepted by the different denominations, and in the last Congress another 20 per cent reduction was made. Now there are members of this House who wish this Congress to break faith with the people who control these schools, and rather than allow the children to continue in the schools for another year would prefer them to go uneducated and untaught. This result would surely follow, as it is admitted, even by the opponents of this measure, that school buildings can not be erected in the short space of time allowed, and that no money has been appropriated to build them.

In the name of justice, standing in the full glare of American public opinion, I ask for fair treatment for these contract schools. [Loud applause.]

Mr. SHERMAN. I yield five minutes to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER of Wisconsin. Mr. Speaker, I desire to say only a few words in reply to the gentleman from Massachusetts. He has said that during the present session of Congress this House has voted appropriations to institutions purely sectarian. I am greatly misinformed, Mr. Speaker, if that be a true statement. I do not know that this House has voted appropriations to any sectarian institution at the present session. My vote has not been cast for any such appropriation, and it never will be.

The gentleman says that we attack the Catholic religion. I deny it. No such proposition has been made here; nor any proposition that in any proper sense could be construed as an attack upon the Catholic religion or upon any other religion. What we do demur to is the proposition of the gentleman from Massachusetts (who announced himself the other day and to-day as a Catholic) that he shall take the public money to teach his religion to Indians. I deny that he has a right to vote one penny of my money—and I have an equal undivided share with every other citizen of the Republic in the public money—to teach Catholicism to a Comanche or Methodism to a Modoc. [Laughter and applause.]

It is no part of the functions of the Government of the United States to teach an Indian that the Pope is infallible, to teach him that or any other purely religious tenet up to the end of the fiscal year ending June 30, 1897, nor for any other length of time, however short. I am not saying that it is true or that it is false; but there are millions of people in this country just as good as the distinguished Representative from Massachusetts, who says here that he represents a Catholic constituency in the city of Boston——

Mr. FITZGERALD. I never made any such statement, although I should be proud if it were the fact. My constituency is part Protestant and part Catholic.

Mr. COOPER of Wisconsin. Well, a constituency largely Catholic, he said. He did not say it to-day; he said it the other day when he addressed the House.

Mr. FITZGERALD. I correct the gentleman again. I never made any such statement.

Mr. COOPER of Wisconsin. Very well; I so understood him. The gentleman has said that we have a right to use the public money to teach the Catholic religion to Indians because, forsooth, Congress has given that right in the past. I deny it. I deny that the wrong act of another Congress is binding upon this Congress. If that was done, as we know it was, it was plainly in violation of a principle that lies at the foundation of this Republic. Jefferson and Madison, the founders and leaders of the party of which the gentleman from Massachusetts proudly announced himself to be a member, both declared that this nation, the last hope of free government on this earth, could not exist if the principle were to obtain which the gentleman so earnestly champions. The union of church and state would ruin the Republic. The slightest step in the direction of accomplishing such a union ought to be opposed by every man who recognizes the binding obligation upon him to obey and revere the Constitution of the United States; because, while that instrument does not in express terms say that we shall not appropriate money for sectarian purposes, it does say that Congress shall do nothing respecting an establishment of religion, and if voting my money and your money to teach Indians the Catholic religion or any other religion is not doing something to propagate and establish that religion, what is it doing?

Mr. FITZGERALD. May I ask the gentleman a question?

Mr. COOPER of Wisconsin. I prefer to proceed.

Upon the practical side of this question there is this to be said: There is no necessity for this appropriation. The gentleman was guilty of what logicians call a petitio principii—a begging of the whole question—when he said these children would be thrown upon the mercy of the cold world unless this appropriation were voted. Nothing of that kind is true. As I stated when this matter was up before, the Catholic Church in this country has more than 6,000,000 communicants, and the total proposed appropriations to aid in carrying on these schools as they are now carried on is less that $300,000; only about 5 cents a year—less than half a cent a month—to every one of these communicants.

No other church in this country asks this appropriation to-day. Other churches did ask it, but they have voluntarily relinquished their claim to it. If the Catholic Church be the patriotic institution which its cardinal in a recent letter said it is; if it be the patriotic institution which the gentleman from Massachusetts has announced it to be; if, as he says, Catholics are as good, loyal citizens as everybody else in this country ought to be—and I make no attack upon their patriotism—then it is time for them as a church to stop demanding that public money be paid to propagate the Catholic religion among Indians or anywhere else. [Applause.] Profession is one thing; action is another. They say that they wish nothing done inimical to the Republic. They know that a union of church and state would be fatal to it.

The gentleman from New York [Mr. SHERMAN], the chairman of this committee, has suggested that the pending proposition is a compromise. I wish to inform the gentleman that Congress can compromise questions concerning potatoes or corn or hominy or wheat—questions of the tariff. It can not compromise, and ought not to attempt to compromise, questions of conscience. This is a question of the abstract right of the citizen not to have his money appropriated to teach a religion in which he does not believe.

Mr. WALKER of Massachusetts. Or believes.

Mr. COOPER of Wisconsin. Yes, or in which he believes. I accept the suggestion. If you have a right to take the public money, I will say to the gentleman from New York, to teach the Catholic religion, then you have the same right to give it to Robert G. Ingersoll to teach infidelity, or to a rabbi to teach the Jewish faith.

[Here the hammer fell.]

Mr. SHERMAN. Does the gentleman wish further time?

Mr. COOPER of Wisconsin. I should like about two minutes more.

Mr. SHERMAN. I yield to the gentleman.

Mr. FITZGERALD. I should like to ask the gentleman a question.

Mr. COOPER of Wisconsin. Wait a moment. I want to say a word more in reply to the suggestion already made by the gentleman from Massachusetts. He said they wanted money to carry on these schools; that unless we make this appropriation the children would be turned adrift, etc. The gentleman from New York, in a speech which he made when this matter was originally brought before the House, said that he had learned from unofficial sources which he considered credible that the Catholic Church would not sell those school buildings which they now use for sectarian schools for Indian children.

Now, if the Catholic Church proposes to keep those school buildings, pray for what purpose does it intend to keep them? Simply for the purpose of educating the Indians. If public appropriations are withheld from those schools, what will be done with them? They will be continued at a nominal expenditure of 5 cents per capita per annum, contributed voluntarily by the communicants of that church.

Another thing. This House, if it wants school buildings erected, can stay here and vote an appropriation of a million and a half or two million dollars for that purpose. It is suggested to me that for this purpose there is now an appropriation of $200,000 in the bill. These buildings can be constructed without loss of time. In the city of Chicago they run up a 10-story building in a very few months. If it should be absolutely necessary to erect these buildings—I do not think it is—the Secretary of the Treasury can, with an appropriation of a million and a half or two millions, go on and have school buildings put up in very short time. Teachers can also be readily employed, and in a very few months the system could be in complete operation. But I do not think that is at all necessary. The Catholic Church will support its own schools; it will support its own schools without public money; it will support them just as the Congregationalists, the Baptists, the Methodists, the Lutherans, the Presbyterians, and all the other denominations support the schools in which they teach the Indians—that is, by means of the voluntary contributions of their respective communicants.

[Here the hammer fell.]

Mr. FITZGERALD. May I have a few moments?

Mr. COOPER of Wisconsin. What is the gentleman's question?

Mr. SHERMAN. I am sorry I can not yield to the gentleman from Massachusetts. I yield three minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. COOPER of Wisconsin. The gentleman from Massachusetts desired to ask me a question.

Mr. SHERMAN. I can not yield for that purpose. Everybody is pressing for a vote.

Mr. MONDELL. Mr. Speaker, I feel some hesitancy in occupying the attention of the House at this late day of the session, when important measures are crowding for recognition, but I trust the House will bear with me in a brief statement of one phase of the Indian question, in view of the interest felt in the subject I wish to discuss by my constituents, and the interest which the country at large should have in a statement as to the real nature of the occurrences in one of the most widely heralded and bloodless Indian troubles that has occurred on our Western frontier in late years. I refer, Mr. Speaker, to the so-called Jacksons Hole Indian troubles, which occurred during the summer of 1895, south of the Yellowstone National Park, in the State of Wyoming. I believe I am entirely within the bounds of truth when I say that no occurrence of late years on our frontier has been so thoroughly misunderstood, either as to the causes which led to the troubles between the settlers and the Indians or as to the actual occurrences in the region referred to last summer.

I have felt that justice to my constituents, who were especially affected by the false statements which were made, not only through the press of the country, but in some cases through official and semiofficial sources, as well as justice to the fair name of the settlers of the West in general who are brought in contact with the Indian tribes, demand that a statement should be made giving the facts, fairly and honestly, as they occurred. We can not as a people expect to retain respect for each other, nor can we expect there shall be that cordial sympathy between the peoples of far separate portions of the country, which the future peace of the nation demands, unless an effort be made to disabuse the public mind as to the actions and motives of the people of one section, which actions and motives may have been misconstrued and misunderstood, and this misconstruction and misunderstanding heralded broadcast over the nation to create a false impression as to the character of the residents of one section throughout the nation.

I fear the people of the Eastern and Middle States are sometimes inclined to forget that the men who are developing the far West, who are braving the dangers and difficulties of frontier life, are in the main the same class of men who have extended the frontier from its original outpost on the summits of the Alleghanies until it has become almost a thing of the past, its hardships and privations and its isolation from the outer world being now confined to comparatively few districts of the Northwest, notable among which is the region in which the trouble occurred last summer to which I refer. The people of my State, while restless under the false accusations and the flippant quips and flings of our Eastern brethren in regard to the occurrences in Jackson's Hole last summer, deemed it best to make no loud and noisy demonstration of our disapproval of the unwarranted verdict of a large portion of the Eastern press against our officials or our citizens, until the highest tribunal of the land had passed upon the question as to our right to police our territory, but now that the Supreme Court of the United States has declared that Wyoming is, indeed, a sovereign State, endowed with all the rights and privileges vested in the original States, as a representative of that State I feel bold in craving a few moments' attention of the House in a recital of the circumstances and conditions which led up to and culminated in the friction between roving bands of Indian hunters and the officers of Uinta County, Wyo., last summer.

I ask the gentlemen to bear in mind the fact that these troubles all arose from the wanton and indiscriminate slaughter of game by bands of Indians off of their reservations in violation of the game laws of the State of Wyoming, laws which our citizens are bound to respect and against whom they are enforced. The Indians claimed that by treaty rights they were superior to any law that might be passed by our State for the protection of game. Troubles between Indians and settlers on the frontier of our country on account of the indiscriminate hunting and slaughter of game by the Indians is no new condition. There is scarcely a district in the Northwest where at some time in the past there have not been troubles of this character.

At various times treaties have been made with Indian tribes giving them the right to hunt on any unoccupied lands of the United States or in certain districts outside of their reservation limits. As the country in the vicinity of the reservations becomes settled, as the ever onward march of civilization locates homes and builds schoolhouses upon the broad plains and in the mountain valleys, there is constantly increasing friction between the Indian, accustomed to ride over the country at will and hunt game at all seasons of the year, and the settlers, who do not particularly enjoy seeing all of the game in their vicinity slaughtered, and who do not take kindly to the continuation of the savage chase in the vicinity of their ranches and homes.

As State governments were set up, game laws were enacted for

the purpose of protecting game from ultimate extinction, and in order that citizens might enjoy the pleasures and profits of hunting to a reasonable extent during certain seasons of the year and under proper restrictions. In many instances Indian agents and others in charge of tribes and bands of Indians have accepted the conditions of these State laws without question, and have even hailed their enactment with satisfaction as tending in their enforcement to wean the Indian from the savage pleasures of the chase, and by confining him more closely to the reservation render him more susceptible to those influences calculated to educate him in the arts of peaceful industry, in the practice of which lay his only hope of becoming self-supporting and thereby self-respecting and open to all the influences that tend to civilization. Unfortunately, both for the Indians and the settlers, those having the responsibility of looking after these wards of the nation have not always received in a friendly spirit these wholesome regulations, but have resented them as an infringement upon the rights of the Indians, to be resisted, even to the extent of encouraging their savage wards to resist the legally constituted authorities of the States in the performance of what they considered to be their plain duty under the law, thereby fostering and encouraging that feeling of contempt for the white man's law which is so marked a characteristic of the North American Indian.

In order to give a clear understanding of the causes that led up to the troubles in the Jacksons Lake country in the summer of 1895 I shall be compelled to go somewhat into detail.

On the 3d day of July, 1868, a treaty was signed at Fort Bridger, Utah, between the Bannack and Shoshone Indians and a commission acting for the United States Government, which treaty contained the following provision:

ARTICLE 4. The Indians herein named agree, when the agency house and other buildings shall be constructed on their reservations named, that they will make said reservations their permanent home, and they will make no permanent settlement elsewhere; but they shall have the right to hunt on the unoccupied lands of the United States so long as game may be found thereon and so long as peace subsists among the whites and Indians on the borders of the hunting districts.

In the course of time these Indians were located upon two reservations, the Bannacks and a part of the Shoshones in the vicinity of Fort Hall, Idaho, upon what is known as the Fort Hall Reservation. The remainder of the Shoshones were located on the Shoshone Reservation, at the head of Wind River, in Wyoming. At the time this treaty was made and for a long time thereafter Wyoming and Idaho were Territories. The region in which the recent trouble occurred had not even been penetrated by the hardy prospector and was not visited to any considerable extent by the Indians themselves, being accessible only by long journeys over rough mountain trails. Not a great many years elapsed, however, before there began to be friction between the settlers in the vicinity of the Fort Hall Reservation in Idaho and the Indians over the indiscriminate slaughter of game by the Indians. In order to overcome the irritation thus produced, a commission, consisting of J. P. C. Shanks, Henry W. Reed, and T. W. Bennett, was appointed to treat with the Bannack and other Indians in southern Idaho for the relinquishment of their right to hunt on the unoccupied lands of the United States.

This commission concluded an agreement with the said Indians on the 7th day of November, 1873, whereby the said Indians agreed as follows:

And whereas, owing to the increase in the country of the white population and the scarcity of game for the support of the Indians, it has, in the judgment of the United States Government, become important and necessary that the provision of article 4 of said treaty of July 3, 1868, shall become the subject of a new agreement between said parties:

Article 1. It is hereby agreed upon the part of all the Indians interested in said Fort Hall Reservation, under the provisions of said treaty of 1868, that a portion of said fourth article of said treaty shall, upon the conditions hereinafter stated, be amended as follows:

The right as secured to said Indians by said fourth article of said treaty of 1868 to hunt on the unoccupied lands of the United States shall be relinquished, and hereafter the privilege of said Indians to hunt off the reservation shall be under the written permission of the agent.

This treaty was duly signed and ratified by the commissioners and over 200 of the Indians, and upon the 3d day of February, 1874, the agreement was duly transmitted to Congress for action thereon, by the Secretary of the Interior. No action was ever taken by Congress on this treaty. Had the treaty then signed been ratified by Congress, the late Jacksons Hole Indian trouble would never have occurred.

As time went on settlements were extended in northern Idaho and western Wyoming, and the big game continued each year to become scarcer. Numerous protests from the settlers were made from time to time against the killing by the Indians, at all seasons of the year, of vast quantities of game, thereby depriving the settlers of an opportunity of partly supplying their larders from the game of the country and compelling them to make distant trips into the mountain regions in order to secure even a limited quantity of meat for themselves and families. These complaints led to the issuance in 1889 of a circular letter from the Interior Department to Indian agents in the Northwest, as follows:

[Circular.]

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., November 1, 1889.

To United States Indian Agents:

Frequent complaints have been made to this Department that Indians are in the habit of leaving their reservations for the purpose of hunting; that they slaughter game in large quantities, in violation of the law of the State or Territory in which they reside, and that in many instances large numbers of wild animals are killed simply for their hides.

In some cases Indians, by treaty stipulations, have the guaranteed right to hunt, upon specified conditions, outside their existing reservations. The Secretary of the Interior has decided that the privilege of hunting under such treaty provisions is the right to merely kill such game as may be necessary to supply the needs of the Indians, and that the slaughter of wild animals in vast numbers for their hides only and the abandonment of the carcasses without attempting to make use of them is as much a violation of the treaty as an absolute prohibition upon the part of the United States against the exercise of such privilege would be. This fact should be impressed upon the minds of the Indians who have such treaty rights, and they will be given to understand that the wanton destruction of game will not be permitted. And those not having the reserved treaty privilege of hunting outside of their existing reservation should be warned against leaving their reservation for hunting, as they are liable to arrest and prosecution for violation of the laws of the State or Territory in which offenses may be committed.

In view of the settlement of the country and the consequent disappearance of the game, the time has long since gone by when the Indians can live by the chase. They should abandon their idle and nomadic ways and endeavor to cultivate habits of industry and adopt civilized pursuits to secure the means for self-support.

Very respectfully, (Signed by the Commissioner.)

The opposition upon the part of the settlers to Indians hunting was largely due to the fact of the absolute disregard of the Indians for sex or condition of the game when hunting.

As early as 1890 frequent complaints were made to State and county authorities by settlers on the Green and Snake rivers and their tributaries in Wyoming against the slaughter of game by the Indians. These protests each year became more vigorous as the settlements increased and extended, and as the annually recurring hunting trips of the Indians rendered the game scarcer.

In the year 1890 the Territory of Wyoming was admitted into the Union of States in the following words:

Be it enacted, etc., That the State of Wyoming is hereby declared to be a State of the United States of America, and is hereby declared admitted into the Union on an equal footing with the original States in all respects whatever; and that the constitution which the people of Wyoming have formed for themselves be, and the same is hereby, accepted, ratified, and confirmed.

For the protection of large game within the State the following provision was made:

SEC. 1251. It shall be unlawful to pursue, hunt, or kill any deer, elk, moose, mountain sheep, mountain goat, antelope, or buffalo, save only from September 1 to January 1, inclusive, in each year, or kill or capture by means of any pit, pitfall, or trap any of the above-named animals at any time; no nonresident of this State shall pursue, hunt, or kill any deer, elk, moose, mountain sheep, mountain goat, antelope, deer, or buffalo by any means whatever: *Provided*, During the time aforesaid the actual and bona fide residents of this State may pursue, hunt, and kill said animals, but not by means of any pit, pitfall, or trap.

Certainly the Indians of Idaho could scarcely be considered bona fide residents of the State, while it seemed that by common consent there was no disposition to deprive Indians living on reservations within the State of all privileges accorded to other residents. It soon became evident, however, that this law was inadequate to prevent the game from threatened annihilation, both from white and Indian hunters. The simple mind of the Indian had not readily grasped the idea of State lines, and the Shoshone Indian living on the Fort Hall Reservation could not understand why he could not enjoy all the privileges enjoyed by his brother in Wyoming. The clause of the law giving bona fide residents of Wyoming the right to kill game at all seasons of the year was intended to enable our own citizens to procure game when absolutely necessary for consumption, but the clause left a loophole for the killing of large quantities of game in violation of its spirit rather than its letter.

In the meantime constant complaints were being made of the wanton destruction of game life by the Indians from many portions of northern and western Wyoming. The citizens in that region became thoroughly aroused to the necessity of immediate and vigorous action if the large game was to be preserved for any considerable length of time. The killing of game by residents or those claiming to be residents of the State in excessive quantities or during the breeding season could be remedied by a State law. The question as to the prevention of the indiscriminate slaughter of game by the Indians was a more serious one, and its solution depended on whether or not the Indians had, by reason of their treaty, a right to hunt within the confines of Wyoming in violation of her game laws; in short, whether the savage, who added nothing to the wealth of the State, whose residence even was beyond the confines of the State, was entitled to rights and privileges denied the men who, braving all the hardships and difficulties incident to pioneer life, were opening a path for civilization in the wilderness.

Among those of our people who gave the question any study there seems never to have been a doubt in regard to the matter. It was quite taken for granted that the act of admission of Wyoming to the Union of States, giving her all the rights and privileges accorded to the original thirteen States, certainly conferred upon the State the first essential of sovereignty, the right to exercise police power over her territory. We held that no State was enjoying the rights reserved by the thirteen original States, if a horde of savages were to be permitted to ride at random over her territory and slaughter her game, while the State was absolutely powerless to prevent the total destruction by these marauders and invaders of game life within her borders. This must have been the view taken of the matter by the Department of the Interior on May 2, 1894, when the following letter was addressed to sixteen Indian agents in the Northwest:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., May 2, 1894.

SIR: Inclosed herewith you will find copy of office circular of November 1, 1889, relative to Indians leaving their reservations for the purpose of hunting.

This office has recently received a great many complaints to the effect that numerous parties of Indians are continually leaving their reservations, with passes from their agents, to make social visits to other reservations; that they slaughter game in large quantities, merely for the sake of killing and for the hides; that their wanton destruction of wild animals is particularly noticeable in the country adjacent to the Yellowstone National Park and the Shoshone Reservation, Wyo.; and that if these depredations are allowed to continue during the coming season it will probably result in a serious conflict between the white settlers and the Indians and end in bloodshed.

Upon the receipt of this letter you will call a council of your Indians, again inform them as to the purport of this circular, and tell them that the restrictions as to hunting contained therein must be strictly complied with; also that should they in the future obtain passes from you for the ostensible purpose of making a friendly visit to other reservations and then engage in hunting while en route, such passes will all be recalled and they will not be allowed to leave their reservations again. Further, that they will be liable to arrest and punishment by State officers for violating the game laws of the State or Territory in which they may be found hunting.

Hereafter no passes should be granted to Indians when you have reason to believe they intend to go on hunting expeditions; and where permission is given to leave the reservation for other purposes, it should be only upon condition that they will not engage in hunting while absent.

In granting such passes in the future to make visits or to leave the reservations for other purposes which would enable them to hunt while absent, you should be careful to impress upon them the consequences of violating their agreement.

When such pass has been granted, the Indian agent in charge of the reservations which they intend to visit should be notified of the time of their departure, their names, and the route they intend to travel, so they may be on the lookout for them.

Your hearty cooperation in this matter is requested, in order that the evils complained of may be corrected, and the threatened danger of trouble between the Indians and whites averted.

Very respectfully,

(Signed by the Acting Commissioner.)

It will be noticed that in this letter the Department calls attention to the fact that Indians hunting off their reservations "will be liable to arrest and punishment" for the violation of the game laws of the State or Territory in which they may be found hunting.

On the 28th of August, 1894, the following telegram was received by the Commissioner of Indian Affairs:

ROSS FORK, IDAHO, *August 27* (via Pocatello, Idaho, August 28, 1894).

To COMMISSIONER OF INDIAN AFFAIRS, *Washington, D. C.:*

Following telegram received:

"Complaint has been made in Silver City by C. M. Hays, district attorney, that a number of Indians are slaughtering game and have threatened resistance to officers of that county. Troops have been asked for. Can you settle the difficulty?

"J. F. CURTIS, *Secretary of State.*"

I think Indians are from Western Shoshone Agency, Nev. Have I authority to proceed to investigate and direct return of Indians to proper reservations?

VANORSDALE, *Acting Agent.*

On the 29th of August, 1894, the county and prosecuting attorney of Fremont County, Wyo., in which county is situated the Shoshone Reservation, addressed the following letter to the Commissioner of Indian Affairs:

LANDER, WYO., *August 29, 1894.*

SIR: I inclose you herewith a certified copy of a pass issued Indians by the agent of the Shoshone Indian Agency. Under the orders of the Department to agents, a copy of which has been kindly sent me, I am unable to see how such passes can be issued, and therefore desire to call attention upon the part of the Department to the neglect of the agent to obey the injunctions of his superior officer.

The numerous complaints lately made to this office warrant me in saying that never before have the Indians been allowed such privileges, as at present over 500 Bannack and Blackfeet Indians are in the Jackson's Hole country, along the line of the Yellowstone National Park, burning forests of timber to better aid them in the indiscriminate slaughter of the few remaining wild game in the country. The attention of the Department has been called to these depredations and an effort made to enlist the services of the agents in the protection of the game now rapidly being exterminated. The State authorities are powerless to do anything under existing conditions, as the Indians are protected in their depredations by the agents at all the Western reservations.

Captain Ray, of the Shoshone Indian Reservation, has instructed the Indians absent upon passes furnished them, to kill all the game they desire and he will protect them from State interference. The local authorities are powerless to cope with the bands of Indians now absent from their reservations, and owing to the sparsely settled communities and the insolence of the Indians, the settlers are becoming greatly alarmed for their property and personal safety. Under conditions that now exist the game which during the winter season makes its home in the Yellowstone National Park is rapidly being killed out of the park, where it goes in the summer season seeking the higher mountain ranges and the alkaline deposits south and east of the park.

Trusting that a full investigation of these matters will be proceeded with, I have the honor to remain,

Respectfully,

WILL L. SIMPSON,
County Attorney, Fremont County.

To the honorable COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

Upon the 5th of September following the same gentleman addressed a letter to Hon. John E. Osborne, governor of Wyoming, the substance of which is as follows:

LANDER, WYO., *September 5, 1894.*

MY DEAR SIR: Late advices from the northwestern part of the State confirm the rumors prevalent that a large area of fine forest lands have been maliciously destroyed by Shoshone Indians absent from the Shoshone Indian Reservation with passes from the agent, Captain Ray. These Indians are at present engaged in the indiscriminate and wanton destruction of wild game in the vast game reserve south and east of the national park in this State. The local authorities are powerless to prevent the Indians from violating the laws. Complaint upon complaint has been made to the Department to allay these rapidly increasing depredations, and no attention has been paid to them, or its orders have been pigeonholed by the agents in charge of the reservations.

The increasing alarm among the settlers of the remote localities in the path of these destroyers is evident from the complaints made daily to my office. The insulting demeanor of these Indians, their refusal to submit to arrest by the duly constituted authorities, will certainly bring about serious trouble between the Indians and whites at no remote date.

What action the chief executive of a State can take in these premises is not quite clear to my mind, but I am almost sure you can further aid the people of Fremont and Uinta counties in keeping these Indians upon the vast areas of land set apart for their individual use, by asking of the Department an order for the agents to keep their Indians on their reservations and thus keep down the trouble, which is surely becoming apparent to any who have knowledge of the situation.

This summer's devilish work has been accomplished. Nothing can undo the immense damage to our natural resources. Our forests destroyed means our streams going dry in the early season of the year. Our game destroyed for its hide alone, a chief glory of our State forever gone.

Yours, very truly,

WILL L. SIMPSON,
County Attorney.

JOHN E. OSBORNE,
Governor of Wyoming, Cheyenne.

This letter was transmitted by Governor Osborne to the Secretary of the Interior on the 8th day of September, accompanied by the following communication:

SIR: Inclosed herewith I transmit a letter from the prosecuting attorney of Fremont County, this State, complaining of the depredations now being committed by the Shoshone Indians in the northern part of Wyoming, and of the failure of Captain Ray, the agent at Fort Washakie, to perform the duties of his important position satisfactorily to our people.

A great many complaints have come to my office, since Captain Ray's appointment, setting forth his incompetency and extreme lack of judgment. I have taken occasion to make careful inquiry concerning him, and I again desire to inform the Department that, unless he changes his method of conducting the affairs of his office, there will be bloodshed in the near future.

The people of Fremont County have for months been in constant fear of the Indians, and it would not surprise me at any time to hear that the home builders and settlers had united in a war of extermination. I can not too strongly urge the removal of the present agent, and the appointment in his place of a citizen of Fremont County.

Very respectfully,

JOHN E. OSBORNE,
Governor of Wyoming.

Hon. HOKE SMITH,
Secretary of the Interior, Washington, D. C.

In reply to this communication by Governor Osborne, the following answer was made on the 22d of September:

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, D. C., September 22, 1894.

SIR: I have the honor to acknowledge the receipt of your favors of the 5th and 8th instants, respectively, relating to the depredations which you state are being committed by Indians from the Shoshone and Fort Hall reservations, who are now roaming in the vicinity of the national park, setting destructive forest fires and wantonly killing game for hides.

You further say that many complaints have come to your office of the failure of Captain Ray, acting Indian agent, to perform his duties satisfactorily to your people: and that unless he changes his methods of conducting the affairs of his office there may be bloodshed in the near future, owing to the depredations of the Shoshone Indians.

In reply I have to respectfully inform you that under date of the 12th instant this office telegraphed Captain Ray as follows:

"Call in all absent Indians. Report at once by wire how many are absent from the reservation. Governor of Wyoming complains of depredations by them in northern Wyoming."

On August 29 I telegraphed Captain Van Orsdale, acting Indian agent of the Fort Hall Agency, Idaho, to at once have his absent Indians return to their reservation.

Under date of the 3d instant he reported that he had sent his Indian police and runners to order absent Indians back to the reservation.

Captain Ray reported, September 13, that in compliance with office instructions he has sent out his Indian police to order all Indians absent from his reservation to return.

Further, Captain Ray has asked authority from the War Department for an escort of soldiers, in order that he may scout the territory adjoining his reservation and compel the Indians to return to their respective reservations; and that he be allowed to invite the county authorities to send a civil officer with him. It is expected the War Department will soon take action on the above request.

Trusting that these depredations by Indians will soon cease, and assuring you that this office is willing and anxious to do everything in its power to attain that end, I remain,

Very respectfully,

FRANK ARMSTRONG,
Acting Commissioner.

Hon. JOHN E. OSBORNE,
Governor of Wyoming, Cheyenne, Wyo.

On the 6th day of August, 1894, the county and prosecuting attorney of Uinta County, Wyo., sent the following telegram to the Commissioner of Indian Affairs:

EVANSTON, WYO., *August 6, 1894.*

D. M. BROWNING,
Commissioner of Indian Affairs, Washington, D. C.:

I have reliable information that 100 Bannack Indians are in this county killing game for hides. Will you send soldiers to take them back or let them take the consequences?

JOHN C. HAMM,
Attorney Uinta County.

On November 30 the county attorney of Fremont County again addressed the Commissioner of Indian Affairs, as follows:

LANDER, WYO., *November 30, 1894.*

DEAR SIR: I enclose you a letter from a justice of the peace (Tappan) concerning depredations upon game by Shoshone Indians, under authority of Agent Ray, also original passes.

I trust that this explanation will result in the Department taking other steps in the continued violation of its orders by the acting agent of the Shoshone Agency.

Very respectfully, WILL L. SIMPSON.

Hon. COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

The letter referred to by Justice of the Peace Tappan is as follows:

DUBOIS, WYO., *October 13, 1894.*

DEAR SIR: Information of a number of elk having been killed for their hides on the Denore by Indians and their carcasses having been left to spoil determined me to organize a party and investigate the matter.

We have this day overhauled and searched the packs of four hunting parties, and the result will be explained by the accompanying affidavit. I found two passes expired and took them up, also one pass for five persons, with eight Indians in the party, and took it up. You will notice that two of the passes are so drawn that there is no limit to the number which may travel on them.

We had to make a gun play to search one outfit, but trust that under the circumstances we have not overstepped the law. We found this outfit had 41 hides and no pass, or at least they denied having one. We did not find fresh hides enough to locate the parties who had been killing for hides, and under the circumstances made no arrests, but turned every Indian toward the agency. It being late in the day we did not count the hides of another party on Long Creek, but told them to pull for the agency at once.

If we are off wrong please advise us. We have an exact tally of the hides in each outfit, and if required will send you affidavits and you can put them in shape and send them up, and I will have them sworn to and returned to you.

Yours, truly, JAMES H. TAPPAN,
Justice of the Peace.

P. S.—You will notice there were 41 hides with no pass.

W. L. SIMPSON, Esq.,
Lander, Wyo.

Captain Ray referred, in his communication to the Department in reference to this matter, to Justice Tappan and his men as "an armed body of lawless whites," although his superior officer, the honorable Commissioner of Indian Affairs, had, under date of May 2, notified him that Indians violating the game laws of the State or Territory in which they are found hunting are liable to arrest and punishment.

I also append hereto a certified copy of one of the passes referred to by Justice Tappan as being issued by the agent of the Shoshone Agency, and it will be noted that the pass had expired by limitation for three months at the time it was taken up:

UNITED STATES INDIAN SERVICE,
Shoshone Agency, May 14, 1894.

No. 8.]

Permission is given Peoutze and family of three persons to be absent from this agency for the period of sixty days, for the purpose of visiting Green River.

Object of visiting friends.
On arrival will report to —— ——.
Reported to ——— ———, 188—.

P. H. RAY,
Captain, Acting United States Indian Agent.

[District clerk's certificate.]

STATE OF WYOMING, *County of Fremont, ss:*

I, Ben Sheldon, clerk of the third judicial district court, within and for said county and State aforesaid, do hereby certify the foregoing to be a full, true, and complete copy of a certain piece of writing this day presented to me for comparison, and that the above is a full, true, and correct copy thereof; being so full and complete as the same now appears before me.

In testimony whereof I have hereunto subscribed my hand and affixed the official seal of said court, at my office in Lander, Wyo., this 22d day of June, A. D. 1894.

BEN SHELDON,
Clerk Third Judicial District, Fremont County, Wyo.

On November 14, 1894, the honorable Commissioner of Indian Affairs addressed the following letter to the Indian agent at Fort Hall Agency:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., November 14, 1894.

SIR: Referring to office letter to your predecessor of May 2, 1894, relative to the Indians under his charge wantonly slaughtering game, particularly in the country adjacent to the Yellowstone National Park, in which he was instructed to call a council of the Indians and inform them that such depredations should be stopped, and that they should not be granted passes when he had reason to think they intended to go on hunting expeditions, etc., I have to inform you that a further complaint has reached this office from Mr. G. G. Shields, editor of Recreation, New York City, who states that Mr. B. M. Webster, of Omaha, Nebr., who has recently returned from a hunting trip in the Rocky Mountains, writes him that the Shoshone and Bannack Indians have been hunting all through the country south and east of the National Park, killing thousands of elk, deer, and antelope, and taking only their skins, leaving the carcasses to rot. Mr. Shields further states that these Indians have been making a practice of this reckless slaughtering of game every summer, in open violation of law, but that the people of the Territories dislike to prosecute them on account of depredations which they fear might be committed by the Indians in retaliation.

While this office believes that United States Indian agents have endeavored to prevent the Indians from wantonly destroying game in the Western country, and that in many instances where complaints have been made against the Indians careful investigation has shown that the charges against them were either altogether false or greatly exaggerated, sometimes willfully so, yet I would request that you be watchful of the Indians under your charge, to the end that they give no further cause for complaint in this matter. You can say to them that further complaints have been made about their killing game and that such depredations must cease.

Very respectfully,

D. M. BROWNING, *Commissioner.*

THOMAS B. TETER, Esq.,
United States Indian Agent,
Fort Hall Agency, Ross Fork, Idaho.

It will be noticed that in this letter to Mr. Teter the Commissioner of Indian Affairs does not take exceptions to the statement made by Mr. Shields that the Indians were killing game in violation of State laws, and the inference would be that they are amenable to State laws, and he does not make any reference to any treaty rights which hold the Indians superior to the laws of the State.

On the 20th of February, 1895, the State legislature of Wyoming, in response to an almost unanimous public sentiment and the continued and repeated violations of the spirit of the game laws, passed an act of which the following has especial reference to large game:

SEC. 14. It shall be unlawful to pursue, hunt, or kill any deer, elk, moose, mountain sheep, mountain goat, or antelope at any time except during the months of September, October, and November in each year, during which months the males only of such animals may be killed or hunted under conditions and restrictions imposed by this section. It shall be unlawful at any time whatever to kill or capture any of the above-named animals mentioned in this section by means of any pit, pitfall, or trap. Any person may, during the period permitted and prescribed by this section, pursue, hunt, and kill any of the males of the animals mentioned in this section for the purpose only of supplying himself with food, but not for speculative purposes or wantonly. In order to prevent more effectively the hunting and slaughter of the animals mentioned in this section for speculative purposes, it is hereby declared to be unlawful for any nonresident of this State to hunt, kill, or pursue any of the male animals permitted by this section to be hunted, killed, or pursued herein without having first procured a license therefor so to do from a justice of the peace of the county wherein said animals are to be hunted. The justices of the peace of this State are hereby authorized and directed to issue such licenses upon the payment of $20 for each license, which shall be good in their county. Such license shall permit such nonresident to pursue, hunt, or kill any of the males of the animals mentioned in this section during the months of September, October, and November of the current year for the purpose of supplying himself or his family with food during such period.

On January 21 the following letter in regard to the slaughter of game by Indians was addressed to the honorable Secretary of War:

BROOKDALE, RED BANK, MONMOUTH COUNTY, N. J.,
January 21, 1895.

SIR: I desire to call your attention to a violation of the laws which I believe come under the charge of your Department. The section of the country known as Jacksons Hole, the post of which is now Marysvale, Uinta County, Wyo., has been overrun by Indians for the past few years. Last September and October there were upward of 200 bucks, with their squaws, horses, and outfits, in that neighborhood. They were of the Shoshone and Lemhi tribes from the agencies at Fort Hall and the Lemhi Reservation. Their purpose was hunting and the destruction of elk, antelope, and deer was enormous. The settlers are indignant at having their meat supply cut off and are growing perceptibly hostile to the invasions of these Indians. I own some property in that vicinity, and having induced others to acquire land there for the purpose of rest, recreation, and the shooting and fishing the country affords, they have suggested that I appeal to you to have the existing state of affairs remedied. As the game supply has decreased 20 per cent in the last three years and will decrease far more rapidly in the future, I trust you may prevent it.

Very respectfully, yours, L. S. THOMPSON.

Hon. DANIEL LAMONT,
Secretary of War, Washington, D. C.

The above letter was duly transmitted by the honorable Secretary of War to the Department of the Interior, and on the 7th of February it was answered as follows by the honorable Commissioner of Indian Affairs:

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs.

SIR: By reference from the War Department, I am in receipt of your communication of the 21st ultimo, addressed to the honorable Secretary of War, in which you state that the section of country known as "Jacksons Hole, the post of which is now Marysvale, Uinta County, Wyo.," has been overrun by Indians for the past few years; that last September and October there were upward of 200 bucks, with their squaws, etc., in that neighborhood; that they were of the Shoshone and Lemhi tribes, from the Fort Hall and Lemhi agencies; that their purpose was hunting, and the destruction of elk, antelope, and deer was enormous; that the settlers are indignant at having their meat supply cut off, and are growing perceptibly hostile to invasions by these Indians; that you own some property in that vicinity, and having induced others to acquire land there for the purpose of rest, recreation, and the shooting and fishing the country affords, they have appealed to you to have the existing state of affairs remedied. You therefore ask that the further destruction of game by the Indians be prevented.

In reply you are informed that I have this day written the United States Indian agents of the Fort Hall and Lemhi agencies, forwarding a copy of your letter and calling their attention to previous communications of this office, in which they were instructed to prevent, so far as possible, the wanton destruction of game by the Indians of their respective agencies.

In this connection, you are further informed that some of the replies received from Indian agents in Wyoming, Idaho, and Montana relative to Indians killing game would seem to indicate that the Indians are not altogether to blame in the matter complained of; that many of the charges against them have been found upon investigation to be altogether false or grossly exaggerated, and sometimes willfully so; and that many white hunters infest the country entirely unmolested and slaughter game for the market, curio shops, and taxidermists.

I inclose you copies of my letters above referred to.

Very respectfully,

D. M. BROWNING, *Commissioner.*

MR. L. S. THOMPSON,
Brookdale, Red Bank, Monmouth County, N. J.

On the same date the following letter was addressed to the agent of the Fort Hall Agency:

SIR: Inclosed herewith find copy of a letter dated the 21st ultimo, from Mr. L. S. Thompson, of Brookdale, N. J., who complains of the Indians of your agency committing depredations on game in Uinta County, Wyo.

Your attention is invited to office circular of May 2, 1894, addressed to your predecessor in office, in which he was fully instructed relative to such depredations by Indians.

I have again to request that you be watchful of the Indians under your charge, to the end that they give no further cause for complaint in this matter. You can say to them that further complaints have been made about their unlawfully killing game, and that such depredations, if true, must cease.

Very respectfully,

D. M. BROWNING, *Commissioner.*

THOS. E. TETER, Esq.,
United States Indian Agent, Fort Hall Agency, Ross Fork, Idaho.

It will again be noted that the Commissioner invites the attention of the agent to the circular of May 2, 1894, which circular, as before stated, refers to the fact that the Indians will be liable to arrest and punishment by the State authorities in the State or Territory in which they may be found hunting.

From the latter part of November until late in the spring the country from which these complaints came is covered with a heavy mantle of snow and is accessible only on snowshoes over the rugged mountain passes. During these months the Indians are snugly located upon their respective reservations, enjoying the bounties of Uncle Sam's hospitality.

Immediately after the passage of the game law heretofore referred to, 2,500 copies were distributed over the State in order that the provisions of the act might be thoroughly understood by the people and that there might not be any misunderstanding as to the provisions of the law by either citizens or nonresidents of the State, white man or red man. The passage of this game law gave very general satisfaction in our State and preparations were made for its strict enforcement. In view of the fact that the Commissioner of Indian Affairs notified his agents that the Indians were amenable to the game laws of the State, it was hoped that there would be no serious difficulty with them in the strict enforcement of the law, but in this hope we were to be sadly disappointed.

The early spring found the red man crossing the mountains from Idaho into the valleys of Wyoming in search of his favorite delicacy, the unborn young of elk, deer, and antelope. The following letter from the governor of Wyoming to the honorable Secretary of the Interior, under date of June 17, 1895, states very tersely the situation and clearly indicated the necessity for prompt action, although he could not have foreseen the events which were so soon to transpire in the region in question and which might have resulted in a more serious conflict between the settlers and Indians:

CHEYENNE, WYO., *June 17, 1895.*

SIR: I am informed that Indians are now hunting and killing large game, especially elk, in the northern part of Uinta County and the western part of Fremont County, Wyo., in open violation of law. These Indians come from the Shoshone and Arapahoe Reservation in this State and from Idaho, mostly from the latter State. The country spoken of lies south and east of the Yellowstone National Park. It is generally lower in altitude than the park and is a favorite winter range for animals that spend the summer and autumn in the park. In the winter, as the snow becomes deep in the park, the animals seek a lower altitude, which they find in the localities named, and as the spring comes earlier there, they remain until the heat of summer drives them into the higher and cooler country. In these lower altitudes their young are brought forth, and it is at this season, when the females are unable to escape from the hunter or unwilling to abandon their young, even to save their own lives, that the Indians accomplish the greatest slaughter. It is not want that leads to this destruction so much as a depraved appetite. They consider an unborn calf the greatest of delicacies and wantonly kill the mother to obtain it, leaving her carcass to the less fastidious coyote. I know this to be true, because I have seen it in the very locality of which I speak.

Every year this matter comes up. The Indians come into part of the State in June, and there are Indians there until the snows of winter drive them out. I was in that part of the State the latter part of last October, and was given positive proof of the killing of more than 100 elk in one place by Indians for the hides alone, the bodies being left untouched. During the summer, when game is somewhat scarce, the Indians do not hesitate to kill cattle, and a conflict between the settlers and the Indians may take place at any time, and has been narrowly averted several times. I have seen large numbers of Indians encamped for several weeks in the northern part of Uinta County, on Horse Creek, and other tributaries of Green River, on the western side of that stream. These Indians came from Idaho to hold at these places some of their annual dances, and while so engaged killed cattle and took and used horses owned by settlers. Upon one occasion the latter congregated to the number of a hundred, armed and mounted, and for a time a conflict was imminent, but wise counsel prevailed and the peace was preserved.

To be sure we have laws for the protection of live stock and game to which Indians are amenable, and the agents say that if the Indians violate the law arrest and punish them as you would white men. The difficulty about doing this is that the offenses are necessarily committed in places remote from the seat of county government, and these counties being sparsely settled and financially poor, with the limit of their expenditures fixed by law, they are unable to prosecute these offenders, with no possibility of collecting a fine from them if convicted, and to whom a short imprisonment with plenty to eat is no punishment. I inclose a copy of our game laws, a perusal of which will convince you that it is hard to make them fit an Indian in the way of restraint or punishment. I would most respectfully suggest that the agents at the several agencies be instructed to not allow the Indians under their control to hunt off their reservations and to not give them passes to visit distant points, which they obtain ostensibly for social purposes but in reality to afford them an opportunity to hunt upon the way.

The agents can control them while at home, but when they get away into the mountains they feel free from restraint, become very independent and insolent, and have no regard for the law, even if they know it, or for the rights of others. It is not right to impose upon the county or the State the duty of teaching the Indian the laws of the land and compelling him to respect and obey them. He is the ward of the nation, and the General Government feeds and clothes him, reserves large bodies of the best of the land for his use, and should see to it that he be not allowed to encroach upon the rights and privileges and work to the loss and detriment of the white people, who not only support themselves, but contribute from their hard-earned savings to the support of these idle vagabonds.

I feel very much interested in this matter because of my personal knowledge of the facts, and I trust that you will give it consideration and accord us the desired relief.

Very respectfully,

W. A. RICHARDS, *Governor.*

Hon. HOKE SMITH,
Secretary of the Interior, Washington, D. C.

In the early part of July the entire country was startled by the reports of a conflict between the settlers and Indians in Jacksons Hole, and for days thereafter the press of the country carried startling headlines and wildly exaggerated reports of the occurrences in that locality. The region that has become so widely known throughout the country as "Jacksons Hole" is situated immediately south of the Yellowstone National Park. At the north end of this basin lies the beautiful Jacksons Lake, a body of water about 18 miles long by 4 or 5 miles in width. Below the lake for some 30 miles extends a valley of rare beauty, the lower part of which, watered by the Big and Little Gros Ventre rivers, is as fair and fertile a spot as can be found upon earth. To the westward of this valley, and rising from its level surface and from the placid bosom of the lake, ascend the mighty heights of the Teton Range, whose peaks rising from 6,000 to 8,000 feet above the valley, covered with perpetual snow, rival if they do not surpass in grandeur the Swiss Alps.

Over this mighty range, at an elevation of 10,000 feet above the sea level, is the only pass from the west. On the east and south the valley is shut off from the outside world by numerous ranges of the Rocky Mountain belt. Into this valley, far from the conveniences and comforts of older settlements, have come pioneers of the type of those who have laid the foundations of American communities and carried forward the banner of civilization from the Alleghanies to the westward sea. They have diverted the waters of the mountain streams from their channels and, carrying it over the fair valleys, have made them to "blossom as the rose." From the forests on the mountain sides they have obtained the material to fence their farms and the logs with which they have constructed comfortable homes. The heavy snows of winter compel careful attention to the wants of the live stock, and to provide food for them the once sparsely grassed valleys have been converted into rich fields and luxuriant meadows by irrigation.

The present settlement in this region was begun less than six years ago, and although separated from the nearest railway station by a distance of 130 miles over a mountain pass, 2 miles above sea level, in this short time sawmills have been brought into the settlement, the log houses are already giving way to those of board, lath, and plaster, and in these homes you will find many evidences not only of comfort, but of refinement. Schools have been established and in all the time in which this valley has been settled there never has been a criminal case brought before the county authorities.

The mountainous region surrounding this valley is to-day the best hunting ground for large game in the Union. In fact, it is almost the only region of any considerable extent in the United States in which large game are found in considerable numbers. If only hunted in a sportsmanlike way, at proper seasons of the year, parts of this territory will for many years to come continue to be the home of the elk, moose, and deer, affording recreation for the sportsman and adding variety to the larder of the settler. The people of that region, as of all other portions of our State, are thoroughly alive to the importance of enforcing our new game law, and there, as well as in other portions of the State, arrangements were made early in the season by constables and game wardens to see that the law was strictly enforced against all comers.

Early in May word was brought to the authorities in Jackson's Hole, by prospectors, that Indians from the Fort Hall Reservation had passed in over the snow crust to the vicinity of the head waters of the Big Gros Ventre River and were lying upon the trails and killing elk for their hides. Contrary to their usual custom, and plainly indicating that they felt that they were trespassers, these Indians had avoided the settlements and passed directly from their reservation to the hunting grounds. Not even

the most insistent Indian apologist could claim that these Indians were hunting for the purpose of obtaining meat, as at that season of the year and for a month afterward, elk are so poor that their meat is of no value and the only portion that was used by the Indians was the unborn elk calves, which is considered by them to be a great delicacy.

William Manning, constable at Marysvale, made a tour of inspection into the region in which the Indians were hunting, and having located them, on the 7th day of June, with a few men and warrants for the Indians of two lodges, proceeded to the vicinity where the Indians had been located, only to find that they had moved to the head of Green River, where one Indian (One-Eyed George) was arrested. This Indian had in his possession 50 elk hides and about 50 pounds of meat. This Indian was taken to the settlement and fined $15 and costs, which costs were afterwards waived. At the time this Indian was arrested word of his capture was sent by his squaw to the agent who wrote to Mr. Manning, asking him to be lenient with the Indian, as he (the agent) desired to keep the Indians on their reservation, and the Indians hunting at that time were away without permission.

Mr. Manning having learned of other bands of hunting Indians, procured warrants for their arrest, and on the 24th day of June, with two men, he attempted to arrest five Indians about 20 miles from Jackson's Hole. These Indians promptly drew their guns on the posse and held them up, and gave them to understand that they (the Indians) would not be arrested. The Indians had in their possession at that time about 25 hides, the result of the day's hunt, and had evidently saved no meat whatever. All of these Indians understood English thoroughly, and the warrants were read to them and the law fully explained. They said to the constable and his deputies that they would kill any man who tried to arrest them. The posse went to the camp with the Indians and there found a party of about 30 Indian hunters and their squaws. The constable again read the warrants to them and explained the law fully. The Indians again informed the officers that any attempt to arrest them for killing game would result disastrously for the whites. They twitted Mr. Manning and his deputies on their inability to arrest them, ridiculed their attempts to enforce the law, and their evident intentions were well stated by one of the Indians who said, "Elk, all Indian elk. Kill 'em all this year." Constable Manning and his deputies estimated that this party had no less than 500 hides of elk and at the utmost not enough meat to last them over a day or two.

This repulse, however, did not prevent Constable Manning from making another attempt to enforce the game laws. On his return to Marysvale he organized a posse of 37 men, all of whom were sworn in as deputies. On the 4th of July the party overtook a camp of 10 Indians with their squaws. In this camp there were upward of 90 elk hides and not over 100 pounds of dried meat. These Indians were arrested, taken to the settlement, and fined $75 each. The hides captured with the party were turned over to their squaws. The Indians not being able to pay their fines, were turned over to a posse to be taken to the county seat. On their way there they escaped from their guards.

On the 7th day of July Constable Manning and a posse of 27 men, armed with warrants, started for the Hoback Basin, south of Jacksons Hole, where the Indians were known to be violating the game laws. In that region on the 12th a party of 9 Indians were arrested. The squaws belonging to the party were instructed to either go to the agency or follow the party to the settlements. This party had in the neighborhood of 200 elk, moose, and antelope hides, and very little dried meat.

There have been so many flagrant and gross misrepresentations of what followed this arrest that I feel justified in digressing from the thread of my story for a moment to discuss the character and condition of the men under arrest. With this party of 9 Indians was the mother-in-law of "Beaver Dick," a white man, owning a well-improved ranch in Jacksons Hole. This woman speaks and understands English thoroughly. With the party were a number of Indians who had been educated at the agency schools, and who had had better advantages for securing an education than had many of the men who composed the posse. The idea that these Indians did not understand that they were perfectly safe in the hands of a constable's posse is preposterous, and could only emanate from the fertile brain of a newspaper correspondent whose only acquaintance with the Indians was from dime-museum specimens and the perusal of Fenimore Cooper's works. It is in all probability true that these vagabonds, after the manner of their race, would not speak English, though they understood it thoroughly.

Those who have seen well-educated Indians from the best schools in the land gaze stolidly at a questioner and answer in a savage grunt respectful interrogatories addressed to them within three months after they had returned to the reservation can readily understand how these people would pass for simple and unsophisticated children of nature with men who did not understand their habits and dispositions. The statement has been made, absolutely without foundation, that the members of the posse attempted to incite the Indians to escape by arousing their fears. No one understands better than an agency Indian that he is never so safe as when in the charge of white men. But their sullen and overbearing disposition can not brook restraint.

Mr. Manning and his posse could not have had any possible motive for inciting their prisoners to escape. On the contrary, it was only natural that they should make every effort to prevent an escape on the part of the Indians, for should they escape, without an effort being made to restrain them, that fact would soon become known to every band of Indians in the country, and it would be useless to attempt to bring any of them to justice. They also understood thoroughly that if in the attempt to prevent the escape of the Indians there should be bloodshed the condition would be even worse, for not only would it be impossible to arrest any other bands except by force, but, further, the Indians then hunting in the mountains would be very likely to unite and sweep down on the settlements before the settlers could get together for mutual protection.

To return to the thread of our story. When Constable Manning and his party halted for dinner, they noticed that the Indians were rearranging their packs; that they were dividing their rations in such a way that each Indian carried some provisions, and that there were consultations between the bucks and the squaws, who were following the party on the trail. This led Mr. Manning to believe that an attempt would be made by the Indians to escape, and in order to impress them with the fact that they intended to take them to the settlement, Mr. Manning, when the march was taken up again, led, and alternated each Indian on the trail with an armed guard. Nothing could have been stronger evidence to the Indians of the determination of the men to take them to the settlement for trial, than this disposition of them. But the same reckless spirit that prompted the Sioux at Wounded Knee to fire on the soldiers drawn up in line to receive their weapons, prompted these Indians to escape at all hazards, and they no doubt relied upon the fact that in former times they had committed acts of insubordination and escaped punishment therefor.

About the middle of the afternoon, on reaching a part of the trail where there was a heavy growth of young timber, one of the Indians gave a signal, and the entire party swung their horses from the trail and plunged into the thicket. There were but a few seconds in which to take any action. These men had traveled hundreds of miles without pay through an almost trackless forest, subsisting upon the meanest fare and sleeping on the stony ground at night, to bring these savages to justice, and now they were about to escape. It must have occurred to them and their leader that the escape of the Indians would render the enforcement of the law well-nigh impossible, or, what was worse, excited and encouraged by their temporary triumph, the Indians were liable to unite with other bands and in their savage desperation fall upon the outskirts of the settlement before the alarm could be given and the settlers called to a place of safety.

In this moment of time the thought no doubt occurred to them that this party of savage vagabonds were attempting to escape punishment for the violation of laws which they were compelled to respect. They had informed the Indians that they would not be allowed to escape under any circumstances. Was it strange that they made some attempt to keep their word? Was it strange that as the red rovers rushed into the forest they were fired upon? The only remarkable feature of the incident was that under the deadly aim of men used to rapid firing only one Indian was killed and one other wounded, and this of itself is sufficient evidence that there was no disposition to wantonly shed blood, for armed and equipped as they were, if there was any disposition to do so upon the part of the deputies, the entire Indian band might have been wiped out.

After the Indians had escaped it was discovered that the squaws, who were following behind, evidently by prearrangement, had left the trail before the bucks did, and at the first whoop had gone dashing through the wood at a headlong gait, and in traversing the trail over which they had ridden, a papoose was discovered, which had evidently been dropped in the wild scamper. This papoose was picked up, carried safely to the settlement, and afterwards sent to the reservation. A riderless pony having been discovered, the posse hunted thoroughly for another wounded Indian, but were unable to find him, and he was not discovered until some fifteen days later.

The posse then hastily returned to Marysvale, and fearing an attack from the combined forces of the various bands of Indians known to be hunting in the mountains, the settlers were hurriedly collected at the farm of Mr. Wilson in the Gros Ventre Valley. Breastworks were thrown up and arrangements made to repel any attack that might be made. In the Upper Valley, on Snake River, at Cunningham's, substantial stockades were built. At these points nearly the entire population of the valley—men, women,

and children—were gathered for about three weeks, with no shelter but a few tents, during the hottest weather of the summer, hourly expecting to be attacked.

In the meantime couriers were dispatched to Market Lake, Idaho, where the following telegram was sent, on July 16, to the governor of Wyoming:

Nine Indians arrested, one killed, others escaped. Many bands here. Threaten lives and property. Action on your part is absolutely necessary.

This telegram was transmitted to the Secretary of the Interior on the same day by Governor Richards, with the following additions:

I have received other advices by mail reporting the situation is serious. The Indians are Bannacks from Fort Hall, Idaho, arrested for the illegal and wanton killing of game. My letter to you dated June 17 relates to this matter in detail. Can you take immediate action for the protection of our settlers?

No reply having been received from the Interior Department on the 23d of July, Governor Richards sent the following message to the Secretary of the Interior:

Dispatches from my adjutant-general, who is on the ground at Jacksons Hole, reported to you to-day. Will the Federal Government take the matter in hand of returning the Bannacks to their reservation, or will Wyoming be expected to do so? Please wire reply.

On the 24th of July the following telegram was sent to Governor Richards:

Your telegram and one from Agent Teter transmitted to War Department, with request that United States troops be sent to protect settlers and return Indians to their reservations.

JOHN M. REYNOLDS, *Acting Secretary.*

On the same day the following telegram was sent to Governor Richards:

The Secretary of War has ordered Brigadier-General Coppinger to proceed at once to the scene of the trouble and to order such movement of troops as may be necessary to prevent a conflict between the Indians and settlers.

JOHN M. REYNOLDS, *Acting Secretary.*

It is not necessary for me to go into the history of the army operations which followed. The people of this country, through the columns of the sensational press, had reports of this matter ad nauseam. Each callow youth who misrepresented some Eastern newspaper, and who penetrated as near the seat of war as the nearest railway station, felt called upon to outdo his brother correspondent in wild and blood-curdling accounts of what was transpiring, and there being an intense scarcity of foundation for these wild tales, some one of them, with less regard for truth than the rest, after having undoubtedly met Agent Teter, of the Fort Hall Reservation, hit upon the happy expedient of abusing the settlers in lieu of giving war news. These willfully malicious tales were gladly hailed by the Indian lovers down East as the true cause for the outbreak, and for months thereafter the people were treated, through the columns of the Eastern press, to editorials full of as delectable a lot of rot and folderol on the Indian question in general and Jacksons Hole and the atrocious character of the settlers therein in particular as ever a nauseated and long-suffering people were called upon to endure.

In his report of the trouble the Commissioner of Indian Affairs seems to hold a grudge against the settlers for the senseless and alarming tales of slaughter which emanated from the fertile brains of newspaper correspondents at Market Lake and other points in Idaho. In all conscience, these people have had enough to answer for without charging them with the crimes originating in the minds of sensational newspaper reporters. The early sensational reports, charging the settlers with having been guilty of all sorts of crimes, seems to have been so popular in certain circles that even the United States attorney for Wyoming, who never got within 500 miles of the scene of the trouble, felt called upon to "cuckoo" in the same strain. Whatever information he had from the scene of the difficulty seems to have been obtained from a man who went into Jacksons Hole, ostensibly as a newspaper correspondent, but who was really a deputy United States marshal. This individual, who never left the main traveled roads and scarcely got outside the barbed-wire fences, reported that there were no evidences of the wanton slaughter of game by the Indians in that region. Without a single particle of evidence, without an attempt to secure the facts in the case, the United States attorney declares, in his report to the Department in regard to this matter, that the killing of the Indian Se wa a gat was an "atrocious, outrageous, and cold-blooded murder." It has been reported that after this report of the district attorney of Wyoming was made public that gentleman was much exercised over the fact and stated that he thought his report would be treated as confidential and not published.

In the report of the Commissioner of Indian Affairs in regard to the matter is the report of Thomas Teter, agent of the Fort Hall Reservation, which is full of the most glaring misrepresentations; and this report is printed in spite of the fact that it states that from four to seven Indians were killed, and no explanation is made, though at the time it was published it was known that only one Indian was killed.

This report further states that the governor of Wyoming assured the settlers that they would be backed by him in their attempt to drive the Indians out of Wyoming. This is an absolute falsehood, as no communication which by any perversion could be so construed passed between the governor and the people of Jacksons Hole; and the officers in that region only did their plain duty in attempting to enforce the game laws.

Mr. Speaker, the facts in the case are simply these: For years past the Indians have been roaming and hunting at will over a large part of Wyoming and adjoining States. The Indian has absolutely no regard for game life. A being so thoroughly shiftless and improvident that his life is a continuation of feasts and famines has no care for the preservation of game. The greatest delicacy known to an Indian is the unborn young of large game. The number of these animals which are annually slaughtered is eloquently portrayed by the long strings of dewclaws, hundreds in number, which are worn as necklaces by the squaws.

The country which is inhabited by this large game is heavily timbered and mountainous in character. The passes through the mountains are well known by the Indians, and to make it an easy matter to secure the game in large quantities the Indians set fire to thousands of acres of forests and then station themselves at the passes to shoot the frightened animals as they rush past to escape the conflagration. In the month of October of this year I traveled over a week along the crest of the range and in the valleys east and south of the National Park, and during this time the air was dense with the smoke of thousands of acres of magnificent forests, fired by the Shoshones on a hunting trip. I know from personal knowledge and not from hearsay that the Indians had slaughtered a vast amount of game in the mountains surrounding Jacksons Hole during the last summer. The number of hides in the possession of the different parties which were arrested is absolute and unquestionable proof of the waste of a vast amount of meat.

The legislature of Wyoming, as before stated, passed a game law providing for an absolute close season, and this game law was in force last summer for the first time, and it was enforced strictly against white hunters. An attempt to compel the Indians to comply with its provisions led to the Jacksons Hole trouble. An officer of the United States Army, in a report in regard to this matter, stated that he believed that the settlers were responsible for the trouble in Jacksons Hole; and indeed they were responsible in the same way that you would be responsible were you to have trouble with a housebreaker, if, after having discovered him in his unlawful work, you attempted to have him brought to justice. I spent a considerable portion of the past summer in the game regions of northern Wyoming, and I know from personal knowledge that the game laws were enforced, as near as it was possible to do so, against all classes of white hunters, and I know it is the intention of our people to strictly enforce them in the future. But what will it avail if our own citizens and those from abroad, seeking recreation in legitimate hunting, shall be compelled to comply with the law, if bands of 500 or 600 Indian bucks from reservations both sides of this district are to be allowed to hunt absolutely without restriction? How useless it is to attempt to preserve the forests in these mountains at the head waters of streams that flow into both the Pacific and the Gulf, if bands of Indians are to be allowed to pursue their favorite mode of hunting by setting fire to forests to drive the game out.

This trouble is only a repetition of the old story that has been repeated time after time since the white man first landed on the Atlantic Coast. Year by year and decade by decade the vanguard of civilization has driven back the hordes of barbarism. Those who live where years ago similar scenes were enacted can afford to theorize and philosophize as to the Indian, but to the hardy settler on the frontier it is not a "theory but a condition" that confronts him. The Indian has never given up his nomadic ways unless forced to do so, and every onward step of empire has been accomplished in the face of his opposition. But it was not until the past year that the brave people who, foregoing the comforts and privileges of older communities, pushed forward into the mountain valleys to subdue the wilderness encountered not only the savage, but had brought down upon them the unreasoning and unreasonable condemnation in their efforts to found homes of those of their own race. There lives not to-day within the borders of the Republic, and I say it with personal knowledge, a community of people more intelligent or more capable of establishing and maintaining all of the beneficial institutions of civilization and free government than the people living within the shadow of the Grand Teton.

Up to the time the last party of Indians was arrested no authority had ever declared that the Indians were not amenable to the game laws of Wyoming. Every attempt to have this matter thoroughly understood and settled had failed. The Indian Bureau itself in 1894 had declared that the Indian was subject to the game laws of the State in which they were found hunting. No later declaration contrary to this had ever been made by those in charge of the conduct of Indian affairs. The people of Wyoming believed that the State was sovereign in its power to police its territory,

and had the authority to punish all who violated its laws, without regard to race or color.

The highest judicial tribunal in the land has now declared that the view of this matter held by our governor and our county officials was eminently right and lawful, and it is with a vast amount of satisfaction that we who have held that our State was sovereign in its police authority have read the decision of the Supreme Court in the case relating thereto. One of the Indians, Race Horse by name, who had flagrantly violated the State game laws of Wyoming by killing game during the close season, as provided in the State law, was arrested by John Ward, the sheriff of Uinta County, Wyo., on October 3, 1895, charged with having killed seven elk in the State of Wyoming in the vicinity of Mount Hoback on or about the 1st day of July, 1895. This Indian on October 7, 1895, filed in the circuit court of the United States a petition for writ of habeas corpus, and the case was tried in the circuit court of the United States, sitting in the city of Cheyenne, Wyo., and on November 21, 1895, the court held that the Indian was held in custody for an act done in pursuance of the treaty between the United States and the tribe of which he was a member, and was in custody in violation of the Constitution and the laws of the United States. Thereupon the case was appealed to the Supreme Court of the United States and a decision was rendered on the 25th day of May, 1896, as follows:

SUPREME COURT OF THE UNITED STATES.

No. 841.—October term, 1895.

John H. Ward, sheriff of the county of Uinta, in the State of Wyoming, Appellant, *vs.* Race Horse. Appeal from the circuit court of the United States for the district of Wyoming.

[May 25, 1896.]

This appeal was taken from an order of the court below, rendered in a habeas corpus proceeding, discharging the appellee from custody. (70 Fed. Rep., 598.) The petition for the writ based the right to the relief which it prayed and which the court below granted, on the ground that the detention complained of was in violation of the Constitution and laws of the United States, and in disregard of a right arising from and guaranteed by a treaty made by the United States with the Bannack Indians. Because of these grounds the jurisdiction below existed, and the right to review here obtains. (Revised Statutes, section 753; act of March 3, 1891, 36 Stat., 826.)

The record shows the following material facts: The appellee, the plaintiff below, was a member of the Bannack tribe of Indians, retaining his tribal relations and residing with it in the Fort Hall Indian Reservation. This reservation was created by the United States in compliance with a treaty entered into between the United States and the Eastern Band of Shoshones and the Bannack tribe of Indians, which took effect February 24, 1869. (15 Stat., 673.) Article 2 of this treaty, besides setting apart a reservation for the use of the Shoshones, provided:

"It is agreed that whenever the Bannacks desire a reservation to be set apart for their use, or whenever the President of the United States shall deem it advisable for them to be put upon a reservation, he shall cause a suitable one to be selected for them in their present country, which shall embrace reasonable portions of the 'Port Neuf' and 'Kansas Prairie' countries."

In pursuance of the foregoing stipulation the Fort Hall Indian Reservation was set apart for the use of the Bannack tribe.

Article 4 of the treaty provided as follows:

"The Indians herein named agree, when the agency house and other buildings shall be constructed on their reservations named, they will make said reservations their permanent home, and they will make no permanent settlement elsewhere; but they shall have the right to hunt upon the unoccupied lands of the United States so long as game may be found thereon, and so long as peace subsists among the whites and Indians on the borders of the hunting districts."

In July, 1868, an act had been passed erecting a temporary government for the Territory of Wyoming (15 Stat., 178), and in this act it was provided as follows:

"That nothing in this act shall be construed to impair the rights of persons or property now pertaining to the Indians in said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians."

Wyoming was admitted into the Union on July 10, 1890. (26 Stat., 222.) Section 1 of that act provides as follows:

"That the State of Wyoming is hereby declared to be a State of the United States of America, and is hereby declared admitted into the Union on an equal footing with the original States in all respects whatever; and that the constitution which the people of Wyoming have formed for themselves be, and the same is hereby, accepted, ratified, and confirmed."

The act contains no exception or reservation in favor of or for the benefit of Indians.

The legislature of Wyoming on February 20, 1895 (Laws of Wyoming, 1895, chapter 98, page 225), passed an act regulating the killing of game within the State. In October, 1895, the district attorney of Uinta County, State of Wyoming, filed an information against the appellee (Race Horse) for having killed in that county seven elk in violation of the law of the State. He was taken into custody by the sheriff, and it was to obtain a release from imprisonment authorized by a commitment issued under these proceedings that the writ of habeas corpus was sued out.

The following facts are unquestioned: 1st. That the elk were killed in Uinta County, Wyo., at a point about 100 miles from the Fort Hall Indian Reservation, which is situated in the State of Idaho; 2d, that the killing was in violation of the laws of the State of Wyoming; 3d, that the place where the killing took place was unoccupied public land of the United States, in the sense that the United States was the owner of the fee of the land; 4th, that the place where the elk were killed was in a mountainous region some distance removed from settlements, but was used by the settlers as a range for cattle, and was within election and school districts of the State of Wyoming.

Mr. Justice White, after stating the case, delivered the opinion of the court.

"It is wholly immaterial, for the purpose of the legal issue here presented, to consider whether the place where the elk were killed is in the vicinage of white settlements. It is also equally irrelevant to ascertain how far the land was used for a cattle range, since the sole question which the case presents is whether the treaty made by the United States with the Bannack Indians gave them the right to exercise the hunting privilege, therein referred to, within the limits of the State of Wyoming in violation of its laws. If it gave such right, the mere fact that the State had created school districts or election districts, and had provided for pasturage on the lands, could no more efficaciously operate to destroy the right of the Indian to hunt on the lands than could the passage of the game law. If, on the other hand, the terms of the treaty did not refer to lands within a State, which were subject to the legislative power of the State, then it is equally clear that, although the lands were not in school and election districts and were not near settlements, the right conferred on the Indians by the treaty would be of no avail to justify a violation of the State law.

"The power of a State to control and regulate the taking of game can not be questioned. (Geer *vs.* Connecticut, 161 U. S., 519.) The text of article 4 of the treaty, relied on as giving the right to kill game within the State of Wyoming in violation of its laws, is as follows:

"'But they shall have the right to hunt on the unoccupied lands of the United States, so long as game may be found thereon, and so long as peace subsists among the whites and Indians on the borders of the hunting districts.'"

It may at once be conceded that the words "unoccupied lands of the United States" if they stood alone and were detached from the other provisions of the treaty on the same subject, would convey the meaning of lands owned by the United States, and the title to or occupancy of which had not been disposed of. But in interpreting these words in the treaty they can not be considered alone, but must be construed with reference to the context in which they are found. Adopting this elementary method, it becomes at once clear that the unoccupied lands contemplated were not all such lands of the United States wherever situated, but were only lands of that character embraced within what the treaty denominates as hunting districts.

This view follows as a necessary result from the provision which says that the right to hunt on the unoccupied lands shall only be availed of as long as peace subsists on the borders of the hunting districts. Unless the districts thus referred to be taken as controlling the words "unoccupied lands," then the reference to the hunting districts would become wholly meaningless, and the cardinal rule of interpretation would be violated, which ordains that such construction be adopted as gives effect to all the language of the statute. Nor can this consequence be avoided by saying that the words "hunting districts" simply signified places where game was to found, for this would read out of the treaty the provision as "to peace on the borders" of such districts, which clearly pointed to the fact that the territory referred to was one beyond the borders of the white settlements. The unoccupied lands referred to, being therefore contained within the hunting districts, by the ascertainment of the latter the former will be necessarily determined, as the less is contained in the greater. The elucidation of this issue will be made plain by an appreciation of the situation existing at the time of the adoption of the treaty, of the necessities which brought it into being, and of the purposes intended to be by it accomplished.

When in 1868 the treaty was framed the progress of the white settlements westward had hardly, except in a very scattered way, reached the confines of the place selected for the Indian reservation. While this was true, the march of advancing civilization foreshadowed the fact that the wilderness, which lay on all sides of the point selected for the reservation, was destined to be occupied and settled by the white man, hence interfering with the hitherto untrammeled right of occupancy of the Indian. For this reason, to protect his rights and to preserve for him a home where his tribal relations might be enjoyed under the shelter of the authority of the United States, the reservation was created.

Whilst confining him to the reservation, and in order to give him the privilege of hunting in the designated districts, so long as the necessities of civilization did not require otherwise, the provision in question was doubtless adopted, care being, however, taken to make the whole enjoyment in this regard dependent absolutely upon the will of Congress. To prevent this privilege from becoming dangerous to the peace of the new settlements as they advanced, the provision allowing the Indian to avail himself of it only whilst peace reigned on the borders was inserted.

To suppose that the words of the treaty intended to give to the Indian the right to enter into already established States and seek out every portion of unoccupied Government land and there exercise the right of hunting, in violation of the municipal law, would be to presume that the treaty was so drawn as to frustrate the very object it had in view. It would also render necessary the assumption that Congress while preparing the way, by the treaty, for new settlements and new States, yet created a provision not only detrimental to their future well being, but also irreconcilably in conflict with the powers of the States already existing.

It is undoubted that the place in the State of Wyoming where the game in question was killed was, at the time of the treaty in 1868, embraced within the hunting districts therein referred to. But this fact does not justify the implication that the treaty authorized the continued enjoyment of the right of killing game therein, when the territory ceased to be a part of the hunting districts and came within the authority and jurisdiction of a State. The right to hunt given by the treaty clearly contemplated the disappearance of the conditions therein specified. Indeed, it made the right depend on whether the land in the hunting districts was unoccupied public land of the United States. This, as we have said, left the whole question subject entirely to the will of the United States, since it provided, in effect, that the right to hunt should cease the moment the United States parted with the title to its land in the hunting districts.

No restraint was imposed by the treaty on the power of the United States to sell, although such sale, under the settled policy of the Government, was a result naturally to come from the advance of the white settlements in the hunting districts to which the treaty referred. And this view of the temporary and precarious nature of the right reserved in the hunting districts is manifest by the act of Congress creating the Yellowstone Park Reservation, for it was subsequently carved out of what constituted the hunting districts at the time of the adoption of the treaty, and is a clear indication of the sense of Congress on the subject. (17 Stat., 32; 28 Stat., 73.) The construction which would affix to the language of the treaty any other meaning than that which we have above indicated would necessarily imply that Congress had violated the faith of the Government and defrauded the Indians by proceeding immediately to forbid hunting in a large portion of the Territory, where it is now asserted there was a contract right to kill game, created by the treaty in favor of the Indians.

The argument now advanced in favor of the continued existence of the right to hunt over the land mentioned in the treaty after it had become subject to State authority admits that the privilege would cease by the mere fact that the United States disposed of its title to any of the land, although such disposition, when made to an individual, would give him no authority over game, and yet that the privilege continued when the United States had called into being a sovereign State, a necessary incident of whose authority was the complete power to regulate the killing of game within its borders. This argument indicates at once the conflict between the right to hunt in the unoccupied lands within the hunting districts and the assertion of the power to continue the exercise of the privilege in question in the State of Wyoming in defiance of its laws. That "a treaty may supersede a prior act of Congress, and an act of Congress supersede a prior treaty," is elementary. (Tong Yue Ting *vs.* United States, 149 U. S., 698; The Cherokee Tobacco, 11 Wall., 621.)

In the last case it was held that a law of Congress imposing a tax on tobacco, if in conflict with a prior treaty with the Cherokees, was paramount to the treaty. Of course the settled rule undoubtedly is that repeals by implication are not favored, and will not be held to exist if there be any reasonable construction. (Cope *vs.* Cope, 137 U. S., 682, and authorities there cited.) But in ascertaining whether both statutes can be maintained it is not to be considered that any possible theory by which both can be enforced must be adopted, but only that repeal by implication must be held not to have taken place if there be a reasonable construction by which both laws can coexist consistently with the intention of Congress. (United States *vs.* Sixty-seven Packages Dry Goods, 17 How., 87; District of Columbia *vs.* Hutten, 143 U. S., 18; Frost *vs.* Wenie, 157 U. S., 46.)

The act which admitted Wyoming into the Union, as we have said, expressly declared that that State should have all the powers of the other States of the Union, and made no reservation whatever in favor of the Indians. These provisions alone considered would be in conflict with the treaty, if it was so construed as to allow the Indians to seek out every unoccupied piece of Government land and thereon disregard and violate the State law, passed in the undoubted exercise of its municipal authority. But the language of the act admitting Wyoming into the Union, which recognized her coequal rights, was merely declaratory of the general rule.

In Pollard *vs.* Hagan (3 How., 212; 1845) the controversy was as to the validity of a patent from the United States to lands situate in Alabama, which at the date of the formation of that State were part of the shore of the Mobile River between high and low water mark. It was held that the shores of navigable waters and the soil under them were not granted by the Constitution to the United States, and hence the jurisdiction exercised thereover by the Federal Government, before the formation of the new State, was held temporarily and in trust for the new State to be thereafter created, and that such State when created, by virtue of its being, possessed the same rights and jurisdiction as had the original States. And, replying to an argument based upon the assumption that the United States had acquired the whole of Alabama from Spain, the court observed that the United States would then have held it subject to the Constitution and laws of its own Government. The court declared, page 229, that to refuse to concede to Alabama sovereignty and jurisdiction over all the territory within her limits would be to "deny that Alabama has been admitted into the Union on an equal footing with the original States." The same principles were applied in Louisiana *vs.* First Municipality (3 How., 589).

In Withers *vs.* Buckley (20 How., 84; 1857) it was held that a statute of Mississippi creating commissioners for a river within the State and prescribing their powers and duties was within the legitimate and essential powers of the State. In answer to the contention that the statute conflicted with the act of Congress which authorized the people of Mississippi Territory to form a constitution in that it was inconsistent with the provision in the act that "the navigable rivers and waters leading into the same shall be common highways, and forever free, as well to the inhabitants of the State of Mississippi as to other citizens of the United States," the court said (page 92):

"In considering this act of Congress of March 1, 1817, it is unnecessary to institute any examination or criticism as to its legitimate meaning, or operation, or binding authority, further than to affirm that it could have no effect to restrict the new State in any of its necessary attributes as an independent sovereign government, nor to inhibit or diminish its perfect equality with the other members of the Confederacy with which it was to be associated. These conclusions follow from the very nature and objects of the Confederacy, from the language of the Constitution adopted by the States, and from the rule of interpretation pronounced by this court in the case of Pollard's Lessee *vs.* Hagan (3 How., 223)."

A like ruling was made in Escanaba Co. *vs.* Chicago (107 U. S., 678; 1882), where provisions of the ordinance of 1787 were claimed to operate to deprive the State of Illinois of the power to authorize the construction of bridges over navigable rivers within the State. The court, through Mr. Justice Field, said (page 683):

"But the States have full power to regulate within their limits matters of internal police, including in that general designation whatever will promote the peace, comfort, convenience, and prosperity of their people."

And it was further added (page 688):

"Whatever the limitation upon her powers as a government whilst in a territorial condition, whether from the ordinance of 1787 or the legislation of Congress, it ceased to have any operative force, except as voluntarily adopted by her, after she became a State of the Union. On her admission she at once became entitled to and possessed of all the rights of dominion and sovereignty which belonged to the original States. She was admitted, and could be admitted, only on the same footing with them. * * * Equality of the constitutional right and power is the condition of all the States of the Union, old and new."

In Cardwell *vs.* American Bridge Company (113 U. S., 205, 1884), Escanaba Company *vs.* Chicago, supra, was followed, and it was held that a clause in the act admitting California into the Union which provided that the navigable waters within the State shall be free to citizens of the United States, in no way impaired the power which the State could exercise over the subject if the clause in question had no existence. Mr. Justice Field concluded the opinion of the court as follows (page 212):

"The act admitting California declares that she is 'admitted into the Union on an equal footing with the original States in all respects whatever.' She was not, therefore, shorn by the clause as to navigable water within her limits of any of the powers which the original States possessed over such waters within their limits."

A like conclusion was applied in the case of Willamette Iron Bridge Company *vs.* Hatch (125 U. S., 1), where the act admitting the State of Oregon into the Union was construed.

Determining by the light of these principles, the question whether the provision of the treaty giving the right to hunt on unoccupied lands of the United States in the hunting districts is repealed, in so far as the lands in such districts are now embraced within the limits of the State of Wyoming, it becomes plain that the repeal results from the conflict between the treaty and the act admitting that State into the Union. The two facts, the privilege conferred and the act of admission, are irreconcilable in the sense that the two under no reasonable hypothesis can be construed as coexisting.

The power of all the States to regulate the killing of game within their border will not be gainsaid; yet, if the treaty applies to the unoccupied land of the United States in the State of Wyoming, that State would be bereft of such power, since every isolated piece of land belonging to the United States as a private owner, so long as it continued to be unoccupied land, would be exempt in this regard from the authority of the State. Wyoming, then, will have been admitted into the Union, not as an equal member, but as one shorn of a legislative power vested in all the other States of the Union, a power resulting from the fact of statehood and incident to its plenary existence. Nor need we stop to consider the argument advanced at bar, that as the United States, under the authority delegated to it by the Constitution in relation to Indian tribes, has a right to deal with that subject, therefore it has the power to exempt from the operation of State game laws each particular piece of land owned by it in private ownership within a State, for nothing in this case shows that this power has been exerted by Congress.

The enabling act declares that the State of Wyoming is admitted on equal terms with the other States, and this declaration, which is simply an expression of the general rule, which presupposes that States, when admitted into the Union, are endowed with powers and attributes equal in scope to those enjoyed by the States already admitted, repels any presumption that in this particular case Congress intended to admit the State of Wyoming with diminished governmental authority. The silence of the act admitting Wyoming into the Union as to the reservation of rights in favor of the Indians is given increased significance by the fact that Congress in creating the Territory expressly reserved such rights. Nor would this case be affected by conceding that Congress, during the existence of the Territory, had full authority in the exercise of its treaty-making power to charge the Territory, or the land therein, with such contractual burdens as were deemed best, and that when they were imposed on a Territory it would be also within the power of Congress to continue them in the State on its admission into the Union. Here the enabling act not only contains no expression of the intention of Congress to continue the burdens in question to the State, but, on the contrary, its intention not to do so is conveyed by the express terms of the act of admission.

Indeed, it may be further, for the sake of the argument, conceded that where there are rights created by Congress during the existence of a Territory which are of such a nature as to imply their perpetuity, and the consequent purpose of Congress to continue them in the State after its admission, such continuation will, as a matter of construction, be upheld, although the enabling act does not expressly so direct. Here the nature of the right created gives rise to no such implication of continuance, since by its terms it shows that the burden imposed on the Territory was essentially perishable and intended to be of a limited duration. Indeed, the whole argument of the defendant in error rests on the assumption that there was a perpetual right conveyed by the treaty, when in fact the privilege given was temporary and precarious.

But the argument goes further than this, since it insists that, although by the treaty the hunting privilege was to cease whenever the United States parted merely with the title to any of its lands, yet that privilege was to continue although the United States parted with its entire authority over the capture and killing of game. Nor is there force in the suggestion that the cases of the Kansas Indians (5 Wall., 737) and the New York Indians (5 Wall., 761) are in conflict with these views.

The first case (that of the Kansas Indians) involved the right of the State to tax the land of Indians owned under patents issued to them in consequence of treaties made with their respective tribes. The court held that the power of the State to tax was expressly excluded by the enabling act. The second case (that of the New York Indians) involved the right of the State to tax land embraced in an Indian reservation which existed prior to the adoption of the Constitution of the United States.

Thus these two cases involved the authority of the State to exert its taxing power on lands embraced within an Indian reservation, that is to say, the authority of the State to extend its powers to lands not within the scope of its jurisdiction, whilst this case involves a question of whether where no reservation exists a State can be stripped by implication and deduction of an essential attribute of its governmental existence. Doubtless the rule that treaties should be so construed as to uphold the sanctity of the public faith ought not to be departed from. But that salutary rule should not be made an instrument for violating the public faith by distorting the words of a treaty, in order to imply that it conveyed rights wholly inconsistent with its language and in conflict with an act of Congress, and also destructive of the rights of one of the States. To refer to the limitation contained in the Territorial act and disregard the terms of the enabling act would be to destroy and obliterate the express will of Congress.

For these reasons the judgment below was erroneous, and must therefore be reversed, and the case must be remanded to the court below with directions to discharge the writ and remand the prisoner to the custody of the sheriff.

And it is so ordered,

Mr. Justice Brewer, not having heard the argument, takes no part in this decision.

Mr. Speaker, my constituents, living in the fairest land upon the American continent, men and women who have carried the advance guard of civilization into the wilderness, have been maligned and misrepresented, but we had no fear of the final verdict of the opinion of the country when the facts are fully known. No Indian agent, profiting by the present unprogressive and utterly dependent condition of the Indian, and no time-serving officeholders, much as they may temporarily prejudice the public mind, could prevent the settlement of this question in a way that will open up the country to development. The onward march of civilization can not be arrested, and the puny efforts of those whose misdirected sympathies have gotten the better of their judgment, have not resulted in fastening upon my State to run riot, superior to all law, a horde of greasy, lecherous, savage vagabonds, or the turning loose on our farms and ranches of an irresponsible horde of outlaws who can not be held responsible for the violation of our police regulations.

You can not if you would turn back the hands upon the dial of progress, or chain the wheels of the chariot of advancement. "Westward the star of empire takes its way." No mountain is so high, no valley so inaccessible, that it will not be conquered by the indomitable energy of American pioneers. Before the resistless onslaught of civilization savagery must vanish.

There is another aspect of this question that I wish to discuss for a moment. In times past races have been civilized in two ways—by slavery, which taught the savage habits of industry, which, well learned, made him the master, or by war, which, driving the weaker tribes upon bleak and inhospitable regions, where life could not be supported by the chase, compelled them to resort to agriculture to sustain life, and as means of self-defense against powerful peoples, labored to make new discoveries in mining and manufacture, that a superiority of weapons and appliances of war might win for them against the physical force of numbers.

But we have attempted to civilize a race by a new and unheard of method, by moral suasion, and even the most enthusiastic admirers of the system can not, in view of its results after decades and generations of trial, look upon it with any great amount of satisfaction. If the Indian is ever to be civilized he must not only be persuaded but compelled to give up the chase. As long as he

can spend his summers aimlessly roaming through the woods in search of game, he not only will never acquire habits of industry, but his absence from the reservation precludes the possibility of teaching him the arts of agriculture and useful trades. During all of the years since the Bannack and Shoshone Indians were placed upon their present reservations their progress in civilized ways has been very slight. They are almost as entirely dependent on Government rations now as they were thirty years ago. What is the remedy? If the Indian is to be civilized at all he must be kept upon the reservation and compelled to labor.

If the agent in charge of the Fort Hall Reservation had displayed the energy in teaching his Indians the arts of peaceful industry which he did in inciting them to violate the game laws of a neighboring State, there would have been more evidences of progress by the Indians upon that reservation than there now are. Those who understand the methods that have at times been in vogue at Indian agencies can, perhaps, appreciate that it might be to the pecuniary interest of the agent to have his Indians spend a large portion of the year off the reservation while Uncle Sam's monthly ration roll continued undiminished by such absence of those who are supposed to be the recipients of the rations. It is but natural that, having been derelict in his duty to those under his charge, the agent at the Fort Hall Reservation should resort to prevarication and misrepresentation to poison and color the mind of everyone who approached the scene of the trouble as to the character of the settlers in Jacksons Hole and as to their motives, in order to divert public attention from his own violation of the orders of the Indian Department and his lax and incompetent management of the affairs of the Indians under his charge.

I recommend to my friends of the Indian Rights Association, instead of becoming excited over the prospective loss by the Indian of the privilege of indiscriminate slaughter, if they have the true interest of the aborigine at heart, that they insist on his being compelled to work, not in continuing an idle vagabond. Instead of the Indian being the sufferer by this decision of the Supreme Court, I believe its effect in the long run will be immeasurably to his advantage. A weaning from the savage pleasures of the chase is the first step to be taken by the Indian on the road to progress. Neither will the Indians affected necessarily suffer by the loss of the hunting privilege. Their early hunting excursions into the hunting districts yielded them but very slender returns for the skins and hides secured, and a precarious existence while occupied in taking them, while it resulted in the slaughter of vast numbers of young animals, this too at a time when the Indians were most needed upon the reservations if they were to be taught agriculture. There still remains for the Indian limited hunting privilege, equal to that enjoyed by any citizens, and while the red man is being furnished agricultural implements on the reservation and furnished rations by the Government he has no cause to complain if he is governed by the same laws and regulations as govern the white citizens of the States.

Mr. SHERMAN. Mr. Speaker, I shall occupy the time of the House but a moment in calling its attention back from a consideration of the Pope and Thomas Jefferson and other distinguished persons living and dead, and from the discussion of oats, potatoes, and other commodities and conscience generously mingled together by the gentleman from Wisconsin [Mr. COOPER] to the question before the House embodied in the proposed amendment.

There is no difference in any of the propositions submitted either by the House, the Senate, or by the conferees in one respect, to wit, they all embody a declaration that there shall be no further appropriations of public money in aid of sectarian schools. That is in all of the amendments. There is no difference in this regard. This same declaration is contained in each. The difference is that the conference report provides that there shall not be expended more for the next fiscal year than 50 per cent of the amount appropriated for the fiscal year ending June 30, 1896, in continuing these schools, and then only where it is impossible for the Department to secure any other means to educate the Indian children.

It is all very well for the gentleman to talk of building a seven-story structure in Chicago in a very short time. Chicago is one place and the deserts of Idaho quite another, and the erection of buildings in the two places present widely different problems—the one easy of solution, the other difficult. The only question for us now is not whether we shall declare that we are opposed to all aid to sectarian schools—for in this regard all provisions are identical—but whether the Secretary of the Interior shall expend anything for one year more on such schools.

Mr. LINTON. Will the gentleman allow me a question?

Mr. SHERMAN. Certainly.

Mr. LINTON. I would like to ask the gentleman the exact amount that will be appropriated for sectarian schools in case this bill passes in its present form?

Mr. SHERMAN. It can not in any event exceed $145,000 or $150,000.

Mr. LINTON. Then $145,000 will go to sectarian schools, under the report, if it is adopted?

Mr. SHERMAN. Not necessarily, by any means. Let me say to the gentleman that not a cent will be thus expended, if the Secretary lives up to the wording of the section, if he can provide any any other means for educating them. We have no doubt—the members of the Indian Committee, and I think my friend himself has not any doubt—that the Secretary and the Commissioner, so far as in their power, will live up to the spirit and letter of this declaration by Congress. That is, the expenditure is limited to 50 per cent of the amount thus expended in the fiscal year 1894–95, but no amount can be expended where provision can be otherwise made for the education of these Indian children.

Mr. LINTON. He may pay that amount to sectarian schools?

Mr. SHERMAN. If it is possible for him to make provision for educating them otherwise, there will not be an expenditure of one dollar under the wording and the spirit of this amendment.

Mr. HAINER of Nebraska. Will the gentleman allow me?

Mr. SHERMAN. Certainly I will.

Mr. HAINER of Nebraska. Is it not true that the Commissioner of Indian Affairs stated to the Senate committee that they could take care of all these Indian children, at some inconvenience, but still could do it?

Mr. SHERMAN. I understand he has so said. He did not say it in my presence; and if he did say it, then, under the wording of this very amendment, he will not expend one cent on sectarian schools.

Mr. HAINER of Nebraska. Then you do not need the amendment?

Mr. SHERMAN. Then the amendment does no harm, even from the gentleman's point of view.

Mr. HAINER of Nebraska. It does no good.

Mr. SHERMAN. I desire to read this amendment, Mr. Speaker, so there can be no mistake about the wording of it. I wish the attention of the House, so that everybody may have an understanding of it:

And it is hereby declared to be the settled policy of the Government to make no appropriation whatever for the education of Indian children in any sectarian school, just as soon as it is possible for provision to be made for their education otherwise, and the Secretary of the Interior is hereby authorized and directed to make such provision at the earliest practicable day, not later than July 1, 1897: *Provided*, That the Secretary of the Interior may make contracts with present contract schools for the education of Indian pupils during fiscal year 1897, but shall only make such contracts at places where non-sectarian schools can not be provided for such Indian children and to an amount not exceeding 50 per cent of the amount so used for the fiscal year 1895.

This declaration and that originally passed by the House are identical. The difference in the sections is that the Secretary may, under the conference amendment, contract to a limited amount for one more year, if he can not otherwise educate these children; whereas, under the House provision, he can not. I think the report fair and reasonable, even from the opposition standpoint, and the report ought to be adopted. I ask for a vote.

Mr. TRACEY. Will it not be good policy to emphasize that declaration by voting down all possibility of expending money in that direction?

Mr. SHERMAN. There is no possibility now, provided the Indian children can be educated otherwise.

Now, Mr. Speaker, I ask for a vote.

The question was taken on agreeing to the conference report; and on a division there were—ayes 58, noes 65.

Accordingly the conference report was rejected.

Mr. SHERMAN. I move that a further conference be ordered.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. SHERMAN, Mr. CURTIS of Kansas, and Mr. PENDLETON.

ALCOHOL IN THE ARTS.

The SPEAKER. Under the act of June 3, 1896, entitled "An act to repeal section 61 of an act to reduce taxation, to provide revenue for the Government, and for other purposes," which became a law August 28, 1894, the Chair appoints as members of the joint select committee on the part of the House "to consider all questions relating to the use of alcohol in the manufactures and arts, free of tax," etc., the gentleman from Kentucky, Mr. EVANS, the gentleman from Connecticut, Mr. RUSSELL, and the gentleman from Tennessee, Mr. MCMILLIN.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GROUT. Mr. Speaker, I desire to present a conference report on the District of Columbia appropriation bill.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 40 and 105.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"*Provided*, That the fifth section of the act of Congress approved August 2, 1894, relating to reciprocal trackage arrangements by the Metropolitan and

other railroad companies, be, and the same is hereby, amended by adding the following thereto:

"'*Provided*, That any suburban street railroad company in the District of Columbia intersecting or connecting with any urban street railroad may have such reasonable number of its trail cars drawn by such urban railroad company, over the route of such urban railroad for the transportation of through passengers, as shall not, in the judgment of the supreme court of the District of Columbia, be to the undue detriment of such urban railroad company. The schedule, kind, and number of cars to be drawn, compensation therefor, and all other matters relating thereto in the event of said railroad companies being unable to agree between themselves shall, from time to time, on petition of either railroad company, be decided by said supreme court.

"'*Provided further*, That in no event shall any railroad company be entitled under said law providing for trackage arrangements or under the provisions of this act to collect fares except from such passengers as board the cars upon their own line.

"'*Provided further*, That this provision shall not be construed to affect rights heretofore acquired either by contract or under any order of court made under authority of law.'"

And the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That the Commissioners of the District of Columbia be, and they are hereby, required to examine into the proposed extension of Connecticut avenue from Florida avenue to the District line, and report to Congress on or before the first Monday of December next, the comparative advantages and disadvantages and comparative cost of opening said Connecticut avenue on a straight extension of the line thereof as now established in the city of Washington, instead of opening the same on the deflected line heretofore adopted and now on file; and that from and after the passage of this act no building permits shall be granted upon ground which would be covered by either extension of said Connecticut avenue, until otherwise provided by law."

And the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$90,500"; and the Senate agree to the same.

Amendment numbered 154: That the House recede from its disagreement to the amendment of the Senate numbered 154, and agree to the same with amendments as follows: In lieu of the matter inserted by said amendment, insert the following:

"The Commissioners of the District of Columbia are hereby directed to report to Congress, at its next regular session, what charges are made in the District of Columbia to the public and to the Government for the use of telephones, and the relative charges made for the use of telephones in other cities, operated by underground and by overhead wires."

And on page 31 of the bill, after line 4, insert the following:

"That any balance of the appropriation for the collection and removal of garbage in the District of Columbia remaining unexpended June 30, 1896, shall be available for the service of the fiscal year 1897."

And the Senate agree to the same.

The committee of conference have been unable to agree upon the amendments of the Senate numbered 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 194, 195, and 201.

H. M. TELLER,
W. B. ALLISON,
Managers on the part of the Senate.

WILLIAM W. GROUT,
MAHLON PITNEY,
ALEX. M. DOCKERY,
Managers on the part of the House.

The statement of the House conferees was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5210) making appropriations for the expenses of the government of the District of Columbia submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report, namely:

On amendment No. 40: Strikes out the appropriation of $203,380.56 proposed by the Senate to pay for lots condemned for the extension of Sixteenth street.

On amendment No. 61, relating to reciprocal trackage arrangements between street railways: Inserts the provision which is fully set forth in the conference report.

On Nos. 69 and 87: Strikes out the provision proposed by the Senate appropriating $6,000 for paving Connecticut avenue and Columbia road; and the provision requiring that Connecticut avenue be extended straight from Le Roy place to the District line, on the line of Connecticut avenue as now established; inserts in lieu of said provision another, requiring the Commissioners of the District to report to Congress at its next session as to the proposed extension of Connecticut avenue, the comparative advantages and disadvantages, and the comparative cost of opening said avenue on a straight extension of the line as now established instead of opening same on the deflected line heretofore adopted and now on file, and prohibiting the granting of building permits upon ground which would be covered by either extension of said avenue, until otherwise provided by law.

On No. 105: Strikes out the appropriation of $266,546.38 proposed by the Senate for the Washington Aqueduct tunnel,

On No. 154: In lieu of the provision inserted by the House regulating telephone charges in the District of Columbia, inserts a provision requiring the Commissioners of the District to report to Congress at its next session what charges are made in the District for the use of telephones and the relative charges made in other cities for telephones operated by underground and overhead wires.

The committee of conference have been unable to agree on the following amendments:

On Nos. 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, and 100, relating to the rates to be paid for gas and electric street lighting in Washington;

On Nos. 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 194, and 195, relating to appropriations for charities in the District of Columbia; and

On No. 201, striking out the provision proposed by the House requiring the application of not exceeding $300,000 out of the surplus revenues to the satisfaction of the water debt of the District.

WILLIAM W. GROUT,
MAHLON PITNEY,
ALEX. M. DOCKERY,
Managers on the part of the House.

Mr. GROUT. Mr. Speaker, those who have followed the statement will see that this is only a partial agreement; but all the subjects in the bill are disposed of excepting the gas and electric lighting, several amendments relating to those subjects, and charities, and an amendment which relates to the application of the water fund in extinguishment of the water debt, which is of no significance. I want to say as to the three subjects that we are disagreeing about, we hope when next together to be able to come to an understanding.

Now, Mr. Speaker, I ask for a vote on the adoption of the conference report.

The report of the committee of conference was agreed to.

Mr. GROUT. Now I move that the House further insist on its disagreement to the amendments of the Senate and ask a further conference.

The SPEAKER. The gentleman moves that the House further insist on its disagreement to the amendments of the Senate and ask a further conference.

The motion was agreed to.

The SPEAKER. The Chair will appoint as conferees on the part of the House the gentleman from Vermont, Mr. GROUT, the gentleman from New Jersey, Mr. PITNEY, and the gentleman from Missouri, Mr. DOCKERY.

Mr. DINGLEY. Mr. Speaker, in order that this legislative day may be continued for an hour longer for motions to suspend the rules, I move that the House take a recess until 10 o'clock on Monday morning.

The motion was agreed to.

And accordingly (at 7 o'clock and 25 minutes p. m.) the House was declared in recess until 10 o'clock a. m., Monday, June 8.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Treasury, transmitting a statement of the expenditures in the United States Coast and Geodetic Survey for the fiscal year ended June 30, 1895—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting with favorable recommendations a draft of a joint resolution to authorize the use of certain moneys for the expenses of the Revenue-Cutter Service for 1896—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. POWERS, from the Committee on Pacific Railroads, to which was referred the bill of the Senate (S. 1832) entitled "An act to define the rights of purchasers under mortgages authorized by an act of Congress approved April 20, 1871, concerning the Atlantic and Pacific Railroad Company," reported the same without amendment, accompanied by a report (No. 2264); which said bill and report were referred to the House Calendar.

Mr. CATRON, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 3206) entitled "An act to grant a right of way through the new Fort Bliss Military Reservation to the El Paso and Northeastern Railroad Company," reported the same without amendment, accompanied by a report (No. 2265); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HILBORN, from the Committee on Naval Affairs, to which was referred House resolution No. 216, reported in lieu thereof a resolution (House Res. No. 417) to authorize the Committee on Naval Affairs to investigate the charge that mechanics employed at the New York Navy-Yard who obtained their places by competitive examination have been discharged by the constructor, in violation of law, accompanied by a report (No. 2270); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. BAKER of Kansas, from the Committee on Invalid Pensions: The bill (H. R. 6755) granting an increase of pension to James S. Chapman. (Report No. 2248.)

By Mr. CROWTHER, from the Committee on Invalid Pensions:

The bill (H. R. 3328) granting a pension to Mrs. Nancy M. Daniels. (Report No. 2249.)

The bill (H. R. 8388) for the relief of William G. Buck. (Report No. 2250.)

By Mr. KIRKPATRICK, from the Committee on Invalid Pensions:

The bill (H. R. 7105) increasing the pension of Augustus Schulz, of Salina, Kans. (Report No. 2251.)

The bill (H. R. 7787) granting a pension to Angelina Welden, of Media, Kans., as army nurse. (Report No. 2252.)

By Mr. PICKLER, from the Committee on Invalid Pensions:

The bill (H. R. 1543) to increase the pension of Carey H. Russell. (Report No. 2253.)

The bill (H. R. 9314) granting a pension to Newman C. Nash. (Report No. 2254.)

The bill (H. R. 9212) granting an increase of pension to John R. Lumbert, of Preston, Iowa. (Report No. 2268.)

By Mr. THOMAS, from the Committee on Invalid Pensions:

The bill (H. R. 8454) granting an increase of pension to Frank Rockwith. (Report No. 2255.)

The bill (H. R. 2329) for the relief of Mrs. Matilda G. Higbee. (Report No. 2256.)

The bill (H. R. 571) granting a pension to Margaret Davis. (Report No. 2257.)

The bill (H. R. 619) granting a pension to Martin V. Shears. (Report No. 2258.)

The bill (H. R. 5954) for the relief of Adolphus D. Hopkins. (Report No. 2269.)

By Mr. FENTON, from the Committee on Military Affairs: The bill (H. R. 6199) for the relief of Francis S. Davidson, late first lieutenant, Ninth United States Cavalry. (Report No. 2262.)

By Mr. GRAFF, from the Committee on Claims:

The bill (H. R. 3106) for the relief of John Breen, lately postmaster at Gladwyne, Pa. (Report No. 2266.)

The bill (H. R. 2806) for the relief of the assistant treasurer of the United States at New York, N. Y. (Report No. 2267.)

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. FAIRCHILD: A bill (H. R. 9401) to provide for celebrating the opening of a new century by holding an international exhibition of arts, industries, manufactures, and the product of the soil, mine, and sea, in the city of New York, in the State of New York—to the Committee on Ways and Means.

By Mr. McLACHLAN: A bill (H. R. 9405) to set apart a tract of land in the State of California for a public park—to the Committee on the Public Lands.

By Mr. MONEY: A bill (H. R. 9406) to amend an act entitled "An act to incorporate the Capital Railway Company," approved March 2, 1895—to the Committee on the District of Columbia.

By Mr. PAYNE: A resolution (House Res. No. 414) to amend the rules of the House so that when unanimous consent is asked for the consideration of a measure it shall require the objection of at least 10 members to defeat it—to the Committee on Rules.

By Mr. SHERMAN: A resolution (House Res. No. 415) for the printing of 10,000 copies of the hearings before the Interstate and Foreign Commerce Committee upon the Nicaragua Canal—to the Committee on Printing.

By Mr. FITZGERALD: A resolution (House Res. No. 416) asking information of the Secretary of the Navy as to the probable cost of fitting up a suitable plant for the manufacture of armor plate at the Charlestown Navy-Yard—to the Committee on Naval Affairs.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. ANDREWS: A bill (H. R. 9382) granting an increase of pension to John L. Sanders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9383) granting an increase of pension to George W. Howard—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: A bill (H. R. 9384) for the relief of Mrs. Sarah C. Brooks, of Jamestown, Cloud County, Kans.—to the Committee on Indian Affairs.

By Mr. FENTON: A bill (H. R. 9385) granting a pension to Robert Erwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9386) for the relief of William Davis, of Omega, Ohio—to the Committee an Military Affairs.

By Mr. GRIFFIN: A bill (H. R. 9387) to remove the charge of desertion from the military record of John Faulds—to the Committee on Military Affairs.

By Mr. HARRIS: A bill (H. R. 9388) granting a pension to Joel W. Gibson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9389) to reimburse William Crawford—to the Committee on War Claims.

By Mr. HERMANN: A bill (H. R. 9390) to remove the charge of desertion against Peter Kenney—to the Committee on Military Affairs.

By Mr. HULING: A bill (H. R. 9391) granting an honorable discharge to Samuel G. Stotzenberg—to the Committee on Military Affairs.

By Mr. JOHNSON of North Dakota: A bill (H. R. 9392) to increase the pension of Daniel Phillips, of Company D, Thirteenth Regiment Wisconsin Infantry—to the Committee on Invalid Pensions.

By Mr. LONG: A bill (H. R. 9393) granting a pension to John S. Barnhart—to the Committee on Invalid Pensions.

By Mr. McCALL of Tennessee: A bill (H. R. 9394) to pension Mrs. Martha Sanders—to the Committee on Invalid Pensions.

By Mr. McCREARY of Kentucky: A bill (H. R. 9395) for the relief of George Price—to the Committee on War Claims.

By Mr. SOUTHARD: A bill (H. R. 9396) granting increase of pension to Francis L. Danford, Ninth Michigan Cavalry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9397) granting a pension to William H. Taylor, an army nurse—to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A bill (H. R. 9398) granting a pension to Lizzie B. Burrows—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9399) granting a pension to James Killoran, alias James Smith—to the Committee on Invalid Pensions.

By Mr. WATSON of Ohio: A bill (H. R. 9400) to correct the military record of George W. Little—to the Committee on Military Affairs.

By Mr. EVANS: A bill (H. R. 9402) granting a pension to Mary D. Griffiths—to the Committee on Invalid Pensions.

By Mr. McLACHLAN: A bill (H. R. 9403) for the relief of A. W. Weighbors—to the Committee on Pensions.

By Mr. MAGUIRE: A bill (H. R. 9407) granting a pension to Mary E. Dollard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9408) to authorize the United States Court of Private Land Claims to hear, try, and determine the issues as to the extent and boundaries of the Las Animas grant—to the Committee on Private Land Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALZELL: Two petitions of sundry citizens of Allegheny County, Pa., in favor of House bill No. 260, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. ELLIS: Petition of 22 citizens of Astoria, Oreg., in behalf of the metric system—to the Committee on Coinage, Weights, and Measures.

By Mr. FARIS: Affidavit of Alfred Helms, to accompany House bill No. 6733, for the relief of George W. Winters—to the Committee on Military Affairs.

Also, petition and papers to accompany House bill No. 9080, to relieve William H. Wood—to the Committee on Military Affairs.

Also, paper to accompany House bill No. 7228, to increase the pension of William A. Rhoderick—to the Committee on Invalid Pensions.

By Mr. FENTON: Petition of J. W. Hayslip and others, of Manchester, Ohio, for the relief of Robert Erwin—to the Committee on Invalid Pensions.

By Mr. HERMANN: Petition of citizens of Linn County, Oreg., requesting the passage of House bill No. 2626, for the protection of agricultural staples by an export bounty—to the Committee on Ways and Means.

By. Mr. McLACHLAN: Petitions of citizens of San Luis Obispo, Santa Monica, and Santa Barbara, of the State of California, praying for favorable action on House bill No. 838, to reduce letter postage, and bill No. 4566, to amend the postal laws relating to second-class matter—to the Committee on the Post-Office and Post-Roads.

Also, petition of residents of the county of Santa Barbara, Cal., asking for the creation of a national public park in said county—to the Committee on the Public Lands.

By Mr. SORG: Petition of Cotterill, Fenner & Co., of Dayton, Ohio, protesting against a certain amendment to the revenue laws, relating to gifts or premiums to accompany the sale of chewing and smoking tobacco—to the Committee on Ways and Means.

Also, resolution of the Toledo Produce Exchange, protesting against the passage of House bill No. 8536 and Senate bill No. 2967, to amend the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

By Mr. SOUTHARD: Petition of citizens of Swanton, Ohio, in favor of House bills Nos. 4566 and 838, amending the postal laws—to the Committee on the Post-Office and Post-Roads.

By Mr. SULLOWAY: Petition of citizens of Lakeport, N. H., for favorable action on House bills Nos. 4566 and 838, proposing amendments to the postal laws—to the Committee on the Post-Office and Post-Roads.

By Mr. WATSON of Ohio: Paper to accompany House bill to correct the military record of George W. Little—to the Committee on Military Affairs.

SENATE.

MONDAY, *June 8, 1896.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. HALE, and by unanimous consent, the reading of the Journal of the proceedings of Saturday last was dispensed with.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had disagreed to the report of the committee of conference on certain amendments of the Senate to the bill (H. R. 6249) making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, for the fiscal year ending June 30, 1897, and for other purposes; further insisted upon its disagreement to the amendments of the Senate numbered 64, 69, and 70; asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERMAN, Mr. CURTIS of Kansas, and Mr. PENDLETON managers at the conference on the part of the House.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6614) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1897; insisted upon its disagreement to the amendment of the Senate to the bill numbered 1; agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LOUD, Mr. SMITH of Illinois, and Mr. KYLE managers at the conference on the part of the House.

The message further announced that the House further insisted upon its disagreement to the amendments of the Senate to the bill (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes, numbered 32, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, and 52; agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BOUTELLE, Mr. ROBINSON of Pennsylvania, and Mr. CUMMINGS managers at the conference on the part of the House.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes; further insisted upon its disagreement to the amendments of the Senate numbered 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 194, 195, and 201 to the bill; asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GROUT, Mr. PITNEY, and Mr. DOCKERY managers at the conference on the part of the House.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes; agreed to the amendment of the Senate numbered 97 to the bill with an amendment, in which it requested the concurrence of the Senate; further insisted upon its disagreement to the residue of the amendments numbered 2, 3, 4, 6, 7, 8, 13, 15, 16, 17, 32, 61, 109, 122, 123, 124, 146, 147, and 161; agrees to the further conference asked for by the Senate on the disagreeing votes of the Houses thereon, and had appointed Mr. CANNON, Mr. HAINER of Nebraska, and Mr. SAYERS managers at the conference on the part of the House.

The message also announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 7907) for the protection of the people of the Indian Territory, extending the jurisdiction of the United States courts, providing for the laying out of towns, the leasing of coal and other mineral, timber, farming, and grazing lands, and for other purposes;

A bill (H. R. 9404) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes; and

A joint resolution (H. Res. 195) to pay the officers and employees of the Senate and House of Representatives on the day following adjournment.

The message further announced that the House had passed the following bill and joint resolution:

A bill (S. 2022) to amend an act entitled "An act to provide for the protection of the salmon fisheries of Alaska;" and

A joint resolution (S. R. 155) to authorize a scientific investigation of the fur-seal fisheries.

The message also announced that the Speaker of the House of Representatives had appointed, in compliance with the act approved June 3, 1896, entitled "An act to repeal section 61 of an act to reduce taxation, to provide revenue for the Government, and for other purposes," which became a law August 28, 1894, Mr. EVANS of Kentucky, Mr. RUSSELL of Connecticut, and Mr. MCMILLIN of Tennessee members of the joint special committee on the part of the House to consider all questions relating to the use of alcohol in the manufactures and arts free of tax, etc.

The message further returned to the Senate, in compliance with its request, the bill (S. 1189) granting a pension to Eliza Sandford.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 2169) to regulate mail matter of the fourth class;

A bill (H. R. 1826) granting a pension to Henry Prince;

A bill (H. R. 6603) to pension the minor children of Patrick F. Reynolds; and

A bill (H. R. 6826) granting a pension to Rhoda Augusta Thompson, daughter of the late Thaddeus Thompson, a private in the Revolutionary war.

CHICKASAW TRUST FUNDS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting an application of the Chickasaw Nation through their delegates for the withdrawal of $100,000 of their trust funds, to be placed to the credit of the nation with the assistant treasurer of the United States at St. Louis, Mo., subject to the order of the treasurer of the nation, for the payment of national warrants issued by the auditor of public accounts of the nation, and requesting early and favorable action by Congress; which was read.

Mr. JONES of Arkansas. In connection with this communication from the Secretary of the Interior I submit the resolution which I send to the desk, which I ask may be read and acted on at this time.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

The President of the United States having on this 8th day of June, 1896, given his consent, in writing, authorizing the Chickasaw Nation of Indians in the Indian Territory to withdraw from their trust funds now in the Treasury of the United States $100,000, to be placed in the subtreasury of the United States to their credit, as provided by the eleventh article of the treaty of October 20, 1832, with said Indians: Therefore

Be it resolved, That the Senate of the United States of America, now in session, concurs in the recommendation of the President, and hereby consents that $100,000 of the trust funds of the Chickasaw Nation of Indians in the Indian Territory may be withdrawn from the Treasury of the United States, in accordance with the provisions of article 11 of the treaty of October 20, 1832, with said Indians, and placed to the credit of said Chickasaw Nation in the subtreasury of the United States at Louis, Mo.

DEFICIENCY APPROPRIATION BILL.

Mr. HALE. I ask the Chair to lay before the Senate the deficiency appropriation bill which has come from the House.

The bill (H. R. 9404) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes, was read twice by its title.

Mr. HALE. I ask unanimous consent that the Senate proceed to the consideration of the bill.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and the bill is before the Senate as in Committee of the Whole.

Mr. QUAY. I trust the Senator from Maine will yield to me in order that I may procure an order for the withdrawal of certain papers.

Mr. HALE. The deficiency appropriation bill is before the Senate for consideration, and therefore, as that will not in any manner be taken out of the way, I yield the floor for morning business.

INDIAN APPROPRIATION BILL.

Mr. PETTIGREW. I ask the Chair to lay before the Senate the action of the House of Representatives on the Indian appropriation bill.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the report of the committee of conference on the amendments of the Senate to the bill (H. R. 6249) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes, and requesting a further conference on the disagreeing votes of the two Houses.

Mr. PETTIGREW. I move that the Senate further insist upon its amendments and agree to the further conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to

appoint the conferees on the part of the Senate at the further conference; and Mr. PETTIGREW, Mr. TELLER, and Mr. COCKRELL were appointed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a memorial of the Academy of Natural Sciences of Philadelphia, Pa., remonstrating against the passage of Senate bill No. 1552, for the further prevention of cruelty to animals in the District of Columbia; which was ordered to lie on the table.

Mr. CANNON presented the petition of Gen. R. H. G. Minty and 17 other citizens of Ogam, Utah, praying for the enactment of legislation to correct the military record of Temple Short; which was referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. HILL, from the Committee on the Judiciary, to whom was referred the bill (S. 3229) for the relief of William H. Scofield, Jacob Brady, James Ketcham, Annie Booth as administratrix of the goods, chattels, and credits of George W. Booth, deceased; Wilson P. Billar, Ezra L. Waterhouse, Moses C. Bell, George W. Byles, and George A. Scofield, reported it with an amendment.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 1874) to place the name of Robert Smalls on the pension rolls, reported it without amendment, and submitted a report thereon.

Mr. PRITCHARD, from the Committee on Pensions, to whom was referred the bill (H. R. 1890) granting a pension to Mary Martin, reported it without amendment, and submitted a report thereon.

Mr. CAFFERY, from the Committee on Claims, to whom was referred the bill (S. 2054) for the relief of Rinaldo P. Smith, of Baltimore, Md., reported it with amendments, and submitted a report thereon.

Mr. HAWLEY. I report back from the Military Affairs Committee several bills which may be indefinitely postponed, as the subject has been considered in another bill previously reported.

The bills were postponed indefinitely, as follows:

A bill (S. 538) to provide a modern organization for the line of the Army;

A bill (S. 1472) to reorganize the line of the Army;

A bill (S. 2004) to increase the efficiency of the infantry of the Army of the United States; and

A bill (S. 2130) to provide for a military peace establishment.

BILLS INTRODUCED.

Mr. GALLINGER introduced a bill (S. 3267) to authorize the acquisition of certain real estate for the purpose of a site for a hospital for the treatment of contagious diseases; which was read twice by its title.

Mr. GALLINGER. In connection with the bill I submit certain papers and a map showing the proposed site. I move that the map be printed at the end of the bill, and that the bill and accompanying papers be referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. PASCO (by request) introduced a bill (S. 3268) for the relief of the legal representatives of Alison J. Tinsley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. CHANDLER introduced a bill (S. 3270) to pay Eliza R. Crawford the amount of United States loan certificate issued in 1779; which was read twice by its title, and referred to the Committee on Claims.

NORTHERN PACIFIC RAILROAD.

Mr. PETTIGREW submitted an amendment intended to be proposed by him to the joint resolution (S. R. 124) to facilitate the reorganization of the Northern Pacific Railroad Company, etc.; which was ordered to lie on the table and be printed.

WITHDRAWAL OF PAPERS.

On motion of Mr. QUAY, it was

Ordered, That leave be granted for the withdrawal of the papers filed with Senate joint resolution 104, Fifty-third Congress, second session, relating to the disallowed war claims of the State of Pennsylvania.

IMPORTED PARCELS AND PACKAGES.

Mr. GIBSON. I submit a resolution, and ask for its present consideration.

The resolution was read, as follows:

Resolved, That the bill (H. R. 6259) as amended and passed the Senate June 6, 1896, be referred to the Committee on the Judiciary, with instructions to examine the same and report to the Senate whether any of its provisions are in violation of existing treaty stipulations between the United States and foreign nations.

Mr. PLATT. What is the bill to which the resolution refers?

Mr. GIBSON. I have a copy of the bill here. It is——

Mr. QUAY. I object to the present consideration of the resolution.

The VICE-PRESIDENT. Objection is made, and the resolution goes over.

EQUESTRIAN STATUE OF GENERAL SHERMAN.

Mr. WOLCOTT. I submit a resolution, and ask for its immediate consideration.

The resolution was read, as follows:

Resolved, That the Committee on the Library be directed to inquire into all the facts and circumstances connected with the late award of a contract for the erection, at the city of Washington, of an equestrian statue of Gen. William T. Sherman, and to make report thereon to the Senate at the next session of Congress, with such recommendation as the committee may deem necessary or proper; and the Secretary of War is hereby requested to suspend the execution of the contract for the construction of said monument until such report is received.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. ALLISON. I ask that it may go over until to-morrow.

Mr. WOLCOTT. Does the Senator from Iowa understand that to-morrow will be a legislative day?

Mr. ALLISON. I have no doubt of it.

Mr. WOLCOTT. I have something to say upon the resolution, and I desire that it shall be voted upon; that is all.

Mr. HAWLEY. I wish to ask the Senator whether he can not in some way or other reach the object he is seeking without postponing this matter until to-morrow?

Mr. WOLCOTT. I do not exactly see how it can be accomplished. The facts connected with the award are such that I should be very glad to state them to the Senate at any time when it is patient enough to hear them and there is a possibility for the resolution to be voted upon, and I can state them very briefly. I do not want to press the resolution now, but I should like to know that it can be voted upon at the present session, and I would not like to have it go over on objection if I could help it. However, there are very many things done in the Senate that we can not help. I do not want it to go over unless it can be acted upon before the Senate adjourns.

Mr. HAWLEY. There are two sides to the question.

Mr. WOLCOTT. Oh, certainly; there are two sides to almost every question.

Mr. ALLISON. Of course it requires unanimous consent for the resolution to be considered this morning.

Mr. WOLCOTT. Yes, sir.

Mr. ALLISON. I can very well see why some of us, at least, would be glad to read the resolution and consider it a little more before it is acted upon. Therefore I simply object, in order that it may go over, as resolutions usually do when they are objected to.

Mr. WOLCOTT. Do I understand the Senator from Iowa to say that he thinks there is to be a legislative day to-morrow?

Mr. ALLISON. Of course it is impossible for me to state positively; but I think so.

The VICE-PRESIDENT. Objection being made, the resolution will go over until the next legislative day under the rule.

UNIFORM SYSTEM OF BANKRUPTCY.

Mr. MITCHELL of Oregon submitted the following resolution; which was referred to the Committee on Printing:

Resolved, That 5,000 additional copies each of bill S. 742 and amendment thereto, reported from the Senate Committee on the Judiciary, be printed for the use of the Senate.

NANCY G. ALLABACH—VETO MESSAGE.

Mr. PALMER. I ask the unanimous consent of the Senate to take up for consideration——

Mr. HALE. Mr. President——

Mr. PALMER. A bill——

Mr. HALE. I must call for the regular order. I can not consent to the taking up of any bill.

Mr. PALMER. If the Senator from Maine will allow me to state what I wish to call up, that would seem to be my right.

Mr. HALE. I do not, of course, object to the Senator making a statement.

Mr. PALMER. I ask unanimous consent to call up the bill (S. 894) granting a pension to Nancy G. Allabach, found on page 24 of the Calendar.

Mr. HALE. I must object, if it gives rise to any debate.

Mr. HILL. I suggest that the regular order be proceeded with. That is more important than these bills.

The VICE-PRESIDENT. The Chair will submit to the Senate the request of the Senator from Illinois. If there is no objection——

Mr. HALE. The regular order being called for, it disposes of all things except the appropriation bill.

The VICE-PRESIDENT. There is objection to the present consideration of the bill.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. TELLER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of

Columbia for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 40 and 105.

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"*Provided*, That the fifth section of the act of Congress approved August 2, 1894, relating to reciprocal trackage arrangements by the Metropolitan and other railroad companies, be, and the same is hereby, amended by adding the following thereto:

"'*Provided*, That any suburban street railroad company in the District of Columbia intersecting or connecting with any urban street railroad may have such reasonable number of its trail cars drawn by such urban railroad company, over the route of such urban railroad, for the transportation of through passengers, as shall not, in the judgment of the supreme court of the District of Columbia, be to the undue detriment of such urban railroad company. The schedule, kind, and number of cars to be drawn, compensation therefor, and all other matters relating thereto, in the event of said railroad companies being unable to agree between themselves, shall, from time to time, on petition of either railroad company, be decided by said supreme court.

"'*Provided further*, That in no event shall any railroad company be entitled, under said law providing for trackage arrangements or under the provisions of this act, to collect fares except from such passengers as board the cars upon their own line.

"'*Provided further*, That this provision shall not be construed to affect rights heretofore acquired either by contract or under any order of court made under authority of law.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That the Commissioners of the District of Columbia be, and they are hereby, required to examine into the proposed extension of Connecticut avenue from Florida avenue to the District line, and report to Congress on or before the first Monday of December next, the comparative advantages and disadvantages and comparative cost of opening said Connecticut avenue on a straight extension of the line thereof as now established in the city of Washington, instead of opening the same on the deflected line heretofore adopted and now on file; and that from and after the passage of this act no building permits shall be granted upon ground which would be covered by either extension of said Connecticut avenue, until otherwise provided by law."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$90,500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 154, and agree to the same with amendments as follows: In lieu of the matter inserted by said amendment insert the following:

"The Commissioners of the District of Columbia are hereby directed to report to Congress, at its next regular session, what charges are made in the District of Columbia to the public and to the Government for the use of telephones, and the relative charges made for the use of telephones in other cities, operated by underground and by overhead wires."

And on page 31 of the bill, after line 4, insert the following:

"That any balance of the appropriation for the collection and removal of garbage in the District of Columbia remaining unexpended June 30, 1896, shall be available for the service of the fiscal year 1897."

And the Senate agree to the same.

The committee of conference have been unable to agree upon the amendments of the Senate numbered 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 194, 195, and 201.

H. M. TELLER,
W. B. ALLISON,
Managers on the part of the Senate.
WILLIAM W. GROUT,
MAHLON PITNEY,
ALEX. M. DOCKERY,
Managers on the part of the House.

The VICE-PRESIDENT. The question is on concurring in the report.

The report was concurred in.

Mr. TELLER. I move that the Senate further insist upon its amendments and agree to the further conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate at the further conference; and Mr. TELLER, Mr. ALLISON, and Mr. COCKRELL were appointed.

DEFICIENCY APPROPRIATION BILL.

Mr. HALE. I ask that the deficiency appropriation bill may be proceeded with.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9404) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes.

Mr. CHANDLER. I ask the Senator from Maine if he can not state the difference between this bill and the bill as it went to the President, and whether there can not be an agreement by which the bill may be passed one or two readings without being read at length? Can the Senator tell us what the difference is between this bill and the one that passed before?

Mr. HALE. Senators about me say that the rule is so imperative that there should be a reading of every bill at length that they can not consent that the reading shall be dispensed with.

Mr. CHANDLER. May I ask the Senator, then, whether, as a matter of fact, the bill is exactly the bill as it went to the President except the Bowman Act claims and the spoliation claims and the Chouteau claims?

Mr. HALE. With the exception of that single amendment, which was put on in the Senate, the bill is precisely as it passed and went to the President.

Mr. CHANDLER. There is no doubt on that point?

Mr. HALE. There is no doubt of it. I ask that the Secretary proceed to read the bill.

Mr. BACON. It is impossible for us on this side of the Chamber to hear anything said on the other side.

Mr. HALE. I simply asked that the Secretary might proceed with the reading of the bill.

Mr. BACON. That is all right.

The Secretary read the bill.

Mr. HARRIS. I offer the amendment which I send to the desk as an additional section to the bill. I will state to the Senate that it embraces what are known as the Bowman Act claims, item by item, as they were incorporated in the deficiency bill; but they were then connected with the French spoliation claims and as an amendment to that amendment. I offer them now as an independent section.

The VICE-PRESIDENT. The amendment submitted by the Senator from Tennessee will be stated.

Mr. HARRIS. I will say that the amendment is somewhat voluminous. It contains appropriations to pay a large number of claims which aggregate something like a half million dollars. They have been considered and reported favorably by the Court of Claims. They have been considered by the Committee on Claims of the Senate and favorably reported. The amendment may be read or not, as the Senate chooses. They are exactly the claims that were presented when the original deficiency bill was under consideration. The amendment is a precise copy of what was then incorporated.

Mr. BURROWS. May I make an inquiry of the Senator from Tennessee?

Mr. HARRIS. Will the Senator from Michigan indulge me for a single moment further?

Mr. BURROWS. Certainly.

Mr. HARRIS. It is upon a matter slightly personal to myself, and those are things to which I have very rarely had occasion to allude.

I see, however, in the Post of this morning the announcement that I am resolved to have a yea-and-nay vote upon the French spoliation claims before they can be rejected or not attached to the bill. I simply desire to say that I have never yet examined the French spoliation claims. I have never had any interest in them pro or con. I have stated to two or three different persons that I would offer this amendment to the bill, as I now do. These claims have undergone the scrutiny of judicial investigation. The claims have been long due. The claims ought to be paid if any debt of the Government is to be paid by an appropriation made in this bill. Now I yield to the Senator from Michigan.

Mr. BURROWS. I wish to inquire of the Senator from Tennessee whether the amendment he now proposes contains the modification I suggested when the matter was before the Senate heretofore?

Mr. HARRIS. I must answer that I have not examined it, but I take it for granted and am sure that it does, for the reason that I asked Mr. Cleaves, the very accomplished and competent clerk of the Committee on Appropriations, to give me the exact amendment that was agreed to in the Senate and concurred in by the other House. I take it for granted the amendment is accurate and just as it was passed in the Senate before.

Mr. HALE. I make no question that the amendment is the same amendment that has already been twice before the Senate. It contains a long list of the Bowman Act claims as found in the last part of the bill as it originally passed the Senate and went to the House, and I wish to make the same point of order that was made on April 25 by the Senator from Iowa [Mr. ALLISON]. When the amendment was offered by the Senator from Tennessee [Mr. BATE], in the absence of his colleague, he said:

On behalf of my colleague [Mr. HARRIS], who is unable to be in the Chamber to-day, I offer an amendment.

Then the amendment was read. The Senator from Iowa [Mr. ALLISON] made a point of order, in which he said:

This is a very long amendment. I make the point of order against the amendment that it is not in order on the pending bill. It is not for service in the fiscal year ending in 1897. It is a collection of claims, which are not in order upon an appropriation bill. I hope the Senator from Tennessee will not press the amendment, as it is clearly out of order. I have the amendment before me, and I have also before me the reports relating to the claims. They have always been considered in this body in separate bills; they have never appeared on any of the regular appropriation bills. They are not audited accounts—

That is the point of order—

they are not estimated for—

That is another point—

they are not judgments, and in no sense can they be considered as applicable to a bill of this character.

Mr. HAWLEY. What claims are they?

Mr. ALLISON. They are the individual claims referred to the Court of Claims under the Bowman Act.

I make the point of order.

Mr. HARRIS. I beg to suggest to the Senator, in respect to the point that they are not estimated for, that they are sent here by the Secretary of the Treasury.

Mr. HALE. They are not sent as regular estimates, as the Treasury Department always does when it recommends the adoption of an item upon an appropriation bill. They are not audited accounts nor estimated for by the Secretary. Under the limitation of the act the court has simply found certain amounts, but they do not come, of course, with the force with which ordinary judgments of the Court of Claims do, which we pay unless the Government or the other party appeals. It is the same point of order that was made at that time.

Mr. HARRIS. They are the findings of the Court of Claims, with all the sanctity that a judgment of the Court of Claims can give them; but they are not technical judgments, I grant. They are claims. But they have stood the scrutiny of judicial investigation, with a right to examine and cross-examine witnesses and develop every fact pertinent to each and every claim. They have been long due. They are now long overdue. They ought to be paid. I do not care to enter into a discussion of the question.

Mr. HALE. The matter was discussed when the point of order was made before, and the decision was made at that time after discussion. The claims, not being audited and not being estimated for, stand as all private claims do.

Mr. CULLOM. They are not judgments.

Mr. HALE. They are not judgments; they are not audited; they are not estimated for. They are private claims, which clause 4 of Rule XVI declares specifically shall not be in order on an appropriation bill. No matter whether they have been reported by a committee or have passed the body, they are still claims as the decision left them when the point of order was made before, and I renew the same point of order.

Mr. BATE. Mr. President, in the absence of my colleague [Mr. HARRIS] who was sick at the time and unable to be in the Chamber, I called up this amendment which he had before offered to the sundry civil bill; and it was acted upon under that motion, as has been said by the Senator from Maine [Mr. HALE]. But it was suggested—I do not know that it appears in the RECORD—that the deficiency bill would be a more appropriate place for it than the sundry civil bill, and especially so as these are cases that, if they have not, technically, received judicial determination, have certainly undergone investigation, and quite a thorough one. The bad has been sifted from the good. They are brought in here, not as a mere claim, but as a debt of the Government, which has been passed upon by the court created for that purpose. They are just and unpaid debts, and therefore their relation to the deficiency bill is a little different from what it would be to the sundry civil bill. They are claims, some of which have been here for twenty years or more. These claimants have been knocking at the doors of the House and Senate for time out of mind to do them justice and to have the claims paid. The claims have been adjusted now by a court set apart for the purpose, and they come in here at last not only as claims but as semijudicial claims; that is, they have been before the Court of Claims and passed that crucial test. They are just. They are a long time due. They stand upon a higher plane than the ordinary claims to which the Senator from Maine alludes, for the reason that they have gone through the mill and the bad has been sifted from the good. All that is objectionable in the claims has been thrown out. The amounts of many of them have been cut down. I understand some of them were twice as large as they are now, and it has been truly said that they are just and proper, that the claimants were loyal, and they are referred to Congress through the Treasury Department, and payment is asked. That is the situation of the matter, and I think the relationship that the amendment bears to the bill under consideration, the deficiency appropriation bill, is quite different to that which it bore to the sundry civil bill.

Mr. CULLOM. Not at all.

Mr. HALE. The main point does not touch whether or not it is a deficiency. That was referred to, but was not in any way insisted upon. The main point applies to one appropriation bill as much as to another. It is not claimed, the Senator from Tennessee himself does not claim, that they have the force of judgments. They undoubtedly do not. They are not technically judgments.

Mr. CULLOM. They are not audited.

Mr. HALE. They are not audited. They are not estimated for. This amendment does not even have the force of having been reported from a committee as an amendment to the pending bill, although I do not think that point needs to be invoked. Fundamentally the questions that were considered before as to these amendments going upon an appropriation bill are exactly the same now as they were then, it makes no difference what the appropriation bill is.

Mr. VEST. Mr. President, in a decision recently made by the Supreme Court of the United States in what is known as the sugar-bounty cases that tribunal declared unanimously that where an equitable claim exists against the Government of the United States it is of the highest validity, and that Congress unquestionably under the Constitution has the right to appropriate money for its payment when it rested in equity alone without any law.

But the real question in this case—and I call attention to it, not because I have any respect for the rule as it has been observed, but simply to point a moral—is whether, under the rules of the Senate, these claims were ever in order. We decided here solemnly that they were.

Mr. ALLISON. I will state to the Senator that no point of order was made against the Bowman claims amendment when it was offered to the deficiency appropriation bill.

Mr. BATE. The point was made when it was proposed as an amendment to the sundry civil bill.

Mr. ALLISON. I understand that it was then ruled out; but when these claims were put upon the deficiency bill no point of order was made against them.

Mr. HARRIS. I am greatly mistaken unless the point of order was made upon the French spoliation claims; and it was decided by the Senate that they were in order.

Mr. ALLISON. Undoubtedly.

Mr. HARRIS. And on this amendment, when offered, no question of order was raised.

Mr. ALLISON. That is what I mean.

Mr. HARRIS. But it was an amendment to the French spoliation claims amendment; and if the one was in order I should be glad to find the mind with sufficient ingenuity to show why the other was not.

Mr. ALLISON. The Senator does not seem to get clearly the point I make, which is, that when this amendment was offered to the sundry civil bill it was decided by the Chair to be out of order; and when it was offered as an amendment to the French spoliation claims amendment no point of order was made against it.

Mr. VEST. The point of order was made upon the French spoliation claims, and they were contained in the same amendment, and that point of order was just as pertinent to the Bowman claims as to the French spoliation claims.

Mr. ALLISON. That may be.

Mr. VEST. It is useless to fence about this matter. We know the Senate always does what it wants to do, and if the rule is in the way the Senate wipes it out. We put the French spoliation claims on the deficiency bill in spite of the rule, and the Bowman claims and Chouteau claim besides, when the rule itself provides that no claim, unless it is created by law, shall be put upon an appropriation bill.

Mr. CULLOM. If I understand the Senator, then, he regards the proposed amendment as not in order.

Mr. VEST. I never express my opinion about points of order.

Mr. CULLOM. Oh!

Mr. VEST. With me that is a nebulous and uncertain subject, and I leave such things to the action of the Senate.

What I am saying is that whenever the Senate wants to ignore a rule it does it, and whenever it does not want to do anything, then it becomes very technical and parliamentary and insists upon the rule. Every Senator here knows that is true, whether he chooses to put it in the RECORD or not.

The facts about these claims are that they are of the highest equitable character. If there is any claim upon this Government that ought to be paid in order to preserve the national honor, these Bowman Act claims constitute that character of obligation. It is true, as the Senator from Maine in charge of this bill says, that technically they are not judgments, and yet in every attribute of a judgment they constitute a judgment of the highest validity. They were passed upon by a tribunal, a court of record, established for the very purpose of adjudicating the validity of claims of this kind, and that court has declared that the Government of the United States owes them, and that they are of such a character that no equity could be created higher than that which exists in their favor.

I know personally claimants who have spent more money now than the amount of their claims in lawyers' fees, interest upon the money, and hotel bills, and who, if they were paid to-day, would be losers in this transaction. They have come here year after year in order to have these honest claims paid by the Government, and finally, after they have been sent to the Court of Claims, in order that Congress might get rid of them, when they have succeeded in getting an adjudication in their favor, they are now told that they can not be paid because they are not judgments. They are judgments in everything except the right to issue execution. That is all the difference. They have been adjudicated upon evidence before judges of a court of record, and while a writ of levy can not be issued, they are still judgments in every other attribute of an equitable character.

Mr. GEORGE. No execution can ever be issued against the United States on any kind of judgment.

Mr. VEST. Of course not.

Mr. CULLOM. I suppose these classes of claims are private

claims, and my recollection is that it has been customary to pass an independent bill appropriating for these several claims, which are called the Bowman Act claims, entirely apart from the ordinary appropriation bills.

Mr. VEST. We put such things in every appropriation bill. We have put in appropriation bills the same class of claims against the Government.

Mr. CULLOM. What I am saying is that ordinarily, as I recollect, the Bowman claims have been provided for in separate bills.

Mr. ALLISON. And never in appropriation bills.

Mr. CULLOM. And never in an appropriation bill.

Mr. HARRIS. I wish to suggest to the Senator from Illinois that for the last six years the custom has been to avoid passing a separate bill at all.

Mr. CULLOM. That may be.

Mr. HARRIS. They have been provided for by separate bills in some instances.

Mr. CULLOM. Whenever we have passed such a bill it has been separate from an appropriation bill.

Mr. BATE. Every claim which has been passsed under the Bowman Act, as I recollect, has always been before the Court of Claims, and such claims stand upon a higher plane than others.

Mr. CULLOM. That does not change the rule about the amendment being in order at all.

Mr. ALLISON. The rule uniformly has been to keep from the general appropriation bills, the deficiency bill as well as all others, any of the claims under the Bowman Act. They have never been considered upon the regular appropriation bills. Once or twice bills similar in character to the amendment offered by the Senator from Tennessee have been passed here in bulk as separate and distinct bills, but never have they emanated from the Appropriations Committee, nor have they ever been put upon a general appropriation bill.

Mr. MILLS. I want to ask if this amendment has been reported favorably from the Committee on Claims or any committee of the body?

Mr. HARRIS. It was reported by the Committee on Claims of the Senate favorably and referred to the Committee on Appropriations.

Mr. VEST. These claims are known as war claims. I do not pretend to say that these particular Bowman claims, or any of them, have been put on appropriation bills; but I do say—and I will undertake to prove by the CONGRESSIONAL RECORD—that we have put claims against the Government—not war claims, but claims arising upon other grounds—in appropriation bills, and the Senate has declared them to be in order, and passed them.

I have so little respect for this point of order or any other that I do not propose to discuss it.

Mr. HALE. In response to the inquiry of the Senator from Texas [Mr. MILLS], I will state that to this bill no amendment has been offered and referred to the Committee on Appropriations. This is a new bill.

Mr. VEST. It is the same amendment as was offered to the other deficiency bill.

Mr. MILLS. Will the Senator from Maine be kind enough to repeat his statement?

Mr. HALE. No amendment has been moved by a committee and referred to the Committee on Appropriations as an amendment to this bill; for this is a new bill.

Mr. HARRIS. Mr. President, I regret that the Senator should have resorted to a point so very severely technical as the one he now makes. I hardly thought the Senator from Maine would have resorted to a line of suggestion such as that.

There was a deficiency appropriation bill pending here; there was an amendment regularly offered in the Senate and referred to the Committee on Claims, regularly reported back, regularly referred to the Committee on Appropriations, and considered or not by that committee, I can not answer as to that. But we all know how this bill happens to be here by telegraphic rapidity in point of time, and even now no Senator here has a copy of the bill on his desk.

Mr. MORGAN. And it has not been read, either.

Mr. HARRIS. The bill came here this morning, and we have but a single copy of it, and that the desk copy; which is visible to the naked eye; and the Senator from Maine suggests that to this particular piece of paper no amendment has been offered.

Mr. HALE. Will the Senator allow me?

Mr. HARRIS. If the Senator can place himself upon a point so extremely refined and technical as that, he may enjoy all the comforts that are derivable from it. I do not envy him.

Mr. HALE. I want the Senator to keep good-natured. I did not make this point of order. The other points are so strong that I did not make this point, and did not propose to make it, and have not made it; but when the Senator from Texas [Mr. MILLS] raised the question pointedly in terms, and asked whether any committee had reported this proposition as an amendment to this bill, there was but one answer that could be given. I did not suggest it, the Senator from Tennessee will bear in mind, and do not consider now that it is at all needed. The objections are more fundamental and larger than that. I care nothing at all about the point of order made by the Senator from Texas and not by me.

The VICE-PRESIDENT. The Chair submits the question to the Senate. Is the pending amendment in order? [Putting the question.] The noes have it; the point of order is sustained, and the amendment is not in order.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMPLOYMENT OF ALIENS IN EXECUTIVE DEPARTMENTS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying paper, was ordered to lie on the table and be printed:

To the Senate:

I transmit herewith a report of the Secretary of State in answer to the resolution of the Senate of May 9, 1896, directing that "the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, the Postmaster-General, and the Attorney-General cause a careful and thorough inquiry to be made regarding the number of aliens employed in their respective Departments, and to communicate the result of said inquiry to the Senate at the earliest practicable day.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 8, 1896.*

RICHMOND LOCOMOTIVE AND MACHINE WORKS.

Mr. HALE. I am directed by the Committee on Naval Affairs, to whom the subject was referred, to report the bill which I send to the desk.

The bill (S. 3269) to pay the Richmond Locomotive and Machine Works its claim for damages and losses incurred in the construction of the armored battle ship *Texas* was read twice by its title.

Mr. DANIEL. Mr. President, I beg leave to state as to the bill which has just been reported by the Senator from Maine [Mr. HALE] that it embodies an amendment which was passed by the Senate to the deficiency appropriation bill, and has been passed on in the most scrutinizing way by both the Committee on Naval Affairs and the Committee on Appropriations, and was so clear and just that the conferees representing the Committee on Appropriations and the Senate insisted on it as conferees of the Senate.

I ask unanimous consent, since it has now been reported in the form of a bill by the Committee on Naval Affairs, that it may be taken up and passed to-day.

Mr. CULLOM. I hope that request will be granted.

Mr. HALE. The committee has considered the case very carefully, and I hope the request will be granted.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). Is there objection to the present consideration of the bill which has just been reported by the Senator from Maine?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to the Richmond Locomotive and Machine Works the sum of $69,550.39, in full of its claim for damages and losses incurred in the construction of the armored battle ship *Texas*.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HOUSE BILL REFERRED.

The bill (H. R. 7907) for the protection of the people of the Indian Territory, extending the jurisdiction of the United States courts, providing for the laying out of towns, the leasing of coal and other mineral, timber, farming, and grazing lands, and for other purposes, was read twice by its title, and referred to the Committee on the Judiciary.

PAYMENT OF EMPLOYEES.

The PRESIDING OFFICER laid before the Senate the joint resolution (H. Res. 195) to pay the officers and employees of the Senate and House of Representatives on the day following adjournment; which was read twice by its title.

Mr. HILL. I ask unanimous consent that that resolution may be now considered.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed,

AVERY D. BABCOCK AND WIFE.

Mr. MITCHELL of Oregon. I ask unanimous consent for the present consideration of the bill (S. 524) for the relief of Avery D. Babcock and wife, of Oregon.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to Avery D. Babcock, of Polk County, Oreg., and to Margaret I. Babcock, his wife, the sum of $2,000, to be equally divided between them, in full payment of their claim against the Government of the United States for the use and occupation by the United States

of their donation claim, No. 58, in section 8, in township 6 south, range 7 west of the Willamette meridian, in the State of Oregon.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT OAKLAND, CAL.

Mr. PERKINS. I ask unanimous consent for the present consideration of the bill (S. 286) to provide for the purchase of a site for and the erection of a public building at Oakland, in the State of California.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to appropriate $350,000 for the purchase of a site and the erection of a building thereon, for the use and accommodation of the United States post-office and other Government offices, in the city of Oakland and State of California.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, and read the third time.

Mr. LINDSAY. I rise to inquire whether or not there is a Federal court held at Oakland?

Mr. PERKINS. There is not.

Mr. LINDSAY. I ask whether it is a port of entry?

Mr. PERKINS. It is a port of entry.

Mr. LINDSAY. What population has it?

Mr. PERKINS. About 70,000. It is the third largest city in the State of California.

Mr. LINDSAY. On Saturday last we had under consideration a conference report in which the policy of making appropriations for the erection of public buildings at the seats of government in four or five of the States was contested by the House of Representatives. My recollection is that not over $250,000 was proposed to be appropriated for any one of those public buildings. Now, it occurs to me that $350,000 is greatly more than ought to be appropriated for a public building at Oakland, and that any such sum as that would be an extravagant appropriation.

Mr. PERKINS. I will furnish to my friend a report in regard to this case, and, after reading the report of the committee, if he thinks the amount named in the bill should be reduced, I will see to it that the committee in the House of Representatives, which will have the subject-matter presented to it for their consideration, shall properly adjust the matter. I will take pleasure in sending my friend from Kentucky a copy of the report, and I am sure he will become so interested in reading it that he will be convinced I have not placed the figure for the public building at Oakland sufficiently high.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill was passed.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask to take from the Secretary's desk the sundry civil appropriation bill, in order that I may ask the Senate to concur in the amendment of the House of Representatives to amendment numbered 97 of the Senate.

The PRESIDING OFFICER. The Secretary will read the action of the House of Representatives on the amendment of the Senate.

The Secretary read the amendment of the House of Representatives, which was to agree to the amendment of the Senate numbered 97 with an amendment, striking out the word "and," in line 11 of the amendment, and inserting "to be created by the State to which such lands are granted, and by no other authority whatever, and when created."

Mr. ALLISON. I move that the Senate concur in the amendment of the House of Representatives to the amendment of the Senate.

The motion was agreed to.

Mr. ALLISON. That is all I desire. The conference report has already been agreed to as to the remainder of the bill.

LIEUT. ROBERT PLATT.

Mr. DUBOIS. I ask unanimous consent for the consideration of the bill (S. 3150) authorizing the President to appoint Lieut. Robert Platt, United States Navy, to the rank of commander.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TAXATION OF ALLOTTED INDIAN LANDS.

Mr. PETTIGREW. I ask unanimous consent for the consideration of the bill (S. 265) extending relief to Indian citizens, and for other purposes. The bill has been read.

Mr. JONES of Arkansas. I should like to have the bill read for the information of the Senate.

The Secretary proceeded to read the bill.

Mr. JONES of Arkansas. I withdraw the request for the reading of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill, which had been reported from the Committee on Indian Affairs with an amendment, to add at the end of the bill the following as an additional section:

SEC. 3. That all agreements hereafter made for the purchase of the unallotted lands in any Indian reservation shall provide a fund for the payment of taxes upon inalienable allotments in the manner provided by this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES P. VEACH.

Mr. TURPIE. I ask unanimous consent for the present consideration of the joint resolution (S. R. 138) for the relief of James P. Veach.

There being no objection, the joint resolution was considered as in Committee of the Whole. It directs the Secretary of War to cause record to be made in the military history of James P. Veach, a private of Company I, of the One hundred and nineteenth (Seventh Cavalry) Regiment of Indiana Volunteers, in the service of the United States, that having received from the President of the United States a full and unconditional pardon of all military offenses for which he was tried and convicted by court-martial, he is thereby absolved from the offenses and from all the penalties of such offense and sentence, and is therefore entitled to an honorable discharge, to be issued as of the date October 8, 1865.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FRAUDULENT BOTTLING OF LIQUORS.

Mr. VEST. I ask the Senate to consider the bill (H. R. 4580) to amend section 3449 of the Revised Statutes.

The PRESIDING OFFICER. The bill will be read for information.

The Secretary read the bill, as follows:

Be it enacted, etc., That section 3449 of the Revised Statutes be amended so as to read as follows:

"SEC. 3449. Whenever any person sells or keeps on hand for sale, ships, transports, or removes any spirituous or fermented liquors or wines, whether foreign or domestic, in bottles, casks, or other packages, under any other than the proper name or brand known to the trade as designating the kind and quality of the contents of the bottles, casks, or other packages containing the same, or causes such act to be done, he shall forfeit said liquors or wines and bottles, casks, or other packages, and be subject to pay a fine of $500, and to be imprisoned six months for the first offense; and to pay a fine of $1,000 and be imprisoned one year for the second offense."

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CHANDLER. Is it proposed to put in the words "knowingly and willfully"?

Mr. VEST. That is an amendment of the Committee on Finance.

Mr. PETTIGREW. I object to the consideration of the bill.

The PRESIDING OFFICER. The Senator from South Dakota objects to the consideration of the bill.

Mr. VEST. Then I shall object to the consideration of any other bill. This bill is unanimously reported by the Committee on Finance. It has passed the House unanimously and is insisted upon by the Revenue Department. If the Senate can not stop long enough to attend to a bill of general importance I shall object to any private bills going through at this session.

Mr. PETTIGREW. I wish to submit a conference report on the Indian appropriation bill.

Mr. VEST. I move that the Senate proceed to the consideration of the bill, notwithstanding the objection of the Senator from South Dakota.

The motion was agreed to.

INDIAN APPROPRIATION BILL.

Mr. PETTIGREW submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 64, 69, and 70 to the bill (H. R. 6249) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That the Secretary of the Interior be, and he is hereby, directed to withhold any further distribution and payment out of the money derived from 35 per cent of the judgment in favor of the Old Settler or Western Cherokee Indians against the United States, in the sum of $800,386.31 set apart for the

payment of expenses and for legal services justly and equitably payable on account of the prosecution of said claim, until otherwise authorized by law."

And the Senate agree to the same.

On the amendments of the Senate numbered 69 and 70 the committee of conference have been unable to agree.

R. F. PETTIGREW,
H. M. TELLER,
F. M. COCKRELL,
Managers on the part of the Senate.

J. S. SHERMAN,
CHARLES CURTIS,
GEORGE C. PENDLETON,
Managers on the part of the House.

Mr. CHANDLER. I feel obliged to call upon the Senator from South Dakota in charge of the bill to make an explanation as to what the effect of the conference report is.

Mr. PETTIGREW. The conferees report a disagreement on the amendment in regard to sectarian schools, and agree with an amendment to the Old Settler attorneys' fees; that is, that the Senate recede from its amendment with regard to the Old Settler attorneys' fees and that they remain for future distribution on the part of Congress.

Mr. BATE. We can not hear the Senator on this side.

Mr. CHANDLER. Then the only thing left is the question as to sectarian schools.

Mr. PETTIGREW. There is nothing left for further conference except the question as to sectarian schools.

Mr. BACON. We have had to take on faith what is going on. We could not hear a word the Senator from South Dakota said.

Mr. PETTIGREW. The Senate conferees agree to recede from the amendment in regard to the Old Settler attorneys' fees and leave that matter to be disposed of in the future. The conferees could not agree with regard to the Indian schools amendment, and report a further disagreement on that subject.

The PRESIDING OFFICER. The question is on concurring in the report of the committee of conference.

The report was concurred in.

Mr. PETTIGREW. I move that the Senate further insist upon its amendments still in disagreement and ask for a further conference.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate at the further conference; and Mr. PETTIGREW, Mr. TELLER, and Mr. COCKRELL were appointed.

FRAUDULENT BOTTLING OF LIQUORS.

The PRESIDING OFFICER. The bill (H. R. 4580) to amend section 3449 of the Revised Statutes, called up by the Senator from Missouri, is before the Senate as in Committee of the Whole.

Mr. PETTIGREW. I should like to have the bill read in full.

The PRESIDING OFFICER. It has been read in full.

Mr. PETTIGREW. I should like to have it read again.

Mr. CHANDLER. Let the committee amendment be acted upon first.

The PRESIDING OFFICER. The bill will be read.

The Secretary again read the bill.

The bill was reported from the Committee on Finance with an amendment, in line 5, after the word "person," to insert "who, knowingly and willfully."

Mr. VEST. The committee amendment should be modified by striking out the word "who." That is a clerical error. It should read "whenever any person, knowingly and willfully."

The PRESIDING OFFICER. The amendment will be so modified.

The amendment as modified was agreed to.

Mr. HILL. Have the committee taken into consideration the question of the propriety of having the punishment of imprisonment inflicted for the first offense?

Mr. VEST. That question was fully considered in the committee. This bill, I will say to the Senator, was drawn in the Internal Revenue Department and submitted to the House committee. They made a report upon it, which I have here. The question of the degree of punishment was fully considered. This was deemed necessary in order to prevent these frauds upon the revenue.

Mr. HILL. It strikes me that it is rather harsh in a bill of this character that it is capable of being construed so that there shall be punishment for the first offense by imprisonment.

Mr. BATE. Does it say "shall," or is it discretionary with the court?

Mr. HILL. It is only by a strained construction of the bill that it affects the collection of revenue. It is more of a bill to regulate the shipment of these articles than for the protection of revenue, it strikes me. Therefore I do not quite see the propriety of imposing for the first offense both a fine of $500 and imprisonment for six months, not leaving it to the discretion of the court. I move to amend by striking out, in line 14, the word "and" and inserting "or"; so as to read—

or to be imprisoned six months for the first offense.

Mr. VEST. All I can say in regard to this matter is that it was fully considered by the committees of both Houses and that the internal-revenue officers stated that this abuse upon the revenue had come to such a pass that dealers were willing to pay the fine of $500 in order to carry on this fraudulent and really illicit business. It was thought by the Internal Revenue Department that nothing would stop it except the imposition of imprisonment as a penalty. The first offense is a fine of $500 and imprisonment for six months. For the second offense, when conviction ensues, the punishment is to be a fine of $1,000 and one year's imprisonment.

The observation of the Senator from New York that this is really an act in regard to the removal of liquors is, I think, a mistake. If he will read the testimony that was brought before the committees of the two Houses he will find that this sort of fraudulent business has grown to very large proportions, and it is an absolute fraud upon the revenue. For instance, liquor is put into bottles and fraudulently branded, and pays a tax one-fifth or one-tenth and sometimes one-twentieth of what it ought really to pay to the tax collector. If we have not jurisdiction under the Constitution in regard to a case of this sort we have not got it at all. It is not an indirect exercise of jurisdiction, but it is a case where the internal-revenue officers testify and the head of the Internal Revenue Bureau reports that it is absolutely impossible to collect the revenue unless this fraud is stopped; that the dealers constantly escape the payment of the taxes which are imposed by an act of Congress by putting into their bottles and packages a different liquor from what is purported upon the outside to be there. If it were not for detaining the Senate I would ask to have read the report, with the communication from the Internal Revenue Department, for it substantiates fully what I have stated.

The PRESIDING OFFICER. Is there objection to the amendment of the Senator from New York? The Chair hears none.

Mr. PETTIGREW. I should like to hear the report read.

Mr. MILLS. The Presiding Officer has declared the amendment agreed to.

Mr. VEST. I object to that amendment, of course.

The PRESIDING OFFICER. The Senator from South Dakota demands the reading of the report.

The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 7864) to amend the immigration laws of the United States.

The PRESIDING OFFICER. The Senator from New York——

Mr. VEST. I ask the Chair to correct the statement that the amendment submitted by the Senator from New York was agreed to. I opposed that amendment.

The PRESIDING OFFICER. The Chair asked whether there was any objection to the amendment, and hearing none, stated that it was agreed to.

Mr. VEST. I rose and spoke some five minutes in opposition to it, and supposed that was sufficient to indicate that I objected to it.

The PRESIDING OFFICER. If there be no objection, the record will be amended so as to show the amendment of the Senator from New York to be pending.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the Vice-President:

A bill (H. R. 5280) for the relief of George W. Freeman;

A bill (H. R. 6259) to expedite the delivery of imported parcels and packages not exceeding $500 in value;

A bill (H. R. 9404) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes; and

A joint resolution (S. R. 155) to authorize a scientific investigation of the fur-seal fisheries.

PROPOSED RESTRICTION OF IMMIGRATION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7864) to amend the immigration laws of the United States.

Mr. HILL. Mr. President, the other day the immigration bill was made the unfinished business. While it was pending, by the consent of the Senator from Massachusetts [Mr. LODGE], the contempt bill was taken up and for that day it was substituted as the unfinished business, and then it was not reached by reason of yielding to other bills. The Senator from Massachusetts has gone away, I believe, and I understand that it is not the intention to press this bill. I will ask the Senator from New Hampshire if that is the case?

Mr. CHANDLER. Not exactly that. I am in charge of the bill to-day, and the Senator from Alabama [Mr. MORGAN] wishes to address the Senate in connection with an amendment which he

will move. After that I will yield to the bill in reference to contempts which the Senator from New York desires to call up.

Mr. HILL. That is satisfactory.

Mr. CHANDLER. I shall not ask for any action upon the bill to-day.

Mr. MORGAN. I send to the desk the amendment that I propose to offer to the bill. I offer it now.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. Add to the bill the following proviso:

Provided, That this act shall not apply to persons arriving in the United States from any port or place in the Island of Cuba.

Mr. MORGAN. That amendment does not indicate at all that I am in favor of the bill or the principle upon which it is based.

Mr. PLATT. Will the Senator from Alabama yield to me a moment?

Mr. MORGAN. Certainly.

Mr. PLATT. I wish the attention of the Senator from New York. The Senator from New York spoke about the contempt bill having been substituted in some way for this bill, as if it was before the Senate, and some suggestion in regard to the order of business was made by the Senator from New Hampshire. I do not wish to be considered as assenting to the taking up of the contempt bill at any time.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Alabama.

Mr. MORGAN. Mr. President, the inquiry or the question which is raised by the amendment which I offer relates to the condition of the people of Cuba and the implied obligation, to say the least of it, that we are under to extend a peculiar hospitality to those people.

Under the treaty of 1795 we placed ourselves upon terms of very close intimacy with Cuba through the negotiation that we then conducted with Spain, making various exceptions in favor of our commerce even during times of war. We also made exceptions in favor of the right of search upon American ships in time of war even between Spain and the United States. So that that treaty may be considered as a very liberal one between both Governments, extending to each Government favors and advantages that are not found in the ordinary run of the treaties of a commercial sort with any of the great powers.

In 1877 the Government of the United States negotiated and ratified with Spain a treaty in regard to extradition. I will not stop now to quote the language of that treaty, but will state generally that extradition is not permissible as between Spain and the United States, in respect of any offenses that are political in their character or any offenses that are connected with political offenses. That extradition treaty came at the close of the ten years war in Cuba, and it was intended to protect them, and thereafter all of those persons who were escaping from Cuba and coming to the United States to seek shelter against Spanish persecution. So we threw wide open the door of invitation to the Cubans to come to our coast, and they have come here in great numbers. I am glad to say that the people who have arrived in the United States from Cuba are, as a rule, an excellent class of people. They are all devoted to legitimate industry, and some of them stand very high in scientific information, and have conferred really great honor upon their native land and also upon the United States, of which they have become citizens.

It is very rare that anyone comes over here from Cuba, driven out by Spanish persecution of a political sort, who does not become a citizen of the United States, and I think that the records of our police courts and of the country at large can be safely appealed to to show that we have not received from any country a better, more orderly, or more patriotic set of men and women than we have received from Cuba.

At the present moment, as heretofore, and as the case will stand hereafter, unless there is a very great change in the relation between Spain and Cuba, is it not perfectly obvious that we can not now afford to close this gate to the admission of the people from that island and exclude all persons over 14 years of age who may not be able to read the Constitution of the United States either in the Spanish or in the English language? The reason of their coming here is so obvious, and we understand it so well, that we can not afford to apply the ordinary rules of exclusion to those people without doing injustice to all of those sympathies which influence American hearts in respect of the rights of people, who are seeking to be relieved from persecution and from the tyranny of monarchical institutions, and who are seeking to establish for themselves at home free government, republican in form. When they find that they can not obtain that boon at home they naturally come to the United States. That one fact will be an inducement, I think, quite sufficient to draw a great number of them here. But when to that fact is added the other great and monstrous fact of the persecutions that have taken place during many years in the Island of Cuba, there can be no reason why we should exclude them from coming to our coasts and becoming naturalized under our laws. A great many of the young Cubans come to the United States now in preference to going to Europe for the purpose of obtaining an education. Our colleges and schools have been largely patronized by them, and I suppose from this time forward that influx will greatly increase, unless their native land should become a home to those people in which they can afford to live.

In order to bring before the country and the Senate a proper knowledge of the reasons that have influenced these people in their migration to the United States, as to which there has been some complaint made by some of our wise statesmen, I desire to review the facts, at least to some extent, that have occurred in regard to this migration from Cuba to the United States, and to bring to the attention of the American people the justification that exists for their coming here and seeking shelter under our extradition laws and under our flag and under the ægis of this great and splendid Republic.

There has been a good deal said in American oratory, in almost every place where that high trait has been exercised at all, upon the subject of this being the hospitable home of all the refugees who flee from tyranny and oppression in all the countries of the world. That is a very great fact. It is a beautiful reality. It is something of which we have a right to boast; and it is one of the fruits of our republican institutions than which none are better for the advancement of civilization and for the liberty which belongs naturally and justly to every human being in the world.

The complications between the Government of the United States and Spain resulting from the nearness of Cuba to our shores and from the hospitable invitation which we have given to their people to come here have saddled upon us very heavy troubles in times that are past, and are continuing now to do so. The result of the ten years war which occurred between 1868 and 1878 was as to our people, not including the *Virginius* case, the *Mora* case, and others that were subjects of special agreements, as follows: A Spanish commission, as it was called, was organized for the purpose of considering the claims mutually between the people of the United States and the people of Spain. That commission had very protracted sessions and went over the whole field of claims that had been presented to either Government against the other. There were presented on the part of citizens of the United States 131 claims, amounting to $26,702,810.28 in the aggregate as they were presented. As I remarked, there were other exceptional cases like that of the *Virginius* which were not included in this list. Of these claims 16 were allowed out of 131, and the amount of the award was $958,928.75. The largest claim allowed was $748,180 and the smallest one was $175. The amount of the claims that were rejected is not stated. But that is a case where the large claims were followed up by the proper proof and the smaller claimants were excluded because they did not have the money or the time or the opportunity to present the evidence upon which their claims were based. And so it results in nearly all of the cases of claims that follow civil war.

It looks as if our people were extravagant in their demands upon Spain for reimbursement when they charged in 131 claims $26,702,810.28 as the aggregate of their losses; but I think any reasoning man is bound to know in his own judgment and in his own conscience that even that sum of money is below the reality as to the losses and damages sustained by the people of the United States in the ten-years war.

Judging from our success at the close of that war as to what will probably be our success at the close of the present war in the demands we are making upon Spain for the losses sustained in Cuba, we find there is little inducement of a monetary character for us to abstain from doing our duty toward ourselves and toward Cuba in the expectation that at the close of the present war indemnity will be granted to our people in any degree at all adequate to the losses which they are sustaining in Cuba.

There seems to be a very false impression as to the liability of the Spanish Government to the people of the United States in respect of these claims that are now accumulating as is supposed in consequence of the interruption of peace in that island. There seems to be an impression that Spain stands sponsor for all the damages done in this war to American property and American citizens who may be resident in Cuba or who may happen to be there at any time. That is a great mistake, and the influence of that error ought to be dissipated now, because it is enthralling the spirit of our people, and, I think, preventing many of them from insisting upon the rights of the people of the United States, and the rights of the people of Cuba, not connected with financial affairs, which seem to be put in the background when they are contrasted with the rights of those who have claims there or property there.

It is known that in some portions of the United States the owners of railroads in Cuba reside, and they are very much concerned about what may become of their property in the event of the success of Cuban arms as against the Spanish Government. The owners of sugar plantations are also found in some portions of our country, and they are making a good deal of outcry against our

expression of any sympathy for Cuba or doing anything for the purpose of assisting those people or for the purpose of protecting even the lives of our own people when those lives come in competition with possible losses which they may sustain in their sugar estates.

It ought to be remembered, upon the experience of our own Government with our own people under similar circumstances, that for the injuries which are inflicted by the march of armies and by necessary military operations, of whatever character they may be, whether the soldiery may come and tear a man's house down around his family and build the timbers into fortifications and breastworks to defend against the enemy, or whether it may be the burning up of fences or the destruction of crops of corn or cotton, or the destruction of property of any kind, robberies by soldiers and all that, the Government of the United States has never thought that it was its duty to recompense even the loyal men of this country. It is one of the circumstances which attend war, and is inseparable from it, and it compels every person, whether a citizen of a country or an alien, where war is existing in the land, to submit to whatever extremities it may impose upon him in the loss of property or even of life, and that without any hope of compensation from the successful government. It is a sacrifice which a man must make to the condition of affairs in the country where he happens to be resident, and it is only in those cases where the successful government has made some appropriation of property which has been immediately useful in the conduct of war, such as corn or wheat or provisions or the like of that, that any government has felt itself obligated to pay for such losses.

I know also that it is said that there are numbers of gentlemen in this country with great influence and power who have private understandings with the Spanish minister that in the event of the success of the Spanish arms in crushing out the Cuban rebellion they will receive favoritism in the acknowledgment and payment of their claims. If those statements be true—I do not vouch for them; I have them from common report—those gentlemen will find in the end that they are reckoning without their hosts, and that their contracts made with Mr. De Lôme, if they are contracts, or their understandings had with him, if there are understandings, will prove to be entirely disappointing and futile. We find here that we got out of the last ten years war in Cuba for the $26,000,000 of claims, which we are to suppose were honestly made, $958,928.75. How much will we get after this war is over? Spain itself would be a heavy loser if it had to compensate every American citizen for all the losses that have been sustained there in the course of this war; and whatever they may say about this, whatever they may suppose about it, in the outcome there will be great disappointment in realizing these expectations of reimbursement in damages for the losses that our people are sustaining in Cuba now.

The war in Cuba is a great affliction to our people, and it is one that is entirely remediless so far as we are concerned, unless we choose to interpose a strong hand there to stop it. There would be very good reason for doing that under existing circumstances, and I think I can cite very high authority in support of that proposition upon the facts that are existing now, upon the facts that have been already developed in the course of the last fifteen or eighteen months, when the war has prevailed.

President Jackson, in his seventh annual message, in 1835, speaking upon this general subject, said:

> Unfortunately, many of the nations of this hemisphere are still self-tortured by domestic dissensions. Revolution succeeds revolution; injuries are committed upon foreigners engaged in lawful pursuits. Much time elapses before a government sufficiently stable is erected to justify expectation of redress. Ministers are sent and received, and before the discussions of past injuries are fairly begun fresh troubles arise; but too frequently new injuries are added to the old, to be discussed together with the existing Government, after it has proved its ability to sustain the assaults made upon it, or with its successor, if overthrown. If this unhappy condition of things continue much longer, other nations will be under the painful necessity of deciding whether justice to their suffering citizens does not require a prompt redress of injuries by their own power, without waiting for the establishment of a government competent and enduring enough to discuss and make satisfaction for them.

That is the utterance of a man of great wisdom and great courage. He looked at the rights and interests of his country with a direct and penetrating eye, and he defended them with an arm that was nerved with great courage, strength, energy, and patriotism. The doctrine contained in that message of President Jackson applied to the present condition would justify the attitude taken in this case from the beginning by the honorable Senator from Texas [Mr. MILLS] who is now listening to me, that it is the duty of this Government to our own people, under all the surrounding circumstances and in view of the history of the past and the expectations of the future, to interfere and stop this war, and prohibit the destruction of life and property that is being carried on there in such a ruthless way. We have ample excuse and reason now for taking that course in respect to Cuba if the Government of the United States choose to take it. The justification in the eyes of nations and under the international law would be perfect, and that justification is predicated upon the thoughts which are expressed in the seventh annual message of that great soldier of the revolution, of the war of 1812, that great man who was President of the United States, and whose memory will stay with us to fortify our resolution in our weaker moments through generation after generation of Americans yet unborn.

I am not advocating that such a course ought now to be taken by the Executive of the United States. I suppose it would be entirely vain to make the suggestion at the present moment of time, but I am speaking now in regard to what has been done and what has been suffered by our people. I am speaking in respect to the rights that belong to our people based upon that predicate of fact. I do not know but that we are arriving at a period, if we have not already reached it, when the rights of the American citizen, even in respect to his life and his liberty, are to be considered as a minor matter when weighed against the interests of business people of the country or the interests of some men who have large holdings in Cuba or elsewhere. But after a while something will occur in this country that will bring the Government of the United States back to the consideration of the question, "What are the rights of the individual man who is a citizen of the United States who claims the protection of our flag?"

Some of the greatest rulers in this world, the most successful and most beloved by their subjects, have won their hold upon the affection of those people by their fidelity to the personal individual rights of the citizenship of their country. They have not stopped to make a calculation as to whether more dollars will be made to their people by allowing a war to proceed or by stopping it. When life and liberty were at stake, when their citizens were incarcerated in foul dungeons without having committed any crime, they did not stop for considerations like those, and the result of it is that there is not a heart that beats in the bosom of one of their subjects that is not true and loyal to the crown.

You may take the Russians, many of whom are said to be scarcely a civilized people. Take them as a mass and observe their fidelity, their loyalty to their Government and their Crown, and ask yourself the reason for it; why it is they are proud of a Government that is utterly despotic, that has no parliament, that has no means of guaranteeing to the subject of Russia his personal liberty. Ask the reason for it. It will be answered immediately that the Czar of Russia is the father of a great family, and he takes care of all his children. There is not a nation in this world that can with impunity inflict a wrong upon a Russian citizen—not one. There is not one that would dare to do it.

I wish I could say as much in respect to the citizens of the United States. I wish I could say to-day that our record is free from all impeachment upon this great question, and that while the Star Spangled Banner waves no American citizen has yet been outraged in his personal rights without having found immediate and adequate redress. But I can not say it. I will presently refer to the facts that prohibit me, and they are very sad, they are very recent, and they come from a country which is close to us geographically, far distant from us in its thoughts and actions respecting the government under which the people live. It is far removed from us, as far as the east is from the west in its form and principles of government, but still so close that we have to stand by and witness the persecution of those people and of our own people when they go to assist them—or even when they do not go to assist them—the persecution of our people upon the sole ground that they are Americans. We stand by in silence and witness these things, as a Government that locks itself behind the bars and doors of privilege and refuses even to tell us what is going on.

Now, I will turn to the inquiry, what the ten years' war cost the Cuban people. I have here before me a pamphlet called Spanish Rule in Cuba; Laws Governing the Island. This pamphlet, on its title page, says it is a "Review published by the colonial office in Madrid, with data and statistics compiled from official records, authorized translation, with additional notes." This is a Government paper, coming from the Government of Spain. On page 41 of the paper is an apology for the present public debt of Cuba, and also a statement of its amount. Will the Secretary do me the kindness to read No. 20?

The PRESIDING OFFICER. The Secretary will read as indicated, if there be no objection. The Chair hears none.

The Secretary read as follows:

CUBA'S PUBLIC DEBT.

Until 1868 the finances of the Island of Cuba were in an exceedingly prosperous condition. For many years there was an excess of revenue over expenditure, although, as has been said before, the Cuban treasury made large contributions to the national treasury. In spite of the fact that the cost of the military expeditions to Mexico and San Domingo was defrayed by the treasury, the deficit at the outbreak of the Cuban revolt in 1868 was only $7,360,000, an insignificant sum in view of the resources of the island. That these burdens were thrown upon the Cuban treasury is not surprising, inasmuch as for many years the Crown of Spain had in Cuba a very costly colony, whose expenses had to be met by subsidies from the colonies of Mexico and Peru.

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The revenues, in consequence of the revolt, were much reduced, while the expenses rose to huge proportions. Extraordinary taxes were levied, but

they proved insufficient. Loans were obtained first from the Banco Español of Habana and subsequently from other banks. Treasury notes and bank notes guaranteed by the treasury, the latter through the Banco Español of Habana, were issued. The treasury issued bonds guaranteed by the customs dues, and a floating debt for the liquidation of previous expenditures was formed. All these debts were consolidated by the issues of bonds guaranteed by the Cuban treasury to the amount of 620,000,000 pesetas ($124,000,000) in 1886 and to the amount of 222,500,000 pesetas ($44,500,000) in 1890, making a total debt at the outbreak of the present revolt of $168,500,000.

The sources of the Cuban debt being shown, all commentary is unnecessary.

Mr. MORGAN. According to that statement, at the beginning of the present outbreak in Cuba the debt saddled upon that colony amounted to $168,500,000. What was the occasion for it? They make Cuba pay all the expenses for the ten years war. They make Cuba pay the expenses also of the expedition against Santo Domingo, which was carried on during the time of our civil war, which failed and which cost Spain very heavily. Of course the Cuban colony had not anything to do with carrying on that expedition, except, perhaps, that a few Cubans may have gone there and lost their lives in trying to assist the Spanish flag. But that debt is saddled upon them.

Now, more recently they have saddled upon Cuba the expenses of an expedition against Mexico and one against Peru, the latter occurring also during the time of our civil war in the United States. Those various sums of money thus fastened upon the treasury of Cuba amounted to $168,500,000 at the beginning of the present Cuban insurrection or war. Just before the insurrection broke out General Weyler was engaged in the Philippine Islands for a year and a half, I think it was, in killing enough of the natives of that population to bring the balance of them into subjection to the Spanish will, and that expedition cost very largely in money and still more largely in human life. The expense of the expedition against the Philippine Islands has been fastened upon Cuba, an unknown sum yet to come, yet to be placed upon the treasury of that country, and the proceeds of taxation are to be applied to the extinguishment of the interest upon that debt and ultimately the principal.

Now will come the expenses of the present war. What do they amount to? What has Spain spent since February, 1895, or really since September, 1894, for that is the time when she commenced to make her preparations to resist the outbreak. What has she spent upon the present war? She has sent 175,000 troops to Cuba. She has had to import all of her provisions either from the mother country or from other countries. She has derived no supplies from the Island of Cuba—nothing to speak of. What, then, must be the expense of the present war up to this time, with 175,000 soldiers in the field, besides a very large and very expensive navy that she is maintaining there? It can not be less than $25,000,000. More likely it is $50,000,000. If this war continues as long as the former war continued, and there is no likelihood of it stopping short of that unless Cuba shall achieve her independence, a debt will have been incurred in its prosecution by the Spanish Government amounting to fully as much as the whole debt now resting upon Cuba. At the present moment of time the debt resting upon Cuba is not less than $300,000,000 on a million and a half of people. That debt is fastened upon their treasury, and all the taxation that brings money into the treasury is mortgaged for the payment of interest upon the debt. It is not a dollar under $300,000,000, and at the close of the present struggle—if it closed now—it would not be less than $350,000,000.

Now, this book informs us that at the present time the per capita taxation in Cuba is the very small and moderate sum of $24. To think of that! Taking all the old and the young, the rich and the poor, every human being, amounting to a million and a half people, when you come to average the annual taxation among those people it is $24 per annum per capita. No people in the world, of course, can live under such taxation. They take Cuba and separate her from the balance of the Spanish Government on all questions of taxation that they can impose upon her. They incorporate her, however, in the Spanish monarchy upon all other questions—the question of power to hold her as being obedient to the Spanish monarchy, and subject to the rule of the Cortes in Madrid. In the introduction to this book it is said:

Cuba long ago ceased to be a colony. She is now an integral part of Spain. All Spaniards, be they born in the peninsula or in Cuba, may say: "Where Spain has her flag, there is Spain."

Now, if that very majestic declaration is true, why is it that Cuba is separated out from the balance of the Spanish colonies to receive individual and singular taxation in respect of every American enterprise in which Spain is engaged, whether she fails in it or whether she succeeds? Why should the expenses of a war with Mexico, with the Philippine Islands, with Peru, and with San Domingo be saddled upon the Island of Cuba, in addition to the expense of putting down the insurrectionary movements which have several times been conducted in that island? If Cuba is not a colony and is an integral part of the Spanish dominion; if it is now a province of the Spanish Government, why have not Castile and other provinces of that Government been taxed for the purpose of relieving Cuba of the burdens that have come upon the general treasury of the Spanish Government? These facts prove the absolute justification of what the Cubans have been saying to us now for many years, that they are selected out for purposes of oppressive taxation, ruinous and unfair taxation, and yet when they claim that the balance of the Spanish monarchy should share with them in the expense of Spanish enterprise, particularly those of wars with foreign countries, they are replied to with bayonet and sword. They are told that they have not a right to consider any question of taxation that the Spanish Cortes undertakes to impose upon them.

This was one of a number of oppressions that occurred in Cuba that led to the war of 1868–1878. In that war there came forth in its history a perfect exemplification of the whole character of the Spanish monarchy in its relations to the Island of Cuba. The picture, Mr. President, is beyond the power of human description. No man, however powerful he may be with pen or tongue, can give anything like an adequate description of the sufferings that those people endured during that ten years of war.

We have now an object lesson presented in the present history of the struggle in Cuba, which informs us through our public press, without a denial that I have ever seen, day by day of the outrages and wrongs perpetrated in Cuba of the same general character, only they are more flagrant, they are more oppressive, they are less humane and less Christian than they were in that ten years' war.

There is a gentleman in Washington City who has been here a number of years and who is connected with our Government, who was a lawyer by education, born in Cuba, educated there, and was a judge in that colony. He was a participant, however, in the former ten years war, and then came to the United States to practice his profession here, and has several times appeared before the Committee on Foreign Relations in the advocacy of the Mora claim, which we all remember, and has exhibited himself as a learned and an elegant man. At the close of the former war Mr. Dominguez, the gentleman to whom I refer, and who, I believe, is now one of the clerks in the Bureau of American Republics, compiled from statistics which he affirms to be entirely true and reliable a book and printed it. It is called the Book of Blood—a book that was printed in New York in 1873, long before this present outbreak occurred in Cuba. He has obtained the names of as many as he could of the persons who were shot in Cuba during that ten years war. He gives the place of residence and day of execution, and gives a reference to the book or public print in every case to justify his statement. This book has not been referred to heretofore, I think, in the Senate, or, if it has been, it has been very briefly adverted to; but it shows a picture of bloodshed and ruin and destruction and outrage amongst those Cuban people during those ten years, which is characteristic of that Spanish Monarchy, only, from the time of the Duke of Alva down to the present moment. At the same time it is revolting that any civilized nation would permit such a book as that to go unanswered where the facts are stated by a gentleman of very high character—a character that can be vouched for by many of the best citizens of America.

According to that statement thus carefully prepared, giving the names of the different individuals, or, where they were unknown and he could not find out the precise name of the party, giving dates and references to show that the facts were exactly as he states them, the loss to Cuba was 8,517 people destroyed during that war, of whom 7,699 were captured as prisoners and taken during that war in battle, and they were shot after they surrendered. One hundred and ninety-one persons were garroted, 84 were shot by order of courts-martial, 38 were condemned for life in the chain gang at Ceuta, in Africa, and 181 were condemned to shorter terms of imprisonment.

Mr. MILLS. Has he enumerated the number of persons on both sides who were killed?

Mr. MORGAN. Yes, sir. The number of persons who were killed in that war on the Cuban side was over 40,000. The Spanish lost more than that. So that there must have been over 100,000 lives sacrificed in that ten years' war.

Mr. MILLS. Is it a fact that 40,000 people were killed on the battlefield?

Mr. MORGAN. Very likely; but Mr. Dominguez does not go into that matter,

Mr. MILLS. Is that the statement in the encyclopedia?

Mr. MORGAN. That statement is in the encyclopedia, and I have no doubt of its truth.

Of the 250 persons who were transported to the island of Fernando Po, on the coast of Africa, on the 21st of May, 1869, 7 were administrators of sugar plantations, 1 was an architect, 3 were attorneys at law, 3 were brokers, 2 bankers, 10 carpenters, 5 clergymen, 11 clerks of notaries, lawyers, etc., 4 druggists, 3 distillers, 4 engineers, 20 farmers, 2 judges of the peace, 6 lawyers, 4 masons, 4 military officers, 2 mortgage recorders, 8 notaries, etc. Of the 250, 140 were married, 91 were single, and 14 were widowers.

This statement shows that the class of people who were engaged

in that struggle of the ten years' war were not negroes and inferior people. In fact, the negroes were then slaves, and therefore were excluded, the Cubans agreed with the Republicans in Spain that slavery should be abolished, and that was the predicate on which General Grant interfered to get that war stopped; and then the treaty which was made at the time, and which was discussed here—the treaty of Zanjon—contained eight articles of capitulation, none of which have been honestly complied with by Spain since that time.

Mr. President, up to the present time La Discussion, a Spanish paper at Habana, gives the following as to Cuban losses in the present war, a statement extracted from El Heraldo, of Madrid.

El Heraldo de Madrid, referring to a statement published by the minister of war, giving the casualties among the insurgents, makes the following summary for the eleven months of 1895: Twenty-six chiefs or leaders and 1,190 rebels were killed; 4 chiefs and 358 men were wounded, and 218 men were made prisoners.

El Heraldo draws a contrast between the early months of 1895 and the early months of 1896. During January, February, March, and April, 1896, 37 chiefs and 3,005 men were killed, while 12 chiefs and 1,618 men were wounded, and 12 chiefs and 330 men were made prisoners.

The result in favor of four months of 1896 compared with eleven months of 1895 shows a difference in favor of 1896 of 11 chiefs and 1,895 men killed and 8 chiefs and 1,260 men wounded, while 112 prisoners were captured.

That is all I care to read of that article.

That is a very remarkable statement, Mr. President. One hundred and twelve prisoners were captured in the present war, says this authentic statement from Madrid, one of these official organs. That is the most extraordinary reversal of the casualties of war that I think I ever read, and you will observe that in all the accounts that come from Cuba to this country there is no statement made in regard to the number killed in battle; there is no statement of the number of prisoners taken; they are all put down as being killed; but you will find that there are statements made that 100 men were killed and 10 were wounded, or something like that, which means simply that they killed their prisoners. It can not mean anything else.

That statement, put in that Spanish newspaper at Madrid, shows that of the number of men who were fighting only 112 were captured as prisoners. What became of them we do not know. I suppose that they have either come in and yielded their submission to the Spanish Government or joined the army, or else they may have been sent off to prison. We can not tell anything about that.

The first question that arises in the American mind is whether or not that is war. I do not mean war by declaration. The declaration is always the least part of a war. When we were passing upon the French spoliation claims the other day it was objected that those claims were incurred in a period of war, and that argument has been held as to those claims from the time they were first incurred, early in the beginning of our Government, down to the this date, and yet there was no declaration of war between France and the United States at all; but it has been seriously maintained and urged against those claims always that they were the result of warfare, and being the result of warfare our citizens had to submit to the loss, and that we were not amenable to compensate them for losses which occurred in actual war, whether war was declared or not.

What is this war? Is it a mere civil proceeding? Are we to stand here as a Senate and to decide in the face of facts like these that no war prevails in Cuba, that it is a mere insurrection? What is an insurrection? It is an outbreak against the civil authority; and the civil authority is not only left free to deal with it, but only civil penalties administered by the civil authority can be visited upon the men who are engaged in insurrection. That is the law of all civilized countries in the world. It is the civil law and the common law of England; it is the law of nations. When a man is arrested as an insurrectionist, I care not whether he is arrested by the police force or whether it is necessary to call the army in to arrest him, the moment he is under arrest he is amenable to civil trial by civil tribunals and to civil penalties.

How long has it been in the Island of Cuba since the Spanish Government has had the power thus to inflict these penalties upon the people of that island? Sir, they have not had the power since within thirty days of the first outbreak in that island. Their judges were driven from the bench; their authority as a civil power ceased. Civil trial no longer existed in Cuba unless within some of the fortified towns; but as to reaching out the civil power to arrest the perpetrators of the insurrection and try them before the civil courts, that state of affairs has not existed in Cuba since thirty days after the beginning of war.

In that connection, I desire to call the attention of the Senate and the country to the utterances of our own Supreme Court upon that question, which I think ought to be acceptable to everybody, and which, I think, will, when they are considered, probably lead to a very much better understanding of these questions and to less debate and controversy among ourselves as to what the law actually is. In the case of Ford *vs.* Surget, which had reference to the destruction of some cotton which belonged to the plaintiff in the State of Mississippi during the war, quite a large quantity of it—200 bales of cotton which were burned up by a provost-marshal in a certain county under the orders of the Confederate military. He was not a Confederate military officer; he was not in any wise connected with the Confederate government. He was a State provost-marshal. He burned up that cotton, and did it under the orders of the military. The question arose whether he was liable to the owner of the cotton for having burned it, for it belonged to Mr. Ford. Of course, the action was predicated entirely upon the idea that the rebellion was unlawful, that it was not in any sense justifiable, and that the act could not be justified under the laws of the United States. So the Supreme Court held that it could not be justified under the laws of the Confederate States as well. But they go on to say this about it, for they held Surget was not liable for burning the cotton. Mr. Justice Harlan, in delivering the general opinion of the court, says this:

3. The Confederate government is to be regarded by the courts as simply the military representative of the insurrection against the authority of the United States.

4. To the Confederate army was, however, conceded, in the interest of humanity, and to prevent the cruelties of reprisals and retaliation, such belligerent rights as belonged under the laws of nations to the armies of independent governments engaged in war against each other, that concession placing the soldiers and officers of the rebel army, as to all matters directly connected with the mode of prosecuting the war, "on the footing of those engaged in lawful war," and exempting "them from liability for acts of legitimate warfare."

5. The cotton for the burning of which damages are claimed in this civi action was, as to the United States and its military forces engaged in the suppression of the rebellion, not only enemy but hostile property, because, being the product of the soil, and, when burned, within the boundary of the insurrectionary district, it constituted also, as we know from the history of the insurrection it did, "the chief reliance of the rebels for means to purchase the munitions of war in Europe." (Young *vs.* United States, supra, page 39; Mrs. Alexander's Cotton, 2 Wall., 404.) It was therefore liable at the time to seizure or destruction by the Federal Army, without regard to the individual sentiments of its owner, whether the purpose or effect of such seizure or destruction would have been to strengthen that Army or to decrease and cripple the power and resources of the enemy.

Further on he states:

They had the right, as an act of war, to destroy private property within the lines of the insurrection belonging to those who were cooperating, directly or indirectly, in the insurrection against the Government of the United States, if such destruction seemed to be required by impending necessity for the purpose of retarding the advance or crippling the military operations of the Federal forces. Of that mode of conducting the war on behalf of the rebellion no one could justly complain who occupied the position of an enemy of the United States by reason of voluntary residence within the insurrectionary district.

Mr. Justice Clifford goes on to give more at large his views on this subject, and I shall refer to certain extracts from his opinion merely for the purpose of illustrating the argument as applied to this question in various forms by various people at different times. Mr. Justice Clifford concurred in the judgment of the court and delivered the following opinion, of which I shall read only a part:

Parties belligerent in a public war are independent nations; but it is not necessary that both parties should be acknowledged as such in order to the enjoyment of belligerent rights, as war may exist where one of the belligerents claims sovereign rights against the other, the rule being that when the regular course of justice is interrupted by revolt, rebellion, or insurrection, so that the courts of justice can not be open, civil war exists and hostilities may be prosecuted to the same extent as in public war. (Prize Cases, 2 Black, 666; Vattel, 425.)

Further arguing, he says this:

Insurrection may or may not culminate in an organized rebellion, and it may or may not assume such aggressive proportions as to be justly denominated territorial war, the universal rule being that rebellion becomes such, if at all, by virtue of its numbers and the organization and power of the persons who originate it and are engaged in its prosecution. But when the party in rebellion hold and occupy certain portions of the territory of the rightful sovereign, and have declared their independence, cast off their allegiance, and formed a new government, and have organized armies and raised supplies to support it, and to oppose, and if possible to destroy, the government from which they have separated, the world and the law of nations acknowledge them as belligerents engaged in civil war, because they claim to be in arms to establish their liberty and independence in order to become a sovereign state.

A better definition of the present situation in Cuba could not possibly be given than Mr. Justice Clifford gave in that opinion. He proceeds:

History furnishes many examples of war between the government de jure of a country and a government de facto of a seceding portion of the same country; and in such cases jurists hold that other powers are entitled to remain indifferent spectators of the contest, and to allow impartially to both belligerents the free exercise of those rights which war gives to public enemies against each other, such as the right of search, the right of blockade, the right of capturing contraband of war and enemy's property laden in neutral vessels. (Twiss, Law of Nations, 2d edition, section 239.)

Rebellions of the kind, when they become too formidable to be suppressed by the duly constituted civil authorities, authorize the de jure government to blockade the ports within the territory occupied by the insurgents, and to notify the same to foreign powers that the same will be enforced pursuant to the law of nations. Official notice of such a proclamation makes it the duty of foreign nations to conform to the international rules of war in that regard; and the same jurist says that the foreign power must at once decide upon one of three alternative courses of action. It may assist the government de jure as an independent power, or it may assist the insurgents, in either of which cases it becomes a party to the war; or it may remain impartial, still continuing to treat the government de jure as an independent power whilst it treats the insurgents as a community entitled to the rights of war against its adversary. Such a concession is indispensable, as the neu-

tral power will find it impossible to recognize the character of one as a belligerent without recognizing the belligerent character of the other, unless the war is confined entirely within the territory of the contending parties and does not extend in any respect to the highway of nations. (Id., page 500.)

Belligerents engaged in war may exercise the right of blockade, and they may capture contraband of war and enemies' property laden in neutral vessels; and if so, the contest, though it originated in rebellion, must in the progress of events, when it assumes such proportions as to be justly denominated civil war, be recognized as entitling both parties to the rights of war just as much as if it was waged between two independent nations.

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Other nations, as well as the United States, conceded belligerent rights to the Confederate States, as all admit, which renders it unnecessary to inquire whether the concession was rightful or premature. Matters to be taken into the account in determining such a question, it is said, are whether the insurgents present the existence of a de facto political organization, sufficient in character, population, and resources to constitute it, if left to itself, a State among the nations reasonably capable of discharging the duties of such an organization.

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Publicists and courts of justice everywhere concur in these sentiments and in certain corollaries which the author deduces from the attending circumstances, to wit, that the common laws of war—those maxims of humanity, moderation, and justice previously pointed out—ought to be observed by both parties in such a conflict. (Vattel, 425.)

For the same reasons which render the observance of those maxims a matter of obligation between state and state, it becomes equally and even more necessary in the unhappy circumstance of two incensed parties in the case of civil war. Should the sovereign conceive that he has a right to hang up his prisoners as rebels the opposite party will make reprisals, as in the example given in the note, and if he does not observe the terms of the capitulations and all other conventions with his enemies they will no longer rely on his word. Should he burn and ravage, they will follow his example, and the war will become cruel, horrible, and every day more destructive to the nation.

War, it is said, may exist without a formal declaration; and the decision of the court is that the laws of war as established among nations have their foundation in reason and tend to mitigate the cruelties and miseries which such conflicts produce. (Prize Cases, 2 Black., 669.) Hence, say the court, the parties to a civil war usually concede to each other belligerent rights, for they exchange prisoners, and adopt the other courtesies and rules common to public or national war; nor is it necessary that the independence of the revolted province or State should be acknowledged in order to constitute it a party belligerent in a war, according to the law of nations; and the reason given for the rule is one of frequent illustration, which is, that foreign nations acknowledge it as war by a declaration of neutrality, of which two examples are given in the opinion of the court from which these rules are drawn: 1. When the United States recognized the existence of civil war between Spain and her colonies. (The Trinidad, 7 Wheat., 327.) 2. When the Queen of England issued her proclamation of neutrality recognizing hostilities as existing between the United States and the Confederate States.

In a further discussion of some of the minor objections which were made on the argument of this case before the court, Mr. Justice Clifford proceeds to answer as follows:

Cotton was the article destroyed, which was the subject during the war of special legislation by each belligerent power. It was treated by the Army, the Navy, and the civil arm of each as possessing extraordinary qualities, and as different from other property, even in the hands of noncombatants. It formed the basis of the credit which the Confederates were seeking to establish abroad for the prosecution of the war. Its retention in the Southern States and withdrawal from market, except when for war purposes, were considered by the Confederate authorities as of vital importance; for it was hoped that its withdrawal from market would hasten a recognition of the independence of the States in rebellion, and the raising of the blockade which was destroying their resources and crippling their armies.

There is a full answer as to the burning of the sugar plantations in Cuba by the rebels and also by the Cubans, for they both participate in those conflagrations, and they do it for the same reason suggested here for the burning of cotton in the Confederate States during the civil war—to deprive both parties or either party of the opportunity of making the cotton in our case and the sugar in their cases the basis of credit with foreign nations.

Governments de facto are described by Mr. Chief Justice Chase as divided into classes; and, after having given a description of two of the classes, he remarks that there is another, called by publicists a de facto government, but which might perhaps be more aptly denominated a government of paramount force. Its distinguishing characteristics as given by that magistrate are as follows: 1. That while it exists it must necessarily be obeyed, in civil matters, by private citizens, who by acts of obedience rendered in submission to such force do not become responsible as wrongdoers for those acts, though the acts are not warranted by the rightful government. Actual governments of this sort are established over districts differing greatly in extent and conditions. They are usually administered directly by military authority, but they may be administered also by civil authority, supported more or less directly by military force. 2. Historical examples are then given of that sort of de facto government, to wit, the temporary government at Castine during the war of 1812, and the temporary government at Tampico during the Mexican war. (United States *vs.* Rice, 4 Wheat., 253; Fleming *vs.* Page, 9 How., 615; The Neustra Senora, 4 Wheat., 502.)

Those were cases where regular enemy governments acquired the temporary possession of territory during war with the country of which the territory so possessed was a part; and this court adverted to that difference in the case under consideration, but decided unanimously that the government of the insurgent states must be classed among the governments of which those are examples. Among the reasons assigned in support of the conclusion were the following: 1. That rights and obligations of belligerence were conceded to it in its military character very soon after the war began, from motives of humanity and expediency. 2. That the whole territory controlled by it was thereafter held to be enemies' territory, and the inhabitants of the territory were held, in most respects, as enemies. And as a final conclusion, the court decided that to the extent of the actual supremacy maintained, however unlawfully acquired, the power of the insurgent government can not be questioned. (Thorington *vs.* Smith, 8 Wall., 11; Halleck, Int. Law, chapter 3, section 21, page 74; United States *vs.* Klintock, 3 Wheat., 150.)

In a case which came up in Pennsylvania Mr. Justice Strong was on the circuit and participated in the trial of it, and concurred in the judgment and gave an elaborate opinion, in which he stated that he could not doubt that those revolting States, confederated as they had been, claiming and enforcing authority as they had done, were to be regarded as a government de facto.

There is the turning point in all of these questions. The question is whether or not there exists in Cuba a government de facto. That is an easy enough question to settle; it is one which every man in Cuba must settle for himself; and it is one that every man going to Cuba must settle for himself; for it is the individual right of every man in this world, when he finds himself in the presence of any government having authority and power to control his actions, to submit his affairs, his person, and even his liberty to the control of that government while he remains there. So, after all, in all of this discussion, which has wandered back and forth over an almost unlimited field, the vital point in the question is always simply this: Does a de facto government exist in the Island of Cuba? If a government de facto does exist there, then, of course, that government is entitled to its belligerent rights, if it has power enough to marshal armies in the field and resources enough to sustain them. Says Mr. Justice Strong:

Two objections to that proposition had been made at the bar: (1) That their claim of sovereignty had been constantly opposed; (2) that their boundaries were uncertain and undefined—

This is the point to which I wish to call particularly the attention of the Senate—

to both of which the judge responded to the effect that neither of the objections was satisfactory; that they were none the less a government de facto because they had had no interval of peaceful existence, nor because the geographical boundaries of the district over which their power is exclusively felt were not well defined.

We remember very well that here in the State of Virginia, out of which territory a sovereign State was carved during the existence of our civil war, the boundaries of authority shifted from time to time by the advance and retreat of the respective great armies which were contending with each other; and the civil power and all other powers had to yield from time to time as either of the armies was present for the purpose of enforcing either the laws of the United States or the laws of the Confederate States, according to their success.

After having commented upon cases of that kind, Mr. Justice Clifford closes his opinion as follows:

Unless the Confederate States may be regarded as having constituted a de facto government for the time or as the supreme controlling power within the limits of their exclusive military sway, then the officers and seamen of their privateers, and the officers and soldiers of their army were mere pirates and insurgents, and every officer, seaman, or soldier who killed a Federal officer or soldier in battle, whether on land or the high seas, is liable to indictment, conviction, and sentence for the crime of murder, subject, of course, to the right to plead amnesty or pardon, if they can make good that defense. Once enter that domain of strife, and countless litigations of endless duration may arise to revive old animosities and to renew and inflame domestic discord, without any public necessity or individual advantage. Wisdom suggests caution, and the counsels of caution forbid any such rash experiment.

In another place in this opinion Mr. Justice Clifford says that the boundaries of the dominion of a de facto government are the boundaries alone of the bayonet. Of course a de facto government can not exist in a precinct, as we call a small political area, or in a county, or, perhaps, even in a province in Cuba; it must extend to that reasonable magnitude where it becomes apparent to the governments of the world that it has military power sufficient, at least, to hold at the present time the occupancy of the territory in question, and to exclude therefrom all the civil powers of the government against which it is making war. Taking that decision as the basis of our action, as the line of demarcation of our authority as a Government, what difficulty can exist in law, as expounded by our Supreme Court, in the recognition of the existence of war in Cuba? None whatever.

But it is said the recognition of belligerency in Cuba does not create that situation. That is very true. We do not create belligerency by recognizing it; neither do we create peace by denying that war exists. It is a question of fact and is so treated by all the great jurists of the world. And it is a question of fact upon which governments may act and individuals may act, the question of fact being whether that government claiming to be such, and organized as such, with civil and military functions and powers, chooses to exercise its authority within a given domain or within any domain that it can protect by its bayonets within the Island of Cuba.

Mr. PLATT. May I ask a question?

Mr. MORGAN. Certainly.

Mr. PLATT. I should like to hear the Senator upon this point: Admitting that a state of war exists there, does that impose any obligation on the Government of the United States to make any declaration about it whatever?

Mr. MORGAN. None at all, unless its own citizens are involved in the question. But I have before me many authorities from our own statesmen and the opinion which I have read also contains authority upon the same proposition, that the penalties of warfare are to be visited upon men who are captured when they make an invasion of a country if that country is engaged in war. To illustrate that, I will suppose that an American citizen, exercising his clear personal right, that everybody concedes, to

leave our shores, would go to Cuba and enlist there in the Spanish army or in the Cuban army. He goes to the Island of Cuba, we will suppose, for the purpose of enlisting in the Cuban army. When he arrives there he is captured off the boat on which he has gone. He is not a member of any expedition, we will say, not having violated our laws in the slightest particular. He is captured off the boat in which he has gone, and he is carried before the civil tribunals, and it is proven by letters in his possession that his object in leaving the United States was to go to Cuba and enlist in the Cuban army. That is a clear case.

Now, this man, still being a citizen, exercising all his rights of citizenship, because he has a clear right to do this, not having forfeited the protection of his flag, not having expatriated himself, not having assumed citizenship to Spain or Cuba or any other country, it is very clear that a case arises, in such a capture as that, between Spain and the United States whether that man is to be tried under the municipal laws of Spain as a rebel, a traitor, or an insurrectionist, and condemned to death, or whether he is to be tried under the international laws and to be treated as a prisoner of war.

Spain has no power to repeal the international laws in respect of our own citizens, unless our citizens go to her territory when she is at peace and violate her laws. But if a state of war exists as a fact and our citizen enlists in the army of Cuba, then the question arises whether that man under the international law is amenable to that law or whether he is amenable to the municipal law of Cuba.

The question is very easily settled. It is a question merely of fact. When the Government of Spain undertakes to execute that man for his act in making this enlistment lawfully, so far as we are concerned, we say to the Government of Spain: "This man left his country in the pursuance of an object and purpose that was not at all in conflict with our laws; he was exercising his individual right of enlistment in a foreign army, which was incomplete until he got there. He was on his way for the purpose of completing that intention, or possibly that engagement, and on the route you have arrested him, and you claim now that you can interpose through a municipal statute, so as to take him and try him as if he were a citizen of Cuba engaged in insurrection.

"So we say to you that the laws of nations protect that man, because war exists in Cuba, and while you have not declared it or admitted it on paper, you have declared and admitted it by every other act that you have performed, and your admissions are ascertained from your acts by the United States Government and not merely by your declarations intended to suppress the force of those acts. What have you done? Why have you got 170,000 people under arms in Cuba? Why is it that you can not visit the interior of that country except in armed bands, and strong ones at that? Why is it that you patrol the whole coast of Cuba with more than 60 war ships? Why is it that you issue proclamations to prohibit the exportation of tobacco to the United States or to any other country? Why is it that you declare the importation of powder and shot or cartridges or guns contraband? Why will you seize ships that are sailing within the 3-mile limit, loaded with contraband articles consigned to some other port not in Cuba at all? Why do you resort to all the great machinery of war and bring to bear in its utmost rigor every power of war, and why do you claim this under the laws of nations? You can not inflict your laws upon the people of the United States except under the laws of nations. Why is it that you claim this right against a citizen of the United States when you are actually at war and yet insist that peace exists in Cuba?"

Mr. President, in a case of that kind, for the protection of our own citizens, for the purpose of having a fair and square understanding with Spain, to avoid any misleading at all in the matter, it is our duty as a government to declare that to exist which the facts prove to exist, to declare that war exists in Cuba, and that so far as we are concerned as a nation we intend to observe a strict neutrality between the belligerent parties. It is very true, sir, we can not create a state of war in Cuba by our declaration, but we can protect our citizens by such a declaration as that, which means simply that they shall have the benefit of the laws of war as they are recognized and declared in the international law, and for the mere offense of going there to enlist in the army of Cuba they shall not be amenable to the pains and penalties of death. By our recognition of any such theory as that claimed in the interests of Spain, which we have too often recognized and which by our silent acquiescence we are recognizing every day, when our citizens are being butchered in the most horrible manner, I fear we will not do our whole duty to our people. Such a recognition has entailed upon the people of the United States penalties that the laws of nations forbid that they shall suffer. If there is one thing that this great Government owes to its people that stands above another it is that when they are outside of the territorial dominion of the United States the laws of nations shall protect them. We have no right to withdraw the protection of the laws of nations from these people.

Now, I will take an American citizen residing in Cuba. He is out in the interior, 50 or 100 miles from Habana, and he has a sugar plantation there. Gomez and Maceo come on and they include him in their lines, and they instruct some of their provost-marshals to burn that man's sugar plantation. Then I will bring the man who burned the sugar crop before the Supreme Court of the United States, try him upon the very same declaration that was filed in the case of Ford *vs.* Surget, and ask a judgment of the Supreme Court of the United States whether that provost-marshal is liable to this American citizen for having burned his cane. The Supreme Court of the United States would say, "No; he is not liable." Why? Because the Cuban Republic there, under President Cisneros, assisted by the armies of Maceo and Gomez, all holding regular commissions, a regular organization, had included this man's plantation in their lines. He was grinding sugar, he was contributing the strength of his product to the Spanish power. They forbade him to do so. He did not cease. They burned his plantation. Nobody is liable for that. Why? Because the Cisneros government at that place and at that time was a de facto government and supported by military power. How did it happen to be a de facto government and supported by military power? It was because it makes no difference what the declaration as between Cuba and Spain might be, the court would find the public fact at that time to be that war existed there, for if war did not exist there and only insurrection, then there might be a ground for holding that this man was liable to the person whose plantation he had burned. Whenever it is proven that actual war existed in that country, that de facto government had the power and the right as a government to order the destruction of the sugar plantation, when it is destroyed the man is simply without remedy.

So in respect to a person visiting Cuba from the United States, I care not what he carries there. If he is captured while war exists in Cuba, he is captured just as a man would be who runs a blockade. He is not a pirate because he sails on a vessel that has arms and ammunition in it; and after he lands he is neither a rebel, nor an insurrectionist, nor a traitor. The most that can be said against him is that, war being flagrant in Cuba, this man has violated a blockade, if a blockade exists, or what is equivalent to it, some decree or ordinance of the military government of Cuba that such munitions shall not be landed upon that island except in ports of entry.

Now, the Government of the United States can not claim to be even a decent Government; no, sir, it can not claim even to be decent and respectable amongst the nations of this earth if it stands by and sees its citizens, when captured under such circumstances, and in the presence of the fact that war exists in Cuba, condemned to death for a violation of some local ordinance in the Island of Cuba.

So I answer the honorable Senator from Connecticut [Mr. PLATT] our duties are only to our own people. They must be confined to our own people. But there is a sufficient reason for making this declaration of the fact that exists in order that Spain and the balance of the world may understand that so far as our people are concerned, when they leave our shores in any of these expeditions, whether they are justified by our laws or not justified by our laws, it makes no difference to Spain. She has got nothing to do with the execution of our laws. But whether or not they are justified by our laws, the moment when men, in their expeditions, who leave our coast sail outside of the 3-mile limit they are placed under the protection of the laws of nations, of which we are bound to guarantee them the advantages and benefits; and if they go to Cuba and find war existing there, and carry something that either by military order or by actual blockade is excluded from that island, and they are captured in the effort to get in, their offense under the law of nations amounts to a violation of blockade contrary to the laws of war, and they are amenable to no punishment whatever except such as may be inflicted under the laws of war upon prisoners captured in battle or with arms in their hands.

Mr. President, I hope the Senate will excuse me for making some little reference to myself in this business, because, unfortunately for me, I have been arraigned and held up to the country as being very anxious that a war should take place between Spain and the United States, and that this has been the motive and purpose of all I have done on this subject. I have attempted on frequent occasions to disclaim this, and I want to prove now by the record exactly how the matter stands.

I am not averse to war with Spain if she, in the pursuit of her abominable despotism in the Island of Cuba, continues to make it an offense against the civilization of this age and against all principles of humanity and Christianity. If she wishes to wage a war which is intolerable in the sight of God and man, I can not say that I object. I think it is a misfortune that we are drawn into those circumstances in which we find ourselves obligated by respect to our own ancestry, and our traditions and our own love of the great principles of the Republic in which we live, not to stand by and see a people massacred, brutally tortured, in an island

which is only 90 miles from our shores, under the pretext of suppressing insurrection and rebellion, when we know that what they are doing is open and public war, and that it is a war of extermination.

I do not deny my sympathy with the Cubans, but as an American citizen and as an American Senator I confine my action in this business entirely to the duties, the strictly constitutional duties, of the Government of the United States toward our own people, and I have done so from the beginning. It devolved upon me by the action of the Committee on Foreign Relations, contrary to my expectations entirely, that I should take charge of a resolution which was reported here of which I was not the author. In explaining my attitude toward this question and somewhat in a sense of apology for a previous report that I had made, I stated to the Senate that that subject commenced to be urgent upon the Committee on Foreign Relations on the first day of the present session of Congress in the form of petitions, resolutions, and memorials from all quarters of the country, from public associations, from private individuals, from churches, from legislatures, from boards of trade, until the piles of petitions and memorials got to be simply enormous upon the desk of the committee.

Resolution after resolution was sent down to us from this Chamber that we would proceed to inquire into these matters and make report upon them. We still delayed action. Every member of the committee, I believe, felt a strong sense of responsibility if we delayed action, until finally the period arrived when we thought it would not be respectful to the Senate or to the people to maintain our silence any longer. We took up that great pile of petitions and memorials to consider them and the resolutions predicated upon them. I said to the gentlemen of the committee: "We have been a long time here assisting Spain in holding Cuba as a conquered province by the rigor of the laws we have passed and the perfect fidelity of their execution. It has cost us a great deal of money. It has cost us some human lives. It has cost us some vexation and trouble on various occasions. Sometimes the American heart was so wounded by what took place in Cuba while we were standing guard to keep our people from going there and assisting the men who are striking for freedom as that it was almost impossible that any appeal could reach them and stop them from breaking over the restraints of the law and going there to relieve those suffering people."

I said, "The moment we turn our face in the opposite direction, the moment the Committee on Foreign Relations makes a report, it makes no difference how mild, in the direction of expressing even sympathy with the Cuban people, we will find that Spain will seek occasion for war against us. Perhaps she may be glad of the opportunity to lose this colony, which is slipping from under her grasp in the sunlight of our present civilization, and she may prefer to lose it at the point of the sword when the United States is her antagonist rather than to surrender it into the hands of Gomez and Maceo and Cisneros, whom she classes as vile rebels. But whatever may take place, whenever we make the least demonstration of sympathy from this committee in favor of Cuba, you may rely upon it that we shall not escape without a war." Not that I wanted it, Mr. President, but that I saw that it would be unavoidable. There is not a gentleman on this floor to-day who is not conscious in his heart that if the war continues five years longer with the same atrocities that have attended it for the last few months it has been waged the United States can not possibly keep out of it. Our people will force us into it in spite of all we can do. I therefore said, "I accept the situation on entering upon the consideration of these resolutions." But what had I done before that? I had prepared the following resolution, which I think the world will call now an exceedingly mild resolution on this question, and I had brought it before the committee:

Resolved by the Senate (the House of Representatives concurring), That the present deplorable war in the Island of Cuba has reached a magnitude that concerns all civilized nations to the extent that it should be conducted, if unhappily it is longer to continue, on those principles and laws of warfare that are acknowledged to be obligatory upon civilized nations when engaged in open hostilities, including the treatment of captives who are enlisted in either army; due respect to cartels for exchange of prisoners and for other military purposes; truces and flags of truce; the provision of proper hospitals and hospital supplies and services to the sick and wounded of either army.

Resolved further, That this representation of the views and opinions of Congress be sent to the President; and if he concurs therein that he will, in a friendly spirit, use the good offices of this Government to the end that Spain shall be requested to accord to the armies with which it is engaged in war the rights of belligerents, as the same are recognized under the laws of nations.

When I brought that resolution before the committee, on their first consideration of it they rejected it and I laid it aside. I had accompanied it with the statement of the facts that justified Congress in going at least as far as that resolution went. They laid it aside. On further consideration they passed a resolution at the next meeting very much stronger, and one to which I shall call attention a moment later. But they concluded that they would not report the stronger resolution. The committee laid it aside. They then took up the resolution which I had offered. I did not offer it in committee, but it was taken up, and when it was taken up it was passed in committee, and I was directed to report it; and I did so. At the time I reported it I said to the committee, not to the Senate, that I was apprehensive that the resolution would receive a rather cold reception from the Madrid Government; that they would regard it as an evidence of weakness on our part that, if we took ground on the subject at all, we did not take stronger ground than that.

When the resolution was reported here it was but a day until the cable brought back the response of Spain to it. They decried it as something unworthy of their consideration, a mere effort on our part, they said, to get the President of the United States to exercise his good offices with Spain in order to get the Spanish Government to recognize these outrageous robbers and traitors there as belligerents when they were nothing but murderers and assassins and robbers. That was the temper of the Spanish press. That was the temper of the Spanish Government also in response to my resolution.

The committee therefore toned up a good deal, and the next resolution which they ordered me to report (and that is how I came to be in charge of the next resolution) was this:

Resolved by the Senate (the House of Representatives concurring), That, in the opinion of Congress, a condition of public war exists between the Government of Spain and the Government proclaimed and for some time maintained by force of arms by the people of Cuba; and that the United States of America should maintain a strict neutrality between the contending powers, according to each all the rights of belligerents in the ports and territory of the United States.

That resolution was then taken up. It was amended upon the motion of the Senator from Pennsylvania [Mr. CAMERON], who desired, also, that the President of the United States should exercise his influence or his good offices—I forget the language precisely—with a view to getting Spain to recognize the independence of Cuba. That brought on a debate in the Senate which lasted for more than a month, in which there was considered, as we thought, every possible phase of the Spanish and Cuban question. At the end of that debate there were only five members in one House and seven in the other who voted against the resolution. That fixed the attitude of this body in respect to Spain.

Now, what were we doing then? Were we expressing an idle, academic opinion, or were we treating of the affairs of a great nation and of a possible complication between this Government and Spain? Mr. President, according to my view of the subject, a more solemn declaration was never made by the Congress of the United States than that which passed finally, I believe, on the 6th day of April. It is true that it expresses no more than an opinion; but an opinion is enough upon any question of the political relations between the United States and a foreign Government. This is the political department of the Government of the United States. Let that proposition be controverted as much as it may, and it is answered by one single fact, although it might be answered by a thousand. That fact is that the Congress of the United States has the power to repeal a treaty with a foreign Government entered into by the President and ratified by two-thirds of the Senate, and no power but the political power of a Government can do that. The power of the Congress of the United States to vacate and annul and repeal a treaty, as was done in respect to our French treaty, and the Supreme Court of the United States sustained it, can be nothing else than the supreme political power in a Government.

So the Congress of the United States, in the exercise of that one single power on that one occasion, demonstrated, with the sanction of the Supreme Court of the United States, that it is the political power of the United States. Being such an expression of opinion by an almost unanimous vote of both Houses of Congress to the effect that war exists between the Government of Spain and the Government proclaimed and for some time maintained by force of arms by the people of Cuba, it is a statement of a fact from which we at least can not recede, and which no man in this Government can disobey without denying to the political power of the Government its supremacy upon questions affecting us and foreign nations.

Then we go further and say:

That the United States of America should maintain a strict neutrality between the contending powers, according to each all the rights of belligerents in the ports and territory of the United States.

That is not a mere opinion, or if you count it such it is such a statement of an opinion by Congress that amounts, like every other opinion which is crystallized into a law enacted by these two bodies, to a conclusive declaration of a fact.

Can we repeal that? Can we deny it? Can we refuse to act upon it with justice and honor to ourselves? We deferred to the supposed attitude of the President of the United States in putting the resolution in this form. We did not concede that the President of the United States, when we passed a joint resolution in the form prescribed by the Constitution by a two-thirds vote, would have the right to disregard it, because in doing so he might consult some supposed prerogative power that lies hidden somewhere in his bosom, not in the Constitution of the country. We never dreamed of such a thing, but out of deference to the

President, and in order that the departments of this Government might be as a unit in their attitude toward foreign powers, as they must always be if we do our duty, we expressed it in the form of an opinion, leaving him to deal with the question in such manner as might be most agreeable to him, but not waiving our right nor abdicating our duty to take this subject up and carry it on further.

Why did the President of the United States, after he had sent Mr. Blount to Hawaii and got his report, and after he had sent Mr. Willis there with propositions of which Congress knew nothing at the time, to be submitted to Liliuokalani and afterwards to the government of Mr. Dole, the republican government, refer that question to Congress if he had the supreme, executive power, without our assistance or consent, to do all that he desired to do through the instrumentality of Mr. Blount and Mr. Willis? That precedent stands there to debar the President from the assertion of any exclusive power on his part, in virtue of prerogative rights or other rights, to interfere and to prevent the Congress of the United States from considering a question which is very much like that in some of its aspects, the question that involves the matter of the existence of war in Cuba, and its effect upon the legal status of our people.

In the further progress of this matter in the debate in this body it has been asserted, contrary to the record, upon the authority of some newspaper man who felt it to be his privilege, I suppose, to abuse the truth, that I had risen upon the floor of the Senate and made harsh and unpleasant remarks about the Queen of Spain, something that never entered into my mind. I referred to the Queen Regent merely in connection with her speech from the throne, in which she claimed that the President of the United States, fortunately for Spain, as she thought, was in controversy with the Houses of Congress and in controversy with the people of the United States in respect of their sentiments as they had expressed them about Spain. That is all I said and the only incident that I referred to. That lady, we have cause to know, those who know anything of her at all (I do not know her personally), is a woman of almost unexampled virtue, of very high character, and while she has perhaps less to do with the government of Spain than Victoria has with the government of Great Britain, still she is entitled as Queen Regent, and in virtue of the regency that her womanhood gives to her, to the utmost possible respect, and so every American Senator will treat her, and speak of her, and regard her. If the Queen of Great Britain and the Queen Regent of Spain and the Queen of Italy and the Queen of Greece and the Empress of Germany could meet in the Island of Cuba and witness some of the things done in the name of the royal power upon innocent women and children, little babies in their mothers' arms shot to death by brutal soldiery, you would find that the Christian characteristics of these great and noble women would rise into the majesty of a power that the scepters they yield would be unequal to, and they would strike to death a power in Cuba which enables any man like Weyler to inflict these wrongs upon suffering humanity.

Would to God that the Queen of Spain could be there to see, if the delicacy of her nature could permit it for one moment, the brutalities that are inflicted in her name upon the poor and suffering women and children of Cuba. Then we would probably have no repetition of this thing in the remaining years when we are to stand by, according to present appearances, idle and mute, and witness the continued repetition of these brutal acts in that island so near to our shores. I wish those ladies were there. I wish they knew; I wish they could see it. They would lay their silken hands upon the arms of the brutal soldier who now wields the sword of Spain in Cuba and they would tell him in the name of God and humanity and Christianity to forbear his evil deeds toward those people.

When we took this attitude here in the Senate and passed this resolution it was to be supposed that the Spanish Government would not regard it as an act of hostility. They had no right to regard it as an act of hostility. The resolution was not intended as a hostile act. On the contrary, we commissioned the President of the United States, so far as our consent should give him authority or should persuade him, to go to the Government of Spain and to suggest to that Government some means at least for the pacification of Cuba, which we hoped might extend to its independence. We could not suggest that our President should approach the Government of Spain without suggesting in the same breath that he should do it in a friendly spirit. We did not order him to take the ships down there, and the soldiers, and rectify these things, but that he should go on with his diplomatic representations to the Government of Spain and there lay the whole subject before them for consideration. So the umbrage which Spain took at us for the passage of the resolution was something premeditated on her part. It was the attitude of a man who desires that somebody shall insult him in order that he may get an opportunity of replying or making some resistance. That is the situation.

What then took place, Campos, who is said to be a very valiant soldier and a very able statesman, a Castilian, however, in whom the Castilians in Spain have great interest, was withdrawn from Cuba, not because he had been an inefficient soldier, not because he had not personal courage, for he has a great deal more apparently than his successor, not because he was not true and loyal to his Crown, for which he was fighting, not because he had no influence in Cuba, for he has more influence there than any other living Spaniard. He was commander-in-chief during the preceding war and at the close of it. Cisneros and Gomez and Campos were the men who reconciled Cuba at the end of that great ten-years' struggle. So Campos was withdrawn from Cuba for no reason personal to himself. He was withdrawn for one of two reasons, and Spain can take her choice between them. He was either withdrawn so that there might be sent there Weyler, who, in the exhibition of his cruelty recently in his warfare against the people of the Philippine Islands, had shown that his war was a war of extermination, or else because the Castilians in Spain saw that the hour of fate had arrived, that Cuba was to be lost to the Spanish Crown, and they did not want a Castilian to surrender it. These Castilians have a good deal to do in Spain besides taking care of Cuba. These and other very brave and very competent and very splendid men in Spain during the existence of the previous ten-years' war had dethroned the monarchy and set up a republic in Spain, and that spirit is just as alive in Spain to-day as it was then, and it may be that they want leaders there now who can represent the real people of Spain in their efforts to get a government that is as liberal and as free as their neighboring Republic of France.

Campos did not leave Cuba because he was incompetent and inefficient. He either left it because of the reasons to which I refer now of a political nature existing in Spain or else because the policy of that Government had so changed that Campos could no longer preside over its armies and control them, but it needed some man whose hand was still red with the butchery of extermination in the Philippine Islands to go there. They did not pick a Castilian to go there. They did not choose a man for whom they care anything. They chose a man who would inflict upon those people such cruelties and barbarities of war as have never before been heard of.

Mr. President, it seems that the resolutions that have passed here have been made a pretext for changing the mode of warfare in Cuba, and the outcome of it is of so serious and important a character that I feel it due to the people of this country that the facts that have transpired since that declaration was made should go into the records of Congress, that they may know the ground upon which we have been acting and that we have not in the least degree been influenced by personal motives in our action, but that we have been driven even into the mild position we occupy now by the existence of facts and circumstances that are absolutely undeniable.

Many of our leading journals in the United States have sent their best men, the best men they could select, to Cuba to investigate these subjects, and while the Spanish Government in Cuba has shut them out, with the most extreme care, from all chances of observation, they have with their great enterprise—and I thank them for it, for I am proud of it—penetrated into the truth of matters in Cuba. They have come back here and with one voice over their own signatures they have presented the facts to the people of the United States through the great leading journals on the Pacific and Atlantic coasts and in the South and in the North. Who has risen to challenge the truth of a single statement made by them? When Estrada Palma or some other man representing Cuba here (for I do not know any of those gentlemen at all; I never saw one of them that I know of; I have never had any communication with any of them) came forward in a publication in which he presented the case of the Cubans to the American people and the American Congress, Mr. de Lôme, the minister of Spain, came in with another publication in the newspapers, in which he made the counter representation and undertoook to make an assault upon members of this body for words uttered in debate. That matter has all been gone through, and I do not propose to repeat any part of it at all, but Mr. de Lôme has been here from that time until this, a most vigilant, persistent, active representative of his Government. No man could have been more vigilant than he has been. Here have come these various representations, over the signatures of honorable gentlemen, published in the papers of the United States, and he has made no denial of any of them in the public press or anywhere else. He found the press open enough to him to be able to make an assault even upon Senators. It has always been open to him for any statement he had to make contrary to the statements of these different gentlemen. He has made none. He has made no denial. The fact is there can not be any denial. Some of these witnesses have been before the Committee on Foreign Relations and have been sworn and have testified to their verity.

Under such circumstances I will refer to these different statements, giving the names of the men who make them, and read a

few extracts from each one to show that the characteristics of this war at the present day are just what they were in the ten years war as they were portrayed in the Book of Blood that Mr. Dominguez published and put before the country.

Mr. President, before proceeding to lay before the Senate the statement from the journalist to whom I have just alluded, I will read an extract from Mr. Hamilton Fish, when he was Secretary of State, as to his opinion about the Spanish character in the conduct of the last war:

On the 7th the public journals announced the execution on the 4th of four persons who had been captured on the vessel, one of whom was represented to be an American, who is said to have entered the military service of the insurrectionists in Cuba, and who claimed to hold a military commission from the insurrectionary authorities and to have been in actual military service on the island.

The execution, as it is called, of those persons was forced on with indecent and barbarous haste, and in defiance of all humanity and regard to the usages of the civilized world.

It was perpetrated in advance of the knowledge of the capture reaching Habana or Madrid, and it would seem to have been thus precipitated in cold blood and vindictiveness to anticipate and prevent the interposition of any humane restraints upon the ferocity of the local authorities from the Government at Madrid or its representative in Habana.

This is but another instance in the long catalogue of the defiance of the home Government by those intrusted with authority in Cuba, and adds another page to the dark history of bloody vengeance and cruel disregard of the rules of civilized war and of common humanity which the military and other officials in Cuba have but too frequently made part of the history of Spain's Government and of its colony.

Again he says, writing to the same minister, Mr. Sickles:

While writing this instruction a telegram from Mr. Hall mentions that Habana papers of this morning published a statement, apparently from official sources, that the captain and 36 of the crew of the *Virginius* and 16 others were shot on the 7th and 8th instant.

Such wholesale butchery and murder is almost incredible; it would be wholly incredible but for the bloody and vengeful deeds of which Cuba has been the theater. No government deserves to exist which can tolerate such crimes. Nature cries aloud against them. Spain will be loud and earnest in punishing them, or she will forfeit her past good name.

That is a strong declaration, Mr. President; that is stronger than any that has been made on the floor of the Senate.

No government deserves to exist which can tolerate such crimes. Nature cries aloud against them. Spain will be loud and earnest in punishing them, or she will forfeit her past good name.

If the seizure of the *Competitor* had occurred at Santiago de Cuba or any other place remote from Habana and those prisoners had been captured out of the reach of telegraphic communication, they would have been executed before Mr. Ramon O. Williams, our consul-general, could have interposed his objection, or before our Government could have been informed of the sentence of that naval court-martial. It is only by good fortune that these men escaped so as to have this question relegated to the Government at Madrid and to have their lives preserved until that Government shall hereafter decide upon their fate, either under the present trial or some future trial.

Mr. President, in view of those declarations of our Government, with which Spain seems to have put up without demur or protest—Spain seems to have little care of what the world thinks of her so she succeeds in her purposes—after such declarations as that made in the official communications of the Government of the United States to the Government of Spain, we are to be excused, to say the least of it, if we follow the events of the present war in Cuba and see whether or not by comparison this war is more humane than the preceding war. I affirm upon the evidence which I shall put in this record that it is far from being so humane as the preceding war.

Mr. Weyler was only a subordinate in the former war, and he even had to justify himself in the explanation of his conduct in that war upon the ground that he was a subordinate and had to obey superior orders. Now he is the general in chief, fresh from the slaughter in the Philippine Islands. He plunges his crime-stained sword into the bosoms of women and little children in the Island of Cuba for the purpose of exterminating those people; for, say what else you will about Weyler's policy, it concentrates and it focalizes itself in one single proposition, which is, that the people of Cuba in rebellion need not to be subjugated—that is not the point—they must be exterminated to that degree that hereafter they can not engage in revolt. We have passed that age in the civilization of this world when a war of extermination can be waged against any race of men. Here in the United States we have had to submit to barbarities from the uncivilized Indians from time to time, more or less aggravated in their conduct by the conduct of white men who came in contact with them; but who, when their fury was excited, lost control of themselves, or else came back to their original instincts of savagery, and committed all kinds of depredations that human or devilish ingenuity could suggest. But we have not exterminated those people when we had it in our power. Geronimo, the great Apache, who has slain his hundreds of women and little children, is now a free man upon the Apache Reservation. After we had captured him and put him in Pensacola and afterwards at Mount Vernon, in Alabama, with the people by whom he was surrounded, we gave him the advantages of living with his own family, and the man became so subdued by our example and by our treatment of him that we have got confidence enough in him now to turn him loose upon the Apache Reservation. A more perfect devil incarnate never existed than Geronimo. The Government of the United States instead of exterminating that terrible band allowed them to live and has brought them, even, by the constraints of Christianity, into that condition now that they are worthy to be trusted upon a reservation as free people.

Spain, on the contrary, does not hesitate and has not hesitated, under the orders of Weyler—whether he admits it or not makes no difference—to exterminate the Cubans. The fact is that where Spain goes through her beloved province, the Queen of the Antilles, the Gem of the West, she goes with butchery of every kind and kills in the neighborhood of every place where battles are fought all that she finds there alive and counts them as rebels who have been killed in action. That accounts for the fact, and that alone accounts for the fact, that in the reports I have read here to-day from Spanish authorities of the results of their battles they put down 212 men as being captured when all the balance, it was said, were killed out of thousands. That accounts for it; and they count these women and children and old men whom they kill in the neighborhood of the scenes of their conflicts as persons killed in battle.

These are not false accusations. I am putting these things upon the records of the Senate, and I am doing it under the responsibilities of my regard for reliable proof, and also my regard for the character of the men who have given us this information. I name them; I spread the facts upon these records. Now let Spain come forward and deny them or disprove them. She has not denied the Book of Blood written by Mr. Dominguez, to which I referred in the opening of my remarks. She can not do it. The names of those people who sleep in their graves now, with the date of their execution, the prisoners shot after they had been captured in war, are still upon the records of the world, and Spain is advised of it, and has been since 1873, by that book which was then printed and which has been circulated everywhere in Spain as well as in the United States, and she has never found any reason for denying the fact. She can not justly deny what our American correspondents have sent to the newspapers here.

Great stress has been laid upon the fact that this Cuban Republic did not have a local habitation. Very early in this controversy the Senate was put in possession of a pamphlet by the Secretary of State, which contained the statement of the Cuban cause, which came from the accredited minister of the Cuban Republic to the Government of the United States. That pamphlet contains the constitution of the Republic of Cuba, and shows that its capital is at Cubitas. It contains the whole story of the constitutional organization. It contains the statutes which have been enacted by their legislature, reaching to the personal relations, such as marriage and the like, and the levying of taxation, showing that the government, to the extent of its ability—and that is very wide, wide enough for a provisional government; for the government is provisional, and so claims to be—to the extent of its ability is conducting all civil jurisdiction, through tax collectors and judges and prefects and subprefects, who collect a sort of tax in kind, and have it delivered into the hands of the army and also into the hands of the Cuban soldiers.

Mr. President, at an earlier stage in the discussion of the Cuban question I laid before the Senate a very interesting statement of Captain Mannix, who visited the capital of the Republic at Cubitas, and I think some merriment was had at the idea of these Cubans assembled at the top of a mountain, with their capital at a place where they could be run out or smoked out at pleasure, and undertaking to continue their little Republic up there in the woods and amongst the rocks. Those gentlemen who are merry over that subject have forgotten, I have no doubt, that at one time we lost the Capitol of the United States, standing where we are now, by British forces who came from the Chesapeake Bay, and they forgot to reflect that it is not the location of a central place for the capital nor the strength of that situation nor the grandeur of the structures that constitutes a real capital. However, Cisneros and his Government remained there, and they had a large collection of military stores and some troops to defend them. So on a very recent occasion, I think it was the 26th of May, the whole power of the Spanish Government in Cuba was directed to the capture of the capital at Cubitas, and Dr. Portuondo, who, I believe, is secretary of the interior, writes a letter, the substance of which is given in the Philadelphia Press of Saturday, June 6, as follows:

A second letter tells of the preparations that had been made for several weeks by the Spanish commander in Puerto Principe, General Mella, with the idea of attacking and capturing the naturally fortified rebel capital. Several thousand troops, in addition to the 6,000 already within the province, were mobilized at the city of Puerto Principe, and eight batteries of artillery were placed on the two roads which lead to the south from Cubitas Mountain. General Mella evidently expected that the rocky heights could be ascended from the north, such force as the rebels had at hand could be easily

defeated, and the officers of the rebel Government would seek safety in flight via either one of the narrow roads leading in the direction of Porto Santa Cruz.

Without waiting to attack with his entire force, General Mella sent Brigadier-General Arloso ahead with 2,600 infantry and 400 cavalry to storm the outposts at the foot of Cubitas Mountain, 7 miles from the headquarters of the Government.

The total Cuban force at Cubitas numbered less than 1,000 men, but the supply of arms and ammunition was ample, and a few light cannon were advantageously placed among the huge rocks far up on the mountain side.

ARLOSO'S DEFEAT.

General Arloso left the city of Puerto Principe on May 26, and on the 28th was encamped near the Paso Marti, named in honor of the late Cuban President. He did not attempt an attack that night, but on the morning of the 29th the Cuban guns began a fire and he ordered a forward movement. For two hours the first encircling ridge of the mountain protected the troops, but when Arloso's force reached the second plain a fierce fire from the rocky ramparts above withered his columns and he ordered a hasty retreat. Many of the Spanish dead and wounded were borne away by their comrades, but over a hundred were left among the rocks and chaparral on the second plain.

On the morning of the 30th Arloso moved in the direction of Puerto Principe and a second attack is not expected by President Cisneros. The latter viewed the one-sided battle from the summit of Cubitas and, the letter declares, is much elated over the telling victory.

Cubans in this city acquainted with the natural strength of Cubitas Mountain declare that the entire Spanish force now in the Island of Cuba could not capture the rebel capital, and especially since a sufficient supply of arms and ammunition is stored there.

Now, I suppose that the argument against the locality and the permanency of that capital has disappeared, and at the same time those gentlemen who made a point upon the Republic that it had no permanent capital must now reverse their opinions and concede at least that this action at Cubitas has established the capital there until more power is brought by the Spanish Government than they have been able as yet to direct against that post for its conquest.

After Congress took up this question in February the following facts were laid before the people by our newspaper men:

The first article from which I read is from the Evening Star of April 28, 1896.

The next is a letter from Mr. Grover Flint, April 20, 1896.

The next is Mr. James Creelman's letter of April 30, 1896.

The next is a letter from Mr. Frederick W. Lawrence to Secretary Olney, which has already been published in the RECORD.

The next is Mr. Sylvester Scovel's letter on the 23d and another on the 28th of May.

The next is a letter of Arthur E. Houghton, of May 31, 1896.

The next is a letter in the New York World, June 3, 1896.

The next is a letter of Owen Melton, of June 6.

I desire to incorporate these letters in the RECORD. I do not intend to print the entire body of these letters. That would make the RECORD too voluminous in that particular for the importance of the subject, but I will extract and put into the RECORD, with the permission of the Senate, those points in the letters which show directly the character of the controversy that has been carried on in Cuba.

Now, why do I do this? These papers have been printed. They have been circulated in the United States. A great many people are familiar with the facts recited in our newspapers. But it will be seen that these are statements over the signatures of responsible men. They give time and place; they give all the circumstances which they narrate. They state either upon their personal observation or from conversation with persons who are the important participants, the various scenes which are enumerated and described.

Now, I want Spain to have an opportunity of disabusing the public mind in the United States as to these facts. She can come out through her ministers or through any authorized agent and deny these statements and make any explanation that she desires to. The Senate of the United States and the House have been cut off from an opportunity of having exact information upon these questions. We have not sent any commission to Cuba to make inquiry. In fact, we could not do it without giving offense to Spain. We have not been permitted, except under the censorship of the press, to obtain information from that island in regard to the progress of the war and the character of the war. These correspondents have gone there and written over their signatures to their respective papers. One of them has testified to the truthfulness of statements and he is a very honorable gentleman and a very enlightened one. The statements made by Mr. Lawrence alone, according to his sworn testimony, would be sufficient in the absence of all other proof to establish the horrible character of the war in Cuba. His testimony has already been printed in the RECORD. But incident after incident, fact after fact, in regard to the slaughter of American citizens and noncombatant Cubans are spread out in detail in these statements, and I desire the permission of the Senate to incorporate them in my remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama?

Mr. COCKRELL. What is the request?

The PRESIDING OFFICER. That certain letters of citizens of the United States in Cuba may be incorporated in his remarks. The Chair hears no objection, and it is so ordered.

The matter referred to is as follows:

[From the Evening Star, April 28, 1896.]

The Cuban representatives in Washington have received from trusted sources in the island a detailed report of the outrages that have been committed by the Spanish soldiers since General Weyler has become convinced that President Cleveland does not intend to interfere in the present war or extend to the Cubans the recognition of their rights as belligerents which Congress recommended should be done.

The detailed account of recent Spanish outrages is a terrible indictment, as a perusal of its twenty counts will show.

It is as follows: "The column of the Spanish Col. Ricardo Vicuna, shot, in the village of Corral Falso, province of Matanzas, Don José Rogue (not the insurgent officer of that name) because he would or could not tell him where a wounded insurgent was hidden whom Vicuna wished to kill.

"A week ago Gen. José Maria Aquirre routed the infamous Spanish General Melquizo (the assassin of Delgado), and as a revenge for his defeat at Melquizo ordered twelve defenseless men to be shot at the plantation of Rafael Fernandez de Castro. A child of 13 years of age escaped, but was followed by a sergeant of the guerrilla. Finding himself so closely pursued, the boy defended himself by throwing a stone, which struck the eye of the soldier, and such was the pain inflicted that he fell from his horse. At that same moment three other guerrillas arrived at the spot, actually making mince meat of that unfortunate boy with their machetes.

"The sergeant is in the hospital and will lose the eye. The explanation he gives for the loss is that he was hurt by a wire fence.

DETAILS OF DELGADO'S TREATMENT.

"You may have read the case of Delgado, but you are probably ignorant of details. The column of the sanguinary and cowardly Melquizo arrived at the plantation of Delgado, in Bainoa. They took him out of his house, together with seven other men. When Melquizo found out that Delgado was an American citizen he slapped his face several times, although his arms were bound behind his back. Immediately a volley was fired at them. When they fell to the ground another volley was fired. Thinking they were dead, they searched their pockets, and noticing that Delgado's pulse beat, they struck him twice with their machetes, once on the head and once on the neck. Of the eight men six were killed. Of the two who escaped Delgado is one, but he is not able to use his legs. The other one has had an arm amputated. It would be an excellent idea to have Delgado taken to the United States to give an idea of the state to which he has been reduced by those whose victories are only on paper.

MURDER AND ROBBERY.

"The mayor of Corral Falso, Province of Matanzas, Antonio Rodriguez de Rivera, with the aid of his bravos, Marcos Diaz, Santiago Sosa, and Francisco Hermano, violently took out of their houses at night Don Leon Brabo, José Agustón Alonso, Don Celestino Armas, and a colored man 70 years old, called Catin, and in the cruelest manner killed them, throwing their corpses into a sugar-cane field on the plantation 'Sta. Felomena' of Leandro Soler.

"Lieuts. Antonio Fernandez Bonilla and Luciano Cassio, with their guerrillas, killed some defenseless men with the avowed object of robbing them of 350 head of cattle, which they afterwards sold. This deed raised such scandal that the governor of Matanzas, Porset, denounced these two men to the military authorities, but they are still at their posts at the head of their forces and continue their murders and robberies.

"Luciano Cassio is well known as a horse thief, having often been before the authorities in Matanzas for crimes of this nature.

"Fernandez Bonilla is the owner of a livery stable in Pueblo Nuevo, Matanzas City, and, helped by Cassio, he steals the Indian corn from the barracks and hides it in his stable to sell it later. This is a lucrative business. He also is one of the contractors for the Bailen bridge.

AFRAID OF GOMEZ.

"The Spanish general, Bernal, was in Macuriges, a few miles from where the great Dominican (General Maximo Gomez) was encamped, and as he was not very anxious to meet him he marched the other way. As he passed the plantation 'La Flora' of José Sainz, whose nephew, Ynocencio Aguirre, gave him the information that Gomez was near, he accused him of being a disloyal Spaniard because he wished to deceive him. On arriving at La Guira he also insulted a captain of marines and the mayor of the town because they repeated to him the same information, which was true. After losing a great deal of time he went to the place he had been told of and there insulted another officer because he had not given him information about the insurgents. The outcome of all this was that he did not fight the great Dominican. But as he found himself in a difficult position to give to General Weyler his reason why he had not fought with Maximo Gomez he invented an infamous calumny, which resulted in the imprisonment of Ynocencio Aguirre, a Spaniard, who had often fought against the insurgents in 'La Flora.' He was imprisoned in San Sererino Castle in Matanzas. General Weyler has not dared to punish General Bernal. He only changed his zone of operation.

"Geraldo Gutierrez, a Spaniard, proprietor of the plantation 'La Reforma,' was threatened with death by the Spanish colonel, Luis Molina, because he did not approve of the murder of honest workmen on his plantation. Molina was furious. To revenge himself he burned 200 huts of the tenants of the above-named gentleman. This destruction by fire Molina attributed to the insurgents in his official reports, adding that he had in that encounter destroyed the insurgent camp. All this Señor Gutierrez said publicly in Matanzas.

PROTS'S HORRIBLE REVENGE.

"The column of Colonel Vicuna burned the cane fields of the Spaniard Don Jose Suris, and killed the overseer of the plantation. The excuse he gave for this act was that 'he thought the owner was a Cuban.'

"On the 29th of February the Cuban general Maceo routed the Spanish general, Prots, between the plantations 'La Perla y Ponce' (Guamacaro), in the Province of Matanzas. The killed on the Spanish side were 200. The panic among the routed was such that they abandoned their wounded, who were taken care of by the Cuban surgeons. In his flight General Prots passed through the plantation 'Diamante,' and there he avenged his defeat by assassinating peaceful peasants, the following among them: Don Francisco Lautana, of over 70 years of age. Don Antonio and Don Francisco Diaz were violently taken from their houses and killed with the machete. Don Locano Diaz was able to escape this butchery by running to a cane field, to which the Spaniards set fire with the object of burning the fugitive, which, fortunately, did not happen. A short distance from the house the soldiers assassinated Don Antonio Dominguez, and threw his corpse in the burning cane field. The same fate was meted out to Damazo Gonzales, Jeronimo Linares, and an unknown colored man. Among the shot was Don Manuel Montes and four other men, who were in his house; also a lady 76 years old, who was killed so that she might not give an account of this horrible deed. All this was witnessed by a neighbor, who escaped by hiding.

OTHER OUTRAGES.

"Don Ferarando Aguiar, a young man 26 years old, a brother of the district school teacher of Torneguin, in El Roque, province of Matanzas, was in-

famously assassinated on the 9th of February, for which purpose they took him out of his house at night.

"General Aldecoa arrested and insulted Don José Ferreandez, a Spaniard, mayor of La Cidio, province of Matanzas, simply because he did not allow the troops to rob the peaceful citizens of that town.

"General Bernal arrested and sent to the town of Guira de Macurijes 53 pacific men from the district of Manuel Diaz and ordered them to be beaten in the face. The authorities to whom these men were delivered afterwards set them at liberty because nothing was found inculpating them in any crime.

"The mayor of Santa Ana, province of Matanzas, slept all of one night with his feet in the stocks because he refused to allow the troops to commit outrages in his town.

"Four days ago, among the wounded in the encounter of the Spaniards with the party of the Cuban chief José Maria Aguirre was the Spanish chief Sotomayor, and while receiving treatment in the station of Bainoa there arrived a passenger train from Matanzas filled with Spanish soldiers, who brought along a mulatto as prisoner, whom the neighbors guaranteed as to his innocence and loyalty to the Government. But the sanguinary Sotomayor said: 'At a very bad hour has he come; he will pay me some of what the others (rebels) owe me. These pains (from the wounds) I will not suffer unrevenged! Soldiers, you already know what to do!' The soldiers took away the unfortunate mulatto and behind a clump of bushes a short distance away they removed him from the sight of the passengers. What happened there no one knows, except that the passengers saw that the soldiers returned without their prisoner and that they came back wiping their bloody bayonets.

WEYLER'S SECRET ORDERS.

"Lieutenant-Colonel Marquis de Mendigorria, of the Wadro's battalion, who operates in the district of Vuelta Abajo, before leaving for his post, said, in Habana, that General Weyler had given them secret orders to clean out the pacific Cubans wherever found in their marches, and to do it without any scandal.

"The forces which garrison Pinar del Rio City, and which operate in the immediate vicinity of said city, not being brave enough to meet General Maceo, nor even the small band of Roberto Bermudez, who has not abandoned for one single day the road of Coloma, in order to prevent the passage of Conroy, has committed one of the many deeds which have been imputed to the Cubans. They left Pinar del Rio in a strong column, and many of them thought they would have a battle. The result of this march was the total destruction by fire and sacking the estate La Guabina, near Pinar del Rio City. The family Tincheria, owners of the above estate, arrived in the city in the greatest misery possible. All obeyed the proposition to revenge themselves because two young men, members of this family, had left to join the liberating forces. Recent arrivals in Pinar del Rio relate that, besides the above, they arrested a young man named Tincheria, and that he is a prisoner in the barracks even after taking advantage of one of the proclamations of amnesty of General Weyler.

"Without explaining, nor even indicating the cause of arrest, Dr. Antonio B. Zanetti, a Swiss citizen, was detained in Habana the same day that he was to sail for France; he was a passenger en route from Mexico.

HORRORS OF THE MORRO.

"The horrible Morro prisons are not now sufficient to contain so many unfortunates who are unjustly deprived of their liberty. In a room 76 paces long by 12 broad are locked up 132 persons. Consider the situation of these unfortunates, who can hardly move in such a damnable hole. This room is an underground one, and it is with difficulty that either the light or the fresh air reaches it. The dampness is so great that both the floor and walls are always wet. To these 132 persons only 30 gallons of water to drink are given every twenty-four hours. Even though they should drink it up before the next allowance they are not given any more. One day a prisoner who had fever asked for a little more water from the officer of the guard, and this brute answered: 'And you rebels in the field, would you have given water to any prisoner?' As if the good treatment which Spanish prisoners receive at the hands of the insurgents was not perfectly well known. The unfortunate prisoners in the Morro are suffering an epidemic of dysentery, and it is not known if it be due to the ignorance of the resident surgeon or to the refined vengeance. The only medication administered are drops of perchloride of iron in a little water; this without any change of treatment. The food is that of the common soldier, and badly cooked, without change of locality, refusing to isolate sick prisoners from that mortiferous humid atmosphere, to take them to a hospital, saying, as a pretext, that the hospitals are only for the soldiers. All this was witnessed by a reporter of the New York Journal, who was able to mix up with the crowd on one of the visiting days. It would be advisable to have the press proclaim this, so that the people may see what methods Weyler chooses to 'clean out' the Cubans.

"It is now several days that Dr. Mariano C. Artis has been detained and 'incomunicado.' He is a highly esteemed public man, owner of the 'Central Narcisa' en Yaguajay.

"He is in the Castillo del Principe fortress. No one can imagine the motive for his imprisonment, because Artis is a man whom even the Spaniards assure and guarantee that he has not meddled in the revolution or anything else."

Letter of Grover Flint, dated April 20, 1896, in the New York World:

IN CAMP WITH GENERAL LACRET, NEAR BOLONDRON,
CUBA LIBRE, *April 20.*

Satisfaction at the appointment of Fitzhugh Lee is intense throughout the country, in the rebel ranks as well as in the villages and on the plantations. Cubans and Americans believe that the affairs of this unhappy country will now be represented fairly to the Government at Washington, which, they say, will be a departure from the custom which has hitherto prevailed.

Nine noncombatants were killed near Bolondron yesterday. The troops could not catch a party of insurgents they were after, and turned on the country people.

A sample of the general corruption in the Spanish ranks came to my notice yesterday.

Two officers of Lacret's staff sent a pacifico to Bolondron to buy them two palm-leaf hats and a package of cigars. The price of the hats is $4 each everywhere. The pacifico arranged with a Spanish sergeant, who bought the goods in the town, took $8 apiece for the hats and a corresponding percentage for the cigars, knowing they were for insurgents, and smuggled them out through the lines in the coffin of a dead man who was carried to the cemetery outside of the town for burial.

Unarmed men flock to us from every town, begging to be enlisted. In cases where they are in personal danger at home they are taken, and form the army of "impedimenta" that is such a handicap on our movements. If there were arms enough an army of 50,000 men could be put in the field here in Matanzas Province inside of a week.

SPANISH TROOPS WORK DESTRUCTION.

Nine houses have been burned by Spanish troops within a league of our camp in the last three days and as many families made destitute. I rode by the ruins of one house this morning and found a poor woman and her two sons, partly naked, digging for some iron tools among the ashes. The woman told me that the Spaniards had stolen everything they possessed because a party of insurgents had camped on the place the day before. Three of the houses where we have encamped in the last week have been sacked and burned by troops after our departure. Smoke of burning houses is seen on all sides.

Captain Bertrand, son of Colonel Bertrand, of the Spanish army, who is one of Laeret's officers, and who has just come from the North, tells me that two days ago nine pacificos were executed outside of Habana.

Significant of the terror that reigns everywhere, is the case of José de Armas, who has been an American citizen since 1874. On February 15 Vicimar's column passed by his hacienda, the Finca Manjuarier, in Pedrosa, near Volondron, stole 200 head of cattle, 120 horses and mules, all his personal clothing and goods, killed his pigs and poultry, and burned house and outhouses, causing him a loss of $30,000. De Armas has been strictly neutral, but so great is his fear of the troops that he has remained hidden in the woods for two months, dependent on friends and former employees for food. At my suggestion he wrote to the consul at Matanzas, stating his case. He had not done so before, fearing, as a naturalized citizen, that no attention would be paid to his complaint.

At the Finca del Cierno, in this district, yesterday, I saw Juan José Nicolai, a French citizen, and his wife, who told me that on the 10th instant Valdeas's column entered the estate, forced open drawers and desks, ransacked private papers, and stole books, clothing, plate, jewelry, and cooking utensils. Nicolai and his wife, old, gray-haired people, say that they were threatened with death and treated with gross insults by the soldiers. These are cases that come directly to my notice. Others are too numerous to mention.

A PATRIOT HOSPITAL CAMP.

I have been down in the south of Matanzas Province. Where the pastures and cane fields end, and the palm forests and swamps of the south shore begin, is a hospital camp, where the wounded insurgents from all parts of this military district are sent. For a league before you get there you must follow a blind trail over porous, gray limestone, rich with red soil in its crevices and pockets. Here banana trees, pineapples, and the malanga plant, which serves the peasants for bread, grow between the rocks so bountifully that opportunities for ambuscades make it a dangerous country to penetrate. Beyond in the forests is the hospital, a safe little nook and well guarded against the Spaniards, who would enter to bayonet the sick and wounded if they dared.

Dr. Francisco Hernandez, a graduate of the University of Madrid, is physician in charge, and his pretty young wife assists him as a trained nurse. Mrs. Hernandez is a type of the brave Cuban women who have sacrificed every comfort of life for the Cuban cause. She has just returned from the field, where, since December, she has accompanied her husband, riding on her sidesaddle, with Maceo's staff, in every battle the fighting Cuban general has had in the past three months.

A CUBAN CLARA BARTON.

Like most heroines, Mrs. Hernandez is diffident and little inclined to talk about herself. I found her in a hut, built of palm branches, in the camp among the swamps, fighting mosquitoes and tearing lint for the wounded. She is above the medium height of women, well proportioned, with dark hair, dark, honest eyes, and an almost timid manner.

"Do you ever feel nervous under fire?" I asked her.

"Ah, no, señor," she replied; "I feel no fear; because I know one only falls when the time comes—so I couldn't feel frightened, and it makes no difference whether the firing is near or far way. Then I have my duties to attend to, which makes a difference. The first time I was under fire I did feel a strange fascination and interest, and then somebody was wounded near me, and I went to attend him."

"Have you ever seen any of the atrocities that the troops inflict on the country people?" I asked.

"No," said Mrs. Hernandez; "we were always on the march, and the troops followed us killing many poor people and burning houses. I knew of one very sad case, however.

"General Maceo and our staff camped with a very good and kind family at Lomo del Gato. There was an old man and his young married daughter, who had lately become a mother. She was a very sweet woman, and her husband, I think, was with the insurgents. After we left, the Spaniards came and our scouts brought in stories from the country people of what they did there.

SHOT A BABY IN ITS NURSE'S ARMS.

"They entered the house of our kind friends, sacked it and cut the old man down with machetes. They killed an old negro servant and two mulatto farm hands, and left their bodies by the road unburied. The daughter was in the room when they killed her father, and she tried to rush between them and the old man. They cut her about the right arm, which she raised before her face, and wounded her with thrusts of bayonets. The nurse ran to the door and held up the little baby before her, begging for mercy. A soldier, standing outside, shot the infant dead. The daughter refused to be cared for by a Spanish surgeon, but they put her in a shed—for they had fired the house—near by, and the regimental surgeon ordered quicklime put on her wounds. She died from shock and pain.

"This is the story the peasants tell in Lomo del Gato. You hear such stories all over the island—I believe it is all true, though it seems incredible that people could act so nowadays."

I asked Mrs. Hernandez if there was no less exposed place for her than at Maceo's side in action.

"There is no other place to go, even if I wished," she answered. "Our headquarters is the saddle, and at night we stop wherever we happen to be. Then, you know, I am not here for my own comfort."

At night Mrs. Hernandez sleeps like any Cuban soldier, in a hammock between two palm trees, or under the porch of some cottage. She is never fatigued, she says, because she has too much to do. As for the men, they bless the ground she walks on.

She has been in Maceo's hardest battles. She was at Paso Real, where General Luque was wounded and his column driven back before a charge of 2,000 of Maceo's cavalry. At Rio Hondo she was in the first ranks of the skirmishers, who accounted for 54 Spaniards in three hours and laid their bodies side by side on the highroad. At Maralitos and Jesus Mazareno she rode tirelessly under an all-day shower of lead, when the insurgent army engaged three Spanish columns. She was at Jaruco, when the town, after a short siege, was sacked and burned. It was here that the troops entered after the insurgent forces had retired, shot down 17 noncombatants, whom they dragged from their houses, and sent 13 more to the dungeons of Morro.

Letter of James Creelman, dated April 30, 1896, in the New York World:

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[Special from a staff correspondent.]

HABANA, CUBA (via Key West, Fla.), *April 30.*

I have personally investigated the deaths of the following peaceful white men, who were shot without trial at Campo Florida, near Habana, on the afternoon of April 3:

Margarito Zarzas, aged 24 years, single, blacksmith and carpenter.

Ramon Castelianos, single, aged 33 years; poultry dealer.
Joaquin Medina, aged 45 years, married, farmer.
Camilo Cejas, aged 25 years, single, fisherman.
José I. Cejas, aged 28 years, married, fisherman.
Manuel Martinez, aged 38 years, married, farmer.
Domingo Lugones, aged 35, single, native of Montevideo, Uruguay.
Jesus Ochoa Rodriguez, 25 years, single, blacksmith.

Between April 13 and 22 the following peaceful inhabitants were taken from their homes and shot on the Fierabras road, between Campo Florida and Minas:

Margarito Verole, a farmer's boy, 14 years old.
M. V. Collina, aged 44 years, married, merchant.
J. Caballin, aged 45 years, married, merchant.
Benigno Galloso, aged 40 years, single, farmer.
A son of Galloso, aged 25 years, single.
Eduardo Sardenes, aged 37, married.
Cruz Ferrer, 42 years, married, farmer.
Inocente Rabell, 40 years, married, cheese maker.
Florencio Rabell, 35 years, single, cheese maker.
Basilio E. Rubio, 46 years, married, farmer.
Eleno Guerra, 33 years, married, farmer.

The victims were all white. Their bodies were thrown into a huge sugar boiler, which lies half buried on the roadside on the land owned by J. Cabrera.

Here is a list of white men shot without trial in the same neighborhood, opposite the Jesus Maria grocery store, on the Arango estate:

Martin Sosa, single, farmer.
Andres Guillama and his assistant, both married and farmers.
Francisco Diaz and son, farmers.
Leonardo Llerena, farmer.
Luz Guttierrez and son, farmers.
Caridad Reys, farmer.
Francesco Ferrer, farmer.
Benito Bueno, farmer.
Julio Hernandez, father of 12 children, farmer.
Abelardo Cartaya, farmer, and three others whose names I can not ascertain at present moment.

Most of these were taken from their plows. The following noncombatants were also shot without trial and thrust into the sugar boiler on the highway to Minas:

Mr. Macho, a mulatto, 71 years old.
Timoteo Ceferino, son of the foregoing, aged 17.
Castellanos, 35 years, married, arrested on his way to Habana market.
Matias Darias, arrested on his way home after selling his goods.
Juan Machina, married, farmer.

ASSASSINATION.

The shock which cracked the massive walls of the palace Tuesday was the first answer of the Cuban nation to the Spanish campaign of massacre against unarmed peaceful inhabitants in the interior.

A member of the patriot organization in Habana prepared a dynamite bomb some weeks ago and offered to destroy the captain-general with his own hands. But the leaders refused to sanction the plan, even as a war measure. With Maceo in the west, keeping 50,000 Spanish soldiers out of the main field of war, with Gomez marching westward toward the entrenched and cannon-crested trocha at the head of a large force carrying six pieces of artillery, and with Calixto Garcia commanding the insurgent forces in the East, where the recruits are drilled and organized, the friends of free Cuba believe they can drive the Spaniards into the sea without resorting to assassination.

BUTCHERIES.

But horrible stories of butchery have been brought here by responsible men from all parts of the island.

As I have made an honest and impartial investigation, I can no longer keep silent about the appalling crimes which cry out to the civilized world for intervention. I have refused to believe that Spanish soldiers were deliberately exterminating the male population of the country districts, but I must yield to the evidence of unimpeachable eyewitnesses. The situation is horrifying, unspeakable almost. It can not be possible that General Weyler knows the facts. He seems to be a brave and intelligent officer, and he has won his high place by brains and energy. With the heavy responsibility of the war resting on him, he could have no intelligible reason for ordaining barbarities which swell the ranks of the insurgents by thousands and drive hundreds of old men, women, and children into the larger towns and cities to be a burden to the Government.

MURDER, NOT WAR.

I prefer to believe that the captain-general has been deceived by officers in the field, who are killing noncombatants indiscriminately and reporting victorious engagements with insurgent troops. Everywhere the bread winners of Cuba are fleeing in terror before the Spanish columns, and the ranks of life are being turned into ranks of death, for the Cuban who has seen his honest and harmless neighbors tied up and shot before his eyes in order that some officer may get credit for a battle, takes his family to the nearest town or city for safety, and then goes out to strike a manly blow for his country.

If Mr. Cleveland could have heard the terrified Cuban women trooping with their children into Gunabacoa yesterday asking me whether the United States would allow Spain to slay the whole population, their appeals might not have been in vain. What could I say to the wretched fugitives? Who can read the President's mind? I know that he is not indifferent, for there is abundant evidence that he is investigating the question here through private and indirect sources.

FACTS FOR PRESIDENT CLEVELAND.

But his informants have so far dealt only with the economic question and the possibility of framing a scheme of peace that will be pleasing to Spain. I have seen copies of many of the letters read by the President, and so far as the economic aspect of the great struggle is concerned, he has had the advice of experienced and responsible men, most of them favoring annexation to the United States. But while the President and Secretary of State are immersed in the abstractions of the commercial problem the insurgents are turning the island into a waste of ashes, and the Spanish soldiers are slaughtering noncombatants wholesale against every rule of civilized warfare.

It is not the captain-general's fault. He is overwhelmed with work in the palace. The world has seldom witnessed such a war. He can not be everywhere. His reputation for harshness makes the relatives of the victims fearful of approaching him lest they, too, may meet the fate of others.

Witnesses of these butcheries from the country shrink and grow silent when they are questioned. They are dumb with fright. I have only succeeded in getting them to talk by convincing them that their names will not be revealed at present. In every case I have been careful to ascertain the reputation of the witnesses for truthfulness.

Senor de Lôme, the Spanish Minister at Washington, would believe the facts in spite of himself if he had the evidence now in my possession. Nor have I confined my investigations to the peasants. Educated planters tell the same story, those of them whose positions will permit them to speak about the subject at all.

SKIRMISHES TURNED INTO BUTCHERIES.

Within an hour I have talked with one of the most conservative plantation owners on the island, and he told me that laborer after laborer has been gathered up on his estate within the last three weeks and shot on the roadside without trial of any sort. In every case newspaper reported skirmishes with the insurgents, and this in the closing days of the nineteenth century.

I have been in the neighborhood of Campo Florado, a village a few miles east of Habana. This has been the scene of almost incredible crimes, committed by the Spanish troops and recorded as military victories.

The highway leading from this district to Guanabacoa is crowded with fugitives in ox carts and on foot, principally women and children. They report almost daily murders by the Spanish soldiers. Night before last 14 inoffensive men were tied up and shot just outside of Guanabacoa. The sentries on the limits of the towns refused to allow any outsider to go where he is likely to witness the work of the firing squads. Guanabacoa is packed with bewildered and half-starved country people. Many of them sleep in the streets.

Two days ago a Cuban woman who fled from the town in terror gave birth to a child on the porch of a grocery store. The massacre of noncombatants at Campo Florida began on April 3, and since that time about 800 men have gone to the insurgent army from a district 15 miles in circumference. Most of them were armed, but a few joined the patriot forces with nothing but heavy sticks.

About a hundred quiet and inoffensive men have been shot without trial in the neighborhood of Campo Florida. Their neighbors were helpless to save them. Those who fled for protection to the Cuban ranks were led by the rebel chief Valencia to Balondrone, in the Province of Matanzas, and will join the forces under Gomez. Several unarmed peasants were shot without trial at Guanabo, near Campo Florida, six or seven days ago, and the soldiers did not take the trouble even to bury them. I have talked with a farmer who saw dogs and vultures eating the bodies.

A SURVIVOR'S STORY.

Here is the statement of an eyewitness: "These eight men (whose names are first given at the head of this dispatch) were arrested on April 1 and 2 by Lieutenant Sequi, assisted by two soldiers and a municipal guard, who has since been hanged by the insurgents. They were all innocent, hardworking people. I saw the soldiers tie their arms and take them to the police station. Margarito Zarzas, who was arrested just after he had completed a coffin for a woman, was dragged to the station with a rope around his neck. I was told that the prisoners were beaten, but I did not see that. Next day the nine prisoners were marched to a small fort made of loose bricks on a hill overlooking the railway track. I heard that they were to be put on a train at 1.30 o'clock in the afternoon and carried to Habana, and I went to the track to see my neighbors depart. As I approached the railway I saw Lieutenant Sequi and two soldiers hurrying toward the little fort on horseback.

"When I advanced I could see a double rank of Spanish soldiers of the Princesa Battalion stretching from the foot of the hill on which the fort stands across the track to a small gully about 7 feet deep. Beyond the gully is a large cedar tree, and between them was a freshly dug trench. It made my blood run cold. I knew what the trench was for. To the right of the gully was a line of soldiers. Presently I saw the two Cejas brothers leave the fort surrounded by soldiers. They were taken across the track between the double ranks and down into the gully out of my sight. Then I heard a volley fired in the gully. I ran home and ordered my wife to conceal the children and lock the doors of my house.

"The screaming of the prisoners in the fort, who had heard the volley, induced me to approach the track again. This time I saw Domingo Lugonez and Margarito Zarzas brought down the hill. They were tied together. Lugonez was crying. I could hear him scream again and again: 'For the sake of your own mothers don't kill me! Have pity on me! Oh, my good mother, my poor mother! For God's sake don't kill me!'

"The prisoners were driven into the gully and again I heard a volley. After that I stayed with my children. We could hear other volleys as each of the prisoners was taken out and shot. Then the train arrived from Habana, and just before it reached the village I heard two quick volleys and two single shots. That day I left the place with my family. The troops were killing all my neighbors.

"The orders are given by the military commandant of Minas, whose name is Narciso de Fondesviela. This is a plain statement of the facts. On the next day the official reports declared that the Spanish troops at Campo Florida had ambushed a body of insurgents and killed 10 of them without losing a man.

"Four days ago the soldiers shot José Flores, a married farmer, and Feliciano Sosa, married, carpenter, 38 years old, and also threw their bodies into the boiler. Since then the troops have been forced to dig a trench for the corpses, and the odor from the decaying bodies in the boiler prevents them from going near it."

I have confined my dispatch to one little farming district close to Habana. The same stories reach me from all parts of the island. But I have set down nothing without investigation. Imagine the scenes in the interior. No wonder foreign correspondents are not allowed to accompany the Spanish columns and are nearly all bottled up in Habana.

I take no sides in this war and have no wish to harm the Spanish name. Many of the royal officers are men of fine character. But it is time to let the world know that America has an Armenia almost within sight of her shores.

In spite of reports to the contrary, I have high authority for saying that the Pope regards the insurgents as legitimate belligerents, and not as bandits. General Maceo has sent word by a priest to the Bishop of Habana, Manuel Santander y Frutos, that he would respect and protect all priests. The Cuban leader also assured the bishop that he was a good Catholic and would remain a faithful son of the church.

The bishop has also learned that Lacret, the rebel leader, recently entered a church in the country and prayed before his soldiers. The rebels entered Cardenas in disguise on All Saints' Day and mingling with the crowd in the cemetery lit candles and knelt at the graves in prayer.

WHAT WILL CLEVELAND DO?

The main Cuban army under Gomez has printing press and official newspapers. I can not say that there is any obtainable evidence to support the claim that the Cubans have a regular civil government with a fixed abode and fixed territory, but I can say that the insurgents are growing in power; that they do not as a rule molest noncombatants and respect the rules of civilized warfare. I can also say that the general massacre in the country districts is stirring the blood of Cuban property owners who have hitherto held aloof from the struggle, and that unless a change occurs within a few weeks some of the most important men on the island will be found in the field fighting against the Crown of Spain.

President Cleveland has never yet failed to show his American blood on proper occasions. If he will appoint a commission and send it to Key West, hundreds, nay thousands, of persons will leave Cuba to bear witness to the facts.

The widows and orphans of the freshly slain pray for American protection, even at the Cathedral altar, where the baptized flag and cannon representing Spanish dominion stand facing the tomb of Columbus.

Letter of Sylvester Scovel, dated May 23, 1896, in the New York World:

CUBANS RETURN GOOD FOR EVIL—SPANISH SPY LIBERATED BY INSURGENTS IN THE FACE OF BEATING AND MURDER OF THEIR FELLOWS.

[Special correspondence of the World.]

NEAR GUANAJAY, PINAR DEL RIO, CUBA, *May 23.*

Outrages continue in this district.

A Spanish column beat two men May 20 and severely injured a boy with carbine strokes.

Another Spanish column killed in cold blood on the 21st, and in his own house, a peaceable laborer wholly unconnected with the insurgents.

To-day (the 23d) the insurgents of the same district, with full knowledge of the maltreatment of their fellows, set at liberty a Spanish prisoner who admitted that he was a spy.

These events have taken place within a few miles of each other. The trial, confession, and liberation of the Spanish spy I heard and saw. In proof of the Spanish outrages I submit written evidence, besides having interviewed many other eyewitnesses thereto.

It must be understood that the witnesses with whom I have talked, and especially those who have signed their names or made their marks, have done so at the risk of their lives.

The officers of the columns mentioned will surely hear from Habana in consequence of the World's exposure of their acts, and, unless restrained by the fear of further disclosures, are very likely to take Spanish vengeance upon all who have been seen to talk with the World correspondent. In this event I have arranged for the news to be sent to the Habana correspondent of the World, so that the public may still be kept informed as to the results of an indiscreet word in Cuba.

The signatures naturally can not be reproduced or the names be printed. For this the "pacificos" accepted the promise of the World, with the proviso that the proof shall be open to the inspection of the State Department at Washington.

BOY BEATEN WITH A CARBINE.

The following is a translation of the simply worded account of the injured boy's father. It was taken down in Spanish, word by word, afterwards read to the man, and then signed by him. It is also witnessed:

"COFFEE PLANTATION, SAN FRANCISCO,
"JURISDICTION OF GUANAJAY,
"*Province of Pinar del Rio, May 21, 1896.*

"By these presents I declare that yesterday, in the morning, on the approach of the column of Colonel Francis from Mariel to this place, La Merced, they spoke to my son, 18 years old, asking where the insurgents were, and when he answered that he did not know, one of the soldiers, in the presence of his chief, struck him five or six times with the barrel of his carbine, leaving him very badly injured. My son suffers much to-day.

"A part of the column went to the house of my neighbor, Domingo Guanche, and asked him if he knew where was the insurgent 'hospital of blood' in the 'Manigua.' On his answering that he did not know, an officer beat him with a cane which he carried, afterwards making him act as a guide.

"Coming again to my house, the troops asked me if I knew of a hospital. I said I knew that there was one in Mariel and another in Guanajay, and then they beat me with a cane."

(Duly signed and witnessed; original document in Spanish in possession of the World.)

Both men mentioned—the lad's father and his neighbor—bear the marks of a severe beating with a heavy stick.

The boy is seriously injured. He can not use his arms, and one of them feels as if it were broken. His back is badly strained, and he may be permanently crippled. The carbine used was evidently heavy and swung with great force. The boy will be certainly disabled for months, perhaps for life.

The insurgents aver that on the 20th there were no parties in the vicinity of La Merced. In this case the boy answered truly that he did not know. However, he would probably have answered the same if he had known. I asked him how he felt. He said:

"It is nothing. It is for Cuba."

In connection with the reported Spanish massacre of wounded Cubans, the query of the officer about a "hospital de sangre," or place where some dozen or so badly wounded might be found, is terribly significant.

The answer of Domingo Guanche is what is to be expected in respect to his countrymen wounded in fighting for his freedom and theirs.

The signer of the statement says naively, "And then they beat me with a cane." They naturally would be a little angry in view of the fact that the two hospitals mentioned are full of their own comrades. The Cuban showed some sense of humor and much nerve in this answer.

SLASHED FOR FUN, THEN SLAUGHTERED.

The other case, that of murdered José Dominguez, is a plain outrage without palliation. The man was sitting by the open window, his child on his lap, when one of the guerrillas in mere wantonness leaned out of his saddle and slashed him on the arm.

Whether Dominguez was foolish enough to protest or whether the sight of blood aroused the inborn man-devouring instinct of the Spanish lion, I do not know. But it is certain that then the infantry took him from the house and killed him.

The following statement, signed by six villagers, is given literally in their own words:

"TOWN OF BANES, *May 23, 1896.*

"We, with our signatures, do declare that the resident of Banes, D. José Dominguez, was killed by the Spanish troops in the town street of San Pedro about 8 o'clock in the morning of the 21st day of the present month, while sitting in his house by the window. They gave him a machete cut on the arm and then took him from the house and killed him, inflicting eleven bayonet strokes and leaving him covered by a jagua; for they said he was an insurgent.

"We further declare that he was an honest man and a laborer and had nothing to do with the war, nor had he dealings about it with anyone. Neither had he arms or ammunition in his house, and all that has been done to him was unjust.

"An injustice has also been done to us and other honorable neighbors. The troops—the column of San Quintin—took from the houses clothes, books, and whatever they wished.

"For justice we give this letter in Banes on the above date."

Every one of the signers is likely to prove his veracity with his life.

I also talked with many others of the villagers, and without exception all emphatically stated that Dominguez had absolutely nothing to do with the insurrection more than having a cousin in the rebel ranks. It is not even likely that the soldier who first cut him knew this. The whole thing is plainly a killing out of sheer love for it.

The murdered man leaves a widow and four children. The widow has moved from Banes.

The "jagua" mentioned as being put over the body was a slab of palm bark, evidently placed there as a satirical intimation that so much burial would be quite sufficient for a Cuban.

INSULT ADDED TO INJURY.

Not satisfied with the actual killing, I have found in each of the Spanish outrages I have seen the same attempt to insult and desecrate the most dear and sacred feelings of the living Cubans.

That these do not in their frenzied anger retaliate upon the many Spanish prisoners they take is as wonderful as it is praiseworthy. It is a question, though, whether the Cubans can contain themselves much longer. Already the rank and file are demanding retribution, and it need surprise no one should they take it. Even the officers feel that their consistent and persistent curbing of their men's natural desire for revenge has done them no practical good, and that had they from the first retaliated in kind perhaps Spain might have been forced to humane treatment of Cubans.

I said to an intelligent sergeant: "Yes, but think of the good effect your moderation is having on the people of the United States."

"What good has it done us?" he asked. "Has the American Government recognized us or done one thing toward preventing Spain from wholesale murder?"

PUZZLE IN POPULAR GOVERNMENT.

I answered, of course, that although the Government might be a little slow in moving, the people of the United States have much sympathy for the Cubans and their cause. This seemed to puzzle him a little. After a moment he said:

"Why, I thought the United States was a Republic."

"It is," said I.

"I don't see how it can be," he retorted, "for certainly the government of a republic must carry out the wishes of the people. You say the people of the United States wish to help us. Then why don't their Government do it?"

I could not answer him.

Dominguez was buried by a friend shortly after his death. While engaged in digging the grave in the cane field he was shot at by another passing column.

The grave can hardly be distinguished from the surrounding partly cut sugar cane, except for the prickly cactus bushes placed upon it to guard the body from desecration by the "auras" or vultures, that are plentiful in Cuba.

The group of Cubans is just of the appearance of the average small party of district revolutionists.

SPANISH SPY SET FREE.

In sharp contrast to the beaten men, the injured boy, and the murdered Dominguez killed by twelve separate cuts, is the treatment by the Cubans of the Spanish spy, Juan Martinez. He was set at liberty before he was asked to write or declare anything, and the request for the letter which follows was made by the World correspondent:

"ENCAMPMENT EL FRANCES, *May 23, 1896.*

"By the present document I declare that on the 18th of the present month I was made prisoner in the courtyard of the sugar estate San Gabriel by two members of the fuerzes libertadores de Cuba, commanded by Commandant Baldomero Acosta, and that during the time I have been kept in the camp I have received good treatment and have been surrounded by cares and attentions and have been looked at with respect.

"I declare, also, that I was captured in possession of arms and ammunition in country dress, and that in military law I am considered as a spy.

"I admit that the Cubans have the right of life over me, and that in setting me free I think very highly of their generosity.

"Signatures of Spanish spy and witnesses."

The man was trembling with joy. His letter shows it. He was hardly "surrounded by cares and attentions" any more than lurk in the muzzles of a couple of carbines, but the poor devil evidently tried to get even with his generous captors by generous praise.

The man admitted to having been sent to locate the Cuban camp near San Gabriel, and he has been set free to go where he will—even with a safe conduct that will pass him through the insurgent lines to his home in safety.

Acosta has done well. Instead of killing one Spaniard he has made one Cuban, or at least a friend to the Cubans, for if ever there was a grateful man this was he. He had reason to be. Beyond taking his arms and cartridges the Cubans did nothing to Martinez, exacted no promise from him other than not to again bear arms against them.

The quotation "fuerzes libertadores de Cuba" means "the liberty forces of Cuba." This term is always used by the revolutionists in speaking of their soldiers.

With the beating, injuring, and killing of absolutely inoffensive "pacificos" on one side and the most generous surrender even of military rights for humanity's sake on the other—the former the strong, the latter the weak—why should the United States hesitate to stop the reign of terror on this island at her gates.

Letter of Sylvester Scovel, dated May 28, 1896, in the New York World:

[Special correspondence of the World.]

MARIEL, PINAR DEL RIO, CUBA,
May 19 (via Key West, Fla., May 28).

Three sickening cases of post-mortem mutilation I saw to-day, so beastly, so indecent, no Apache could have conceived anything equal to it.

Playa Salade is on the north coast of Cuba, about 15 miles east of here. Forty armed and 20 unarmed Cubans were camped there last night under command of Rufino Orra, a subofficer of Baldomero Acosta, the Cuban chief of the district on the north coast from Mariel to Habana. There was aguardiente (brandy) in camp, a woman was visiting the officer in charge, and there was no guard. In fact, it was the most loosely conducted "outfit" I have ever seen, even among the small parties of insurgents in Cuba. For his actions the commanding officer has been severely disciplined. General Gomez or General Maceo would have had him shot.

In justice to the Cubans in the field I must say that this sort of thing very seldom happens. Indeed, morality in camp and well-posted guards are two of their most shining virtues.

The camp was also very badly situated, with the sea on one side and flat, open ground on the other three, the only cover in case of sudden retreat being sparsely scattered bushes.

In some way the Spaniards were informed as to the location of the camp, and before daybreak to-day the regular infantry battalion of San Quintin, 800 men, and the volunteer cavalry of the guerrillas of Miro, 300 horses, left headquarters at Punta Brava for Playa Salade, arriving just at daybreak. Without warning or a call for surrender the 1,100 Spanish soldiers poured

nickel-cased bullets into the groups of sleeping men and the three or four rude bough tents. The storm of bullets should have killed six times 60 men.

The dazed Cubans could not reach their horses, so they scattered on foot. The 300 guerrillas then charged the fleeing groups. The cavalry charge alone ought to have finished the business. Will it be believed when I state positively that only four Cubans were killed and half a dozen slightly wounded? Yet such is the fact.

This little occurrence merely adds to the evidence of every engagement of this war that the modern rifle and ancient drill tactics do not work well together, at least with Spanish forces.

The victorious troops then proceeded to capture the woman as their only prisoner.

The Spanish officer commanding wrote his official report, and the men began to amuse themselves with the four dead rebels. I saw what was left of these poor bodies immediately after the troops had left for Punta Brava.

The skulls of all were split to pieces down to the eyes. Some of these were gouged out. All the bodies had been stabbed by sword bayonets and hacked by sabers until I could not count the cuts; they were almost indistinguishable.

The bodies had almost lost semblance of human form. The arms and legs of one had been dismembered and, laced into a rude attempt at a Cuban five-pointed star, were satirically placed on the breast of the limbless form.

The tongue of one had been cut out, split open at the base, and placed on the mangled forehead in a ghastly likeness to a horn. Fingers and toes were missing.

All the bodies were further mutilated and again arranged in a manner so indescribably repulsive as to prevent description.

Two of the mouths were split back to the angle of the jaw so as to give an untellably ghastly grin to each mangled face.

And the ears of all were missing. These could not be found and I was forced to the conviction of what I had often heard, but never believed, that the Spanish soldiers habitually cut off the ears of the Cuban dead and retain them as trophies. Our Indians were more cleanly than this.

During General Campos's time I only saw three dead Cubans after Spanish treatment. They were at Seiba del Agua and were mutilated, but not so horribly as those of to-day.

It is the certainty of post-mortem mistreatment that makes the Cubans so careful about removing and burying their dead, as already described in the World. To see these poor minced-up bodies, to note the bestial indecency of the details, to think that it had all been done but a few moments ago by the well-disciplined soldiers of a supposedly civilized nation, to know that it could not have been done except by the consent of the Spanish officers and "gentlemen," all combined to create such a maddening feeling that the most moderate pencil in the world would have to go hunting for terms strong enough to tell it.

If the plain people of New York could have seen those four proofs, irrefutable proofs, of Spanish barbarity, word would go to Washington so strong that Grover Cleveland would have to do something, and do it quickly.

The Cubans, on the other hand, have always treated their prisoners well, and they have taken many more than have the Spanish, official reports to the contrary notwithstanding.

I have just received a Habana paper containing an account of this very affair of Plaza Salado. The sheet has as strong a Cuban tendency as the Government press censorship will permit, so it may be taken for granted that the actual official report is even more of an elaborate fancy. The article is better than common. It has the names and the date correctly given.

However, it gives the Cuban dead found on the field as 17. As 4 from 17 leaves 13 there seems to be room left for argument. Fifteen dead horses are also said to have been encountered. There were 7 by actual count. One slight wound is admitted. As the 60 Cubans must have fought pretty sharply to have got away so well it is quite evident that somebody must have been hurt whom the official report forgot.

The report is a fair sample of all of its species, big and little. Scale everything but names, dates, and places down about 90 per cent and you are somewhere near the truth and a little on the Spanish side of it.

The Cubans are as a rule nearly as bad, although denied the benefits of steady practice in mailing official reports, as it takes about a month to get a courier from this end of the island to the government in Puerto Principe.

From here heavy firing has been heard from the trocha almost every night. It is supposed by the insurgent leaders that General Maceo is making a demonstration upon Guanajay in preparation for an attempt at crossing this military line.

It is actually much more of an obstruction, especially to cavalry, than any of its predecessors, and the weak points have been closed. However, the general belief among the insurgents is that General Maceo can cross when he will.

All talk about the longed-for belligerent rights. Whether or not in the letter of the law the Cuban insurgents deserve such a recognition, surely in the name of humanity alone there is more than sufficient cause for intervention.

It is the Cubans' hope. It must come sooner or later. Why not now?

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MORE HORRORS IN CUBA—NEW SPANISH BUTCHER IN CIENFUEGOS MURDERS HELPLESS FARMERS.

Señor Buenaventura Carbo, who for many years has been secretary of the American consulate in Cienfuegos, is now with friends in Brooklyn. Mr. Carbo was suspected of sympathizing with Cuba's cause and was in consequence exiled. His story of Spanish outrages adds more proof to the accusation against Spain of dreadful brutality.

"Eugene Pelletier," said Mr. Carbo, "who was employed on the plantation of Antonio Reguera, is registered on the books of the American consulate in Cienfuegos as an American citizen. Last November he was arrested on suspicion and thrown into the filthy Spanish jail in Cienfuegos, from which he was only recently released.

"The terror of Santa Clara is the guerrilla troop of Luis R. Yzquierdo, who was formerly a clerk in the custom-house at Cienfuegos. He is known now as the 'monster.' On April 2 his troop came upon a party of Cubans repairing a cottage in Lagunilla and shot José Quintana, Matias Soto, Manuel Roque, and Philomeno Hernandez, who were in the party.

"At Manacas, on May 16, José Cardoza, a farmer, and two of his negro servants were hacked to pieces with machetes by Yzquierdo's orders. They were suspected of being friendly to the Cuban cause."

Letter of Arthur E. Houghton, dated May 31, 1896, in New York World:

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[Special cable dispatch to the World.]

MADRID, SPAIN, *May 31.*

The Madrid Government has lately called the attention of the other European powers to the alleged cruel and inhuman mode of warfare adopted by the Cuban insurgents.

Complaint is made specifically of the use of dynamite to blow up railway trains (those carrying passengers as well as freight) and sugar mills, and of the use of explosive bullets in fighting.

The European Governments have instructed their consuls in Cuba, it is stated authoritatively, to report promptly and fully upon these allegations.

WANT CUBANS REGARDED AS PIRATES.

Spain hopes some action will be taken to declare the Cuban insurgents pirates and malefactors, unworthy the sympathy of any civilized nation.

General Weyler has ordered the Spanish authorities in Cuba to continue to grant relief and rations during two months to distressed inhabitants who have taken refuge within the Spanish lines, but the families and relatives of insurgents will not only be refused relief and rations, but will be immediately expelled from the Spanish lines, which will make them heavy incumbrances upon the rebels during the rainy season.

COMPETITOR SENTENCE LIKELY TO BE UPSET.

As soon as the papers in the *Competitor* case reach Madrid by mail—they are expected about June 4—they will be submitted to the supreme court of naval appeals.

The impression in official circles is that the sentence of the Habana court-martial is certain to be annulled on the ground that it is in violation of the treaty of 1877, and that the case will be sent to an ordinary court-martial for trial, subject to the stipulations of that treaty.

Letter in the New York World, June 3, 1896:

[Special correspondence of the World.]

SANTIAGO, CUBA, *May 25.*

The guerrillas of the Spanish Colonel Tejeda are the terror of Songo, Dos Caminos, San Luis, and Palma Soriano. Within the last few days they have assassinated more than twenty men, women, and children. Among the most brutal murders is mentioned that of an old man, 70 years of age, named Luluto Sanchez, who lived a few miles from Songo, with his wife, Clara, aged 62. A company of the guerrillas appeared at the Sanchez house on the morning of the 21st and inquired if the insurgents had passed there. The old man answered that neither he nor his wife had seen any. The captain of the guerrillas then ordered that husband and wife should be tied to a tree. By his further orders some of his soldiers put out their eyes and afterwards killed them with machetes.

Another instance of barbarity was the murder of a mother, two grown daughters, and a little child named Garcia, whose only crime was that the husband of the former was in the field with the insurgents. This family lived in the neighborhood of Dos Caminos. Twenty guerrillas, under a sergeant, went to the place, and, after insulting the mother, assaulted the younger ones, and then killed all of them and set fire to their house.

The Spanish Lieutenant-Colonel Molina, with two companies of regulars and the guerrillas of Caney, 300 men in all, had an engagement yesterday in Loma Villalon and Retiro (Caney Zone) with 700 insurgents under the brothers Quintana. The fight lasted two hours. The Spanish had 20 killed and 67 wounded, and the rebels 8 killed and 14 wounded. Among the Spanish wounded was Lieutenant Vazguez, very seriously.

On the 18th the Spanish Captain Imbert attacked the rebel camp San Andres (Guantanamo), and after a hard fight dislodged the insurgents, who left 10 killed and 15 wounded, besides two guns and plenty of medicine and provisions.

Six hundred Spanish under General Rey had an encounter in San Ramon (Manzanillo) on the 17th) with Leader Tamayo and his party of 800 men. The rebels obtained a complete victory over the loyals, who suffered a loss of 1 captain and 30 soldiers killed and 95 wounded.

The Spanish General Gasco, at the head of 1,000 men, met 1,400 insurgents under Puyals in Mavagual (Bayamo) on the 18th. The Spanish column was convoying 80 mules and 20 wagons laden with ammunition and provisions. The insurgents lay in wait and opened a fearful fire on the Spanish vanguard, driving it back in disorder on the main body. As a result of the battle the rebels took the entire convoy with the exception of 6 wagons and 10 mules. This engagement is one of the most serious that has taken place in this province for some time. Some of the Spanish officers attribute their defeat to cowardice on the part of General Gasco. The Spaniards lost 1 commander, 1 captain, and 90 soldiers killed, and 195 wounded. The rebels had 1 captain and 28 men killed and 60 wounded.

On the 17th the rebel leaders Pepito, Rodriguez, and Miguel Escalona, with 150 men, attacked the fort at the village of San Pedro (Holguin), defended by a lieutenant and 50 soldiers. After a fight of half an hour the Spaniards surrendered with their arms and ammunition. They had 10 killed and 18 wounded, among the latter being the lieutenant. The rebels had 2 killed and 3 wounded.

Small-pox has increased considerably in this city, and has appeared in the town of San Luis. Yellow fever is increasing also, on account of the heavy rains which have fallen within the last few days.

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[Special correspondence of the World.

MACAGUA, NEAR COLON, PROVINCE OF MATANZAS, CUBA, *May 10.*

Reports have reached here of a number of recent unwarranted murders and outrages by bands of Col. Louis Molina de Olivera's Spanish guerrillas.

Belisario Nodarse, of this town, relates the particulars of a fiendish attack upon a Cuban woman.

"The guerrillas of Colon," Mr. Nodarse says, "while on their way to Calimete, stopped at the house of Mateo Martinez, a native of the Canary Islands, who had been forced to enlist in a body of insurgents under the command of Juan Pablo Jabio.

"The Spaniards stopped at his house and the officer in command inquired from Senora Martinez the whereabouts of her husband. 'Indeed, I can't tell,' she replied.

"'I'll make you,' said the Spaniard, and he proceeded to tear off her clothing. He then questioned her anew, and receiving no answer from the woman, who was crying hysterically, he unsheathed his sword and fell to cutting and slashing his victim, until her blood covered the floor and she fainted in a corner. Her shrieks and entreaties only served to provoke the brutal laughter of the soldiery."

Mr. Nodarse says he laid the facts in writing before Colonel Molina. The chief replied by sending a squad to arrest and shoot the complainant. His brother, Bruno, a tobacconist, heard of the order in time to inform Belisario. The brothers fled and joined the rebel force of Clotilde Garcia.

Colonel Molina left his headquarters a few days after the attack on Senora Martinez and marched his troops south to effect a junction with General Melguizo's corps. The Spaniards were attacked and forced to retreat by a Cuban band. In making a detour to avoid the Cubans, Colonel Molina's command arrived at a shanty occupied by an old farmer, his two sons, a daughter-in law, and three grandchildren. An eye witness of the tragedy says:

"At the approach of the soldiers the men took refuge in the jungle, carrying off the two oldest children, and only the daughter with her baby remained in charge of the house. She hoped her sex and the sight of a child but six months old would protect them from harm and spare the house.

"Colonel Molina halted his command by the roadside and, dismounting, walked into the house,

"'Where are the men?' he demanded. 'I have been fired upon by your people at Artoyito, and I intend to send a detachment to surprise them at camp to-night, so I need guides. Where are the rascals that live here?'

"'They are out, sir,' was the trembling response.

"'Are they? Well, you will guide a squad of my men to their hiding place and bring them quick. No trifling.'

"'I have not the least idea where they can be,' sobbed the woman.

"'Haven't you? Very well. Ho, there! a corporal and four men.'

"As the platoon entered the cabin Molina pointed to her and said:

"'Pull out that rebel hag and shoot her!' The mother and child were dragged some 25 feet from the hut and the squad moved away a few paces.

"'Will you speak now?' the Colonel demanded.

"'For God's sake, I don't know!' cried the woman, who was nearly dead with terror.

"'Then fire!' ordered Molina.

"With a convulsive movement the woman tried to shield the child with her own body, but the merciless bullets did their work.

"The baby was not killed outright, and one of the soldiers, moved by a sort of barbarous pity, crushed the little one's skull with the butt of his rifle. The bugle sounded 'Fall in.' Molina, after setting fire to the hut, coolly mounted his horse and gave the word 'March.'

"The three men returned after a while, looked silently on the dismal scene, and walked off in the direction of Arenas. After intrusting the two remaining children to a relative, they joined the insurgents, and Fabio, the Cuban commander, says they fight more like demons than like men."

In one of the outskirts of San José de los Ramos and about 3 miles from the village there is a small place called Barrio de Oliva. It consists of a schoolhouse, a grocery store owned by Mr. Oliva, the dwelling of the Hernandes family, cane planters of that neighborhood, three or four palm-thatched huts and a small house occupied by Frederico Fuentes. Fuentes had two large cane fields.

One corresponds to the "Espana" sugar plantations owned by Senora Fulneta, wife of the Spanish minister, Romero Rabledo. The other field is attached to the state "Alava," belonging to Heredros de Fulneta. Fuentes's family consisted of himself, a married daughter named Arcadia, and his son-in-law.

Fuentes had had a dispute with the lieutenant detached by Colonel Molina to garrison San José. The particulars, according to a friend of Fuentes, were as follows:

As he went around one of his cane fields he found an immense quantity of cane trampled down and spoiled. Next day while out at his other field (that of the state Alava), he saw a foraging party enter and proceed to cut fodder for their horses. Perhaps he would have submitted to the intrusion, but he soon perceived that the soldiers instead of cutting off the top stalks, which is the part eaten by cattle, proceeded to destroy the cane just for the fun of the thing.

He approached and remonstrated, but the sergeant ordered him to "shut up," adding that almost anything was too good for a cursed rebel.

Fuentes went to the town and complained to the lieutenant in command of the garrison. The officer flew into a rage and ordered him out of his presence, threatening to use a horsewhip. Fuentes told him he intended calling on Colonel Molina and reporting what had happened.

The command was a few days later ordered to advance and protect the plantation "Espana," which the insurgents had announced they would burn.

As they approached Barrio de Oliva the guerrillas sacked a tavern known as the Noy, indulging freely in spirits. On entering the place the lieutenant marched directly to Fuentes's home and made the two men walk out. He accused them of harboring an insurgent chief named Maza. Fuentes knowing the cause of the accusation thought it useless to defend himself. The officer then bade the soldiers punish them as they deserved.

A score of machetes flashed and in a few moments the prisoners were a mass of blood and rags. A drunken fancy seized the murderers. Cutting off the heads of their victims they hung them to the key of the grocer's door, while the horror-stricken neighbors looked on without daring to interfere. Only under cover of night were the ghastly remains removed and buried.

A resident of the town of Cascajal says one of Moliana's guerrilla bands recently left Barrio de Mostacilla and was marching to "Reglita," the sugar plantation of Señor Sardinas, for the purpose of escorting a train of pack mules. As the guerrillas approached the town of Cascajal they passed the farm of a Cuban named Garcia, whose two brothers were in the insurgent force under Dimas, which was operating in the district between Recreo and Roque.

A portion of this force occasionally camped near Garcia's house, and he was then visited by his brothers. When the guerrilla band arrived, however, the insurgents were not in the neighborhood. Garcia was alone in his house, his brother-in-law, who lived with him, having gone to San José de Ramos.

The lieutenant commanding the guerrillas rapped loudly upon Garcia's door and then entered, followed by a sergeant and two privates.

"Where are the insurgents encamped?" the lieutenant demanded of Garcia.

"I really don't know," the man replied.

"Tie him to that chair" the officer commanded, and the soldiers lashed Garcia securely.

"Now will you tell me where your brothers are?" the lieutenant angrily inquired.

"I can't say. I have not seen them," Garcia tremblingly replied.

"Ha! I know they slept here last night, but since your eyes seem to be useless, I will relieve you of them. Pull them out," the officer cried, turning to his soldiers.

The sergeant thrust the point of his bayonet under each of the unfortunate man's eyes and burst them out, despite the agonizing screams of the victim.

As they left the house the lieutenant jokingly remarked that the next time Garcia would be able to say truthfully that he "had not seen the insurgents."

Letter of Owen Melton, dated June 6, 1896:

[Special dispatch to the Press.]

KEY WEST, FLA., *June 6.*

A letter has been received from Owen Melton, the young American captured on the schooner *Competitor*, in which he describes the barbarities practiced by Spaniards on prisoners confined in Morro Castle and Fort Cabanas. He says in his letter, which is dated Havana, June 3:

"The world will never know the barbarities that are perpetrated by the Spaniards on the suspects confined in Morro Castle and Fort Cabanas. They are being tortured and shot without trial almost daily.

"On May 30 Faustino Padron, a boy 16 years old, was captured in the outskirts of Habana by Spanish guerrillas and lodged in the Cabanas. It was suspected that the boy had been in communication with the insurgents.

"To make Padron confess, he was stripped and suspended by the arms. Then a Spanish lieutenant whipped the boy on the bare flesh with a rawhide whip.

"Padron's back, shoulders, and breast were soon a bleeding pulp and he was shrieking in agony. Then the officer asked Padron if he had done certain things, and in his awful pain the boy would scream:

"'Yes; oh, yes.'

"This was then written as the boy's deposition, to be read before the 'Consejo de Guerra,' when he shall be tried for rebellion. It is not likely, though, that the boy will ever be tried, as death will prevent. He spits blood and can not live long.

SIGNIFICANT VOLLEYS.

"Such things are of daily occurrence in the Cabanas. At night volleys of musketry are frequently heard. The next day the prisoners know what these volleys meant when they miss the faces of well-known prisoners.

"In the Cabanas there are nearly 700 prisoners and from ten to fifteen are crowded in a cell. A prisoner on first entering a cell is confronted by a nauseating odor, but after a few days he becomes accustomed to it.

"Were it not that the Cubans are acclimated, the mortality would be great. As it is, the Spanish sentinel who passes to and fro in front of the cell doors, frequently takes the fever and dies in four or five hours.

"Scarcely a day passed but some of the guards die with the yellow fever, yet it is very rare that a Cuban prisoner dies with the fever.

AMERICANS IN THE PRISON.

"There are several Americans in Fort Cabanas, among them the Americans captured with the schooner *Competitor*. Part of these are in one cell and part in another.

"Julio Sanguilly is also imprisoned there. He is given a separate cell and treated with some little difference by the Spanish officers in charge, yet the condition of many of the prisoners is extremely pitiful. Numbers of them have been found at their homes suffering from wounds and have been dragged away and thrown into the dungeons at Fort Cabanas.

"There is one man whose arm has been amputated close to his shoulder and who has a serious wound on his head. He is slowly dying of blood poisoning without hospital treatment.

"Already he is a mere skeleton. His sunken face is blotched with spots. As he is driven out into the prison yard by the guards, in a line of other prisoners, he staggers and reels like a drunken man. In a few days his body will be carried out.

SEVENTY-FIVE IN A CELL.

"The prisoners in Moro are mostly 'pacificos,' that is people who were captured at their homes on suspicion of sympathizing with the insurgents.

"These prisoners are kept in six large vaulted cells. There are from 75 to 115 in a cell. The cells are filthy and damp and the prisoners are given nothing to sleep on, so that unless they are fortunate enough to have money or friends they are compelled to sleep on the damp, filthy, stone floors.

"There are some men of note in Moro, among them being Ascua, who was Maceo's guide in western Cuba. Also Rafael Castro, known as 'El Inglesito,' or 'the Little Englishman,' whom the Spaniards would have shot but for the English consul's interference. He is an artist and a young man of fair complexion and dark eyes, with long, gracefully curling hair.

"Every night when his companions become quiet in their hammocks or on the reeking floor he hangs his canvas on the prison wall and paints.

"God help the man who falls into the hands of the Spaniards."

Mr. MORGAN. Now, I have with these remarks and these proofs closed my discussion of this question on the present occasion with one or two exceptions. A gentleman appeared at the instance of the Committee on Foreign Relations and was sworn and testified under oath before the honorable Senator from Minnesota [Mr. DAVIS] and myself as a subcommittee. This gentleman is Dr. Diaz, of Cuba. I desire to incorporate his testimony, also, because it is sworn testimony, along with the other. But I wish to make a remark about Dr. Diaz before I do that, which will indicate to the Senate the importance, I think, of having the statement of this man spread in the RECORD.

Dr. Diaz was a captain in the Cuban army during the ten-years war, or for about two years of that war. He is a man of good family evidently, born in Cuba, at Guanabacoa, a few miles distant from Habana, perhaps only 2 or 2 miles, and was educated in a special school in Habana and also in the University of Havana, where he took his degree as doctor of medicine. The war came on. He joined with the rebels and was appointed a captain. Being cut off from his command on one occasion, he endeavored to escape. He and two of his companions who were cut off with him went off into a little peninsula that extended out to sea, and there they were guarded by the Spaniards, who came up through the dense thickets on the outside but did not come within.

Dr. Diaz and his companions escaped. One died at sea before they were picked up. The others became unconscious. He was then taken aboard an American ship and, after being transferred to another ship at Key West, he came to New York, where he had friends. He was there taken sick, and, under the ministrations of a friend, a lady in the hospital, he became a convert to the Protestant religion. He then studied with Dr. Hunter for four years, I think it was, in the city of Philadelphia, and was taught divinity. He then became a manufacturer of cigars in New York or in some way became connected with the manufacture, being a reader to those there employed. Then he went to Key West, and there he joined the Southern Baptist Church. He was then ordained by the Southern Baptist denomination and appointed a missionary to Habana. He has succeeded there in establishing very valuable property, worth probably three or four hundred thousand dollars, including a church, seven church schools, a church hospital, a church cemetery, and he has 2,700 communicants in his church in the city of Habana and various churches on the outside. When this war came up he concluded it was his duty to contribute all he could to the Cuban people and the Spanish people through Christian benevolence.

He took sides with neither. He came to the United States and was appointed the vice-president of one of the Red Cross associations, which he took to Cuba and established there, with the consent of General Campos, to whom he applied, and he speaks of General Campos in very high terms. He established forty of these outlying hospitals, some in the Cuban country and some in the country held under the Spanish authority. He testified that

he was strictly impartial. He took no part whatever in any belligerency or in giving information or anything of the sort. His travels through Cuba to attend to these different hospitals, where he attended more than 2,000 of these Spanish soldiers, of course familiarized him with the situation of the two armies and of the country, and his testimony based upon this predicate of information is very interesting indeed. He is a man evidently of high education, a surgeon as well as a physician, and performed operations upon several of those persons, and witnessed various transactions in Cuba which he detailed. With this preface in regard to him, without saying anything more, but believing he is a man of very high character—in fact, of unimpeachable character—I ask leave to incorporate his testimony also.

The PRESIDING OFFICER. If there be no objection, such will be the order of the Senate.

The testimony referred to is as follows:

STATEMENT OF REV. A. J. DIAZ.

A. J. DIAZ was duly sworn.

By Senator MORGAN:

Q. What is your name?
A. A. J. Diaz.
Q. What is your age?
A. Forty years.
Q. Where were you born?
A. I was born in the city of Guanabacoa.
Q. How far is that from Habana?
A. About 2 or 3 miles.
Q. Where were you educated?
A. I was educated partly in the Island of Cuba and partly in the United States.
Q. At what school?
A. First I was at the institute, as we call it, in Habana, then went to the university in Habana.
Q. When you came here where did you go?
A. When I came here I was educated by Dr. Alexander Hunter, of New York, a private teacher.
Q. Educated in your profession as a doctor of medicine?
A. No, sir; as a minister.
Q. Well, were you ever educated as a doctor of medicine?
A. Yes, sir; I was educated in Habana.
Q. Did you get your degree?
A. Yes, sir; I got my degree there, and my diploma as a doctor has been registered here in the State of Georgia, too.
Q. Did you commence practicing your profession in Cuba?
A. Very little. At that time I was quite young, and the last revolution was started, and then I joined myself in that revolutionary army.
Q. Who did you serve under?
A. I served with the Cuban party.
Q. Under whose command?
A. Under the command of Julio Funes.
Q. How long did you serve in that army?
A. I served in that army for nearly two years.
Q. Did you have any rank?
A. Yes, sir.
Q. What was it?
A. I was appointed by them as a captain.
Q. Did you have a company under your command?
A. Yes, sir.
Q. When that war closed, what became of you?
A. Before the war closed I was appointed to find some place for our people. We knew very well if they got hold of the Cubans they would kill them. Knowing that, I threw myself into the sea, drifting on a log, in the hope of reaching some place of security, but the current was strong and drove us away. That was in the nighttime, and the next day we found ourselves in a vessel which picked us up.
Q. Where did they take you to?
A. They transferred us to a schooner that was bound to New York, and I went to the city of New York.
Q. How long did you remain in New York?
A. I remained in New York for nearly five or six years.
Q. What were you doing while you were there?
A. At first I was employed in the cigar business. Then I commenced to read to the factories there, employed as a reader, and then I commenced to do some missionary work.
Q. You became a minister?
A. Yes, sir.
Q. What church did you join?
A. The Baptist Church.
Q. Did you join that church in New York?
A. No, sir.

By Senator DAVIS:

Q. Are you now an ordained minister of the Baptist Church?
A. Yes, sir.
Q. How long have you been so?
A. For nearly six years.

By Senator MORGAN:

Q. Where were you ordained?
A. I was ordained in the city of Key West, Fla.
Q. You belong, then, to the Southern Baptist Church?
A. Yes, sir.
Q. After you were ordained did you return to Cuba?
A. Yes, sir; I returned for that purpose to the city of Key West. I was called by the council to the city of Key West, and was ordained there and returned the next week.
Q. Then I suppose you became a missionary of the Southern Baptist Board to Cuba?
A. Yes, sir.
Q. Well, when you got to Cuba did you establish a church there?
A. The church had been already established.
Q. And you were appointed to it?
A. Yes, sir.
Q. What progress have you made in your denominational growth there?
A. Very good.
Q. About how many communicants have you there?
A. I have about 2,700 who have been baptized in the last eight years.
Q. In the city of Habana?
A. Yes; and I organized a Baptist hospital for the poor. I organized seven free schools, where we have over 1,500 children; we educate them; and also have a cemetery. We can not bury our Protestant people in the Catholic cemetery. They do not allow us to bury them there.

By Senator DAVIS:

Q. In whose name is the title to all this property?
A. In the name of Dr. Tichenor, the corresponding secretary of the Home Mission Board.
Q. He holds it as trustee for the mission board?
A. Yes, sir.

By Senator MORGAN:

Q. Where does Dr. Tichenor belong?
A. In Atlanta, Ga.
Q. What would be about the value of that property you have in Habana?
A. The church itself is worth about $140,000. It is a very nice piece of property. The hospital we have is worth about $20,000, and the cemetery—well, we can not say what it is worth, but it brings to the board an income of $6,000 or $7,000 a year.
Q. You have property, then, in San Miguel, also belonging to the church?
A. Yes, sir.
Q. What is the value of that?
A. About $2,000.
Q. How many churches have you organized outside of San Miguel and outside of Habana in the country?
A. We have different missions, but never organized different churches. We have missions at different places. A preacher will go to one for one or two months for a meeting and then move away to another.
Q. How many ministers are employed in the Baptist denomination?
A. About 24 missionaries.
Q. Are there any of those remaining in Cuba now, or have they left?
A. None remain except the women missionaries.
Q. The men have all had to leave?
A. Yes, sir.
Q. Why have they had to leave?
A. Well, they have been persecuted in one way or another by the Government and have had to leave.
Q. They have all left?
A. They have all left and come to the United States.
Q. You speak of free schools you have established there. Are there any free schools within your knowledge in Cuba sustained by the Spanish Government?
A. Yes; there are some.
Q. How many?
A. A great many, but kept in a very bad condition; they do not teach anything.
Q. Are they under ecclesiastical control?
A. Yes, sir.
Q. The Catholic Church?
A. Yes, sir.
Q. Who supplies the funds?
A. The Government.
Q. I was reading the other day, from a Spanish author, a statement to the effect that the annual taxes upon the people for the support of the Catholic Church in Cuba amounted to about $600,000. Is that correct?
A. I think it is more than that. I think it is about $1,500,000 or $2,000,000.
Q. This book I was reading from was written ten or fifteen years ago.
A. The bishop of Habana gets about $18,000 a year.
Q. And the archbishop how much?
A. He gets about the same.
Q. The archbishop of Cuba and the bishop of Habana get about $18,000 each?
A. Yes, sir.
Q. Well, have you been much over the country in Cuba?
A. Yes, sir; I have been in a great number of places.
Q. When did this war that is existing now in Cuba commence?
A. It broke out about the 29th of February, 1895.
Q. After that war broke out were you visiting over the Island of Cuba in different places?
A. Yes, sir; in behalf of the missions. When the war broke out I did not know exactly what to do. As a captain of the army on one side, and as a minister of the Gospel on the other side, I was a little troubled myself, but I concluded to take no part in the insurrection, but just to help both parties, and then I organized what we call a White Cross Society. It is a society based on the Red Cross Society of Geneva, for the purpose of treating both sides.
Q. You mean to assist them medically and charitably?
A. Yes, sir; and at the same time I sent a letter to President Cleveland to notify him that we were going to do that kind of work, and Mr Gresham answered the letter, saying that they had nothing to do with the matter, but were very much pleased with that thought and encouraged us, but they said they had nothing to do with the Geneva Cross. So our Government was notified that we were going to take part in that movement for a sanitary purpose.
Q. Well, the Spanish Government, then, became one of the parties to the Red Cross Society; that is, to the treaty by which they had certain rights?
A. Yes, sir.
Q. And you were not violating any public law by organizing that society?
A. No, sir; nor private either.
Q. And you say you had determined not to take part with either party in the political struggle that was going on there?
A. Yes, sir.
Q. Have you kept to that resolution faithfully?
A. Yes, sir.
Q. And you have not taken part?
A. I have not taken part on either side.
Q. In any way?
A. In any way; just helping the wounded and sick, that is all.
Q. Well, did you visit the United States recently before you were expelled?
A. Well, I generally visit the United States once or twice a year. I must come to the Southern Baptist Convention when they have a meeting and give my report, and then they have some association or State convention, and then they call me. So I came to the United States last year twice or three times, to the Southern Baptist Convention, which met in Washington, to the Florida State convention, and to the Home Mission Board's meeting.
Q. Well, both visits you made were for the purpose of attending Baptist conventions?
A. Yes, sir; that is all.
Q. You did not come here on a political mission?
A. No, sir.
Q. And had nothing to do with politics or with the war?
A. Nothing to do with it.
Q. What did you do as a member of this sanitary corps, as a physician, in treating the sick and wounded of both parties?
A. We made a by-law and we gave that by-law to the Government of Spain in order that they might approve it, and so they did. They approved it, and the second article says we have the right to constitute neutral camps in or-

der to just take care of the sick and wounded; and while Mr. Campos was there everything was all right, because Mr. Campos conducted the warfare in a civilized way, and we had no trouble about it. We organized about forty delegations to take care of all sick and wounded. We have treated there about 2,000 Spanish soldiers, but as soon as Mr. Weyler came he ordered us to stop, not to take care of the insurgents by any means, only take Spanish troops, who were the only ones we had any right to take care of.

Q. Then did you cease to take care of the insurgents?

A. Yes, sir; I did not want to break any law, right or wrong. I did not want to interfere with any of them.

Q. Now, as a White Cross director, did you have a right to go into the ranks of the enemy?

A. Yes; cross the lines any time I pleased.

Q. You went out to the camp of the rebels?

A. Yes, sir.

Q. Did you make frequent visits to them?

A. Not frequent visits; but when I went to inspect a delegation, sometimes I found them in my way. Sometimes, as military operations required, they stopped me and kept me for two or three or four days, and then I stopped there; and if they had something to do in the medical line I did it—made surgical operations.

Q. You are a surgeon?

A. I am a surgeon; yes, sir.

Q. Now, these delegations you speak of, I suppose they were scattered about through Cuba?

A. Yes, sir; in the Province of Pinar del Rio, the Province of Habana, and provinces of Matanzas and Santa Clara.

Q. How many delegations did you have in all?

A. Nearly 40.

Q. And how many people would be engaged in each delegation?

A. About two or three directors and several nurses. Sometimes they have women.

Q. Who supported these delegations?

A. We supported them.

Q. Do you mean the White Cross?

A. Yes, sir; the White Cross Society.

Q. Where did you get the money to do it with?

A. Part I collected from the members of the church and part we got by contributions of the people.

Q. Did the Spanish Government contribute anything to it?

A. No, sir; never contributed a cent.

Q. Now, then, it was in visiting these delegations about through the different parts of Cuba that you had the opportunity to see what was going on in both armies?

A. Yes, sir.

Q. Now, you visited the rebel army—I call it that—the Cuban army in Pinar del Rio?

A. Yes, sir.

Q. When did you go there the last time?

A. The last time I was in Pinar del Rio was on the 13th of March. [Reading from paper.]

"I went to the town of Caimito for the purpose of leaving medicines, bandages, etc. On arriving there I was informed that there were two wounded children at the farm known as Saladriga. I went to their assistance."

Q. Now, just stop right there, because I am going to read that paper over to you presently. I am getting at preliminary facts. When you were at Pinar del Rio did you see Maceo?

A. I saw Valdespino, and Maceo also.

Q. About how many troops did Maceo have with him?

A. Well, really, I could not tell you because of the way they appeared; the way they came was an immense crowd of people all riding on horseback. It was a large crowd. I could not exactly tell how many.

Q. You had no statement of the number?

A. No, sir.

Q. Well, would you say it was a strong army?

A. Very strong.

Q. Did he have any artillery with him?

A. I did not see any.

Q. How were they armed?

A. A great many of them were well armed and the balance of them all had the machete.

By Senator DAVIS:

Q. Would you say he had some thousands of men under his command or only a few hundreds? Give some idea.

A. Oh, I think he had some seven or eight thousand men.

Q. You saw them?

A. Yes, sir; I saw them.

By Senator MORGAN:

Q. Did he have a permanent camp there?

A. Well, they were moving around. Sometimes they stay in one place fifteen or twenty days and then move to another.

Q. Well, when you saw him had he made the attack on the city of Pinar del Rio?

A. No, sir; he was just going in the direction.

Q. And that fight occurred afterwards?

A. Afterwards; yes, sir.

Q. What did you gather to be the result of the fight he had in Pinar del Rio—what did you find out or gather to be the result of it?

A. Well, I asked them, you know, what they intended to do in Pinar del Rio, and they said they were just going on, take possession of the principal towns, and Maceo was appointed as commander of that province.

Q. He was assigned in command of the Province of Pinar del Rio and is there now?

A. Yes; he is there.

Q. Well, after that was over they had other battles—that of Bahiahonda?

A. Yes, sir.

Q. Do you know anything about that battle?

A. It was the one where the Alphonse XII Regiment was destroyed. It is reported the whole regiment, about 1,000 soldiers, were destroyed, and but 14 or 15 were left. They threw themselves into the water and got a small boat and went out in the bay, and the current brought them to the city of Habana, which is about 60 miles from that place.

Q. Do you think your information about that is correct, that the whole Spanish battalion was destroyed?

A. Yes, sir.

By Senator DAVIS:

Q. Was it a battalion?

A. Yes, sir; a battalion.

By Senator MORGAN:

Q. Did Maceo capture Pinar del Rio?

A. I do not know; I heard that.

Q. How long did he hold it?

A. I presume he held it about two or three days.

Q. Was this fight you tell about before or after the capture?

A. I think it was before the capture. I know that is true because of this: There was published in the paper that the colonel will be tried by court-martial because he did not go to the point where the regiment was.

Q. That is another column?

A. That is another column; yes, sir.

Q. Did you see Gomez when you were out there? When did you see him last?

A. About two months ago.

Q. Where did you see him?

A. I saw him in the Province of Habana.

Q. How far from the city of Habana?

A. I saw him in Bainoa.

Q. How far from Habana?

A. About 35 miles.

Q. Did he have his forces with him?

A. Yes, sir; an immense force.

Q. How many thousands do you suppose?

A. I think he had about 10,000 men.

Q. What was the condition of his health?

A. Pretty good. He had only a little abscess on one of his legs from an old wound, but he has recovered from that and is all right.

Q. He is an old man, is he?

A. He is an old man, about 72 years of age.

Q. Did you talk with him?

A. Yes, sir; he asked me several questions and I answered.

Q. Did you tell him about the condition of the Spanish forces and all that?

A. No, sir; he knew he had no right to ask such questions as that.

Q. What did you think of the appearance of his army; did they look as if they were strong?

A. Very strong.

Q. Well armed?

A. Well armed and in good health.

Q. Have you been personally with any other army in Cuba?

A. Yes, sir; Mr. Aguirre's.

By Senator DAVIS:

Q. When?

A. Just two weeks before they put me in prison.

Q. When did you leave Cuba? Give me the date.

A. I think it was before the 1st of May.

Q. How long before?

A. Just a day or two.

Q. Now, how long was it before you were arrested that you saw the force of Aguirre you mentioned?

A. Fifteen days.

By Senator MORGAN:

Q. Where did you find Aguirre?

A. They found me. I was down there attending a man. While I was amputating his arm the insurgent forces came around the little tent I had for that purpose, and while I was operating I found myself among the insurgents; and he came there and just looked at what I had been doing and kept everybody away and did not molest us at all.

Q. You were not in his camp then?

A. No, sir.

Q. Did you talk with Aguirre?

A. After I got through with the operation; yes, sir.

Q. Did he speak of his affairs?

A. Yes, sir; and I knew partially of them down there.

Q. You knew the people?

A. Very well; a great many of them had been in my congregation.

Q. Now, what class of people did that army consist of?

A. The best class of young men in Habana, generally.

Q. You mean the Province of Habana?

A. No; the city.

Q. Aguirre's command consists mostly of city boys, does it?

A. Yes, sir.

Q. How many were there?

A. He had at that time about 2,000; that was his escort.

Q. He had others?

A. Oh, yes. He had in the province 10,000 or 15,000 men, scattered all over the Province of Habana in different camps.

Q. Now, what kind of people did the army of Maceo appear to be?

A. Very fine people, too; white people; doctors, lawyers, druggists.

Q. Intelligent people?

A. Intelligent people.

By Senator DAVIS:

Q. What kind of people were the private soldiers in Maceo's army?

A. Well, they have some colored people, too—many—and they have some of these intelligent people as private soldiers, a great many of them people who do not want any rank; just wanted to be soldiers, just to do that in the democratic line to encourage others.

By Senator MORGAN:

Q. Now, these people you saw in Gomez's army, did they appear to be men who were farmers and persons living in the country—respectable people?

A. Yes, sir.

Q. White people?

A. Yes, sir; as well as negroes.

Q. Was that the case in Aguirre's army, too?

A. Well, Aguirre had more white people.

By Senator DAVIS:

Q. What proportion of negroes and whites in Maceo's army?

A. Well, one-third negroes.

Q. Are the negroes and whites in separate companies and regiments, or are they all mixed up together?

A. Well, I do not know very well, but, as I say, they mingled.

Q. In the same organization?

A. The same organization.

By Senator MORGAN:

Q. Now, in traveling there, did you go to Cubitos?

A. No, sir; my organization did not reach as far as that.

Q. How far is that from Habana?

A. Cubitos is in the central part of the island. It is in the Province of Camaguay.

Q. It is up in the mountains, is it?

A. Yes, sir.

Q. Do you know Mr. Cisneros?

A. Yes, sir.

Q. Do you know where he was?

A. Yes, sir; I know where he was. Cisneros has about twenty of the princi-

pal men of the city of Habana with him. I inquired for him and was told he was at that place, Cubitos.
Q. That is his capital?
A. That is his capital.
Q. Is that a place of difficult access?
A. Very difficult. Bartolo Masso is the general up there, with about 10,000 men to protect the government.
Q. Now, I understand that the military arrangement among the Cubans is that a general is assigned to certain provinces?
A. Yes, sir.
Q. Maceo to Pinar del Rio?
A. Yes, sir. Aguirre to Habana, Sanchez to Santa Clara, Roloff to Santo Espiritu, and Calisto in Camaguay; and then in the eastern part of the island is José Maceo.
Q. So that is the military disposition?
A. Yes, sir; men command generally in the province, and then they have subdivisions. They have, for instance, brigades in each province.

By Senator DAVIS:

Q. Gomez is commander in chief over all?
A. Yes, sir.

By Senator MORGAN:

Q. And that is the military organization?
A. Yes, sir.
Q. Let us know something about the civil organization. Did you meet any civil officers?
A. Yes, sir; Mr. Portuondo.
Q. What is his office?
A. He is secretary of the interior.
Q. He belongs to the general government of the Cuban Republic?
A. Yes, sir.
Q. I want you to speak of the local officers, the prefects and subprefects. Do you know anything about them?
A. Yes, sir.
Q. What is a prefect?
A. He is the man in charge to find supplies for the families of insurgents in every place there.
Q. Sort of a commissary?
A. Yes, sir; if the families need something to eat, for instance, he brings food, cattle, etc.
Q. Takes care of the families of the men in the army?
A. Yes, sir; and if the men are sick or wounded, the prefects take care of them.
Q. They take care of the sick and wounded and subprefects have smaller districts?
A. They have smaller districts.
Q. Now, who are the tax collectors there?
A. There are tax collectors, too; I know, personally, Mr. Menocal.
Q. A cousin of our Menocal here?
A. A brother, I think.
Q. Is he a tax collector?
A. Yes; they divide themselves into different places and collect all the revenue.
Q. Do they collect revenue from the people?
A. Oh, yes. Sometimes they have no place to put the money. Sometimes Gomez has mules loaded with money—going from one place to another with money.

By Senator DAVIS:

Q. Do they collect supplies in kind?
A. The prefects do; but these are the tax collectors.

By Senator MORGAN:

Q. Do the people of Cuba voluntarily and freely pay taxes to the Cuban government, or are they forced to do it?
A. No, sir; they freely do it. They pay taxes where the Cubans have no control over it.

By Senator DAVIS:

Q. Now, over this territory, have the Spanish any tax collectors?
A. Not one.

By Senator MORGAN:

Q. Have they any judges?
A. Not one.

By Senator DAVIS:

Q. Any civil officers at all?
A. No. In the larger towns is the only place. In the smaller places they have nothing of the kind—no mayors, no aldermen.

By Senator MORGAN:

Q. Do these various civil officers have offices in any one place, or are they roving around?
A. No; they are roving around.
Q. Have they established headquarters?
A. Well, sometimes they do for one, two, or three months, and then they move around. That depends on the persecution of the Spanish.

By Senator DAVIS:

Q. Do they keep records or written accounts.
A. Yes, sir.

By Senator MORGAN:

Q. Now, how are the mass of the Cuban army received by the population living in the towns in the country? Are they received cordially or as enemies?
A. Every time they approach any town all the people come out with flags and welcome them. That is natural. The majority of those boys belong in those cities. They can not be received in any other way.
Q. How do they receive the Spanish, on the other hand?
A. Well, there is great excitement when the Spanish troops approach the cities. The people are afraid, and they do not feel safe, because they know the Spanish come in and sack the towns and break the houses and take possession of them, and violate women, and do horrible things. Of course, the people are scared. The soldiers take possession. I saw this case in Managua: Soldiers took possession of a house; the ladies screamed out, and the soldiers commenced to search the bureaus and everything there, and the men came and reported that there were some soldiers sacking that house, and the men said, "I can not say a word about it, because they are all officers."
Q. Did you see this yourself?
A. I saw that myself; I was there.
Q. Did they offer any violence to women?
A. Well, the women ran away. I do not know what became of them. I was sitting there with my brother in the drug store when these things occurred.
Q. Now, you have described how the armies of both contending parties are received by the people of the country.
A. Yes, sir.
Q. Is your description of that true as far as you know? Without any specification, is it true generally?
A. Yes, sir.
Q. It is generally true?
A. Yes, sir.
Q. Do you know of a town or village in Cuba where you could say that the people were hostile to the Cuban cause?
A. Natives?
Q. Yes.
A. Not one. The whole country has risen up in arms—men, women, and children.
Q. So you regard the attitude or situation with the Cuban people as being one of general hostility to Spain?
A. Yes, sir.
Q. And is that hostility intense?
A. Past expression. One day I heard General Rui say, "Everything here is against us. The air we breathe is against the Spanish people in Cuba."
Q. How do these Cuban armies maintain themselves; upon what do they subsist, and how do they get it?
A. Well, they use goats and chickens, and all the tropical fruits, and yams and sweet potatoes, and things that grow wild, and in some places farmers plant for the insurgents; so they never trouble themselves about what to eat.
Q. They have an abundance?
A. Yes, sir.
Q. How long do you think the country can stand that? Will it wear out, and after a while the people starve?
A. No; people who live in the country are all right. They can stay there for twenty years if they want to, with plenty to eat. Now the misery is among the people of the cities.
Q. Why?
A. Because they have no resources. They have no money or anything, and insurgents are not allowed to grow anything in cities where the Spanish troops are, and they have nothing to eat.
Q. They are in a starving condition?
A. Yes, sir.
Q. About the destruction of the crops there; has it been very extensive; that is, the sugar cane?
A. Very.
Q. Is the Cuban army alone responsible for that destruction?
A. Not the Cuban army alone. The Spaniards do that, too. They set on fire the sugar plantations of Mr. Delgado and others. Part of the city of Managua has been destroyed by the Cubans and the other part has been destroyed by the Spanish troops.
Q. What for?
A. Well, the mayor of that town, Mr. Christo, is a lawyer. They had a battle and 75 houses were burned, and in a month or two Mr. Christo, the mayor, joined the rebels; and he is a wealthy man, for he has different houses and plantations, and so forth, down there. As soon as he went with the rebel army the Spanish troops set on fire all the houses owned by him. So that part is destroyed by the Spaniards and part by the Cubans.
Q. Is sugar cane an element of subsistence among the Cubans and their horses?
A. Yes, sir.
Q. Now, I want to ask you something about the condition of this Spanish army and Cuban army as to diseases. You have yellow fever in Cuba?
A. Yes, sir.
Q. Does it attack the Cubans?
A. No, sir; not a bit.
Q. Why not?
A. Because they are acclimated.
Q. Does it attack the Spaniards?
A. Oh, yes; fearfully.
Q. Now, take a body of 1,000 soldiers in the season, how many would you expect to find sick out of that number?
A. Nearly all of them.
Q. As much as that?
A. Yes; nearly all of them. Nearly all get sick, and about 50 or 60 per cent will die.
Q. You do not mean they all get yellow fever?
A. Yes; that is the principal thing, and dysentery.
Q. And what else?
A. Ulcers.
Q. I wish you would describe those ulcers. Are they syphilitic?
A. Yes, sir; in many cases they are syphilitic.
Q. How is the large majority of cases; is that so?
A. Yes, sir.
Q. State what is the extent of that disease among the Spanish soldiers?
A. Well, nearly about 60 or 70 per cent.
Q. They get sick in that way?
A. Yes, sir.

By Senator DAVIS:

Q. Infected with syphilis?
A. Yes, sir: but they are corrupt people, you know.
Q. Do they bring it with them from Spain or acquire it in the island?
A. Well, they bring it from Spain and acquire it in the island, too, because this is the custom they have; they do not do it now. As soon as they landed they put their guns to one side to have a good time and hunt for women, and of course with that kind of women you know in what condition they are generally.

By Senator MORGAN:

Q. What is your opinion as to the number of Spanish troops now in Cuba?
A. I think they have in Cuba only about 70,000 or 80,000 soldiers. I do not think they have more than that.
Q. How many have come there since this war broke out?
A. Nearly 150,000 or 180,000.
Q. What has become of the balance of them?
A. Well, a great many of them have been killed, and many of them have joined the rebels.
Q. Joined the rebels?
A. A great many of them; yes, sir.
Q. Well, how about those who have died in the hospitals from disease?
A. Yes, some have died of disease.
Q. What proportion of the people who have been lost—would you say that half or more than half have died of disease or battles?
A. Well, not many in battles; more of disease than of battles. The difficulty with the Spanish soldiers is that when they are brought from Spain and reach Cuba they are not allowed to speak to anybody. They have a guard, and as soon as soldiers are landed they are sent to the interior in order that they shall not speak to anyone. The Spanish people in Spain deceive these young men—tell them they are going to fight negroes, etc. The

officers are not real officers, but sergeants made captains and corporals and privates made lieutenants. That is the kind of soldiers they have in Cuba, showing they do not know what kind of men they are to meet. They are told that all the Cuban army is negroes, and here they find them white, and hear hurrahing for freedom and for republicanism, and say, "Well, I am a republican myself. If I had known that, I would not fight against them."

By Senator DAVIS:

Q. Were you expelled from the Island of Cuba?
A. Yes, sir.
Q. Why?
A. By the Spanish authorities, Mr. Weyler.
Q. When?
A. On the 30th day of last April.
Q. What reason did he give for expelling you?
A. I do not know yet.
Q. Did any of your fellow-missionaries leave about the same time?
A. They left before me.
Q. How many of them?
A. Three ministers.
Q. How many from all the missions?
A. The others, about six or seven.
Q. Now, after you and the other missionaries and the ministers left what became of the church and hospital property?
A. All has been abandoned.
Q. Do you know who has taken possession of it?
A. Yes; some of the members have taken possession of it.
Q. Have the Spanish authorities taken possession of the church?
A. Not that I know of.
Q. Have the other churches and denominations got hospitals in Cuba?
A. Yes; the Episcopalians have them.
Q. Have they been disturbed?
A. Yes, sir.
Q. Has the Episcopalian minister been disturbed?
A. I do not know.
Q. He left?
A. Oh, yes; he left. The general agent of the American Bible Society, Dr. McKean, left the Island of Cuba, too.
Q. Was he expelled?
A. I do not know. They disappear; that is all we know.
Q. What is said to be called the capital of the insurgents?
A. Cubitos.
Q. Is that the seat of government of the insurgents?
A. Yes, sir.
Q. Who is the president?
A. Cisneros.
Q. Where does he hold his office—perform his duties?
A. Right there in Cubitos.
Q. For how long a time has he performed those duties at that place?
A. Well, I think for ten months.
Q. Has he ever been disturbed or fled from the city since that time?
A. No, sir.
Q. Has he a cabinet?
A. Yes, sir.
Q. Who is the minister of foreign relations?
A. Mr. Palma, I think.
Q. Who is minister of the interior?
A. Mr. Portuondo.
Q. Who is the minister of justice?
A. Well, I may know the name but do not recall it.
Q. Well, is there a minister of justice there?
A. Oh, yes; I know they have a cabinet there.
Q. Any more ministers?
A. Yes; they have two or three more.
Q. Now, do those gentlemen, except Palma, live in Cubitos?
A. All there.
Q. Performing their duties?
A. Yes, sir.
Q. Have they ever been disturbed?
A. No, sir.
Q. Have they a legislative assembly?
A. Well, they had one about a year ago when they appointed Cisneros.
Q. Has there been any session since?
A. I do not know whether they have had any session recently.
Q. Have they a printing press?
A. Yes; they have a printing press there. I say they have, because I saw a paper that was published up there. The name of the paper was Cuba.
Q. Is it an organ of the insurgents?
A. Yes; it is an organ of the insurgents.
Q. Is it printed regularly?
A. I do not know. I only saw a copy.

By Senator MORGAN:

Q. Have they a post-office department?
A. Yes; a postmaster-general.
Q. And postage stamps?
A. And postage stamps.

By Senator DAVIS:

Q. How do they carry the mail over the island?
A. Well, they have their own means to carry letters.
Q. In cases of battles do the Spanish troops give quarter or do they take prisoners?
A. In a great many cases they do not give quarter.
Q. How about the insurgents; do they give quarter or take prisoners?
A. Yes; they give quarter and take prisoners and give them an invitation to join the rebel army. If they do not accept it they give them parole.
Q. What do the Spaniards do with the prisoners they take?
A. Kill them.
Q. Is that a universal practice?
A. Yes, sir; universal practice.
Q. Do you mean to say the Spanish butcher their prisoners?
A. Yes, sir.
Q. Universally?
A. Universally; yes, sir.
Q. Are any women fighting in the insurgent ranks?
A. No; they do not fight, but they are with the soldiers, because they are wives or relatives or something, and join the ranks.
Q. What do the Spaniards do with the women when they catch them?
A. Kill them.
Q. Do you mean to say they kill them the same as men?
A. They kill them; yes, sir.
Q. What do they do with the children?
A. Kill them.
Q. Do you mean that to the full extent of what you say, that they kill men, women, and children?
A. Yes, sir.
Q. How do soldiers treat women when they catch them?
A. Oh, insult them.
Q. Do you mean by "insult them" they ravish them; do you know anything of that kind?
A. Yes, sir.
Q. Now, these statements you have made impress me very seriously, and I want to be certain. Am I to understand that in case of an engagement the Spanish troops give no quarter, and that either then or after the engagement they kill every insurgent, man, woman, and child?
A. Well, not the insurgents, because they never have that chance and could not.
Q. No, not the insurgents, but I ask if the Spanish troops do that?
A. They do not do that to the insurgents, because the insurgents never allow them to do that; but the general rule is when they have a battle the insurgents retire and the Spanish troops come in, and any person they find in the neighborhood they kill—men, women, and children, noncombatants.

By Senator MORGAN:

Q. When you were taken as a prisoner you were taken by General Weyler's order, were you—you and your brother?
A. Yes, sir.
Q. You were confined in a house?
A. Yes, sir; we were isolated.
Q. I know; but you were confined in a house?
A. Yes, sir.
Q. How long?
A. Eight days.
Q. During that time were any charges at all presented against you?
A. No, sir; not one.
Q. Did you demand charges?
A. Yes, sir.
Q. Well, are you an American citizen?
A. Yes, sir.
Q. Fully naturalized?
A. Yes, sir.
Q. Got your papers and all?
A. Yes, sir.
Q. How long ago did that take place?
A. About thirteen years.
Q. And you have been known as an American citizen since you have been in Cuba?
A. Oh, yes.
Q. Did Weyler allow you to have any communication with the American consul?
A. No, sir.
Q. He refused it?
A. Yes, sir.
Q. You desired it and he refused?
A. Yes, sir.
Q. And no charges were made against you?
A. No, sir.
Q. Were you required to make a declaration?
A. Yes, sir; they asked me two or three different questions.
Q. And after that, did they release you?
A. Yes, sir.
Q. How long after that?
A. Twenty-four hours, I think.
Q Then you were ordered to leave?
A. Yes, sir.
Q. Leaving on the next steamer?
A. Yes, sir.
Q. And you brought your wife and family with you?
A. Yes, sir.
Q. How many children have you?
A. Two children.
Q. Do the Cubans get any arms and amunition from the villages or people?
A. Yes, they get them from Habana.
Q. How do they get them?
A. Exactly, I do not know the way they manage it, but I know they get all they need. I heard the people talk about that.
Q. The people supply them, of course?
A. Yes, sir.
Q. Do you know whether there is any order of the Spanish Government to prevent the landing of arms or munitions of war?
A. They do not allow any sale of arms in the city of Habana. You do not find in any store any rifles or any of those hunting guns. You do not find anything of that kind in the city of Habana.
Q. The sale of them is prohibited?
A. Yes; as contraband of war. And now I hear the later report is they consider corn as a contraband of war, too.
Q. Well, you raise corn in plenty in the interior of Cuba, do you not?
A. Yes, sir.
Q. How many crops of corn can you raise in a year in the interior of Cuba?
A. Well, horses are contraband of war, too, and the people of Cuba can not have horses. They have to give all the horses to the Government as contraband of war; and now corn is a contraband of war, too. The trade of Habana has been wretched. They have no trade. All grocery stores are empty; nobody spends a single cent in any store. They have no money, and the Spanish people have been going away from the Island of Cuba.
Q. Do you have any paper money at all in Cuba?
A. No, sir; they have silver and copper and gold. I believe the Spanish people in Cuba—those in business—are all in favor of the rebellion, because if the Spanish Government takes possession of the island again they will have to pay the last debt and this additional debt. They have to pay about $35,000 a day, and this is the interest of the debt; but they do not know how much the debt is. They call it $35,000 a day, and every day. They get it from the custom-house.

Senator MORGAN. Now I will read this paper to you.

Senator MORGAN read the paper, as follows:

"*To the honorable Chairman of the Foreign Relations Committee, United States Senate:*

"DEAR SIR: On the 12th day of September, 1895, I received authority from the inspector-general to organize and maintain sanitary delegations at different points throughout the Island of Cuba. I have now in my possession the original copy of said certificate of permission, signed officially.

"The by-laws were approved on November 18, 1895, copy of which I hand you herewith. I would call special attention to article 2 of chapter 1, by which it will be seen I was permitted to constitute neutral camps.

"I, with some other doctors and Christian people, some of whom were

American citizens, organized the White Cross, in conformity with said by-laws.

"While General Campos was in command the rules of civilized warfare were strictly enforced by his orders.

"After General Weyler assumed command we were summoned before him and instructed not to treat or otherwise care for sick and wounded among the soldiers of the insurgents, as we had been permitted to do under the administration of General Campos.

"Since the time General Weyler has been in command we have treated about 700 Spanish soldiers, each case being reported to him, at a cost to us of about $5,000, and before he assumed command we had treated about 1,300 Spanish soldiers.

"During the time General Campos was in command our delegations treated the sick and wounded of both the insurgents and the Spanish alike.

"During the prosecution of this work I have been a great deal out on the fields and have had good opportunities of making observations of the practices and character of the warfare of both armies.

"I have seen the general order issued by Gen. Maximo Gomez, directing that all prisoners captured from the Spanish army should be treated with proper consideration. That first they should be disarmed, then offered an opportunity to join the insurgent ranks. If they declined to do this voluntarily then they must be released without parole and escorted to some point of safety. The same order further directed that Spanish prisoners who were either sick or wounded should be nursed and carefully treated until well when, if they do not desire, voluntarily, to join the insurgent ranks, they must be released and conveyed under military escort to a point of safety. It was also ordered by General Gomez that no women should be molested or interfered with by any insurgent soldiers under penalty of death.

"Those entire general orders are now in force and have been since the beginning of the insurrection. They are very positive and severe penalties are provided for their violation.

"From my personal observation I know these orders have been strictly enforced. I know of one instance where, in the town of Jamaica, an insurgent soldier violated these orders by laying his hands upon a woman with criminal intent. For this offense he was ordered to be shot, and I saw his body after he had been executed.

"I have personal knowledge of this order in regard to the release of prisoners having been complied with.

"At Peralego I saw General Maceo return to General Campos, at Ballamo, about 150 prisoners, and at Camaguani I saw Rego return to the Spanish authorities 100 prisoners.

"I have also had opportunities for observing the methods of warfare and cruelties practiced by General Weyler. It is well known to the residents of Cuba that his record is one of cruelty and blood. I can substantiate the following incidents which have come under my own observation:

"At Menocol farm, near Managua, on the 3d day of February, 1896, I was called to attend a woman who had been shot, the bullet entering her shoulder and ranging down her spinal column. I saw her at 4 p. m. The circumstances as related to me by her husband were as follows:

"He was engaged plowing near his own home and the woman, his wife, was in the field with him dropping the seed. As soon as the Spanish soldiers, under command of General Ruiz, approached in view, they (the Spanish soldiers) commenced firing. Both the husband and wife lay down on the ground, and in that position she was shot. As the husband was lying down he held a small limb of a tree; this was struck with one of the shots. I treated the wound. They were noncombatants, unarmed, and pursuing their legitimate vocation in their own field; their only offense was that they were Cubans. There were at the time no insurgents within 20 miles of them.

"On February 22, 1896, I was present at the city of Punta Braba, where a battle was fought between the insurgents and the Spanish under command of Captain Calvo. The insurgents retreated. The Spanish troops then went to Guatao, a suburb about 2 miles distant. The insurgents were not there and had not been there. The Spanish soldiers at once commenced to shoot private citizens indiscriminately on the streets or in their houses, wherever they found them, until they had killed six or seven men (noncombatants).

"The soldiers then went into different homes and gathered together 17 men; they tied these together two and two, binding their hands and arms together. Among the number was Mr. Ladislao Quintero, an American citizen, who they found in his own home, sick in bed. He informed the captain that he was an American citizen and protested against being molested. Captain Calvo said he wanted him, too, and forced him to go, bound with the others. When they were all tied they were taken out together on the street and commanded to kneel down. After they had done so, then the whole company fired on them by command of the captain. The whole of the 17 were killed, except Mr. Quintero. He was wounded in the left arm and the man to whom he was tied was killed with all the others. This all occurred at 7.30 p. m., on February 22, in the immediate presence of the wives and children of the unfortunate men. Mr. Quintero was about 21 years of age, born in Key West, Fla. The man to whom he was tied, Mr. Pedro Amador, was 17 years of age.

"Mr. Pedro Amador was not killed by the gunshot wound he received, but one of the Spanish soldiers stepped forward to his prostrate body and beat him to death with the butt end of his gun while he was still tied to Mr. Quintero, the American citizen. I was present and saw this entire proceeding. When I returned to Habana I learned that Mr. Quintero was in Morro Castle, a prisoner, where he remained until April 11, without having his wound dressed. On April 11 he was released.

"I am informed by persons in Habana, who have been prisoners in Morro Castle, that there are in this prison as many as 100 prisoners confined in one small room. That in the morning they are furnished with only three pails of water. This is generally used up by 11 o'clock a. m., and they are not allowed any more until the following morning.

"In the case of Mr. Edward Delgado, from Banao, an American citizen who has a claim against the Spanish Government, his papers being on file in the Department of State at Washington, you will find by reference thereto that I was the physician who certified to his wounds. I am familiar with this case, and it is a very aggravated case of extreme cruelty to a private American citizen at his own home without provocation.

"The following is only a few of the many cruel incidents that have occurred while I was present:

"When the military courts inflicted the sentence of perpetual imprisonment in the cases of Messrs. Sabourin, Garcia, and others the captain-general protested against their leniency and asked for the infliction of the death penalty.

"On the 12th of March I was called by the sanitary delegation of our society in the town of Calvario for the purpose of attending to the case of a young man of 19 years, who was wounded in the peaceful pursuit of his business—that of a milk dealer. He was driving into the town in his milk cart when two soldiers fired on him from an ambush without any warning, breaking his right leg.

"I assisted in carrying the man to his home, and then made an examination of his wound and found that the bones of his leg had been fractured in such a manner that amputation was necessary. I found that the bullet used was an explosive one made as follows: An outside covering of copper filled with lead, which results in the copper covering flattening against the lead and scattering it in such a manner as to destroy all surrounding tissues and compound the fractures of the bones.

"On the 13th of March, at the corner of Reina and Aguila streets, Habana, I found a crowd collected around a prostrate man, and, as a member of the White Cross Society, I proceeded to tender him whatever aid was necessary. I found the man dead, and counted and made an examination of his wounds. He had 71 bayonet wounds, 7 of which were through the heart and several through the eyes. He also had 4 cuts with the machete on the head, the skull being fractured into small pieces. The ferocity of the soldiers was also shown by the marks in the sidewalk made by the point of the bayonet after having passed through the prostrate form of the man. The cause of the killing was as follows: The murdered man was in a dry goods store purchasing cloth when two soldiers entered and, after insulting the proprietor, took this man out and killed him in the manner related, saying he was an insurgent. The man had no arms whatever on his person and could not, therefore, defend himself in any way. I wrote out a statement of his wounds and gave it to the judge in the case, who holds a position similar to that of coroner in this country.

"On the 14th of the same month I, as vice-president of the White Cross Society, received a report from the town of Artemisa, telling me that the Spanish troops under Gen. Suarez Inclan had bombarded an insurgent hospital, killing over 50 wounded men who were receiving treatment there, and that the surgeon had been compelled to flee to Habana hidden in a cart. Upon his arrival in Habana he confirmed the report made to me. In Artemisa the ladies of our society had two hospitals, one for wounded Spaniards and one for wounded Cubans, the latter being the one bombarded, as told. The insurgent forces have entered the town of Artemisa several times, but have never disturbed the Spanish hospital, although they could have easily done so if they wished.

"Another insurgent hospital in the town of Paso Real, Province of Pinar Del Rio, was also destroyed by the Spaniards, killing all the wounded inmates. It is reported that at the time of destruction there were about 200 wounded Cubans in it.

"The same thing was done with another hospital in Siguanea, Province of Santa Clara.

"Notwithstanding the proclamation of the captain-general that all those surrendering would be pardoned, Mr. Aleman, who surrendered, and who also had a wound in the hand, was shot a few days later on the plea that his wound showed that he had been fighting.

"In the woman's jail in Habana there is a lady who has been imprisoned for the last six months solely because she is suspected of being in sympathy with the insurgents' cause and because she has two brothers in the insurgent army. There are imprisoned as rebel sympathizers several children, the age of the youngest being 11 years.

"When an armed force approaches any of the interior towns there is great excitement and consternation until it is ascertained whether they are Spanish troops or insurgent forces. If insurgent forces, there is immediate tranquillity, as they do not destroy anything unless there are Spanish forces located there. But if the approaching troops turn out to be Spanish forces there is great confusion and fear, as the Spaniards not only sack the town but steal all they desire and also take all detachable woodwork to be used in building their huts. They destroy everything that comes in their way, take complete possession of the houses, violate women in many cases, and commit nuisances in the middle of the streets. They claim to go into the towns for the purpose of defending them against the insurgents, but on the approach of the latter they take refuge in the houses and do not come out until the town is set fire to by the insurgents for the purpose of driving them out. I have personally seen all this in more than ten cases.

"On the 13th of March I went to the town of Caimito for the purpose of leaving medicines, bandages, etc. On arriving there I was informed that there were two wounded children at the farm known as 'Saladriga.' I went to their assistance, but found they had already received medical treatment. The eldest of these was 1 year and 6 months old, and had suffered a fracture of the right arm caused by a bullet wound. The other was 3 months old, and had suffered a fracture of the lower jaw from a similar cause. I was informed that 2 miles from this place the insurgents had attacked a troop-laden train without success. The Spanish troops left the train to reconnoiter, and took the road on which the insurgents had passed. On this road lived the mother of these two children. Fearing that some harm might befall them, she decided to seek shelter elsewhere. Upon her appearance at the door with two children in her arms she was fired at with the above results. These Spanish troops were under Commander Calixto Ruiz.

"On the 19th of March I went with my brother Alfred to the town of Bainoa for the purpose of attending to Mr. Venancio Pino, 70 years of age, who was wounded at the same time as Mr. Delgado. I found that he had several slight bullet wounds in the head, but his right arm had been horribly fractured, necessitating amputation at the shoulder joint. The bone had been fractured into many pieces, and was caused by a bullet similar to the one in the case of the milk dealer spoken of before.

"On the 8th of April, at the farms near the town of Campo Florida, the Spanish troop under Commander Fondevilla, assassinated Mr. Ramon Castellanos, 19 years of age; Joaquin Medina, 14 years old; José J. Ochoa, 30 years, and a schoolmaster 35 years of age; Domingo Luzans, 36 years; Margarito Zarza, 50 years; Camilo Cejas, 40 years old; Jose Valdes, 14 years old; Manuel Martinez, 40 years old. These were buried at a point between the sugar estate of Tivo Tivo and the town, the Spaniards forcing the victims to dig their own graves before murdering them.

"For the purpose of brevity I will give the number of noncombatants assassinated each day. I have the names and can furnish them if required.

"On the 9th of April, 4.

"On the 15th, between Campo Florida and the sugar estate of Felicia, 10, whose corpses were left without interment.

"On the same day, on the road between Guanabacoa and Bacuranao, 5 persons, 2 of whom were cousins of mine.

"Over 100 persons were shot within a radius of 10 miles and not distant more than 6 miles from Habana, and within a period of fifteen days.

"All of these were noncombatants.

"The case against Julio Sanguilly, the imprisoned American citizen, is purposely delayed, so as to keep him incarcerated,

"In the case of my brother and myself, we were persecuted for the reason that we were American citizens and had charge of American church institutions in Habana.

"During the excitement attending the passage of the belligerency resolutions in Congress two dynamite bombs were placed in the church and exploded while we were holding service, but only resulted in the breaking of glass and causing a panic in the congregation. Our house was searched, but nothing incriminating was found, but we were arrested and imprisoned eight days, being released on the condition that we leave Cuba immediately. I would say that no charges were made against us. We immediately left Cuba.

"Mr. Toledo, an American citizen employed as a Bible distributor by the American Bible Society, was imprisoned in the town of Jaruco, and has mysteriously disappeared, and it is believed that he has been murdered.

"My brother and I are here for the purpose of laying these facts before

your committee and to urge the honorable Senate to either recognize the belligerency of the Cubans or to have the United States intervene for the sake of humanity and civilization. Those are the only methods of putting a stop to these frightful barbarities.

"Yours, respectfully, "A. J. DIAZ."

Senator MORGAN. Do you swear to all that?

A. Yes, sir.

Senator MORGAN. Then please sign it.

The witness then signed the paper.

Mr. MORGAN. I have concluded my remarks. I know very well that at this session, which is about to draw to a close or fall to pieces, I do not know which to call it, the question that concerns the people of the United States so much must be left in the hands only of the Executive. I have no means of forecasting what the Executive action is going to be. I have, however, some convictions as to the powers of the Executive which I think entirely proper to advert to for a moment. I believe that the Executive has the right to recognize the independence of a foreign country, because that is a diplomatic duty. That does not establish independence, but it merely commits our Government to the foreign government in the light that it will exchange with that Government diplomatic relations. Of course he can appoint an ambassador or minister to such government after he has recognized it, but that appointment has to be ratified by the Senate before it is valid. Of course he must get his supplies to support the legation from the consent of the Congress of the United States. So that after all the action of the President in his constitutional function is not entirely independent of the Congress of the United States, even in matters that may be called strictly diplomatic, except so far as he conducts diplomatic correspondence with foreign governments, and with that we have not any right to interfere unless we first get his consent.

The other day I made the point here that under the statute the President of the United States was compelled (section 2001 of the Revised Statutes) to furnish information to the Congress of the United States as soon as possible or as soon as practicable, I believe is the language of the statute, of such instances as have occurred in the case of the *Competitor*, where some of our citizens have been arrested and have been tried by Spanish military court-martial in what they call a time of peace—we know it is a time of war—and have been condemned to death. Those citizens are still in jail, and among the letters that I put into the RECORD is one from one of those men now in jail, certainly a very bright and intelligent man. He went out for the purpose of being the correspondent of a newspaper, and I should say from the way he writes that he is most admirably qualified for that duty.

I have here a letter from Gen. Bradley T. Johnson, who has recently gone to Cuba. I do not know that he went in company with General Lee, but he went about the same time. I will read an extract from what he says in his letter as special correspondent of the Philadelphia Press, dated Habana, June 1, and Key West, June 4, sent by telegraph, I suppose, although I do not know. He says:

UNDERSTANDING WITH SPAIN.

It is reported from Madrid, and generally believed, that the United States and Spain have arrived at an understanding—that the former shall intervene and induce Gomez and Maceo and the Cuban Republic to lay down their arms and accept autonomy on the basis of peace, the United States to be paid for this service with a reciprocity treaty with Cuba, free government in Cuba, and free trade with the United States.

If this is so, Mr. Dupuy de Lôme will have proved himself an able and skillful diplomatist. He has pulled the wool over the eyes of Mr. Olney and made a catspaw of Mr. Cleveland. If the President succeeds in inducing the rebels to lay down their arms on the promise of autonomy, he will deliver them bucked and gagged into the hands of Spain, when home rule will be carried out as was the amnesty of Charles II, after the Restoration, when the amnesty was executed by executing the amnestied.

If, on the other hand, autonomy is refused by the Cubans, the United States will refuse to have anything further to do with them. It is "heads I win, tails you lose," and Mr. de Lôme stands winner in either event.

But the thirty pieces of silver to be paid to the United States for her services will turn into copper. Cuba will produce nothing. It will be a howling wilderness, and she will not be able to buy from the United States, and reciprocity will be a sham, a delusion, and a snare. She will be taxed to her shirt, and have nothing wherewith to buy of the United States. Home rule is impossible.

Spain charges $400,000,000 debt to Cuba—all colonial expenses of the Philippine war, of the last ten years' wars, and of this war. This debt is represented by bonds known as Cuban bonds at 6 per cent, generally held in France and Amsterdam.

SPANISH HOME RULE.

The basis of Spanish home rule must be that Cuba shall pay this debt, $24,000,000 per annum interest to be paid by 1,000,000 whites and half a million blacks. Taxation will necessarily fall on the working men and industrial classes, and the Spanish tariff will raise $24 per capita for every white man, woman, and child on the island; an average family will pay $120 per annum, or two hundred and forty days' wages every year. Two-thirds of the workers' lives will be spent in laboring to pay the Spanish debt.

It is impracticable, it is impossible, it is cruel to load an innocent people and unborn generations with such a burden. The Cubans did not spend the money. It was spent by the Spanish Government. It may be good colonial policy; it is against human nature for colonists to enjoy it. The Cuban Republic has threatened death to anyone who proposes peace on any other terms than that of independence, and Gomez and Maceo are said to have shot men for advocating autonomy. It is, then, interesting to see the flag of truce under which Mr. Cleveland's sword of Joab shall be carried.

AS THE WAR GOES ON.

The war drags along. The captain-general has revoked his embargo on American-owned tobacco, but no tobacco has been planted, and in a year Cuban cigars will be doubled in price. It will be a good thing for Connecticut and Pennsylvania wrappers. The two parties intend that neither shall have the island. They will make it a mass of ruins and a place of waiting, so that nothing shall be left for the conqueror whoever he may be.

Men are killed every day—women, sometimes, too; and the Government at Washington is searching law books to find out a definition of war. It is like the Confederate general at Malvern Hill, who, after 300 guns had been thundering for hours and shaking heaven and earth, turned to his adjutant-general and said in the simplest way—he was deaf as a post—"Major, do you hear anything; I think I hear a noise."

The policy of the Spanish here will be to throw dust in Lee's eyes. I forward a genuine circular of Maceo. It has his autograph. He commands the Cuban troops in Pinar del Rio, the western province of the island. The circular explains itself:

"Republic of Cuba, Invading Army, Second Division, Circular No. 710.

"Being informed of the down spiritedness known to exist in the royal ranks owing to the American intervention in our political affairs, which will shortly terminate this struggle, and the lack of Spain's means to continue the war between the tyranny and this country's right to be free and constitute itself into an independent republic, I have ordered that chiefs of columns will receive and remunerate the suffering Spanish army soldiers who present themselves to our authorities, armed or unarmed, in assurance that they will be better treated in the liberating army, and a promising future can be offered them and their families. And for the purpose of general knowledge, I herewith draft this instrument.

"A. MACEO.

"LA SOLEDAD, *April 23, 1896.*"

The letter is signed by Bradley T. Johnson.

One word in conclusion. I do not pretend to know whether the statement is true that the President of the United States is endeavoring to enter into negotiations with the Spanish Government or between the Spanish Government and the Cubans for the purpose of establishing Cuban autonomy or for any other purpose. I have no other information about it than such as has come through the newspaper agents and correspondents. Gen. Bradley T. Johnson is a man of too much character to risk his reputation upon a statement that has no merit in it at all, that is merely a conjecture. He speaks of facts that are discussed in Habana, and discussed freely, doubtless, because they would not get to his ears unless they were.

The President of the United States may have it in his mind to interfere between Spain and Cuba as he interfered in the Hawaiian Islands between Liliuokalani and Dole. If he has, I hope he will be influenced by counsels of sufficient wisdom to prevent him from undertaking to compromise the United States or to compromit it, I will use that word, by an unauthorized interference in the affairs of a foreign country. If that is what the President wants to do, and if that is the substitute he offers for the simple recognition of the belligerency of these people, which is our right and I think our clear duty, I regret very much that he can not see this question in the milder light in which I have presented it, and see that our duty in this business, if we are to preserve our record as an honorable nation, must be confined to the protection which we should give to our own citizens, and to the facts that are known to exist in regard to the war in Cuba, and to the declaration of our neutrality between the belligerent powers.

From the beginning to this moment I have never thought of the intervention by the Government of the United States with actual force in any of these affairs until the capture of the *Competitor*. But I can not reconcile it to myself that the young man Melton, who writes this intelligent letter, and his colleague there, another American whose name I can not call for the moment, should be loaded with chains inside of a filthy dungeon where a hundred men are confined in a space not so large as one-fourth of this Chamber and where they get 3 gallons of water per day. I can not reconcile it to myself that the President should withhold those facts from Congress. If he should communicate them to us, Congress can authorize him, as he is not now authorized by law, to proceed to use any force that may be necessary for the purpose of taking these people out of unlawful custody, and when I say unlawful custody I mean any custody that is opposed to the laws of nations.

I regret very much indeed that any state of feeling should exist between the President of the United States and Congress which would forbid him for one moment from coming to us in an open, frank way and laying before us the correspondence in regard to the *Competitor*, so that we may determine whether it is a case in which we ought to authorize the President of the United States even to make war for the release of these people. Without our authority he is forbidden by the statute to take any step of that kind. The statute says he may take any action that he sees proper that does not amount to acts of war. I think we are leaving here under circumstances that really distress the public mind in the United States. If we knew the course that the President intended to pursue, the matter might be very different. I trust in God that all that may occur will be done in such a way that Congress can easily reconcile it to itself to come in and support the Executive arm with all its power.

One thing I deprecate more than any other is that any internal schism upon any question whatever should have the slightest effect upon our unity as a nation. Our foreign affairs should be conducted by every Department of the Government as if it were the will of one man. Notwithstanding the distribution of powers between the different Departments, we ought to unite as one man in all we have to do in respect of foreign governments, with no cross

pulling or reluctance on the part of any Department of the Government to sustain the honor and power and integrity of the country and its flag in all foreign countries. I fear we are getting into such a condition now that the President of the United States will not see proper to confer with Congress unless he should do it as in the case of the Hawaiian Islands, for the purpose of getting out of difficulty into which the country had been thrown.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 1 to the bill (H. R. 6614) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1897.

The message also announced that the House had passed a bill (H. R. 9409) making appropriations to supply deficiencies in appropriations for expenses of the House of Representatives and other purposes for the fiscal year 1896; in which it requested the concurrence of the Senate.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. TELLER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have been unable to agree.

H. M. TELLER,
W. B. ALLISON,
F. M. COCKRELL,
Managers on the part of the Senate.

WILLIAM W. GROUT,
MAHLON PITNEY,
A. M. DOCKERY,
Managers on the part of the House.

The report was concurred in.

Mr. TELLER. I move that the Senate recede from amendment numbered 201, which is to provide for the transfer of certain District of Columbia funds.

Mr. HILL. What is the amendment?

Mr. SHERMAN. I should like to have the amendment read.

Mr. TELLER. I will read it, if Senators desire it.

Mr. HILL. I should like to know what it is.

Mr. TELLER. I will read it:

Provided, That not exceeding $300,000 of the surplus general revenues of the District of Columbia remaining on the 1st day of July, 1896, shall be transferred to the water fund, to be applied in payment in full of the balance of the principal of the debt incurred for the 48-inch and Fourteenth street water mains, and in part of the principal of the debt incurred for increasing the water supply as provided in the act of July 15, 1882.

When the committee acted upon this matter we were not advised whether there was that amount of money to be transferred. We find there is. Therefore we desire to recede from the amendment.

Mr. COCKRELL. The amendment was to strike out the proviso.

Mr. TELLER. The amendment was to strike it out.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Colorado to recede from amendment numbered 201.

The motion was agreed to.

Mr. TELLER. I move that the Senate further insist upon its amendment and request another conference with the House of Representatives on the disagreeing votes thereon.

Mr. PLATT. What matters are still in disagreement?

Mr. TELLER. There is a large number of amendments, but the real controversy is as to the price that the Government shall pay for gas lamps. There is some controversy about electric lights, but that, I think, is not a very serious one. The price to be paid per gaslight is one matter which is in pretty sharp dispute between the House committee and the Senate committee.

Then, there is the subject of the charities, as to which there is a large number of amendments, which makes it appear to be a good deal, although it is practically only one matter, one principle.

Mr. PLATT. These two subjects are all?

Mr. TELLER. They are the real matters in dispute.

Mr. MILLS. What is the controversy in regard to gas?

Mr. TELLER. The present contract is for $20.50. The House proposes to put it down to $16. The difference has been the point of controversy. We have been trying to arrange the matter between the two branches.

Mr. MILLS. Between $20 and $16.

Mr. TELLER. There is a question whether the lamps shall burn 3,000 hours, as the law now provides, or whether they shall burn 3,732, and there are some other things connected with it. That relates to gas.

With respect to the charities, of course it is understood that the House made a lump appropriation of nearly $100,000, and the Senate distributed it as it had been distributed heretofore; and that is the controversy between the two bodies on that matter.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Colorado that the Senate further insist upon the amendments and ask a conference with the House of Representatives on the disagreeing votes thereon.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. TELLER, Mr. ALLISON, and Mr. COCKRELL were appointed.

Mr. GORMAN. Do I understand that the conference report has been disposed of?

The PRESIDING OFFICER. The report has been concurred in.

Mr. COCKRELL. It can be reconsidered.

Mr. HARRIS. If the Senator from Maryland desires to be heard, I will move that we reconsider the action of the Senate.

Mr. GORMAN. I desire to say only a word on the bill. I understand the conferees have reported a disagreement as to two or three items, including lighting.

Mr. TELLER. Gas lighting and electric lights and the charities are really the matters in controversy.

Mr. GORMAN. I trust the Senate conferees on this bill will not yield any further. There seems to be a disposition on the part of the coordinate branch absolutely to ignore all the recommendations of the Senate on the various appropriation bills. They seem to have come to a frame of mind that the Senate ought not to amend the bills in any substantial way. I understand that so far as it is agreed to our conferees have probably been compelled to give way on the great items that are absolutely necessary for the health and comfort and prosperity of the people of this city.

We have had a refusal to give us additional water supply, with two or three million dollars of the money of the citizens invested by Congress in a tunnel to bring in an additional supply to the city lying there dead and idle. A report of the engineers, under a commission appointed by the Chief of Engineers, is in favor of it, yet I understand we have been compelled to give it up.

Mr. TELLER. Certainly.

Mr. GORMAN. On the other great item, to protect the city with a sufficient number of police, we have been compelled to yield.

Mr. TELLER. I will say that the House made an amendment adding 25, and the Senate added 75. We finally took 25 from the Senate number, making it 50, yielding two-thirds.

Mr. GORMAN. That is done when the number of police is known to be insufficient to cover the territory and to keep the peace with a population that is growing, while a class of people are coming in here who, in many respects, require great looking after. When sister cities near this are compelled to detail their officers to come here and to aid and look after the class of people who naturally come to the Capital, we can not have protection, when the Government pays only a part of the cost and the citizens are amply able and willing to pay their share of it. Neither are we to have proper improvements of the streets.

Now comes the matter of the lighting of the Capitol, the parks, the avenues, and the streets. Two years ago, when I was assigned as one of the conferees on the District appropriation bill, we agreed, after a long conference, to fix a lower rate for lighting this city than any city on the Atlantic Coast. The price stands to-day for lighting lamps lower than in any other city. It was the understanding on my part at that time—and that is the reason I make this statement—that we were fixing the price at so low a rate that it should not be disturbed until there was some change in conditions which made it possible to secure fairly a lower rate. At this session another committee, as was so well stated by the Senator who now occupies the Chair [Mr. FAULKNER], after a thorough investigation, came to the conclusion that the rate we fixed two years ago was lower than it ought to have been; that is to say, the difference between 89 cents and $1 a thousand feet. There now comes from the coordinate branch, after this action of Congress on an appropriation bill two years ago, which was practically the unanimous action of both Houses of Congress on another bill, a demand for another cut, simply because we are dealing with a corporation. I think there is such a thing as fair and honorable dealing with all interests, corporations included, and I trust the conferees on the part of the Senate will not further surrender. We have surrendered on the water question, on the protection of the city, on the improvements of the streets, above all things the schools, and for the sewerage for the health of the city.

I think it is time, Mr. President, that the Senate should assert itself; and, so far as I am concerned, I should much prefer that no appropriation bill whatever should pass at this session of Congress rather than to make a further surrender. It will be, in my judgment, I may say almost disgraceful, if we can not stop this matter at some point.

Then there is the matter of charities. It is proposed by the other branch of Congress that we shall make no provision which can be enforced for the charities to take care of the poor of the District of Columbia and to look after the maimed in hospitals, all because, Mr. President, there has grown up a desire in certain quarters at this session to bring in a religious question in connection with those necessary expenditures. We are threatened daily

at these conferences that Congress will have to remain here, rather than they will give way. I prefer that Congress should remain here until December next rather than that this body shall do injustice to these great charitable institutions which we have fostered and built up and encouraged, and which have conducted their affairs as well as any institutions in this country.

The Senate in its action proposed to continue the appropriations, which have heretofore been satisfactory, precisely as we made them at the last session. We also proposed to appoint a commission to examine the whole question and ascertain whether there is any defect in the management, whether any improvement can be made in the manner of conducting these institutions, as to the number of them, and whether any amount of money which has been appropriated goes to any church. We prohibited the last by express language, as I understand, in the amendment of the Senate, and yet we are held here and threatened that we shall be kept here for an indefinite period unless we surrender. Mr. President, I would remain here. I think it is time for our conferees to notify those who have charge of bills elsewhere that that threat will not intimidate the Senate. Our action is in strict conformity to the law. It is economical; it is just to every interest; it discriminates in favor of none.

I stand by this bill as the Senate has passed it, because it is the law to-day, and the other branch is seeking to change the law. The House which attempts to change the law on an appropriation bill, if the other House objects, must give away. We are in the right, and I trust our conferees will not recede one inch further. It would be, as I have said, almost disgraceful at this stage of the proceedings to do so. Is it possible that religious prejudice will carry us so far that these two great hospitals in the District of Columbia will be deprived of the power to attend the unfortunates who meet with accidents daily upon the streets?

I want to say, Mr. President, that so far as I am concerned the fear of remaining here six months will not drive me from the position which I have taken upon this measure, and I trust it will not drive the Senate.

Mr. COCKRELL. Let the motion be put, Mr. President.

Mr. HARRIS. I withdraw the motion to reconsider the vote by which the conference report was concurred in.

The PRESIDING OFFICER. The motion to reconsider is withdrawn, and the conference report is concurred in.

DANIEL D. JENNINGS.

Mr. TURPIE. I ask unanimous consent for the present consideration of the bill (H. R. 2947) increasing the pension of Daniel D. Jennings, late of Company G, Sixty-fifth Ohio Volunteers.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Daniel D. Jennings, a private of Company C, Sixty-fifth Ohio Volunteer Infantry, and to pay him a pension of $30 a month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 2708) to constitute a new division of the eastern judicial district of Texas, and to provide for the holding of terms of court at Beaumont, Tex., and for the appointment of a clerk for said court.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6249) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes; insisted upon its disagreement to the amendments of the Senate to the bill numbered 69 and 70; agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERMAN, Mr. CURTIS of Kansas, and Mr. PENDLETON managers at the conference on the part of the House.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 2708) to constitute a new division of the eastern judicial district of Texas, and to provide for the holding of terms of court at Beaumont, Tex., and for the appointment of a clerk for said court, and it was thereupon signed by the Vice-President.

POST-OFFICE APPROPRIATION BILL.

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 1 to the bill (H. R. 6614) "making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1897," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "*Provided*, That no post-office established at any county seat shall be abolished or discontinued by reason of any consolidation of post-offices made by the Postmaster-General under existing law, and any such post-office at a county seat heretofore consolidated shall be established as a separate post-office at such county seat: *Provided, however*, That this provision shall not apply to the city of Cambridge, Mass., or Towson, Md.: *And provided further*, That hereafter no station, substation, or branch post-office shall be established beyond the corporate limits or boundaries of any city or town in which the principal office to which such station, substation, or branch office is attached is located, except in cases of villages, towns, or cities of 1,500 or more inhabitants, not distant more that 5 miles as near as may be from the outer boundary or limits of such city or town in which the principal office is located"; and the Senate agree to the same.

W. B. ALLISON,
R. F. PETTIGREW,
CHARLES J. FAULKNER,
Managers on the part of the Senate.

E. F. LOUD,
J. C. KYLE,
GEORGE W. SMITH,
Managers on the part of the House.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The question is on concurring in the report of the conference committee.

Mr. PLATT. If I understand the reading of that report, it allows a consolidation of post-offices by taking in the smaller offices if they are not more than five miles distant from the outer boundary of the city or larger place. Is that it?

Mr. ALLISON. That is the effect of the report.

Mr. PLATT. To what does the provision as to the 1,500 or more inhabitants apply?

Mr. ALLISON. The provision applies to villages, towns, or cities containing 1,500 or more inhabitants within a radius of five miles from the outer boundary of the principal office.

Mr. PLATT. I do not quite get it yet. If the town or village does not contain 1,500 inhabitants, can it consolidate with the larger office?

Mr. ALLISON. It can not.

Mr. PLATT. So that the larger place is to be consolidated and the smaller place is to retain the post-office. That is very remarkable.

Mr. ALLISON. That may seem very absurd to the Senator, and yet the object is, so far as I can understand it, to confine free delivery to the inhabitants of large cities and to towns and villages of 1,500 or more inhabitants.

Mr. GORMAN. Mr. President, I take it for granted that this conference report will be concurred in; but I understand the change which has been made from the amendment inserted by the Senate in its first proposition—that there should be a separate post-office maintained at every county seat except Cambridge, Mass.—is the addition of Towson, Baltimore County, Md., making that another exception. Otherwise it applies to every county seat in the United States.

Mr. ALLISON. Yes.

Mr. GORMAN. I am aware that the action of the Senate conferees in yielding to the insistence of the House that the small town of Towson, in Maryland, should be added as an exception was brought about by one of the most extraordinary actions on the part of post-office officials which I suppose has ever been witnessed in this country.

The general proposition that every county seat in the United States should have a separate post-office was so perfectly fair that there was scarcely a dissenting vote to the proposition in the Senate, and there ought not to have been elsewhere, but immediately after the passage of that amendment by the Senate the greatest activity that I have ever known to be exhibited by officials of the Government was shown in that case. The agents of the Post-Office Department, the employees who are paid for the purpose of looking after the mails of the city of Baltimore, were sent into that community and publications were made, both over the signatures of the officials and otherwise, that there was an attempt being made to deprive the people of that locality of free delivery, and that if the amendment of the Senate should stand they would be deprived of the luxury of having two or three carriers to deliver letters within the town of Towson. A considerable amount of excitement was created by these post-office officials, and petitions came to the conferees not to deprive them of that privilege, notwithstanding the fact that it was perfectly in the power of the Postmaster-General to continue the free delivery without consolidation. In other words, the postmasters especially interested in having their jurisdiction extended, in order that the receipts of their offices and their salaries might be increased, have been used to misrepresent and mislead the people. It was successfully done, and the conferees on the part of the Senate in this case, as in nearly all others, have had to give way to another branch of the Government.

As to the amendment offered by the distinguished Senator from Florida [Mr. PASCO], I think that was a wise provision as it stood, and that there should not have been any consolidation of these offices outside of a reasonable limit. The conferees in this case have fixed a limit of 5 miles. That will eliminate a great many of the offices which have been consolidated, which come within

my knowledge, and will go very far toward accomplishing the object we had in view, although I should have preferred that it had been confined to the limits of the city itself. I trust that hereafter (and I shall try to make it my business hereafter) we shall take this matter up when we have better opportunity to discuss it and look into it. I do hope that the Post-Office Committees of the two Houses of Congress will in the near future go more thoroughly into the conduct of this great Department and see if we can not have some genuine reform, because that great Department is treated as no other Department of the Government. Lump appropriations are made, and they have had, practically, liberty to do as they please with the sixty or seventy million dollars that we have appropriated.

Mr. CULLOM. Ninety million dollars.

Mr. GORMAN. Ninety-odd million dollars we have appropriated. There ought to be some restraint upon these officials, who in this case (it is true in small matters) have acted in a manner which I think does not tend to the promotion of confidence in the way in which that Department is conducted, and if its power through the agents of that Department and its appointees as postmasters can be used to a greater extent, as I know they have been used in a smaller way, it would be an abuse that would disturb the harmonious relations of the different departments of the Government.

Mr. PASCO. Mr. President, I realize the difficulties surrounding committees of conference in the disagreeing votes upon appropriation bills during the last hours of a session, and I am not disposed to resist the adoption of the present report, though it does not go as far in the direction which the Senate went as I wish it had gone. I hope, however, that the scheme of consolidating post-offices in districts will receive some check, and that there will be opportunities in the future to bring back the post-offices of the country in this regard to the plain meaning and intention of the law.

In my judgment, there is no statutory foundation whatever for any authority to consolidate post-offices located in different cities or towns. I shall not go over that argument again, as I presented it, I think, fully and at length in the remarks I made about the time the amendment was adopted some two months ago. Authority was given by an act approved in 1847 for the establishment of branch post-offices, but there never has been any authority, unless it has crept in by some recognition in appropriation bills, for the establishment of stations and substations. Those words have been adopted by the Department. They are not in the statutes. They are not in any legislation passed by Congress; and the Department has no more right to change these names than it has to change the names of counties to provinces or States to districts. The nomenclature is a part of the law and there is no direct authority in the law for the establishment of stations or substations. The only authority of this character under the law is for branch post-offices, and they may be established only within the delivery of the original office. The law never contemplated that a post-office should be discontinued and the delivery of another office extended over the same ground. Here we have around Boston the city office spread out to take into its delivery neighboring cities, towns, and hamlets, and covering more than 60 square miles of territory, far beyond the intention of any law that was ever enacted by Congress.

The people around Boston have been a great deal disturbed in consequence of this amendment. I have received a great many communications with reference to it. But the disturbance has, I believe, largely grown out of the publication of a letter from the Postmaster-General, which I understand was sent to the committee of conference on this bill to advise them, to guide them in their duties in coming to this agreement. I do not know whether there is any precedent for assistance of this sort coming from a departmental officer. The letter was published in the city of Boston. I did not suppose that any such letter existed at the time, but I made inquiry and found the original letter in the committee room and compared it word for word, and it is exactly as published in the Boston Herald in a communication from this city. I am not going to read the entire letter, but I shall read one paragraph, which contains a statement which is certainly unfounded; but coming from so high an authority, it is not strange that those who are interested have become disturbed and alarmed by the amendment. It says:

> At Cambridge and other places adjoining Boston, involving a population of nearly 200,000, they have been enjoying station service for twenty years, and if the Pasco amendment prevails these stations, together with the station established at the University of Virginia, as substation of Charlottesville, substations at Quincy, Ill., at the Soldiers and Sailors' Home, also several others, would be obliged to go back at once to fourth-class offices.

That very remarkable statement comes from the present Postmaster-General, and I can not understand how he could have fallen into such an error.

Mr. CULLOM. What is the office in Illinois?

Mr. ALLISON. Quincy.

Mr. PASCO. I have not the date of the letter. It was published in the Boston Herald on April 15. I compared the words of the letter as published with the original and they are alike. I will give the actual situation in a little while. I submit the article from the Boston Herald to be inserted as a part of my remarks:

PASCO AMENDMENT PROSPECT—HOPE NOW THAT IT WILL BE EITHER MODIFIED OR REJECTED—PROTESTS POURING IN AND THEY HAVE WEIGHT—SENATOR GORMAN, WHO OPPOSES POST-OFFICE CONSOLIDATION, WAITED UPON PERSONALLY—THE POSTMASTER-GENERAL'S LETTER.

[Special dispatch to the Boston Herald.]

WASHINGTON, D. C., *April 14, 1896.*

The prospect of securing such action from the conference committee on the post-office consolidations already made as to permit them to remain, if not to provide for the further extension of the system, are improving. It now seems likely that the Pasco amendment, forbidding the establishment or maintenance of such consolidations outside of the limits of cities or towns, will be materially modified, if not rejected entirely. Senator ALLISON is so busy with other appropriation bills that he will probably not have time, he says, to have a meeting of the conference committee on the Post-Office bill this week.

Meanwhile protests against the Pasco amendment are coming in, and they are having weight. Besides the letters and telegrams which are coming from residents in metropolitan postal districts which would be unfavorably affected by the incorporation of the Pasco amendment in the law, delegations of prominent citizens from all the stations in the metropolitan postal district of Baltimore have been here to see Senator GORMAN personally, and to impress upon him their desire to have the Pasco amendment changed, if it can not be defeated, so as to permit consolidations within a convenient radius of large cities, and they left feeling that they had made an impression on the Maryland Senator, who is, of course, the leader of the opposition to the consolidation scheme. The letter of Postmaster-General Wilson, addressed to the conference committee, and referred to in these dispatches last night, states the case so well that it seems desirable to give it in full. Its contents are as follows:

"The appropriation for service of the Post-Office Department to cover the fiscal year ending June 30, 1897, will, I am informed, be taken up by a conference committee of the Senate and House at an early date. The amendment offered by Senator PASCO provides as follows: 'That nothing herein contained shall authorize the establishment or maintenance of any station, substation, or branch post-office beyond the limits of any city or town in which the principal office to which such station, substation, or branch office is attached is located.'

"For the good of the service, I sincerely hope this amendment shall not prevail. There are many reasons why it should not. The establishment of stations up to and beyond the corporate limits of cities is of gradual growth and for the improvement of the postal service, and there are many communities adjacent to cities which, except for the invisible corporate line dividing them, would be as one city. The people outside the corporate limits of the principal town or principal place, in numerous instances, have important business interests and large investments, and feel that they are entitled to better postal facilities, and they should have them if the appropriation would warrant the extension of the service. This manner of extension has gone on for a number of years.

"At Cambridge and other places adjoining Boston, involving a population of nearly 200,000, they have been enjoying station service for twenty years, and if the Pasco amendment prevails these stations, together with the station established at the University of Virginia, as substation of Charlottesville, substations at Quincy, Ill., at the Soldiers and Sailors' Home, also several others, would be obliged to go back at once to fourth-class offices. In this event the postmaster's salary would be derived entirely from box rents and the cancellation of stamps, the maximum being $999; free delivery would necessarily be abolished; it would exclude the allowances for rent, fuel, and light, and miscellaneous items, which includes canceling machines, telephones, safes, etc., until such time as the Post-Office Department could be informed as to the receipts of the office and the population served. As the postmaster's salary is fixed upon the basis of the gross receipts for the four quarters preceding the adjustment, and after adjustment the new status does not become effective until the first of the ensuing quarter, it would require fifteen months before they could be assigned to another class.

"If the word 'maintenance' is struck out of the amendment, that would improve the situation, but, in my judgment, only to a limited extent. It would avoid the trouble of establishing post-offices, etc., referred to above, but, with the word 'maintenance' left out, the Post-Office Department would be prevented from establishing stations in future, which, to my mind, would be injurious to the service. For instance, New Haven has within its corporate limits one independent post-office 3 miles distant from the main office, while outside the corporate limits, but extending up to the corporate line, so that a stranger does not know when he goes from one to the other, there are three or four independent communities having independent offices, which post-offices are only 2¼ miles distant from the main office, being nearer than the independent office within the corporate limits. There is no reason, in my judgment, if the appropriation will warrant it, why these outside independent offices should not have the same postal privileges as the independent offices inside the corporate limits; in fact, the same postal privileges as at the main office.

"The amount appropriated by Congress for clerk hire to cover the fiscal year ending June 30, 1897, is so conservative that the power of the Postmaster-General to consolidate post-offices is limited in such manner that I fear I can not even abolish all the post-offices within the corporate limits of various cities throughout the Union, there being now within the limits of various cities 249 independent offices.

"If it is the desire of Congress to restrict the extension of the service and the improvement that will necessarily follow therefrom, I would suggest that it be confined to a limit of 5, 10, or 15 miles from the corporate limits."

Attached to the Postmaster-General's letter is a table showing the principal facts about the service in the metropolitan postal districts now established, including the following for the Boston district:

Stations and substations.	Population served.	Number of clerks.	Number of carriers.	Allowances.		Miles from office.
				Rent.	Clerks.	
Station E, Cambridge	15,887	9	23	$1,240	$7,100	3.25
Station F, Cambridgeport	41,218	7	22	1,100	5,600	2.50
Station H, Chelsea	31,295	7	20	1,850	5,800	3
Station M, East Cambridge	13,967	3	5	560	2,400	1.75
Station P, North Cambridge	10,447	3	6	500	2,600	4.75
Station R, Revere	7,437	2	7	450	1,400	5.25
Station U, Somerville	52,193	8	33	1,200	6,300	3
Station X, Winthrop	4,192	2	4	420	1,300	5.50
Substation 2	4,192	1	.....	.....	300	2.25
Substation 4	.....	1	.....	.....	400	2.75
Substation 7	.....	1	.....	.....	400	5.25
Substation 8	.....	1	.....	.....	300	3.25

This statement has support in a speech made by the Senator from Massachusetts [Mr. LODGE] a few days ago when this subject was before the Senate upon the consideration of a former conference report upon this bill, and I was surprised that he, knowing the community as well as he does, understanding the postal laws as well as he does, should virtually have indorsed this statement. I will read what he said in his few remarks made on the 1st of June. I regret that he is out of his seat to-day, but this matter can not be postponed. It is found on page 5950 of the RECORD, and is as follows:

There are no less than 157,786 persons now served from the Boston city-post-office who are not within the municipal limits, who under this amendment will be thrown out of that service and forced back on fourth-class post-offices and the service greatly deteriorated thereby.

Cambridge is one of the places enumerated further on at the close of the Senator's remarks.

It is also mentioned in the letter of the Postmaster-General. The city of Cambridge contains four stations, designated in the foregoing statement as stations E, F, M, and P. Those stations used to be four independent post-offices in my days when I was a student at college there. The population of the city at the present time is over 80,000 people, according to a recent enumeration, a larger city than Harrisburg, Pa.; and we are told by the Postmaster-General and by the Senator from Massachusetts that this large city will be made a fourth-class post-office if "the Pasco amendment" shall be continued in the bill without any change. Surely this statement was made in haste and without due consideration.

The population of the city is as intelligent as that of any other city in the Union. It is a university city and it is a county seat; and the people there are entitled to the very best postal service possible. Under no conditions could their office be reduced to the position of a fourth-class post-office. They are entitled to a first-class office. The population and the receipts of the post-offices or stations within the city limits justify the very best possible service that can be given to them, but they have been allowed to suppose from this letter of the Postmaster-General and from the remarks that have been made here in the Senate that their present postal facilities depend upon the defeat or modification of this amendment. The principal office—now Station E—became a Presidential office in 1849, forty-seven years ago, and it is now entitled to be a Presidential office, and under this amendment there could be stations at East Cambridge, Cambridgeport, and North Cambridge.

I understand a great many letters have been received here in reference to this amendment. I have received some myself. One or two are from my old classmates. They have come, many of them, from strangers. Some of them are opposed to this amendment, owing to this danger which they apprehend, that they will lose their postal facilities. But I have letters from some very intelligent people; one here from the publisher of the Grand Army Record, another from an officer of the Massachusetts Total Abstinence Society, and a good many from intelligent citizens in Boston and Cambridge, all approving of the amendment and hoping that it will be continued in the bill in the language in which it was originally adopted.

But, Mr. President, our conferees, I have no doubt, have done as well as they could, and it seems at present that this reform can not go on any further at the present time. The amendment has been shorn of a great deal of its strength, but I hope with the Senator from Maryland [Mr. GORMAN] that the time will come at another session when we shall be able to devote more time to this subject and when the amendment can be carried out in the shape in which it passed the Senate by a very decided majority upon a yea-and-nay vote during the present session.

The subject is a very important one. It seems to me that it is very undesirable that post-offices should be consolidated under the plan which has been going on for some time in the Department, originating long before the present Postmaster-General commenced his service, and for which the present Administration is not responsible. This practice has crept gradually into the law without any intention on the part of the legislative department that such a system of things should ever be established; and the indications are, from publications that have reached me, that a desire exists to extend the system a great deal further by establishing postal districts and discontinuing existing post-offices.

There is one feature of this matter that has not been considered. The matter was comparatively new to me when I first brought up the amendment. I had never given the subject any great consideration and I was not well informed in reference to it. I found, however, that a great many of my brother Senators on both sides of the Chamber were but little better off in the way of information than I was myself. But there is one point worthy of consideration in the future. The law requires that every postmaster shall give a bond for the conduct of his office; but there is no law that I have found which requires the clerks to give bond when they go out to take charge of these stations in cities where perhaps there may be, as at Cambridge, a population of 80,000 people. If I am correct, and I believe I am, there is no officer under an official bond in charge of the Cambridge office. These clerks are in charge of post-offices, and the intention of the law that every postmaster shall be bonded is avoided and can not be carried out under this arrangement. I understand that the postmaster of the principal office is responsible under his bond, but that is not the intention of the law. A postmaster in another city ought not to have this burden placed upon him.

Mr. President, I will not say anything further upon this matter to-day. It is an important and interesting question, and the future will give us further opportunities to consider it and bring about such reforms as Congress may think proper. I am opposed entirely to this system of consolidation. I gave my reasons at some length when the amendment was adopted. I am in favor of the restoration of every station and substation beyond the limits of the city or town where the principal office is located to its former position as an independent office. I hope we shall see the time when the present system, which has crept into the law, as I have already remarked, without any proper authority, will be entirely discontinued, and the post-office system will be restored as it used to be, with each office under its own postmaster, a bonded officer, and each community enjoying its own post-office.

The PRESIDING OFFICER. The question is on the adoption of the report of the committee of conference.

The report was concurred in.

HOUSE BILL REFERRED.

The bill (H. R. 9409) making appropriations to supply deficiencies in appropriations for expenses of the House of Representatives, and other purposes, for the fiscal year 1896, was read twice by its title, and referred to the Committee on Appropriations.

ELIZA SANDFORD.

The PRESIDING OFFICER laid before the Senate the bill (S. 1189) granting a pension to Eliza Sandford, returned from the House of Representatives at the request of the Senate.

Mr. GALLINGER. I move that the Senate recede from its disagreement to the amendment made by the House of Representatives, and agree to the same.

The motion was agreed to.

CONTEMPTS OF COURT.

Mr. HILL. I have given notice on several occasions that I desire to call up for consideration the bill (S. 2984) in relation to contempts of court. I should like to ask that it be taken up now.

Mr. PLATT. I hope the Senator from New York will not ask that it be taken up now. It is very late.

Mr. HILL. I will not ask the Senate to proceed with its consideration this evening, but I desire to have it taken up so that we may know what the unfinished business is to be for to-morrow.

Mr. PLATT. Does the Senator want to displace the unfinished business?

Mr. HILL. No one desires to speak upon the immigration bill, and it is not expected to pass at this session.

Mr. CHANDLER. I have an understanding with the junior Senator from Maryland [Mr. GIBSON], who I do not see in the Chamber, that the immigration bill will not be pressed in his absence. Therefore I shall be very willing myself to allow it to be temporarily laid aside, in order that the exceedingly meritorious bill which the Senator from New York has in charge may be taken up. I wish the Senator from Connecticut would let it come up. It might be passed within half an hour.

Mr. PLATT. The Senator from New Hampshire is facetious at times, and at times he is severe. This is one of his facetious times. I think the Senator from New York ought not to ask to take up the bill to-night with such a thin Senate present.

Mr. HILL. I think we ought to know what is to be the unfinished business for to-morrow. I have given way on several occasions, as the Senator from Connecticut knows, and I think I am entitled to have the bill considered. If the Senate does not want to pass it after it hears the arguments it may vote it down. I trust he will make no objection to the bill being taken up and made the unfinished business. I shall not ask to proceed further with it this evening.

The PRESIDING OFFICER. Does the Chair understand the Senator from New York to move that the Senate proceed to the consideration of the bill?

Mr. HILL. I will first ask unanimous consent. I hope my friend the Senator from Connecticut will not object.

Mr. PLATT. I do not think that this bill, which is an important measure, ought to be taken up now, and I move that the Senate adjourn.

Mr. SMITH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from New Jersey?

Mr. HILL. I am desirous of having this bill taken up, not for the purpose of discussing it to-night, but so that it may be made

the unfinished business. I shall have to call for the yeas and nays on the motion to adjourn.

Mr. SMITH. Will the Senator from Connecticut yield to me?

Mr. CHANDLER. I suggest that the bill be taken up to-morrow immediately after the routine morning business.

Mr. HILL. Of course I am entirely willing to do that. The Senator from Connecticut seems to be fighting it by every technicality. That is all.

Mr. PLATT. I am not fighting the bill by every technicality, but I do not want the bill taken up here to-night, and I do not know what we may want to take up to-morrow morning.

Mr. HARRIS. Will the Senator from Connecticut consent that the bill may be taken up for consideration after the routine business to-morrow morning, or immediately after the reading of the Journal to-morrow morning?

Mr. PLATT. That is precisely what I can not assent to, because I do not know what business the Senate may want to transact to-morrow morning.

Mr. HARRIS. Mine was an innocent question, and it is answered.

L. ROBERT COATES & CO.

Mr. SMITH. I ask the Senator from Connecticut to withhold his motion for a moment, that I may ask for the consideration of a bill. On behalf of the senior Senator from Maryland [Mr. GORMAN], who is absent in conference committee, I ask unanimous consent for the present consideration of the bill (S. 1583) for the relief of L. Robert Coates & Co., of Baltimore, Md.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HARRIS. Let the bill be read for information, subject to objection.

The bill was read; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to consider it.

The bill was reported from the Committee on Claims with an amendment, in line 6, after the words "sum of," to strike out "$6,000" and insert "$5,273.30"; so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to L. Robert Coates & Co., of Baltimore, Md., out of any moneys in the Treasury not otherwise appropriated, the sum of $5,273.30, in full of the bill of said firm for steel plates furnished for and which were used in the construction of the United States light-house steamer *Zizania*.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. HAWLEY. Will my colleague permit me to move an executive session?

Mr. PLATT. I will withdraw the motion to adjourn for that purpose.

Mr. HAWLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened.

PERSONAL EXPLANATION.

Mr. GIBSON. Mr. President, I desire to have the RECORD corrected with reference to an expression on the part of the Senator from New Hampshire [Mr. CHANDLER] as to my absence this afternoon. Whatever arrangement he may have had with reference to calling up the immigration bill I do not know, but I wish it distinctly stated that it was not owing to my absence that the Senator did not call up the bill, for I was present.

Mr. CHANDLER. Mr. President, when I said I did not desire to proceed with that bill during the absence of the Senator from Maryland, I did not mean that he was out of the city. I only meant that he was for the moment out of the Senate Chamber; that he was accidentally in the cloakroom for the moment. I know that there is no Senator more punctual in attendance and more faithful and zealous in the discharge of those public duties in which he interests himself.

Mr. HALE. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 43 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, June 9, 1896, at 12 o'clock meridian.

NOMINATION.

Executive nomination received by the Senate June 8, 1896.

CONSUL.

Richard M. Bartleman, of Massachusetts, to be consul of the United States at Malaga, Spain, vice David N. Burke, nominated and confirmed as consul-general at Tangier, Morocco.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 8, 1896.

PROMOTIONS IN THE ARMY.

Artillery arm.

Lieut. Col. Francis Luther Guenther, Fifth Artillery, to be colonel.

Maj. William Sinclair, Second Artillery, to be lieutenant-colonel.

Capt. Edward Field, Fourth Artillery, to be major.

First Lieut. Harry Reuben Anderson, Fourth Artillery, to be captain.

Second Lieut. Wilmot Edward Ellis, Fifth Artillery, to be first lieutenant.

POSTMASTERS.

Alexander M. Brownley, to be postmaster at Franklin, in the county of Southampton and State of Virginia.

William F. Rooney, to be postmaster at Waltham, in the county of Middlesex and State of Massachusetts.

HOUSE OF REPRESENTATIVES.

MONDAY, *June 8, 1896.*

[*Continuation of legislative day of June 6, 1896.*]

The recess having expired, the House was called to order by the Speaker at 10 o'clock a. m.

INTEREST OF INDIAN TRIBES IN VIRGINIA BONDS.

Mr. SHERMAN. Mr. Speaker, I present a resolution of inquiry, with a report from the Committee on Indian Affairs. It is a privileged resolution.

The Clerk read as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, requested to report to Congress what steps, if any, have been taken by the Treasury Department to collect or procure a settlement of the principal and interest of certain State bonds and stocks the ownership of which was assumed by the United States under authority of the Indian appropriation act of August 15, 1894, and upon which the United States has since paid interest to the several Indian tribes interested; and what efforts, if any, have been made to procure payment of the bonds of the original State of Virginia taken over under said act and now amounting to $1,400,000, of which sum, under the constitution of the State of West Virginia, an equitable proportion was to be assumed and provided for by the new State.

Mr. SHERMAN. I ask for a vote upon the resolution, Mr. Speaker.

Mr. KEM. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KEM. If it be in order, I desire to raise the point of no quorum.

The SPEAKER. Perhaps the gentleman can raise it when the question of a vote comes.

Mr. KEM. I did not hear.

The SPEAKER. Perhaps the gentleman can raise it when the question of a vote comes.

Mr. KEM. I presumed I could, but desire to raise it now if it is in order.

Mr. SHERMAN. I ask for a vote upon the resolution.

The SPEAKER. The matter can be developed by a vote.

The SPEAKER proceeded to put the question.

Mr. RICHARDSON. Mr. Speaker, I would like to understand something about this resolution. It is not privileged, as I understand it.

Mr. SHERMAN. I will say to my friend that a part of the funds of these Indians were invested——

Mr. KEM. A parliamentary inquiry.

Mr. SHERMAN (continuing). In bonds of the State of Virginia.

Mr. RICHARDSON. What I want to inquire about this is, is it just introduced?

Mr. SHERMAN. It is simply a resolution of inquiry.

Mr. RICHARDSON. And simply introduced now?

Mr. SHERMAN. It is a privileged resolution; just a resolution of inquiry.

Mr. RICHARDSON. Has it been considered by any committee?

Mr. SHERMAN. It has been considered by the Committee on Indian Affairs and reported back favorably.

Mr. RICHARDSON. Unanimously?

Mr. SHERMAN. Yes, sir; it has been reported unanimously.

Mr. RICHARDSON. All right.

The SPEAKER. The question is on agreeing to the resolution.

The question was put; and the Speaker announced that the ayes seemed to have it.

Mr. KEM. No quorum.

The SPEAKER. Does the gentleman ask for a division?

Mr. KEM. Division.

The House divided; and there were—ayes 70, noes none.

Mr. KEM. No quorum.

The SPEAKER. The gentleman raises the point of no quorum.

Mr. SHERMAN. I move a call of the House.

The motion was agreed to.

The roll was called; when the following-named members failed to respond:

Acheson,	Fenton,	Loudenslager,	Robertson, La.
Adams,	Fitzgerald,	Maddox,	Robinson, Pa.
Aitken,	Fletcher,	Maguire,	Royse,
Aldrich, Ala.	Foote,	McCall, Mass.	Rusk,
Allen, Utah	Foss,	McCleary, Minn.	Russell, Ga.
Anderson,	Fowler,	McClellan,	Sauerhering,
Apsley,	Gamble,	McClure,	Settle,
Atwood,	Gibson,	McCormick,	Shannon,
Baker, Md.	Gillett, Mass.	McCreary, Ky.	Shaw,
Baker, N. H.	Hadley,	McEwan,	Shuford,
Barham,	Hall,	McLaurin,	Skinner,
Barrett,	Halterman,	McRae,	Smith, Ill.
Bartlett, Ga.	Haney,	Meiklejohn,	Smith, Mich.
Bartlett, N. Y.	Harris,	Meyer,	Snover,
Beach,	Harrison,	Miles,	Sorg,
Belknap,	Hatch,	Miller, Kans.	Spalding,
Bennett,	Heiner, Pa.	Milliken,	Sparkman,
Black, N. Y.	Hendrick,	Milnes,	Spencer,
Boutelle,	Henry, Conn.	Miner, N. Y.	Steele,
Bowers,	Hermann,	Mondell,	Stephenson,
Brosius,	Hicks,	Money,	Stone, W. A.
Brown,	Hilborn,	Morse,	Strait,
Catchings,	Hitt,	Moses,	Strode, Nebr.
Cockrell,	Howard,	Murphy,	Swanson,
Colson,	Hubbard,	Murray,	Towne,
Cooper, Fla.	Huff,	Neill,	Tucker,
Corliss,	Hulick,	Newlands,	Turner, Va.
Cousins,	Hull,	Noonan,	Updegraff,
Cowen,	Hutcheson,	Northway,	Wadsworth,
Cox,	Hyde,	Odell,	Walker, Va.
Crisp,	Johnson, Cal.	Ogden,	Warner,
Crowley,	Johnson, Ind.	Owens,	Washington,
Crump,	Kyle,	Patterson,	Watson, Ind.
Culberson,	Latimer,	Perkins,	Wellington,
Danford,	Lawson,	Phillips,	White,
De Armond,	Lefever,	Pickler,	Wilson, Ohio
Denny,	Leisenring,	Price,	Wilson, S. C.
De Witt,	Lewis,	Quigg,	Woodard,
Dinsmore,	Linton,	Raney,	Woodman,
Dolliver,	Livingston,	Ray,	Woomer,
Ellett,	Lorimer,	Reyburn,	Yoakum.

The SPEAKER. The doors will now be closed and the absentees will be called.

The doors were accordingly closed; and the Clerk proceeded to call the absentees.

Mr. JOHNSON of California (when the name of Mr. BARHAM was called). Mr. Speaker, my colleague, Mr. BARHAM, is absent by leave of the House.

Mr. JOHNSON of California (when the name of Mr. BOWERS was called). Mr. Speaker, my colleague, Mr. BOWERS, also is absent by leave of the House.

Mr. HEMENWAY (when the name of Mr. HATCH was called). Mr. Speaker, my colleague, Mr. HATCH, is detained at home by sickness, and I ask that he be excused.

There was no objection, and it was so ordered.

Mr. HENRY of Connecticut (when the name of Mr. TUCKER was called). Mr. Speaker, the gentleman from Virginia, Mr. TUCKER, is detained by illness, and I ask that he be excused.

There was no objection, and it was so ordered.

Mr. BISHOP (when the name of Mr. LEISENRING was called). Mr. Speaker, Mr. LEISENRING was called out of town by an accident on Saturday evening, too late to ask leave of absence. I ask that he be excused.

The SPEAKER. If there be no objection, the gentleman from Pennsylvania [Mr. LEISENRING] will be excused.

Mr. KEM. I object, Mr. Speaker.

The question being taken, Mr. LEISENRING was excused.

Mr. STRONG (when the name of Mr. WILSON of Ohio was called). Mr. Speaker, my colleague, Mr. WILSON, is detained at home on account of sickness, and I ask that he be excused.

The SPEAKER. If there be no objection, the gentleman from Ohio [Mr. WILSON] will be excused.

Mr. KEM. I object.

Mr. STRONG. I move that my colleague, Mr. WILSON of Ohio, be excused.

The question being taken, the Speaker declared that the ayes seemed to have it.

Mr. KEM. I ask for a division.

The House divided; and there were 120 ayes.

Mr. KEM. No quorum, Mr. Speaker.

The SPEAKER. The Chair hoped the gentleman from Nebraska had learned that a quorum is not necessary on a call of the House. [Laughter.]

Mr. DINGLEY. Mr. Speaker, I desire to offer the resolution which I send to the desk.

Mr. KEM. I rise to a parliamentary inquiry. I desire to know if there is a quorum present.

Mr. DINGLEY. It does not require a quorum for the consideration of the resolution which I have offered.

Mr. KEM. I desire to ask if it is not impossible to do business without a quorum.

The SPEAKER. The Chair will state to the gentleman from Nebraska that it is competent under the Constitution of the United States to do certain business without a quorum.

Mr. KEM. Then I wish I could amend the Constitution of the United States.

The SPEAKER. The Chair did not understand the gentleman's observation.

Mr. KEM. I only expressed a wish that I had the power to amend the Constitution of the United States.

The SPEAKER. There are certain things which are providential. [Laughter.]

Mr. SHERMAN. I ask unanimous consent that the gentleman be given that power. [Laughter.]

Mr. PAYNE. I object. [Laughter.]

Mr. DINGLEY. Mr. Speaker, I call for the reading of the resolution I have sent to the desk.

The resolution was read, as follows:

Resolved, That all leaves of absence heretofore granted to members of the House, except such as are granted on account of sickness of a member or sickness in his family, be revoked.

Mr. MCMILLIN. Pending that, Mr. Speaker, I would like to ask the gentleman from Maine whether he does not think it would be well to leave this matter in its present position until we see what course will be taken by the Senate within the next two hours? It is possible that if they pass the appropriation bill which we sent them last Saturday it will not be found necessary to call members back from their homes.

Mr. DINGLEY. The difficulty that we have had for two or three days in maintaining a quorum, with the knowledge that members are hourly leaving the city, compels us to take some such action as this resolution proposes.

Mr. MCMILLIN. I did not know but we might get along without it if the Senate should take certain action within the next two hours.

Mr. DINGLEY. I think no harm will come from the adoption of the resolution.

The resolution was unanimously agreed to.

Mr. DINGLEY. Mr. Speaker, I offer another resolution which I send to the desk.

The resolution was read, as follows:

Resolved, That the Sergeant-at-Arms telegraph to absent members and inform them the House has revoked all leaves of absence except where such absence is on account of sickness of a member or sickness in his family, and that their immediate presence is required at the daily sessions of the House for the purpose of transacting public business.

The resolution was adopted.

Mr. BABCOCK. Mr. Speaker, I desire to say, on behalf of my colleague, Mr. SAUERHERING, that I am in receipt of a letter from him stating that he has been called away by sickness in his family. I wish this fact to appear in the RECORD, and I ask that he be excused.

There was no objection, and it was so ordered.

Mr. DOCKERY. Mr. Speaker, I do not know whether or not leave of absence has been granted my colleague, Judge DE ARMOND, but will state that a few days since he was called home by the illness and death of a brother, and if leave has not been granted, I ask that he now be given indefinite leave of absence.

The SPEAKER. The Chair is informed that the gentleman's colleague, Mr. DE ARMOND, is not on the list of members who have been excused.

Mr. DOCKERY. Then I ask that he be excused, for the reason I have stated.

The SPEAKER. Without objection, the gentleman from Missouri, Mr. DE ARMOND, will be excused.

Mr. KEM. I rise to a parliamentary inquiry. Under the rule are not all gentlemen who have been excused on account of sickness of themselves or their families excused anyhow?

The SPEAKER. Not those that have not been excused. [Laughter.]

Mr. DOCKERY. But my colleague, Mr. DE ARMOND, has not, it seems, been granted leave of absence heretofore, and I am advised that he left to attend the funeral of a brother.

Mr. KEM. That may be true in this case. But other gentlemen have risen in their places and made personal excuses for gentlemen who have already been excused. I submit that the rule covers all such cases.

There being no objection, Mr. DE ARMOND was excused.

Mr. HENRY of Connecticut. I ask that the gentleman from Virginia, Mr. TUCKER, be excused on account of sickness.

There being no objection, Mr. TUCKER was excused.

Mr. HAINER of Nebraska. Mr. Speaker, last Friday my colleague, Mr. STRODE, informed me that he had received a letter announcing the sickness of his wife. I understand he left the city on Saturday, and I presume it was on that account. If he is not excused, I now ask that he be excused.

The SPEAKER. The gentleman's colleague has not been excused.

Mr. HAINER of Nebraska. Then I ask that he be excused on the ground stated.

There being no objection, Mr. STRODE of Nebraska was excused.

Mr. HOPKINS. I ask leave of absence for my colleagues, Mr. LORIMER and Mr. FOSS, on account of sickness in their families.

The SPEAKER. The gentleman from Illinois, Mr. LORIMER, has already been excused. Is there objection to excusing the gentleman from Illinois, Mr. FOSS, on account of sickness in his family?

There being no objection, Mr. FOSS was excused.

Mr. JOY. I ask that my colleague, Mr. HUBBARD, be excused on account of illness in his family.

The SPEAKER. Without objection, the gentleman from Missouri, Mr. HUBBARD, will be excused.

There was no objection.

Mr. BAILEY. I have been informed that my colleague, Judge ABBOTT, is detained at his home sick. I ask that he be excused.

There being no objection, Mr. ABBOTT was excused.

Mr. BRUMM. I have just been informed that my colleague, Mr. BROSIUS, left the city sick, and is now detained at his home by sickness. I ask that he be excused.

There being no objection, Mr. BROSIUS was excused.

Mr. DINGLEY. As we have now present more than a quorum of members, I move that all further proceedings under the call be dispensed with.

Mr. MCMILLIN. How many members are present?

The SPEAKER. One hundred and ninety.

The motion of Mr. DINGLEY was agreed to.

STATE BONDS OWNED BY THE UNITED STATES.

The SPEAKER. The question recurs on the resolution reported by the gentleman from New York [Mr. SHERMAN], which the Clerk will again read.

The Clerk read as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, requested to report to Congress what steps, if any, have been taken by the Treasury Department to collect or procure a settlement of the principal and interest of certain State bonds and stocks, the ownership of which was assumed by the United States under authority of the Indian appropriation act of August 15, 1894, and upon which the United States has since paid interest to the several Indian tribes interested; and what efforts, if any, have been made to procure payment of the bonds of the original State of Virginia taken over under said act and now amounting to $1,400,000, of which sum, under the constitution of the State of West Virginia, an equitable proportion was to be assumed and provided for by the new State.

Mr. MCMILLIN. From what committee does this resolution come? How does it come before the House?

Mr. SHERMAN. It is a resolution of inquiry, coming before the House on the report of the Committee on Indian Affairs.

The resolution was agreed to.

On motion of Mr. SHERMAN, a motion to reconsider the last vote was laid on the table.

DEFICIENCIES.

Mr. CANNON. I move to suspend the rules and pass the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for the expenses of the House of Representatives, and for other purposes, for the fiscal year 1896.

Be it enacted, etc., That the following sums, or so much thereof as may be necessary, be, and the same are hereby, appropriated out of any money in the Treasury not otherwise appropriated for the objects hereinafter expressed, for the service of the fiscal year 1896, namely:

HOUSE OF REPRESENTATIVES.

For compensation and mileage of Members of the House of Representatives and Delegates from the Territories, $25,000.

For miscellaneous items and expenses of special and select committees, $12,000.

CAPITOL BUILDING.

For the care of the Capitol Grounds in repairing damages to trees, foliage, and planting made necessary by recent storms, $900.

TREASURY DEPARTMENT.

That the Secretary of the Treasury be, and is hereby, authorized to credit the appropriations for the "Revenue Cutter Service, 1896," with a portion of the unexpended balance, not exceeding $9,000, of the appropriation for said service for the fiscal year ending June 30, 1895, and a portion of the unexpended balance, not exceeding $11,000, of the appropriations for the refuge station at Point Barrow, Alaska."

Mr. RICHARDSON. I ask for a second.

Mr. CANNON. I ask that a second may be considered as ordered.

Mr. RICHARDSON. I do not object to that.

The SPEAKER. Is there objection to considering a second as ordered?

Mr. KEM. I object.

The SPEAKER. Objection is made.

The SPEAKER appointed as tellers Mr. CANNON and Mr. RICHARDSON.

The House divided; and the tellers reported—ayes 181, noes 1.

So a second was ordered.

Mr. CANNON. Mr. Speaker, I will say but a word in explanation of this bill.

It is made necessary by the seating of additional members and for their pay and mileage during this Congress, $25,000 for the balance of the fiscal year.

Miscellaneous items and expenses for session of select committees, $12,000. Gentlemen who have kept track of the business of the House know that there has been a considerable expenditure in that direction, and it is absolutely necessary to meet the demand for the balance of the fiscal year.

For care of the Capitol Grounds on account of the recent storms, $900.

This is a proper and necessary expenditure for the purpose of keeping these grounds in proper order and repairing the damage done by recent storms. If it is not appropriated the ordinary regular force will have to be discharged for the balance of the fiscal year and work suspended on the grounds.

The next item in the bill is an expenditure making a certain amount of money available for the Revenue-Cutter Service, which is the amount of the unexpended balance of the last fiscal year, and the amount unexpended for the refuge station at Point Barrow, Alaska, also for the Revenue-Cutter Service. It becomes necessary on account of the expenditure for the fitting out of the expedition to Bering Sea.

It will be seen, therefore, that all of these are items immediately required and absolutely necessary, which makes it important that this bill should pass without delay.

Mr. RICHARDSON. Mr. Speaker, I believe that this is the first time in the history of Congress, as far as my observation goes, that it has been found necessary to pass a special deficiency bill to provide for the expenses mentioned by the gentleman from Illinois for contested seats and for the pay of new members seated during this Congress.

Mr. CANNON. Oh, no; it has been done at every session of Congress.

Mr. RICHARDSON. A special appropriation bill passed for the purpose of paying members seated during the session?

Mr. CANNON. Oh, well, you may call it a special appropriation or not, but this provision is always made in some of the bills.

Mr. DOCKERY. This grows out of the increase of the meager majority on the other side. [Laughter.]

Mr. RICHARDSON. I suppose it grows out of the additional members seated by this House.

Mr. CANNON. I ask a vote.

The question being taken on the motion of Mr. CANNON to suspend the rules and pass the bill (two-thirds voting in favor thereof), the motion was agreed to.

COMMITTEE ON APPROPRIATIONS.

Mr. CANNON. Mr. Speaker, I desire to pass the following resolution, which I think I can do by unanimous consent.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Resolved, That the Committee on Appropriations, or such subcommittees as they may designate, are hereby authorized to sit during the vacation for the purpose of considering and facilitating the business of the committee in advance of the next regular session; to be convened at such time as the chairman of said committee may order.

Mr. CANNON. This is the usual resolution.

The SPEAKER. Is there objection to its consideration?

Mr. KEM. I object.

Mr. CANNON. I move to suspend the rules and pass the resolution.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the resolution adopted.

PENITENTIARY MILITARY RESERVATION, FORT LEAVENWORTH.

Mr. BRODERICK. Mr. Speaker, I move to suspend the rules and pass House bill No. 8383, with the amendments authorized by the committee. They are incorporated in the bill which I send to the desk.

The SPEAKER. The bill will be read.

The Clerk read as follows:

Be it enacted, etc., That the Attorney-General is hereby authorized and directed to select on the military reservation at Leavenworth, Kans., within limits hereinafter described, a site for the erection of a penitentiary and other buildings, wall, and workshops for the employment of United States prisoners, with such improvements as he may direct in connection with the completion of the several buildings; said penitentiary to be of a capacity to accommodate at least 1,200 convicts, and to be situated on said grounds and within the following boundary lines: Beginning at a point at the northwestern intersection of Grant and Logan avenues, thence north 72° west, more or less, 4,500 feet, more or less, to a stone in the field north of the Government farm barn; thence due west 1,500 feet, more or less, to the north side of Logan avenue; thence along said avenue and its prolongation to the western boundary of the military reservation; thence south along said line to the southwest corner of said reservation; thence east along the south line of said reservation to the pike leading north from the city of Leavenworth to the post of Fort Leavenworth; thence north along said pike to the point of beginning; and that these grounds thus described shall be, and hereby are, set apart from the contiguous military reservation for United States penitentiary purposes and assigned to and placed under the care and control of the Attorney-General as a United States penitentiary reservation: *Provided*, That when the said United States Penitentiary shall be occupied and applied to the purposes contemplated by this act the buildings and grounds within the said military reservation of Fort Leavenworth that were transferred from the Department of War to the Department of Justice, in accordance with the provisions of the act of Congress approved March 2, 1895, shall be restored to the control of said Department of War: *Provided further*, That this prison reservation shall be open for military tactical purposes when such purposes do not interfere with the discipline of said prison.

SEC. 2. That the Attorney-General shall employ an architect skilled in the construction of penitentiary buildings, who, with the warden of the existing

penitentiary, shall prepare plans, specifications, and estimates, and submit them to the Attorney-General for approval.

SEC. 3. That upon the approval of plans and estimates the Attorney-General is authorized to incur the expense necessary to construct the penitentiary buildings thus approved, and for this purpose shall employ the labor of the convicts in the present United States Penitentiary at Fort Leavenworth that can, under proper guards, be used on the necessary stone, brick, and wood work and in the manufacture of lime on the reservation until the completion of the same, and shall use all the equipments for carrying on work that are in the possession of the present United States Penitentiary building, including the sawmill and shops equipped for working in iron, stone, brass, and wood, with the use of the animals and wagons there belonging to the United States for hauling material, and other necessary transportation; and said prison shall have the right to quarry stone for prison purposes in any of the quarries on the Fort Leavenworth Reservation: *Provided*, That no expense shall be incurred under this act until an appropriation is made with which to commence the buildings.

SEC. 4. That the cost of employing an architect and of building said penitentiary, workshops, and improvements thus authorized shall not, exclusive of the prison labor, exceed the sum of $150,000, of which no more than $50,000, or so much thereof as may be necessary, shall be expended in a fiscal year.

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. McMILLIN. In order to have an explanation of this bill, I demand a second.

Mr. BRODERICK. I ask that a second be considered as ordered.

The SPEAKER. The gentleman asks that a second be considered as ordered. The Chair hears no objection.

Mr. BRODERICK. The gentleman from Tennessee [Mr. McMILLIN] asks an explanation. In 1891 Congress provided for three Federal penitentiaries. One was to be located west of the Rocky Mountains and two east. No appropriation was made for the purchasing of the sites or the establishing of the prisons, and no prison was established under that act until a year ago, when the Fifty-third Congress converted the old military prison at Fort Leavenworth into a civil United States penitentiary. That took effect and the change was made on the 1st of last July. The military prisoners were kept in an old building that was erected there for commissary stores more than forty years ago. It is wholly unsuitable for a penitentiary. The building is situated inside the garrison; and it is not desirable by either the Department of War or the Department of Justice that it should remain there. The prison and the small yard inclosing it are under the control of the Department of Justice, while the military post and reservation are under the control of the War Department.

Now, the two Departments have agreed upon a new site. They have agreed to remove the prison from the garrison over into a corner of the military reservation, on Government land, where the site does not cost the Government a dollar. This site is agreed upon by the two Departments, so there is no difference of opinion in relation to it. The site is located about a mile and a half from the garrison, so that the government of the military post will not conflict with the government of the penitentiary or the authorities of that institution. This arrangement is agreeable to all concerned.

Mr. SAYERS. Will the gentleman allow me a question?

Mr. BRODERICK. Yes, sir.

Mr. SAYERS. I do not object to the bill. I wish an explanation in regard to it. As I understand, the proposition is to transfer certain buildings that are on a particular portion of the military reservation to another portion.

Mr. BRODERICK. No; they will rebuild; but this does not provide any appropriation. There is not a dollar to be expended under this bill or until the appropriation is made. But the most important thing in this bill is the authorizing of the employment of the prison labor in quarrying stone, which is plentiful on the military reservation.

Mr. McMILLIN. Does not this bill carry $150,000?

Mr. BRODERICK. No, sir; this bill carries no appropriation. It provides that the prison labor may be employed anywhere on the reservation in quarrying stone, in excavating for walls, and in doing such things as may be done preparatory to the erection of a building, without the expenditure of any money.

Mr. SAYERS. This bill has the approval of both the War Department and the Department of Justice?

Mr. BRODERICK. Yes. I have a letter here from the Secretary of War, in which he suggests an amendment in relation to the boundaries of the proposed site. That amendment has been made, and is incorporated in the bill that has been read, so that both Departments are satisfied with and approve this arrangement.

Now, if there are no questions, and if no gentleman desires to say anything, I will ask for a vote; but if any gentleman desires to speak I will yield to him.

Mr. McMILLIN. Mr. Speaker, I find this in section 4:

That the cost of employing an architect and of building said penitentiary, workshops, and improvements thus authorized shall not, exclusive of the prison labor, exceed the sum of $150,000, of which no more than $50,000, or so much thereof as may be necessary, shall be expended in a fiscal year.

Mr. BRODERICK. Yes; I will explain that.

Mr. McMILLIN. Now, is not that an appropriation of $150,000, limited only by the condition that there shall be only $50,000 expended each year?

Mr. BRODERICK. No; the gentleman will see——

Mr. McMILLIN. It is very peculiarly worded, and I ask the gentleman's own construction of it.

Mr. BRODERICK. At the close of section 3 there is a provision to which I call the gentleman's attention. It is as follows:

Provided, That no expense shall be incurred under this act until an appropriation is made with which to commence the buildings.

That is at the close of section 3. So that there is positively no appropriation carried in this bill—not a dollar.

Mr. HENDERSON. It is carefully guarded so as to prevent an appropriation being made; and the Committee on the Judiciary would not agree to it until it was amended so as to prevent that in this bill.

Mr. McMILLIN. So as to prevent an appropriation?

Mr. HENDERSON. So as to prevent an appropriation. After that it was unanimously agreed to.

Mr. McMILLIN. It provides for the employment of architects. How can they be employed without an appropriation?

Mr. BRODERICK. They can not be employed until an appropriation has been made.

Mr. McMILLIN. Then this is mere brutum fulmen.

Mr. BRODERICK. They may be employed when an appropriation is made.

Mr. McMILLIN. Then it is a bill for the erection of a penitentiary which does not erect a penitentiary?

Mr. BRODERICK. It is a bill providing the means by which certain preliminary work can be done without expense to the Government.

Mr. ELLIS. It is for the employment of the convict labor.

Mr. BRODERICK. These prisoners are there without anything to do. They are kept in their cells and have to be taken out and marched over the grounds to give them exercise. The warden wants work for them.

Mr. McMILLIN. Now, right there, I want to ask the gentleman whether this is not a change of the method of keeping prisoners from that adopted in past years. Heretofore we have made our contracts, as I understand it, with the penitentiaries of the States to take care of the prisoners and keep them employed; but it seems now that we are providing them with fans instead of hammers.

Mr. SAYERS. Mr. Speaker, if the gentleman will allow me. The last Congress passed an act by which the military prison at Fort Leavenworth was transferred to the Department of Justice, so that civil prisoners, convicts of the civil courts, might be confined in that prison.

Mr. McMILLIN. Is there any other prison of that kind?

Mr. SAYERS. None, I believe.

Mr. McMILLIN. Then that is a departure.

Mr. SAYERS. I will say to the gentleman that it is not a departure.

Mr. McMILLIN. It was a departure last year.

Mr. SAYERS. It was not a departure last year.

Mr. McMILLIN. That is what I was trying to get at.

Mr. SAYERS. If the gentleman from Tennessee will examine the laws passed in the Fifty-first Congress he will find that there is an act which provides for the construction of three military prisons.

Mr. McMILLIN. Three military prisons.

Mr. SAYERS. No, not three military prisons; three civil prisons.

Mr. BRODERICK. If the gentleman will permit. The act of the Fifty-third Congress converted this prison at Fort Leavenworth into a civil penitentiary.

Mr. SAYERS. So as to save the expense of constructing the three prisons.

Mr. BRODERICK. It was regarded as one of the three.

Mr. McMILLIN. Mr. Speaker, I demanded a second on this bill because I wanted to have an explanation of it, and let the House understand the necessity for it before it was acted upon. I will ask, as I have not had time to examine it, to have the report read in my time, so we can see the additional grounds that may be presented there.

The report (by Mr. BRODERICK) was read, as follows:

The Committee on the Judiciary, to whom was referred the bill (H. R. 6178) to establish a site for the erection of a penitentiary on the military reservation at Fort Leavenworth, Kans., and for other purposes, have had the same under consideration, and report to the House a substitute therefor.

The United States Penitentiary at Fort Leavenworth, Kans., was formerly a national military prison. The change was made about a year ago, and there are now about 600 prisoners confined therein. The penitentiary is situated inside the military post, and consists of old buildings, constructed over forty years ago, to be used for quartermaster's stores. These buildings are wholly unsuited and inadequate in every sense for a large modern prison. Beyond this, the prison, with a small prison yard, are now under the control of the Department of Justice, while the grounds surrounding the buildings are under control of the War Department.

The proposition now is to establish a site in the southwest corner of the Fort Leavenworth Military Reservation and about 2 miles from the garrison and return the old building to the control of the War Department. Both the military authorities and the Department of Justice approve this measure.

Your committee therefore recommend that the substitute here reported do pass.

Mr. McMILLIN. I will ask the gentleman in charge of the bill how long the situation that he describes there has existed, wherein these prisoners, instead of having something to do, have to be taken out and marched about for exercise.

Mr. BRODERICK. Under the old rule there were workshops in which the military prisoners were worked in the manufacture of such articles as were needed in the prison; but under the transfer that was made a year ago there was not specific authority to work these prisoners; so that from July last this condition has existed. While it is provided in the act making the transfer that they may be worked, not outside of the reservation, yet there is not specific authority to manufacture anything, and the Attorney-General says in his report, which I have here, that the authority was not deemed sufficient to put the prisoners at work in the shops; so that they have had very little or nothing to do. Now, we ask to have authority to put them to work quarrying the rock, which is inexhaustible on the reservation, and in excavating for this building, and they can do a hundred thousand dollars' worth of work for the Government this summer that will not cost one dollar. [Cries of "Vote!" "Vote!"]

Mr. TERRY. I just desire to say that I think this a necessary and proper measure. It was fully considered by the Committee on the Judiciary, and I hope there will be no objection to its passage.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and in the opinion of the Chair, two-thirds voting in favor thereof, the rules were suspended and the bill was passed.

INVESTIGATION OF FUR-SEAL FISHERIES.

Mr. DINGLEY. Mr. Speaker, I move to suspend the rules and pass the following Senate joint resolution (S. R. 155) to authorize a scientific investigation of the fur-seal fisheries.

The Clerk read as follows:

Resolved, etc., That the Secretary of the Treasury be, and is hereby, authorized to expend, from any moneys in the Treasury not otherwise appropriated, a sum sufficient to provide for the employment of persons to conduct a scientific investigation, during the fiscal years 1896 and 1897, of the present condition of the fur-seal herds on the Pribilof, Commander, and Kurile islands in the North Pacific Ocean and Bering Sea, said amount not to exceed for both said years the sum of $5,000.

The Secretary is also authorized to employ a stenographer in connection with this investigation at a rate of compensation not exceeding $1,500 per annum, and to pay his compensation and expenses out of any moneys in the Treasury not otherwise appropriated.

The President is authorized to detail, for the purposes of assisting in this investigation, any officer or officers or employees of the United States Government, their actual expenses and the expenses of the person or persons employed under the preceding paragraph to be paid by the Secretary of the Treasury out of any moneys in the Treasury not otherwise appropriated.

The President may detail a vessel of the United States for the purpose of carrying out this investigation.

Mr. DINGLEY. This joint resolution has been unanimously reported by the Committee on Ways and Means, and approved by the Treasury Department.

The SPEAKER. The question is on suspending the rules and passing this bill.

The question was taken, and, in the opinion of the Speaker, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

SALMON FISHERIES OF ALASKA.

Mr. KNOX. Mr. Speaker, I move to suspend the rules and pass the bill S. 2022.

The Clerk read as follows:

A bill (S. 2022) to amend an act entitled "An act to provide for the protection of the salmon fisheries of Alaska."

Be it enacted, etc., That the act approved March 2, 1889, and entitled "An act to provide for the protection of the salmon fisheries of Alaska," is hereby amended and reenacted as follows:

"That the erection of dams, barricades, fish wheels, fences, or any such fixed or stationary obstructions in any part of the rivers or streams of Alaska, or to fish for or catch salmon or salmon trout in any manner or by any means with the purpose or result of preventing or impeding the ascent of salmon to their spawning ground, is declared to be unlawful, and the Secretary of the Treasury is hereby authorized and directed to remove such obstructions and to establish and enforce such regulations and surveillance as may be necessary to insure that this prohibition and all other provisions of law relating to the salmon fisheries of Alaska are strictly complied with.

"SEC. 2. That it shall be unlawful to fish, catch, or kill any salmon of any variety, except with rod or spear, above the tide waters of any of the creeks or rivers of less than 500 feet width in the Territory of Alaska, except only for purposes of propagation, or to lay or set any drift net, set net, trap, pound net, or seine for any purpose across the tide waters of any river or stream for a distance of more than one-third of the width of such river, stream, or channel, or lay or set any seine or net within 100 yards of any other net or seine which is being laid or set in said stream or channel, or to take, kill, or fish for salmon in any manner or by any means in any of the waters of the Territory of Alaska, either in the streams or tide waters, except Cook Inlet, Prince William Sound, Bering Sea, and the waters tributary thereto, from midnight on Friday of each week until 6 o'clock a. m. of the Sunday following; or to fish for or catch or kill in any manner or by any appliances, except by rod or spear, any salmon in any stream of less than 100 yards in width in the said Territory of Alaska between the hours of 6 o'clock in the evening and 6 o'clock in the morning of the following day of each and every day of the week.

"SEC. 3. That the Secretary of the Treasury may, at his discretion, set aside any streams as spawning grounds, in which no fishing will be permitted; and when, in his judgment, the results of fishing operations on any stream indicate that the number of salmon taken is larger than the capacity of the stream to produce, he is authorized to establish weekly close seasons, to limit the duration of the fishing season, or to prohibit fishing entirely for one year or more, so as to permit salmon to increase: *Provided, however*, That such power shall be exercised only after all persons interested shall have been given a hearing, of which hearing due notice must be given by publication: *And provided further*, That it shall have been ascertained that the persons engaged in catching salmon do not maintain fish hatcheries of sufficient magnitude to keep such streams fully stocked.

"SEC. 4. That to enforce the provisions of law herein, and such regulations as the Secretary of the Treasury may establish in pursuance thereof, he is authorized and directed to appoint one inspector of fisheries, at a salary of $1,800 per annum, and two assistant inspectors at a salary of $1,600 each per annum, and he will annually submit to Congress estimates to cover the salaries and actual traveling expenses of the officers hereby authorized and for such other expenditures as may be necessary to carry out the provisions of the law herein.

"SEC. 5. That any person violating the provisions of this act or the regulations established in pursuance thereof shall, upon conviction thereof, be punished by a fine not exceeding $1,000 or imprisonment at hard labor for a term of ninety days, or both such fine and imprisonment, at the discretion of the court; and, further, in case of the violation of any of the provisions of section 1 of this act and conviction thereof a further fine of $250 per diem will be imposed for each day that the obstruction or obstructions therein are maintained."

The SPEAKER. The question is on suspending the rules and passing this bill.

Mr. RICHARDSON. Mr. Speaker, I think we ought to have some explanation of the matter.

Mr. KNOX. Mr. Speaker, this bill has been unanimously approved by the Committee on Territories of the House and also of the Senate. It has also passed the Senate after full consideration and after a hearing of all persons who are interested in the salmon fisheries of Alaska. The bill results from the law that was passed by the Fiftieth Congress, which was rather crude and general in its provisions, and provided for a further inspection of the fisheries, in order that there might be subsequent legislation.

Now, the substantive proposition of this bill provides for the protection of salmon, so that they may reach their spawning grounds, in order that they may not be exterminated by the fisheries that are now going on. The sanctions of the bill are the appointment of inspectors by the Treasury Department, and authority being given to these officers to remove any such traps or dams as tend to the destruction of salmon, and a provision for the punishment of parties who violate the law. Hardly any more important bill can be passed this session than one to prevent the destruction of those vast fisheries, which are a great source of food supply not only to the people inhabiting Alaska but to all the people of the United States.

Mr. DINGLEY. If the gentleman will pardon me, Mr. Speaker, I simply desire to add my testimony to what he has already presented as to the absolute necessity for the passage of this bill in order to protect these important and valuable salmon fisheries.

Mr. LOUD. I will say, Mr. Speaker, that this bill has been submitted to the men who are interested in this industry on our coast, and that no objection is made to it by any of them.

Mr. KNOX. Let me add that the bill has the entire approval of the officials of the Treasury Department.

The rules were suspended and the bill was passed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 5280) for the relief of George W. Freeman.

The message also announced that the Senate had passed with amendment the bill (H. R. 2708) to constitute a new division to the eastern judicial district of Texas and to provide for the holding of terms of court at Beaumont, Tex., and for the appointment of a clerk for said court; in which the concurrence of the House was requested.

The message also announced that the Senate had passed the bill (S. 3141) granting a pension to Rachel Kern; in which the concurrence of the House was requested.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, the bill (S. 3141) granting a pension to Rachel Kern was taken from the Speaker's table and referred to the Committee on Invalid Pensions.

DAMAGES BY EXPLOSION.

Mr. ALDRICH of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill which I send to the desk.

The bill (S. 1205) was read, as follows:

Be it enacted, etc., That the sum of $15,845.23, being the sum found just by a board of officers convened at Chicago July 17, 1894, under Special Orders No. 72, issued by command of Major-General Miles, of the Department of the Missouri, which sum is recommended by him, with the concurrence of the Major-General commanding the Army, be, and the same is hereby, appropriated, to pay the awards of said board, according to the following schedule, as set forth in their report made on November 3, 1894, and published in Senate Executive Document No. 21, third session Fifty-third Congress, to wit: P. J. Ryan, $1,307; Charles R. Cave, $1,840.61; Edward C. Huling, $742.26; Jacob R. Custer, $717.83; Herman Lehman, $829.75; Herman Grossman, $770; Phillip W. Raber, $1,848.99; F. A. Devlin, lessee, $160; Samuel B. Foster, $1,690.50; Amelia H. Dodge, $1,495.81; Frederick A. Howe, $893.06; Hellen Palmer, $946.75; James Wright, $1,213.68; W. H. Godair, $258.04; J. W. Morrison, $47.77; Mrs. J. E. Ellen,

$25; W. W. Morrill, $50; Silas H. Finch, $54.39; David Mayer, lessee, $45; Howlin Horgenroth, $125; H. N. Stephens, lessee, $12.55; John W. Byers, $105.33; Edward D. Murray, $100; Arthur W. Allen, $99.15; Emilie J. Smity, trustee, $19; T. A. Keene, $50; Hannah Sullivan, $40; Armory Warehouse Company, $18; W. F. Horn, agent, $25.91; Alice York, $305; total, $15,845.23.

Mr. RICHARDSON. Mr. Speaker, I demand a second.

The SPEAKER. Without objection a second will be considered as ordered.

There was no objection.

Mr. ALDRICH of Illinois. Mr. Speaker, this bill provides for compensating the parties who were injured by the explosion of a caisson in Grand Boulevard at the time of the parade by the regular troops during the summer of 1894, about the time of the riots in Chicago. The claims were proved up by the War Department and were transmitted to the House and the Senate by General Miles and Secretary Lamont. This bill was reported by both the House and the Senate committees unanimously, and it has passed the Senate, no objection having been made to it. The claims have been duly attested and their validity is unquestioned.

Mr. CANNON. Is there a written report accompanying the bill?

Mr. ALDRICH of Illinois. There is a report accompanying the bill.

Mr. RICHARDSON. I have sent for the report, but it seems that it can not be had.

Mr. CANNON. Will my colleague allow me to read this report, which is very brief?

Mr. ALDRICH of Illinois. Certainly.

Mr. RICHARDSON. Is it a printed report?

Mr. CANNON. It is. I will read it:

The Committee on Military Affairs, to whom was referred the bill (S. 1205) for the relief of persons who sustained damages by the explosion of an ammunition chest of Battery F, Second United States Artillery, July 16, 1894, having fully considered the same, recommend that it do pass.

House bill 3562, precisely similar to this bill, was favorably acted upon by the Committee on Military Affairs, and Report No. 398 made to the House.

Mr. RICHARDSON. I would like to ask the gentleman from Illinois how the Committee on Military Affairs got jurisdiction of these claims? This seems to be purely a case of claims, and I do not see how the Committee on Military Affairs can have obtained jurisdiction of it. This is certainly as much a claims bill as any bill to pay claims under the Bowman Act, or to pay French spoliation claims or depredation claims.

Mr. HOPKINS. If the gentleman will permit me, I will explain that. This is a matter that was under the supervision of the military authorities in Chicago, and that was investigated by order of the Secretary of War——

Mr. RICHARDSON. But how does that give the House Committee on Military Affairs jurisdiction to consider these claims?

Mr. HOPKINS. Well, I think it would naturally go before the Committee on Military Affairs.

Mr. McMILLIN. Will the gentleman please indicate what rule of the House would send these claims to the Committee on Military Affairs?

Mr. HOPKINS. I could, but I would not impeach the intelligence of the gentleman from Tennessee to that extent, for he has served here too long not to know all about it.

Mr. McMILLIN. You might increase the respect of the House for your own intelligence if you gave the information. I have never seen any such rule.

Mr. HOPKINS. Well, I am sorry for the gentleman.

Mr. McMILLIN. It does not exist. The gentleman from Illinois can not laugh off a matter of this kind. No such authority exists.

Mr. HOPKINS. Now, the gentleman from Tennessee and I will not get into a quarrel or split hairs over the question of what committee has control of this subject.

Mr. RICHARDSON. But you split hairs every time we bring up a claim on this side.

Mr. HOPKINS. Oh, no; I do not. I have been traveling with the gentleman from Tennessee on claims.

Mr. PAYNE. I suggest, Mr. Speaker, that it does not make any difference, so far as the motion before the House is concerned, whether the Committee on Military Affairs had jurisdiction originally over this matter or not. What the House wants to know now is, whether a committee of the House has thoroughly examined these claims and reported them favorably—this being a motion to suspend the rules and pass the bill. I agree with the gentleman from Tennessee that the Committee on Military Affairs would not have jurisdiction of this subject under the rules; but the bill having gone to that committee for consideration, and that committee having the intelligence to investigate it, and having investigated it and reported this bill unanimously, I do not see that, for the purposes of this motion, it makes any difference whether the committee had original jurisdiction or not.

Mr. McMILLIN. But my friend from New York and my friend from Illinois will admit that whatever committee properly had jurisdiction of the subject, that committee had a duty to perform, namely, to give the House full information, by its report, as to the character and validity of the claims.

Mr. PAYNE. Let me suggest further in that connection that the Committee on Military Affairs reported the House bill, accompanied by a very elaborate report, going into the question fully; but afterwards the same matter was referred to the Senate committee, and they made the brief report which has been read by the gentleman from Illinois [Mr. CANNON], referring to the first report, which, as I have said, gives full information on the subject.

Mr. McMILLIN. I was going by the report which the gentleman from Illinois read, containing, it seems, all the information which the Committee on Military Affairs has given us.

Mr. HOPKINS. The gentleman from Tennessee is under a misapprehension on that point. I hold in my hand a report of the Committee on Military Affairs under date of February 17, 1896, containing all the correspondence and an itemized statement of all the damages allowed by the committee—a report covering 17 pages in all. I trust that will entirely satisfy my friend from Tennessee.

Mr. CANNON. I have in my hand the report of the House committee—Report No. 398—the document I believe to which my colleague [Mr. HOPKINS] refers. It is apparently very complete, and undertakes to ascertain the damages from the explosion of a caisson in the streets of Chicago. I do not find, however, from a hasty examination of the report, any statement bearing one way or the other upon the liability of the Government for damages in this case. I do not find that the question whether there was negligence is canvassed. I find nothing to show whether, if this transaction were made the basis of a suit against a private party, the parties bringing the suit would be entitled to recover.

Now, there are many questions, it seems to me, presenting themselves for the consideration of the House in connection with this matter. First, was the Army of the United States rightfully there at the time of the explosion under orders that the superiors were authorized to issue? If so, and the accident resulted under such circumstances, is there any principle of law or equity requiring the United States Government to pay the damages? It is upon that exact ground that I desire to hear from my colleague, because I have not given this claim any attention. It is for only $15,000; and sooner than spend time upon it in prolonged discussion at this stage of the session I might prefer to favor the appropriation, especially (if I may be allowed the remark) as it seems to be an appropriation for citizens of my own State. But the question in my mind is whether the Government, without proof of negligence on the part of its agents, should pay for damages which could not be prevented or foreseen. Was the Government in fault?

Now, let me say a word in regard to the Ford's Theater disaster. It was ascertained in that case that the employees of the Government, the superintendents and others, were guilty of gross negligence; and in good conscience, exercising our discretion along the line of right and justice, we have made appropriations to remunerate in that case the injured or their families. Now, if it appears in the present case that the agents of the Government were careless—if there was negligence to such a degree that the Government through its agents was at fault, then it seems to me we can safely afford to pay the damages. But unless there is somewhere shown some shortcoming on the part of the Government through its agents, then the query with me is—and I submit it with great respect—whether we can afford to make the precedent which the passage of this bill might establish. My own inclination would be, as I said before, to pay the damages, the amount being so small; but I want to call attention to the issue involved, so that the House may proceed understandingly in the premises.

Mr. ALDRICH of Illinois. Mr. Speaker, there seems to be some question about the circumstances under which this parade took place. I have here a copy of the general orders of General Miles convening the court of inquiry to pass on these claims. There never was any question about the liability of the Government for the payment of these damages. The order reads——

Mr. GROSVENOR. On what ground is the Government liable?

Mr. HOPKINS. That is what my colleague is going to state.

Mr. ALDRICH of Illinois. I am about to read the general order of General Miles explaining the purpose for which this court was convened.

Mr. GROSVENOR. But my question is as to the liability of the Government.

Mr. ALDRICH of Illinois. On July 17, 1894, the day following the disaster, General Miles issued the following order:

HEADQUARTERS DIVISION OF THE MISSOURI, *July 17, 1894.*

A board of officers to consist of Maj. E. B. Williston, Third Artillery; Major Randolph, Third Artillery; Captain Grimes, Second Artillery; Captain Capron, First Artillery; Captain Taylor, Fourth Artillery; First Lieutenant Hoyle, Second Artillery, will convene at Camp Miles, Chicago, at 2 p. m this day, or as soon thereafter as practicable. The board will investigate and make a report upon the explosion of a caisson of Light Battery F, Second

Artillery, while on a practice march through the streets of this city on the 16th instant. A full and exhaustive examination will be made of everything bearing in any way upon the question before it. The board will sit without regard to hours.

By command of Major-General Miles.

It will thus be seen that a recognition of the justice of this claim was made at once by the War Department through its commanding officer at Chicago, and orders were given that the amount of damages should be ascertained and reported to the general commanding.

That report and finding were made and forwarded to the Secretary of War, who in turn submitted the same to the Senate and House.

The claims are reasonable and just, and too much delay has already ensued about their payment. It is conceded here that if the damages had resulted while the troops were in action that some doubt of the Government's liability might exist, but the situation was entirely different. As General Miles says, the troops were out on a "practice march." The riots were over, but the troops had not been ordered away. They were out for exercise and display. The committees of the Senate and House have both given their unanimous approval to the bill, and I ask for a favorable action from the House thereon.

The actual damage done was much in excess of the amounts called for in the bill. All the glass—much of it heavy plate—in the neighborhood was smashed; doors were blown in and cracked; interiors suffered severely; much of fine furniture and ornaments were badly damaged if not actually destroyed. The wreck was something awful.

Mr. GROSVENOR. What I want to get at is this: This claim, as I understand, can proceed only on the ground that there was negligence on the part of the Government through its agents. Now, as I recollect, there was profound mystery, which lasted for many months—and which, indeed, has never been solved—as to what really caused that explosion. Will the gentleman state before he sits down what act of negligence on the part of the agents of the Government caused this explosion or whether it was not, in point of fact, an accident which no man could have provided against by ordinary prudence?

Mr. HOPKINS. When this caisson exploded in a crowded street under the circumstances shown, is there not a prima facie case against the Government?

Mr. GROSVENOR. Negligence is never to be inferred; it must always be proved.

Mr. ALDRICH of Illinois. There had been an examination of this caisson and its contents on the day immediately preceding the explosion. Unquestionably the caisson was defective.

Mr. POWERS. Does the committee report that there was any negligence on the part of any Government employee?

Mr. HOPKINS. The committee reports in favor of allowing the claim.

Mr. PARKER rose.

Mr. ALDRICH of Illinois. My friend from New Jersey [Mr. PARKER], a member of the committee, can explain the matter.

Mr. MITCHELL. What necessity was there for carrying ammunition on the occasion of a practice parade?

Mr. PARKER. That is just the point. There had been riots in the city of Chicago; but that city was then peaceful. There was no necessity, so far as I can see, for carrying ammunition in a caisson through the crowded streets of Chicago on the occasion of a practice parade; and what is more——

Mr. RICHARDSON. Does the gentleman say that this accident occurred during the riots in Chicago?

Mr. PARKER. No, sir; but it was after the troops had gone there.

Mr. RICHARDSON. How long was this after the riots?

Mr. PARKER. Not very long; but it was after all disorder had ceased. There was a practice march of the military through the streets.

A MEMBER. While the troops were in the field?

Mr. ALDRICH of Illinois. This was before the troops had left the city, but after the riots. They were exercising.

Mr. RICHARDSON. But they were there to suppress the riots.

Mr. PARKER. They had been there for that purpose, and they had not taken their leave. The riots, however, were over.

Mr. RICHARDSON. I am trying to find out how long subsequently this was to the riots?

Mr. PARKER. It was shortly after the suppression of the riots.

Mr. RICHARDSON. What do you mean by "shortly after"? How long a time—one week, one hour, or one day?

Mr. PARKER. It was after all violence had ceased and there was no good in trundling the cannon through the city, especially with the caissons filled with explosive ammunition.

Mr. HOPKINS. And there was no occasion for the march, anyway.

Mr. PARKER. None whatever.

Now, it is a well-settled principle of law as against any person, any individual or corporation, that the taking of dangerous implements, explosives of any kind, through a city or through a crowd is held to be negligence per se. It is not so, I admit, as to the Government. But we have established precedents for the payment of such claims in the past. Of course such a claim as this can not be entertained except by the authority of Congress; but at this very Congress a similar case was considered. A man was engaged at a post on the Delaware River shooting at a target, and there was carelessness exhibited in allowing another man to come within range of the shooting, and he was thereby injured. Payment was made in that case. I think damages were awarded to the extent of about $5,000.

In such a case as this, where a great number of buildings were injured and where some persons were seriously hurt, it was deemed a matter of right—that it was entirely proper for the Government to bear the expense. In other words, that the expense should fall upon the Government, and not upon these individuals.

The recommendation of the general commanding is in the following words:

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Chicago, Ill., November 8, 1894.

Respectfully forwarded to the Adjutant-General of the Army for consideration by the War Department, recommending that the Congress be asked to make an appropriation to cover the damages passed upon by the board.

NELSON A. MILES,
Major-General, Commanding.

Now, this, as a matter of course, is for Congress to determine; but that the Government of the United States should suffer its private citizens, under such circumstances, to lose by an explosion occurring on a mere practice march by an artillery company carrying deadly explosives through the streets of a crowded city does not seem to be fair or equitable in any sense of the word.

Mr. POWERS. I understand the gentleman to say that it was an exhibition on the part of the Government of negligence per se to have explosives of this character on a march of that kind?

Mr. PARKER. I say it would be an exhibition of negligence per se for an individual under such circumstances to undertake to transport explosives through the streets of a crowded city; not for the Government. But in this case it was an unnecessary thing to do, for these troops were not in the line of duty and there was no need for carrying this ammunition through the streets.

Mr. POWERS. They are carried nine hundred and ninety-nine times out of a thousand times with perfect safety, are they not?

Mr. PARKER. That may be.

Mr. POWERS. And if there is but one chance in a thousand of any injury resulting, does the gentleman think that exhibits negligence per se?

Mr. PARKER. I say that it is dangerous and is prohibited by law for private citizens to carry dangerous explosives in a crowd like that.

Mr. GARDNER. In response to the suggestion of the gentleman from Vermont that such explosions are not liable to occur more than once in a thousand times, he should not overlook the fact that it is not customary, either, in time of war for artillery and ammunition wagons to be trundled over the cobblestones of a city. Their operations are generally out on the country roads, or at least away from the streets of cities.

Mr. PARKER. That is correct.

Mr. RICHARDSON. Mr. Speaker, I think this bill ought not to pass. In the first place, the bill has never been considered by the appropriate committee of this House. The Committee on Military Affairs has no more to do with the subject-matter of this bill than the Committee on Ways and Means has, or the Judiciary. In the next place, there are no grounds shown on which the liability of the Government to pay these claims can be based.

What are the facts? It seems that there was an investigation of some kind made in reference to the matter, but there is nowhere in all of this report—and I ask the attention of the gentleman from Illinois to the fact—no statement that there was any negligence on the part of any person on the part of the Government, or any officer of the Government, even if that made the Government liable.

It seems that there were conditions existing which made it necessary to have a military force in Chicago. There had been a condition of riot in that city, and it was necessary to have the soldiers there and it was necessary to have the ammunition there. The Government is not responsible for damages done by the soldiers under such circumstances. The principle has never been laid down—it was not laid down during the late civil war—that the Government is liable for damages done by the Army, or any portion of the Army, in the suppression of rebellion.

Damages are a necessary incident of war. There was a state of war in Chicago, sufficiently so at least to require that the soldiers of the Army of the United States should be called on to suppress the disturbance. If that condition existed, if it was necessary to suppress it by military force, and the damage thereby resulted, there is no principle on which the Government is made liable. There has been no investigation of the facts. There is no report here showing the facts as to how this thing occurred or

showing negligence on the part of an officer or any soldiers of the Government. And it seems to me to be a very bad precedent to permit the Committee on Military Affairs to usurp the jurisdiction of the Committee on Claims or Committee on War Claims of the House, and submit reports, without submitting any facts whatever showing how the loss occurred, or the disaster occurred, and what the responsibility of the Government is in reference to the matter, or what damages resulted therefrom. For myself I do not think the bill ought to pass. The Secretary of War does not recommend the passage of this bill.

I yield to my colleague from Tennessee as much time as he desires.

Mr. McMILLIN. Mr. Speaker, the principle that is involved here is very important, although the amount is not exceedingly large. If you presuppose that the Army was rightly in its place, and that the evolutions which were in progress were proper, then you establish the principle of paying the inevitable and accidental casualties which resulted from that situation.

It has been the policy of the Government heretofore to pay to those of its citizens whose property it took and consumed the value of that property when they made out their claims and sought for payment; but in this case you propose, not to pay for property taken and used in the necessary employment of the Army, but to pay the accidental damages from an explosion that could not be avoided.

Now, in order that the House may see what kind of claims I embrace in this statement, let us look to the report that has been called to my attention by the gentleman in charge of the bill. On page 6 of the report you find an item in favor of Jacob R. Custer for $717.83. Turning to pages 5 and 6 you will find an itemized account. I will not take the time of the House to read all the account, but there are some items that I think it would be well for the House to hear, in order to understand what sort of demands are made against the Government and what sort of liabilities we are assuming. The very same principle, if laid down in connection with the late war, would bring hundreds of millions of dollars of claims against the Government.

Estimate of the cost of repairs yet to be made.

This is an estimate of repairs yet to be made, expenditures that have not been paid for by Mr. Custer:

For scraping and polishing 2 tables and 1 chair (mahogany), cut by falling window glass	$25.00
For scraping and polishing window sills, cut by falling window glass	20.00
For 12 window shades for front windows	14.23
For setting marble slabs at washbowls and bathrooms	15.00
For cleaning house and furniture	50.00
For repairing ornamental glass (front) door	5.00
For scraping and polishing hard-wood floor in parlor	50.00

Then, on the preceding page of the same report, I find the following items:

T. F. Strong, carpenter	$16.90
J. P. Prendergrast, roofer	5.25
Burley & Co., 2 cups and saucers	3.00

And a scrub woman has been paid $1.50. So it goes. On the pages of this report will be found other similar itemized accounts of claims of various citizens which we are called upon to pay. For one I do not admit the liability of the Government. For one I will not vote to pay, because the liability, in my estimation, does not exist.

Mr. RICHARDSON. I yield to the gentleman from California [Mr. Loud].

Mr. LOUD. Mr. Speaker, if, after due investigation by a proper committee or by a proper court, the Government was adjudged to be liable in this case, I should readily give my assent to it; but a very casual examination of the items in this bill shows that an estimate of more than double the original cost of new goods is provided for in this bill.

This is establishing a very dangerous precedent. I want to call the attention of the House to the fact that if this bill had come regularly before the House in any other manner except under suspension of the rules I think the point of order would have held good against it that this bill should have been considered first by the Committee on Claims. Now, of course those on the other side have said that the Committee on Claims are not more competent to judge of the merits of a case of this character than the Committee on Military Affairs; but the Committee on Claims are appointed with the object in view of their peculiar fitness for considering cases of this kind. Having served on that committee myself for four years, I know that that committee establish a line of precedents and follow it as carefully as the human mind can during their whole session. When they have established one precedent, that precedent is well known in that committee.

Now, I will say on behalf of the Committee on Post-Offices and Post-Roads that, while during this session and previous sessions many claims have been presented to that committee for robberies of post-offices, we have invariably referred these bills back to the House with the request that they go to the Committee on Claims, which committee has always considered bills of this character. I do not think it would be wise for the House, especially under the conditions under which this bill is brought before the House to-day, to pass the bill. True, it is but a small amount of money; but it is establishing a precedent. The gentleman from New Jersey [Mr. Parker], I think, brought up the case of a vessel destroyed near New York Harbor by a battery under command of an army officer. That case came before the Committee on Claims and was presented to me, and I believe I made the report. That vessel was destroyed by a shell from a cannon at target practice, not in time of war or riot, and the vessel was more than 2 miles from the proper course of that target.

These troops were in Chicago in the performance of their orders. They were there suppressing riots. Perhaps the riots had been suppressed a day or two preceding, but they were there under orders, and you might just as well hold United States troops responsible for damages done on their return from a battlefield after a battle had been fought as hold the United States responsible in this case, and I hope the House will not pass this bill, because it would establish, as I believe, a dangerous precedent.

Mr. RICHARDSON. I yield five minutes to the gentleman from Massachusetts [Mr. Walker].

Mr. WALKER of Massachusetts. Mr. Speaker, it seems to me this is an exceedingly dangerous precedent. It seems to me, furthermore, that even if the judgment of the House should be favorable to the consideration of this claim when all the facts were before it, yet that the claim has not been investigated in a proper manner, and a report presented here, giving us such facts as would justify us in voting for it. If any claim has ever been presented to this House that ought to be sent under the Bowman Act to the Court of Claims it is this claim. We can not by any means justify ourselves in suspending the rules and passing a claim of this kind. There are thousands and hundreds of thousands of dollars owed to citizens where there is not the slightest doubt as to what is due them. They have been adjudicated by the Court of Claims and unanimously approved by House committees, but we have not sufficient facts before us to justify us in ordering the payment of this claim.

I want to emphasize, furthermore, Mr. Speaker, what the gentleman from Tennessee [Mr. Richardson] has said. Chicago herself is responsible for the condition of things that justified the Army in being there. I want to say again that it was a part of the duty of the Army, being there, to exhibit the majesty, the power, the dignity, and the lawful authority of the United States in being there. The marching of these troops through the streets of Chicago not only before but after these riots was as necessary a part of the duty of the Army in suppressing those riots and in preventing future riots as any act they did there. This can not be said to be exceptional in the duty of those troops. The United States should not be called upon to pay simply because the troops were moving after the riots had been suppressed. Furthermore, from all the facts that appear here, apparently the streets of Chicago were in a condition that would subject the city to liability for any accident that might occur either to United States troops, United States carriages, or the carriages of private citizens, or any vehicle or person going through the streets. If this bill ought to be paid, the responsibility belongs to the city of Chicago and State of Illinois to pay it and not to the United States.

Mr. RICHARDSON. I yield the remainder of my time to the gentleman from Ohio [Mr. Grosvenor].

Mr. HOPKINS. How much time has the gentleman? He seems to have been yielding about forty minutes out of twenty.

The SPEAKER. The gentleman yields two minutes to the gentleman from Ohio.

Mr. GROSVENOR. Mr. Speaker, I want to call attention to one or two of these items which are to be paid by the Government, without any assurance that there was negligence on the part of anybody or any local official. On page 11 of this report you will find $101.75 as actual money paid out by the person setting up the claim, Mrs. Helen Palmer, and then comes this singular statement:

Estimates by tradesmen and owner of work, etc., yet to be done:	
George Parker, plastering, repainting, general repairing	$1,500
Miscellaneous carpenter and mason work	15
W. P. Nelson Company, repapering	310
Window shades	25
Gas globes broken	5
Removing, relaying, and cleaning carpets	90
Cleaning floors, windows, woodwork, etc	45
Repairing lawn	25
Rent of house for three rooms during progress of repairs	600

All of which is an estimate for work in the future, to be paid for, and this item of rent for three rooms, when the work hereafter is to be done. There is not a shadow of liability even alleged against the Government. There is no negligence by the Government or anybody else. The Government was in the discharge of its duty, doing just what it had a right to do. An accident happened without anybody's fault—an accident which nobody has ever been able to explain—and this charge is made. It is a singular

precedent. It is going beyond any claim that we have ever seen presented in the House.

Mr. MITCHELL. Was there any reprimand by the Government of the officer in charge of these troops?

Mr. GROSVENOR. No, sir; nobody could be censured. It is a very thankless thing to prevent the passage of a bill like this, but it is establishing a precedent that will come back to give us a great deal of trouble in the future if we should pass a bill of this kind.

Mr. HOPKINS. Mr. Speaker——

Mr. RICHARDSON. How much time have they consumed on the other side?

The SPEAKER. The time of the gentleman from Tennessee is consumed.

Mr. RICHARDSON. How much has been used on the other side?

The SPEAKER. The other side has eight minutes.

Mr. ALDRICH. I yield five minutes to my colleague, Mr. HOPKINS.

Mr. HOPKINS. Mr. Speaker, I am a little surprised at the position assumed by the gentleman from Massachusetts [Mr. WALKER]. What his private grievance is against the city of Chicago I know not——

Mr. WALKER of Massachusetts. Mr. Speaker——

Mr. HOPKINS. I decline to be interrupted.

Mr. WALKER of Massachusetts. I call the gentleman to order.

Mr. HOPKINS. This must not be taken out of my time.

Mr. WALKER of Massachusetts. I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. WALKER of Massachusetts. My point is that it is not within the parliamentary right of a gentleman to charge me, when I am attempting to discharge my public duty, with having a private grievance against the city of Chicago. I have none. I have about as much property there as the gentleman has.

Mr. HOPKINS. If he disclaims having a grievance against that city I withdraw the remark.

Mr. WALKER of Massachusetts. No; I would not descend to disclaim having a private grievance until the gentleman should prove it in some form or other, and by parliamentary practice he should be required to withdraw the charge.

The SPEAKER. The gentleman will proceed in order.

Mr. HOPKINS. I simply inferred from the line of remarks indulged in by the gentleman from Massachusetts that he must have some private grievance, because he submitted to the House no public reason why this claim should not be paid. I want to say that the gentleman from Tennessee has presented the fact here that some claims in his section have not been paid, and therefore this claim of Chicago should not be considered. Such considerations are unworthy to be presented to the intelligent members of this House. The only question for us to consider is whether these claims are legal, proper, and just. If so, they should be paid. I want to call the attention of the House to the fact that the parties who have incurred these losses, amounting to about $15,000, are not responsible in the least for the condition of affairs that existed in the city of Chicago and called for the presence of the Federal troops. They are not responsible for the action or the nonaction of the governor of the State on that occasion. They are not responsible for the administration of that city by the mayor.

Mr. QUIGG. May I ask the gentleman a question?

Mr. HOPKINS. I can not yield in my five minutes. These parties are innocent, unoffending citizens of Chicago who have been injured by the action of the Federal authorities, to the total of the items set forth in this bill. Let us look for a moment and see who should sustain this loss. No lawyer will contend for a moment that under the circumstances the city of Chicago is responsible to the parties for these losses.

Mr. RICHARDSON. Will the gentleman permit a question?

Mr. HOPKINS. I can not be interrupted. I say, Mr. Speaker, no lawyer will contend that the city of Chicago is responsible for these damages, nor will any lawyer contend that the State of Illinois should be held responsible; so that if the General Government does not come to the rescue these people will lose the amounts set opposite their names in this bill. And for what reason? Simply that the United States Government troops might have a holiday. That is all. The commanding general, Major-General Miles, in his order says that this was a practice march. It was not a march for the purpose of disciplining the people, or for the preservation of order, or for any purpose for which the troops were sent to Chicago. That purpose had become a thing of the past, and there was no more reason why there should be a practice march of the troops upon that occasion than there is now for the commanding general at the neighboring fort here to bring over his troops and march them around this building.

Mr. COOPER of Wisconsin. And this explosion occurred at least 3 miles from the scene of the riots?

Mr. HOPKINS. Yes; as the gentleman from Wisconsin suggests, the scene of this explosion was more than 3 miles from where the riots had taken place. It was in a thickly populated portion of the city, and this military show passed through there, as I have stated, under conditions that were entirely unwarranted or at least uncalled for.

Gentlemen say there is no legal liability. I desire to impress upon the members of this House that the Federal authorities were guilty of negligence in having a caisson that was loaded go over the streets in that part of the city. The gentleman from Minnesota [Mr. TAWNEY] suggests further that the very fact that the commanding general who had ordered this practice march ordered a court of inquiry, had an estimate made of the damages that were sustained by these parties, and recommended compensation is evidence that he, who was on the spot and familiar with all the facts, understood that the Government of the United States had been guilty of negligence.

The SPEAKER. The time of the gentleman has expired.

Mr. HOPKINS. I ask for two minutes more.

There was no objection.

Mr. HOPKINS. Another thing that I desire to impress upon members is that these facts were all presented to the Secretary of War. Now, we know from experience as members of this House that none of the great Departments of the Government recommend the payment of claims in cases where there is no liability upon the part of the Government. We know that they never make recommendation to Congress for the payment of such claims unless full and fair investigation has satisfied them that the claims are just, and that there is a liability on the part of the General Government. We start out, then, in this case, first, with the fact that Major-General Miles, who was present and saw the dreadful catastrophe and the damages resulting from the explosion, called a court of inquiry, made an investigation, and recommended to the Secretary of War that these claims be paid; second, we find that the Secretary of War, after these estimates had been made, went over them carefully and recommended to Congress that the claims be paid; and third, we have a report from the Committee on Military Affairs of this House, who make the recommendation contained in their report. I may say, in passing, that that is a committee which in point of intelligence, discretion, and ability will compare with any committee of this House, and they unanimously report that in their judgment the General Government is liable and that these claims ought to be paid.

Now, Mr. Speaker, I trust that the members of this House will not do such an injustice to these people in the city of Chicago as to deny them payment of the sum of $15,000, as estimated in this report, by way of compensation for the damages resulting to them from that explosion, and I trust this bill will go through the House without even a division. I call for a vote.

Mr. TERRY. Mr. Speaker, I ask for the yeas and nays on the motion of the gentleman to suspend the rules and pass this bill.

The yeas and nays were ordered.

The question was taken; and there were—yeas 87, nays 105, not voting 161, present 1; as follows:

YEAS—87.

Adams,	Crump,	Howell,	Pearson,
Aldrich, Ill.	Curtis, Iowa.	Hunter,	Pitney,
Andrews,	Curtis, N. Y.	Joy,	Price,
Arnold, Pa.	Daniels,	Kirkpatrick,	Reeves,
Avery.	De Witt,	Knox,	Reyburn,
Babcock,	Doolittle,	Kulp,	Rinaker,
Baker, N. H.	Evans,	Leonard,	Sherman,
Barney,	Fairchild,	Linney,	Sperry,
Bartholdt,	Fenton,	Linton,	Stewart, N. J.
Belknap,	Fischer,	Low,	Stewart, Wis.
Bingham,	Fletcher,	Mahany,	Sulloway,
Bishop,	Gibson,	Mahon,	Tawney,
Brewster,	Goodwyn,	Marsh,	Thomas,
Bull,	Graff,	Mercer,	Thorp,
Burrell,	Griffin,	Minor, Wis.	Tracey,
Calderhead,	Grow,	Mitchell,	Van Horn,
Clark, Iowa	Halterman,	Mondell,	Wanger,
Clark, Mo.	Hardy,	Murphy,	Willis,
Cook, Wis.	Harmer,	Otjen,	Wilson, Idaho
Cooke, Ill.	Henderson,	Overstreet,	Wood,
Cooper, Wis.	Hooker,	Parker,	Woodman.
Corliss,	Hopkins,	Payne,	

NAYS—105.

Abbott,	Cooper, Tex.	Hart,	Loud,
Allen, Miss.	Crowther,	Hemenway,	Maguire,
Arnold, R. I.	Culberson,	Henry, Conn.	McCall, Tenn.
Baker, Kans.	Dingley,	Henry, Ind.	McCreary, Ky.
Baker, Md.	Dockery,	Hepburn,	McCulloch,
Bell, Colo.	Dovener,	Hill,	McDearmon,
Bell, Tex.	Draper,	Howe,	McEwan,
Berry,	Ellett,	Huff,	McMillin,
Black, Ga.	Erdman,	Hulick,	Miller, W. Va.
Bromwell,	Faris,	Huling,	Moody,
Brumm,	Fitzgerald,	Johnson, N. Dak.	Mozley,
Buck,	Fowler,	Kem,	Noonan,
Burton, Mo.	Gillet, N. Y.	Kerr,	Ogden,
Catchings,	Grosvenor,	Kleberg,	Otey,
Chickering,	Grout,	Lacey,	Patterson,
Clardy,	Hager,	Lefever,	Poole,
Cobb,	Hainer, Nebr.	Leighty,	Powers,
Cockrell,	Hall,	Lester,	Pugh,
Codding,	Harris,	Lewis,	Quigg,

Raney,	Stahle,	Tayler,	Van Voorhis,
Robertson, La.	Stone, C. W.	Terry,	Walker, Mass.
Russell, Conn.	Strong,	Tracewell,	Williams,
Sayers,	Strowd, N. C.	Treloar,	Woodard,
Scranton,	Sulzer,	Turner, Ga.	Wright.
Shafroth,	Taft,	Tyler,	
Shuford,	Talbert,	Underwood,	
Southwick,	Tate.	Updegraff,	

NOT VOTING—161.

Acheson,	Dolliver,	Lorimer,	Settle,
Aitken,	Eddy,	Loudenslager,	Shannon,
Aldrich, Ala.	Ellis,	Maddox,	Shaw,
Allen, Utah	Foote,	Martin,	Simpkins,
Anderson,	Foss,	McCall, Mass.	Skinner,
Apsley,	Gamble,	McCleary, Minn.	Smith, Ill.
Atwood,	Gardner,	McClellan,	Smith, Mich.
Bailey,	Gillett, Mass.	McClure,	Snover,
Bankhead,	Griswold,	McCormick,	Sorg,
Barham,	Hadley,	McLachlan,	Southard,
Barrett,	Hanly,	McLaurin,	Spalding,
Bartlett, Ga.	Harrison,	McRae,	Sparkman,
Bartlett, N. Y.	Hartman,	Meiklejohn,	Spencer,
Beach,	Hatch,	Meredith,	Stallings,
Bennett,	Heatwole,	Meyer,	Steele,
Black, N. Y.	Heiner, Pa.	Miles,	Stephenson,
Blue,	Hendrick,	Miller, Kans.	Stone, W. A.
Boutelle,	Hermann,	Milliken,	Strait,
Bowers,	Hicks,	Milnes,	Strode, Nebr.
Broderick,	Hilborn,	Miner, N. Y.	Swanson,
Brosius,	Hitt,	Money,	Towne,
Brown,	Howard,	Morse,	Tucker,
Burton, Ohio	Hubbard,	Moses.	Turner, Va.
Cannon,	Hull,	Murray,	Wadsworth,
Clarke, Ala.	Hurley,	Neill,	Walker, Va.
Coffin,	Hutcheson,	Newlands,	Warner,
Colson,	Hyde,	Northway,	Washington,
Connolly,	Jenkins,	Odell,	Watson, Ind.
Cooper, Fla.	Johnson, Cal.	Owens,	Watson, Ohio
Cousins,	Johnson, Ind.	Pendleton,	Wellington,
Cowen,	Jones,	Perkins,	Wheeler,
Cox,	Kendall,	Phillips,	White,
Crisp,	Kiefer,	Pickler,	Wilber,
Crowley,	Kyle,	Prince,	Wilson, N. Y.
Cummings,	Latimer,	Ray,	Wilson, Ohio
Curtis, Kans.	Lawson,	Richardson,	Wilson, S. C.
Danford,	Layton,	Robinson, Pa.	Woomer,
Dayton,	Leisenring,	Royse,	Yoakum.
De Armond,	Little,	Rusk,	
Denny,	Livingston,	Russell, Ga.	
Dinsmore,	Long,	Sauerhering,	

PRESENT—1.

Dalzell.

So (two-thirds not voting in the affirmative) the motion to suspend the rules and pass the bill was not agreed to.

The following pairs were announced:

Until further notice:

Mr. ALDRICH of Alabama with Mr. MOSES.

Mr. LEISENRING with Mr. TUCKER.

Mr. HICKS with Mr. LITTLE.

Mr. WHITE with Mr. SPARKMAN.

Mr. ROYSE with Mr. TURNER of Virginia.

Mr. HITT with Mr. WASHINGTON.

Mr. WILLIAM A. STONE with Mr. LAWSON.

Mr. COLSON with Mr. KENDALL.

Mr. FOOTE with Mr. HUTCHESON.

Mr. MEIKLEJOHN with Mr. CROWLEY.

Mr. BARHAM with Mr. KYLE.

Mr. JOHNSON of Indiana with Mr. COX.

Mr. TRACEY with Mr. MCRAE.

Mr. SMITH of Michigan with Mr. BERRY.

Mr. TOWNE with Mr. WILSON of South Carolina.

Mr. SNOVER with Mr. MADDOX.

Mr. BOWERS with Mr. MINER of New York.

Mr. COUSINS with Mr. LIVINGSTON.

Mr. FOSS with Mr. MCLAURIN.

Mr. HEATWOLE with Mr. DINSMORE.

Mr. STEELE with Mr. MCCLELLAN.

Mr. SPALDING with Mr. SPENCER.

Mr. STEPHENSON with Mr. NEILL.

Mr. GILLETT of Massachusetts with Mr. COWEN.

Mr. MCCALL of Massachusetts with Mr. DE ARMOND.

Mr. PICKLER with Mr. MILES.

Mr. JENKINS with Mr. DENNY.

Mr. DALZELL with Mr. CRISP.

For this day:

Mr. MCCLEARY of Minnesota with Mr. RUSK.

On this vote:

Mr. NORTHWAY with Mr. MEREDITH.

Mr. LOUDENSLAGER with Mr. SHAW.

Mr. WOOMER with Mr. YOAKUM.

Mr. CANNON with Mr. SORG.

Mr. MCCALL of Tennessee. I desire to state that my colleague, Mr. BROWN, is detained from the House on account of sickness.

The result of the vote was announced as above stated.

ELECTION CONTEST—ALDRICH VS. UNDERWOOD.

Mr. DANIELS. I desire to call up the contested-election case of Aldrich *vs.* Underwood, from the Ninth Congressional district of Alabama.

Mr. TAWNEY. I rise to a parliamentary inquiry.

The SPEAKER pro tempore (Mr. PAYNE). The gentleman will state it.

Mr. TAWNEY. Mr. Speaker, this is the legislative day of Saturday, and we are proceeding under a rule adopted at the beginning of this legislative day for the consideration of matters under motions to suspend the rules. I submit that this election case can not supersede the order of business under the special rule adopted by the House at the beginning of this legislative day.

The SPEAKER pro tempore. The special rule under which the House is now operating is, as the Chair understands, not different in its effect from the standing rule with regard to suspension of the rules on certain Mondays of each month. The question of the right of a member to his seat has always been held to be one of the highest privilege. The gentleman from New York [Mr. DANIELS] is in order.

Mr. MCMILLIN. I raise the question of consideration upon this election case.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. MCMILLIN] raises the question of consideration. The Chair thinks the first thing in order will be the reading of the resolutions reported from the Committee on Elections which the gentleman from New York [Mr. DANIELS] desires to call up.

Mr. MCMILLIN. I am entirely willing that they should be read; but I do not want to waive my right to raise the question of consideration.

The SPEAKER pro tempore. The gentleman will be recognized as raising that question.

The Clerk read as follows:

Resolved, That Oscar W. Underwood was not elected a member of the House of Representatives from the Ninth Congressional district of Alabama for the Fifty-fourth Congress, and is not entitled to a seat therein.

Resolved, That Truman H. Aldrich was elected a member of the House of Representatives from the Ninth Congressional district of Alabama for the Fifty-fourth Congress, and is entitled to a seat therein.

The SPEAKER pro tempore. On the resolutions just read the gentleman from Tennessee raises the question of consideration. The question is, Will the House now proceed to the consideration of these resolutions?

The question being taken, there were—yeas 55, nays 64.

The SPEAKER pro tempore. The noes have it; and the House refuses to consider the resolutions.

DELIVERY OF CERTAIN IMPORTED PACKAGES AND PARCELS.

The SPEAKER pro tempore (Mr. PAYNE) laid before the House a bill (H. R. 6259) to expedite the delivery of imported parcels and packages not exceeding $500 in value, with amendments by the Senate. The amendments were read at length.

Mr. DALZELL. Mr. Speaker, I move that the House concur in the Senate amendments.

Mr. TURNER of Georgia. I would be glad if the gentleman from Pennsylvania would give some explanation as to the character of the Senate amendments. I was not able to catch the amendments from the reading of the bill.

Mr. DALZELL. Mr. Speaker, I will say in reply to my friend from Georgia that there are two matters substantially covered by the amendments, one of them defining more particularly than the House bill the character of packages that are contemplated by the legislation proposed.

Mr. TURNER of Georgia. What is the character of packages?

Mr. DALZELL. Well, there is a provision that makes it absolutely impossible for these packages to contain merchandise, for instance, bought for the purpose of resale. The other is that the appraisal shall not be made on the wharf, as provided in the House bill, but in the regular way. The amendments are both at the suggestion, I understand, of the Secretary or Assistant Secretary of the Treasury. In all other respects the bill is substantially as it passed the House.

I move, therefore, to concur in the Senate amendment.

The motion was agreed to.

LAWS RELATING TO AMERICAN SEAMEN.

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 6399) to amend the laws relating to American seamen, with the amendments recommended by the Committee on Merchant Marine and Fisheries.

The SPEAKER. The bill will be read with the amendments.

The bill was read, as follows:

Be it enacted, etc., That section 4516 of the Revised Statutes be, and is hereby, amended so as to read as follows:

"SEC. 4516. In case of desertion or casualty resulting in the loss of one or more seamen the master must ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same grade or rating and equally expert with those whose place or position they refill, and report the same to the United States consul at the first port at which he shall arrive, without incurring the penalty prescribed by the two preceding sections."

SEC. 2. That section 4520 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4520. Every master of any vessel of the burden of 50 tons or upward, bound from a port in one State to a port in British North America or the West India Islands, or to a port in any other than an adjoining State, except vessels of the burden of 75 tons or upward, bound from a port on the Atlantic

to a port on the Pacific, or vice versa, shall, before he proceeds on such voyage, make an agreement, in writing or in print, with every seaman on board such vessel, except such as shall be apprentice or servant to himself or owners, declaring the voyage or term of time for which such seaman shall be shipped."

SEC. 3. That section 4522 of the Revised Statutes be, and is hereby, amended so as to read as follows:

"SEC. 4522. At the foot of every such contract to ship upon such a vessel of the burden of 50 tons or upward there shall be a memorandum in writing of the day and the hour when such seaman who shipped and subscribed shall render himself on board to begin the voyage agreed upon. If any seaman shall neglect or omit to render himself on board the vessel for which he has shipped at the time mentioned in such memorandum without giving twenty-four hours' notice of his inability to do so, and if the master of the vessel shall, on the day in which such neglect happened, make an entry in the log book of such vessel of the name of such seaman, and shall in like manner note the time that he so neglected to render himself after the time appointed, then every such seaman shall forfeit for every hour which he shall so neglect to render himself one-half of one day's pay, according to the rate of wages agreed upon, to be deducted out of his wages. If any such seaman shall wholly neglect to render himself on board of such vessel, or having rendered himself on board shall afterwards desert, he shall forfeit all of the wages or emoluments which he has then earned."

SEC. 4. That section 4526 of the Revised Statutes be, and is hereby, amended so as to read as follows:

"SEC. 4526. In cases where the service of any seaman terminates before the period contemplated in the agreement, by reason of the loss or wreck of the vessel, such seaman shall be entitled to wages for the time of service prior to such termination, but not for any further period. Such seaman shall be considered as a destitute seaman and shall be treated and transported to port of shipment as provided in sections 4577, 4578, and 4579 of the Revised Statutes of the United States."

SEC. 5. That section 4529 of the Revised Statutes be, and is hereby, amended so as to read as follows:

"SEC. 4529. The master or owner of any vessel making coasting voyages shall pay to every seaman his wages within two days after the termination of the agreement under which he shipped, or at the time such seaman is discharged, whichever first happens; and in the case of vessels making foreign voyages, or from a port on the Atlantic to a port on the Pacific, or vice versa, within twenty-four hours after the cargo has been discharged, or within four days after the seaman has been discharged, whichever first happens; and in all cases the seaman shall, at the time of his discharge, be entitled to be paid, on account of wages, a sum equal to one-third part of the balance due him. Every master or owner who refuses or neglects to make payment in manner hereinbefore mentioned without sufficient cause shall pay to the seaman a sum equal to the amount of two days' pay for each and every day during which payment is delayed beyond the respective periods, which sum shall be recoverable as wages in any claim made before the court; but this section shall not apply to the masters or owners of any vessel the seamen on which are entitled to share in the profits of the cruise or voyage."

SEC. 6. That section 4530 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4530. Every seaman on a vessel of the United States shall be entitled to receive from the master of the vessel to which he belongs one-third part of the wages which shall be due him at every port where such vessel shall unload and deliver her cargo before the voyage is ended, unless the contrary be expressly stipulated in the contract; and when the voyage is ended every such seaman shall be entitled to the remainder of the wages which shall then be due him as provided in section 4529 of the Revised Statutes."

SEC. 7. That section 4547 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4547. If the master against whom such summons is issued neglects to appear, or, appearing, does not show that the wages are paid, or otherwise satisfied or forfeited, and if the matter in dispute is not forthwith settled, the judge or justice or commissioner shall certify to the clerk of the district court that there is sufficient cause of complaint whereon to found admiralty process; and thereupon the clerk of such court shall issue process against the vessel. In all cases where the matter in demand does not exceed $100, the return day of the monition or citation shall be the first day of a stated or special session or court next succeeding the third day after the service of the monition or citation, and on the return of process in open court, duly served, either party may proceed therein to proofs and hearing without other notice, and final judgment shall be given according to the usual course of admiralty courts in such cases. In such suits all the seamen having cause of complaint of the like kind against the same vessel may be joined as complainants, and it shall be incumbent on the master to produce the contract and log book if required to ascertain any matter in dispute; otherwise the complainants shall be permitted to state the contents thereof, and the burden of proof of the contrary shall be on the master. But nothing herein contained shall prevent any seamen from maintaining any action at common law for the recovery of his wages, or having immediate process out of any court having admiralty jurisdiction wherever any vessel may be found, in case she shall have left the port of delivery where her voyage ended before payment of the wages, or in case she shall be about to proceed to sea before the end of the ten days next after the delivery of her cargo or ballast."

SEC. 8. That section 4556 of the Revised Statutes be, and hereby is, amended so as to read as follows:

"SEC. 4556. If the first and second officers under the master or a majority of the crew of any vessel bound on any voyage shall, before the vessel shall have left the harbor, discover that the vessel is too leaky or is otherwise unfit in her crew, body, tackle, apparel, furniture, provisions, or stores to proceed on the intended voyage, and shall require such unfitness to be inquired into, the master shall, upon the request of the first and second officers under the master or such majority of the crew, forthwith apply to the judge of the district court of that judicial district, if he shall there reside, or if not, to some justice of the peace of the city, town, or place for the appointment of surveyors, as in section 4557 provided, taking with him two or more of the crew who shall have made such request; and any master neglecting or refusing to comply with these provisions shall be liable to a penalty of $500."

SEC. 9. That section 4557 of the Revised Statutes be, and hereby is, amended to read as follows:

"SEC. 4557. The judge, or justice, or consul, or consular agent, or person who may discharge the duties of consul, if in a foreign port, shall, upon such application of the master or commander, issue his precept, directed to three persons in the neighborhood, the most experienced and skillful in maritime affairs that can be procured. It shall be the duty of such surveyors to repair on board such vessel and to examine the same in respect to the defects and insufficiencies complained of, and they shall make report to the judge, or justice, or consul, or consular agent, as the case may be, in writing, under all their hands or the hands of two of them, whether in any and in what respect the vessel is unfit to proceed on the intended voyage, and what addition of men, provisions, or stores, or what repairs or alterations in the body, tackle, or apparel will be necessary; and upon such report the judge, the justice, or consul, or consular agent shall adjudge and shall indorse on the report his judgment whether the vessel is fit to proceed on the intended voyage, and, if not, whether such repairs can be made or deficiencies supplied where the vessel then lies, or whether it is necessary for her to proceed to the nearest or most convenient place where such repairs can be made or deficiencies supplied; and the master and the crew shall, in all things conform to the judgment. The master or commander shall in the first instance, pay all the costs of such review, report, or judgment, to be taxed and allowed on a fair copy thereof, certified by the judge or justice. But if the complaint of the crew shall appear upon the report and judgment to have been without foundation, the master or commander, or the owner or consignee of such vessel, shall deduct the amount thereof, and of the reasonable damages for the detention, to be ascertained by the judge, or justice, or consul, or consular agent, out of the wages of the complaining seamen."

SEC. 10. That section 4558 of the Revised Statutes be, and hereby is, amended to read as follows:

"SEC. 4558. If after judgment that such vessel is fit to proceed on her intended voyage, or after procuring such men, provisions, stores, repairs, or alterations as may be directed, the seamen, or either of them, shall refuse to proceed on the voyage, he shall forfeit his effects on board and any wages that may be due him."

SEC. 11. That section 4559 of the Revised Statutes be, and hereby is, amended to read as follows:

"SEC. 4559. Upon a complaint in writing, signed by the first, or the second and third officers and a majority of the crew, of any vessel while in a foreign port, that such vessel is in an unsuitable condition to go to sea because she is leaky, or insufficiently supplied with sails, rigging, anchors, or any other equipment, or that the crew is insufficient to man her, or that her provisions, stores, and supplies are not or have not been during the voyage, sufficient and wholesome; thereupon, in any of these, or like cases, the consul, or a commercial agent who may discharge any duties of a consul, shall cause to be appointed three persons, of like qualifications with those described in section 4557, who shall proceed to examine into the causes of complaint, and they shall be governed in all their proceedings and proceed as provided in section 4557."

SEC. 12. That section 4561 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4561. The inspectors in their report shall also state whether, in their opinion, the vessel was sent to sea unsuitably provided in any important or essential particular, by neglect or design, or through mistake or accident; and in case it was by neglect or design, and the consular officer approves of such finding, he shall discharge such of the crew as request it, and shall require the payment by the master of one month's wages for each seaman over and above the wages then due, or sufficient money for the return of such of the crew as desire to be discharged to the nearest and most convenient port of the United States, or by furnishing the seaman who so desires to be discharged with employment on a ship agreed to by him. But if, in the opinion of the inspectors, the defects or deficiencies found to exist have been the result of mistake or accident, and could not, in the exercise of ordinary care, have been known and provided against before the sailing of the vessel, and the master shall, in a reasonable time, remove or remedy the causes of complaint, then the crew shall remain and discharge their duty. If any person knowingly sends or attempts to send or is party to sending or attempting to send an American ship to sea in such an unseaworthy state that the life of any person is likely to be thereby endangered, he shall in respect of each offense be guilty of a misdemeanor, unless he proves that either he used all reasonable means to insure her being sent to sea in a seaworthy state, or that her going to sea in an unseaworthy state was, under the circumstances, reasonable and justifiable, and for the purpose of giving that proof he may give evidence in the same manner as any other witness."

SEC. 13. That section 4564 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4564. Should any master or owner of any merchant vessel of the United States neglect to provide a sufficient quantity of stores to last for a voyage of ordinary duration to the port of destination, and in consequence of such neglect the crew are compelled to accept a reduced scale, such master or owner shall be liable to a penalty as provided in section 4568 of the Revised Statutes."

SEC. 14. That section 4566 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4566. If the officer to whom any such complaint in regard to the provisions or the water is made certifies in such statement that there was no reasonable grounds for such complaint, each of the parties so complaining shall forfeit to the master or owner his share of the expense, if any, of the survey, and shall be liable to forfeit to the Marine-Hospital Service a sum not exceeding one week's wages."

SEC. 15. That section 4568 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4568. If, during a voyage, the allowance of any of the provisions which any seaman is entitled to under section 4612 of the Revised Statutes, except for any time during which such seaman willfully and without sufficient cause refuses or neglects to perform his duty, or is lawfully under confinement for misconduct, either on board or on shore; or if it shall be shown that any of such provisions are, or have been during the voyage, bad in quality and unfit for use, the seaman shall receive, by way of compensation for such reduction or bad quality, according to the time of its continuance, the following sums, to be paid to him in addition to and to be recoverable as wages:

"First. If his allowance is reduced by any quantity not exceeding one-third of the quantity specified in the agreement, a sum not exceeding 50 cents a day.

"Second. If his allowance is reduced by more than one-third of such quantity, a sum not exceeding $1 a day.

"Third. In respect of bad quality, a sum not exceeding $1 a day.

"But if it is shown to the satisfaction of the court before which the case is tried that any provisions, the allowance of which has been reduced, could not be procured or supplied in sufficient quantities, or were unavoidably injured or lost, or if by reason of its innate qualities any article becomes unfit for use and that proper and equivalent substitutes were supplied in lieu thereof, the court shall take such circumstances into consideration and shall modify or refuse compensation as the justice of the case may require."

SEC. 16. That section 4572 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4572. Every vessel bound on any foreign voyage exceeding in length fourteen days shall also be provided with at least one suit of woolen clothing for each seaman, and every vessel in the foreign or domestic trade shall provide a safe and warm room for the use of seamen in cold weather. Failure to make such provision shall subject the owner or master to a penalty of not less than $100."

SEC. 17. That section 4581 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4581. If any consular officer, when discharging any seaman, shall neglect to require the payment of and collect the arrears of wages and extra wages required to be paid in the case of the discharge of any seaman, he shall be accountable to the United States for the full amount thereof. The master shall provide any seaman so discharged with employment on a vessel agreed to by the seaman or shall provide him with one month's extra wages,

if it shall be shown to the satisfaction of the consul that such seaman was not discharged for neglect of duty, incompetency, or injury incurred on the vessel. If the seaman is discharged by voluntary consent before the consul, he shall be entitled to his wages up to the time of his discharge, but not for any further period. If the seaman is discharged on account of injury or illness, incapacitating him for service, the expenses of his maintenance and return to the United States shall be paid from the fund for the maintenance and transportation of destitute American seamen."

SEC. 18. That section 4582 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4582. Whenever a vessel of the United States is sold in a foreign country and her company discharged, it shall be the duty of the master to produce to the consular officer a certified list of the ship's company, and also the shipping articles, and besides paying to each seaman or apprentice the wages due him, he shall either provide him with adequate employment on board some other vessel bound to the port at which he was originally shipped, or to such other port as may be agreed upon by him, or furnish the means of sending him to some such port, or provide him with a passage home, or deposit with the consular officer such a sum of money as is by the officer deemed sufficient to defray the expenses of his maintenance and passage home; and the consular officer shall indorse upon the agreement with the crew of the ship which the seaman or apprentice is leaving the particulars of any payment, provision, or deposit made under this section. A failure to comply with the provisions of this section shall render the owner liable to a fine of not exceeding $50."

SEC. 19. That section 4583 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4583. Whenever on the discharge of a seaman in a foreign country by a consular officer on his complaint that the voyage is continued contrary to agreement, or that the vessel is badly provisioned or unseaworthy, or against the officers for cruel treatment, it shall be the duty of the consul or consular agent to institute a proper inquiry into the matter, and, upon his being satisfied of the truth and justice of such complaint, he shall require the latter to pay to such seaman one month's wages over and above the wages due at time of discharge, and to provide him with adequate employment on board some other vessel, or provide him with a passage on board some vessel bound to the port from which he was originally shipped, or to the most convenient port of entry in the United States, or to a port agreed to by the seaman."

SEC. 20. That section 4596 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4596. Whenever any seaman who has been lawfully engaged, or any apprentice to the sea service, commits any of the following offenses, he shall be punishable as follows:

"First. For desertion in any foreign port, by forfeiture of all or any part of the clothes or effects he leaves on board and of all or any part of the wages or emoluments which he has then earned.

"Second. For desertion in a port of the United States, by forfeiture of all or any part of the clothes or effects he leaves on board and of all or any part of the wages or emoluments which he has then earned.

"Third. For neglecting or refusing, without reasonable cause, to join his vessel or to proceed to sea in his vessel, or for absence without leave at any time within twenty-four hours of the vessel's sailing from any port, either at the commencement or during the progress of any voyage, or for absence at any time without leave and without sufficient reason from his vessel or from his duty, not amounting to desertion or not treated as such by the master, by a forfeiture of his wages of not more than two days' pay.

"Fourth. For quitting the vessel without leave after her arrival at her port of delivery and before she is placed in security, by forfeiture out of his wages of not more than one month's pay.

"Fifth. For willful disobedience to any lawful command, by forfeiture out of his wages of not more than four days' pay or, at the discretion of the court, by imprisonment for not more than one month.

"Sixth. For continued willful disobedience to lawful command or continued willful neglect of duty, by forfeiture, for every twenty-four hours' continuance of such disobedience or neglect, of either a sum of not more than twelve days' pay or sufficient to defray any expenses which have been properly incurred in hiring a substitute, and also, at the discretion of the court, by imprisonment for not more than three months.

"Seventh. For assaulting any master or mate, by imprisonment for not more than two years.

"Eighth. For combining with any others of the crew to disobey lawful commands, or to neglect duty, or to impede navigation of the vessel or the progress of the voyage, by imprisonment for not more than twelve months.

"Ninth. For willfully damaging the vessel, or embezzling or willfully damaging any of the stores or cargo, by forfeiture out of his wages of a sum equal in amount to the loss thereby sustained, and also, at the discretion of the court, by imprisonment for not more than twelve months.

"Tenth. For any act of smuggling for which he is convicted, and whereby loss or damage is occasioned to the master or owner, he shall be liable to pay such master or owner such a sum as is sufficient to reimburse the master or owner for such loss or damage; and the whole or any part of his wages may be retained in satisfaction or on account of such liability; and he shall also be liable to imprisonment for a period of not more than twelve months."

SEC. 21. That section 4597 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4597. Upon the commission of any of the offenses enumerated in the preceding section an entry thereof shall be made in the official log book on the day on which the offense was committed, and shall be signed by the master and by the mate or one of the crew; and the offender, if still in the vessel, shall, before her next arrival at any port, or if she is at the time in port, before her departure therefrom, be furnished with a copy of such entry, and have the same read over distinctly and audibly to him, and may thereupon make such a reply thereto as he thinks fit, and a statement that a copy of the entry has been so furnished, or the same has been so read over, together with his reply, if any, made by the offender, shall likewise be entered and signed in the same manner. In any subsequent legal proceedings the entries hereinbefore required shall, if practicable, be produced or proved, and in default of such production or proof the court hearing the case may, at its discretion, refuse to receive evidence of offense."

SEC. 22. That section 4600 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4600. It shall be the duty of all consular officers to reclaim deserters and discountenance insubordination by every means in their power, and where the local authorities can be usefully employed for that purpose, to lend their aid and use their exertions to that end in the most effectual manner. In all cases where seamen are apprehended the consular officer shall inquire into the facts and proceed as provided in section 4583 of the Revised Statutes; and the officer discharging such seaman shall enter upon the crew list and shipping articles and official log the cause of discharge and the particulars in which the cruel or unusual treatment consisted, and subscribe his name thereto officially. He shall read the entry made in the official log to the master, and his reply thereto, if any, shall likewise be entered and subscribed in the same manner."

SEC. 23. That section 4612 of the Revised Statutes is hereby amended by striking out the scale of provisions and substitutes in Table A, and in place thereof inserting the following scale of provisions and substitutes to be allowed and served out to the crew during the voyage:

	Sunday.	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.
Water ..... quarts..	6	6	6	6	6	6	6
Biscuit ..... pounds..	½	½	½	½	½	½	½
Beef, salt ..... do....	.....	.....	1½	.....	1½	.....	1½
Pork, salt ..... pound..	.....	1	.....	1	.....	1	.....
Flour ..... do....	½	.....	½	.....	½	.....	.....
Canned meat ..... do....	1	.....	.....	1	.....	.....	.....
Fresh bread ..... pounds..	1½ pounds daily.						
Fish ..... pound..	.....	.....	.....	.....	.....	1	.....
Potatoes or yams ..... do....	1	1	1	1	1	1	1
Canned tomatoes ..... do....	½	.....	.....	.....	.....	½	.....
Pease ..... pint..	.....	.....	½	.....	.....	½	.....
Beans ..... do....	.....	½	.....	½	.....	.....	.....
Rice ..... ounces..	.....	6	.....	.....	.....	.....	6
Coffee (green berry) ..... ounce..	½	½	½	½	½	½	½
Tea ..... do....	½	½	½	½	½	½	½
Sugar ..... ounces..	3	3	3	3	3	3	3
Molasses ..... pint..	½	.....	½	.....	½	.....	.....
Dried fruit ..... ounces..	3	.....	3	.....	3	.....	.....
Pickles ..... pint..	.....	½	.....	½	.....	½	.....
Vinegar ..... do....	.....	.....	½	.....	.....	.....	½
Pepper ..... ounce..	½	½	½	½	½	½	½
Mustard ..... do....	½	½	½	½	½	½	½
Salt ..... do....	½	½	½	½	½	½	½
Corn meal ..... ounces..	.....	4	.....	.....	.....	4	.....
Onions ..... do....	4	.....	.....	.....	4	.....	4
Lard ..... ounce..	1	1	1	1	1	1	1
Butter ..... do....	1	1	1	1	1	1	1

SUBSTITUTES.

One pound of flour daily may be substituted for the daily ration of biscuit or fresh bread; 2 ounces of desiccated vegetables for 1 pound of potatoes or yams; 6 ounces of hominy, oatmeal, or cracked wheat, or 2 ounces of tapioca, for 6 ounces of rice; 6 ounces of canned vegetables for one-half pound of canned tomatoes; one-eighth of an ounce of tea for three-fourths of an ounce of coffee; three-fourths of an ounce of coffee for one-eighth of an ounce of tea; 6 ounces of canned fruit for 3 ounces of dried fruit; one-half ounce of lime juice for the daily ration of vinegar; 4 ounces of oatmeal or cracked wheat for one-half pint of corn meal; 2 ounces of pickled onions for 4 ounces of fresh onions.

When the vessel is in port and it is possible to obtain the same, 1½ pounds of fresh meat shall be substituted for the daily rations of salt and canned meat; one-half pound of green cabbage for one ration of canned tomatoes; one-half pound of fresh fruit for one ration of dried fruit.

"The foregoing scale of provisions shall be inserted in every article of agreement and shall not be reduced by any contract, and a copy of the same shall be posted in a conspicuous place in the galley and in the forecastle of each vessel."

SEC. 24. That section 10 of chapter 121 of the laws of 1884, as amended by section 3 of chapter 421 of the laws of 1886, be, and is hereby, amended to read as follows:

"That it shall be, and is hereby, made unlawful in any case to pay any seaman wages in advance of the time when he has actually earned the same, or to pay such advance wages to any other person, or to pay any person other than an officer authorized by act of Congress any remuneration for the shipment of seamen. Any person paying such advance wages or such remuneration shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine not less than four times the amount of the wages so advanced or remuneration so paid, and may be also imprisoned for a period not exceeding six months, at the discretion of the court. The payment of such advance wages or remuneration shall in no case, excepting as herein provided, absolve the vessel or the master or owner thereof from full payment of wages after the same shall have been actually earned, and shall be no defense to a libel, suit, or action for the recovery of such wages. If any person shall demand or receive, either directly or indirectly, from any seaman or other person seeking employment as a seaman, or from any person on his behalf, any remuneration whatever for providing him with employment, he shall for every such offense be liable to a penalty of not more than $100.

"(b) That it shall be lawful for any seaman to stipulate in his shipping agreement for an allotment of any portion of the wages which he may earn to his wife, mother, or dependent relative.

"(c) That no allotment note shall be valid unless signed by and approved by the shipping commissioner. It shall be the duty of said commissioner to examine such allotments and the parties to them and enforce compliance with the law. All stipulations for the allotment of any part of the wages of a seaman during his absence which are made at the commencement of the voyage shall be inserted in the agreement, and shall state the amounts and times of the payments to be made and the persons to whom such payments are to be made.

"(d) That no allotment except as provided for in this section shall be lawful. Any person who shall falsely claim to be the wife, mother, or dependent relative of a seaman under this section shall for every such offense be punishable by a fine not exceeding $500 or imprisonment not exceeding six months, at the discretion of the court.

"(e) That this section shall apply as well to foreign vessels as to vessels of the United States; and any master, owner, consignee, or agent of any foreign vessel who has violated its provisions shall be liable to the same penalty that the master, owner, or agent of a vessel of the United States would be for a similar violation: *Provided*, That treaties in force between the United States and foreign nations do not conflict: *Provided further*, That this section shall not apply to yachts, pilots' boats, fishing or whaling vessels.

"(f) That under the direction of the Secretary of the Treasury the Commissioner of Navigation shall make regulations to carry out this section."

SEC. 25. That section 3 of chapter 421 of the laws of 1886, approved June 19, 1886; sections 4531, 4532, 4533, 4534, and 4609 of the Revised Statutes, and so much of chapter 97 of the laws of 1895, approved February 18, 1895, as relates to allotments, are hereby repealed.

SEC. 26. That this act shall take effect three months after its passage.

The SPEAKER. Is a second demanded?

Mr. RICHARDSON. I demand a second.

Mr. PAYNE. I ask unanimous consent that a second be considered as ordered.

Mr. OWENS. I object.

The SPEAKER announced the appointment of Mr. PAYNE and Mr. RICHARDSON as tellers.

The House divided; and there were—ayes 70, noes 1.

So a second was ordered.

Mr. PAYNE. Mr. Speaker, at the end of fifteen minutes I shall be glad to have the Chair notify me, as I desire to reserve five minutes of my time.

This bill grows out of the agitation that has been in existence for several years past with respect to the condition of the American sailor and his relation to the master of the vessel. There have been innumerable complaints from both sides, and there has been much investigation, and great efforts have been made to arrive at the truth of the complaints.

Our laws regulating the relation of sailor and master are very antiquated, most of them being one hundred years old; and in regard to many of them their antiquity is about the only thing that recommends them. A great deal of abuse has grown out of the enforcement of these laws.

In the early part of this season the gentleman from California [Mr. MAGUIRE] introduced a number of bills relating to the subject; and later on a number of others were introduced by my colleague, Mr. LOW, and I introduced a number myself at the request of parties who were much more familiar with the subject than I was. The Committee on Merchant Marine and Fisheries began early the investigation of the question. I think we have spent on an average two or three days of each week up to the time the bill was reported to the House, and we have given this time and attention for the purpose of getting at the truth of the matter so as to report a bill intelligently to the House and one on which the House might act intelligently. The result of our deliberation was to request a representative of the maritime interest of the city of New York, and the Commissioner of Navigation, representing the seamen, to come together and try to formulate a bill covering the ground of the various bills of which I have spoken. The result of that deliberation was the introduction of the bill H. R. 6399—the bill now before the House for consideration—originally introduced by myself by request, and referred to our committee. The committee have reported a number of changes in this bill; but all of them in the effort to perfect the bill and all tending to ameliorate the condition of the American sailor and at the same time to deal justly with the interests of every man who has any money invested in American vessels.

Our laws at present provide that after a sailor has made a contract to go to sea, if he chooses to violate that contract and does not go he is liable to be arrested and put in jail for a period of six months; and the limit of the imprisonment is not in the discretion of the court. The same imprisonment is fixed upon the sailor if he violates the contract by deserting at any period or any time before the period of his enlistment in the service of the merchant marine expires. This thing is an anomaly in our laws. There is no other class of contracts, agreements, or engagements where imprisonment is the punishment for a violation of their provisions; and the committee thought, after due care and deliberation, that no such punishment ought to be inflicted; that no punishment looking to imprisonment should be inflicted for a violation of a contract. It was claimed, on the other hand, that it was very important that the seaman should fill his engagement in order that the vessel might leave her port at the appointed time. So it is important that a railroad train shall start out of a depot, in order that that train may make its time and meet its engagements; and yet it has never occurred to any American legislator to try to put it into the law that a man who violated his contract with a railroad company should be liable to imprisonment for such violation, although his violation prevented the railroad train from starting out of the depot. So the committee have stricken out of this bill every vestige of imprisonment for violation of a civil contract, and have so reported to the House.

Another source of great evil, of which the sailors complain as well as the vessel owners, is what is known as the allotment system, by which a seaman, when he makes his engagement to go on a voyage, may allot a certain portion of his wages in payment of debt, and to any person. Allotments in the coastwise trade were virtually abolished by a bill passed in 1895, but they may still be made in the foreign service. The evil that grows out of this system of which the sailor complains is this: Of course when Jack goes ashore, and is freed from the responsibilities and risks of the voyage, he is quite apt to fall into the hands of some land shark. It may be a boarding-house keeper; it may be what is known as a "crimp," a man who makes it his business to hire out crews to the master of a vessel; it may be the keeper of a saloon; and invariably, almost, the sailor gets into debt. When he comes to ship for a voyage the boarding-house keeper is on hand demanding that he have security for his pay. Well, he ought to be paid. If Jack owes anything for board while he is on land of course he ought to arrange to have the boarding-house keeper paid, and if there was nothing in it but this, if it was simply to pay the man who furnished him his food and necessary shelter, no harm would arise from the arrangement. But a bill for liquor is frequently included, or by an arrangement with the crimp there is included an item of five or ten dollars to pay the shipping agent for obtaining the employment. Now, the sailor is obliged, when he makes the engagement, is compelled by the circumstances, to sign an allotment note to cover not only the real honest claim against him, but also these bogus or trumped-up claims, because the shipping agent is all powerful. He is all powerful with the sailor, and he is all powerful with the master. He cuts both ways. So the sailor is cheated out of his hard earnings by reason of this allotment system.

Mr. QUIGG. Will the gentleman allow me a question? Does this bill abolish the crimping system as such?

Mr. PAYNE. The bill passed a year ago attempted to abolish that.

Mr. MAGUIRE. Only in the coastwise trade.

Mr. PAYNE. In the coastwise trade. This bill does not recognize this shipping agent now in any trade, but it goes a step further than that. The mere enactment of a law would not abolish the shipping agent. You can not get him out of the way by that; but we abolish the source from which he gets his pay out of the sailor. It is useless to declare that the sailor shall not make any contract, and shall not be liable to pay anything to these shipping agents for getting him a place, if you still leave the allotment system in vogue, because invariably in the allotment will appear the amount that goes to the shipping agent, and he gets it through the boarding-house keeper and through the clothing merchant. So we have abolished allotments by this bill, have sought to get rid of them altogether, except that the sailor may make an allotment in favor of his father or mother or other dependent relative.

No other allotment is permitted by the bill. It was the judgment of the committee, on first consideration, that it would be a favor to the sailor, and in his interest, to make these allotments extend to savings banks. This is the system in Great Britain, and we thought it a good provision, and that it might encourage the saving of his earnings; but the sailors association and the sailors themselves objected to this, for fear that that might be used as a cover by which the sailors would be compelled to pay this money to the shipping agents, and so we left even the savings banks out, and we permit no allotments under this bill except to father, mother, or other dependent relatives.

Now, those are the two principal features in the bill to alleviate the condition of the sailor. In the bill as presented by the gentleman from California [Mr. MAGUIRE] was a scale of food which was prepared by the sailors themselves. In the bill introduced by the gentleman from New York [Mr. LOW], and also in the bill introduced by me, was a scale of food that was provided by the vessel owners. And I desire to say, in justice to the vessel owners, that the scale of food that was provided by them was more liberal in the supply than the scale which the seamen themselves proposed. But the committee, proceeding with abundant caution, referred both scales of provisions to the Surgeon-General of the Marine Hospital, Dr. Wyman, and asked him to examine them carefully and make such suggestions as he should deem best. The result was that he appointed a board of three eminent men, experts on the subject, who took several days for comparing the scale of food for the Navy with these two scales that were presented, and after taking the matter under advisement, they presented the scale of food which is presented in the bill, except that the committee have added a little in the amount of food and in the daily allowance of water. This board said that this scale of food, if enacted into law and lived up to, would absolutely prevent the appearance of scurvy on any long voyage, and of course that is the prime thing to be considered.

If the members of the House look over the scale they will see that the provisions are liberal in amount, and yet the cost of this scale is no more than the cost of the scale that was presented by the vessel owners themselves. So that this scale of food is practically as agreed upon by the seamen and the vessel owners, revised by the Surgeon-General and his board of skilled assistants. The committee have no doubt that if this scale is adopted and forced into law, with the additional suggestion that we have incorporated in this bill, acting on the suggestion of the Surgeon-General of the Marine-Hospital Service, that this scale of food be posted up conspicuously in the forecastle of every vessel, so that it shall be known alike to the sailor and to the master, that there can be no room for any complaint as to a fair and liberal scale of food for the American sailor.

Now, I say, while these are the important changes made in the present law, there are many minor changes made by the bill which will tend to an amelioration of the condition of the American sailor, changes which I have not time to go over in detail. A provision is made that where the crew find fault with the provisions there shall be a fair examination and determination of the sufficiency of the food and of the character and quality of the food fur-

nished; and in case the food is found sufficient in quality and character the expense comes out of the wages of the sailors who make the complaint, in order that there may be no frivolous complaint; and in case it turns out that it is not sufficient in quality or character or quantity, then a fine is imposed on the master and owners of the vessel, who are responsible for the food provided.

The committee found a difficulty in regard to the provision in relation to leaving a vessel in port, or not going on board according to contract, in applying an adequate punishment. We did not think for a minute that we would still continue the imprisonment of an American citizen for the violation of a civil contract; and still we thought there ought to be some hold upon the sailor, something to make it to his interest to conform to the contract, because we realized that it is highly important to the growth of our American merchant marine that vessels should not be detained in port because the sailors do not choose to perform their contract. And so we put into the bill a forfeiture of the wages, which may be greater or smaller, and a forfeiture of the clothes that the sailor left upon the vessel. Whether some other arrangement can be arrived at, some other provision can be made, which will still be just to the sailor and deal out justice to the masters is a matter for us to consider. Possibly it may lie in this, now in the English law, which provides also, not for imprisonment, but that the master may go and take the sailor wherever he finds him and force him on board the vessel—a provision which has become a dead letter, because it always leads to riots and is never enforced—but whether there can not be some shipping list preserved which shall correctly set forth those sailors who have kept their contracts.

Until I shall have heard some one in opposition I will reserve my five minutes.

Mr. MAGUIRE. If there is anyone who desires to speak in opposition I will yield to him.

Mr. DINGLEY. I desire, not in opposition, to make a few observations.

Mr. MAGUIRE. How much time does the gentleman want?

Mr. DINGLEY. Five minutes will answer my purpose.

Mr. MAGUIRE. Very well.

Mr. DINGLEY. Mr. Speaker, this is a bill which covers a large number of amendments of the shipping laws of the country, some of which are exceedingly important. In part, at least, this bill is certainly in the right direction. There are some provisions in the bill which I think on reflection it would be thought desirable to modify; but in view of the necessity for some legislation in this direction, and in view of the lateness of the session, I shall not oppose the passage of this bill, because I believe that it will be modified in conference. As it is presented to us under suspension of the rules, of course it can not be amended, and when the Senate shall have acted, then, by the action of the Senate and the conferees, doubtless certain provisions in it can be corrected, if such corrections shall seem to be necessary, as I think is the case.

I desire to say a few words in reference to allotments to seamen. This is an old question, and there has been legislation repeatedly to meet the evils which have arisen. Under the shipping act of 1884 allotments were prohibited except to the wife, mother, or dependent relative; and that is precisely what it is proposed by this bill to go back to—to go back to the shipping act of 1884. In 1886, in consequence of the difficulties which had arisen under the shipping act of 1884, it was found necessary to modify the allotment system, which was provided for by the act of 1886, which is now the law of the land, except as modified subsequently in the case of coasting vessels. That provides for allotments not only to the widow, mother, or dependent relative, but also for just debts of a creditor for board and clothing. That is all the allotment that is allowed by the law in force. This law is evaded—there is no doubt at all about that. Under the name of board, especially, a great many things are included that ought not to be.

But we must bear in mind, in dealing with legislation with reference to the sailor as we find him, that he is surrounded by peculiar influences under the boarding-house system. It may be remembered that in 1885, after the act of 1884 had been passed, vessels were held up in many ports in consequence of inability to obtain crews. I remember that at Pensacola a vessel was held up for nearly three months trying to obtain a crew in a fight against the boarding-house keepers who had control of poor Jack. I have no doubt that the rule laid down by the act of 1884 is the correct one, and it is proposed to return to it. The only question is whether it will work practically, and that can be determined, perhaps, only by experience. I think if we had held on to the act of 1884 we should have avoided many of the evils that have since arisen. As to the principle involved, I am in general concurrence with this bill. The allotment system is a bad system, a system by which poor Jack is robbed and the whole marine service deteriorated. There is no doubt at all about that; but whether we can practically go back and entirely abolish it, as was done in the act 1884, I am not certain in view of the experience of 1885. However, I am perfectly willing to try, and I am willing that this bill shall pass with the certainty that certain provisions in it will disappear when the Senate and the conferees shall have acted.

Mr. MAGUIRE. I yield one minute to the gentleman from New York [Mr. MITCHELL].

Mr. MITCHELL. Mr. Speaker, I wish to say in relation to this bill that as far as I have been able to familiarize myself with its provisions they seem to be most admirable. The suggestion has been made that the Senate may possibly make some amendments, and the gentleman from New York [Mr. PAYNE] has suggested that some series of registry lists might be prepared which would be for the advantage of good sailors and of shippers. This suggestion seems most admirable, and I am heartily in favor of it and of the bill and any amendment to it which will promote the interests of the sailors.

[Here the hammer fell.]

Mr. MAGUIRE. I yield three minutes to the gentleman from New Hampshire [Mr. BAKER].

Mr. BAKER of New Hampshire. Mr. Speaker, I suppose that no member of the House not on the committee has been able to examine this bill. There are sections of it which certainly make radical changes. The gentleman from Maine [Mr. DINGLEY] thinks it is well that we should pass this bill, even though he does not approve its provisions, and let it go to the Senate in the hope that the Senate will make it right. I simply make this remark in order to suggest that it appears to me the gentleman from Maine has experienced a recent change of heart with regard to the legislation of the Senate.

I have had barely time to examine the scheme and provisions of this bill which we are assured have been changed for the benefit of the sailor. I am not able so to understand these changes. I find that in biscuit he has been cut off 3½ pounds a week; in salt beef, three-fourths of a pound; in salt pork, three-fourths of a pound; in fish, 1 pound; in beans, one-third of a pound; in dried and canned fruit, 5 ounces; and in various other matters in similar proportion. Now, to offset this, what are the increases? The increases are very small and in rather peculiar items. In the first place I find that there is an increase of 7 ounces in sugar per week, and I presume the increase in sugar has been granted on account of the increase in pickles and in vinegar. [Laughter.] He is given one-quarter of an ounce increase in pickles and three-quarters of a pint increase in vinegar per week, and it is fair to presume that the sugar has been given him to sweeten his increased pickles and vinegar. [Laughter.] Then, to make up the sum and substance of this increase, with the exception of 8 ounces of onions, he is given an increase of 2 quarts of water to wash these things down with. [Laughter.]

Mr. MINOR of Wisconsin. Mr. Speaker, I want to say to the gentleman that this schedule was submitted to the Seamen's Union and the Sailors' Union and to all the organizations that we thought were interested in it, and in every instance they have answered that the ration is better than they have ever had heretofore, and better than they expected from the Fifty-fourth Congress.

Mr. BAKER of New Hampshire. I am sorry that the sailors have not a better opinion of the Fifty-fourth Congress than the gentleman tells us they have, but certainly it has always been supposed, at least among laymen, that the sailor required substantial food, and if the gentleman can state any reason for the cutting down of such articles as beef, beans, and pork, and attempting to offset this by adding a little butter, which it is impossible for any sailing vessel to carry to the tropics without its becoming rancid, I wish he would do so.

Mr. MINOR of Wisconsin. I am unwilling to force upon the sailors what they do not want and do not ask for.

Mr. HENDERSON. But they do ask for this.

Mr. MINOR of Wisconsin. They do not ask for anything except what is contained in the bill.

Mr. HENDERSON. They ask for this bill.

Mr. BAKER of New Hampshire. Have you the schedule which the sailors themselves presented? Was the schedule that you adopted the one which was presented by them, or was it one that was presented by some one interested with the vessel owners?

Mr. MINOR of Wisconsin. We submitted the schedule to the Surgeon-General of the Marine Hospital; he detailed four assistants, and they fixed upon a schedule which they thought admirable and acceptable to the sailors. That was accepted by the seamen and their representatives; and then we increased that.

Mr. BAKER of New Hampshire. But the supervising surgeons probably do not know anything about the practical requirements of the sailor on shipboard, and nothing has been presented to the House from the sailors themselves.

Mr. MAGUIRE. If nobody else desires to speak in opposition to the bill, I will proceed with my own remarks.

Mr. Speaker, although, through the courtesy of the gentleman from Tennessee [Mr. RICHARDSON], I have the privilege of controlling the time of those opposed to the bill, and have endeavored to be fair in distributing it, I am very much in favor of the pas-

sage of this measure. It represents a compromise, as the gentleman from New York [Mr. PAYNE] stated, between the bills introduced by me for the improvement of the condition and treatment of sailors in the American merchant marine, especially in the several particulars which he has mentioned and which I will not take time to repeat. This bill is the result of an agreement reached by mutual concessions between the shipowners and the sailors. It is a great advance over existing laws in the matter of the protection of the American sailor, the improvement of his condition at sea and on land, and the according to him of rights that are common to American citizens in all other trades, callings, and occupations under the American flag.

As the gentleman from New York [Mr. PAYNE] has stated, the sailor has been neglected for a hundred years. I believe that advances far beyond those provided in the bill ought to be made; but as the bill constitutes a great advance over the conditions fixed by existing law, and as it proceeds upon the principle that the sailors in our merchant marine service should, in their personal rights, be placed upon an equality with American citizens engaged in other industrial pursuits, I cordially accept it as a valuable step in the right direction.

By its terms it does away with imprisonment for the violation of civil contracts, and this is a great though tardy concession to their manhood. It sets them free from involuntary servitude in most cases. In this respect it does not go as far as it should, but it goes far enough to justify me in heartily supporting the bill as it has been reported by the committee.

I have neither the time nor the disposition to discuss from my point of view the propositions so ably presented by the gentleman from New York in the brief time at his disposal. I prefer to treat this whole matter as a compromise measure, on which this House should certainly be willing to go as far as the shipowners, through their representatives, have agreed to go. I concur in all that the gentleman from New York has said, and I join with him in urging that, as no harm can come to any interest through the passage of this bill, and as much good will result to the sailor, the blot which for a hundred years has been permitted to rest upon one branch of lawful and honorable labor under the flag of the United States shall be at least partially removed. I trust that every man on this side of the House will give cordial support to the bill.

In closing I wish to say—and under the circumstances it is the only other suggestion I desire to make—that when, in 1892, I was asked to endeavor to secure from Congress (in accordance with views which it was well known that I entertained) legislation for the improvement of the condition and treatment of American sailors, I advised the sailors' union to employ a maritime lawyer, with instructions to draft such bills as would secure the desired improvement of their condition, but upon these lines and these alone: That no proposed change should be contained in any of those bills unless a similar provision was found in successful operation in the laws of some leading maritime country of the world. It was upon that basis that the bills introduced by me were prepared by an able maritime lawyer. In support of every provision, every amendment, every reform incorporated in my bills and in this pending bill the law of some great maritime nation providing for the same immunity or the same care for the sailors in the merchant marine of that country has been cited to the committee, and it has also been shown that such provision of law is in successful operation there.

I am sure that no interest can be injuriously affected by the passage of this act, and that it merely brings the worst of the shipowners and masters in the American merchant marine up to a standard in the treatment of their sailors which has long since been adopted and pursued by three-fourths of the masters and owners in that great branch of American industry. That is all that I desire to say. The bill is a compromise measure and I hope that it will be passed without dissent.

Mr. PAYNE. Mr. Speaker, in reply to my friend from New Hampshire [Mr. BAKER] I wish to say that the great trouble with his speech was that its foundations were not right. The original bill as introduced by myself—a measure gotten up by the Maritime Exchange and the Commissioner of Navigation—had a schedule of food in it which the committee crossed out and put in this new schedule recommended by the Surgeon-General of the Marine Hospital. My friend here compared the schedule of the Marine Hospital with the schedule in the bill, and he thought the schedule in the bill was the present law.

Mr. BAKER of New Hampshire. Will the gentleman allow me?

Mr. PAYNE. No; I have not the time. I will accept the gentleman's apology for not understanding the question.

Mr. BAKER of New Hampshire. And I will excuse the gentleman for not yielding for a correction.

Mr. PAYNE. The present law, for instance, allows 1 pound of bread per day, and 1 pound only. This bill allows half a pound of biscuit per day and 1½ pounds of fresh bread—2 pounds of bread daily. My friend found some fault about the pease and beans. Under the old law there was not a sufficient quantity of these allowed. That law allowed but a third of a pint of pease three days in each week; that is, a pint per week. This allows four-thirds of a pint of pease and beans weekly. We increase the allowance of sugar, the allowance of fish—the allowance all along the line. We provide a liberal scale of provisions. If my friend here sits down every day in the week to a table with as liberal a scale of provisions as that provided in this bill, he is more fortunate than many of his colleagues on this floor.

Mr. HENDERSON. And this schedule, we understand, is acceptable to the seamen.

Mr. PAYNE. Yes, it is acceptable to the seamen, acceptable to the Surgeon-General and his board of skilled assistants, and acceptable, as I understand, to the masters of vessels. It is a liberal bill indorsed everywhere. And my friend from New Hampshire has not shown any reasonable ground of complaint against it.

As I said, Mr. Speaker, this bill is designed to alleviate the condition of seamen. There is no doubt that they need it. There is no doubt there should be some inducement to enable us to get American boys to enter our merchant marine as sailors. We have not many there now, and the class of sailors upon the high seas is not the same class of sailors, I am sorry to say, that we find upon the Great Lakes. On the contrary, on the Great Lakes American boys do become sailors, and experience has shown, as a rule, that the character of young men engaging in that business on the Great Lakes is of a very much higher order—they are a better class of citizens—than those who engage in service on the high seas.

Now, there must be some reason for this difference. It is not the difference of wages on the Great Lakes, but it arises from the fact that they are not restricted by any of these unusual and antequated laws. It has never obtained out there that a seaman shall be liable to imprisonment for not living up to the strict contract into which he enters when he ships. The seamen on the Great Lakes are as free as a man who hires to a railroad company for service on its road or to a private individual for employment of any character. And it has occurred to me, Mr. Speaker, that perhaps the difference in the condition of the sailors on the high seas and those on our Great Lakes grows out of the difference in the manner in which they serve the master of the ships on the lakes; and that the sooner, with conservatism, we get to the goal of relieving the sailor on the high seas from the restriction imposed upon him by these laws, laws that seek to take away his personal liberty, that sap his manhood, the sooner we will elevate the men who become seamen on the high seas.

It is my ambition, and the ambition of the committee, and I think the majority of this House, too, to build up our merchant marine. We can do it by giving them a better class of laws, and thereby producing a better class of sailors, and by going a step further and providing that the imports that come from foreign countries on American bottoms shall come in at a more favorable rate than those that come in on foreign bottoms. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

The question is on the motion to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill passed.

POST-OFFICE APPROPRIATION BILL.

Mr. LOUD. Mr. Speaker, I desire to submit a final report of the conference committee on the Post-Office appropriation bill.

The SPEAKER pro tempore. The Clerk will read the report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 1, to the bill (H. R. 6614) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1897, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"*Provided*, That no post-office established at any county seat shall be abolished or discontinued by reason of any consolidation of post-offices made by the Postmaster-General under existing law, and any such post-office at any county seat heretofore consolidated shall be established as a separate post-office at such county seat: *Provided, however*, That this provision shall not apply to the city of Cambridge, Mass., or to Towson, Md.: *And provided further*, That hereafter no station, substation, or branch post-office shall be established beyond the corporate limits or boundaries of any city or town in which the principal office to which such station, substation, or branch office is attached is located, except in cases of villages, towns, or cities of 1,500 or more inhabitants, not distant more than 5 miles, as near as may be, from the outer boundary or limits of such city or town in which the principal office is located."

And the Senate agree to the same.

E. F. LOUD,
GEO. W. SMITH,
J. C. KYLE,
Managers on the part of the House.

W. B. ALLISON,
R. F. PETTIGREW,
CHAS. J. FAULKNER,
Managers on the part of the Senate.

Mr. LOUD. The statement of the House conferees will explain quite fully the action taken upon this remaining amendment of the Senate.

The statement was read, as follows:

The managers on the part of the House submit the following statement in writing, showing the nature and effect of the Senate amendment retained as amended:

1. Amendment numbered 1 is agreed to with amendments the effect of which is to maintain all consolidations of post-offices that have heretofore taken place except Ellicott City, Md.; prohibits the future consolidation of county seats with other post-offices, and also prohibits further consolidation of any post-offices except within limit of 5 miles, and then said town to be consolidated must have 1,500 population.

E. F. LOUD,
GEO. W. SMITH,
Managers on the part of the House.

Mr. LOUD. Mr. Speaker, I will state for the information of the House that the explanation just read on the part of the managers of the House explains quite fully the situation. The amendment of the Senate as modified retains in statu quo all the consolidation provisions which were deemed advisable in connection with the bill except in the case of Ellicott City, in the State of Maryland, and it prohibits in future the consolidation of post-offices more than 5 miles beyond the corporate limits of any city in which such office is to be consolidated except in cases of towns having a population of 1,500 or more. I am free to say, on the part of the conferees, that we do not believe that the amendment of the Senate should have been put into an appropriation bill. But we have gotten the best out of this that we could, and have satisfied everybody who is interested in this consolidation matter. It is an amendment that could not have gone into the bill in the House, because it is legislation.

Now, if there is nobody who wants any information, I should like about five minutes, if no other conference report is ready to be presented, in order to submit to the House a statement in relation to postal matters.

In view of an apparently growing sentiment in the country for the Government to take control of all means of transportation and transmission, I should like to submit to the House brief statistics of the deficiencies existing in the Post-Office Department for a number of years, in order that the House and the country may ascertain from these figures how economically, how successfully, and how profitably that Department has been managed, and of what great benefit to the people the management of the Post-Office Department is to-day, that they may perhaps take some lesson and apply it to other consolidations that are now pressing upon Congress to be acted upon.

Of course it has always been the policy of the Government to make the receipts of the Post-Office Department meet the expenditures as near as possible. That policy was followed from the foundation of this Government up to 1884. I believe it was the policy then also to enact such legislation as would make the Post-Office Department self-sustaining, but it was a mistaken act of legislation. We find in 1837 the Post-Office Department was self-sustaining, and returned a surplus revenue of over $1,600,000. There was then a deficiency until 1848, and in 1849, 1850, and 1851, when there was a surplus. There was then a deficiency each year until 1865.

The laws have been modified in all these instances after a period when the receipts met the expenditures.

In 1882–83 there was a very healthy surplus in revenues in the Post-Office Department. In 1881 it amounted to more than $1,000,000, and in 1883 to more than $2,000,000.

The following table shows these statistics in detail:

Comparative statement of receipts and expenditures of the Post-Office Department from July 1, 1836, to June 30, 1895.

Year.	Receipts.			Expenditures.	Deficiencies.
	Revenue.	Treasury grants.	Total.		
1837	$4,945,668.21		$4,945,668.21	$3,288,319.03	*$1,657,349.18
1838	4,238,733.46		4,238,733.46	4,430,662.21	191,928.75
1839	4,484,656.70		4,484,656.70	4,636,536.31	151,879.61
1840	4,543,521.92		4,543,521.92	4,718,235.64	174,713.72
1841	4,407,726.27	$482,657.00	4,890,383.27	4,499,527.61	91,801.34
1842	4,546,849.65		4,546,849.65	5,674,751.80	1,127,902.15
1843	4,296,225.43		4,296,225.43	4,374,753.71	78,528.28
1844	4,237,287.83		4,237,287.83	4,296,512.70	59,224.87
1845	4,289,841.80		4,289,841.80	4,320,731.99	30,890.19
1846	3,487,199.35	750,000.00	4,237,199.35	4,076,036.91	588,837.56
1847	3,880,309.23	12,500.00	3,892,809.23	3,979,542.10	99,232.87
1848	4,555,211.10	125,000.00	4,680,211.10	4,326,850.27	228,360.83
1849	4,705,176.28		4,705,176.28	4,479,049.13	226,127.15
1850	5,499,984.86		5,499,984.86	5,212,953.43	287,031.43
1851	6,410,604.33		6,410,604.33	6,278,401.68	132,202.65
1852	5,184,526.84	1,741,444.44	6,925,971.28	7,108,450.04	1,923,923.20
1853	5,240,724.70	2,225,000.00	7,495,724.70	7,982,756.59	2,742,031.89
1854	6,255,586.22	2,736,748.96	8,992,335.18	8,577,424.12	2,321,837.90
1855	6,642,136.13	3,114,542.26	9,576,678.39	9,968,342.29	3,326,206.16
1856	6,920,821.66	3,748,881.56	10,669,703.22	10,405,286.36	3,484,464.70
1857	7,353,951.76	4,528,004.67	11,881,956.43	11,508,057.93	4,154,106.17

*Excess of revenue.

Comparative statement of receipts and expenditures, etc.—Continued.

Total.	Receipts.			Expenditures.	Deficiencies.
	Revenue.	Treasury grants.	Total.		
1858	$7,486,792.86	$4,679,270.71	$12,166,063.57	$12,722,470.01	$5,235,677.15
1859	7,968,484.07	3,915,946.49	11,884,430.56	11,458,083.63	3,489,599.56
1860	8,518,067.40	11,154,167.54	19,672,234.94	19,170,609.89	10,652,542.49
1861	8,349,296.40	4,639,806.53	12,989,102.93	13,606,759.11	5,257,462.71
1862	8,299,820.90	2,598,953.71	10,898,774.61	11,125,364.13	2,825,543.23
1863	11,163,789.59	1,007,848.72	12,171,638.31	11,314,207.84	150,418.25
1864	12,438,253.78	749,980.00	13,188,233.78	12,644,786.20	206,532.42
1865	14,556,158.70	3,968.46	14,560,127.16	13,694,728.28	*861,430.42
1866	14,436,986.21		14,436,986.21	15,352,079.30	915,093.09
1867	15,297,026.87	3,991,666.67	19,288,693.54	19,235,483.46	3,938,456.59
1868	16,292,600.80	5,696,525.00	21,989,125.80	22,730,592.65	6,437,991.85
1869	18,344,510.73	5,707,115.30	24,051,626.02	23,698,131.50	5,353,629.78
1870	19,772,220.65	4,022,140.85	23,794,361.50	23,998,837.63	4,226,616.98
1871	20,037,045.42	4,126,200.00	24,163,245.42	24,390,104.08	4,353,058.66
1872	21,915,426.37	4,933,750.00	26,909,176.37	26,658,192.31	4,742,765.94
1873	22,996,741.57	5,690,475.00	28,987,216.57	29,084,945.67	6,088,204.10
1874	26,471,071.82	5,922,433.55	32,393,505.37	32,126,414.58	5,655,342.76
1875	26,791,360.59	6,704,646.96	33,496,007.55	33,611,309.45	6,819,948.86
1876	28,634,197.50	5,088,583.03	33,722,780.53	33,263,487.58	4,629,290.08
1877	27,531,585.26	7,013,300.00	34,544,885.26	33,486,322.44	5,954,737.18
1878	29,277,516.95	5,307,752.82	34,585,169.77	34,165,084.49	4,887,567.54
1879	30,041,982.86	3,297,965.25	33,339,948.11	33,449,899.45	3,407,916.59
1880	33,315,479.34	3,597,717.20	36,913,196.54	36,542,803.68	3,227,324.34
1881	36,785,397.97	3,297,921.46	40,083,319.43	39,592,566.22	2,807,168.25
1882	41,876,410.15	6,595.12	41,883,005.27	40,482,021.23	*1,394,388.92
1883	45,508,692.61	21,416.85	45,530,109.46	43,282,944.43	*2,225,748.18
1884	43,325,958.81	140,690.79	43,466,649.60	47,224,560.27	3,898,601.46
1885	42,560,843.83	6,066,473.00	48,627,316.83	50,046,235.21	7,485,391.38
1886	43,948,422.95	8,751,070.73	52,699,493.68	51,004,743.80	7,056,320.85
1887	48,837,609.39	4,746,167.06	53,583,776.45	53,006,194.39	4,168,585.00
1888	52,695,176.79	3,386,441.70	56,081,618.49	56,468,315.20	3,773,138.41
1889	56,175,611.18	5,745,017.89	61,920,629.07	62,317,119.36	6,141,508.18
1890	60,882,097.92	6,100,000.00	66,982,097.92	66,259,547.84	5,377,449.92
1891	65,931,785.72	4,441,772.08	70,373,557.80	73,059,519.49	7,127,733.77
1892	70,930,475.98	6,260,232.64	77,190,708.62	76,980,846.16	6,950,370.18
1893	75,896,933.16	6,727,828.43	82,624,761.59	81,581,681.33	5,684,748.17
1894	75,080,479.04	10,200,895.13	85,281,374.17	84,994,111.62	9,913,632.58
1895	76,983,128.19	9,872,962.53	86,856,090.72	87,179,551.28	10,196,423.09

*Excess of revenue.

Deficiencies 1837 to 1865, inclusive	$44,972,783.51
Deficiencies 1866 to 1895, inclusive	146,698,869.48
Total	191,671,652.97

In 1883–84 was enacted what was known as the sample-copy law, and the second-class matter rate went to 1 cent a pound. Since that time, contrary to the expectation of Congress—because Congress anticipated that the deficiencies would immediately increase, but that they would almost cease in a few years—the year succeeding the adoption of the law the deficiency was, in round numbers, $3,800,000. The deficiencies have increased, and I want again to call the attention of this House to this fact. The deficiencies have increased from that period to the present with unvarying regularity, until last year they amounted to $10,196,000.

Mr. HILL. Do you think it is due to that law?

Mr. LOUD. Why, there is no doubt about it.

Mr. HILL. Wholly?

Mr. LOUD. Wholly. I have no doubt about that, and if gentlemen would investigate for themselves the class of matter that has been admitted under that law, I do not think any sane man in the world could differ from me on that subject. Now, I have brought here a sample of this stuff—I say stuff—that has gone through the mails under our sample-copy law. Here are some of these publications, the Home Treasure, Augusta, Me.; the Fireside Visitor, Augusta, Me.; the International Farmer and Home Magazine, Augusta, Me.; Trumps, Kansas City; Breeze, Augusta, Me.; Ladies' Home Jewel—you will find that these names are copied as nearly as possible after the names of some of the best magazines in the country—Ladies' Home Jewel, New Haven, Conn.; the Welcome Friend, New York; Hearth and Home. These are only a few. I have 500 of those down in my committee room.

Mr. TRACEY. What is the matter with them?

Mr. LOUD. If any gentleman in this House will go over them carefully he will find this similarity in all, that there is one class of advertising that appears in every one of these journals, and I assert that there is not one of these papers that has over 250 legitimate subscribers. Here are some of the advertisements that permeate this class of stuff to which I have reference and which goes all over the country:

Real lovers' cards. "Tells you how to grow a mustache." "How agents can make $100 a day." "Great book of secrets," etc. You all know what they are.

This is the class of stuff that is going through our mails. If you were to read them all, if you would read the 500 papers which I have down in my committee room, you would find the same class of advertisements in every one of them, and there are firms in this country that issue as high as 50 papers, issued under different names, but all from the same firm. Here is another class. A year

or two ago the gentleman from New York [Mr. QUIGG] brought in a few of the standard works of this country and held them up to show how this was educational. I should like to call the attention of the House to this. This which I have in my hand is a sample, and there is more of that stuff going through the mails than of the class of matter that was presented to this House by the gentleman. I call your attention to this. How would you like to have that go to your fireside, the bosom of your family, your young ladies' institutes?

Mr. QUIGG. Is there not a law on the statute books against transmitting this indecent and obscene literature through the mails?

Mr. LOUD. I know there is; but it is a question whether this is indecent. That is a question to be determined.

Mr. QUIGG. It is in the discretion of the Postmaster-General, is it not?

Mr. LOUD. If gentlemen will sit down in front of me and not get excited, I will show you many more of this higher class educational matter which we are transmitting at a net loss of millions annually. Permit me to say that serial novels are allowed to go through the mails at 1 cent per pound. We ought not to have such matter in there at any price. Still I am willing if they will pay their share. They can not corrupt me, and my own family are past corruptible age.

Mr. QUIGG. I would like to ask the gentleman a question. Has not the Department ruled the Kreutzer Sonata out of the mails, and is not all matter like that, which is probably indecent and obscene literature, ruled out? Why can not the gentleman get all of this stuff ruled out of the mails in that way?

Mr. LOUD. Oh, it is a question whether that is under the law indecent or obscene.

Mr. QUIGG. What kind of books?

Mr. LOUD. Do you claim that Straightout Detective, by "Old Sleuth Hound," is an educational work?

Mr. QUIGG. I do not know anything about it.

Mr. JOHNSON of California. Will my colleague allow me to ask him a question?

Mr. LOUD. Certainly.

Mr. JOHNSON of California. Are you now discussing the conference report?

Mr. LOUD. Certainly; as near as I can.

Mr. JOHNSON of California. Is it a conference report on the passage of a bill that the gentleman has introduced?

Mr. LOUD. The substance of it is this, Mr. Speaker: I was endeavoring to call the attention of the House, and it is the custom for committees, I will say to my friend from California, to speak on matters relating to the Departments over which they have certain supervisory care.

Mr. JOHNSON of California. What I am asking, Mr. Speaker, if the gentleman will pardon me, is this: He has introduced a bill with reference to excluding certain matter from the mails; and I want to know if that is the bill he is now discussing; because if it is, I want to be heard on the matter. I am opposed to his bill, and I want to say something about it when it comes up.

Mr. LOUD. Mr. Speaker, when the gentleman from New York asked me a question, I was about to reply in this manner. He knows as well as any other gentleman on this floor how serial novels are issued. There are a few firms in the larger cities whose business it is to cover novels alone. There are thousands of tons of this printed matter uncovered stored in warehouses. They are assumed to be issued in serial numbers. No. 1 might be one of Scott's novels. No man in the world, not even the publisher of this book, can tell what No. 2 or No. 3 will be. No. 2 may be the book that I have referred to here. No. 3 may be this other. Now, it is impossible for the Post-Office Department to carefully examine every book that is submitted for mailing and that has been admitted to the second-class privilege. You understand all that you have to do is to submit a certain book, say the first number of a series. The gentleman knows that as well as I do. [Cries of "Vote!" "Vote!"]

Mr. HEPBURN. The only change is in the cover.

Mr. LOUD. The only change is in the cover. I would like to ask him if these are educational works: Wicked Nell, Chicago After Dark, Cranky Ann, Irish Mollie, Agnes, Woman's Duplicity, A Lady of Pleasure, etc. This list is full of such names. I do not claim that they are obscene; but when the United States Government is expending $40,000,000 a year for the transmission of these books under the assumption that it is educational matter, I want to call the attention of the House to the fact that it is the merest rot. Now, how does this sample-copy business work? I have in my hand a letter from an advertising agency——

Mr. QUIGG. A parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. QUIGG. Is there anything before the House with reference to second-class matter?

The SPEAKER pro tempore. The gentleman from California presented a conference report. What there is in it the Chair does not know.

Mr. LOUD. I stated when I arose, if there was no other conference report on hand, that I desired to make a few pertinent suggestions relating to postal affairs which might be of some benefit to you. Surely no harm can result.

Mr. TRACEY. I make the point of order that the gentleman is not speaking to the conference report at all, or anything contained in it.

Mr. QUIGG. If this question is to be debated I desire to have an opportunity to take a part in the debate, if there is anything before the House with reference to the matter to which the gentleman is alluding.

Mr. LOUD. The gentleman will have ample opportunity to debate this question if it ever comes before the House.

Mr. QUIGG. If it is not before the House, I make the point of order against the remarks of the gentleman from California.

Mr. LOUD. I am only doing what is customary in this House when the question of a conference report is up.

Now, then, Mr. Speaker, here is a paper called Comfort, which claims to have a subscription list of one million and a quarter. A gentleman sent me a letter in which he states that they do not send sample copies out singly, but send out four at a time, in case one may get lost! I suppose I am not going to detain the House a great while; but I had hoped, Mr. Speaker, that the measure to which I have alluded would have been taken up by this House. It has received, permit me to say to the gentleman from New York and the rest of this House, the highest commendation from the great mass of the press of this country. It has received the commendation of 90 per cent of the people who have given this subject any serious thought.

There are, Mr. Speaker, on the outside, evidently, people who know more about what Congress is going to do than Congress does itself. I will say that this most estimable family journal, or business journal, or magazine, or whatever you may term it, still one of those that go under second-class privileges as educational matter, known as Printer's Ink, I say to every member of this House, every one of whom I suppose gets a copy of it every week—

Mr. CUMMINGS. If the gentleman will allow me, I do not get a copy of it, and have never had a copy of it since I have been here.

Mr. LOUD. Then the gentleman can not know how much useful knowledge he has lost. I saw in this journal two months ago an announcement that the "Loud bill" was dead. I suppose they must have been in possession of information at that time of which no person in this House had any knowledge, but they happened to be in possession of the true and correct information. [Laughter.] Now, here [holding up a publication] is something that I trust the gentleman from New York has received; he says he does not receive Printer's Ink, but I venture to assert that he does get this, and it is no doubt a very useful publication. I have in my committee room a letter from the proprietors of this atlas, in which they protest against the so-called Loud bill because it would prevent them from educating the masses of our people by sending out this work, and they state that up to the time of writing they had sent out through the mails more than 600,000 copies, at a nominal cost of one and a half cents per copy. The publication weighs a little over a pound and a half and they have sent out a little over 600,000 copies, making a million pounds, and the Government has made a loss in transmitting that matter of $75,000, not taking into consideration the cost of handling it. This is, no doubt, a good atlas, but why should the Government lose this large amount of money for the purpose of distributing it through the country?

Mr. BINGHAM. Why should the Government transmit the daily papers through the mails?

Mr. LOUD. Why, I ask, should the Government be at that expense and loss in order that a man who is publishing a farmers' journal in the State of Ohio may be enabled to send out this publication to increase his circulation?

Mr. CROWTHER. Does not that atlas educate the people?

Mr. LOUD. Oh, I will admit, Mr. Speaker, that an atlas does help to educate the people.

Mr. CROWTHER. Well, what is the Post-Office Department for? Is it not for the transmission of educational matter to the people in different parts of the country?

Mr. TRACEY. Mr. Speaker, I make the point of order that the gentleman from California is out of order.

The SPEAKER pro tempore. The gentleman from California is proceeding in order.

Mr. TRACEY. He can not be in order. He is talking about a bill that is not before the House and can not come before it at this time.

Mr. LOUD. Now, let me say to the gentleman from Missouri [Mr. CROWTHER] that if the question confronting this Congress were whether we should appropriate $40,000,000 for the transmission of educational matters which no official of the Government had any supervision over, would the gentleman vote for it?

Mr. CROWTHER. Of course not.

Mr. LOUD. Well, I should say not; but that is the question in a nutshell. If this is for educational purposes, permit me to say

that there is no person in the world who has any supervision over it, and this practice is debauching the mails of the country and the people also.

Mr. MILLIKEN. If the gentleman's argument is correct, that we ought not to transmit through the mails anything of this character, why is it that the Government sustains all over the country little post-offices that do not half pay the cost of running them?

Mr. MAHANY. For the convenience of the people.

Mr. MILLIKEN. Is it because the post-office is established for the purpose of yielding revenue; or, rather, is it not because that Department is maintained for the convenience and for the benefit of the people of this country? I think that if the argument of the gentleman were carried out to its logical conclusion every post-office in the country that does not pay the cost of running it ought to be abolished.

Mr. LOUD. Oh, Mr. Speaker, there is reason in everything. In my opinion it is a beneficent thing to establish and maintain these country post-offices in order to accommodate the people in the thinly settled districts.

Mr. MILLIKEN. Then, if that is the gentleman's view, I will ask him if it is not also a beneficent thing to make the transmission of literature cheap and easy. The gentleman may prefer to read the classics or some other high grade of literature, but there is a great deal of literature which goes out among the people of this country that is to them, perhaps, quite as desirable as the higher literature would be to him, and the loss of which they would feel very keenly, and I am not certain but that the transmission of that literature through the mails—I do not mean anything that is objectionable, but the great mass of our popular literature—I am not quite certain but that the transmission of that literature cheaply through the mails to all parts of the country is as great a beneficence and of as great advantage to the people as the establishment and maintenance of a little post-office in some corner where it does not pay, perhaps, one-fifth of the cost of running it.

Mr. TAWNEY. I wish to ask the gentleman from Maine whether the conferees of the two Houses have agreed upon all matters of difference on this bill? [Laughter.]

Mr. MILLIKEN. I am not one of the conferees, and therefore can not answer that question.

Mr. LOUD. Now, then, I will say to the gentleman——

Mr. QUIGG. As the gentleman from California has mentioned "the Loud bill," I wish to know whether the Loud bill is embraced in this conference report?

Mr. LOUD. If gentlemen had not interrupted me, I should have been through long ago. By these constant interruptions they are simply "prolonging their agony." Now, if you will let me proceed——

Mr. QUIGG. Is not my question a pertinent one, as to whether the Loud bill is embraced in the conference report?

Mr. LOUD. After I get through with the gentleman from Maine [Mr. MILLIKEN] I will perhaps answer the inquiry of the gentleman from New York. I will say to the gentleman from Maine that the measure which I advocate here tends to purify the legitimate press of this country. I believe the legitimate press of the country should have every privilege which it now enjoys. But why the mails of this country should be weighed down with this stuff which no man or woman or child on God's earth wants, I can not see. I believe that every paper in this country should have the privilege of sending its matter to its subscribers—the people who want it—at the present rates.

Mr. BINGHAM. Why? Give us the reason. Why should newspapers go at a cent a pound, being a loss of 8 cents a pound, while letters must pay 32 cents a pound?

Mr. LOUD. Perhaps I should have put my statement in a different way. I will modify it and say that I would be willing to endure, and endure with great patience, the present system in that respect, because we have endured it almost since the beginning of the Government, whether it be right or not. But I believe the same privilege should be extended to the humblest citizen in this land that is extended to the largest and wealthiest proprietor of any newspaper. And permit me to say that so long as you are weighing those mails down with the matter to which I refer and losing $40,000,000 a year you are preventing the great mass of the people of this country from enjoying what is their proper and just right—1-cent postage. [Applause.]

Mr. MILLIKEN. Inasmuch as the gentleman has referred to me, will he allow me to say——

Mr. QUIGG. Will the gentleman yield for a question?

Mr. LOUD. I think I had better finish my remarks. I do not think these gentlemen are enlightening the House; and you have sufficiently embellished my speech, and we had better let the machine proceed.

Mr. QUIGG. All I want to know is whether the Loud bill is in this report.

The SPEAKER pro tempore. The gentleman from California declines to be interrupted.

Mr. LOUD. The gentleman well knows that the bill to which he refers is not in this report.

Mr. MILLIKEN. Why are you talking about it, then?

Mr. LOUD. What I have said on this subject is, I believe, all I want to say. I do not suppose I shall ever again have the opportunity of calling the attention of this House to what I believe to be some of the gross abuses connected with the postal service. Other people may differ with me; that is their right; but when I see what appears to be an abuse, and am placed in charge of a committee whose province it is to deal with such questions, and when after six months of diligent labor and research into the workings of the Post-Office Department I have undertaken to present a bill on the subject, it is most remarkable that any gentleman should be unwilling to allow me to present the subject in this somewhat informal manner, which I adopt because I can not be recognized to present it in a more formal way.

Mr. MILLIKEN. But the other side ought to have an opportunity to reply.

Mr. LOUD. Permit me to say to the gentleman there are occasions when a man must defend himself. This journal here, or whatever you may call it, had said, "LOUD was bought off"; that he had "suppressed the Loud bill." The newspapers of this country have commended this measure; they are unable to ascertain why it should not gain consideration. Some of them have said that I have "laid down on it." In defense of myself, Mr. Speaker, I have been forced to speak. [Applause.] I wish to say that there has never been an hour since this bill was reported to the House that I would not have sacrificed all else to have brought the bill up for consideration; and I will say further that in my opinion this House is doing gross injustice to 70,000,000 people in adjourning without passing this bill.

Now, Mr. Speaker, I am done. [Cries of "Question!" "Question!"]

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

MESSAGE FROM THE PRESIDENT.

A message from the President, by Mr. PRUDEN, one of his secretaries, announced the action of the President on bills of the following titles:

On June 6, 1896:

An act (H. R. 8109) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes;

An act (H. R. 8008) defining cheese, and also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of "filled cheese";

An act (H. R. 6994) relating to the sale of gas in the District of Columbia;

An act (H. R. 7578) granting the Flagstaff and Canyon Railroad Company right of way for railroad purposes through the Grand Canyon Forest Reserve in northern Arizona;

An act (H. R. 1109) granting a pension to Elizabeth Marshall;

An act (H. R. 4598) granting a pension to Mary Cray;

An act (H. R. 6111) granting a pension to Elizabeth A. Sargent;

An act (H. R. 6134) granting an increase of pension to Caroline E. Purdum;

An act (H. R. 4724) to increase the pension of Mrs. Mary L. Aleshire;

An act (H. R. 4275) to increase the pension of Mrs. Annis H. Enochs, widow of Gen. William H. Enochs, from $20 to $50 per month;

An act (H. R. 5225) for the relief of Mrs. Elizabeth M. Williams, of Monroe County, Tenn.;

An act (H. R. 3229) for the relief of Hannah Newell Barrett;

An act (H. R. 6293) to increase the pension of Peter Rafferty;

An act (H. R. 7334) granting an increase of pension to William T. Applegate;

An act (H. R. 6132) granting an increase of pension to Thomas M. Scott;

An act (H. R. 3007) granting an increase of pension to Michael S. Pettit;

An act (H. R. 3033) to increase the pension of Elizabeth T. Beall, widow of Benjamin L. Beall, late colonel First United States Cavalry;

An act (H. R. 2602) for the relief of Solomon Hyams;

An act (H. R. 3857) granting a pension to Thomas Brewer;

An act (H. R. 2373) granting a pension to Elvin J. Brown;

An act (H. R. 3395) granting a pension to Carrie H. Greene;

An act (H. R. 4283) granting a pension to Delia A. Marsh;

An act (H. R. 5175) granting a pension to Nancy Gentry;

An act (H. R. 468) granting an increase of pension to Mrs. H. J. Kiernan;

An act (H. R. 5792) granting an increase of pension to Mrs. Julia A. Jameson;

An act (H. R. 1734) to increase the pension to Ann Catherine Hull;

An act (H. R. 3578) granting a pension to Elmira E. Dustin;

An act (H. R. 2006) to increase the pension of Harriet C. Gregg; widow of Col. and Bvt. Maj. Gen. John Irvin Gregg, from $30 to $50 per month; and

An act (H. R. 3582) to remove the charge of desertion now standing against Henry H. Bailey.

NOTE.—The following bills having been presented to the President May 25, 1896, and not having been returned by him to the House of Congress in which they originated within the time prescribed by the Constitution, have become laws without his approval:

An act (H. R. 4383) granting a pension to Gen. William H. Morris;

An act (H. R. 2042) to increase the pension of Wilbur F. Cogswell; and

An act (H. R. 3337) amending the act of June 8, 1880, entitled "An act to authorize the President to appoint an officer of the Navy or the Marine Corps to perform the duties of Solicitor and Judge-Advocate-General, etc., and to fix the rank and pay of such officer," and for other purposes.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had still further insisted upon its amendments to the bill (H. R. 6249) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes, numbered 64, 69, and 70, disagreed to by the House of Representatives, had agreed to the further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PETTIGREW, Mr. TELLER, and Mr. COCKRELL as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes; had still further insisted upon its amendments numbered 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 194, 195, and 201, disagreed to by the House of Representatives; had agreed to the further conference asked by the House of Representatives on the disagreeing votes of the two Houses thereon, and had appointed Mr. TELLER, Mr. ALLISON, and Mr. COCKRELL as the conferees on the part of the Senate.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 9404) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment joint resolution (H. Res. 195) to pay the officers and employees of the Senate and House of Representatives on the day following adjournment.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the amendment of the Senate numbered 97 to the bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes.

ORDER OF BUSINESS.

Mr. DRAPER. Mr. Speaker, I move to suspend the rules and pass Senate bill 2306, to amend Title LX, chapter 3, of the Revised Statutes, relating to copyrights.

The bill was read at length.

The SPEAKER pro tempore (Mr. DALZELL). It appears that the original bill, the subject-matter of the motion of the gentleman from Massachusetts, is not at the desk; and in the meantime the Chair will recognize the gentleman from Montana [Mr. HARTMAN], who desires to submit a motion.

THE NORTHERN PACIFIC RAILROAD COMPANY.

Mr. HARTMAN. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H. Res. 190) to facilitate the reorganization of the Northern Pacific Railroad Company; to secure to actual settlers the right to purchase, at a price not exceeding $2.50 per acre, the agricultural lands within its grant, and to prohibit said company or any successor company from giving, by consolidation, sale, or other corporate action, control of its railroad to any corporation, company, person, or association of persons owning, operating, or controlling a parallel or competing railroad, with the amendments recommended by the Committee on the Judiciary.

The joint resolution was read, as follows:

Resolved, etc., That the purchasers of the railroad property of the Northern Pacific Railroad Company, which may at any time hereafter be sold at judicial sale in any suit or suits for the foreclosure of any of the mortgages heretofore executed by said company thereon, may organize anew by filing in the office of the Secretary of the Interior, and in the office of the secretary of state of each State through or into which said Northern Pacific Railroad or any of its branches may run, a copy of the deed or deeds conveying said railroad and property, with a certificate, signed by them, setting forth the name adopted by them, the names, number, and residences, respectively, of its directors, and a copy of any plan of reorganization adopted by said purchasers or pursuant to which such purchase shall have been made. Upon filing such certificate such purchasers, their associates, successors, and assigns, shall, by the the name specified in said certificate, possess the franchise to be a corporation with the same limitations and powers as the Northern Pacific Railroad Company, and shall be subject to all the obligations and duties heretofore imposed by Congress upon said company, and may acquire and hold any property and branches of the Northern Pacific Railroad Company: *Provided*, That nothing in this resolution shall be held to revive any right heretofore forfeited by the Northern Pacific Railroad Company, or to extend to said purchasers at said foreclosure sale any other or different rights than those heretofore granted to said Northern Pacific Railroad Company; and it may acquire and construct additional branches or feeders, not parallel or competing with the line of said railroad or any of its branches, in any State as authorized by the laws thereof; and it may from time to time issue bonds, secured by mortgage, subject to all existing obligations of the Northern Pacific Railroad Company to the United States upon its tangible property and franchises or otherwise, not exceeding in the aggregate the sum of $190,000,000, and $25,000 additional per mile for railroad hereafter constructed, the interest on any of which bonds shall not exceed 4 per cent per annum, and stocks, preferred or common, not exceeding in the aggregate $155,000,000, of which amount not exceeding $75,000,000 may be preferred, but the preference of the preferred stock as to dividends shall not exceed 4 per cent per annum: *Provided*, That except such stock as shall be issued for property acquired under such foreclosure proceedings, no additional stock shall be issued, except for money, labor, or tangible property at its actual cash value, to the par or face value of the stock, which may be common stock or preferred stock, or both, as may be authorized at stockholders' meetings; and any stock issued contrary to the provisions hereof shall be void; and that any such mortgage shall be filed and recorded in the office of the Secretary of the Interior and in the office of the register of deeds of each county through and into which said railroad or any of its branches may run, as sufficient proof and notice of its legal execution and effectual delivery and of the lien thereby created: *Provided*, That such successor company, its successors and assigns, and any purchaser of lands at such foreclosure sale under such mortgages heretofore executed by said company, other than bona fide purchasers for actual settlement and cultivation, shall sell to any applicant therefor, for purposes of actual settlement and cultivation by such applicant, in tracts of not less than 40 nor more than 160 acres each, at a price not exceeding $2.50 per acre, any agricultural land lying more than 1 mile from said railroad and then unsold, heretofore granted by Congress to the Northern Pacific Railroad Company and acquired by purchasers at said foreclosure sale as aforesaid: *Provided*, That any lands acquired by said successor company situate in Minnesota or North Dakota, east of the Missouri River, lying more than 1 mile from said railroad, shall be so sold to any applicant therefor, for purposes of actual settlement by such applicant, in tracts of not less than 40 nor more than 160 acres, at a price not exceeding $5 per acre; and said company may reserve to itself, its successors and assigns, in the sale of any lands applied hereunder, all coal necessary for use in the maintenance and operation of said railroad which may be found therein and open for mining prior to such foreclosure sale, and the right to take therefrom gravel for its own uses: *Provided, however*, That said company shall have the right to reserve from sale hereunder, and to otherwise dispose of, such tracts or bodies of arid lands as it shall deem necessary or advisable for use in any way in promoting and developing irrigation, through companies or associations organized under and subject to the laws of the States in which such lands are situated: *And provided further*, That neither the Northern Pacific Railroad Company nor such successor corporation, its successors or assigns, shall consolidate its stock, or the stock at any time by it held in any subsidiary corporation, with, or sell, convey, or lease said railway, or by other corporate action give control or management over and of the same to any corporation, company, person, or association of persons whatever without the consent of Congress; and any contract entered into by said successor company in violation of the provisions hereof shall be null and void, and may be enjoined at the suit of the United States or any State in which said road or any part thereof is situate in any court of competent jurisdiction: *And provided also*, That nothing herein contained shall be construed as making any additional grant of lands to such successor corporation, or a waiver of any right of the United States now existing to enforce any forfeiture of lands heretofore granted to the said Northern Pacific Railroad Company, or as in any manner affecting the vested rights of any settler or settlers on any of the lands heretofore granted to the Northern Pacific Railroad Company, or of any purchaser or purchasers of any such lands from said company, or to extend to any purchasers at said foreclosure sale, or any subsequent foreclosure sale under the mortgages hereby authorized, any other or different rights than those heretofore granted to said Northern Pacific Railroad Company: *And provided further*, That all debts, demands, and liabilities due or owing by said Northern Pacific Railroad Company, which were contracted, accrued, or incurred in any State or Territory through or into which its line of railroad or any of its branches extend, to any resident thereof, for ticket or freight balances, or for work, labor, material, machinery, fixtures, and supplies of every kind done, performed, or furnished in the repair, equipment or operation, construction, or extension of said railroad or branches, and all liabilities by said railroad company in the transportation of freight and passengers, including damages for injuries to employees or others, and to property, which accrued, or upon which suit has been brought and is now pending, or upon which judgments against said railroad company have been rendered and remain unsatisfied in any such State, within twelve months prior to any appointment of a receiver for said Northern Pacific Railroad Company by any United States court, and all liabilities on appeal, or supersedeas, or cost bonds, or in garnishment proceedings, without regard to the date of such bonds, together with all debts and liabilities which such receiver may have incurred in operating said Northern Pacific Railroad and its branches, including claims for injuries to person and property, shall be paid by such reorganized company; and judgments rendered thereon against such receiver, and remaining unsatisfied, shall have full force and effect against such reorganized company, and be enforced by execution or other proper final process directly against such reorganized company and its property, and shall be a prior lien thereon: *And provided further*, That if the holders of bonds secured by the first mortgages of the Northern Pacific Railroad Company shall surrender their bonds

and accept in lieu thereof bonds or stock or both from the purchasers at such foreclosure sale then said first mortgage shall be held to be extinguished: *And provided further*, That in every case of failure of the title to any lands conveyed or contracted to be sold by said Northern Pacific Railroad Company any and all rights of such purchaser or his assigns, in respect of such land, or in respect of the failure of such title, or in respect to the liability of said Northern Pacific Railroad Company on said contracts for the sale of lands, shall survive and may be enforced against such successor company with the same force and effect and in the same manner as against the Northern Pacific Railroad Company; and such successor company, upon making compensation for such loss of title or failure to comply with the conditions of such land contracts, shall be subrogated to the rights of such purchaser in respect of the lands for which such compensation shall have been made: *And provided further*, That the reorganized railroad company provided for in this resolution shall, for all purposes of judicial jurisdiction, be held and deemed to be a citizen and corporation of the respective States into which its line of railway, or any branch or spur thereof, may extend, or in which any such corporation may conduct or carry on any business, and the service of process upon such corporation may be made according to the laws of the respective States in which suits shall be brought. And it being the purpose and intent of this resolution to authorize the creation of a corporation for railroad rather than for land-owning purposes, it is provided further that all lands herein referred to should be sold from time to time when a reasonable price is offered therefor; and if, after five years from the date of the passage of this resolution, it shall be ascertained by any court of competent jurisdiction, subject to the right of appeal, that any of such lands, except such as may rightfully be reserved by said newly organized corporation, under the provisions hereof, for which a reasonable price, to be determined by the Secretary of the Interior, has been offered, shall be held or reserved, first, by such newly organized corporation; or, second, held by any other corporation, person, persons, or association for the use or benefit of such newly organized corporation; or, third, held by any corporation or association in which any stockholder, officer, or member of such newly organized corporation shall be a member, officer, or stockholder; or, fourth, held by any stockholder, officer, director, or member of such newly organized corporation, then such land, or any part of it, so held or reserved shall immediately revert to the United States; and such holding or reservation may be ascertained in a suit by any person asking to make preemption, homestead, or cash entry of any tract or tracts of such land; and such person, if successful, shall be entitled to take the contested land according to the entry made; but no forfeiture under the third subdivision above shall take place provided the stock in the newly organized company, on account of the ownership of which a forfeiture might be worked, shall be forfeited and canceled on the books of the company as soon as a knowledge of such ownership reaches the president or board of directors of the said newly organized corporation; and the power to make such forfeiture and cancellation and appropriate the stock is hereby conferred on the said newly organized corporation.

SEC. 2. That stockholders in said successor corporation shall possess the same rights, privileges, duties, and obligations in respect to the management of the business affairs of said corporation as were enjoyed and possessed by the stockholders of said original Northern Pacific Railroad Company. The time and manner of holding elections for officers and directors of said successor corporation, the number of said directors, and the making of by-laws and transferring and voting stock shall be the same as existed under the original act incorporating said Northern Pacific Railroad Company and any and all acts amendatory thereto.

SEC. 3. That Congress shall at all times have the power to alter, amend, or repeal this resolution.

Mr. QUIGG. I ask a second, Mr. Speaker.

Mr. HARTMAN. I ask that a second be considered as ordered.

Mr. RICHARDSON, Mr. TERRY, and others demanded a second.

The SPEAKER pro tempore. In the absence of objection, a second will be considered as ordered.

Mr. KEM. I object.

Mr. PAYNE. Who objected? [Laughter.]

The SPEAKER pro tempore. The gentleman from Nebraska [Mr. KEM].

The SPEAKER pro tempore announced the appointment of Mr. HARTMAN and Mr. QUIGG as tellers.

The House divided; and the tellers reported—ayes 51, noes 1.

So a second was ordered.

The SPEAKER pro tempore. The Chair will recognize the gentleman from Montana [Mr. HARTMAN] to control the time in support of the proposition, and the gentleman from New York [Mr. QUIGG] in opposition.

Mr. HARTMAN. Mr. Speaker, I will ask the Chair, at the expiration of five minutes, to notify me, as I desire to yield a portion of the time to which I am entitled to the gentleman from Minnesota [Mr. TAWNEY].

Mr. Speaker, the Northern Pacific Railroad Company was organized by a charter granted by the Congress of the United States on the 2d day of July, 1864. It had a land grant among other things accorded to it by that Congress. Subsequent legislation of the Congress of the United States gave to that company the right to mortgage the lands and franchises and the railroad property of the corporation. Pursuant to that authority four mortgages were executed. Three of these mortgages have been foreclosed and that property is to be sold on the 25th day of July under the foreclosure. The purpose of this resolution is to enable the purchasers of that property, at the foreclosure sale, to take it as a Federal corporation. We are very desirous that this authority shall be granted. Every Senator and member of Congress from every State through which the line or any of the branches of the road runs are in favor of granting this right to the purchasers of the property.

A MEMBER. How many States are affected?

Mr. HARTMAN. Seven; the States of Minnesota, Wisconsin, North Dakota, Montana, Idaho, Washington, and Oregon. We are a unit on this question.

In addition to that, sir, I desire to read from the testimony taken before the Judiciary Committee to show that those who are interested in the property of the company are also in favor of the passage of this bill. Mr. Morrowitz, the attorney for the reconstruction company, in response to an inquiry submitted to him by Judge Strong, made the following answer:

There has been actually deposited over 99¼ per cent of all the bonds; 95½ per cent of all the preferred and 90 per cent of all the common stock.

So that the property interests of this great corporation, you will observe, are practically unanimous on this question. Now, as to the merits of the pending bill. I desire to say briefly that there are a number of reasons why we, as representatives of our respective constituents in the States I have named, desire the passage of this bill. First, if it is not passed within the time I have specified, then this company must organize under a State charter and purchase on the 25th of July this property and operate it under a mere State charter. There are many reasons why we do not want a State charter granted, the principal one of which is that we do not want to take the chances of the legislature of any State giving such a broad and unlimited freedom to this company as to give them rights which will be abused by them at the expense of the people of these several States.

Mr. Speaker, there are a number of reasons why it is essential that this bill should pass in addition to those which I have stated. First, this road has been operated under a Federal charter for nearly thirty-two years. The courts in our respective States have succeeded in establishing the precedents defining the rights, duties, and obligations of the road to the people and of the people to the road. Every lawyer here knows that it is a desirable and essential thing to peace and prosperity in a community that there be a settled line of judicial precedents. We do not want to have to commence to pioneer again in the matter of judicial determinations of some of the provisions of some State charter which may be granted to this successor corporation. Now, again, there is another reason. We have a very wholesome restriction here compelling the successor corporation to sell all its agricultural lands more than a mile from the railroad to settlers at a maximum price of $2.50 per acre. That is compulsory.

I will now reserve the balance of my time, and ask that some one who opposes the bill may occupy some of the time, after which I will yield to the gentleman from Minnesota [Mr. TAWNEY].

Mr. QUIGG. Mr. Speaker, twenty minutes' debate, as I understand it, is allowed on a measure under a motion for a suspension of the rules. I hold in my hand a statement on the part of J. Pierpont Morgan and others as to what it is proposed to do when Congress shall have passed this bill. I observe by that statement that we are talking about 4,706 miles of railroad, extending halfway across this continent. I observe that we are talking about land that comprehends 43,000,000 acres, and I notice that we are going to pass a bill, or else not, under a suspension of the rules, with twenty minutes' debate on a side, which changes the conditions under which $400,000,000 of other people's property are to-day owned. I notice that that is to be done in a bill of ten pages, which I wonder how many gentlemen in this House have read.

Now, Mr. Speaker, it seems to me that this is not a proper bill to come up under these circumstances, and under a proposition to suspend the rules and pass it. I have looked into the bill a little. I have not had time to look into it much. I observe that in place of $380,000,000 of stock and bonds now existent upon this property it is proposed that there shall be $345,000,000 of stock and bonds issued by the new corporation. I observe also a provision that certain debts, demands, and liabilities due and owing by the Northern Pacific Company, which were contracted in any State or Territory through which the road extends, and to any resident thereof, for certain purposes, are to be paid by this other corporation, but not much seems to be said in the bill about the debts and liabilities that are due to the residents of other States. I observe, too, that any judgment against the existent corporation is good, according to the terms of this bill, provided the suit has been brought within twelve months prior to the appointment of a receiver for the corporation.

Mr. TAWNEY. Will the gentleman permit an interruption right there?

Mr. QUIGG. Yes. Of course the gentleman is going to speak in his own time in a few minutes.

Mr. TAWNEY. Yes; but will you consent to strike out that limitation of one year?

Mr. QUIGG. I think it ought to be stricken out.

Mr. TAWNEY. The proposition of the reorganization committee was that there should be no limitation at all as to the length of time when the debt or the liability was incurred. That provision was put in by the Judiciary Committee, I think, by mistake, because they simply incorporated that provision of Judge Caldwell's order appointing the receiver relating to the payment of debt. If you will strike it out there will be no cause of complaint.

Mr. QUIGG. With pleasure. I shall offer an amendment to the bill as to this whole subject of debt in a moment. Now, you see, Mr. Speaker, by the admission of the gentleman, a member of

the committee that brings this bill here, you have got something in it with regard to other people's property that ought not to be there. Now, I say that, in my belief, there is a good deal in this bill that ought not to be there. I believe that this bill is another game of freeze-out, and I propose to illustrate it by a statement of facts with reference to one of the feeder lines owned by this corporation.

There is a corporation in the State of Washington known as the Seattle, Lake Shore and Eastern Railroad. It owns 240 miles of railroad. This corporation was bought by the Northern Pacific Railroad in 1890. The Northern Pacific took its stock and wrote on the back of the bonds that they pledged this land grant and all their property and franchises for the payment of this $5,500,000 worth of bonds. Now, the Northern Pacific defaulted on those bonds. They have not been paid. The Seattle Company has brought suit and has recovered a judgment, and an order of sale has been made and the road has been sold, but the judgment is not satisfied. Now, the bondholders of that corporation have to-day some equities in these assets. Perhaps when this bill passes they may have some; but when all the bonds and all the conditions of ownership have been changed, when a new corporation has been created, into the lap of which all these assets are swept by this bill, I apprehend that the difficulties which the Seattle Company have thus far experienced in the collection of their debt will be considerably increased.

Mr. SKINNER. Will the gentleman from New York submit to one question?

Mr. QUIGG. Yes.

Mr. SKINNER. Has this bill been referred to the Department of Justice; and if so, will you be kind enough to tell the House what the Department of Justice thinks about it?

Mr. QUIGG. I do not know where the bill has been referred. I have no doubt the gentleman from Minnesota [Mr. TAWNEY] can explain when he speaks, but I should rather the time were not taken away from me.

Mr. TAWNEY. You know it was referred to the Judiciary Committee and reported by the Judiciary Committee to the House.

Mr. QUIGG. The point I make against this bill is that this is not the time and this is not the way in which to pass it. The gentleman says that if this is not done the railroad would have to content itself with a State charter, and that such a charter will not be so good for the people that live out in his country. Well, it seems to me that the people who live in his country, where this charter will be liable to be obtained, ought to be able to take care of their own rights. And whether they are or not, what passes to this new corporation when the property has been sold? Why, there passes the property that is covered by the mortgage, and that mortgage is on all the property and rights of property of all kinds and descriptions, real, personal, and mixed, including its franchise as a corporation. The gentleman says that this bill is simply to maintain the conditions now existant under the charter of this company granted to them by the United States. That franchise goes with the rest of its property to the owners of the mortgage bonds or to the purchasers when it is sold.

Mr. FAIRCHILD. Will the gentleman allow me to ask him a question?

Mr. QUIGG. Yes.

Mr. FAIRCHILD. Is it not a fact that there has been a decision of the court that the charter or franchise does not go with the mortgage unless the law originally granting the charter and providing that the franchise could be mortgaged also provided a mode for exercising the right of sale and transfer?

Mr. QUIGG. I do not know what the decisions of the courts are. This whole property is now in the courts, and this bill is a proposition to get it out, with twenty minutes allowed for debate on each side under a suspension of the rules.

Mr. FAIRCHILD. Well, then, will the gentleman from New York allow me to call his attention to a case in which there was such a decision?

Mr. QUIGG. No; I will not.

Mr. HARTMAN. Well, I will put it in in my time.

Mr. QUIGG. I do not want to be discourteous to my colleague; but I have not the time.

Mr. FAIRCHILD. It is only about two lines; but there is a great deal of meat in it.

Mr. QUIGG. This corporation is now being sued in a great many ways and under a great many circumstances, and I want these Seattle, Lake Shore and Erie bondholders to have their day in court.

I intend to present at the proper time, Mr. Speaker, an amendment to the bill on this subject of property and debts; but I do think that this bill ought to be defeated; that this is no time and no place, and these are not the circumstances under which to pass it. I reserve the balance of my time.

Mr. HARTMAN. Mr. Speaker, I yield eight minutes to the gentleman from Minnesota [Mr. TAWNEY].

Mr. TAWNEY. Mr. Speaker, the principal objection urged by the gentleman from New York against the passage of this joint resolution is the fact, as he states, that we have not sufficient time to consider it; that it involves matters of such vast importance that we can not give to them that consideration which they deserve. I grant you, Mr. Speaker, that so far as time is necessary for a clear understanding of the various provisions and purposes of this resolution there is much force in this suggestion; but the friends of this proposed legislation are not responsible for the lack of time for its consideration.

Now I wish to emphasize one fact in regard to the extreme importance of action by Congress at this time upon this resolution. The Northern Pacific Railroad Company, as the gentleman from Montana and the gentleman from New York have said, was authorized by a joint resolution, passed in 1869, to mortgage all of its property, including its franchise; but under decisions of the Supreme Court of the United States, the first being in the case of the Memphis Railroad Company against the Commissioners (12 U. S., 696), it is held that the provision of this joint resolution which authorizes the company to mortgage its franchise is inoperative. The language of the court in that case is this:

A franchise to be a corporation is not subject to sale and transfer unless made so by the statute which provides the mode for exercising it.

So it is with this statute. It makes no provision for exercising the right to transfer the franchise, and is therefore inoperative.

That is the reason this proposition is now before the House. There is no provision of that kind in the joint resolution of 1869. The purchasers of the property of the Northern Pacific Company at the foreclosure sale which occurs on the 25th of next month will, therefore, not obtain that which the mortgagor or railroad company had originally mortgaged under the joint resolution to which I have referred. Therefore, in order to obtain that which Congress originally intended the purchasers at a foreclosure sale should possess, they have come here and asked that this franchise be extended to them, and that they be given the right to incorporate under the original charter of the Northern Pacific road.

Now, the importance of this to the people of the States through which the road passes is one of great magnitude. I want to call the attention of the House to the fact that unless this authority is given them the purchasers of this property will take the property at the foreclosure sale on the 25th of next month absolutely free from every condition; and in order to avail themselves of its benefits and to operate their road they will be obliged to incorporate under State authority. What will be the effect of this upon the titles to land which is now held by settlers all along the line of that road from Lake Superior to Puget Sound? Remember that that road has enjoyed a munificent land grant 40 miles in width in Minnesota and Wisconsin and 80 miles in width west of Minnesota, extending to Puget Sound. The greater part of that land grant has been sold to actual settlers. The Government of the United States has since discovered that some of these lands have been erroneously certified, and is now seeking to cancel those certifications. Whenever in the future the title of any of that land fails, unless the condition which we impose in this joint resolution is made a part of the right of the purchasers to incorporate under Federal authority, those settlers will have absolutely no protection and will have no recourse against anybody for the damages which they may sustain by reason of the failure of their title.

I have here a letter received from a gentleman in the State of North Dakota, in which he says that in 1893 he purchased from the old Northern Pacific Railroad Company a section of land. In his contract of purchase there is a guarantee that when he shall have performed the conditions imposed upon him by that agreement he should have a warranty deed of the land free from all liens up to the date of the contract. For almost ten years before that purchase of this land it was taxed, and all other lands in the State of North Dakota owned by the company were during that time likewise taxed. The company resisted the tax on the ground that under the laws of North Dakota their land was exempt, the company paying a gross-earnings tax, but the Supreme Court of the United States has held the lands taxable. That gentleman has performed every condition of his contract and he has applied for his deed, a warranty deed, but instead of that they offer him a quitclaim deed. Why? Because they know that before they can give a warranty deed they must pay up the taxes for all these previous years.

Now, if the purchasers of this property incorporate under State laws, then every man who has a contract for the purchase of land will have to go and pay the taxes himself or else lose his property; and this gentleman says that his is not an isolated case, but that there are hundreds of them in the State of North Dakota, and I am informed that there are hundreds of them in the States farther west where the lands have been similarly taxed.

Mr. WATSON of Ohio. I desire to ask the gentleman a question for information. Does the Northern Pacific Railroad Company desire this bill passed?

Mr. TAWNEY. The Northern Pacific Railroad Company is insolvent and has nothing to do with it, and I do not know whether they desire it or not.

Mr. WATSON of Ohio. Who is it that wants the bill passed?

Mr. TAWNEY. The prospective purchasers of this property at the foreclosure sale.

Mr. WATSON of Ohio. Who are they?

Mr. TAWNEY. The bondholders, creditors, and settlers.

Mr. DOOLITTLE. And the people of the States through which the road passes.

Mr. TAWNEY. Yes; and the people of the seven States through which the road runs.

Mr. HARTMAN. Without exception.

Mr. TAWNEY. Without exception, as the gentleman from Montana remarks. This joint resolution has been considered by the Judiciary Committee, and they have put into it every condition that is essential to protect the rights of the settlers in these States, and also the rights of the bondholders.

Mr. LACEY. Will the gentleman yield for a question?

Mr. TAWNEY. I will.

Mr. LACEY. Is not the main object of this bill to get away from the State courts and compel the people of those States to go into the Federal courts every time they have occasion to litigate with this company?

Mr. TAWNEY. There is a condition in this joint resolution which makes the purchasers of this property, when they incorporate under this law, subject to the jurisdiction of the State as citizens.

Mr. HARTMAN. That is correct.

Mr. TAWNEY. And the proposed prospective purchasers have consented to that condition. There is also a condition which compels the reorganized company to pay all judgments of record against the Northern Pacific Company for personal injuries, for labor, and for other claims which I can not enumerate.

Mr. FAIRCHILD. Will the gentleman yield for a question?

Mr. TAWNEY. Yes, sir.

Mr. FAIRCHILD. Is it not a fact that this bill is the result of an endeavor to comply with the desires of the prospective purchasers of the property on the one side and of the settlers along the line of railroad in the several States on the other side, and does it not succeed in doing so?

Mr. TAWNEY. That is exactly the case.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

Mr. HARTMAN. Mr. Speaker, I reserve the balance of my time until the gentleman from New York [Mr. QUIGG] closes.

Mr. QUIGG. I yield three minutes to the gentleman from Arkansas [Mr. TERRY].

Mr. TERRY. Mr. Speaker, it is impossible in the brief time assigned to me to bring forward many of the objections that might be urged against this bill. The original act incorporating this Northern Pacific Railroad Company granted to it a belt of land 80 miles wide through the Territories and 40 miles wide through the States, extending from ocean to ocean, an empire in itself. The real object of the present bill is to enable the reorganized company to take all that vast domain, to buy it in a lump, whereas the mortgage under which the corporation is foreclosed was by the act of Congress required to stipulate that the land should be sold in small tracts. I read from a proviso in the act authorizing the mortgage, which says that—

> The lands shall be sold at public sale at places within the States and Territories in which they shall be situated after not less than sixty days' previous notice, in single sections or subdivisions thereof, to the highest and best bidder.

Mr. TAWNEY. Will the gentleman permit a question?

Mr. TERRY. I can not. The gentleman must recognize that in three minutes I can not spare any time for questions.

Mr. TAWNEY. I wish to ask the gentleman whether he did not, as a member of the Judiciary Committee, accept the bill with certain amendments which he proposed and which were adopted by the committee and are in the bill?

Mr. TERRY. I can not yield. I would be glad, if I had time, to answer any question. Now, Mr. Speaker, these lands have gone forward to sale under the act. The settlers or others who desired could, under the provision, have bought these lands in small tracts; but when you get this bill through those lands will be sold in a body to this new company. As a member of the Committee on the Judiciary I endeavored to put upon the bill some amendments, and did succeed in putting on two important amendments, one in regard to jurisdiction and the other in regard to certain debts. Still the bill is not one that should be passed here under suspension of the rules. Right at the heels of the session it was brought before the Judiciary Committee, and now to pass it here without any opportunity to discuss it—I can only get three minutes. Mr. Speaker, is my time out?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. TERRY. I am an "object lesson" to show that we can not discuss it. [Laughter.]

Mr. QUIGG. I yield the gentleman from Ohio three minutes.

Mr. WATSON of Ohio. Mr. Speaker, this bill is something like the bill which the House refused to pass a few days ago. I do not know what the sense of the House is at this time upon this joint resolution, but I hope that when the vote comes upon its passage the House will not hesitate to defeat it.

Mr. TAWNEY. I hope the gentleman will give some intelligent reason for that.

Mr. WATSON of Ohio. If the gentleman will not interrupt me, I will proceed to do so. There are three reasons, Mr. Speaker, why, in my opinion, this joint resolution ought not to pass. The first and chief objection is that it bears upon every line of it the burden of suspicion by coming before this House within fifteen hours of our final adjournment.

Mr. TAWNEY. Who is responsible for that; the friends of the resolution?

Mr. WATSON of Ohio. When you tell me that this Congress undertakes to pass a joint resolution reorganizing a great transcontinental railway line after twenty minutes' debate on a side and then adjourns within ten hours after that, I say it puts a burden on this Congress that it does not want to assume.

Mr. TAWNEY. I do not think the gentleman will scare anybody.

Mr. WATSON of Ohio. Will the gentleman please keep quiet? There is another reason; and I call the serious attention of the House to this matter. This railroad was organized under an act of this Congress. You propose to reorganize it under a simple joint resolution. If you will take the trouble to examine into the dignity and legal force and binding effect of an act of Congress you will find it is much stronger and of much more force than a simple joint resolution. I have not the time now to read the authorities on that subject, but if the gentleman from Minnesota, who seems to be very much amused at my talk, will look at page 535 of the Manual he will get some information on that subject which he does not seem now to have, and which, I think, will greatly benefit him. I also call the gentleman's attention to the Constitution of the United States on this subject, and I lay down the general proposition, without having time to sustain it by authority, that you can not rehabilitate and call back to life by a joint resolution a company that was originally created under an act of Congress. There are other serious objections, Mr. Speaker, which I have not time to mention.

[Here the hammer fell.]

Mr. QUIGG. I want to ask the gentleman in charge of this bill whether he will agree to strike out, on page 7, in lines 5 and 6, the following words:

> Within twelve months prior to any appointment of a receiver for said Northern Pacific Railroad Company.

Mr. HARTMAN. I will. I have no objection to that at all.

The SPEAKER pro tempore (Mr. DALZELL). The Chair will state that pending the present motion there can be no change made in this bill except by unanimous consent.

Mr. QUIGG. I understand that; I am going to offer a proposition in a moment. I want to ask the gentleman further whether he will agree to change the bill by inserting after the word "brought," in line 21, page 8, the following:

> *And provided further*, That nothing in this resolution shall be held or construed to impair or in any manner affect the rights of any unsecured creditors of the Northern Pacific Railroad Company or to change or impair the lien of any judgment or demand, if otherwise effective, against any property of said company not embraced in prior and superior liens or passing to the purchasers at such foreclosure sale.

Mr. HARTMAN. I have no objection at all to that amendment.

Mr. QUIGG. I ask unanimous consent that those changes be made in the bill.

The SPEAKER pro tempore. The gentleman asks unanimous consent that the bill now pending shall be changed by inserting the amendment which will be read.

The Clerk read as follows:

> On page 7, beginning in line 5, strike out the words "within twelve months prior to any appointment of a receiver for said Northern Pacific Railroad Company."
>
> In page 8, after the word "brought," in line 21, insert "*And provided further*, That nothing in this resolution shall be held or construed to impair or in any manner affect the rights of any unsecured creditors of the Northern Pacific Railroad Company, or to change or impair the lien of any judgment or demand if otherwise effective against any property of said company not embraced in prior and superior liens or passing to the purchasers at such foreclosure sale."

Mr. HARTMAN. I accept those amendments.

The SPEAKER pro tempore. Is there objection to the proposed amendments? The Chair hears none, and the amendments are agreed to.

Mr. QUIGG. Mr. Speaker, the acceptance of these amendments does not, I regret to say, make this bill in my judgment a proper bill to be passed. [Laughter and cries of "Oh!" "Oh!"] I think that the gentlemen who are "oh-oh"-ing will admit with me that the

United States Government has sufficiently contributed for one year to the income of Mr. Morgan without the enactment of this resolution, and that, indeed, a bill brought in here on the pretense that we can not grant a revival of the original Northern Pacific charter without ten pages of new legislation changing the conditions under which enormous properties are owned ought not to pass.

Gentlemen say that the only reason they bring this bill here is because there is a judicial decision——

The SPEAKER pro tempore. The time of the gentleman from New York [Mr. QUIGG] has expired.

Mr. QUIGG. And that is another reason the bill ought not to pass—because "the time of the gentleman has expired." [Laughter.]

Mr. HARTMAN. Mr. Speaker, I yield one-half minute to the gentleman from Wisconsin [Mr. JENKINS].

Mr. JENKINS. I ask unanimous consent to insert this amendment in the bill.

The SPEAKER pro tempore. The Clerk will read the amendment.

The Clerk read as follows:

Strike out, in line 5, page 7, after the word "State," the following:
"Within twelve months prior to any appointment of a receiver for said Northern Pacific Railroad Company by any United States court."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin to so amend the bill?

Mr. HARTMAN. I have no objection, but as a matter of fact this has been stricken out already.

Mr. QUIGG. I object, for it has been stricken out.

The SPEAKER pro tempore. Objection is made.

Mr. QUIGG (continuing). But I withdraw my objection at the request of gentlemen around me.

The SPEAKER pro tempore. Is there further objection?

Mr. BAKER of Kansas. I object.

Mr. HARTMAN. I yield one-half minute to the gentleman from New York [Mr. DANIELS].

Mr. DANIELS. Mr. Speaker, within the short time allotted to me all I can say to the House in reference to this resolution is that it proposes to put into the hands of a new corporation that it is intended to create precisely the property rights of the old one, and nothing more, and that in the State of New York and the other States generally laws have been enacted for the same purpose. They do not go to the legislatures in those States to provide for reorganization of these corporations under such circumstances; but it is done, as a matter of course, under the general law, and in New York dozens of corporations have been reincorporated by the trustees after purchasing the franchises and property of a mortgaged company, and no word of complaint has ever been made as to the regularity or legality of the proceedings.

There seems to be nothing more in this bill than is contained in the laws of the State of New York on this subject, or the laws of the State of Ohio, and I presume of other States, that provide not for the reconstruction of such companies by the legislature, but for the purchasers to be permitted to reorganize under a general statute.

[Here the hammer fell.]

Mr. HARTMAN. I yield two minutes to the gentleman from Washington [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Speaker, if it were not for a sense of duty to my constituents and the people throughout those States, residents of the States through which this road passes, I would say nothing regarding this measure. I know what the sentiment of the people of the State of Washington is, and that it is and will be practically unanimous in favor of the passage of this resolution.

Now, something has been said here regarding the scope of the measure, and that it should never have come here as a joint resolution. It was referred to the Judiciary Committee of this House as a simple resolution, and that committee offered amendment after amendment, and attached these amendments to this resolution until its scope was so enlarged that it appears as now presented to the House.

The people residing in the various States through which this road passes know that the law under which it was built and chartered—the franchise that gave it life in the first place—made it a military road and under Federal authority, so that in case of war and the necessities of war in this country it might be one of the great highways for the transportation of troops and military supplies along that line. It is a line situated so far north—so near the northern boundary of our country—that in case of war its use as a road for carrying military supplies and the transportation of troops would be very great and important.

Now, should it be operated under a State charter, what right would the Federal Government have to it for such purposes? That is a matter for the members of this House and for Congress—patriotic as all are to-day—to expressly consider and determine.

This resolution does not grant to the Northern Pacific Railroad Company, or the successors of that corporation, any additional right, powers, or property. It takes away power they have heretofore enjoyed, and it limits the price of the agricultural lands which are sold along the line of the road to a much lower price than that at which they are now offered. This limitation is greatly in the interest of the settlers of these States and of the people who would in a short time, when, as we hope, prosperity returns again to this country under a wiser rule than exists at present, purchase these lands; and the removal of present restriction will be a great advantage to these States. Their prosperity will be greatly enhanced by reason of having enacted into law this provision.

But, Mr. Speaker, there are so many reasons why this resolution should be passed at once that it seems to me no gentleman who understands the question involved can see his way clearly and intelligently to vote against it; and I hope it will be passed with a good, round majority.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. TAWNEY. Let me ask the gentleman if the limitation is not put at $2.50 per acre as the price of the land?

Mr. DOOLITTLE. It is, under this resolution. The price is limited to $2.50 an acre where lands have been held at ten and fifteen dollars an acre.

Mr. McEWAN. The gentleman says the price is reduced to two dollars and a half an acre; but is it not a fact that a part of these lands are to be sold at $5 an acre?

Mr. TAWNEY. Oh, that refers to lands in Minnesota and the east.

Mr. POWERS. I wish to inquire of the gentleman——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HENDERSON. Let us have the regular order.

Mr. HARTMAN. I yield one-half minute to the gentleman from North Dakota [Mr. JOHNSON].

Mr. JOHNSON of North Dakota. Mr. Speaker, there are essentially three parties in interest to this question. First, the people of the United States at large, represented by the Government; second, the creditors who are about to purchase this property, or in a broader sense I might say the owners of the property; and third, the millions of people living along the line of that road. First, the people of the United States are giving nothing additional. This is not a land grant. We are giving no additional rights, no additional lands, no additional property from the Government to the road. The owners of the property, the creditors of the Northern Pacific Railroad Company, are substantially united in asking for this legislation. The land grant of that road gave them in fee simple the title to an empire of territory in the district which I represent. They own every other section of land in a strip 80 miles wide and 400 miles long, through my district. The people living in that State and in that strip are substantially united in asking this legislation. They will reap decided advantages and benefits from the passing of this resolution.

Mr. QUIGG. Mr. Speaker, how much time was yielded to the gentleman?

Mr. JOHNSON of North Dakota. One-half minute. Please do not take any of that half minute.

Mr. QUIGG. The time of the gentleman expired a minute and a half ago.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. HARTMAN. Mr. Speaker, I desire only to submit a few remarks in closing the debate. How many minutes have I left?

The SPEAKER pro tempore. The gentleman has five minutes remaining.

Mr. POWERS. If the gentleman will yield to me, I wish to make an inquiry.

Mr. HARTMAN. I will yield to the gentleman.

Mr. POWERS. I wish to inquire whether this bill contemplates giving to the new corporation any other rights than they would get by the foreclosure of their mortgage?

Mr. HARTMAN. Not one. Not a single dollar in money or property is accorded to the successors of the corporation, and nothing else except the franchise to be a corporation.

Mr. POWERS. Is it necessary that they have this resolution passed in order to give them a franchise to be a corporation, in virtue of a large number of decisions of the courts to that effect?

Mr. HARTMAN. It is.

Mr. POWERS. Then why does anybody object to the bill?

Mr. HARTMAN. I do not know. I want to read three lines which were read before, but which I am afraid many members did not hear, from a decision of the Supreme Court of the United States in the case of the Memphis Railway Company *vs.* Douglas, 112 U. S., 609. The court said:

The franchise to be a corporation is not the subject of sale and transfer unless made so by a statute which provides a mode for exercising it.

That is the sole and only reason why it is absolutely necessary for them to come in here and ask Congress to pass this resolution. And, in addition to that, I want to say that we have some very

salient restrictions imposed upon this company. Among others, it can not, under the resolution, consolidate with any competing line. It is compelled to make its prices at $2.50 per acre to settlers upon these lands lying 1 mile from a railroad. It is compelled to carry out every warranty of title which was made by the old Northern Pacific Railroad Company, which has failed. It is compelled, in addition to that, to carry out every contract made by the old Northern Pacific Railroad Company with settlers for the purchase of land. Without that, Mr. Speaker, if they organize under a State charter, such as they will organize under if the gentleman from New York [Mr. QUIGG] prevails here, none of these settlers will have any protection whatever in their dealings with the old company. I know a large number of men in my State whose title has failed who have purchased of the Northern Pacific, and if the gentleman from New York [Mr. QUIGG] succeeds in defeating this bill, these men will have no recourse.

Now, I want to say a word or two about this "spook" that he brings up from Seattle. I know something about that. The very contract upon which that claim is founded is decided by Judge Hanaford of the United States court to be ultra vires, and there has been no appeal from that decision. It stands there to-day, and upon that contract, declared to be ultra vires, the gentleman bases a claim and says to the American Congress, "I will hold up this legislation and defeat the rights of every one of the settlers along this line and all other interested parties because my claim, founded in ultra vires, is denied recognition." And we accept his amendment, and yet even now he is not willing to come in and support our bill to protect these people who have valid, bona fide, honest claims, not decided by any court to be invalid. He proposes to prevent them from having their claims saved, because his people along the Seattle road, in the State of Washington, have an invalid claim, so decided by the court and no appeal having been taken from that decision.

Mr. TAWNEY. Is it not a fact that the Seattle and Lake Shore road are in exactly the same position as every other unsecured creditor of the Northern Pacific?

Mr. HARTMAN. Of course, admitting for argument's sake that this claim is valid, it stands in the same shoes with every unsecured creditor.

Mr. TAWNEY. Is there anything in this resolution that affects in any degree the existing rights of any unsecured creditor against the property of the Northern Pacific?

Mr. HARTMAN. There is not. And further I assert as a legal proposition that Congress has no right to divest any man of a vested right and could not if it tried.

Now I ask for a vote.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Montana [Mr. HARTMAN] to suspend the rules and pass the bill.

Mr. TERRY. I call for the yeas and nays.

Mr. CHARLES W. STONE. I understand that the motion is to pass the bill with the amendments.

Mr. HARTMAN. Yes; I wish to include the amendments—to pass the bill as amended.

The SPEAKER pro tempore. The gentleman from Arkansas [Mr. TERRY] demands the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Montana [Mr. HARTMAN] to suspend the rules and pass the bill as amended.

Mr. HARTMAN. A parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HARTMAN. There were certain amendments proposed and incorporated in the bill by the committee. Is it necessary to take a vote first upon the adoption of those amendments?

The SPEAKER pro tempore. No; the bill before the House is the bill as amended by unanimous consent and such amendments as were originally incorporated.

Mr. LACEY. Were not the amendments which were proposed by the committee read by the Clerk as a part of the bill which we are now voting upon?

The SPEAKER pro tempore. The Chair so understands. The question is on suspending the rules and passing the bill as amended.

The question was taken; and there were—yeas 149, nays 55, not voting, 150; as follows:

YEAS—149.

Adams,	Broderick,	Connolly,	Draper,
Aldrich, Ill.	Bromwell,	Cooke, Ill.	Eddy,
Anderson,	Brumm,	Corliss,	Ellis,
Arnold, R. I.	Buck,	Crowther,	Fairchild,
Avery,	Bull,	Crump,	Faris,
Babcock,	Burrell,	Curtis, Iowa	Fischer,
Baker, Kans.	Burton, Mo.	Curtis, Kans.	Fitzgerald,
Baker, Md.	Burton, Ohio	Curtis, N. Y.	Fletcher,
Baker, N. H.	Calderhead,	Danford,	Fowler,
Bankhead,	Cannon,	Daniels,	Gamble,
Bartholdt,	Clark, Iowa	De Witt,	Gardner,
Belknap,	Clark, Mo.	Dingley,	Gibson,
Bingham,	Cobb,	Doliver,	Goodwyn,
Blue,	Codding,	Doolittle,	Griffin,
Griswold,	Kulp,	Otey,	Strong,
Grow,	Lacey,	Otjen,	Sulloway,
Hager,	Latimer,	Overstreet,	Sulzer,
Halterman,	Leighty,	Parker,	Taft,
Hardy,	Leonard,	Patterson,	Tawney,
Harmer,	Lester,	Poole,	Tayler,
Hart,	Long,	Powers,	Thomas,
Hartman,	Low,	Prince,	Tracey,
Heatwole,	Mahon,	Raney,	Treloar,
Henderson,	McCall, Tenn.	Reyburn,	Underwood,
Henry, Conn.	McCleary, Minn.	Rinaker,	Updegraff,
Hepburn,	McClure,	Russell, Conn.	Van Horn,
Hermann,	McCreary, Ky.	Scranton,	Van Voorhis,
Hill,	McLachlan,	Shafroth,	Walker, Mass.
Hopkins,	Mercer,	Shannon,	Wanger,
Huff,	Meyer,	Sherman,	Wilber,
Hulick,	Milliken,	Simpkins,	Willis,
Hunter,	Mitchell,	Southard,	Wilson, Idaho
Hurley,	Mondell,	Southwick,	Wood,
Jenkins,	Money,	Stahle,	Woodman,
Johnson, Cal.	Moody,	Stallings,	Wright.
Johnson, N. Dak.	Mozley,	Stewart, N. J.	
Kiefer,	Odell,	Stewart, Wis.	
Knox,	Ogden,	Stone, C. W.	

NAYS—55.

Allen, Utah	Fenton,	Marsh,	Shuford,
Bell, Colo.	Harris,	McCulloch,	Strowd, N. C.
Black, Ga.	Hemenway,	McDearmon,	Swanson,
Brewster,	Henry, Ind.	McEwan,	Tate,
Catchings,	Howe,	Miller, W. Va.	Terry,
Chickering,	Huling,	Owens,	Thorp,
Clardy,	Kem,	Pearson,	Tracewell,
Cockrell,	Kerr,	Pendleton,	Turner, Ga.
Coffin,	Kirkpatrick,	Pugh,	Walker, Va.
Cooper, Tex.	Kleberg,	Quigg,	Watson, Ohio,
Cummings,	Layton,	Reeves,	Williams,
Dayton,	Lewis,	Richardson,	Wilson, N. Y.
Ellett,	Linney,	Russell, Ga.	Woodard.
Erdman,	Maguire,	Sayers,	

NOT VOTING—150.

Abbott,	Denny,	Linton,	Robinson, Pa.
Acheson,	Dinsmore,	Little,	Royse,
Aitken,	Dockery,	Livingston,	Rusk,
Aldrich, Ala.	Dovener,	Lorimer,	Sauerhering,
Allen, Miss.	Evans,	Loud,	Settle,
Andrews,	Foote,	Loudenslager,	Shaw,
Apsley,	Foss,	Maddox,	Skinner,
Arnold, Pa.	Gillet, N. Y.	Mahany,	Smith, Ill.
Atwood,	Gillett, Mass.	Martin,	Smith, Mich.
Bailey,	Graff,	McCall, Mass.	Snover,
Barham,	Grosvenor,	McClellan,	Sorg,
Barney,	Grout,	McCormick,	Spalding,
Barrett,	Hadley,	McLaurin,	Sparkman,
Bartlett, Ga.	Hainer, Nebr.	McMillin,	Spencer,
Bartlett, N. Y.	Hall,	McRae,	Sperry,
Beach.	Hanly,	Meiklejohn,	Steele,
Bell, Tex.	Harrison,	Meredith,	Stephenson,
Bennett,	Hatch,	Miles,	Stone, W. A.
Berry,	Heiner, Pa.	Miller, Kans.	Strait,
Bishop,	Hendrick,	Milnes,	Strode, Nebr.
Black, N. Y.	Hicks,	Miner, N. Y.	Talbert,
Boutelle,	Hilborn,	Minor, Wis.	Towne,
Bowers,	Hitt,	Morse,	Tucker,
Brosius,	Hooker,	Moses,	Turner, Va.
Brown,	Howard,	Murphy,	Tyler,
Clarke, Ala.	Howell,	Murray,	Wadsworth,
Colson,	Hubbard,	Neill,	Warner,
Cook, Wis.	Hull,	Newlands,	Washington,
Cooper, Fla.	Hutcheson,	Noonan,	Watson, Ind.
Cooper, Wis.	Hyde,	Northway,	Wellington,
Cousins,	Johnson, Ind.	Payne,	Wheeler,
Cowen,	Jones,	Perkins,	White,
Cox,	Joy,	Phillips,	Wilson, Ohio
Crisp,	Kendall,	Pickler,	Wilson, S. C.
Crowley,	Kyle,	Pitney,	Woomer,
Culberson,	Lawson,	Price,	Yoakum.
Dalzell,	Lefever,	Ray,	
De Armond,	Leisenring,	Robertson, La.	

The following additional pairs were announced:

Until further notice:

Mr. MILNES with Mr. STRAIT.

Mr. PITNEY with Mr. DOCKERY.

For this day:

Mr. HUBBARD with Mr. CLARKE of Alabama.

Mr. HILBORN with Mr. CULBERSON.

Mr. LOUDENSLAGER with Mr. SHAW.

Mr. WOOMER with Mr. YOAKUM.

Mr. NORTHWAY with Mr. MEREDITH.

On this question:

Mr. ANDREWS with Mr. ABBOTT.

Mr. GROSVENOR with Mr. MCMILLIN.

Mr. LEFEVER with Mr. ALLEN of Mississippi.

Mr. BLACK of New York with Mr. DINSMORE.

Mr. COOK of Wisconsin with Mr. SORG.

Mr. SPARKMAN. Mr. Speaker, I am paired with the gentleman from Illinois, Mr. WOOD. I withdraw my vote.

Mr. DOCKERY. Mr. Speaker, I have been absent on a conference committee and find that I am paired with the gentleman from New Jersey, Mr. PITNEY. I desire to withdraw my vote. If he were present I would vote "no."

The SPEAKER pro tempore. On this question the yeas are 149, the nays 55. Two-thirds having voted in favor thereof, the rules are suspended and the joint resolution is passed.

LEAVE TO PRINT.

Mr. HENDERSON. Mr. Speaker, I offer the following privileged report from the Committee on Rules.

The Clerk read as follows:

Resolved, That for the remainder of this session, and for ten days after its close, leave is given to Representatives and Delegates to print remarks in the RECORD.

Mr. HENDERSON. I ask for a vote on the resolution.

The resolution was agreed to.

PERSONAL PRIVILEGE.

Mr. JOHNSON of California. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. JOHNSON of California. Mr. Speaker, in an issue of the San Francisco Examiner, a newspaper published in San Francisco, on the 1st day of June, 1896, and only received by me last evening, occurs a most malicious, false, and slanderous misrepresentation of my action as a member of this House with reference to what is known as the "California mineral-land bill." It has not been my custom during life to reply in any manner to attacks made upon me by newspapers, but this is so flagrant a violation of the decencies that should govern between men, and the publication is so destitute of truth, as is well known to the man who wrote it, and the man who published it, one William R. Hearst, who would not dare as an individual to say to me on the streets what he cowardly says through the columns of his newspaper, that I feel it but right to reply to it somewhat, even at the risk of taking some of the time of this House.

He says I have not favored or sought to pass what is known as the "mineral-land bill"; that I have proved traitor to the interests of my district and my own State. He misrepresents and misstates every action I have taken in reference to the bill. He says that I was forced to introduce the bill, which is untrue. I introduced the bill exactly as it was given to me by the California State Miners' Association when another California member declined to introduce it; and when they desired to amend it, I introduced the bill as amended. I endeavored to secure its passage, and I may say without egotism, in answer to this lying charge of this man Hearst, that had it not been for my exertions this bill never would have passed this House, and I can refer to the gentleman from Tennessee [Mr. MCMILLIN], who was opposed to the bill, in proof of that assertion. He then says that the bill went to the Senate and was amended, which is true.

I had nothing to do with the amendment. I opposed the amendment of the bill. I stated that if it was amended it would have difficulty in getting through the House, because I realized the ability of the distinguished gentleman from Tennessee [Mr. MCMILLIN] and knew that he would make strong opposition to it. But the bill was amended in the Senate (it having applied only to California) by adding to it jurisdiction over the State of Oregon, or part of it, thus increasing the expense and the amount appropriated. The bill then came back to the House, and this liar, through the columns of his paper, says that it was amended in the Senate and did not pass the House through my fault, and his language is as follows:

If Congressman JOHNSON had sincerely wished to pass that bill for the benefit of the miners of California his course was clear. As the author of the bill he should have gone to the chairman of the committee from which the bill came and asked him to move that the House do not concur in the Senate amendment. The chairman surely would have made the motion. That would have sent the bill into conference and given it a right of way which Speaker REED in his most Czar-like mood could not deprive it of. The conference could have reported in favor of the amendment, the bill would have come up as soon as the appropriation bills were out of the way, and it might now have been a law.

But no; Congressman GROVE L. JOHNSON quietly let that bill go back to committee. Tirey L. Ford, the miners' representative, was lulled into a sense of security and came back to San Francisco. Then Speaker REED, acting, according to Senator WHITE, at the behest of Collis P. Huntington, refused to let the measure come up for consideration. As JOHNSON had let the bill go back to committee instead of sending it into conference, it had no rights or privileges over any other bill, and it was the easiest thing in the world for Speaker REED to kill it off.

Now, I have to say in reference to that that every member of this House knows that when that bill was amended in the Senate, increasing expenditure, creating new offices, and putting upon the bill something which was not germane to the original, and when it returned to this House it was absolutely necessary under the rules that it should go either to the Committee of the Whole House on the state of the Union or to the Public Lands Committee. If it had gone to the Committee of the Whole House on the state of the Union the trumpet of the Archangel Gabriel would have been needed to resurrect it on this floor. I went to the chairman of the Public Lands Committee and asked him what was the best way. He said that under the rules the bill with a Senate amendment could not be called up for concurrence and could not be called up for nonconcurrence; that it either had to go to the Committee of the Whole House on the state of the Union, and there sleep the sleep that knows no waking, or else go to the Public Lands Committee, where it had a majority of friends.

It went there under the rules of the House, and the chairman of the committee, Mr. LACEY of Iowa, is present and knows that I speak in that regard the exact fact—it went to that committee and they reported it favorably, but, owing to the rules, the Speaker was obliged to hold that it was not a privileged matter, and therefore we had no right to bring it before the House. The Speaker of this House knows that I have bothered him in season and out of season about this bill. I have been to him at the Speaker's desk, I have been to him in his private room, I have met him in the corridors, and have asked and begged and implored him to allow the bill to come up, but he could not see his way to let it come up except in the regular manner under the rules.

When that bill came back from the Senate the gentleman from Nebraska, Mr. KEM, had already engaged in that warfare which has denominated him the assistant Speaker of this House [laughter] and was making objection to the consideration of all bills by unanimous consent. I knew no way to silence Mr. KEM except to kill him, but I had not money enough to pay the fine if I did that, though perhaps I would have been justified in doing it under the circumstances. [Laughter.] I could not bring up the bill by unanimous consent, and the lying author of this article in this lying, blackmail newspaper knew that as well as I do, yet he attempts to say that I have not been in favor of the bill, when every member of the Public Lands Committee knows that I have made myself a perfect nuisance to that committee in asking and urging them to take it up and pass it through the House, and I am sure that all the members of that committee would sign a letter to that effect.

But this slanderer, not content with that, goes further and attempts to say that I interfered with this bill before I was a member of this House. Not content with having attacked our honored Speaker, whose life, whose record, and whose character as a man and the work he has done for the American nation are a sufficient answer to the slanderous attack of this blackmailing newspaper—not content with attacking him and myself, this slanderer goes on to say in connection with a matter that took place at the last session of this Congress and in connection with another member, what I am now about to read:

Two years ago, when an effort was being made by Caminetti and other California Congressmen to have California included in the Idaho-Montana Act, and when things reached a pass where unanimous consent was required to get the matter up, HEPBURN of Iowa objected and objected again. He could not be argued, cajoled, or browbeaten out of his position. It was deemed strange that a man from Iowa should be so set in his opposition to a measure which particularly concerned California.

But who sat with HEPBURN as his guest? Who lunched and dined and rode with him? Who was his particular friend at that critical juncture? Who was seemingly his adviser?

GROVE L. JOHNSON.

Now, at the last session of Congress, when that bill came up, I was not a member. I did not know Mr. HEPBURN of Iowa. I never lunched with him; I never rode with him; I never wined him (I am a teetotaler and could not); I never dined with him; I was not his guest; he was not my guest. He never objected to the consideration of the bill, as I am informed. That is simply a bald, naked lie, worthy of the man who edits and publishes that paper, and uttered with the intention of injuring me, when I never laid a straw in his way; and the only wicked thing I know of in my life that I could be called to account for with reference to him was that I was at one time his attorney and saved him from damages in a court of justice. [Laughter.]

So far as the bill of last session was concerned, the whole trouble connected with that bill was, as I am informed by the gentleman from Montana [Mr. HARTMAN], the author of the bill, because my predecessor did not keep his bargain with him in reference to the bill. I was not a member. I influenced nobody. I could not. I did not know anybody scarcely, much less Mr. HEPBURN, whom I am now proud to claim as my friend.

I beg pardon of the House for having taken so much time upon this matter. But the miners of my district are numerous. I may be charged with having done this or that in my life; but no mortal man ever truly accused me of breaking my word to any human being, living or dead. I always keep my promises, whether made before or after election. And in this matter I have been true to my promises, true to the interests of my constituents, true to the interests of the miners. And the liar who published that article knew it when he wrote it and published it. [Applause.]

Mr. MAGUIRE. I do not want to interfere with the gentleman's statement at all; but as he has mentioned Mr. Hearst by name and denounced him in very severe terms, I want to know whether he is not aware that Mr. Hearst is residing in New York, and probably never knew anything about this article?

Mr. JOHNSON of California. Mr. Speaker, the rule of law, as the gentleman knows, is that if a man publishes a newspaper, if he calls himself the editor and publisher of it, he is responsible for everything that appears in the paper.

Mr. MAGUIRE. I am not raising the question of his legal responsibility.

Mr. JOHNSON of California. He is responsible for everything

that appears in the newspaper. This paper is published by W. R. Hearst; and if the coward desires to take advantage of the fact that he does not live in San Francisco, but in New York, let him do so. I hope the gentleman from San Francisco [Mr. MAGUIRE] does not propose to indorse any of the statements contained in that letter.

Mr. MAGUIRE. I am not discussing those statements, Mr. JOHNSON.

Mr. JOHNSON of California. I am speaking of that man in that way for this reason: It is the most wicked thing on earth for a man who publishes a newspaper to attack some one, and then turn round and say, "You must not mention my name, because I did not write the article." In the name of God, if he does not want to have his name mentioned, why does he assail other men, better men than he ever dared to be; and if my colleague [Mr. MAGUIRE] is so jealous of this man's character and feelings that he does not want his name mentioned, why has he not prevented him from attacking other people?

Mr. MAGUIRE. I have no control over him; but I say, with regard to this article, that it is not fair to mention and attack Mr. Hearst in this way, when the probability is that he never heard of that article and never saw it.

Mr. JOHNSON of California. I think it is fair, for this reason: That newspaper has attacked me; and I do not believe in this shielding of one's self behind the name of a newspaper. That newspaper is his. He is the man who is responsible for it; and he ought to be responsible for it. When the time comes in these United States that a man can shelter himself behind the name of his newspaper and say he is not personally responsible for what appears in that newspaper, the end of government, the end of decency, the end of protection to individual rights, will have been reached.

Mr. MAGUIRE. I admit Mr. Hearst's legal responsibility.

Mr. LACEY. I should like to ask the gentleman from California a question. In his remarks he has referred to the difficulty of getting this bill up. Is it not true that the Department has opposed the bill on the ground that the expense would run up very high, estimating the expense at over a million of dollars? Has there not been difficulty in getting recognition because the bill created a large number of offices and involved a very heavy expenditure of money?

Mr. JOHNSON of California. That is true, and that is the reason why, when the additional expense was put on this bill, it required the bill to go to a committee—either the Committee on Public Lands or the Committee of the Whole. So far as the question of expense is concerned, I do not think it amounts to anything. When a thing is right it ought to be done, even if it does cost a great deal of money.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6249) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes, had further insisted upon its amendments numbered 69 and 70, disagreed to by the House of Representatives, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PETTIGREW, Mr. TELLER, and Mr. COCKRELL as the conferees on the part of the Senate.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had receded from its disagreement to the amendment of the House to the bill (S. 1189) granting a pension to Eliza Sandford, and had agreed to the same.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6614) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1897.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolutions of the following titles; when the Speaker signed the same:

A bill (H. R. 9404) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes;

A bill (H. R. 6259) to expedite the delivery of imported parcels and packages not exceeding $500 in value;

A bill (H. R. 5280) for the relief of George W. Freeman;

Joint resolution (S. R. 155) to authorize a scientific investigation of the fur-seal fisheries;

A bill (S. 2022) to amend an act entitled "An act to provide for the protection of the salmon fisheries of Alaska";

A bill (H. R. 6614) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1897;

A bill (S. 1189) granting a pension to Eliza Sandford;

A bill (H. R. 2708) to constitute a new division of the eastern judicial district of Texas, and to provide for the holding of terms of court at Beaumont, Tex., and for the appointment of a clerk for said court;

Joint resolution (H. Res. 195) to pay the officers and employees of the Senate and House of Representatives on the day following adjournment; and

Joint resolution (S. R. 155) to authorize a scientific investigation of fur-seal fisheries.

EASTERN JUDICIAL DIVISION OF TEXAS.

Mr. COOPER of Texas. Mr. Speaker, there is a bill on the Speaker's table, with Senate amendments, that I ask to have laid before the House.

The SPEAKER pro tempore laid before the House the bill (H. R. 2708) to organize a new division of the eastern judicial district of Texas, and to provide for the holding of terms of court at Beaumont, Tex., and for the appointment of a clerk for said court.

The bill and the Senate amendments were read at length.

Mr. COOPER of Texas. I move that the House concur in the Senate amendments.

The motion was agreed to.

CONFERENCE REPORT INDIAN APPROPRIATION BILL.

Mr. SHERMAN. Mr. Speaker, I desire to submit a conference report on the Indian appropriation bill.

The SPEAKER pro tempore. The report will be read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 6249) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That the Secretary of the Interior be, and is hereby, directed to withhold any further distribution and payment out of the money derived from 35 per cent of the judgment in favor of the Old Settler or Western Cherokee Indians against the United States in the sum of $300,386.31, set apart for the payment of expenses and for legal services justly and equitably payable on account of the prosecution of said claim until otherwise authorized by law."

And the Senate agree to the same.

On amendments numbered 69 and 70 the committee of conference have been unable to agree.

J. S. SHERMAN,
CHARLES CURTIS,
GEO. C. PENDLETON,
Managers on the part of the House.

R. F. PETTIGREW,
H. M. TELLER,
F. M. COCKRELL,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

Statement of House conferees to accompany conference report No. 6 on Indian appropriation bill.

The Senate conferees recede from amendment 64 with an amendment. This amendment is identical with the one contained in conference report No. 5 presented to the House on Saturday. It simply leaves the matter of the payment of the so-called Old Settlers' claims for future settlement.

On amendments 69 and 70 the conferees were unable to agree.

Mr. SHERMAN. Mr. Speaker, I move that the House further insist on its disagreement to the remaining amendments, numbered 69 and 70, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses.

Mr. DINGLEY. Before that question is submitted, will the gentleman please state the points of disagreement?

Mr. SHERMAN. The only disagreement now is on the sectarian schools.

Mr. DINGLEY. That is all that remains?

Mr. SHERMAN. That is all that remains.

The motion was agreed to.

The SPEAKER pro tempore announced the appointment of Mr. SHERMAN, Mr. CURTIS of Kansas, and Mr. PENDLETON as conferees on the part of the House.

CONTESTED ELECTION—ALDRICH VS. UNDERWOOD.

Mr. DANIELS. Mr. Speaker, I desire again to ask the House to take up for consideration the contested-election case of Aldrich *vs.* Underwood. This case is in such condition that it will require no great length of time to dispose of, and it is extremely important that action should be had upon it and the case disposed of promptly.

Mr. McMILLIN. Mr. Speaker, I have not been able to hear what the gentleman has stated.

The SPEAKER pro tempore. The gentleman calls up the contested-election case of Aldrich *vs.* Underwood.

Mr. McMILLIN. Against that I raise the question of consideration.

I make the point of order, Mr. Speaker, that the motion is not in order. This question has been decided once to-day adversely by the House, and that precludes its being called up for consideration again during this legislative day.

Mr. DANIELS. This is a question of the highest privilege——

The SPEAKER pro tempore (Mr. DALZELL). The Chair will have to overrule the point of order of the gentleman from Tennessee. It is entirely competent to call up a contested-election case, which is a matter of the highest privilege, at this time; and the Clerk will report the resolutions submitted by the Committee on Elections.

The Clerk read as follows:

Resolved, That Oscar W. Underwood was not elected a member of the House of Representatives from the Ninth Congressional district of Alabama for the Fifty-fourth Congress, and is not entitled to a seat therein.

Resolved, That Truman H. Aldrich was elected a member of the House of Representatives from the Ninth Congressional district of Alabama for the Fifty-fourth Congress, and is entitled to a seat therein.

The SPEAKER pro tempore. The gentleman from Tennessee raises the question of consideration, and the question is, Will the House now proceed to consider this case?

The question was taken; and on a division (demanded by Mr. MCMILLIN) there were—ayes 72, noes 64.

Mr. MCMILLIN. Yeas and nays, Mr. Speaker. But I will call for tellers first. Perhaps that will preclude the necessity for the demand for yeas and nays.

Mr. WALKER of Massachusetts and Mr. GROUT demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 131, nays 68, not voting 155; as follows:

YEAS—131.

Adams,	De Witt,	Hurley,	Rinaker,
Aldrich, Ill.	Dingley,	Jenkins,	Scranton,
Anderson,	Dolliver,	Johnson, N. Dak.	Shannon,
Andrews,	Doolittle,	Kerr,	Sherman,
Arnold, Pa.	Dovener,	Kiefer,	Shuford,
Arnold, R. I.	Eddy,	Kirkpatrick,	Skinner,
Avery,	Fairchild,	Knox,	Smith, Ill.
Babcock,	Faris,	Kulp,	Southard,
Baker, N. H.	Fischer,	Leonard,	Southwick,
Bartholdt,	Fletcher,	Linney,	Sperry,
Belknap,	Fowler,	Linton,	Stewart, N. J.
Bingham,	Gardner,	Long,	Stewart, Wis.
Bishop,	Gibson,	Mahon,	Strong,
Blue,	Gillet, N. Y.	Marsh,	Strowd, N. C.
Boutelle,	Goodwyn,	McCall, Tenn.	Sulloway,
Brewster,	Graff,	McCleary, Minn.	Taft,
Bromwell,	Griswold,	McEwan,	Tayler,
Bull,	Grout,	Miller, W. Va.	Thomas,
Burrell,	Grow,	Milliken,	Thorp,
Burton, Mo.	Hager,	Minor, Wis.	Tracewell,
Chickering,	Halterman,	Mitchell,	Treloar,
Clark, Iowa	Hardy,	Mozley,	Updegraff,
Clark, Mo.	Harmer,	Otjen,	Van Horn,
Coffin,	Harris,	Overstreet,	Van Voorhis,
Cooke, Ill.	Henderson,	Owens,	Walker, Mass.
Cooper, Wis.	Henry, Ind.	Payne,	Wanger,
Corliss,	Hooker,	Pearson,	Watson, Ohio
Crowther,	Hopkins,	Phillips,	Wilber,
Crump,	Howe,	Pitney,	Willis,
Curtis, Iowa	Huff,	Poole,	Wilson, N. Y.
Danford,	Hulick,	Prince,	Wood,
Daniels,	Huling,	Raney,	Wright.
Dayton,	Hunter,	Reeves,	

NAYS—68.

Allen, Miss.	Culberson,	Layton,	Pugh,
Allen, Utah	Cummings,	Leighty,	Robertson, La.
Bailey,	Curtis, Kans.	Lester,	Russell, Conn.
Baker, Md.	Dockery,	Lewis,	Sayers,
Bankhead,	Ellett,	Loud,	Shafroth,
Barney,	Erdman,	Low,	Simpkins,
Bell, Tex	Evans,	Maguire,	Stahle,
Black, Ga.	Fenton,	McClure,	Stone, C. W.
Broderick,	Fitzgerald,	McCreary, Ky.	Sulzer.
Buck,	Hart,	McLachlan,	Swanson,
Burton, Ohio	Hemenway,	Mercer,	Tate,
Catchings,	Henry, Conn.	Meyer,	Tawney,
Clardy,	Hill,	Money,	Turner, Ga.
Cobb,	Joy,	Ogden,	Wheeler,
Cockrell,	Kem,	Otey,	Williams,
Cooper, Fla.	Lacey,	Patterson,	Wilson, Idaho
Cooper, Tex.	Latimer,	Powers,	Woodard.

NOT VOTING—155.

Abbott,	Calderhead,	Foss,	Howard,
Acheson,	Cannon,	Gamble,	Howell,
Aitken,	Clarke, Ala.	Gillett, Mass.	Hubbard,
Aldrich, Ala.	Codding,	Griffin,	Hull,
Apsley,	Colson,	Grosvenor,	Hutcheson,
Atwood,	Connolly,	Hadley,	Hyde,
Baker, Kans.	Cook, Wis.	Hainer, Nebr.	Johnson, Cal.
Barham,	Cousins,	Hall,	Johnson, Ind.
Barrett,	Cowen,	Hanly,	Jones,
Bartlett, Ga.	Cox,	Harrison,	Kendall,
Bartlett, N. Y.	Crisp,	Hartman,	Kleberg,
Beach,	Crowley,	Hatch,	Kyle,
Bell, Colo.	Curtis, N. Y.	Heatwole,	Lawson,
Bennett,	Dalzell,	Heiner, Pa.	Lefever,
Berry,	De Armond,	Hendrick,	Leisenring
Black, N. Y.	Denny,	Hepburn,	Little,
Bowers,	Dinsmore,	Hermann,	Livingston,
Brosius,	Draper,	Hicks,	Lorimer,
Brown,	Ellis,	Hilborn.	Loudenslager,
Brumm,	Foote,	Hitt,	Maddox,
Mahany,	Moses,	Rusk,	Towne,
Martin,	Murphy,	Russell, Ga.	Tracey,
McCall, Mass.	Murray,	Sauerhering,	Tucker,
McClellan,	Neill,	Settle,	Turner, Va.
McCormick,	Newlands,	Shaw,	Tyler,
McCulloch,	Noonan,	Smith, Mich.	Underwood,
McDearmon,	Northway,	Snover,	Wadsworth,
McLaurin,	Odell,	Sorg,	Walker, Va.
McMillin,	Parker,	Spalding,	Warner,
McRae,	Pendleton,	Sparkman,	Washington,
Meiklejohn,	Perkins,	Spencer,	Watson, Ind.
Meredith,	Pickler,	Stallings,	Wellington,
Miles,	Price,	Steele,	White,
Miller, Kans.	Quigg,	Stephenson,	Wilson, Ohio
Milnes,	Ray,	Stone, W. A.	Wilson, S. C.
Miner, N. Y.	Reyburn,	Strait,	Woodman,
Mondell,	Richardson,	Strode, Nebr.	Woomer,
Moody,	Robinson, Pa.	Talbert,	Yoakum.
Morse,	Royse,	Terry,	

So the House determined to consider the case.

The Clerk announced the following additional pairs:

Until further notice:

Mr. WILSON of Ohio with Mr. RUSK.

For this day:

Mr. GROSVENOR with Mr. MCMILLIN.

On this question:

Mr. WHITE with Mr. PRICE.

Mr. HICKS with Mr. ABBOTT.

Mr. HARTMAN. I desire to submit a parliamentary inquiry as to my right to vote.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HARTMAN. I think I was in the Hall when my name was first called. I was either in the Hall or in the cloakroom when my name was called the second time. Am I entitled to vote? I should like very much to vote, if I can.

The SPEAKER pro tempore. The Chair thinks the gentleman is not entitled to vote.

The result of the vote was then announced as above recorded.

ORDER OF BUSINESS.

Mr. GROUT. Mr. Speaker, I desire to present a conference report.

The SPEAKER pro tempore. The gentleman from Vermont——

Mr. OWENS rose.

Mr. DANIELS. I move to reconsider the last vote, and I move to lay that motion on the table.

Mr. MCMILLIN. And on that I demand the yeas and nays.

The SPEAKER pro tempore. The Chair will state that prior to either the gentleman from New York [Mr. DANIELS] or the gentleman from Kentucky [Mr. OWENS] or the gentleman from Tennessee [Mr. MCMILLIN] rising, he had recognized the gentleman from Vermont [Mr. GROUT] for a conference report.

Mr. MCMILLIN. I only want to reserve all rights that might otherwise be sacrificed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 2947) increasing the pension of Daniel D. Jennings, late of Company G, Sixty-fifth Ohio Volunteers.

The message also announced that the Senate had receded from its amendment numbered 201 to the bill (H. R. 5210) making appropriations to provide for expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes, had further insisted upon its amendments, had asked a further conference with the House of Representatives on the disagreeing votes of the two Houses thereon, and had appointed Mr. TELLER, Mr. ALLISON, and Mr. COCKRELL as the conferees on the part of the Senate.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The SPEAKER pro tempore. The Clerk will report the conference report submitted by the gentleman from Vermont [Mr. GROUT].

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have been unable to agree.

WM. W. GROUT,
MAHLON PITNEY,
A. M. DOCKERY,
Managers on the part of the House.

H. M. TELLER,
W. B. ALLISON,
F. M. COCKRELL,
Managers on the part of the Senate.

Mr. GROUT. I move the adoption of the report.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The question was taken.

The SPEAKER pro tempore. The Chair is in doubt.

Mr. GROUT and Mr. McMILLIN demanded a division.

The SPEAKER pro tempore. The Chair will suggest to the gentleman from Vermont that there is no necessity for agreeing to this report.

Mr. McMILLIN. Mr. Speaker, what has become of the motion for a division that I made?

The SPEAKER pro tempore. The Chair is of the opinion that there is no necessity for the House to pass upon this question. It is merely a report for the information of the House.

Mr. McMILLIN. The gentleman from Vermont [Mr. GROUT] made a motion. The Chair entertained it, and put it to the House. The House was dividing, and on that division we demanded a count.

Mr. PITNEY. For the sake of delay.

Mr. McMILLIN. But the parliamentary situation can not be changed.

A MEMBER. Withdraw the report.

Mr. McMILLIN. The Chair has entertained a motion. The House was dividing, and the Chair can not have the House recede without giving the division that was demanded.

Mr. GROUT. Let me ask the gentleman from Tennessee——

Mr. McMILLIN. Debate is not in order on this motion.

Mr. GROUT. Then what are you debating it for?

Mr. McMILLIN. I was stating the parliamentary situation, and not debating it.

The SPEAKER pro tempore. The Chair will hear the gentleman from Vermont on the parliamentary situation.

Mr. McMILLIN. If the gentleman rises to a parliamentary inquiry, of course he is in order.

Mr. GROUT. Mr. Speaker, I rose to an inquiry which I chose to address the gentleman, and that was to ask——

Mr. McMILLIN. I am not debating the question.

Mr. GROUT. Then I call the gentleman to order.

The SPEAKER pro tempore. Will the gentleman from Tennessee withhold for a moment? Whatever rights he has will be recognized by the Chair.

Mr. GROUT. If it is in order, Mr. Speaker, I withdraw the motion which I made, and will submit another.

Mr. McMILLIN. I object to the withdrawal, because the House was dividing at the time.

The SPEAKER pro tempore. The Chair holds that the gentleman can withdraw the motion.

Mr. McMILLIN. And from that ruling of the Chair I appeal.

The SPEAKER pro tempore. The Chair declines to entertain the appeal.

Mr. McMILLIN. Then we are at our rope's end, of course. There are rulers left, even if there are no rules. [Great confusion on the floor.]

The SPEAKER pro tempore. The House will be in order.

Mr. TERRY. I always understood a man had a right to appeal from a decision of the Chair.

The SPEAKER pro tempore. And the Chair has a right to decline to entertain the appeal, and the Chair has done so.

Mr. TERRY. Well, the Chair has no such right under the rules. He can do it arbitrarily, but not by right.

Mr. PITNEY. I should like to know what is the parliamentary status of the conference report, if no motion has been made in regard to it?

Mr. TERRY (speaking at the same time). This is your judicial fairness that you talked about at the beginning of this session.

Mr. HARDY. No; this is our busy day. [Laughter.]

Mr. TERRY. Your busy day! Where is your fairness that you prated about at the beginning of the session?

Mr. PITNEY. The inquiry which I submitted was, what is the status of the conference report, which reports a total disagreement? I want to make a motion concerning it.

The SPEAKER pro tempore. For the present the motion has been withdrawn.

Mr. PITNEY. The conference report, as I understand it, was not withdrawn, but the motion in regard to it was withdrawn. I want to ask what is the status of the conference report?

The SPEAKER pro tempore. The parliamentary situation is that a motion to insist or recede is in order.

Mr. PITNEY. I desire to offer a motion.

Mr. McMILLIN. Mr. Speaker——

Mr. GROUT. Mr. Speaker——

Mr. SWANSON. As I understand, the report has not been withdrawn. The request that was made by the conferees or the motion simply has been withdrawn in respect to the report of the conferees.

The SPEAKER pro tempore. The motion is withdrawn.

Mr. SWANSON. As I understand it, this is a report by the conferees. Is it not read for consideration?

The SPEAKER pro tempore. The report was made, the Chair will state, for the information of the House. It is the motion with respect to the report that has been withdrawn. The Chair is now prepared to entertain the motion of the gentleman from New Jersey [Mr. PITNEY].

Mr. GROUT. Mr. Speaker, I move that the House further insist upon its disagreement to the Senate amendments and ask for a conference.

Mr. PITNEY. Pending that, I desire to move that the House recede from its disagreement to one of those amendments and agree to the same with an amendment which I will send to the desk to be read; and upon that I desire to be heard.

Mr. RICHARDSON. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RICHARDSON. I submit that the first motion, that of the gentleman from Vermont [Mr. GROUT], to adopt the conference report, is first in order; and then a motion to recede, as I understand the rules, is in order.

The SPEAKER pro tempore. There is no conference report to consider. The Chair has already stated to the House that the gentleman from Vermont made a report to the House for the information of the House, and made a motion with respect to the report, which he subsequently withdrew. The gentleman from Vermont now moves that the House further insist on its disagreement to the Senate amendments and agree to a conference. Pending that, the gentleman from New Jersey [Mr. PITNEY] moves that the House recede from certain of its disagreements, which the Clerk will now report.

The Clerk read as follows:

Resolved, That the House recede from its disagreement to Senate amendment No. 99 to the bill H. R. 5210, and agree thereto with an amendment as follows: In lieu of the matter struck out by said amendment insert the following:

"*Provided further*, That the service of electric lighting in those streets and places west of Rock Creek now lighted by arc lights, and necessary extensions of said service, shall be let, after due advertisement, to the lowest responsible bidder, but no contracts shall be made for such lights at a price exceeding $100 per lamp per year for each arc light of candlepower equal to or greater than that now furnished; and

"*Provided further*, That the Commissioners of the District may, under such reasonable restrictions as they may prescribe, authorize any existing electric-light company, organized under the laws of the District of Columbia, to maintain and use its existing poles and lines and extensions thereof, either overhead or underground, in places outside of the fire limits of the city of Washington, and by underground conduits only inside the said fire limits, such lines not to be extended in any part of the District of Columbia except in that portion of the same lying west of Rock Creek.

"*Provided further*, That from such lines as may be maintained or established under authority of this act electricity for lights and power shall not be sold to any consumer at rates exceeding 87 per cent of prices charged generally in the city of Washington for such lights and power on the 1st day of January, 1896; and

"*Provided further*, That the District fire-alarm and messenger service may be established along the overhead or underground lines hereby authorized to be maintained and constructed, without charge for pole rent or conduit rent to the District."

Mr. RICHARDSON. I make the point of order against this amendment.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. RICHARDSON. Why, it is not germane to the pending proposition and the matters that are in controversy, as I understand it. I am not very clear about it at present, as I have not a copy of the pending amendment; but it occurs to me——

Mr. PITNEY. I will show the gentleman a copy.

Mr. RICHARDSON. But it occurred to me that it certainly does not relate to matters in controversy between the two Houses. There has been no disagreeing vote of the two Houses upon the matter involved in the proposed amendment. The conferees can only consider matters about which the two Houses have disagreed. I think it will not be contended that this amendment is confined in its language or its spirit to a matter about which the two Houses have disagreed; and if not, it certainly would not be germane for the conferees to enter upon the consideration of the questions which are raised by this amendment. The matters have not been in conference.

Mr. GROUT and Mr. PITNEY. They have.

The SPEAKER pro tempore. The Senate amendment to which the House disagrees, and from which disagreement it is now proposed to recede, relates to electric lighting and the method of the letting of the contract for electric light. The proposition is to recede from the disagreement of the House to that amendment with an amendment. The question raised by the gentleman from Tennessee is whether or not the suggested amendment is germane. The subject-matter of the Senate amendment and the subject-matter of the proposed amendment to the Senate amendment is electric lighting. They both relate to the methods by which contracts shall be let for electric lighting, and it seems to the Chair that the proposed amendment is clearly germane.

Mr. PITNEY. Now, Mr. Speaker, if there is no opposition to this motion of mine, I do not wish to spend much time about it. I think the proposition may be understood after a very few words of explanation. That part of the bill as passed by the House of Representatives which was stricken out in the Senate

by the amendment numbered 99 is found on page 26 of the last print of the bill, and is as follows:

Provided further, That the entire service of electric lighting authorized under this appropriation shall be let, after due advertisement, to the lowest responsible bidder therefor: *Provided further*, That no contract shall be made for electric arc lighting at a price exceeding the rate hereinbefore specified.

It seems to be impossible to obtain the consent of the Senate conferees to this proposition as it stands.

The substitute which I have asked the House to adopt, and to instruct its conferees to recede from the disagreement to the Senate amendment provided this amendment is adopted, proposes to let so much of the electric-lighting service as is in the territory west of Rock Creek, after public advertisement, to the lowest bidder, leaving so much of the territory as is east of Rock Creek under the appropriation bill as it passed the House. The propriety of this amendment is perfectly apparent, but if any gentleman desires to controvert it, I will spend sufficient time to meet his objections. The fact is that for the greater part of the District of Columbia there is at present only one electric-lighting company, and that is the United States Electric Light Company, which lights the city of Washington and a very small portion of the territory west of Rock Creek. The company has been adjudged by the supreme court of the District, under a very peculiar situation of the statute law, to have a monopoly of the electric lighting of the District, in this wise: It has been decided that the Commissioners of the District of Columbia, either under their general powers by virtue of the organic act of the District or by virtue of any subsequent statute—and I believe all the statutes relating to electric lighting have been included in appropriation bills from the time of the first electric lighting until the present—have no power to grant to any electric-lighting company the right to extend its wires to any place or in any direction in the District. The result of that decision is that the United States Company, having first occupied the field, practically has a monopoly of electric lighting in this District.

With regard to the territory west of Rock Creek, the situation is this: The United States Company have very few lamps there. They do not seem to desire and they have repeatedly refused to extend their service into other parts of that territory. They were asked at one time by the Commissioners to light the old Aqueduct Bridge which crosses the Potomac River. Their wires ran immediately past the terminus of the bridge, but they declined to extend them over the bridge and put lights upon it. They have also declined numerous requests from citizens of that region to give them electric lights, either in houses or for public purposes. In the meantime there were two little plants in the suburbs, one at Georgetown and one at Eckington, which did a local business, but not to the exclusion of the United States Company.

The Potomac Light, Heat, and Power Company came into the District, purchased the plants at Georgetown and at Eckington, reorganized, erected a new plant, and have invested in that way $380,000 up to the present time for the purpose of lighting those parts of the city and of the District that were not covered by the United States Company, and for the further purpose of furnishing light and power to the electric traction companies, expecting at the same time to compete with the United States Company for the lighting of the city generally. They made that investment, erected their plant, and strung their wires in reliance upon the power of the Commissioners of the District of Columbia to grant them permits. They had a right to so rely, because the Commissioners were then, from year to year and from time to time, granting to the United States Electric Lighting Company similar permits for a similar purpose under, as was supposed, the general power which the Commissioners possessed by virtue of the organic law of the District.

When the Potomac Company applied for these permits, after having put their money into the plant, after having entered the field, the United States Electric Company by themselves and with the aid of two citizens, taxpayers, whom they procured to join with them for the purpose, applied to the courts for an injunction to restrain the Potomac Company from stringing its wires, and to restrain the Commissioners from granting them a permit to do so. It was then developed, under a construction of the law from which I personally dissent—but which, at any rate, has been adjudged to be the law of the District—it was ascertained by the decision of the supreme court that there was no power reposed in the Commissioners of the District by virtue of the general organic law of the District to grant these permits, and that the appropriation bills under which they had acted did not grant them the power.

What was the result? An injunction—in fact three or four injunctions—were obtained restraining the Commissioners from permitting the Potomac Company, and restraining the company from stringing their wires, from raising their poles, or operating their plant. Now, if that law applies to the Potomac Company, it applies with equal force and effect to the United States Company; the same power which the Commissioners had to grant permits to the one company existed with regard to the other. In consequence of this state of the law, the whole northwestern part of the District lying west of Rock Creek, including a large amount of territory already built up or being built up, is without electric light except to the extent of a few lights which the United States Company in one part and the Potomac Company in another part are at present supplying. Unless we grant relief in the manner suggested by my motion, there can be no change of the law at this session of Congress, and the citizens and property owners in that territory will be without relief for a long time to come.

More than that, the Potomac Company, having invested this large sum of money in a new and improved plant, relying in good faith upon the right of the Commissioners to exercise the powers which they had been in fact exercising for years—the Potomac Company, after making this investment, find themselves bound hand and foot. They can not stretch a line of electric wire from their plant to the lamps already erected and waiting to be lighted. More than that, there are traction companies which depend upon electricity for their power, and which had intended to obtain that electric power from the Potomac Company. Those companies are now unable to get their power from this new and improved plant, and are dependent, as I understand, upon one little plant, so that they can not adequately carry on their business by reason of a deficiency of electric power.

The amendment which I have proposed is intended to permit the District Commissioners to let, upon competition, so much of the lighting business as lies west of Rock Creek, and to grant permits for underground conduits only so far as the fire limits extend. Beyond those fire limits they may give permits for overhead construction as well as underground.

Mr. RICHARDSON. In order to make this amendment effective, do you not have to change existing law; and I ask you as a fair-minded man whether that is not contrary to our rules, and whether such an amendment would not be out of order?

Mr. PITNEY. The point of order upon this conference report and upon this proposed amendment has been decided, but I will say to the gentleman——

Mr. RICHARDSON. The gentleman said the point of order was not well taken.

Mr. PITNEY. I hope when the gentleman asks me a question he will permit me to reply to it without interruption.

Mr. RICHARDSON. I will, if the gentleman will answer the question.

Mr. PITNEY. When this District of Columbia appropriation bill was reported to the House from the Committee on Appropriations it contained a provision requiring the electric-lighting service of the whole District to be let upon competition, and incidentally it gave to the Commissioners, in addition, the power to grant the right to lay down conduits and string wires. That part was struck out on a point of order, against my protest and argument, upon a decision from which I can not now appeal. I apprehend, therefore, it is the law of this House that such a provision would be out of order on an appropriation bill as reported by a committee to the House, because it changes existing law, but it is not out of order on a conference report, and this motion is not out of order; the proposed amendment now being germane to a matter which is in difference between the House and the Senate and that matter of difference having been referred to a conference committee.

Mr. RICHARDSON. I understand your contention to be——

Mr. PITNEY. I do not desire to debate the question of order any further.

Mr. RICHARDSON. You have not answered my question.

Mr. PITNEY. I am addressing myself to the merits of the proposition. If you will confine your inquiry to the merits, I will answer.

Mr. RICHARDSON. But you are asking by this amendment to change existing law, are you not?

Mr. PITNEY. I ask the gentleman whether he is going to ask questions for the purpose of consuming time?

Mr. RICHARDSON. I am not doing so. I am asking questions to get at the merits of this controversy.

Mr. PITNEY. If there is any further inquiry pertinent to the merits, I will answer it.

Mr. McMILLIN. Allow me to ask a question. The gentleman has referred to some extraordinary or peculiar decision whereby only one company has the power to furnish electric light in this District. I want to know why such a monopoly is given and why the monopoly is respected?

Mr. PITNEY. That monopoly does not happen to be respected by me, and has not been, and I have attempted to break it up. That is the very purpose of the amendment I have offered.

Mr. McMILLIN. You propose to break it up in the suburbs, but it lives still in the city.

Mr. PITNEY. Well, that is the very best we can do at this

time. If the gentleman has a better proposition to make, he can make it.

Mr. DOCKERY. Will the gentleman yield to me for a moment?

Mr. PITNEY. Certainly.

Mr. DOCKERY. In further answer to the question of the gentleman from Tennessee, I may say that the electric monopoly is not the only one that has flourished in this District. There is a gas monopoly in this city full fledged and with ample powers. Recently a bill was passed reducing somewhat the profits received by this company for furnishing gaslight to the citizens and the Government, but I understand the claim is now made by the company that the bill not only includes the cost of gas furnished to public buildings in the city, but also applies to the street-lighting service. I am glad to say, however, that our friend, the gentleman from Wisconsin [Mr. BABCOCK], and the gentleman from Tennessee [Mr. RICHARDSON] both insist that that claim is not warranted by anything that occurred in the conference committee or by the terms of the law itself.

I had no knowledge that my colleague [Mr. PITNEY] was to offer this instruction to the committee of conference, but I heartily indorse it. This electric light company has unrelentingly pursued its honorable competitor in this District. It is employing, to use a homely but very expressive phrase, the "dog in the manger" policy. The United States Electric Company can not go into the territory covered by the amendment of the gentleman from New Jersey, under a decision of the supreme court of the District, neither can the other company, but the old company proposes to keep out the new company from the territory not now occupied except in a very limited way.

I hope the House will stand by the amendment of the gentleman from New Jersey. I think it is entirely proper and opportune and is in the interest of the people of the District and against the existing monopoly.

I may say further that the committee would perhaps have been able to agree in the conference just closed but for the fact that the contention is made for a larger compensation for lighting the streets than the conferees of the House thought was warranted. The recent bill which became a law by the approval of the President on yesterday reduces the cost of gas in public buildings—and I desire to thank the gentlemen from Tennessee and Wisconsin for what they have accomplished—reduces the cost of gas used in public buildings. The House conferees desire to make a corresponding reduction in the cost of lighting streets. That is the issue in part which is now delaying an agreement, which I hope, however, may be accomplished at the next meeting of the conferees.

Mr. ALLEN of Mississippi. Will the gentleman yield for a question?

Mr. DOCKERY. Certainly.

Mr. ALLEN of Mississippi. I just want to ask, if this District is dominated by a gas monopoly and by an electric monopoly——

Mr. DOCKERY. And by a telephone monopoly.

Mr. ALLEN of Mississippi (continuing). And a telephone monopoly, had we not better cease talking about adjournment, and suspend the rules and break up the monopoly here before we leave this District? [Applause.]

Mr. DOCKERY. The suggestion of the gentleman from Mississippi is very timely, and I wish some arrangement could be made to accomplish this result. But there is a coordinate branch of the Government which sometimes indulges in lengthy debate——

Mr. ALLEN of Mississippi. Then let the responsibility rest on the other branch of the Government.

Mr. PITNEY. I ask a vote on the amendment.

The SPEAKER. The question is on concurring in the Senate amendment with the amendment which has been read.

The question was taken; and on a division (demanded by Mr. TERRY) there were—ayes 126, noes 1.

Mr. TERRY. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 178, nays 1, not voting 175, as follows:

YEAS—178.

Aldrich, Ill.	Bromwell,	Cooper, Fla.	Erdman,
Allen, Miss.	Brumm,	Cooper, Wis.	Evans,
Allen, Utah	Buck,	Corliss,	Faris,
Anderson,	Bull,	Crowther,	Fischer,
Andrews,	Burrell,	Crump,	Fitzgerald,
Arnold, Pa.	Burton, Mo.	Culberson,	Fowler,
Avery,	Burton, Ohio	Curtis, Iowa	Gardner,
Baker, Md.	Calderhead,	Curtis, Kans.	Gibson,
Barney,	Cannon,	Danford,	Gillet, N. Y.
Bartholdt,	Chickering,	Daniels,	Goodwyn,
Bell, Tex.	Clardy,	Dayton,	Graff,
Bingham,	Clark, Iowa	Dingley,	Griffin,
Bishop,	Clark, Mo.	Dockery,	Griswold,
Black, Ga.	Clarke, Ala.	Doolittle,	Grout,
Blue,	Cobb,	Dovener,	Grow,
Boutelle,	Codding,	Draper,	Hainer, Nebr.
Brewster,	Cook, Wis.	Eddy,	Halterman,
Broderick,	Cooke, Ill.	Ellis,	Hardy,
Harmer,	Leighty,	Parker,	Sulloway,
Harris,	Leonard,	Patterson,	Sulzer,
Hart,	Lester,	Payne,	Swanson,
Hartman,	Lewis,	Pearson,	Tate,
Henry, Conn.	Linney,	Pendleton,	Tawney,
Henry, Ind.	Long,	Phillips,	Tayler,
Hepburn,	Loud,	Pitney,	Terry,
Hooker,	Low,	Poole,	Thomas,
Hopkins,	Martin,	Powers,	Thorp,
Howe,	McCall, Tenn.	Prince,	Tracey,
Howell,	McCleary, Minn.	Pugh,	Treloar,
Huff,	McClure,	Quigg,	Turner, Ga.
Hulick,	McCreary, Ky.	Raney,	Updegraff,
Huling,	McCulloch,	Reeves,	Van Horn,
Hurley,	McEwan,	Rinaker,	Van Voorhis,
Johnson, Cal.	McLachlan,	Russell, Ga.	Walker, Mass.
Joy,	Mercer,	Shafroth,	Wanger,
Kem,	Meyer,	Sherman,	Watson, Ohio
Kerr,	Mitchell,	Shuford,	Wheeler,
Kiefer,	Mondell,	Simpkins,	Williams,
Kirkpatrick,	Moody,	Skinner,	Willis,
Kleberg,	Mozley,	Southard,	Wilson, Idaho
Knox,	Newlands,	Southwick,	Wood,
Kulp,	Otey,	Stewart, N. J.	Woodard,
Lacey,	Otjen,	Stewart, Wis.	Wright.
Layton,	Overstreet,	Stone, C. W.	
Lefever,	Owens,	Strong,	

NAYS—1.

Hill.

NOT VOTING—175.

Abbott,	Dolliver,	Loudenslager,	Sayers,
Acheson,	Ellett,	Maddox,	Scranton,
Adams,	Fairchild,	Maguire,	Settle,
Aitken,	Fenton,	Mahany,	Shannon,
Aldrich, Ala.	Fletcher,	Mahon,	Shaw,
Apsley,	Foote,	Marsh,	Smith, Ill.
Arnold, R. I.	Foss,	McCall, Mass.	Smith, Mich.
Atwood.	Gamble,	McClellan,	Snover,
Babcock,	Gillett, Mass.	McCormick,	Sorg,
Bailey,	Grosvenor,	McDearmon,	Spalding,
Baker, Kans.	Hadley,	McLaurin,	Sparkman,
Baker, N. H.	Hager,	McMillin,	Spencer,
Bankhead,	Hall,	McRae,	Sperry,
Barham,	Hanly,	Meiklejohn,	Stahle,
Barrett,	Harrison,	Meredith,	Stallings,
Bartlett, Ga.	Hatch,	Miles,	Steele,
Bartlett, N. Y.	Heatwole,	Miller, Kans.	Stephenson,
Beach,	Heiner, Pa.	Miller, W. Va.	Stone, W. A.
Belknap,	Hemenway,	Milliken,	Strait,
Bell, Colo.	Henderson,	Milnes,	Strode, Nebr.
Bennett,	Hendrick,	Miner, N. Y.	Strowd, N. C.
Berry,	Hermann,	Minor, Wis.	Taft,
Black, N. Y.	Hicks,	Money,	Talbert,
Bowers,	Hilborn,	Morse,	Towne,
Brosius,	Hitt,	Moses,	Tracewell,
Brown,	Howard,	Murphy,	Tucker,
Catchings,	Hubbard,	Murray,	Turner, Va.
Cockrell,	Hull,	Neill,	Tyler,
Coffin,	Hunter,	Noonan,	Underwood,
Colson,	Hutcheson,	Northway,	Wadsworth,
Connolly,	Hyde,	Odell,	Walker, Va.
Cooper, Tex.	Jenkins,	Ogden,	Warner,
Cousins,	Johnson, Ind.	Perkins,	Washington,
Cowen,	Johnson, N. Dak.	Pickler,	Watson, Ind.
Cox,	Jones,	Price,	Wellington,
Crisp,	Kendall,	Ray,	White,
Crowley,	Kyle,	Reyburn,	Wilber,
Cummings,	Latimer,	Richardson,	Wilson, N. Y.
Curtis, N. Y.	Lawson,	Robertson, La.	Wilson, Ohio
Dalzell,	Leisenring,	Robinson, Pa.	Wilson, S. C.
De Armond,	Linton,	Royse,	Woodman,
Denny,	Little,	Rusk,	Woomer,
De Witt,	Livingston,	Russell, Conn.	Yoakum.
Dinsmore,	Lorimer,	Sauerhering,	

So the motion to recede and concur in the amendment of the Senate with an amendment was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. HENDERSON with Mr. MONEY.

Mr. SMITH of Illinois with Mr. BANKHEAD.

The result of the vote was then announced as above recorded.

Mr. OWENS. I move to reconsider the vote.

Mr. PITNEY. As only one gentleman has voted in the negative, I raise the point of order that that motion is dilatory.

The SPEAKER. The rules of the House require the Speaker to refuse dilatory motions, and a vote of 178 to 1 would indicate that the House had made up its mind on the subject.

Mr. OWENS. It is such a good thing that I want to clinch it. I do not want it to get away.

The SPEAKER. Perhaps the time spent in clinching it would be lost time.

Mr. GROUT. I move that the House further insist upon its disagreement to the other amendments and agree to the conference asked by the Senate.

The SPEAKER. The question is on insisting on the disagreement to the other amendments and agreeing to the conference.

The question was taken; and on a division (demanded by Mr. OWENS) there were—ayes 97, noes 1.

Accordingly the motion was agreed to.

The SPEAKER. The Chair appoints the same conferees.

And then, on motion of Mr. DINGLEY (at 6 o'clock p. m.) the House took a recess until to-morrow, Tuesday, June 9, 1896, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from Mr. W. J. Glenn, the Doorkeeper of the House of Representatives, transmitting, in accordance with the act of August 7, 1892, a report of the sales of waste paper made since the commencement of the first session of the Fifty-fourth Congress, amounting to $360.01—to the Committee on Accounts, and ordered to be printed.

A letter from Mr. W. J. Glenn, the Doorkeeper of the House of Representatives, transmitting a list of property belonging to the United States, and under his charge as Doorkeeper, in the various committee and other rooms of the House June 8, 1896—to the Committee on Accounts, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS.

Under clause 2 of Rule XIII, Mr. GRISWOLD, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill of the House (H. R. 7781) to provide an American register for the barge *Black Diamond*, reported the same without amendment, accompanied by a report (No. 2275); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. MARSH, from the Committee on Military Affairs: The bill (H. R. 8888) to grant an honorable discharge to Christopher C. Cummins. (Report No. 2272.)

By Mr. PICKLER, from the Committee on Invalid Pensions: The bill (H. R. 4854) granting an increase of pension to John P. Thomas. (Report No. 2273.)

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. GROSVENOR: A bill (H. R. 9410) providing for the printing of the censuses of 1790 and 1800—to the Committee on Printing.

By Mr. HYDE: A bill (H. R. 9411) to provide for the examination and classification of certain lands in the State of Washington—to the Committee on the Public Lands.

By Mr. ELLETT: A bill (H. R. 9412) to pay the Richmond Locomotive Works its claims for damages and losses incurred in the construction of the armored battle ship *Texas*—to the Committee on Claims.

By Mr. ANDREWS: A bill (H. R. 9432) providing for the coinage of domestic silver, and for other purposes—to the Committee on Coinage, Weights, and Measures.

By Mr. SOUTHWICK: A bill (H. R. 9433) to purchase of J. B. Lyon the United States Red Book, and for other purposes—to the Committee on Appropriations.

By Mr. BOUTELLE: A joint resolution (H. Res. 199) providing for a commission to contract for finishing the historical frieze in the Rotunda of the Capitol—to the Committee on the Library.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of papers relative to the claim of Sade M. Kleine, widow of Louis P. Kleine; and the same were referred to the Committee on Military Affairs.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. CALDERHEAD: A bill (H. R. 9413) granting a pension to William Hoffner, of Junction City, Kans., late of Company B, Fifty-fifth Pennsylvania Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9414) to pension Sylvester D. Mitchell, of Salina, Kans., late of Company I, Thirteenth Illinois Cavalry—to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 9415) allowing an increase of pension to Dr. William O. Torsey, late assistant surgeon, Eighteenth Missouri Infantry—to the Committee on Invalid Pensions.

By Mr. CURTIS of Kansas: A bill (H. R. 9416) granting an increase of pension to Peter B. Phillips—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: A bill (H. R. 9417) granting a pension to U. S. Daniels—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9418) for the relief of John Q. Armitage—to the Committee on Military Affairs.

Also, a bill (H. R. 9419) granting a pension to Henry H. Alcorn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9420) for the relief of Craven W. Clowe—to the Committee on Military Affairs.

Also, a bill (H. R. 9421) for the relief of Andrew J. Sayre—to the Committee on Military Affairs.

Also, a bill (H. R. 9422) granting a pension to Agnes Jenkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9423) for the relief of William Lyons—to the Committee on Military Affairs.

Also, a bill (H. R. 9424) granting a pension to Lawrence C. Power—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9425) for the relief of Stephen McNamara—to the Committee on Claims.

Also, a bill (H. R. 9426) to correct the military record of Theodore Winters—to the Committee on Military Affairs.

Also, a bill (H. R. 9427) granting a pension to Horace Barstow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9428) granting an honorable discharge to Alva A. Miller—to the Committee on Military Affairs.

By Mr. PEARSON: A bill (H. R. 9429) to complete the military record of Louis A. Horton, late a private in Company F, Sixth Regiment Indiana Cavalry Volunteers—to the Committee on Military Affairs.

By Mr. RUSSELL of Connecticut: A bill (H. R. 9430) to correct the military record of Capt. James H. Latham—to the Committee on Military Affairs.

By Mr. WASHINGTON: A bill (H. R. 9431) for the relief of Christopher Powers—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BELL of Colorado: Protest of citizens of Colorado against any measure looking to military training in public schools—to the Committee on Education.

Also, remonstrance and petition of citizens of Crested Butte, Colo.; also of Council No. 64, American Protective Association, of Breckinridge, Colo., for the removal of the Marquette statue from the Capitol—to the Committee on the Library.

By Mr. BLUE: Petition and remonstrance of 90 citizens of Johnston County, Kans., against the continuance of the Père Marquette statue in the Capitol—to the Committee on the Library.

By Mr. DALZELL: Two petitions of sundry citizens of Allegheny County, Pa., in favor of House bill No. 260, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. GROSVENOR: Papers to accompany House bill granting a pension to U. S. Daniel—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting a pension to Henry H. Alcorn—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting a pension to Agnes Jenkins—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting a pension to Lawrence C. Power—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting a pension to Horace Barstow—to the Committee on Invalid Pensions.

Also, papers to accompany House bill to correct the military record of Theodore Winters—to the Committee on Military Affairs.

Also, papers to accompany House bill for the relief of John Q. Armitage—to the Committee on Military Affairs.

Also, papers to accompany House bill granting an honorable discharge to Alva A. Miller—to the Committee on Military Affairs.

Also, papers to accompany House bill for the relief of William Lyons—to the Committee on Military Affairs.

Also, papers to accompany House bill for the relief of Andrew J. Sayre—to the Committee on Military Affairs.

Also, papers to accompany House bill for the relief of Craven W. Clowe—to the Committee on Military Affairs.

Also, papers to accompany House bill for the relief of Stephen McNamara—to the Committee on Claims.

Also, papers to accompany House bill No. 9410, providing for the printing of the censuses of 1790 and 1800—to the Committee on Printing.

By Mr. JOHNSON of California: Sundry petitions of citizens of California, favoring the passage of House bill No. 2626, for the

protection of agricultural staples by an export bounty—to the Committee on Ways and Means.

By Mr. LOUD: Sundry petitions of citizens of the States of Georgia and Idaho, asking for favorable action on House bills Nos. 838 and 4566, to amend the postal laws—to the Committee on the Post-Office and Post-Roads.

By Mr. OGDEN: Petition of E. H. Deloach and others, of Ryland, La., opposing the passage of House bill No. 4566, relating to second-class matter—to the Committee on the Post-Office and Post-Roads.

Also, petition of Marie Eliza Payne, praying that her claim No. 18511 of the Southern Claims Commission may be referred to the Court of Claims under the Bowman Act that it may be tried along with No. 18524, already there—to the Committee on War Claims.

By Mr. OVERSTREET: Petition of W. C. Johnson and 96 other citizens of Indianapolis, Ind., in favor of House bill No. 260, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. PUGH: Papers to accompany House bill No. 6636, to correct the military record of John W. Kincaid—to the Committee on Military Affairs.

Also, papers to accompany House bill No. 6637, favoring a pension to Martin Cassady—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 6638, to pension Moses Lower—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 6640, to correct the military record of James Jones—to the Committee on Military Affairs.

Also, papers to accompany House bill No. 6641, to grant a pension to Daniel F. Danner—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 6642, to correct the military record of Jeremiah Hunt—to the Committee on Military Affairs.

Also, papers to accompany House bill No. 7845, for a pension to Oliver Miller—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 6867, for a pension to Eli Dean—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 3175, to correct the military record of James H. Jones—to the Committee on Military Affairs.

Also, papers to accompany House bill No. 6379, for the relief of Frank Mott—to the Committee on War Claims.

By Mr. RUSSELL of Georgia: Papers relating to the claim of William J. Tate—to the Committee on War Claims.

Also, papers relating to the claim of Jacob A. Fite—to the Committee on War Claims.

By Mr. TRACEY: Petition of numerous citizens of Hickory County, Mo., requesting the passage of House bill No. 2626, for the protection of agricultural staples by an export bounty—to the Committee on Ways and Means.

Also, petition of citizens of Stockton, Mo., favoring a pension to B. L. Cornwell—to the Committee on Invalid Pensions.

By Mr. WHEELER: Papers relating to the claim of Stephen Harris—to the Committee on War Claims.

By Mr. WILSON of New York: Memorial of citizens of the city of New York, against the unjust acquisition and distribution of wealth—to the Committee on Ways and Means.

SENATE.

TUESDAY, *June 9, 1896.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. HILL, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

LANDS AT PORT ANGELES, WASH.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, acknowledging the receipt of a resolution of the 4th instant, directing the suspension of the time for the payment to be made by such persons as have heretofore made due proof according to law of residence and improvements upon lots in blocks 103, 104, 105, 97, 134, 136, 137, 138, 146, 147, 111, and 116 in the town site of Port Angeles, in the State of Washington, and who have not yet completed the purchase of the same from the United States, until the 3d day of March, 1897, when payment shall be made to the receiver of the United States land office at Seattle, in the State of Washington; which was ordered to lie on the table and be printed.

FORD'S THEATER DISASTER COMMISSION.

The VICE-PRESIDENT reappointed Mr. FAULKNER as a member of the Ford's Theater Disaster Commission.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had receded from its disagreement to the amendment numbered 99 of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes; agreed to the same with an amendment, in which it requested the concurrence of the Senate; insisted upon its disagreement to the residue of the amendments of the Senate to the bill upon which the committee were unable to agree; agreed to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GROUT, Mr. PITNEY, and Mr. DOCKERY managers at the conference on the part of the House.

The message also announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 6399) to amend the laws relating to American seamen;

A bill (H. R. 8383) to establish a site for the erection of a penitentiary on the military reservation at Fort Leavenworth, Kans., and for other purposes; and

A joint resolution (H. Res. 190) to facilitate the reorganization of the Northern Pacific Railroad Company; to secure to actual settlers the right to purchase at a price not exceeding $2.50 per acre the agricultural lands within its grant, and to prohibit said company or any successor company from giving, by consolidation, sale, or other corporate action, control of its railroad to any corporation, company, person, or association of persons owning, operating, or controlling a parallel or competing railroad.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the Vice-President:

A bill (S. 1189) granting a pension to Eliza Sandford;

A bill (H. R. 6614) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1897; and

A joint resolution (H. Res. 195) to pay the officers and employees of the Senate and House of Representatives on the day following adjournment.

PETITIONS AND MEMORIALS.

Mr. CAMERON presented a petition of sundry citizens of Pennsylvania, praying for the enactment of legislation restricting immigration; which was ordered to lie on the table.

He also presented a memorial of the Chamber of Commerce of Pittsburg, Pa., remonstrating against the adoption of certain proposed amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Lackawanna Division, No. 12, Order of Railway Conductors, of Scranton, Pa., and a petition of Mauch Chunk Division, No. 153, Order of Railway Conductors, of Mauch Chunk, Pa., praying for the passage of the so-called Voorhees arbitration bill; which were referred to the Committee on Education and Labor.

Mr. ALLEN presented sundry papers to accompany the bill (S. 2278) making certain persons eligible to the pension list of the United States, and for other purposes; which were referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 3111) to remove the charge of desertion from the name of George Miller, of Valentine, Nebr.; which were referred to the Committee on Military Affairs.

He also presented a memorial of sundry citizens of Niobrara, Nebr., relative to the proposed change in the Government survey in township No. 32 north, in Knox County, Nebr.; which was referred to the Committee on Indian Affairs.

Mr. BLACKBURN presented a petition of sundry citizens of Kentucky, praying that assistance be given Ona Melton, a native of that State, who was captured on the schooner *Competitor;* which was referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Louisville, Ky., relative to the Armenian outrages; which was referred to the Committee on Foreign Relations.

Mr. SMITH presented a petition of sundry citizens of Hudson, Monmouth, Camden, Morris, and Sussex counties, all in the State of New Jersey, praying for the enactment of legislation restricting immigration; which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. MITCHELL of Wisconsin, from the Committee on Military Affairs, to whom was referred the bill (S. 2531) for the relief of Elias Breese, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. CAMERON, from the Committee on Foreign Relations, to whom was referred the bill (S. 2071) for the relief of Mary A. Swift, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 4355) to increase the pension of Theresa Peebles, of Jefferson County, Ga., reported it without amendment, and submitted a report thereon.

DEFICIENCIES IN APPROPRIATIONS.

Mr. HALE. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for the expenses of the House of Representatives, and for other purposes, for the fiscal year 1896, to report it with an amendment. I ask that the bill be placed upon its passage.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on Appropriations was, on page 1, after line 7, to insert:

To make the salaries of clerks of Committees on Revolutionary Claims and Corporations Organized in the District of Columbia, from the 1st day of January to the 30th day of June, 1896, at the rate of $2,100 per annum, $860.

The amendment was agreed to.

Mr. BLACKBURN. I desire to submit an amendment to the bill which relates solely to the organization of the two Houses.

Mr. HALE. It relates simply to the organization of one House or the other?

Mr. BLACKBURN. It relates entirely to the organization of one House or the other.

The VICE-PRESIDENT. The amendment of the Senator from Kentucky will be read:

The SECRETARY. It is proposed to add the following:

To enable the Secretary of the Senate and the Clerk of the House of Representatives to pay all officers and employees of the Senate and House of Representatives, including the Capitol police, who were employed on the 2d day of December, 1895, and who have ceased to be employed, a sum equal to one month's pay at the rate they were severally receiving on the 2d day of December, 1895; and a sufficient sum for this purpose is hereby appropriated.

Mr. PEFFER. I wish to inquire of the Senator from Kentucky whether that means an extra month's pay in addition to the yearly salary?

Mr. BLACKBURN. I will state to the Senator from Kansas that it does, but it applies only to those who were on the pay rolls of the two Houses upon the date named, and who have since ceased to be employed. I will say to the Senator further that it has been, I believe, an invariable practice during the twenty-odd years that I have been in Congress to give to those employees whose terms of service had ceased by reason of dismissal an extra month's pay. This has been an almost unbroken practice of Congress.

Mr. PEFFER. I have understood that that has been the practice, and two years ago when a similar measure was pending I objected to it on the ground that I thought then, as I still think, that it is a vicious practice. It is a practice that ought never to have been begun, and the sooner it is dispensed with the better it will be. I think that if these persons are not receiving sufficient compensation for their labor their salaries ought to be raised, but that their regular monthly salary as it is provided in the law or their regular yearly salary as it is provided in the law ought to be sufficient, and that that is all they ought to be paid. We do not give our workmen throughout the country, the men who work for us in a private capacity, an extra month's pay, but we pay them so much per day, so much per week, so much per month, so much per year, and that is the end of it. If it is the effect of this amendment to give an extra month's pay, I object to it.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Kentucky.

The amendment was agreed to.

Mr. PETTIGREW. I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add to the bill:

To enable the Secretary of the Senate and the Clerk of the House of Representatives to pay the officers and employees of the Senate and House borne on the annual and session rolls on the 1st day of February, 1896, including the Capitol police and W. A. Smith, CONGRESSIONAL RECORD clerk, for extra services during the Fifty-fourth Congress, a sum equal to one month's pay, at the compensation then paid them by law, the same to be immediately available.

The VICE-PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from South Dakota.

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

REPORT OF THE MONETARY COMMISSION OF 1876.

Mr. HALE, from the Committee on Printing, to whom was referred the resolution submitted by Mr. BUTLER on the 6th instant, reported it with an amendment.

The resolution was read, as follows:

Resolved, That there be printed 3,000 additional copies of Report No. 703, Forty-fourth Congress, second session, known as Report of the Monetary Commission of 1876.

The amendment of the Committee on Printing was, in line 1, before "thousand," to strike out "three" and insert "two"; so as to read "2,000 additional copies."

The amendment was agreed to.

The resolution as amended was agreed to.

BERLIN SILVER COMMISSION OF 1894.

Mr. JONES of Arkansas, from the Committee on Finance, reported the following resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed 5,000 copies of Senate Miscellaneous Document No. 274, Fifty-third Congress, second session, Proceedings of the Berlin Silver Commission of 1894, with index, 3,000 to be for the use of the House of Representatives and 2,000 for the use of the Senate.

BILLS INTRODUCED.

Mr. CAMERON introduced a bill (S. 3271) to authorize the purchase of additional lands for the Gettysburg National Park; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3272) granting a pension to Hannah Hess; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. ALLEN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3273) for the relief of the Sanburn Town Company, of Fremont, in the State of Nebraska, and for other purposes;

A bill (S. 3274) for the relief of the heirs of Fred. R. Kittle, of Fremont, in the State of Nebraska, and for other purposes;

A bill (S. 3275) for the relief of H. J. Gregory, of the State of Nebraska, and for other purposes;

A bill (S. 3276) for the relief of the heirs of D. B. Thurston, and for other purposes;

A bill (S. 3277) for the relief of the heirs of William Thurston and G. G. Thurston, of Florence, in the Territory of Arizona, and for other purposes;

A bill (S. 3278) for the relief of E. K. Valentine, of West Point, in the State of Nebraska, and for other purposes;

A bill (S. 3279) for the relief of G. G. Thurston, of Florence, in the Territory of Arizona, and for other purposes;

A bill (S. 3280) for the relief of Ella F. Brady, of Oklahoma City, in the Territory of Oklahoma, and for other purposes;

A bill (S. 3281) for the relief of William C. Brady, of Oklahoma City, in the Territory of Oklahoma, and for other purposes;

A bill (S. 3282) for the relief of the heirs of Lewis Sanburn, late of Fremont, in the State of Nebraska, and for other purposes;

A bill (S. 3283) for the relief of Robert Kittle, of Fremont, in the State of Nebraska, and for other purposes;

A bill (S. 3284) for the relief of J. H. Stewart, of Fremont, in the State of Nebraska, and for other purposes;

A bill (S. 3285) for the relief of J. H. Meyer, of Fremont, in the State of Nebraska, and for other purposes;

A bill (S. 3286) for the relief of N. M. Pilsbury, of Fremont, in the State of Nebraska, and for other purposes;

A bill (S. 3287) for the relief of Charles B. Veazie, of Fremont, in the State of Nebraska, and for other purposes;

A bill (S. 3288) for the relief of John Knecktel, of Fremont, in the State of Nebraska, and for other purposes;

A bill (S. 3289) for the relief of George H. Briggs, of Fremont, in the State of Nebraska, and for other purposes;

A bill (S. 3290) for the relief of B. W. Evits, of Fremont, in the State of Nebraska, and for other purposes; and

A bill (S. 3291) for the relief of Lyon Backey, of Fremont, in the State of Nebraska, and for other purposes.

HARRIS P. HURST.

Mr. GEORGE submitted the following resolution; which was referred to the Committee on Claims:

Resolved, That the Committee on Claims be instructed to investigate and report upon the claim of Harris P. Hurst against the Government of the United States for compensation for the use of certain improvements in ordnance and high-explosive shells covered by a contract made between the Secretary of the Navy and the said H. P. Hurst January 28, 1893, and report

whether the ordnance devices and high-explosive shells for which the said H. P. Hurst now claims compensation were his invention and covered by his applications for patents numbered in said contract or were devised by officers of the United States Navy in public or private employ, and also whether said Hurst is entitled to any compensation therefor, and if so, how much.

CHICKAMAUGA AND CHATTANOOGA NATIONAL PARK.

Mr. PALMER submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 60,000 extra copies of the report of the Joint Committee on the Dedication of the Chickamauga and Chattanooga National Park; 18,000 copies shall be for the use of the House of Representatives, 6,000 copies for the Senate, 1,000 copies for the National Park Commission to supply the twenty-eight State commissions, and 500 copies for the Secretary of War to supply the governors of the States, and 100 copies for each speaker at the dedication.

COMMITTEE ON PACIFIC RAILROADS.

Mr. MORGAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the hearings had before the Select Committee on Pacific Railroads, not heretofore printed as documents, be printed for the use of the Senate.

Mr. MORGAN. I submit a resolution in order to have it referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution was read, as follows:

Resolved, That the Select Committee on Pacific Railroads have leave to sit in the vacation of Congress at such places on or near the lines of said roads as they may designate, to send for persons and papers, and to examine witnesses under oath in respect of the Union and Central Pacific railroads, and as to all matters concerning said railroad companies and their property and the condition and management of the same, and the expenses incurred in the execution of this order shall be paid out of the fund appropriated for the contingent expenses of the Senate.

Mr. HARRIS. I suggest to the Senator from Alabama that the resolution provides for examining witnesses under oath, but does not give the specific power to administer oaths. I think the Senator will modify it if he looks at it.

Mr. MORGAN. The general statute gives that power.

Mr. HARRIS. Very well.

The VICE-PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

PENITENTIARY AT FORT LEAVENWORTH.

The bill (H. R. 8383) to establish a site for the erection of a penitentiary on the military reservation at Fort Leavenworth, Kans., and for other purposes, was read twice by its title.

Mr. DAVIS. That is a bill the passage of which is requested by the Department of Justice and the War Department. I ask unanimous consent that it be placed on its passage. It is very short. It involves the mere transfer of the site of the National Penitentiary, now inside of the barracks at Leavenworth, to a place some 2 miles off on the same reservation.

The VICE-PRESIDENT. The bill will be read for information.

The Secretary read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DISTRICT STREET RAILWAYS.

Mr. HARRIS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2928) to extend the routes of the Eckington and Soldiers' Home Railway Company and of the Belt Railway Company of the District of Columbia, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, 4, 9, 10, 12, 13, 14, 21, 22, and 23, and agree to the same.

That the House recede from its amendment numbered 26.

That the Senate recede from its disagreement to the amendments of the House numbered 6, 8, 11, 15, 17, 18, 19, 20, 24, and 27, and agree to the same amended so that the sections of the bill shall be numbered consecutively; and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 5, and agree to the same amended as follows: In lieu of the matter proposed to be stricken out amend section 2 so that the said section shall read:

"SEC. 2. That the Eckington and Soldiers' Home Railway Company of the District of Columbia be, and the same hereby is, authorized to lay down and operate a street railway in the city of Washington, D. C., through and along the following named streets and avenues, to wit:

"Beginning at the junction of Eighth and D streets northeast; thence by double track south along Eighth street to C street south; thence by single track, as follows: West on C street south to Seventh street east; thence south on Seventh street east to M street south; thence east on M street south to Georgia avenue; thence northeast on Georgia avenue to Ninth street east; thence north on Ninth street east to C street south; thence west on C street south to Eighth street east."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 7, and agree to the same amended so that the proviso in question shall read as follows:

"*And provided*, That said Eckington and Soldiers' Home Railway Company shall not have its stock and bonds outstanding at any one time to a greater amount than the actual cost of the construction and equipment of said railway; which actual cost shall be ascertained by the supreme court of the District of Columbia in such manner as the said court shall prescribe."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 16, and agree to the same amended so that the proviso in question shall read:

"*And provided*, That said Belt Railway Company shall not have its stock and bonds outstanding at any one time to a greater amount than the actual cost of the construction and equipment of said railway; which actual cost shall be ascertained by the supreme court of the District of Columbia in such manner as the said court shall prescribe."

And the House agree to the same.

JAMES McMILLAN,
ISHAM G. HARRIS,
Managers on the part of the Senate.

J. W. BABCOCK,
G. M. CURTIS,
JAMES D. RICHARDSON,
Managers on the part of the House.

The report was concurred in.

IMPORTED PARCELS AND PACKAGES.

The VICE-PRESIDENT. The Chair lays before the Senate the resolution of the Senator from Maryland [Mr. GIBSON] coming over from a previous day.

The Secretary read the resolution submitted yesterday by Mr. GIBSON, as follows:

Resolved, That the bill H. R. 6259 as amended and passed the Senate June 6, 1896, be referred to the Committee on the Judiciary, with instructions to examine the same and report to the Senate whether any of its provisions are in violation of existing treaty stipulations between the United States and foreign nations.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

Mr. PLATT. The resolution relates on the face of it to a bill which had passed the Senate some days before its introduction. It proposes to refer a bill which had passed the Senate to the Judiciary Committee, asking the opinion of the Judiciary Committee upon it. The bill was beyond the jurisdiction of the Senate at that time. It has since passed the House, gone to the President, and has been signed by the President. So I do not think the resolution ought to pass.

Mr. GIBSON. I was not aware of what the Senator from Connecticut has just stated until he made the statement. At the time the resolution was offered my judgment with reference to its being beyond the jurisdiction of the Senate was that it could be yet referred to the Committee on the Judiciary.

The bill to which the resolution referred was passed during my absence on important public business, assigned thereto by the President of the Senate. I had offered an amendment to the bill, but that amendment was not considered; and when I returned I found that the bill had passed the Senate and had gone to the House. The object of the resolution was that the Judiciary Committee should inquire into and determine whether the measure as passed is in contravention of treaty stipulations with foreign powers. In my judgment, it is clearly so; and it occurred to me that it was legislation which would result hereafter in possible embarrassing complications which we ought to avoid. Hence I offered the resolution. If, however, the act has passed to the stage which the Senator indicates, I will not press the subject further upon the attention of the Senate. Under the circumstances, I will withdraw the resolution.

The VICE-PRESIDENT. The resolution is withdrawn.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. PRUDEN, one of his secretaries, announced that the President had on the 6th instant approved and signed the following acts:

An act (S. 3161) amending and extending the provisions of an act of Congress entitled "An act approving, with amendments, the funding act of Arizona," approved June 25, 1890, and the act amendatory thereof and supplemental thereto, approved August 3, 1894;

An act (S. 710) granting a pension to Ada J. Schwatka, widow of the late Lieut. Frederick Schwatka;

An act (S. 148) granting a pension to Catherine Dillon;

An act (S. 804) granting a pension to Mrs. Eleanor Carroll Poe;

An act (S. 1672) granting a pension to Lue R. Brown; and

An act (S. 1420) granting an increase of pension to Elizabeth W. Sutherland.

The message also announced that the President of the United States had on the 8th instant approved and signed the following act and joint resolution:

An act (S. 2169) to regulate mail matter of the fourth class; and

A joint resolution (S. R. 155) to authorize a scientific investigation of the fur-seal fisheries.

BILL BECOME A LAW.

The message further announced that the bill (S. 678) granting a pension to Joseph R. West, brigadier and brevet major general,

United States Army Volunteers, having been presented to the President on May 25, 1896, and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution, had become a law without his approval.

EQUESTRIAN STATUE OF GENERAL SHERMAN.

The VICE-PRESIDENT. The Chair lays before the Senate as a part of the morning business the resolution of the Senator from Colorado [Mr. WOLCOTT] coming over from a previous day. The resolution will be read.

The Secretary read the resolution submitted yesterday by Mr. WOLCOTT, as follows:

Resolved, That the Committee on the Library be directed to inquire into all the facts and circumstances connected with the late award of a contract for the erection, at the city of Washington, of an equestrian statue of Gen. William T. Sherman, and to make report thereon to the Senate at the next session of Congress, with such recommendation as the committee may deem necessary or proper; and the Secretary of War is hereby requested to suspend the execution of the contract for the construction of said monument until such report is received.

Mr. WOLCOTT. Mr. President——

Mr. DUBOIS. I ask the Senator from Colorado if he will accept as an amendment the insertion of the words " of the Senate "; so as to read: "The Committee on the Library of the Senate."

Mr. WOLCOTT. Certainly; " the Committee on the Library of the Senate." It should go in so. I am obliged to the Senator.

The VICE-PRESIDENT. The resolution will be so modified. The question is on agreeing to the resolution as modified.

Mr. WOLCOTT. Mr. President, it is a late hour in the session of the Senate to bring before it any measure or any resolution with the hope that it can be calmly and judicially considered. The suggestion which I have made in this resolution is only that until the winter session of the Senate the further construction of the Sherman monument shall be delayed. In furtherance of the resolution I desire to occupy the attention of the Senate for a few minutes, and in so occupying the time of the Senate I desire to state the case as impartially and as quietly as possible, and without the slightest suggestion as to misconduct upon anybody concerned in the award to the successful sculptor of the construction of the statue.

It does seem to me, however, Mr. President, that a great injury has been done, and that a proper investigation of the subject by the Library Committee will result either in righting the wrong that has been done or in showing to the people of the United States that the conduct in the award and the result that was obtained was the right conclusion of the whole matter.

The Society of the Army of the Tennessee desired very properly and with great patriotism that a monument should be erected to General Sherman in the city of Washington. To accomplish that purpose it raised some $16,000, a sum totally inadequate to accomplish the result. Congress was called upon to aid so worthy a suggestion, and we have appropriated, first $50,000 and then $30,000, until $80,000 has been appropriated by the Congress of the United States to be added to the $16,000 raised by the Society of the Army of the Tennessee, making $96,000, out of which shall be paid the foundation, the pedestal, and the statue, in commemoration of the great public services of General Sherman.

The act which passed Congress appropriating $80,000 was very brief in the powers it conferred, and I will read it:

That the sum of $50,000—

Thirty thousand dollars was afterwards added by a subsequent act, without further comment—

That the sum of $50,000 be, and is hereby, appropriated for the preparation of a site and the erection of a pedestal for a statue of the late Gen. William T. Sherman in the city of Washington; said site to be selected by and said pedestal to be erected under the supervision of the president of the Society of the Army of the Tennessee, the Secretary of War, and the Major-General Commanding the Army, and any part of the sum hereby appropriated not needed for preparation of site and the erection of a pedestal may be used and expended in the completion of said statue of the late Gen. William T. Sherman.

No express provision was made for the statue as separable from the foundation and the pedestal. As a matter of fact, in the cost of the structure the pedestal counts far more than the statue, and the pedestal and the statue are together so closely identified and associated that the selection of one becomes virtually the selection of the other—it is an entirety.

Upon the passage of this act the Society of the Army of the Tennessee sent out its published suggestion for competitive models to be sent for the erection of the statue. The first notice was by publication. It was followed by a circular signed by General Dodge, the president of the Society of the Army of the Tennessee, under date of June 20, 1895, in which, referring to the letter of invitation of March 22, the first invitation to sculptors, he would state—

That having received several letters from sculptors asking for a more detailed statement of the conditions of the competition, the matter was referred to the National Sculpture Society—

Taken from the Society of the Army of the Tennessee even at the preliminary stages of it so far as the suggestions were to be made for the construction of the statue—

was referred to the National Sculpture Society, and after consultation with a number of artists, I submit the following, which will govern the competition.

Then he states the different subjects, which I will incorporate in my remarks, and all of which have to do with the general character of the models, that they must be in plaster, that no drawing would be considered, as to when they should be presented, etc.

Then the circular contains this paragraph, which is all important:

A committee of the National Sculpture Society will pass on the artistic character of the models, and experts in bronze, castings, etc., will aid this committee in arriving at its conclusions.

The models were to be passed upon by a committee of the National Sculpture Society. In furtherance of this circular, which was very properly limited to artists in America and American artists living abroad, 26 models were submitted to this national commission for the statue of General Sherman. The National Sculpture Society were together called upon to appoint a committee of artists to pass upon the different models. A committee of the most distinguished sculptors of the United States, and that includes among them the most distinguished sculptors of the world, met together to pass upon the design. They were to pass upon their artistic merits, upon their general form and construction. They were to pass upon those important matters which artists are so much better qualified to determine than those uneducated in sculpture or in art.

Mr. HAWLEY. I wish to ask a question, if the Senator pleases. Was it committed absolutely to them? They were not to decide the final question, were they?

Mr. WOLCOTT. The Senator from Connecticut heard what I read. He can put his construction upon it. I know he intends to follow me in the discussion of the resolution.

Mr. HAWLEY. I will. I did not intend, though.

Mr. WOLCOTT. If anything I have said will induce the Senator from Connecticut to add light to the subject, I shall be glad to have him follow me. I hope he does not suggest that I am making any misstatement of fact.

Mr. HAWLEY. Oh, no. I am not sure as to the exact terms. Perhaps I missed something in what the Senator submitted.

Mr. WOLCOTT. I will say to the Senator that I read the statement contained in the first law.

Mr. HAWLEY. My impression was that it was only advisory.

Mr. WOLCOTT. I will read again that clause in the first law, and then I will go on:

A committee of the National Sculpture Society will pass on the artistic character of the models, and experts in bronze castings, etc., will aid this committee in arriving at its conclusions.

The committee met and made full and careful investigation. In the invitation that was extended to sculptors to contribute their models a statement was made which will appear in the circular which I will print, but I will state the substance of it. The successful sculptor should receive the award of the monument. It was not to cost, including the foundation and pedestal, more than $90,000, but the statue, the pedestal, and the foundation to be considered together. The next four models in order of merit should each receive $1,000 as a bonus—as a premium for having offered the models. This was given as an inducement to sculptors, inducing them to contribute by holding out the hope to them that although they might not succeed in getting the monument itself, yet that they might receive a sum which would in a measure reward them for the time and effort they had expended.

This committee of artists then met and after due consideration made a report that two models, one of Mr. Bartlett and one of Mr. Niehaus, were the two best models; that they were of great merit, and that they were so equal in merit that this committee of artists preferred that the commission itself should determine which of them should receive the award for the construction of the statue. They then named three other artists who should receive the award of $1,000 each, the unsuccessful one of the two and two others, so as to give them the award of $1,000 each.

This report was duly made by these representatives of the Society of National Sculpture. Following upon that the president of the Society of the Army of the Tennessee called in to consult with him and to pass upon the merits of the statue General Henderson, General Noble, Colonel Cadee, General Howe, and Colonel Jacobson, all good men, all men who knew General Sherman, all members of the Society of the Army of the Tennessee, all people desirous, as everybody has been desirous in this whole matter, of securing the best that could be obtained.

Mr. FAULKNER. Will the Senator from Colorado give me a piece of information about this matter?

Mr. WOLCOTT. Yes.

Mr. FAULKNER. Was the commission to which the subject was referred appointed by an act of Congress or by the Society of the Army of Tennessee?

Mr. WOLCOTT. The commission was appointed by the act of Congress in the language which I have once read and will read again:

That the sum of $50,000 be, and is hereby, appropriated for the preparation of a site and the erection of a pedestal for a statue of the late Gen. William T. Sherman in the city of Washington, said site to be selected by and said pedestal to be erected under the supervision of the president of the Society of the Army of the Tennessee, the Secretary of War, and the Major-General Commanding the Army, and any part of the sum hereby appropriated not needed for preparation of site and the erection of a pedestal may be used and expended in the completion of said statue of the late Gen. William T. Sherman.

Mr. ALLISON. Will the Senator allow me to interrupt him?

Mr. WOLCOTT. If the Senator from West Virginia is through——

Mr. FAULKNER. I understand the commission named in the act of Congress had reference only to the pedestal.

Mr. WOLCOTT. The foundation and the pedestal technically, as I have already said. Now, did the Senator from Iowa have some question to ask?

Mr. ALLISON. That was the suggestion I was about to make. The Society of the Army of the Tennessee selected a committee of its own to erect the statue; and the provision the Senator has read relates only to the pedestal.

Mr. MILLS. Who created the art commission that passed on the question? Was that done by law?

Mr. WOLCOTT. It is plain it would have been wiser to have read the whole circular. As I have once stated, the act of Congress named a commission which should determine upon the selection of a site and the erection of a pedestal, and the surplus of the amount appropriated by Congress was to go toward the payment for a statue, if any sum should remain. The Society of the Army of the Tennessee, having raised $16,000 against the Government's $80,000, then called for the sending in of models for the erection of a statue, the statue to include the pedestal. I will read the whole of it, and then Senators will understand that it is utterly impossible to segregate the statue from the pedestal, and before I get through Senators will see that one is as much a part of the other as would be the horse and his driver.

Mr. MILLS. But I am not talking about either the pedestal or the statue. I am talking about the cultured gentlemen at New York who passed on the question.

Mr. WOLCOTT. That also I have once stated, and it will appear again.

Mr. MILLS. Who appointed them?

Mr. WOLCOTT. Let me read:

FIRST COMPETITION. GENERAL SHERMAN STATUE COMMITTEE OF THE SOCIETY OF THE ARMY OF THE TENNESSEE.

Committee: Gen. G. M. Dodge, president; Gen. J. F. Howe, treasurer; Gen. J. W. Noble, Col. D. B. Henderson, Col. Aug. Jacobson, Col. Cornelius Cadle, secretary.

JUNE 20, 1895.

DEAR SIR: Referring to our circular letter of invitation of March 22, I would say that having received several letters from sculptors asking for a more detailed statement of the conditions of the competition, the matter was referred to the National Sculpture Society.

That is, the artistic society—

and, after consultation with a number of artists, I submit the following, which will govern the competition.

That is, after consultation with these artists, he submitted "the following, which will govern the competition":

As stated in the circular of March 22, a committee of the Society of the Army of the Tennessee, the president of the same society, the Secretary of War, and the Lieutenant-General of the Army have the authority to erect and supervise the construction of an equestrian monument of Gen. W. T. Sherman in Washington, D. C.

The sum of $96,000 has been raised by subscription and appropriated by Congress for the erection of this monument, and you are invited to compete for its erection.

The amount named must cover the entire cost of excavation, foundation, pedestal, equestrian statue, etc., and all expenses incidental to the erection of the monument ready for unveiling, including four awards of $1,000 each, as hereinafter provided.

Reciting that the whole was to be included in the one bid.

There will also be traveling expenses of experts, office expenses, including pay of United States inspector while work is in progress; this will leave $90,000 actually available for the statue, pedestal, etc.

It all being counted as one.

The monument will be placed in one of the United States reservations in the city of Washington, D. C.

The following conditions will be imposed upon all competitors:

All artists competing must send free of expense and risk to G. M. Dodge, president of the Society of the Army of the Tennessee, care of the Secretary of War, Washington, D. C., on or before January 1, 1896, an accurate and elaborate model of their design on a scale of 1 inch to 1 foot; these models must include both the pedestal and equestrian statue.

Nobody was invited to compete separately for a statue, but they were invited to compete for a pedestal and a statue considered together and estimated together in computing the cost.

The contract for the work will be awarded to the artist whose design is deemed best, provided it is considered satisfactory.

To the artists submitting the next four designs deemed satisfactory for so important a work, but whose models have not been accepted, provided so many are found worthy of consideration, the sum of $1,000 each will be paid.

The money awards herein offered will, if awarded, be paid by the committee from the funds subscribed for the monument, within thirty days after the decision has been rendered.

The successful sculptor will be required to enter into contract with the United States for the work and to give bonds in the sum of $25,000 for its successful performance; the contract will provide for payments as work progresses, in such manner as may be agreed upon between the sculptor and the committee, and shall comply with existing laws and regulations of the accounting officer of the United States Treasury.

A full description of the proposed monument must accompany each model submitted, giving exact dimensions of the monument and character of materials to be used, together with such other information as the artist may deem necessary.

Each model must be signed by the full name of the artist. No secrecy will be maintained.

All models must be in plaster.

No drawing will be considered.

All models violating these rules will be rejected.

All models which can not be executed in a first-class manner for the price named in this circular will be ruled out; this question will be determined by experts.

The monument as erected must be the enlargement and completion of the design accepted.

The committee will agree to return all models at the expense and risk of the artist, if so requested; it will not be held responsible for any models not requested to be so returned or not removed within ten days after rendering the final decision.

Only artists and sculptors residing in this country and American citizens residing abroad may submit designs in this competition.

A committee of the National Sculpture Society will pass on the artistic character of the models, and experts in bronze castings, etc., will aid this committee in arriving at its conclusions.

This committee reserves the right to reject any and all designs.

Only such sculptors and architects as are not connected in a business way with any monumental firm or bronze foundry will be allowed to take part in the competition.

All models will be publicly exhibited for two weeks prior to rendering the final decision, but not afterwards.

The successful artist must model his full-sized statue in the United States, and all the stonework and bronze casting must be done in the United States.

G. M. DODGE, *President.*

Copy:
F. W. RUCKSTUHL, *Secretary N. S. S.*

I call attention to this paragraph:

A committee of the National Sculpture Society will pass on the artistic character of the models, and experts in bronze castings, etc., will aid the committee in arriving at these conclusions.

After this direct and straightforward and it was to be supposed final report of this committee of artists appointed by the committee of the Army of the Tennessee themselves in furtherance of the act of Congress, this second circular was sent out, to which I also invite the attention of the Senate, under date of January 21, 1896—this last January. This was sent to all the competing sculptors.

I should say before this second circular was called out there were 26 bids submitted. This society gave the names of the three equally meritorious men who were unsuccessful in securing the award, but who were entitled to the prize of a thousand dollars. The Army of the Tennessee then met, through its officials, and struck from the list the fourth one of the names which these artists had put in there, and promoted from No. 10 on the list of the committee a man entirely out of the competition—took No. 10 on the list and put him up into the fourth place, displacing one of the four which this art committee had selected, and putting him in as one of the four successful persons, and took the award of a thousand dollars from one of these people and gave it to another.

Then this second circular was sent out:

NEW YORK CITY, *January 21, 1896.*

DEAR SIR: The committee, consisting of a committee of the Society of the Army of the Tennessee, the president of the same society, the Secretary of War, and the Commanding General of the Army, as designated in our circulars of March 22 and June 30, 1895—

Which I have just read—

for the selection of a model of an equestrian statue to Gen. William T. Sherman, to be erected in Washington, D. C., met on January 18, at the War Department, and decided that none of the models submitted expressed the character and individuality of General Sherman or treated the subject with sufficient force to warrant the committee to make a final selection.

That was in direct accordance with the powers reserved to the committee when they first sent out their letter.

They also had before them the report of the committee from the National Sculpture Society, and their report reached the same conclusion.

The committee therefore decided to select the four models which, in their judgment, possessed the most merit for further elaboration and development, these being the models offered in competition by the following sculptors: P. W. Bartlett, Carl Rohl-Smith, C. H. Niehaus, and J. Massey Rhind.

They also selected as entitled to one of the $1,000 premiums offered for merit the models submitted by H. K. Bush-Brown, of New York.

The four sculptors who compete for the final judgment of the committee must send, free of expense and risk, to Gen. G. M. Dodge, president of the Society of the Army of the Tennessee, care of the Secretary of War, Washington, D. C., on or before May 15, 1896, their designs completed on a scale of 2 inches to 1 foot.

The first models called for were 1 inch to the foot.

These designs must include both pedestal and equestrian statue.

The contract for the statue will be awarded to the artist whose design is considered satisfactory.

The three unsuccessful artists will receive each the premium for merit of $1,000, mentioned in the circular of June 20, 1895; also $250 each for their additional labor, to be paid them within thirty days after the decision has been rendered.

A full description of the monument must accompany each model submitted, giving its exact dimensions, the kind and character of the material to be used, and a detailed estimate of the cost.

Each model must be accompanied by the full name of the artist.

All models which can not be executed of first-class material in a first-class manner for the sum of $90,000 will be ruled out, and the committee will call in experts to determine whether the monument can be built within the price named.

The monument as erected must be the enlargement and completion of the design accepted.

The committee reserves the right to reject any or all designs.

The models will be publicly exhibited for two weeks from May 15, 1896.

The successful artist must model his full-size statue in the United States, and all the stonework and bronze casting must be done in the United States, and the sculptor receiving the award will have to comply with the other conditions provided in the two circulars of March 22 and June 20 which apply to him.

The sculptor's attention is called to the equestrian group itself, that it must represent the character and individuality of the subject and the likeness of General Sherman.

Such elaboration and development of his model as the artist may deem best will be allowed in the second design.

The location selected for the statue is that portion of the grounds south of the Treasury Department and bounded as follows: On the north by the street immediately south of the Treasury Department; on the east by Fifteenth street; on the south by D street extended, and on the west by the gravel road around the ellipse and the south grounds of the Executive Mansion.

Any further information desired will be given by the president of the committee, Gen. G. M. Dodge, No. 1 Broadway, New York City.

Yours, very truly,

G. M. DODGE, *President.*

Upon the assurances contained in that circular, and resting upon the belief, as they had the right to rest upon the belief, that the committee of artists would pass upon these four models, which were again to be presented for consideration, these artists again prepared their models, doubling the size before required. They furnished these models as requested by the final circular, and then the president of the Society of the Army of the Tennessee and the commission appointed by Congress met, and without consultation and advice, without accepting suggestions from these artists, but, on the other hand, utterly ignoring the committee which they themselves had summoned to pass upon this question, they awarded the contract, not to one of the four whose names had been reported by this committee from the Sculptors' Society, but to this artist No. 10, whom they had boosted up from No. 10 to be one of the four. The artists who had been led to send their models upon the assurance that they would be passed upon by men who were acquainted with the canons of art were quick to send their models again that they might apparently, but, as it turned out, not really, compete. The suggestions and advice which had been asked for by the Society of the Army of the Tennessee were ignored and repudiated, and the Society of the Army of the Tennessee selected a man who had been rejected by these sculptors.

Now, Mr. President, there is no suggestion of any personal misconduct anywhere. It is further to be said that the old soldiers of the Army of the Tennessee who served with General Sherman, if they were satisfied with the likeness and they were satisfied with the statue, should have much voice in its erection. But that is not enough to say.

It is true, Mr. President, that this city contains many monuments and statues and bronzes that are a disgrace to this end of the nineteenth century. It is true that again and again our streets and our public parks are degraded by statues which have no place there, which are the work of artists who have been appointed through favoritism or friendship for the erection of those statues. It is true that if you yield in one instance to the wishes of those who knew the person to whom a monument is to be erected, but who do not pretend to knowledge of art, that in almost every statue to be erected you ignore the canons of a noble art and leave the choice to the uneducated taste of those who knew the person in his lifetime for whom the statue is to be erected. Personal likeness to the original is but one feature. Many statues make no pretense to a personal likeness, for that is not called for or expected. That is the least of the difficulties in the way of a genuine artist, but the thought, the conception, the plan of the monument, which is to symbolize truth in its highest manifestation, is reached by those who study art for a lifetime; and they can teach us, who know nothing about it, to like and enjoy that which, without such education, we would not appreciate or enjoy.

It is true, Mr. President, that the last things that survive of a race are its monuments and its statuary; and if at the end of this nineteenth century we are to leave for the centuries that are to come after us only such horrid examples of art as largely degrade our public parks the estimate which posterity will make of this century will be poor indeed.

Mr. President, we owe it to ourselves, we owe it to art, we owe it to truth, if we invite people who have knowledge upon these subjects to tell us what we shall do, that we shall follow their suggestions. We owe that to ourselves, and to these artists, who never would have competed if they had not supposed that competent judges were to be selected, we owe something.

There is a grave legal question, Mr. President, whether this committee, which called upon artists to bid for a statue and gave them the assurance that the statue would be passed upon by a commission of artists, and then rejected and repudiated the award of the commission—it is a very serious question whether they may not have legal rights which must be considered before a final settlement of this matter.

I say certainly, Mr. President, every instinct of justice, not only to these artists, not only to the city of Washington, which ought to have for so noble and so splendid a general the highest embodiment of art, but every instinct of honor requires, and the interests of the Society of the Army of the Tennessee require, that we should investigate this question, and we should determine whether or not this selection was made fairly and straightforwardly and legally and in good faith before we commit ourselves finally to the erection of this statue. The time which will elapse is but short. What are six months as against the completion of a work of art by proper methods and on proper lines?

Not only that, Mr. President, but we owe it to common justice that this monument shall stand not alone a monument to the courage, the bravery, and the patriotism of General Sherman, but we owe it to ourselves that it shall not as well stand, as it will stand if we do not investigate and ascertain the facts respecting this award, as a monument of injustice, of unfairness, and of bad faith.

I respect the wishes and desires of the old soldiers of the Army of the Tennessee as deeply as can any man. I feel that they themselves must naturally believe that they know the lineaments of the general they followed to victory. I have no doubt that the award made by these officials of the Society of the Army of the Tennessee was made in the interest of what they believed a plan for the best preservation of the memory of General Sherman for all coming time. But I do believe, Mr. President, that we owe it to art and to ourselves that we shall have the best artistic embodiment in this monument, that we owe it to ourselves and to these artists that we do not invite them to contribute under false representations, and if we tell them their work shall be passed upon by their brother artists we shall not rob them of that right which we have promised them.

Mr. ALLISON. Mr. President, I desire to say a few words respecting this resolution and to give the reasons why I shall vote against it.

The first question for us to consider, it seems to me, as to the resolution is our proper jurisdiction over the subject-matter. How is it and by what method was there an inauguration of the project and plan to erect in the city of Washington an equestrian statue of General Sherman? It did not originate in these Halls; it was not an act of Congress. It was an act of the old soldiers of the Republic who had followed General Sherman through four years of war, his comrades and associates in the Army of the Tennessee. At their annual meeting, I think as long ago as 1891—I have not the dates before me—the Society of the Army of the Tennessee resolved that they would erect in the city of Washington, in commemoration of their distinguished commander, an equestrian statue, and that for that purpose they would raise money from their comrades to execute that wish and will. They appointed a committee of five members of that society, and at the head of that committee was Gen. Grenville M. Dodge, a resident of the State of Iowa. He was the successor of General Sherman as president of the Society of the Army of the Tennessee. He was a soldier selected by his comrades as a fit successor to General Sherman, who had had the honor of being the president of that great organization. This committee of five was a committee for the purpose of erecting this statue, and for the purpose of gathering from the old soldiers a sufficient amount of money to erect it.

This was not a new thing in the city of Washington in commemorating distinguished soldiers of the Republic. It had often been done before. That committee entered upon this work. They commenced raising money, and after they had made some progress in that direction they came to Congress and asked Congress to appropriate a sufficient amount of money to erect a pedestal upon which the statue should be placed. They did that in pursuance of a custom which had prevailed for years. There is not, to my recollection, a single statue in this city where Congress has not appropriated a sufficient amount of money to prepare the pedestal for its construction. That is true as to every statue which is found upon the squares and parks of this city. The amount usually appropriated for this purpose has been $50,000. They appealed to the Congress of the United States to provide a pedestal upon which the statue should rest. That appeal was responded to by the two Houses of Congress in passing the joint resolution which the Senator from Colorado [Mr. WOLCOTT] has read. That resolution provided that the United States should appropriate $50,000 for the purpose of providing a pedestal for the statue to be erected by the Society of the Army of the Tennessee; and if by any chance there should be a residuum, after preparing a proper pedestal, the remainder was to be used for the

erection of the statue itself. In other words, the Government of the United States proposed that if $50,000 was not required for the pedestal, the residuum should be a contribution to the Society of the Army of the Tennessee in erecting a statue to this great general.

The years passed on, and it became perfectly apparent that this committee, after one or two intervening annual meetings of the Society of the Army of the Tennessee, that owing to difficulties in raising money, which I need not go into here, these old veterans of the Army of the Tennessee would not among themselves be able to raise a sufficient amount of money to erect a suitable and proper statue of General Sherman. Therefore the Society of the Army of the Tennessee came to Congress and stated before the committees of this body the difficulties in their pathway, and asked from us an additional contribution to aid them in the erection of this statue. They only asked that we should provide $30,000. A suitable statue in memory of that great general would justify this Congress or any other Congress in providing a much larger sum. In an appropriation bill in the Senate there was inserted a provision for $30,000 additional for the purpose of erecting the statue, and that appropriation was in every essential particular an appropriation to the Society of the Army of the Tennessee, and to nobody else. It was a part and parcel of the contribution of the United States to aid the Society of the Army of Tennessee in securing the erection of a suitable statue in this city. That was the situation. They had, after all their efforts, secured contributions only amounting to a little over $16,000, and the residuum left of the $30,000 for a suitable pedestal it was supposed would be sufficient to erect the statue.

Mr. President, every step in the progress thus far has been taken by the Society of the Army of the Tennessee and by its committee. The only control or direction which Congress had in the matter was the control or direction given to it in the joint resolution of 1892, wherein it was provided that a commission consisting of the president of the Society of the Army of the Tennessee, then as now General Dodge, and the Secretary of War and the General of the Army, whoever they might be, when the statute was to be executed. What were they to do? By the terms of the law they were to select a site for the statue, and they were to prepare the pedestal upon which it should rest. The Secretary of War and the General of the Army, so far as any law is concerned, had only this duty to perform, and nothing else.

What occurred afterwards? I thank the Senator from Colorado for placing on the records here the resolutions and the declarations of that great committee. Who composed it? Was it not composed of men who were not only familiar with General Sherman and his deeds but who knew him personally and well? When further appropriations were required for the statue, thus mingling all our appropriations for the pedestal and the statue itself, the Secretary of War and the General of the Army were, by courtesy, added to the committee of the Society of the Army of the Tennessee to deal with this whole question.

What was done? In the first place, they invited models and bids for the erection of the statue, giving ample notice. The details, I believe, have been incorporated in the RECORD by the Senator from Colorado. Having invited those bids, they also invited a committee of artists to do what? Were this committee of artists exercising any official authority in this matter? They were the advisers only of this committee. They were the men who were simply called in, as we call in in our private affairs a friend who may be more familiar with certain features and phases of what we want to do than we ourselves are. There were, as I have been told—and my familiarity with the details of this subject began on yesterday practically—not 26 but 24 models presented. The Senator from Colorado may be right as to the number; but my information is 24. There were 24 models presented for the inspection of whom? For the inspection of this committee. They had no power, and, so far as these papers disclose, they had no desire to transfer their power and authority to anybody; but they did, as was wise and well, take the advice of a committee of the Artists' Association. This Artists' Association, out of those 24 or 26 models, whatever the number may be, discarded all but 4. When the committee having the authority, the power, and the duty in this matter examined those 24 models they discarded practically all of them, because they said none of them—and that was shown in their report—met the expectations and desires of the committee. Therefore they selected 4 men out of those 24 or 26, whatever the number may be, who, to their minds, presented the best model for a statue. They selected those 4, and asked them to enlarge and change their models to suit whom? The artists? Certainly not. They had no authority and no responsibility respecting it. I do not know, and the Senator from Colorado did not state, who this committee of artists were.

Mr. WOLCOTT. I can state them now. They were Augustin St. Gaudens, the famous sculptor of New York; J. Q. H. Ward, and Daniel C. French—all famous sculptors.

Mr. ALLISON. Yes; there were three sculptors—St. Gaudens, Mr. French, and Mr. Ward—all eminent sculptors. These three gentlemen selected a fourth. The Senator from Colorado says they put at No. 10 the model of Carl Rohl-Smith, of Chicago, and they placed Mr. Bartlett, of Paris, France, in the foreground, and selected three others.

When the committee came to the responsibility of dealing with this question they selected four men, who they supposed would be best qualified to meet their just expectations in preparing a suitable statue. The three sculptors of whom the Senator from Colorado speaks were in every sense functus officio; they had performed what they were invited to do; given their advice, which was partly taken, and then this committee undertook to do what they were required to do by the Society of the Army of the Tennessee, and that was to do the best they could in respect to this statue.

They then selected four models, as to which they requested the artists to modify their designs for the statue. When these four models were produced here, is it claimed by the Senator from Colorado that there was any injustice in not reinviting the same men to consider the four models which they had selected from which to make a final choice?

Mr. WOLCOTT. Certainly; that is my contention.

Mr. ALLISON. That is the Senator's contention, and yet it is rumored that one of those artists was an open and avowed enemy of the man who received the contract for this work of art.

Mr. WOLCOTT. Who was he?

Mr. ALLISON. Mr. St. Gaudens, as the newspapers publicly state, was incensed, it is alleged, for the reason that it was claimed that this associate artist of his had used St. Gaudens's likeness of General Sherman in making up his model. Now, the Senator from Colorado says that Mr. St. Gaudens, who had, it is alleged, thus denounced one of those four, should be selected as an impartial critic and judge as to these four models.

Mr. President, the final award was made. It was made by the Secretary of War, by the General of the Army, by Gen. Grenville M. Dodge, by Col. D. B. HENDERSON, by Gen. J. W. Noble, by Colonel Jacobson, and by Colonel Cadee. These were the men who sat in judgment upon the statues. It was their duty so to sit. They had assumed the authority conferred upon them by the Society of the Army of the Tennessee, and impliedly and not really by an act of Congress.

I understand they called each of these artists before them separately to explain in every way the models, and then, without mutual consultation each with the other, without any one of these men knowing the views of the others, they assembled in an office in the War Department, in this city, and at the suggestion of one of their number, merely for the purpose of ascertaining the personal preferences of each as to the merits of the four models, they took a ballot.

Mr. HAWLEY. A secret ballot.

Mr. ALLISON. They took a secret ballot, without consultation with each other, and four of the six gave the award of merit to Mr. Rohl-Smith and two to Mr. Bartlett, residing in Paris.

Mr. WOLCOTT. I do not wish to interrupt the Senator from Iowa, as I dislike to interrupt Senators; but were the Secretary of War and the General of the Army at this meeting?

Mr. ALLISON. They were both there. Having this informal expression, I understand, and I have no writing upon the subject, the award was made to Mr. Rohl-Smith, of Chicago, an artist who may not have international reputation, but who has a reputation where his work has been seen by experts and by nonexperts.

I am not an expert in art. I have not seen any one of these statues, but I take it that the old soldiers of the Society of the Army of the Tennessee, the comrades of General Sherman, when they come to Washington, will desire to see a statue of the man whom they followed through all the perils of war for four long years. Who can be trusted better to know what, after all, is the true art, the resemblance to the man himself and the surroundings that ought to go with the statue, than the men who sat in this controversy. This statue may be imperfect in some of its details of art, and as to that I know not, but here are General Sherman's own comrades. I have described General Dodge, the president of the Army of the Tennessee, upon whom devolved a trust of the most sacred character as president of that organization. Is it to be supposed for a moment that he would not exert every mental faculty he has for the purpose above every other of securing the best obtainable statue of his general in the Army?

Without going into the history of these men, I know that General Dodge followed General Sherman, as his subordinate commander, through nearly all the years of the war. He saw him in every phase. He marched with him from Chattanooga on the 5th day of May, 1864, if that is the year, through all the battles and skirmishes of the campaign of Atlanta, lasting sixty days, until that great stronghold was captured. He was the commander of a division and of an army corps. He was recognized both by

General Grant and General Sherman as one of the ablest generals on all those battlefields. Is it to be supposed that Gen. John W. Noble, who has held the high office of Secretary of the Interior, who is a man of the highest ability and character, would engage in juggling and tricking, as the Senator from Colorado says, with respect to a statue which is to commemorate the name and fame, imperfectly it is true, as any statue would, of that great general of ours who followed the fortunes of our war till the close? Is it to be supposed for a moment—I shall not go into details as to the character and standing of these men—that for some partisanship or by the exercise of favoritism they would betray the trust, as the resolution implies, by juggling with artists for the purpose of helping or aiding a favorite?

One member of the commission who participated in the award is General HENDERSON, of my own city, a man who for sixteen years has held the confidence of his constituents and the confidence of the other House of Congress, who lost a limb in the Army of the Tennessee, who was a gallant soldier, although not of as high rank as General Dodge. Is it to be supposed for a moment that he would go among the old comrades of the Army of the Tennessee, who in my State are almost as thick as the leaves in Vallombrosa, and tell them he has been guilty of a trick in making this assignment to Mr. Rohl-Smith, a distinguished artist? Is it to be thought for a moment that we will degrade these men by a resolution of inquiry, in a matter which is fully under their jurisdiction and not at all under ours, as to their competency and their honesty and their integrity and their ability, and as to whether they have been guilty of tricking an association of artists or any other association of men? Is it to be supposed that we will do this by putting these gentlemen under the ban of a resolution and checking their authority as respects this statue for six long months?

Mr. President, whatever others may do, I shall not vote for any such inquiry or for any such stigma upon the men whom I have described.

Mr. HAWLEY. Mr. President, I am very much obliged to my colleague, the Senator from Iowa [Mr. ALLISON], for he has practically set forth all that needs be said in this matter. I was aware of the fact that the Tennessee Army Commission met, and after a labored, conscientious act of worship, I might call it, in the selection of a statue, took a secret ballot. They found that four of them had united upon the statue of one man, the special merits of whose work in comparison with others they had not even discussed. I felt sore when I heard the Senator from Colorado [Mr. WOLCOTT], while disclaiming any reflection upon these gentlemen, yet use the words "trick," and "favoritism," or "friendship," in connection with them. All of you who have followed favorite leaders know with what feeling the committee of the Army of the Tennessee must have approached their task. They never did anything more seriously or religiously in their lives. They had in their mind's eye the 60,000 men who followed Sherman in his grand march, and the other comrades who had served under Sherman under various other circumstances.

The Senator from Colorado really gave away his whole case when he said that personal likeness is not called for or expected. What, then, is? An ideal soldier?

Mr. WOLCOTT. I said in the preliminary model; I beg the Senator's pardon.

Mr. HAWLEY. I think the Senator is just as much mistaken in applying the remark to the preliminary model as he would be in applying it to the final statue. How could the commission know which to select if the preliminary models did not suggest Sherman? The statue might as well be one of Moses or Napoleon as of Sherman. How were they to make a choice? Simply because of some graceful arrangement of what may be called the architecture of the statue? Undoubtedly the New York gentlemen might have given us quite an artistic design, but would it have been Sherman? I think not. I think they were seeking the ideal soldier.

Imagine, sir, the 60,000 veterans returned to us and marching through Washington as they did just after the war. Imagine them marching by our various statues here and cheering for Thomas, whom they would know at sight; cheering for McPherson and cheering for Scott, until by and by they came to something they did not recognize. They might say, "It is a very pretty work of art"; but "Who the devil is it?" would be the voice of the Army. Put up a statue that is Sherman—bust, shoulders, back, and head, and his whole pose, so that the soldiers would know it a half mile away, and the whole column would give a continuous roaring cheer as it marched by.

There is a mistake which many artists make when they suppose the great mass of mankind have no artistic taste. They have something that answers for it, though not set forth in the language of critics. I say put a half dozen of statues side by side on a street of a great city, leave there a ballot box, and for twenty years let every man who goes by vote, and in the end the true artists and the people, in my judgment, will ultimately elect the greatest work. Why are works of art immortal? Because they touch the common and universal heart. Apply an analogous test elsewhere, and Homer, Shakespeare, Bunyan, and Burns, Raphael, Rembrandt, Beethoven, and the whole glorious company would be the elected of the people, and not of the art critics only. Why? Because there is in the humanity of men of all centuries and places something that responds to the lovable, noble, and grand, in picture or statue no less than in the living form.

No; I want a popular statue in the true sense of the word, not selected by the votes of idiots or of men who hated Sherman, but by the votes of the great mass of the people, and I have not the slightest doubt on earth, without having seen the competing statues, that these five old soldiers, worshipers of Sherman, have selected a statue which the whole Army of the Tennessee marching by would have chosen out of this group.

I will not set even such honorable gentlemen as the three who are on our Library Committee—our friend the Senator from North Dakota [Mr. HANSBROUGH], our friend the Senator from Rhode Island [Mr. WETMORE], and our friend the Senator from Indiana [Mr. VOORHEES]—to "inquire into the facts and circumstances connected with the late award," as the resolution proposes. We have had the record before us, and therein are all the "facts and circumstances" I want, unless it is to be intimated that there was something wrong, ungentlemanly, unmilitary, dishonorable in the conduct of the gallant soldiers and gentlemen of the commission. There was not. That is an absolute impossibility, and you here who know these men at all would stake your lives that the work was done honorably.

No, sir; we do not want a statue of which people can say: "That is splendid, but it is not Sherman; oh, that is a fine, ideal soldier; it might be the ideal of the American general, but it is not old Tecumseh." I shall vote against the resolution, of course.

Mr. MILLS. Mr. President, it seems to me that we would make a mistake in adopting the resolution or in attempting to undo what has been done in obedience to law.

As my friend the Senator from Iowa [Mr. ALLISON] said in the beginning of his remarks, this is an appeal to the wrong jurisdiction. If the law has been violated the courts are open to those parties, and I very much question whether Congress has the right to deprive Smith of this work after it has been awarded to him in terms of law. Congress is a very strong body, but it can not ride over everything. There are courts which can call it to account. Suppose the man who has obtained the award should go into court. Of course he can not sue the Government, for nobody can sue it; but he can sue these parties. If the contract has been disregarded, if they have committed a breach, he can hold them responsible.

The other House of Congress a few years ago undertook to violate the constitutional right of a citizen of the country and to compel him to testify as to a matter about which Congress had no jurisdiction to inquire. He refused to testify. The House of Representatives ordered its Sergeant-at-Arms to incarcerate him. He could not sue the Government, but he sued the Sergeant-at-Arms for violating his rights as an American citizen, and he obtained a judgment of $50,000 against the Government for it.

Mr. MITCHELL of Oregon. Will the Senator from Texas allow me?

Mr. MILLS. Certainly.

Mr. MITCHELL of Oregon. The Senator has stated and reiterated two or three times that a citizen can not sue the Government. If any right exists here at all which has been violated it is a right under a contract, either express or implied, and the man can sue the Government.

Mr. MILLS. We may consent that the Government may be sued.

Mr. MITCHELL of Oregon. It may be done without consent. There is a law.

Mr. MILLS. He can go to the Court of Claims and present something, but it is a fundamental principle in all governments that the sovereignty can not be sued except with its consent. I say that this man has a legal right to compel the performance of the contract against the parties, the commissioners whom Congress has appointed.

But leaving that clear out of view, here comes up another question. Whom should we consult in giving the contract for building the statue of this very great man, a great military chieftain? I have always thought that the families had some interest in it, and while I was a member and chairman of the Committee on the Library I had to decide in two or three cases. I remember to have joined with the Secretary of War and another in awarding the Hancock statue, and I said at the start that the family of General Hancock were the best judges of what was a proper representation of him, and that was my vote. Again I had to decide in awarding the statue of General Logan. I said to Mrs. Logan, here in an adjoining room, "You have a right to be consulted about the

statue that is to represent your husband, as well as the people of the United States, the statue of one of their greatest citizens"; and I said, "My voice shall be to give the award to the man whom you select"; and that was done.

Then I was by law made a member of the committee which had to award the statue to General Grant. The Grand Army of the Republic, I believe, made a contract for a statue of General Grant and sent it to Washington. I said, "I can not accept it unless General Grant's family come here and say they are willing to accept this statue as a representation of the husband and father." When Mrs. Grant came she said it was about as much like her husband as anybody else in the United States, and I think that would have been the judgment of everyone who has ever seen General Grant.

Now, if I had anything to do with this matter, I should say, "Consult the family of General Sherman as well as the soldiers of the Army"; and the very last people whom I would consult on this earth would be a board of self-constituted artists in this country who have arrogated to themselves to know about all the art in the world. I should have said to the venerable brother who has known him from his infancy, "You are a very good judge as to whether this represents truly the features of General Sherman"; and so as to his children. As to the Army of the Tennessee and the soldiers and the subordinates under Sherman who followed him, I would say to them rather than this art commission, "You are the proper judges of the statue that is to represent the great commander of the Army of the Tennessee."

Mr. WOLCOTT. Mr. President, at the outset of the remarks which I made I distinctly and emphatically disclaimed any personal allusions of a derogatory character to the officers of the Society of the Army of the Tennessee who passed upon this statue. Every member of the Senate fully understood what I said. The Senator from Iowa [Mr. ALLISON] understood fully what I said. It suited the fervid character of his defense of General Dodge that he should assume that I had said something of him that was unkind. I did not. I was careful not to do so, for I have no sentiment toward him in connection with the matter or toward any of the officers of the Society of the Army of the Tennessee who passed upon it which could affect their character. The Senator from Iowa understood that, and of course it is unfair that I should be called upon again to disavow it.

Mr. ALLISON. Will the Senator yield to me for a moment? I spoke of the resolution and not of what the Senator said.

Mr. WOLCOTT. The Senator spoke of my speech. I certainly did not do that. It yet remains true that the 26 men who competed for the statue were led to compete by a statement that their models were to be passed upon by a committee of artists, and it is equally true that in the final award of the monument the recommendation of the artists was utterly repudiated and ignored, and the award was made finally without consultation with and the advice of these artists when the different sculptors were assured that the artists would pass upon the models.

My own share in the whole question is unimportant. To me personally the matter is of but slight importance. I was led into its investigation by some inspection of the models and by some information as to the peculiar circumstances which surrounded the award. The character of the three gentlemen, Messrs. St. Gaudens, Ward, and French, who were called upon to pass upon the models is above reproach. No suggestion that the Senator from Iowa can make as to the character of St. Gaudens will be believed by anybody who knows him.

Mr. ALLISON. I make no reflection upon his character—not in the slightest degree.

Mr. WOLCOTT. I understood the Senator from Iowa to adopt a newspaper statement published in a paper in New York and copied into a Washington paper this morning, in which St. Gaudens is alleged to have been governed by malevolent motives and to be a personal enemy of the sculptor who was awarded the contract. The high character and attainments of St. Gaudens can not be smirched. He stands to-day one of the leading sculptors in the world, one of the best minds and most honorable men who have ever graced art in this or any other country.

It is easy enough to say that this was an appropriation by the Army of the Tennessee, but it was not. The Army of the Tennessee raised $16,000 for a statue. The Congress of the United States appropriated $50,000 for a foundation and the pedestal, and then afterwards, when the Army of the Tennessee could not raise money enough to build the statue, the Congress appropriated as follows:

For the completion of the equestrian statue of Gen. William Tecumseh Sherman, $30,000: *Provided*, That the statue shall not be located upon the Capitol Grounds.

There, Mr. President, is $30,000 appropriated by Congress for the statue itself as against $16,000 appropriated by the Army of the Tennessee. After this appropriation was made the Fine Arts Federation of New York, which is an association composed of the National Academy of Design, the New York Chapter of the American Institute of Architects, the Architectural League of New York, the Society of American Artists, the American Fine Arts Society, the Municipal Art Society of New York, the National Sculpture Society, the Society of Beaux Arts Architects, the Mural Painters, and the American Water Color Society, through its president, Russell Sturgis, became interested in the matter, and a petition was sent to Congress, signed, among others, by Russell Sturgis, president; by Mr. Ward, by Mr. C. T. Cook, by Farnhan, by Kunz, by Daniel C. French, by Thomas B. Clarke, by St. Gaudens, and by Olin S. Warner, protesting against this action.

I realize that what I have said will have little weight in the determination of this matter, but I do desire to enter my earnest protest against this method of disfigurement of the city of Washington and to say to the Senate that it will be many a year before these artists, whom the Senator from Texas [Mr. MILLS] says have arrogated to themselves some knowledge of art which other people do not possess, will again interfere with the proposed action of Congress. They were invited here to pass upon this question. They met and they passed upon it, disinterestedly and intelligently and fairly, and their recommendation was brushed aside as if it had been a feather.

Mr. HAWLEY. Will the Senator from Colorado permit me to make a single remark? They were never asked to decide the matter.

Mr. WOLCOTT. The circulars gave every indication of an intent that their action should decide the matter.

It is said, I do not know how truly, that the successful artist includes upon his panel the pictures of the six judges who passed upon the fitness of his statue. The others do not. I know that the action of this body of artists was intelligently and disinterestedly given, and under the terms of the offer should have weight.

The subject is one which Congress should investigate. It is true that the soldiers of the Army of the Tennessee selected some other model. Their judgment should not stand for all time. This monument will stand either to beautify or to degrade the capital city of the country, and an investigation of this matter can do no harm and can bring but brief postponement.

In the interest of what I believe good morals I have introduced the resolution. I shall call for no division upon it. I do not anticipate its passage. But I desire to put upon record the protest of the honorable and high-minded men who were invited to determine as to this work, and whose recommendation was ignored and brushed aside.

Mr. HAWLEY. Just a word, Mr. President. The Senator from Colorado seems to assume that the statue is wholly unworthy because he speaks with apprehension of its disfiguring the capital. Who of us has seen and studied the statue? I have not for one. I should be very glad to do so. But I think that under the circumstances, upon the close examination of all kinds and classes of men, certainly it will be bound to be not a discreditable statue. I should add what the Senator from Iowa [Mr. ALLISON] says to me, that it does not appear that any one of the artists in question has seen the statue as finally adopted.

The VICE-PRESIDENT. The question is upon agreeing to the resolution submitted by the Senator from Colorado [Mr. WOLCOTT].

The resolution was not agreed to.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The VICE-PRESIDENT. The Chair lays before the Senate the action of the House of Representatives on the District of Columbia appropriation bill, which will be read.

The Secretary read as follows:

Resolved, That the House recede from its disagreement to Senate amendment No. 99 to the bill (H. R. 5210), making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes, and agree thereto with an amendment as follows: In lieu of the matter struck out by said amendment insert the following:

"*Provided further*, That the service of electric lighting in those streets and places west of Rock Creek now lighted by arc lights, and necessary extensions of said service, shall be let, after due advertisement, to the lowest responsible bidder, but no contracts shall be made for such lights at a price exceeding $100 per lamp per year for each arc light of candlepower equal to or greater than that now furnished; and

"*Provided further*, That the Commissioners of the District may, under such reasonable restrictions as they may prescribe, authorize any existing electric-light company, organized under the laws of the District of Columbia, to maintain and use its existing poles and lines and extensions thereof, either overhead or underground, in places outside of the fire limits of the city of Washington, and by underground conduits only inside the said fire limits, such lines not to be extended in any part of the District of Columbia except in that portion of the same lying west of Rock Creek.

"*Provided further*, That from such lines as may be maintained or established under authority of this act electricity for lights and power shall not be sold to any consumer at rates exceeding 87 per cent of prices charged generally in the city of Washington for such lights and power on the 1st day of January, 1896; and

"*Provided further*, That the District fire-alarm and messenger service may be established along the overhead or underground lines hereby authorized to be maintained and constructed, without charge for pole rent or conduit rent to the District."

The VICE-PRESIDENT. The question is on concurring in the amendment of the House of Representatives.

Mr. TELLER. That is a matter of some importance and I think the Senate should understand what it is.

Mr. ALLISON rose.

Mr. TELLER. I do not desire to discuss it. The Senator from Iowa will make a statement to the Senate.

Mr. ALLISON. I do not desire to discuss the amendment at length. The situation as respects the amendment is that the House, after adopting the conference report which has just been read, receded from one of their amendments to which the Senate had disagreed, with an amendment which is, I believe, what has been read at the desk. I have seen that amendment in the RECORD this morning. I am not sure that the RECORD contains what has been read, but the subject-matter of it is one which the conferees on the part of the Senate, I think I may say truthfully, have not the knowledge they should have in order to deal with a matter of so much importance. It is important legislation tacked on, if I may use that word, at the last moment in the House, making new provisions and new arrangements respecting electric lighting in this city. I am told, though I am not certain as to the matter, that this very subject has been under examination and investigation by the two District Committees of Congress during nearly the whole of the session, and that there are now bills on the Calendars of both Houses dealing with the subject. I regret for one that it has been at the last moment and in the expiring hours of the session brought forward in an appropriation bill, where it must be considered, in the nature of the case, imperfectly.

Mr. PLATT. I should like to have the amendment read to which this is an amendment, if it can be found.

Mr. ALLISON. The effect of it is to strike out the words inserted by the House in what is called amendment numbered 99, and insert in lieu thereof the words which have been read at the desk.

The VICE-PRESIDENT. The Chair will state that the question is upon agreeing to the House amendment to Senate amendment numbered 99.

Mr. PLATT. What is Senate amendment numbered 99?

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. Strike out all after the word "Washington," in line 19, page 17 of the bill, in the following words:

Provided further, That the entire service of electric lighting authorized under this appropriation shall be let, after due advertisement, to the lowest responsible bidder therefor: *Provided further*, That no contract shall be made for electric arc lighting at a price exceeding the rate hereinbefore specified.

Mr. PLATT. That was a part of the original bill.

Mr. ALLISON. It was in the original bill. Those words were stricken out by the Senate, which constituted amendment numbered 99.

Mr. PLATT. And now the House strikes out and inserts.

Mr. ALLISON. This amendment strikes out those words and substitutes other words. It was stated that that could be done under their rules. Of course we can not deal with their rules or modes of procedure.

Mr. PLATT. That is to say, the House technically proposes to amend a Senate amendment?

Mr. TELLER. Yes.

Mr. PLATT. It does not really amend it, but technically and pro forma it says that it amends a Senate amendment by substituting something entirely different.

Mr. TELLER. The House recedes from its disagreement to our amendment with an amendment.

Mr. PLATT. Now, what is the situation in the Senate?

Mr. TELLER. I understand that if the Senate should agree to this amendment it is not a matter for the conference committee. If the Senate disagree to it, then the matter is before the conference committee. That is the parliamentary situation, as I understand it.

Mr. PLATT. What does the chairman of our conferees recommend? Does he recommend that the Senate shall agree to what the House has done or disagree to it and put it into conference?

Mr. TELLER. On that point I do not desire to make any recommendation at all, so far as I am concerned. It is a matter of very sharp disagreement between the members of the Committee on the District of Columbia; it is a matter that has been contested very hotly by citizens of the District, as to the putting up of electric lines on poles, and so forth, and it is a matter that the Senate must determine, as far as I am concerned.

Mr. FAULKNER. I suggest to the chairman of the committee whether it would not be better for the Senate to disagree to the amendment, so as to put it into conference and let the question come up before the conferees of the two Houses, so as to hear the views of those who propounded the amendment as to the propriety of its adoption. I question the propriety, of course, of putting any kind of legislation of this character as new matter on appropriation bills. I should myself be opposed to it on that ground, although I favored a similar bill in substance in the report I made from the Committee on the District of Columbia. It involves the question of overhead and underground wires and other detailed legislation that I think is very important to the District. I do not know exactly what the amendment is. As far as I could catch the reading, it seemed to be somewhat on the line of the bill that we reported. It strikes me the best course to pursue would be to disagree to this proposition and let it go into conference, and then our conferees can make some recommendation to the Senate.

Mr. TELLER. So far as the conference is concerned, we have had this matter under discussion in every phase. In the first place, something similar to this was put in the bill by the committee. It went out on a point of order in the Senate. Then the conferees on the part of the House insisted that we should reinstate it, but the parliamentary situation was such that we had no right to do that, and we declined to do it. But the committee go to the House, and while I suppose it may have been perfectly proper, I did not suppose the House could do it; yet they disagreed to their disagreement and agreed to our amendment with an amendment, and here it is. It raises the whole question whether the Senate is willing now to say that in this outside section of the city, beyond the fire limit, poles may be put up upon which electric wires and telephone wires and other things of that character may be put. There was a very decided protest by the citizens of Mount Pleasant and other sections against the provision the committee of the Senate put in the bill, and that went out on a point of order. For that reason I think the Senate had better deal with this subject, not in a pro forma way, but determine what they want to do with it.

Mr. GALLINGER. Mr. President, it strikes me that perhaps this is as good a time as will present itself for the discussion of the questions involved in this amendment. I am on record as being opposed to this proposition in a bill that is now before the Senate, and I certainly am more strongly opposed to it, if that were possible, when it is proposed that this general legislation shall be incorporated in an appropriation bill.

The matter was before the committee of conference on an amendment made by the Senate striking out certain language which was in the original bill. It went back to the House yesterday on a disagreement. I presume it is competent and proper that we may allude to the other branch of Congress in a matter of this kind. A motion was made that the House should recede from a certain amendment in conference and incorporate an entirely new provision, and that that should be sent to the conference. The point of order was made against it. It was ruled out of order, but not by the Speaker of the House, he not being in the chair at the time. A motion to reconsider was made, and that likewise was ruled out of order, and the amendment thus adopted is sent here for our consideration.

Mr. President, I think we would better talk plainly about this matter. I propose to do so, but shall endeavor not to say anything in connection with it that is not warranted by the record.

For one, I dislike exceedingly to be put in the attitude of criticising the Commissioners of the District of Columbia. It is well known to the Senate that I have not any great regard for the form of government that we have in this District, and I especially have not very great regard for a form of government that gives us three Commissioners, and while the National Government pays one-half of the taxes, no one of the Commissioners is appointed from the territory outside of the District of Columbia unless the engineer officer can be so considered. I say I dislike to criticise the Commissioners of the District in connection with this matter, and yet I apprehend, if it is to be discussed frankly, freely, and openly, some criticism will be necessary.

In reference to this matter, I am going to read from the Washington Times of this morning, and while I am not prepared to say that I indorse every word that I shall read, I do indorse the sentiment of the articles, one of which I find in the news column and the other in the editorial column. The Times says in its news column:

Every member of this Congress knows that there was an old electric-light company in Georgetown which failed in business. Its assets consisted of some old poles, wires, and other things. The purchase of these was made by Messrs. Crosby and Lieb, but it is apparent to any business man that they could not do business satisfactorily or profitably where the old company had failed and gone into the hands of a receiver. It has been stated in this connection that Mr. Crosby was an old friend of Major Powell, and he soon became a business friend of Mr. Truesdell.

The sale of the old electric-light company was effected to Messrs. Crosby and Lieb in November last. It was understood at the time that the field of operations would of course be Georgetown, but the cloven foot became visible by a mere accident.

THAT ECKINGTON PLANT.

Mr. Truesdell had erected an electric-light plant in Eckington to give value to his property there. A great deal of the property had been sold, and it is believed that the electric-light plant having served its purpose was becoming a dead loss to him. It is certain that he desired to sell, from the fact that he offered it to the United States Electric Light Company. Mr. Truesdell's offer was rejected. He then entered into negotiations with Messrs. Crosby and Lieb and succeeded in selling to them the property.

In order that the property could be of any value to Messrs. Crosby and Lieb, as it was confessedly not paying Mr. Truesdell, certain concessions of territory were necessary from the Commissioners, and these were at once forthcoming.

An innocent-looking paragraph appeared in the Times in December reciting

the fact that these gentlemen had been granted a permit by the Commissioners to string wires from Georgetown to Eckington. Whether or not this was a part of the agreement in the sale of the Truesdell plant is not known, but the facts followed each other in logical sequence. This permit was granted in violation of the general law of 1888 against the stringing of overhead wires, and Major Powell admitted on a hearing that such permit was contrary to that law.

The United States Electric Light Company intervened to bring this infraction of the law to a settlement, and the proceedings resulted in a decision by Justice Bingham, which has not been controverted, that the acts of the Commissioners were illegal. It was such a clear case that the Commissioners did not enter an appeal.

HAD OTHER RESOURCES.

To carry out any favors for the Potomac Light and Power Company, then, required the intervention of Congress. The law was declared against the company, but they did not take down their poles or abandon their fight, and solely, it now appears, because there were other strings to be pulled and schemes to be hatched. The whole history of the transaction indicates to most people that the Commissioners were bound to make good some occult agreement with the gentlemen to whom Mr. Truesdell had sold his nonpaying plant.

This view has some ground more than conjecture for its belief from the fact that when the court had decided against the company it was given out that they would shut off the light in Eckington. It was necessary that they should be paid for this work by somebody. The next thing heard of the Commissioners recommended specific sums for the electric lighting of Eckington, which, if realized on, would of course go to the Potomac Light and Power Company. It resulted in the passage of an appropriation of $500 for such lighting.

In the meanwhile the Commissioners, to have certain other strings to their bow, approved of certain bills conferring certain rights on the company, and these have been permitted to slumber for a purpose that is now evident. It was thought that the scheme had been abandoned.

As a last-ditch movement there was an effort made to give the Commissioners power to grant permits to electric light companies, but the true object stuck out several feet when the proposed amendment included one to validate the permits heretofore granted by the Commissioners. This latter clause was an open confession that the "heretofore permits" were absolutely illegal.

The same paper in an editorial used the following language:

The present Congress has shown an unpleasant disposition to be very niggardly in its appropriations for the District of Columbia.

That can hardly be said to be true so far as the Senate is concerned, I think.

The back-door electric legislation successfully rushed through the House of Representatives yesterday adds insult to injury. This amendment, tacked onto the conferees' report on the District bill, will, if finally enacted, foist an irresponsible, illegal, trolley-tainted, dishonorably begotten, monopoly-nursed, and street-disrupting concern on a municipality and a District already suffering too much at the hands of its Congressional guardians. The Times refers to the Potomac Light and Power Company and the passage by the House of the amendment granting it franchise and privileges.

Outside of all questions of municipal welfare, the ultimate success of such outrageously sneaking methods as were used by the official steerers of the scheme seems impossible from the standpoint of parliamentary probity. Since when do conferees originate legislation?

It appears that the Congressional gentlemen whose interests were in the * * * amendment were perfectly willing to recede from their economical ideas on several contested items in the District bill in order that this pet pernicious project might be pushed to a vote. It was then brought into the House at a time when a minority was attempting to filibuster and a majority was attempting to proceed with the business of the day. For the credit of the House as a whole, the vote should not be considered as indorsing the opinion of the majority on the question at issue.

The Times stands for cheap electric light and power, and does not want the District put in the hands of a mammoth monopoly whose tentacles grasp over fifty cities. When the Senate conferees submit the District bill to-day it is to be hoped that this tailpiece of new legislation will again be ruled out of order or voted down, once and for all.

Mr. President, I said a moment ago that I did not accept or approve every word or every expression that is used in the articles which I have read from this enterprising morning daily published in the city of Washington, but I am prepared to say that in my judgment—I may be wrong about it—it presents the question that is now before the Senate in its true light, and that we are as well prepared to-day as at any time to pass upon it.

Mr. President, the United States Electric Lighting Company, which is the established corporation in this city that is furnishing electric light to the people and the Government, so far as I know, has up to the present time conducted its business without any serious fault-finding either upon the part of the citizens of the District or of the Congress of the United States. There have been numerous protests filed; public meetings have been held; hearings have been given by the committees of both branches of Congress, and the matter has been discussed in both Houses in regard to the alleged exactions of the gas company of this District, but, so far as I know, no complaint has ever been urged in Congress or elsewhere against the existing electric lighting company. It may have received more for its product than it ought to have received; it may be a monopoly in the ordinary acceptation of that term; but nevertheless the fact stands that this company has for a long period of years furnished electric light to the people of this city and to the Government, and no fault has been found either with the services it rendered or with the price that it asked or received for its product.

It is well for us that we should keep that matter in mind, and it is well for us likewise in this discussion to remember that the United States Electric Lighting Company, when it commenced business in the city of Washington and for a long number of years afterwards, had an overhead electric system, a cheap and inexpensive system as compared with the modern system that we have in this city now, the wires being placed in underground conduits and the overhead electric-wire system forever abandoned.

In 1890 and 1891, if I remember correctly, the Congress of the United States required this electric lighting company to change its system from overhead to underground wires. The company cheerfully and without hesitation proceeded to do that. It has been suggested in certain quarters—I will not argue that now—that the company, having a charter, having vested rights for a system that had been established for a great many years, might have contested the right of Congress to compel it to change its system. I apprehend the company would have lost if it had made the contention, but the company did not make that contention. It proceeded to put its wires underground, and it did so at a very heavy expense. I think I am correct when I say that the cost of the overhead system of electric lighting is only $219 a mile for construction, while it has been asserted and never contradicted that the cost of the underground electric system is $11,797 a mile. As against $219 a mile for overhead electric lighting, it costs to place the wires in a conduit $11,797.

Now, this company, I am informed, has at the present time 41 miles of wires, and it cost to place those 41 miles of wires under ground $483,677, and in addition to that the company threw away the investment it had made in the overhead system.

I think that when we are dealing with a corporation such as this, that has made this large investment because Congress asked it to make it, that has a very large amount of money invested in its plant, the stock of which is owned by the citizens of the District of Columbia almost exclusively, Congress should hesitate before interfering to destroy the revenues of the company by permitting another corporation to come in and string overhead wires and become a competitor of this established company, and especially so when the new company represents capital outside of the District of Columbia, and which is being backed by very wealthy syndicates (I will not name them, they are known), that are controlling, by a system of monopoly such as the District of Columbia never has suffered from, the electric lighting of a great many cities of the country—I say we should hesitate before permitting legislation, especially to be put on an appropriation bill, that would give these rights to a foreign company, and that would imperil the prosperity and the dividends of this well-established company, which has given such excellent service and which has satisfied the demands of the people of this District and of the Government in the years that have passed.

In addition to the large cost of putting the wires under ground, it must likewise be remembered that the cost of maintenance for an underground system is very much larger than for a system that is erected on poles. I take the figures I find on this point, I will confess frankly, from a publication issued by the United States Electric Lighting Company. They may not be absolutely accurate, but, so far as I know, they never have been controverted. It is shown that to keep in order the item covered by the term "cost of maintenance" of an overhead system it costs $43.80 a mile per year, while the underground system costs $886.22, or $842.42 more than the overhead system.

This company has been called a monopoly. If I were at liberty to read from utterances in a certain other body delivered yesterday, I think I could persuade the Senate that some very startling misrepresentations have been made in this respect. It is said that this company is getting too much for the electric light it is furnishing the city and the Government, and a determined effort is being made to compel the company to furnish electric lighting for a sum very much less than is paid in any other city in the American Union.

I called attention the other day to the fact, and it is well to repeat it, that at the recent national electrical convention held in New York City last month, at which 10,000 electric lighting companies were represented, either by delegates or by letters, it was shown that the average price of the electric arc lights, overhead wires almost exclusively, is 41.7 cents per night, while this company receives only 40 cents by current law, but only actually about 36 cents, because of excess of lamps over appropriations.

Now, it is proposed, on an appropriation bill, not in a bill that has received the consideration of the committees of Congress in the usual way, but on an appropriation bill, to practically charter a new electric-light company in this city with overhead wires to compete to some extent—it may be denied that they will compete, but I assert to some extent—with the existing company, which, in response to the wishes of Congress, made a very large investment to change its system of overhead to underground wires, and which by so doing was loaded with a greatly increased charge by way of interest, cost of maintenance, and so forth.

I assert, and I think every member of this body will agree with me in the assertion, however inconsistent we may be when it comes to the matter of legislation, that an appropriation bill is no place for legislation such as is now before the Senate. This very proposition, or a proposition involving precisely the same principle, was ruled out of the Senate on a point of order only a few days

ago, and now it is proposed to bring it back here by some legislative legerdemain and ask us to adopt it and allow it to become a law.

The Senate may do that, Mr. President, but for one I shall never cast my vote for a proposition that stands as this stands before the Senate, and one which, in my opinion, is not worthy of the serious consideration of this body.

If we are to incorporate a new electric-light company in this District, and that has been proposed, or at least it has been proposed to extend the rights and privileges of an electric-light company which has a quasi incorporation—I say, if that is to be done, let us do it in the regular and orderly way. Let the friends of the measure pass a bill through Congress if they can do so. But I appeal to the Senate not to allow this thing to be done on an appropriation bill. And it is well in this connection to recall to the Senate the fact that a proposition to give these increased privileges to this corporation which is seeking to find a lodgment in the District is now before both Houses of Congress and under consideration. I think I am correct when I say that in the other House the bill has not yet been reported by the committee, while in the Senate it has been reported, a majority and a minority report having been made, and it is now upon the Calendar of the Senate.

So I say if this legislation is to be granted at all, if these rights which this new company seeks are to be acquired, backed as it is by unlimited foreign capital, imperiling, as I believe it does, the existing company, which is owned in the District and the stock of which is held by the people of this District, let it be done in a straightforward, manly way, by passing a bill through both Houses of Congress, and not give them these rights upon an appropriation bill in utter disregard of the rules of this body, and, as I believe, in utter disregard of the rules of the other House of Congress; certainly, Mr. President, in utter disregard, as I look upon it, of the principles of equity and justice which should govern the Congress of the United States in dealing with corporations which have vast sums of money in plants in this District, and which have always responded to every demand of Congress to improve their facilities and to give better service if they were not giving as good service as was required before.

It must likewise be remembered that the United States Electric Light Company, which is the established company to furnish electric lights in the District of Columbia, is absolutely under the control of Congress. It can be commanded to do this or do that, and it has to do it. Their service must be of the best if Congress demands it. Their cost of furnishing lights will be from year to year precisely what Congress fixes upon; and why we should, in the face of that fact, by legislation on an appropriation bill, strike a blow at the interests and prosperity of that company surpasses my comprehension.

Mr. President, I do not care to talk about this matter at great length. I have very decided opinions on the subject, and I am glad to say that only two or three years ago the District Commissioners entertained precisely the same views that I entertain at the present time. I filed a minority report here on the bill which proposed to incorporate this company or to give it these added rights, and I quoted in that report, which I commend to the careful consideration of every member of this body, a written opinion of the District Commissioners against granting similar rights to another foreign corporation which came here two or three years ago and asked to be incorporated. The Commissioners then stood for the interests of the existing company; the Commissioners then said it was bad policy to allow foreign capital to come in here to tear up our streets, to put in electric lighting, whether by underground or overhead systems, and to endanger, as they said, the revenues of the existing company, the stock of which was held by the people of the District of Columbia. They seem to have changed their minds on this matter. I have not changed mine since the time a bill was reported carrying out the recommendations of the Commissioners.

At my request a copy has been placed in my hands of a communication just addressed to the conferees on the District appropriation bill, which covers the matter in controversy so completely that I will take the liberty to read it; and with that what I have to say on this question will come to an end.

This is a communication from the president of the United States Electric Lighting Company; and I think he has made a statement so frank, so honorable, so straightforward that it is well that every member of the Senate who is doing me the honor to listen to me at the present time should have it before him for consideration:

On behalf of the United States Electric Lighting Company and in answer to representations made upon the floor of the House, in consequence of which, as I am informed, the House has agreed to strike out of the bill the paragraph with reference to the advertisement for public electric lighting, etc., found upon page 26, and in lieu thereof to insert the provision heretofore excluded from said bill practically granting a franchise to the Potomac Light and Power Company, I have the honor to submit the following:

1. The claim that the Potomac Light and Power Company is in possession of a plant lying principally west of Rock Creek which supplies territory not now occupied by the United States Electric Lighting Company is not in accordance with the facts. The whole plant of the Potomac Company is entirely an overhead system, and as to that portion of it lying west of Rock Creek, in the city of Georgetown, is and has been at all times paralleled by the underground system of the United States Company. In other words, the United States Electric Lighting Company has a complete and perfect underground system capable of supplying and actually supplying all the demand for either public or private electric lighting wherever in this territory the Potomac Company has the objectionable overhead system.

2. In the construction of the respective plants in this territory the United States Company has expended for every mile of service over $10,000, to $250, or thereabouts, expended by the predecessors of the Potomac Company. The cost of maintenance of the two systems is relatively about the proportion of the above figures.

3. The objectionable overhead plant of the Potomac Company, as has been decided by the courts of the District, was erected in violation of law, and has been so maintained since its erection. Its existence has always been, and is now, in violation of the act of July 18, 1888.

4. The amendment as proposed by the House discriminates in favor of this cheaply constructed and objectionable overhead system, prohibited by law, against the legal and acceptable underground system of the United States Company, which has been constructed at forty times the cost of the other. The amendment, in fact, legalizes an objectionable overhead system, occupying a portion of the city of Georgetown, previously and now covered by the United States Company with underground conduits.

5. There is no portion of the territory in question in the city of Georgetown west of Rock Creek which can not be supplied or is not now supplied by the United States Company by means of these underground conduits.

6. So far as any other portion of the District of Columbia is concerned outside of the territory above mentioned the United States Electric Lighting Company has always extended its service in accordance with law to meet all demands, and stands now ready to extend such service to meet all demands, by the approved and accepted underground system. To effectuate such an extension at Mount Pleasant and Columbia Heights the United States Company has had for months past an application before the Commissioners of the District asking for a permit to extend, at the request of the residents, its underground system into those localities.

Mr. President, I want to emphasize the statement there made. The argument has been used, and the argument will be used, that the existing company refuses to go into the suburbs to give electric light to citizens when they demand and ought to have it. The fact is that there are applications for permits on the files of the District Commissioners to-day to extend the lines of the existing company into certain outlying districts which have not been granted, and which presumably will not be granted so long as the contention that another company shall have the territory is before Congress.

7. Our company has always been willing to occupy and anxious to occupy all the territory in the District of Columbia with its underground system wherever demand was made for lighting by the public.

8. In the establishment of its present plant our company has expended an amount largely in excess of $1,000,000, three-fourths of which has been invested, at the demand of Congress, in its expensive underground system. On the other hand the total investment of the Potomac Company is represented by the purchase of the old Georgetown plant, which we have repeatedly asserted in court and elsewhere, without contradiction, to have cost them but about the sum of $4,700, and the so-called Eckington plant, which we have likewise asserted, without contradiction, to have cost them not to exceed $25,000, if, indeed, this last-mentioned plant has ever been paid for at all.

9. The United States Electric Lighting Company has never had sufficient time before the Appropriations Committee of either House to present the respective rights and equities of the two companies in respect to the question of admitting the Potomac Company to a franchise in the District. Indeed, it has never supposed that that question was a proper matter for legislative action by the Appropriations Committee of either House. The full and courteous hearing extended by the subcommittee of the Senate Appropriations Committee was understood to be limited to the question of the price for public lighting, and not to embrace questions of legislation. As a matter of fact, the Appropriations Committee of the Senate, now called upon to recommend legislation in this regard, has never heard the claims of the United States Electric Lighting Company in that regard.

10. The subject sought to be legislated upon by this amendment is now pending before the House Committee on the District of Columbia unacted upon therein, and it has already been before the District Committee of the Senate, with the result of disagreeing reports, which reports are now before the Senate unacted upon. In this situation of affairs we submit that important legislation of this kind should not be incorporated into an appropriation bill. On the contrary, it should be left to the deliberate judgment and consideration of both Houses of Congress, through the medium of the proper legislative committees.

11. The United States Electric Lighting Company is willing to accept the House figures for public arc lighting, as we have already proposed, providing our company can have a contract for five or more years.

12. The United States Electric Lighting Company stands ready to take off the hands of the Potomac Company at its actual cost to them with interest at 6 per cent to date, and other incidental expenses, all the plant now owned or possessed by said Potomac Company in the District of Columbia, and with proper authority from Congress to light every portion of said District as Congress may direct. It desires to do this through the underground system in every settled portion of the District.

Respectfully submitted.

A. A. THOMAS,
President United States Electric Lighting Company.

Mr. President, this question, it seems to me, is a very simple one. It is whether, when bills are before both Houses of Congress which propose to give a practical charter to a new electric-light company, or at least to give it greatly added privileges and powers, we should permit general legislation of this kind to be placed upon an appropriation bill, and especially so after the matter having been once presented to the Senate was ruled out on a point of order, and which it is now proposed to bring again before the Senate by some sort of legislation, which I confess I do not myself undertake to explain or to understand.

If a matter before a committee of conference can go to either House, and they can strike out a proposed amendment which is properly in conference, and can incorporate a provision of new

law into the bill, and can send that proposition back to conference, why, it seems to me, Mr. President, that the Congress of the United States is absolutely powerless when it puts its business into the hands of conference committees, and that we never can know when either House of Congress takes action upon a proposition in contravention of the rules of the House of which we happen to be members whether or not that same proposition will not be presented to us in some other form, and that we shall be compelled to accept it or reject the conference report. Possibly in the closing days our only relief may be to reject the matter absolutely and thus defeat the bill.

Mr. President, I think if I were a member of that committee of conference—I will not undertake to instruct those distinguished Senators as to their duty in this matter—but I say if I were a member of that committee of conference, before I would permit a proposition of this kind to be forced upon the Senate I would allow the question of electric lighting to go by the board for twelve months; aye, I would let the bill itself fail to become a law.

Mr. HARRIS. Mr. President, I regret that the Senator from New Hampshire has deemed it necessary or even proper to indulge in the criticism he has done upon the Commissioners of the District of Columbia; but I do not think such criticism, even if justifiable or true, both of which I deny, has any material bearing upon the question now pending before the Senate; nor shall I notice that phase of his remarks further than to say that I have served on the District Committee for the last nineteen years; I have known the present Board of Commissioners since the beginning of their respective terms, and one of them for many years before he became a Commissioner; and from the intercourse and knowledge that I have had of those gentlemen I stand here prepared to say that I would trust their integrity and their patriotism as far as I would trust that of myself and my associates on this floor. Like ourselves, they may sometimes commit errors or mistakes; but, I repeat, their integrity of purpose, their fair dealing, and their patriotism I would trust as far as I would that of my associates here.

The questions involved are comparatively simple, and might have been stated in much less time than the Senator from New Hampshire has seen fit to consume. He criticises what he calls the change of opinion of the District Commissioners, referring to some decisions or reports that they have made in former years. Mr. President, if they have changed their opinions upon this or any other question, they do not stand alone in the world in the matter of change of opinion.

The Senator has chosen to read from the Washington Times a long communication and an editorial criticising the Commissioners and discussing this general question. He tempts me to read from a much higher authority than the Washington Times, showing that some other people, and people who hold positions of much greater responsibility and much higher authority than the Washington Times, have also sometimes changed their opinions.

Mr. GALLINGER. I am aware of that, Mr. President.

Mr. HARRIS. On February 3, of the year 1893, the District appropriation bill being pending at the time, I find in the CONGRESSIONAL RECORD the following:

Mr. GALLINGER. I offer an amendment, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 20, line 17, after the word "system," it is proposed to add:

"And said Commissioners are authorized to contract for arc lighting with any electric-light company now organized under the laws of the United States relating to the District of Columbia, and may permit any such company to place its wires under ground in such streets, avenues, roads, and alleys as it may see fit, said wires to be well insulated and in suitable conduits."

Mr. GALLINGER. Mr. President, this amendment relates in one sense to the same subject-matter touched upon by the amendment of the Senator from Florida [Mr. CALL], and yet it will be perceived that it permits a company already organized to do certain things. I desire, in explanation of the amendment, to say that if Senators will go to the Chain Bridge and cross it, they will find on the Virginia side a company with ample capital, which, having constructed a plant and having a water power almost unrivaled, are manufacturing electricity and are lighting the bridge and the road to Georgetown free of expense. They have offered to furnish electricity to light this city and the city of Georgetown for 33⅓ per cent less than is being received by the electric light company which now has the contract.

This is a company, as I said before, amply competent to fulfill every obligation which it enters into, but which is denied the privilege of entering into negotiations even to do what they offer to do at such a reduced rate. We have a monopoly, so far as electric lighting in this city is concerned, which in my judgment would not be tolerated in any other city of the United States.

I trust for that reason, believing it to be for the welfare of the people of this District and believing it to be in the direction of good legislation, that the amendment may be adopted.

There are other comments made by other Senators, and later the Senator from New Hampshire says:

Here is an electric-light company, with ample capital behind it, offering to furnish these lights for $125 a year to the District of Columbia; but they are forbidden to do it because there is a monopoly here which furnishes this light at the exorbitant price which has been named.

If the Senate chooses not to seek this relief for the people of this District I am content. The amendment is before the Senate, and the Senate can do with it just what it pleases.

The Senator from Iowa [Mr. ALLISON] and the Senator from Missouri [Mr. COCKRELL] made some suggestions upon the subject of the amendment, and the Senator from Missouri said:

Mr. COCKRELL. It would give to the District Commissioners the authority to make another contract for $125 a light, when it should be furnished for from $50 to $75.

Mr. GALLINGER. I beg the Senator's pardon. I do not want him to put me in a false attitude. It does not limit the District to $125. I simply suggested that there is a company here willing to do it for that sum.

Mr. COCKRELL. The District Commissioners have power to make a contract for three, four, or five years, and by that time we ought to have a reduction of 75 per cent on the present rates.

Mr. GALLINGER. That is undoubtedly so; and I would suggest to the distinguished Senator from Missouri, who is always fair, that we never shall get any reduction unless we have competition; that we shall never get any reduction until the company to-day at the Chain Bridge, on the Virginia side, with ample capital, is permitted to put its wires in conduits under ground and to have the opportunity of competing, which they have not now under existing laws.

Then the Senator from New Hampshire was earnest in advocating the right of the Potomac Company to compete with the United States Company in the city and out of it, anxious to relieve the people from the exactions of monopoly.

This debate went on, and the Senator from New Hampshire took precisely the ground in 1893 that I have taken since that time, that I entertained then, and that I entertain to-day. He was speaking of this Potomac Company, which originally located its plant on the other side of the Chain Bridge, but subsequently moved up near the Aqueduct Bridge to the edge of Georgetown. Under permits of the District Commissioners, which the District Commissioners understood themselves as being fully authorized to grant and which this company understood the Commissioners as having ample authority to grant, that company has increased its plant. By a statement recently made to me, when I demanded of them a statement of the items of actual expenditure in creating and increasing plant, they showed that they had made actual expenditures and entered into binding contracts that compel them to pay for increasing the plant now under construction, that they have expended and are bound to expend the sum of $380,000, I believe it is. But under these permits that company has not only gone on increasing its plant and preparing itself to carry out this undertaking with the people of the District of Columbia outside the city, but it has, under those permits, erected poles, not in the city, but in the rural districts along the roadways and reaching the houses of rural residents, so that they can furnish power to electric railroads, and they have subsisting contracts to-day with six or eight or more electric railroads running through the rural districts of the District of Columbia.

But in this condition of affairs, and under the fragmentary legislation on appropriation bills in respect to electric lighting and in respect to electric wires, requiring wires in the city to be put under ground, the United States Electric Company, which is the oldest company and which is now furnishing the lights on Pennsylvania avenue and within the city of Washington east of Rock Creek, have constructed conduits and are furnishing lights within that area, under a contract with the District Commissioners, authorized by the various appropriation bills from 1886 down to this time.

There has never been a proposition upon the part of the Potomac Electric Light Company to invade the territory so occupied by the United States Electric Light Company. They have not sought to interfere or to go into that area and compete; but under these permits, which they never doubted the Commissioners of the District had authority to grant, they have gone on and expended $380,000 in the erection of a plant and in the running of single wires some 75 miles, in order to furnish power to rural electric companies and to furnish light to the people resident in the country regions of the District, outside of the city, who have neither gas nor electric light, and are compelled to resort to the coal-oil lamp as the only means of illumination.

In that condition of affairs, availing themselves of this legislation, the president of the United States Electric Lighting Company filed a bill in the supreme court of the District of Columbia seeking to enjoin the Potomac company from turning on its current upon these wires which it had already strung and enjoined them from continuing their improvements, in order to meet their contracts with the people resident in the rural districts outside of the city.

This amendment is intended to authorize the Potomac Electric Light Company to carry on the enterprise that they have thus undertaken, to turn on their currents, and to enable them to carry out their contracts with the people they contracted with to light their residences, and the railroad companies with which they have contracted to furnish power for propelling their cars. This amendment does not provide for a single overhead wire within the city or even within the fire limits, and the fire limits extend much beyond the city limits, but it prohibits a single overhead wire within the limits of the city of Washington, and also within the fire limits, which extend beyond the city of Washington, and wherever this company has occasion to cross any part

of the fire limits this amendment requires them to construct conduits and put their wires under ground, as the other company have been compelled to put their wires under ground within the limits of the city. But in view of the legislation in respect to electric wires, the judge having under consideration this application for injunction, reached the conclusion that the District Commissioners had no authority to grant permits, yet the extension of wires of the United States Company, wherever they have been extended, to the last foot of their extension, has been made under exactly the same permits, granted under precisely the same authority. It occupies precisely the same position as the other company, so far as its work of construction is concerned, Now, here stands this junior company with 70 miles of wire already strung, its poles up in the rural districts, its contracts outstanding for the extension of the plant, and the extension of the wires to furnish electric power to railroads and electric lights to country houses, enjoined from putting on its current and enjoined from extending another foot of wire to carry out those contracts, and that, too, at the instance of the president of the United States Electric Lighting Company.

I grant, so far as I know, that the United States Company has performed its contracts with the city of Washington in a satisfactory manner, and I have no complaint to make of that company except the principle which has prompted it to seek to restrain the other company from going on with its work. I have no disposition to invite the other company, nor does the amendment, nor does the bill I have reported to the Senate authorize the junior company to enter into the territory now occupied and now being lighted by the United States Company, but I think it would be just even to go that far. But the bill reported does not go to that extent. This amendment does not go to that extent. This amendment accomplishes no more and no less than to authorize this company to turn its current on the wires it has already strung and to go on in the performance of contracts it was fairly and fully authorized to make, and that it has made, feeling fully authorized to do so, and to continue its country lines which it has already constructed.

That is the whole question. You not only deprive the junior company of the entire value of its plant by refusing to grant this privilege, but you deprive the great body of the people who live outside of the cities of Washington and Georgetown of the cheap and easy method of lighting up their residences that this junior company is ready to light up and is anxious to light up for them and on terms perfectly satisfactory both to the company and to the residents in the rural districts. That is the whole question.

Adopt this amendment, and then the junior company may go on in the country and string its wires and turn on its current and carry out its contracts with rural railroads and with rural residents. Refuse it, and it is suspended in the air, without authority to do anything, and the people who live beyond the jurisdiction of the present gas company or beyond its mains and service pipes, and beyond the lines extended by the United States Electric Company—and it has extended none, so far as I know in the rural districts—are left deprived of all the comforts and privileges that this extension to the junior company would give.

I do not choose to detain the Senate by a further discussion of the matter, for the whole case rests upon the single point. Wherever they enter not only the city but even the fire limits, far beyond the city—Mount Pleasant has been referred to—the amendment requires them to go under ground, and that is all I understand the people of Mount Pleasant demand. They do not want overhead wires, notwithstanding they are beyond the city limits. I do not care to detain the Senate with further suggestions.

Mr. GALLINGER. I would not detain the Senate a moment longer in the discussion of this question were it not for the fact that the distinguished Senator from Tennessee [Mr. HARRIS] did me the honor to read from the CONGRESSIONAL RECORD the most excellent remarks that I made in connection with a similar discussion some three years ago. I might go into a detailed statement of the reasons that impelled me on that occasion to make an argument in favor of the two young men who were struggling to establish an electric company in the city of Washington and who, as the facts show, lost $75,000 in their effort because Congress would not give them the rights that are sought now to be obtained by their successors, who perchance happen to have back of them two or three large moneyed interests and who propose to come in here to establish a plant in opposition to the United States Electric Light Company.

I do not think that the matter of consistency cuts a very large figure in this case, and I did not quote the opinions of the Commissioners of the District of Columbia because I thought it was to their discredit that they had changed their minds on a question of public concern, but only for the purpose of emphasizing the arguments they then used. I will ask the Senator from Tennessee to be kind enough to tell me the date of the remarks he read from the CONGRESSIONAL RECORD?

Mr. HARRIS. The 3d of February, 1893.

Mr. GALLINGER. On October 21, 1893, the Commissioners sent a communication to Congress in reference to the National Light and Fuel Company, which at that time sought to get certain rights here in opposition to the United States Electric Light Company. In that communication the Commissioners said:

> The Commissioners are of opinion that the existing gas and electric companies have sufficient powers to render all the services for which the company proposed in this bill appears to be intended.
>
> As Congress has power to modify the charters of the existing gaslight companies, all the advantages derived from competition, so far as they are concerned, can be secured by legislation. The Commissioners have included $300,000 in their estimates for appropriations for the fiscal year to end June 30, 1895, to enable them to acquire and extend the systems of electrical conduits in the District, now belonging to private corporations, and to fix rates of rental for their use. If this provision should be enacted the municipal authorities could readily protect the interests of customers of electrical companies operated here.
>
> The laying of a new set of pipes and conduits, as contemplated by the bill, would result in great public inconveniences and expense, and, by adding another underground system to those with which our streets are already overcrowded, increase the embarrassments involved in the treatment of problems concerning subsurface works.

Acting upon the recommendations of the Commissioners at a date subsequent to October 21, 1893—I have not the precise date at hand—the Committee on the District of Columbia, of which the distinguished Senator from Tennessee [Mr. HARRIS] was then chairman, made a report to the Congress of the United States. The Senator says he has always been consistent himself and that the rest of us have been inconsistent.

Mr. HARRIS. The Senator from New Hampshire is wholly mistaken. The Senator from Tennessee said nothing of the kind. The Senator from Tennessee said that the Senator from New Hampshire and others——

Mr. GALLINGER. I will appeal to the RECORD in the morning to determine precisely what was said. The committee made a report, which was a unanimous report, as I remember it. Therein they said:

> In these views of the Commissioners the committee fully concur. There is no doubt whatever that the present gas and electric light companies are the owners of large and extensive plants, abundantly sufficient to supply all the demands of the city and the District for both gas and electric lighting. There is, hence, no necessity whatever for the introduction of new plants or works. Their introduction is not necessary for public or private convenience or use, and under such circumstances the committee are clearly of the opinion that such introduction would be unwise and impolitic.
>
> In addition, your committee were of the opinion, even if further extension of lighting facilities were necessary, that it would be inequitable to companies owning established plants, whose stockholders are mainly, if not entirely, residents of the District, to bring such companies in competition with foreign capital or capitalists organized apparently for the sole purpose of pecuniary profit. We think the true policy would be to encourage the extension, if necessary, of plants already existing, owned, and operated mainly by citizens of the District. Experience shows that the duplication of companies engaged in public and private service of this kind, doing in large part the business of the public, generally results in the formation of combinations and trusts, seldom, if ever, resulting in the advancement of the general welfare.

The Senator from Tennessee was chairman of the Committee on the District of Columbia which reported the bill. He then took very strong ground in favor of permitting the existing company to extend its plant to furnish electric lighting for the city, to be regulated by Congress.

Mr. HARRIS. What member of the committee reported the bill?

Mr. GALLINGER. Senator Martin of Kansas, if I remember it correctly, made the report, in which we all concurred.

I remember very well, and I have only a single word more to say, that when I made the plea for those two young men across the Chain Bridge the Senate decided against it by a very strong vote. Indeed, I think the only vote that the proposition received was my own vote. I thought then that we might with propriety grant further privileges to this weak company. I confess that possibly there was a little sentiment in it so far as I was concerned, as I knew the young men, and I knew they were struggling against adverse circumstances and conditions that probably would swallow up the investment they had made, which has proved to be correct, for, as I said, they lost $75,000 in the enterprise, and the gentlemen who are here backed by foreign capital and foreign syndicates purchased their plant, which cost $75,000, for the sum of $3,500, or thereabouts.

Mr. HARRIS. The Senator will allow me to make one statement?

Mr. GALLINGER. Certainly.

Mr. HARRIS. The Senator emphasizes the fact as to foreign capital. My information is that the great majority of the stock of the junior company is owned by people in the city and in the District, so that so far as that matter may be considered important by anybody the fact is not with the Senator from New Hampshire. It is the other way.

Mr. GALLINGER. My information does not agree with that which the Senator from Tennessee seems to possess. I think if the Senator will investigate a little further he will find that one of the worst monopolies with which this country has ever been

cursed is back of this company. If he does not so find it, he will have sought in vain for information which I think is available to any Senator who will take the trouble to discover it.

Mr. President, I have said all I care to say on this question. I am but a single member of the Senate. I am opposed to the effort that is being made to incorporate, in my opinion, a new electric company in the District which will not be content with the privileges that are proposed to be given it in the appropriation bill. One of the gentlemen connected with the company, in conversation with me, did not pretend to say they would be ultimately content with that. The Senator from Tennessee himself says that in his judgment they ought to come into the city of Washington on an equality with the existing electric light company. Beyond question if these gentlemen get this legislation on an appropriation bill they will be before Congress asking for further legislation, which, of course, Congress can grant or not as it sees fit.

Mr. HARRIS. Will the Senator from New Hampshire allow me to state another fact?

Mr. GALLINGER. Certainly.

Mr. HARRIS. The Senator speaks of incorporating a new company. This company has existed for many years; first, under a Virginia act of incorporation, and secondly, under the laws of the District of Columbia.

Mr. GALLINGER. There is no doubt about that. I may have used a word inadvertently. However, it is giving life to a dead corporation. There is no doubt about that. It might as well not be incorporated as to be incorporated standing as it does to-day, and these gentlemen perfectly understood that fact, I take it, when they made the investment in these two defunct electric-light plants, which are the bases of their present organization.

Having said this much, I shall be content with any disposition the Senate may make of the question.

Mr. HARRIS. A single word, and that is that the junior corporation is only dead because of the selfish interest and action of the other corporation which the Senator from New Hampshire so vigorously sustains.

Mr. GALLINGER. It is dead because of a decree of the supreme court of the District of Columbia.

Mr. HARRIS. Not at all.

Mr. GALLINGER. That is the situation.

Mr. HARRIS. It is prohibited from suspending its wires at this time.

Mr. GALLINGER. It has no legal right to extend its plant.

Mr. FAULKNER. I shall occupy but a moment of the time of the Senate in reference to this matter. I hope that in the discussion which is taking place we shall not be guilty of acting without due consideration upon one question at least. I concurred, my recollection is, with the Senator from Tennessee in reporting from the Committee on the District of Columbia the bill to which he refers, authorizing this company to extend its wires outside the limits of the city of Washington under proper restrictions.

On examining the amendment submitted by the House to the District appropriation bill I find that it is one of the additional evidences furnished to the Senate of the impropriety of putting general legislation on appropriation bills. Almost every limitation, without exception, contained in the bill reported by the Senator from Tennessee, and which I concurred in as a member of the District Committee, is omitted in the amendment submitted by the House in reference to this subject. We in the Senate have been very decided in our action in reference to the whole question of overhead wires and when they should be removed from streets that are being improved, etc. All of those provisions have been carefully guarded in the bill reported by the District Committee; and there are other provisions which I regard as very important, looking to the future interests of the District, in taking charge of the public lighting as a municipal obligation resting upon the city itself. None of those limitations is contained in this amendment.

Now, what I wish to suggest to the Senator from Tennessee, and I think he will concur with me, is that no matter what our views are in respect to agreeing to this amendment (and I am opposed to its being attached to an appropriation bill, though I support the bill reported by the District Committee without any hesitation at all, as I agreed to it in committee) put on by the House under some rule which I suppose no parliamentarian could exactly justify, we should disagree to the amendment, so that it can go to the conferees of the two Houses. Then, having the bill which has been reported from the District Committee, if they deem it proper to agree to the amendment they should put upon it such limitations in regard to the public interests and the public rights as will prevent this company from getting an advantage over the public which if once obtained we could really in my judgment never take from them.

Mr. GEORGE. What advantage could they secure which we could not take from them?

Mr. FAULKNER. I have been in Congress long enough to see that when a corporation once gets a foothold, backed by great capital and great influence, it is very difficult to modify or change the rights which they have obtained under existing law.

Mr. GEORGE. It is not a legal or constitutional difficulty?

Mr. FAULKNER. Not at all. I am speaking in a practical way, and not upon any legal or constitutional question.

Mr. GEORGE. Oh, yes.

Mr. FAULKNER. The Senator from Tennessee was exceedingly careful in the bill which he reported in protecting the rights and interests of the public, and I am satisfied that if this matter goes to a committee of conference, and the committee shall decide to agree with the House amendment, the limitations or the essential ones contained in the bill reported by the Committee on the District of Columbia will be embodied in the amendment. I think that is essential and necessary to the interest of the public.

Therefore I hope the Senate under any circumstances—whatever views we may have, although I say frankly, with no concealment, that I shall vote against putting the amendment on an appropriation bill, because I do not think it proper that it should go upon such a bill, and therefore I am opposed to it—will disagree to the amendment, so that the committee of conference can put on the amendment the proper limitation contained in this bill.

Mr. SHERMAN. My attention has been called to the conference report by persons who are largely interested in what is called Columbia Heights, a new and very important addition to the city of Washington. From the reading of the amendment as proposed it seems to me very doubtful whether the restrictions as to overhead wires applies outside of the city of Washington.

What is the city of Washington? The amendment would not extend, I think, beyond the boundaries or the limits of the city of Washington. I will read it, so that the Senate may understand it. Here is the proviso:

Provided further, That the Commissioners of the District may, under such reasonable restrictions as they may prescribe, authorize any existing electric-light company, organized under the laws of the District of Columbia, to maintain and use its existing poles and lines and extensions thereof, either overhead or underground, in places outside of the fire limits of the city of Washington.

The fire limits have been extended beyond the city of Washington, and there is what is called the Columbia Heights, an addition where there are very large improvements and where there is a very rapid increase of growth. Some of the persons living there are of the opinion that this would therefore allow poles to be erected outside of the city of Washington without respect to the fire limits of the city of Washington. The fire limits of the District of Columbia extend now beyond the city of Washington.

Mr. HARRIS. A good way.

Mr. SHERMAN. And therefore these restrictions would not prevent them from raising poles in that very important portion of the city.

Mr. HARRIS. Wherever they touch the fire limits the wires have to go under ground.

Mr. SHERMAN. It does not say so. It only speaks of the fire limits of the city of Washington. The fire limits of the city of Washington do not extend beyond. It is true they extend beyond certain portions of the city of Washington, but this would not cover what I speak of.

Mr. HARRIS. I think it would. It is meant to do so.

Mr. SHERMAN. I wish to call attention to that point.

Mr. HARRIS. It is intended to cover the entire fire limits.

Mr. SHERMAN. I do not think it does.

Mr. HARRIS. I have no objection to inserting the words "District of Columbia."

Mr. SHERMAN. That ought to be done. The Senator from Tennessee seems to think that this language would prevent them from erecting poles wherever the fire limits have been extended, but it does not so read. The effect of the provision as it now stands simply prevents them from raising overhead poles inside of the city of Washington or within the fire limits of the city of Washington. I am told that the fire limits do not extend to all of Washington, but they do extend through a portion of the District of Columbia outside of the city of Washington. For instance, Columbia Heights, which is being very rapidly and very handsomely built up——

Mr. HARRIS. If the Senator from Ohio will allow me, we have but one set of fire limits in the District of Columbia. I have no objection to amending the amendment by inserting the "District" instead of the "city," if that is satisfactory.

Mr. SHERMAN. That would cover it. It should read "outside the fire limits of the District of Columbia."

Mr. HARRIS. Though that is the precise intent of the amendment as it is.

Mr. SHERMAN. The city of Washington technically extends only to the boundary line, and beyond that is the District of Columbia. Therefore, where the city proper or the government of the District undertakes to fix fire limits outside it is always on account of the existence of a large number of buildings there. With the insertion of the words "outside of the fire limits of the District of Columbia" I have no objection at all to the amendment.

My attention was called to it by persons who are very deeply interested in it, and I desire to call the attention of the committee to it.

Mr. TELLER. Unless some other Senator desires to discuss it, I think the best way to do is to enter a disagreement with the amendment and let it go to conference.

Mr. SHERMAN. There is no objection to that course.

Mr. TELLER. It must be amended, in any shape, before it can be passed. For instance, we should reserve the right to compel the company to take down their poles and to conform to what is the established system here, putting the wires under ground.

Mr. SHERMAN. It should read that it should not be permitted "within the fire limits of the District of Columbia."

Mr. TELLER. The amendment does read as is pointed out by the Senator from Ohio; and that is one of the objections.

Mr. HARRIS. The amendment really confines the operations to west of Rock Creek. It does not touch the Columbia Heights addition really, because it is limited, I think, to west of Rock Creek.

Mr. SHERMAN. It does not say so. That is the trouble. I should like to have it defined. Wherever the fire limits have been extended there should be no poles erected, because that indicates that the locality is very largely built up with residences.

Mr. TELLER. If we reject the amendment the matter will go into conference, I suppose.

Mr. HARRIS. Necessarily so.

Mr. TELLER. I think that is the best way to dispose of it, but I do not desire to cut off any Senator who wishes to speak on the subject.

The PRESIDING OFFICER (Mr. PLATT in the chair). The question is on concurring in the amendment of the House of Representatives.

The amendment was nonconcurred in.

Mr. TELLER. I move that the Senate request a conference with the House on the disagreeing votes on the amendment.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. TELLER, Mr. ALLISON, and Mr. COCKRELL were appointed.

COMPETITION OF ORIENTAL MANUFACTURES.

Mr. TELLER. I wish to have two articles, published in the San Francisco Chronicle, one in December last and the other some time later, in the spring, printed as a document. They are well-written articles by a gentleman by the name of John P. Young, touching the Japanese competition. We have a committee appointed to consider the matter, and these are carefully and ably written articles, and I ask that they may be printed as a document. I do not care to have them printed in the RECORD.

The PRESIDING OFFICER. The Senator from Colorado asks the unanimous consent of the Senate that the two articles which he has designated may be printed as a document. Is there objection? The Chair hears none, and it will be so ordered.

CONTEMPTS OF COURT.

Mr. HILL. I move that the Senate proceed to the consideration of the bill (S. 2984) in relation to contempts of court.

The motion was agreed to.

Mr. HILL. Mr. President——

Mr. MITCHELL of Oregon. Will the Senator from New York yield to me a moment?

Mr. HILL. Yes, sir.

NORTHERN PACIFIC RAILROAD.

Mr. MITCHELL of Oregon. I ask to have laid before the Senate the House joint resolution in regard to the reorganization of the Northern Pacific Railroad Company.

Mr. HILL. I can not yield to take up the joint resolution.

Mr. MITCHELL of Oregon. I have a right under the rules to ask that the joint resolution be laid before the Senate.

Mr. HILL. The Senator can not take me off my feet.

Mr. MITCHELL of Oregon. I will state to the Senator from New York that I will not ask to take the joint resolution up to interfere with him. I simply desire to have it laid before the Senate. I have that right, I will state to the Senator from New York, under the rule. Under the fifth subdivision of Rule VII I have the right at any time that I can get the floor.

Mr. HILL. I have no objection to the joint resolution being laid before the Senate for reference.

Mr. MITCHELL of Oregon. I desire to give notice that as soon as the matter called up by the Senator from New York is disposed of I shall ask the Senate to proceed to the consideration of the joint resolution.

The VICE-PRESIDENT. The Chair lays before the Senate the joint resolution.

The joint resolution (H. Res. 190) to facilitate the reorganization of the Northern Pacific Railroad Company, to secure to actual settlers the right to purchase at a price not exceeding $2.50 per acre the agricultural lands within its grant, and to prohibit said company or any successor company from giving by consolidation, sale, or other corporate action control of its railroad to any corporation, company, person, or association of persons owning, operating, or controlling a parallel or competing railroad, was read the first time by its title.

Mr. MILLS. I object to the second reading of the joint resolution.

Mr. CULLOM. I shall object to the consideration of the joint resolution at the present session. I understand that it is a very important measure, and we have not enough members of the Senate here to justify its consideration.

Mr. HILL. I only yielded, Mr. President, for the formal reading of the joint resolution.

The VICE-PRESIDENT. The second reading of the joint resolution is objected to by the Senator from Texas [Mr. MILLS], which carries it to the table.

Mr. MITCHELL of Oregon. I ask the Senator from New York to yield to me a moment to say a word or two in regard to the joint resolution.

Mr. JONES of Arkansas. I should like to have the Senator——

Mr. HILL. I do not want to get up a discussion, right in the consideration of the contempts bill, in behalf of some private railroad measure.

Mr. JONES of Arkansas. Before the Senator from Oregon asks the Senate to proceed to the consideration of the joint resolution some of us would like to know something about the measure.

Mr. HILL. The Senator from Oregon simply gives notice that after the contempts bill is disposed of he proposes to call up the joint resolution. I think that answers the purpose.

Mr. MITCHELL of Oregon. Then, will the Senator from New York get through with the contempts of court bill as soon as he can?

CONTEMPTS OF COURT.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2984) in relation to contempts of court.

Mr. HILL. Mr. President, I desire to explain the bill.

Mr. CULLOM. May I inquire if the bill comes from the Judiciary Committee of the Senate?

Mr. HILL. Yes, sir; it was reported May 6 last.

Mr. CULLOM. I have a dispatch here which, if it will not interrupt the Senator, I am inclined to ask the Secretary to read. It is in behalf of the bill, if the Senator will allow it to be read.

Mr. HILL. I have no objection.

The VICE-PRESIDENT. The Secretary will read as indicated.

The Secretary read as follows:

[Telegram.]

PEORIA, ILL., *June 8, 1896.*

To Senator CULLOM, *United States Senate:*

More than 800,000 railroad employees in this country have closely watched the course of the "contempt" in this Congress, and fear now that an adjournment will be had without action on the measure. This mass of citizens earnestly appeals to you and others of its friends in the Senate to do everything honorable and consistent toward the passage of the bill, always providing that the right of trial by jury, as originally ingrafted in the bill, shall remain absolute with a defendant. May we hope for success at this time?

E. P. SARGENT,
Grand Master Brotherhood Locomotive Firemen.
ARTHUR,
Grand Chief Brotherhood Locomotive Engineers.
E. E. CLARK,
Grand Chief Order Railway Conductors.
P. H. MORRISSEY,
Grand Master Brotherhood Railroad Trainmen.
W. V. POWELL,
Grand Chief Order Railway Telegraphers.

Mr. HILL. The telegram is all right enough, but it should be stated that the measure is not in the interest of the railroad men of the country any more than it is in the interest of any other particular class. It is in the interest of the whole people. This bill had its origin in a resolution introduced early in the session directing the Judiciary Committee to investigate the whole subject of the administration of the law in reference to the punishment of contempts. The committee proceeded under that resolution to investigate the subject, and the result is the presentation of this bill.

It is only necessary to state in a very few words the precise situation of the law as it now exists in regard to contempts. It is a power that has existed in the courts ever since we have had courts, a power not regulated by statute, but a power that has always been held by the courts to be inherent to their rightful prerogative. Nevertheless, it is subject to regulation by law. So far as our Federal courts are concerned, there is but one statute of any consequence that bears upon this subject, and that statute I will now read:

The said courts—

Speaking of all the Federal courts—section 725 of the Revised Statutes—

The said courts shall have power to impose and administer all necessary oaths, and to punish, by fine or imprisonment, at the discretion of the court, contempts of their authority: *Provided*, That such power to punish

contempts shall not be construed to extend to any cases except the misbehavior of any person in their presence, or so near thereto as to obstruct the administration of justice, the misbehavior of any of the officers of said courts in their official transactions, and the disobedience or resistance by any such officer, or by any party, juror, witness, or other person, to any lawful writ, process, order, rule, decree, or command of the said courts.

Mr. GEORGE. That is the present law?

Mr. HILL. That is the present law; but it provides no manner for the prosecution of the alleged contempt. It does not regulate, limit, or restrict the amount of punishment which may be inflicted in cases where parties are found guilty of contempt. It not only includes the jurors, witnesses, officers of the court, but the language is, "or other person," who is guilty of contempt of court. The existing law does not provide for an informal trial. That is not regulated. Everything rests in the discretion of the court. A party may be summoned upon affidavits to show cause why he should not be punished for contempt of court. He need not be confronted with the witnesses against him under existing law. The affidavits are read and he may have an opportunity to reply to them. He does not see the witnesses. He may be given time to prepare his defense or he may not.

Mr. GEORGE. They are ex parte affidavits.

Mr. HILL. They are ex parte affidavits. There is no cross-examination of witnesses or anything of the kind. In other words, the whole form of prosecution for contempts of court is absolutely vested in our Federal judges.

In the presentation of this bill it was not intended to reflect upon the administration of our Federal judges in any particular case. We have made no report reflecting upon anybody. We simply say that experience has shown that this power may be abused, and therefore it is wise at this time to regulate it and restrict it, to prescribe certain rights that the accused shall enjoy; and that, Mr. President, is the object of the pending bill.

In the first place, we deem it wise to declare that there shall be two forms of contempt. First, we call it direct contempt. We use the words "direct contempt" because the courts have used them in speaking of contempts in their presence and contempts outside. They have themselves in their decisions used the terms "direct contempt" and "indirect contempt." Therefore we define in the first instance what shall constitute a direct contempt. The first we define as follows:

That contempts of court are divided into two classes, direct and indirect, and shall be proceeded against only as hereinafter prescribed.

SEC. 2. That contempts committed during the sitting of the court or of a judge at chambers, in its or his presence, or so near thereto as to obstruct the administration of justice, are direct contempts. All other are indirect contempts.

In other words, in accordance with existing decisions, all those offenses which consist simply in disrespectful behavior in the presence of a court, open resistance to process near the court room, disturbance outside the court room, offenses which bring the administration of justice into disrepute, shall be called direct contempts. All others are indirect contempts.

Permit me to say right here that in regard to direct contempts we do not change existing law. The absolute discretion which is now vested in the courts of the country whereby they can summarily punish without limit is retained. It is not deemed that that power has been or will be abused. It is deemed by the committee that it is essential for the punishment of those offenses which occur in the presence of the court or immediately surrounding the court, that there should still exist absolute power, without limit, vested in our Federal courts. In regard to other contempts it is deemed wise to regulate the procedure and give the accused some rights. Section 3 is as follows:

SEC. 3. That a direct contempt may be punished summarily without written accusation against the person arraigned, but if the court shall adjudge him guilty thereof a judgment shall be entered of record, in which shall be specified the conduct constituting such contempt, with a statement of whatever defense or extenuation the accused offered thereto and the sentence of the court thereon.

Mr. GEORGE. That is direct contempt?

Mr. HILL. That is direct contempt. To that extent the bill does regulate the form of procedure.

SEC. 4. That upon the return of an officer on process or an affidavit duly filed, showing any person guilty of indirect contempt, a writ of attachment or other lawful process may issue and such person be arrested and brought before the court; and thereupon a written accusation setting forth succinctly and clearly the facts alleged to constitute such contempt shall be filed and the accused required to answer the same, by an order which shall fix the time therefor, and also the time and place for hearing the matter; and the court may, on proper showing, extend the time so as to give the accused a reasonable opportunity to purge himself of such contempt. After the answer of the accused, or if he refuse or fail to answer, the court may proceed at the time so fixed to hear and determine such accusation upon such testimony as shall be produced.

So far there can be no opposition whatever to the bill, it strikes me. Then the committee have provided:

If the accused answer, the trial shall proceed upon testimony produced as in criminal cases, and the accused shall be entitled to be confronted with the witnesses against him—

Then comes the provision—

but such trial shall be by the court, or, in its discretion, upon application of the accused, a trial by jury may be had as in any criminal case. If the accused be found guilty judgment shall be entered accordingly, prescribing the punishment.

SEC. 5. That the testimony taken on the trial of any accusation of indirect contempt may be preserved by bill of exceptions, and any judgment of conviction therefor may be reviewed upon direct appeal to or by writ of error from the Supreme Court, and affirmed, reversed, and modified as justice may require.

The provisions of this proposed act do not apply to the Supreme Court, because the Supreme Court has held that it is beyond the power of Congress to regulate the punishment of contempts in the Supreme Court, and it is therefore omitted.

Mr. MILLS. Is trial by jury given by right?

Mr. HILL. I will come to that in a moment.

Mr. PALMER. May I ask the Senator from New York a question?

Mr. HILL. Certainly.

Mr. PALMER. I heard him rather imperfectly. Does the bill provide any punishment or fix or limit the punishment for any direct contempt?

Mr. HILL. No, it does not. It was not deemed wise to go into that, because, while for some offenses it would be very easy to define the proper punishment, in other cases it is a matter of difficulty. Here is an offense where a man is commanded to execute a deed. He refuses to execute the deed. A punishment for three months or six months is no punishment at all. He must, of course, be confined until he signs the deed. There were so many such instances that it was deemed wise not to interfere with the question of punishment. After giving the party a trial in court with an appeal to the highest court in the country that was deemed sufficient to protect his rights.

Now, the committee split upon this question, and I want to state the proposition just as fairly as I know how. The majority of the committee reported the bill so as to provide that when the party is brought before the court he shall have a trial; that there shall no longer be ex parte affidavits. The party shall be confronted with the witnesses against him. Then the bill says:

But such trial shall be by the court, or, in its discretion, upon application of the accused, a trial by jury may be had, as in any criminal case.

In other words, the trial shall be by the court, but the accused may, upon application, request that he may be given a jury trial, and in such cases the court may, at its discretion, grant it. A minority of the committee thought that the party should be of right entitled in such cases to a trial by jury, and that it should not depend upon the discretion of the court. I expect an amendment may be offered here to strike out the words "in its discretion," changing the word "may" to "shall," and that the question will probably be discussed by other Senators. The committee thought it wise to report the bill in this form, although it was equally divided with those who thought the other way. However, in order to expedite the bill it was reported in the form in which I have read it.

Mr. BUTLER. Will the Senator from New York excuse me for a moment?

Mr. HILL. Yes.

Mr. BUTLER. I will state that an amendment has already been drawn and offered by myself covering that point. I will ask the Secretary to read the amendment which I had printed.

Mr. HILL. I should prefer that the Senator would wait until I get through.

Mr. BUTLER. I think it would be appropriate here, inasmuch as it applies here. I did not have it read at the time I offered it. I trust that the Senator will not object to having it read.

Mr. HILL. Very well; I have no objection.

The VICE-PRESIDENT. The amendment of the Senator from North Carolina will be stated.

The SECRETARY. Strike out all after the word "shall," in line 18 of section 4, down to and including the word "had," in line 19 of the same section, and insert:

upon application of the accused, be a trial by jury.

Mr. BUTLER. Now let the Secretary read the clause as it would stand if amended as I propose.

Mr. HILL. I do not think the amendment proposed by the Senator from North Carolina is exactly appropriate to the place in the bill he has indicated. I think the amendment should be——

Mr. BUTLER. I ask the Secretary to read the amendment so as to show how the clause will read if amended.

The VICE-PRESIDENT. The Senator from New York will suspend until the Secretary has read as requested.

The SECRETARY. It is proposed to strike out all after the word "shall," in line 18, in section 4, page 2, as follows:

be by the court, or, in its discretion, upon application of the accused, a trial by jury may be had.

And insert in lieu thereof:

upon application of the accused, be a trial by jury.

So that the paragraph if amended would read:

If the accused answer, the trial shall proceed upon testimony produced as in criminal cases, and the accused shall be entitled to be confronted with the witnesses against him; but such trial shall, upon application of the accused, be a trial by jury as in any criminal case.

Mr. HILL. In case he does not make the application, then I call the Senator's attention to the fact that he has not left any trial by the court. He has stricken out altogether too much. I suggest that all that is needed is to leave in the words "but such trial shall be by the court," and to strike out simply the words "in its discretion," in line 18, and in line 19 change the word "may" to "shall"; so that it will read:

But such trial shall be by the court, or, upon application of the accused, a trial by jury shall be had as in any criminal case.

Mr. CANNON. Will the Senator from New York yield to me for a moment?

Mr. HILL. Yes.

Mr. CANNON. I have prepared an amendment to this measure exactly covering the ground suggested by the Senator from New York.

Mr. BUTLER. If the Senator from Utah will pardon me——

The VICE-PRESIDENT. The Chair will recognize the Senator from Utah in a moment.

Mr. BUTLER. If the Senator from Utah will pardon me, I accept the suggestion of the Senator from New York, and leave in the words "by the court"; so that it will read:

But such trial shall be by the court, or, upon application of the accused, a trial by jury as in any criminal case.

Mr. HILL. That covers it.

Mr. BUTLER. I accept the Senator's modification of my amendment.

Mr. CANNON. Now, if the Senator from North Carolina will pardon me, I desire to present an amendment which I have prepared.

The VICE-PRESIDENT. The amendment of the Senator from Utah will be stated.

The SECRETARY. Amend by striking out of line 18 the words "in its discretion," and in line 19 by striking out the word "may" and inserting "shall."

Mr. HILL. Mr. President, the amendment of the Senator from Utah, which is, I think, substantially the same as that offered by the Senator from North Carolina, covers the precise point, if the Senate concludes that the party should have as a matter of right a trial by jury in case he desires it. That presents the precise question. I shall make no opposition to the amendment. On the contrary, my personal views are in its favor. The question, however, will be discussed by others.

It will, therefore, be seen that the pending bill is a simple measure regulating a method of procedure, which does not now exist, giving the party a right to be confronted by the witnesses, so that he will be no longer tried upon affidavits, and may have a jury trial in case he demands it. In case he does not demand a jury trial, witnesses shall be produced against him. It does not change the discretion vested in the court to punish in any manner to any extent now allowed, not by law, for there is no regulation by law. To provide against any abuse of that an appeal is given to the court which does not now exist. I need not say that it is held by the courts that no appeal lies in any contempt conviction where the court had jurisdiction. That was the reason why no relief could be given in certain notorious cases to which the attention of the country and the Senate has recently been called. The Supreme Court could not refuse conviction because the court had jurisdiction, and under the decisions of our courts there being no express statute authorizing review, it could not be had.

Mr. President, I think it is necessary that there should be a review. For instance, a judge grants an injunction, grants it improperly, grants it without authority. Of course, there can be an appeal from that injunction to a higher court; but in the meantime, although the party may be advised that the injunction is void and that it is beyond the authority of the court or judge to grant it, he must obey the injunction or refuse to do so at his peril.

Bear in mind that under the common law, as it exists, in addition to the punishment under this special proceeding, the party can still be indicted for contempt of court—indicted for a criminal offense. This does not interfere with it at all. This simply regulates and restricts the power of the court in the punishment of cases for contempt, which are regarded as civil or criminal contempts, leaving the punishment by indictment still existing. It does not interfere with that. Therefore the bill is a fair one in any view that can be taken of it. If amended as suggested, giving the defendant still greater rights and liberties under it, even then, in my judgment, it will be a safe and proper bill.

I have consulted with several jurists in regard to the subject, and while I frankly state that some of them think that the accused ought to be given absolutely a right to trial by jury, and think it ought not to be left discretionary with him, I do not think that there is any special or serious objection to it. It is argued that sometimes in great railroad difficulties, where a railroad attorney who all his life has been defending great corporations is suddenly placed upon the Federal bench, the discretion ought not to be vested in him or in any other judge to refuse the right of trial by jury in such cases. Be that as it may, it strikes me that an able and fearless and impartial judge can regulate the trial; can substantially control it. He charges the jury upon questions of law and gives his opinions upon questions of fact. It is claimed by the friends of this bill that it would not be abused, and that conviction would occur where it ought to occur. The right of trial by jury in contempt cases is given in several States of this Union, and it has worked successfully. In the State of Kentucky, the home of my friend [Mr. LINDSAY], a party is entitled to trial by jury where he is charged with contempts such as this. In other States appeals are given to higher courts; and in case no appeal lies from the court having jurisdiction, we propose in this bill to give these few additional rights for the protection of the accused. That is all there is of the bill.

Mr. ALLEN obtained the floor.

PROPOSED EVENING SESSION.

Mr. ALLISON. I ask the Senator from Nebraska to yield to me a moment, that I may ask unanimous consent that at half past 5 o'clock the Senate take a recess until 8 o'clock this evening. There are at least two or three conference reports which will probably not be ready before 8 o'clock, and it is important that they should be considered to-night.

The VICE-PRESIDENT. The Senator from Iowa asks unanimous consent——

Mr. PEFFER. I did not understand the request, Mr. President.

The VICE-PRESIDENT. The Chair will state the request of the Senator from Iowa, which is for unanimous consent that at half past 5 o'clock the Senate take a recess until 8 o'clock this evening. Is there objection? The Chair hears none, and it is so ordered.

Mr. BUTLER. It seems to me that a night session is not necessary after we are here all day and under quite a strain. I object, Mr. President.

The VICE-PRESIDENT. The Chair had submitted to the Senate the proposition of the Senator from Iowa.

Mr. MORRILL. And it was agreed to.

The VICE-PRESIDENT. There was no objection, and the Chair announced that, there being no objection, it was agreed to.

Mr. BUTLER. I intended to address the Chair, but the Chair announced the result so rapidly that I had not an opportunity to do so.

The VICE-PRESIDENT. Upon the Senator's statement that he intended to address the Chair, the Chair will again submit to the Senate the request of the Senator from Iowa that the Senate take a recess at half past 5 o'clock until 8 o'clock this evening.

Mr. BUTLER. I object.

Mr. MILLS. I object. I think we had better meet in the morning; say 10 o'clock in the morning.

Mr. ALLISON. Then I make the motion that the Senate take a recess from half past 5 until 8 o'clock this evening.

Mr. MILLS. I do not want to stay here all night.

Mr. ALLISON. I will say to the Senator that unless the conference reports are ready at an early hour to-night I shall not ask the Senate to remain in session.

Mr. MILLS. We shall not have a quorum here.

Mr. ALLISON. There is a prospect that we may have a report on the Indian appropriation bill, the naval appropriation bill, and the sundry civil bill.

Mr. MILLS. Why not receive them to-morrow?

Mr. STEWART. I do not see any necessity for a night session when we can meet in the morning and consider the conference reports referred to.

The VICE-PRESIDENT. The Chair was unable to ascertain whether the Senator from Iowa submitted a motion.

Mr. ALLISON. I move that the Senate take a recess from half past 5 o'clock until 8 o'clock to-night.

Mr. BUTLER. I suggest the absence of a quorum.

The VICE-PRESIDENT. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Clark,	Hill,	Pettigrew,
Allison,	Cockrell,	Jones, Ark.	Platt,
Bacon,	Cullom,	Lindsay,	Pritchard,
Bate,	Daniel,	McBride,	Pugh,
Berry,	Davis,	Mills,	Sherman,
Blackburn,	Dubois,	Mitchell, Oreg.	Smith,
Blanchard.	Faulkner,	Mitchell, Wis.	Teller,
Brown,	Gallinger,	Morgan,	Turpie,
Burrows,	George,	Morrill,	Vest,
Butler,	Gibson,	Nelson,	Walthall,
Caffery,	Hale,	Palmer,	Warren,
Cannon,	Harris,	Pasco,	Wetmore,
Chilton,	Hawley,	Peffer,	Wolcott.

The VICE-PRESIDENT. Fifty-two Senators have answered to their names. A quorum is present. The question is on the motion of the Senator from Iowa, that the Senate at half past 5 o'clock take a recess until 8 o'clock this evening.

Mr. BUTLER. I ask for the yeas and nays on that motion.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BLACKBURN (when his name was called). I am paired with the senior Senator from Michigan [Mr. McMILLAN]. I do not know how he would vote on this question if present.

Mr. ALLISON. He would vote "yea" if present.

Mr. BLACKBURN. Then I vote "nay."

Mr. GIBSON (when his name was called). I am paired generally with the Senator from Montana [Mr. CARTER]; but in order to make a quorum I will vote. I vote "yea."

Mr. MITCHELL of Wisconsin (when his name was called). I am paired with the Senator from New Jersey [Mr. SEWELL], but on a matter of this kind I feel at liberty to vote, and I vote "yea."

The roll call was concluded.

Mr. GALLINGER. I desire to announce that my colleague [Mr. CHANDLER] is paired with the Senator from New York [Mr. MURPHY].

The result was announced—yeas 40, nays 11; as follows:

YEAS—40.

Allen,	Davis,	Lindsay,	Pettigrew,
Allison,	Faulkner,	McBride,	Platt,
Berry,	Gallinger,	Mitchell, Oreg.	Pritchard,
Blanchard,	Gibson,	Mitchell, Wis.	Sherman,
Brown,	Gorman,	Morgan,	Smith,
Burrows,	Hale,	Morrill,	Teller,
Caffery,	Harris,	Nelson,	Vest,
Clark,	Hawley,	Palmer,	Warren,
Cockrell,	Hill,	Pasco,	Wetmore,
Cullom,	Jones, Ark.	Peffer,	Wolcott.

NAYS—11.

Bacon,	Butler,	Mills,	Turpie,
Bate,	Daniel,	Pugh,	Walthall.
Blackburn,	George,	Stewart,	

NOT VOTING—38.

Aldrich,	Elkins,	Lodge,	Shoup,
Baker,	Frye,	McMillan,	Squire,
Brice,	Gear,	Mantle,	Thurston,
Call,	Gordon,	Martin,	Tillman,
Cameron,	Gray,	Murphy,	Vilas,
Cannon,	Hansbrough,	Perkins,	Voorhees,
Carter,	Hoar,	Proctor,	White,
Chandler,	Irby,	Quay,	Wilson.
Chilton,	Jones, Nev.	Roach,	
Dubois,	Kyle,	Sewell,	

So the motion was agreed to.

CONTEMPTS OF COURT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2984) in relation to contempts of court.

Mr. ALLEN. Mr. President, I desire at this time to offer an amendment to the bill, which I send to the desk and ask to have read.

The VICE-PRESIDENT. The amendment offered by the Senator from Nebraska will be stated.

The SECRETARY. It is proposed to strike out all after the first section and the words "but this act shall not affect any proceedings for contempt at the time of the passage thereof," in section 6, and to insert the following:

SEC. 2. That contempts committed during the sitting of the court or of a judge in chambers while engaged in the transaction of the duties of his office, in its or his presence, or so near thereto, by loud and unusual noises or by other means that are calculated to and do obstruct the orderly administration of justice, are direct contempts. All other contempts are indirect contempts.

SEC. 3. That a direct contempt committed immediately in the presence of the court while in session, or of a judge in chambers while engaged in the transaction of the business of his office, by loud and unusual noises or by any other means that are calculated to and do obstruct the orderly administration of justice, may be summarily punished without a written information against the person guilty thereof; but before the accused is punished it shall be the duty of the court or judge, as the case may be, to cause the facts constituting the direct contempt to be stated on the record in full, and if the court or judge shall adjudge the accused guilty a judgment shall be entered of record, in which shall be fully specified the facts constituting the contempt, with a full statement of the facts constituting the defense or the extenuation the accused may make or offer, and the sentence of the court.

SEC. 4. That upon the return of any judicial process by an officer or an affidavit duly filed, which shall contain a full statement of all the facts constituting the alleged contempt as distinguished from legal conclusions or the conclusions of the affiant, charging any person with indirect contempt a writ of attachment, or other legal process under the seal of the court, may issue and such person be arrested and brought before the court; and thereupon a written information under oath, setting forth succinctly and fully the facts constituting the alleged contempt, shall be filed and a certified copy thereof served on the accused before he is required to answer, and an order shall be made fixing the time and place for hearing the charge; and the court shall, on a showing by affidavit of the accused stating the facts as distinguished from the legal conclusions or his own conclusions, extend the time so as to give him full opportunity to defend himself against the charge. After the answer of the accused, or if he shall refuse or fail to answer, the court may proceed at the time so fixed to hear and determine such charge upon such testimony as may be produced in support and rebuttal thereof. If the accused answer the trial shall proceed upon the testimony as in other criminal cases, the burden of proof being on the prosecution, and the accused shall be entitled to be confronted face to face by the witnesses against him, whose names shall be indorsed on the information at the time it is filed and on the copy which is required to be served upon him, and on the request of the accused a trial by jury of the charge shall be had as in ordinary criminal cases. If the accused shall be found guilty of the alleged contempt judgment shall be entered accordingly prescribing the punishment. If he shall be found not guilty a judgment shall be entered to that effect and he shall be discharged, with his costs.

SEC. 5. That the testimony and evidence adduced on the trial of any person accused of direct or indirect contempt shall be preserved by a bill of exception, and a judgment of conviction shall be reviewed upon direct appeal to, or by writ of error from, the supreme court, and affirmed, reversed, or modified as the law and facts may require. Upon the allowance of an appeal or writ of error execution of the judgment shall be stayed upon the giving of such bail as may be required by the court or judge or by any justice of the supreme court, which in ordinary cases of contempt shall not exceed the sum of $1,000.

SEC. 6. That pending the trial or determination of an accusation of direct or indirect contempt the accused shall be entitled to bail until such time as a judgment of guilty shall be entered against him.

SEC. 7. That in all hearings or trials for an alleged contempt the accused shall be entitled to the aid of counsel and shall have the right to testify in his own behalf, but a failure to testify in his own behalf shall raise no presumption against his innocence nor be referred to in any manner during the trial by court, judge, or counsel.

SEC. 8. That the charges or instructions of the court, given to the jury on the trial of any person charged with contempt of court, shall be reduced to writing before being given, and in no case shall any such charge or instruction state or intimate to the jury an opinion on the facts or the weight of the evidence, or what, in the opinion of the court or judge, the evidence proves or tends to prove, and any violation by the court, judge, or counsel engaged in the prosecution of an alleged contempt of the provisions of this act shall ipso facto constitute reversible error.

SEC. 9. That if any person shall be informed against by an individual, corporation, company, or association of persons, either in person or by agent, attorney, or officer, the court, or the judge of the court in which such information shall be filed, must, before causing an attachment or other process to be issued for the arrest of the accused, require such person, corporation, company, or association of persons, as the case may be, to file a bond with two or more sureties who shall be required to justify in double the amount of the bond conditioned that such person, corporation, company, or association of persons, as the case may be, shall and will pay to the accused all damages that he may sustain, not exceeding $10,000, by reason of false imprisonment or malicious arrest and prosecution in such case.

SEC. 10. That the provisions of this act shall apply to all proceedings for contempt in all courts of the United States excepting the Supreme Court.

Mr. ALLEN. Mr. President——

The VICE-PRESIDENT. Before the Senator from Nebraska is recognized, the Chair will state that the amendment submitted by the Senator from North Carolina [Mr. BUTLER] to the bill has not yet been disposed of. The question is upon the amendment submitted by the Senator from North Carolina.

Mr. BUTLER. Mr. President, I suggest that the amendment I offered may go over without prejudice until after the Senator from Nebraska concludes his speech, or until the general discussion upon the bill shall have been concluded.

The VICE-PRESIDENT. Without objection, it will be so ordered.

Mr. ALLEN. Mr. President, I desire to occupy the time of the Senate but a moment to state briefly the difference between the substance of the amendment which I have offered and the bill of the committee.

It will be observed that in the second section of the proposed amendment these words, different from those in the original bill, occur:

That contempts committed during the sitting of the court, or of a judge in chambers while engaged in the transaction of the duties of his office—

Then, in line 4, by the insertion of the words—

by loud and unusual noises or by other means that are calculated to and do obstruct the orderly administration of justice, are direct contempts.

I do not think the bill of the committee sufficiently guarded in its language, and I do not think that a judge sitting in chambers ought to be permitted to himself determine that anything he might decree to be so is a contempt of court. I think it ought to appear upon the record that he is actually discharging judicial duties either as a judge in chambers or in holding a term of court, and that a direct contempt should be such contempt as is committed in his immediate presence by any disorderly conduct in the court room, anything so immediately near the place where the court is being held, such as an unusual noise or something which obstructs the orderly administration of justice. Such a provision should be inserted in the bill and become a part of the law.

Let me say at this time, Mr. President, that I am not in favor of giving to any man unrestrained power. I think the first argument of the tyrant, the first argument of a man who wants to violate his duty in the interpretation or enforcement of a law, is to say that he has discretion in the exercise of judgment. While I recognize the fact that it is essential very frequently to invest in a judge and in other officers the power of discretion, I would reduce that to the minimum; and at all points where it could be guarded, or where the duty could be discharged, without investing the right of discretion, I would withdraw or prohibit the exercise of discretion.

The third section of the amendment which I offer differs materially from the bill of the committee. It provides—

That a direct contempt committed immediately in the presence of the court while in session, or of a judge in chambers while engaged in the transaction of the business of his office, by loud and unusual noises or by any other means that are calculated to and do obstruct the orderly administration of justice, may be summarily punished without a written information against the person guilty thereof; but before the accused is punished it shall be the duty of the court, or judge, as the case may be, to cause the facts constituting the direct contempt to be stated on the record in full—

The committee's bill does not provide this. Then the amendment provides—

and if the court or judge shall adjudge the accused guilty a judgment shall be entered of record, in which shall be fully specified the facts constituting the contempt with a full statement of the facts constituting the defense or the extenuation the accused may make or offer and the sentence of the court.

It is perfectly proper, Mr. President, it is no reflection upon the judge, and it is essential to the rights of the accused to have all the facts stated upon the record which constitute the alleged contempt as well as those facts which the accused may offer in his defense. This measure is therefore more guarded than the measure for which it is offered as a substitute.

Section 4 provides some other safeguards, to the effect—

That upon the return of any judicial process by an officer or an affidavit duly filed, which shall contain a full statement of all the facts constituting the alleged contempt as distinguished from legal conclusions or the conclusions of the affiant, etc.

The bill of the committee simply provides that the accused may be arrested upon legal process, and upon the return of the officer to that process he may be punished. It does not require the filing of an affidavit alleging the statement of facts constituting the alleged contempt as distinguished from the conclusions or the deductions of the affiant.

Then it provides for the issuance of process and the arrest of the accused, and that he may be brought before the court, and when brought before the court "a written opinion under oath, setting forth succinctly and fully the facts constituting the alleged contempt, shall be filed and a certified copy thereof served on the accused before he is required to answer, and an order shall be made fixing the time and place for hearing the charge." I think it perfectly proper that whoever makes the charge of contempt should be required to file an information (it may be in the ordinary form of an information or in the form of an affidavit) setting forth the facts constituting the alleged contempt, and upon that affidavit or upon that information the accused may be arrested and held for trial. But before the court shall put him upon trial he shall have a right to have a certified copy of the information, with the name of every witness who is to appear and testify against him. That is a safeguard required in many of the States of the Union. It is a safeguard which experience has found to be necessary to protect the rights of individuals charged with the commission of an offense.

Then it differs from the committee bill in another respect, to this effect:

And the court shall, on a showing by affidavit of the accused stating the facts as distinguished from the legal conclusions or his own conclusions, extend the time so as to give him full opportunity to defend himself against the charge.

It is not an uncommon thing for a court, in a spirit of anger—for judges are men and have their passions to contend with as other men—to bring a person before it, charged with contempt of court, and without the slightest opportunity to accumulate the evidence in his defense, and, in fact, without the slightest opportunity to defend him at all, adjudge him guilty and either impose the penalty of a fine or imprisonment. If a man is charged by information with contempt of court and given a full opportunity to present the facts constituting his defense, he can very frequently show that he was not really guilty of contempt, because contempt consists largely in insolent and intentional violation of the orders and directions of the court.

Then it provides that—

If the accused answer, the trial shall proceed upon the testimony as in other criminal cases, the burden of proof being on the prosecution, and the accused shall be entitled to be confronted face to face by the witnesses against him, whose names shall be indorsed on the information at the time it is filed and on the copy which is required to be served upon him, and on the request of the accused a trial by jury of the charge shall be had as in ordinary criminal cases.

Not infrequently, in fact in a majority of cases, a man who is arraigned before a court for contempt, if it is an indirect contempt—one committed out of the presence of the court—is arraigned upon affidavits of persons who may or may not, in the discretion of the judge, be called in to testify to the contents of their affidavits. But more frequently the whole issue as to the guilt or innocence of the accused is tried upon affidavits which the experience of any lawyer who has been ten years at the bar satisfies him is of the most flimsy and unsafe character. There has been more perjury committed in this world, in my judgment, in the course of judicial proceedings, by the use of ex parte affidavits than in any other and all other manners. Therefore when a man is charged with the crime of contempt the allegations against him should be specific. He should not only have the right to a trial by jury, because trial by jury is the very essence of our Government, the judgment of one's peers, but he should have the right to have the witnesses come into court and submit themselves to examination the same as in any other case. We are taught that one of the safeguards in the trial of a cause is the right of the accused to confront the witnesses against him face to face, to cross-examine them. Thorough examination and cross-examination of a witness have many times saved an innocent man and demonstrated the falsity of the story he is offering in court. This safeguard, therefore, in my judgment, ought to be inserted in the measure.

Then the fifth section provides—

That the testimony and evidence adduced on the trial of any person accused of direct or indirect contempt shall be preserved by a bill of exceptions, and a judgment of conviction shall be reviewed upon direct appeal to, or by writ of error from, the Supreme Court, and affirmed, reversed, or modified as the law and facts may require.

I know of no provision in the Federal statutes requiring the settling of a bill of exceptions in a case like this.

Upon the allowance of an appeal or writ of error execution of the judgment shall be stayed upon the giving of such bail as may be required by the court or judge or by any justice of the Supreme Court, which in ordinary cases of contempt shall not exceed the sum of $1,000.

I know of no reason why a person who has been charged with and convicted of contempt of court should not have the same privilege to offer bail pending an appeal or the hearing on writ of error that he would have if he were charged with some other offense. The same reason why bail should be given and the same reason why bail should not be excessive in an ordinary criminal case exist with as much force and with as much merit in a case of contempt. This provides a safeguard also against excessive bail in ordinary cases. I think I am clearly within the written history of jurisprudence in this country—I am glad to say the cases are exceptional, but there are cases of the kind—when I say that not infrequently has bail been fixed so high against one who offers it pending an appeal or writ of error that it was impossible for him to give it, and that the order fixing it at that sum was for the express purpose of defeating his right to bail or writ of error.

I skip the sixth section. The seventh section provides for the aid of counsel, and provides also that the accused, if he fails to testify in his own behalf, which he is given the right to do under the amendment, shall not be injured in consequence of any deduction made from that fact, and it prohibits the court or any officer of the court or counsel engaged in the case from making any reference to it during the trial. That provision is in substance, I think, to be found in a majority of the criminal codes of to-day.

The eighth section of the proposed substitute I regard as very important. It provides—

That the charges or instructions of the court given to the jury on the trial of any person charged with contempt of court shall be reduced to writing before being given, and in no case shall any such charge or instruction state or intimate to the jury an opinion on the facts or the weight of the evidence, or what, in the opinion of the court or judge, the evidence proves or tends to prove, and any violation by the court, judge, or counsel engaged in the prosecution of an alleged contempt of the provisions of this act shall ipso facto constitute reversible error.

I look upon the principle of giving charges or instructions to a jury that are oral as one of the most vicious features of our administration of justice. The man who has experience at the bar knows what it means. It means that the emphasis on a word or the change of a sentence occasionally influences a jury, and whatever the judge says, the record should contain his language before the case is submitted to the jury and a verdict taken; and above all things such a judge ought never to be permitted to intimate his judgment of the facts that are being submitted to the jury for their consideration.

I think it is the best opinion in this country now, and it is held to be the rule in most of the States of the Union, that as to whether or not there is any evidence to be submitted to the jury is a question of law, and that when evidence has been submitted, even if it is a mere scintilla of evidence, covering the question—the issues—the probative force of that evidence must be left to the jury, and the jury should be guarded strictly and constantly against insinuations arising in the charges or instructions of the court, and even from the language of the court in making rulings upon its admission.

I go to the last section—the ninth section of the proposed amendment—which I regard as highly important. It provides—

That if any person shall be informed against by an individual, corporation, company, or association of persons, either in person or by agent, attorney, or officer, the court, or the judge of the court in which such information shall be filed, must, before causing an attachment or other process to be issued for the arrest of the accused, require such person, corporation, company, or association of persons, as the case may be, to file a bond with two or more sureties who shall be required to justify in double the amount of the bond conditioned that such person, corporation, company, or association of persons, as the case may be, shall and will pay to the accused all damages that he may sustain, not exceeding $10,000, by reason of false imprisonment or malicious arrest and prosecution in such case.

That is in imitation of certain statutes we have. If a corporation or an individual—and I speak of them upon exact terms of equality—desires to have a person arrested and brought before the court and put upon trial for an indirect contempt, who can offer a reason why that corporation or person should not give a bond to pay the damages that the individual may sustain by reason of imprisonment or false arrest? It is a frequent thing, it is a common thing for a bench warrant or an ordinary order of

attachment to be sent out and an individual brought in and charged with contempt and tried before the court without the intervention of a jury. When he is acquitted, as he sometimes is, he goes out into the world with all the damage possible done to his character and his rights, without any responsibility upon the part of the person who set the prosecution on foot.

I speak of it more particularly as it has reference to certain important events which have taken place in this country within the last two or three years. It has been a common mania since the days of Judge Ricks, in Michigan, four or five years ago in issuing a writ of injunction for Federal courts to issue injunctions under all circumstances almost and on very slight provocation. Who that is familiar with the history of the writ of injunction, who that has learned from the primary law books that it never could be used to restrain the commission of a crime, or to restrain the commission of a trespass, would have thought that that rule would have been overturned by an obscure Federal judge within the last four or five years by the misconstruction of a statute? Since that day it has been a mania, and the moment a controversy arises between certain corporations and their employees that moment their legal advisers are instructed to go before a Federal judge and procure a writ of injunction against the employee and suspend him almost between heaven and earth during the time of his arrest and trial.

Mr. PLATT. Will the Senator from Nebraska allow me with reference to the proposition of law which he has just laid down that we all know that an injunction can not issue to restrain the commission of a crime? That is true. But has it not been held in very many cases that an injunction may issue to restrain the commission of certain acts which acts have been denounced by statute as a crime?

Mr. ALLEN. There may be here and there exceptional decisions of that kind. We have scarcely any rule in this country which does not have its exceptions. But the broad rule has always been, until the innovation was introduced by Ricks, that an injunction could not be issued to restrain the commission of a crime or to restrain the commission of a trespass, unless that trespass was followed by certain known and well-defined damages, and unless the other circumstances authorizing the writ existed, namely, insolvency or inadequacy of legal remedy or something of that kind. But there never has been a time in the history of the common law, there never has been a time in the history of the civil law, from which the equitable injunction has come down to us, there never has been a time in all the history of English or American jurisprudence, when a writ of injunction would issue to prevent the commission of an offense until introduced by Ricks.

A man's character and the reputation of his family are two of the most sacred things to him. Why should the men who are compelled to labor for their livelihood—and labor is honorable—be taken by the throat in consequence of the misconstruction of a statute, and be remediless and powerless against the men or the individual who set the prosecution on foot? If the individual has not been wrongfully prosecuted there is no liability. If he is guilty of the crime with which he is charged the indemnifying bond that may be required to be given is void.

We do not issue an ordinary civil attachment against the property of a man in this country in advance of obtaining judgment against him without requiring the party who sues out the attachment to file with the clerk of the court where the writ is obtained a bond of indemnity. That, I believe, exists in one form or another in every State of this Union. Yet here we will permit this despotism to be exercised over certain classes of our citizens, who in consequence of their lack of financial means are sometimes almost powerless to defend themselves, and we will permit corporations, whose capital aggregates millions of dollars, to use and abuse the processes of the law and bring men before a court or a judge where they are tried without the intervention of a jury, without that shield which is guaranteed by the Constitution to every American citizen, the right of trial by jury. Not only that, but they are deprived of any remedy in damages, which is a very poor remedy at best under the circumstances, against those who have persecuted and who have wronged them.

This is all I desire to say on the measure.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House insisted upon its amendment to the amendment of the Senate numbered 99 to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes; further insists upon its disagreement to the residue of the amendments of the Senate upon which the committee of conference were unable to agree; agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GROUT, Mr. PITNEY, and Mr. DOCKERY managers at the conference on the part of the House.

RINALDO P. SMITH.

Mr. GORMAN. I ask the Senate to proceed to the consideration of the bill (H. R. 2054) for the relief of Rinaldo P. Smith, of Baltimore, Md. I am compelled to be absent for the balance of the evening. It merely refers a case to the Court of Claims.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with an amendment, to strike out all after the enacting clause and insert:

That jurisdiction is hereby conferred on the Court of Claims to hear and determine the claim of Rinaldo P. Smith, of Baltimore, Md., against the Government of the United States on account of the sale, purchase, or occupation by the Government, through its internal-revenue officers or others, of certain real estate of one George J. Stephens, in Greene County, Va., upon which the late firm of Smith, Ellett & Co., now represented by Rinaldo P. Smith, had a prior lien, and the right of the Government to plead the statute of limitations in bar of said claim is hereby waived: *Provided*, That said claimant file his petition, within sixty days from the passage of this act, in said Court of Claims, either at law or in equity, as he may deem the rights of his case shall require; and the Government shall, upon notice served according to the rules and practice of said court, appear and defend against said suit, and the same shall proceed to final hearing and judgment, with the right of appeal to the Supreme Court of the United States by either party as provided by law.

Mr. MILLS. What committee reported the bill?

Mr. GORMAN. It was reported unanimously from the Committee on Claims.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported by the Committee on Claims.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The Committee on Claims reported an amendment to strike out the preamble, which was agreed to.

OVERTON HOTEL COMPANY OF MEMPHIS, TENN.

Mr. HARRIS. I appeal to the courtesy of the Senator from New York [Mr. HILL] having the contempts of court bill in charge to allow me to ask unanimous consent to consider a resolution reported by the Committee on Claims in relation to the bill (S. 1666) for the relief of the Overton Hotel Company, of Memphis, Tenn.

Mr. HILL. I yield, not displacing the contempts of court bill.

Mr. HARRIS. The resolution is found in the report of the committee. The bill can be read if any Senator desires it.

By unanimous consent the Senate proceeded to consider the resolution reported by Mr. STEWART, from the Committee on Claims, May 26, 1896, and it was agreed to, as follows:

Resolved, That the bill (S. 1666) for the relief of the Overton Hotel Company, of Memphis, Tenn., together with all accompanying papers, be, and the same is hereby, referred to the Court of Claims in pursuance of the provisions of the act of Congress, "to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, to find and report to the Senate the facts bearing upon the merits of the claim as to the term of occupancy of the said Overton Hotel from the 1st of January, 1863, at which date the said Court of Claims, having determined that the State of Tennessee ceased to be hostile territory and therefore not to be regarded as the seat of war within the meaning of the third section of the Bowman Act (see Neal *vs.* United States, C. Cls. R. 21, page 240), and the rental value of said property during said term of occupancy, and all other facts contemplated by the provisions of said act.

EAST WASHINGTON HEIGHTS TRACTION RAILWAY.

Mr. BLACKBURN. I ask the Senator from New York to yield to me that I may call up a bill.

Mr. HILL. I yield to the Senator from Kentucky, without prejudice to the contempts of court bill.

Mr. BLACKBURN. I ask the consent of the Senate at this time to call up the bill (S. 2840) to incorporate the East Washington Heights Traction Company of the District of Columbia.

Mr. CULLOM. It is a very long bill.

Mr. BLACKBURN. No, it is not. I apprehend that it will cause no debate and meet with no objection. It has been unanimously reported from the Committee on the District of Columbia.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT DETROIT, MICH.

Mr. BURROWS. I ask the indulgence of the Senate to introduce a joint resolution and ask unanimous consent that it may be put upon its passage.

The joint resolution (S. R. 161) authorizing the Secretary of the Treasury to place a bronze tablet or inscription on the Government building now being erected in Detroit, Mich., was read the first time by its title and the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be prepared and placed in some suitable position on the Government building now being erected in the city of Detroit, Mich., a bronze tablet or an inscription commemorative of the fact that the said public building is erected on the site of the British Fort

Lernoult, which was surrendered to the United States in 1796; and is also on the site of the American Fort Shelby, which was demolished in 1826: *Provided*, That the cost of such tablet shall be paid from the appropriation already made for the said building.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DONATION OF CONDEMNED CANNON.

Mr. CULLOM. I ask leave to call up the bill (H. R. 2) disposing of two condemned cannon. It is a bill that I neglected to call up.

Mr. HILL. The Senator from Illinois is aware that a general bill providing for the disposition of condemned cannon has passed both Houses, and has been signed by the President.

Mr. CULLOM. That is true; but this bill passed the other House a long time ago, and it was expected that I would attend to it here. I neglected it, so I ask that it be passed now.

Mr. HILL. It may not be reached by the general law, possibly.

The VICE-PRESIDENT, Is there objection to the present consideration of the bill indicated by the Senator from Illinois?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to supply the First Regiment of Infantry of the Illinois National Guard with two condemned cannon, to be placed at the entrance to their armory at Michigan boulevard and Sixteenth street, Chicago, Ill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS GUINEAN.

Mr. MCBRIDE. I ask for the present consideration of the bill (S. 525) for the relief of Thomas Guinean, of Oregon.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to Thomas Guinean, of Oregon, the assignee of Bradley S. Hoyt, deceased, of California, $160, paid the United States by Hoyt on account of land entry at Shasta, Cal., and which entry was subsequently canceled.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 6249) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes.

NAVAL APPROPRIATION BILL.

Mr. HALE. I submit the conference report on the naval appropriation bill, which has been agreed to by the House of Representatives, and ask for its adoption.

The VICE-PRESIDENT. The report will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 39, 42, 43, 44, 45, 46, 47, 48, and 52, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the word "two" inserted by said amendment insert the word "three"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: Insert after the word "one," in line 24, page 49 of the bill, the following: "and not more than one"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: Strike out, in line 3 of said amendment, the word "five" and insert in lieu thereof the word "four"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "*And provided further*, That the Secretary of the Navy is hereby directed to examine into the actual cost of armor plate and the price for the same which should be equitably paid, and shall report the result of his investigation to Congress at its next session at a date not later than January 1, 1897; and no contract for armor plate for the vessels authorized by this act shall be made till after such report is made to Congress for its action;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,870,600"; and the Senate agree to the same.

EUGENE HALE,
M. S. QUAY,
A. P. GORMAN,
Managers on the part of the Senate.

C. A. BOUTELLE,
JOHN B. ROBINSON,
AMOS J. CUMMINGS,
Managers on the part of the House.

Mr. SMITH. Mr. President, I desire to say a word in regard to the report which has just been read.

As one of the members of the Committee on Naval Affairs opposed to the provision as to armor plate contained in the previous conference report, I desire to say that as the conferees have now settled the question and it is left with the Secretary of the Navy to take evidence and to be prepared at the next session of Congress to report as to the price which should be paid for armor plate, believing, as I do, that no Department of this Government has been more honestly or ably managed than the Navy Department, and having full confidence in the Secretary, I am fully satisfied and pleased with the result of the present conference.

The VICE-PRESIDENT. The question is on concurring in the report of the committee of conference, which has been read.

The report was concurred in.

Mr. BATE subsequently said: Not recognizing the amendment providing for battle ships by the mere reading of the number of the amendment, I was not aware—and the same is true of other Senators who were near me—of the effect of the approval of the conference report which was submitted by the Senator from Maine [Mr. HALE]. I now understand it involves the question as to the number of battle ships to be constructed. I did not know that at the time the report was read, and I want it understood that I am opposed to that portion of the report, as I certainly would not be willing under present conditions to agree to the construction of any number of new battle ships beyond two. I think the question was not understood by the Senate when it was submitted by the Chair.

The VICE-PRESIDENT. The Chair will again submit the question to the Senate on concurring in the report of the conference committee which was submitted by the Senator from Maine [Mr. HALE].

The report was concurred in.

PROPOSED EVENING SESSION.

Mr. TURPIE. I desire to have the Senate reconsider House bill 1094.

Mr. ALLISON. I ask unanimous consent that the order recently made for a recess this evening may be suspended.

The VICE-PRESIDENT. Is there objection?

Mr. TURPIE. I object.

Mr. ALLISON. One moment. I desire that the Senate may continue in session for such time as it may choose, and then meet at 10 o'clock to-morrow morning.

I desire to say for the information of the Senate that there will be no conference reports in addition to the one which has just been acted upon and the conference report on the Indian appropriation bill, which will be disposed of in a few moments.

The VICE-PRESIDENT. The Chair will submit to the Senate the request of the Senator from Iowa.

Mr. ALLISON. Which is, that at a later hour we adjourn the session until to-morrow morning at a convenient time, say 10 or 11 o'clock, instead of having a night session, which will inconvenience everyone.

Mr. COCKRELL. Say 11 o'clock.

Mr. ALLISON. I will say 11 o'clock, and let us reconsider our action on ordering a recess, so that we can have an adjournment when the pending measures are disposed of.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Iowa?

Mr. WARREN. Do I understand that the mover of the evening session now desires to have it dispensed with and to adjourn until to-morrow?

Mr. ALLISON. That is my request.

Mr. WARREN. I have this to say: I have been here helping to make a quorum for a great many days, and I have a measure, of which I have given notice, which I desire to have considered; and I do not want to have ourselves cut short so as to prevent its consideration. If, however, we are to remain in session to-morrow, there may be an opportunity for its consideration.

Mr. HILL. I suggest to the Senator from Iowa that we now simply rescind the order for taking a recess at half past 5 o'clock, which will not determine as to how long we shall sit this evening.

Mr. ALLISON. That is all I ask.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Iowa that the order for a recess this evening be rescinded? The Chair hears none, and it is so ordered.

INDIAN APPROPRIATION BILL.

Mr. PETTIGREW. I submit a report of the committee of conference on the Indian appropriation bill.

The VICE-PRESIDENT. The report will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 69 and 70 to the bill (H. R. 6249) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"And it is hereby declared to be the settled policy of the Government to hereafter make no appropriation whatever for education in any sectarian school: *Provided*, That the Secretary of the Interior may make contracts with contract schools, apportioning as near as may be the amount so contracted for among schools of various denominations for the education of Indian pupils during fiscal year 1897, but shall only make such contracts at places where nonsectarian schools can not be provided for such Indian children and to an amount not exceeding 50 per cent of the amount so used for the fiscal year 1895."

And the Senate agree to the same.

R. F. PETTIGREW,
H. M. TELLER,
F. M. COCKRELL,
Managers on the part of the Senate.

J. S. SHERMAN,
CHARLES CURTIS,
GEORGE C. PENDLETON,
Managers on the part of the House.

The VICE-PRESIDENT. The question is on concurring in the report of the committee of conference.

The report was concurred in.

FRANCIS E. HOOVER—VETO MESSAGE.

Mr. TURPIE. I ask the Senate to proceed to reconsider the bill (H. R. 1094) granting a pension to Francis E. Hoover.

Mr. PLATT. Let the bill be read and also the President's message.

The VICE-PRESIDENT. The bill will be first read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension rolls, at the rate of $50 per month, the name of Francis E. Hoover, late a private of Company I of the Sixty-fourth Regiment of Ohio Infantry Volunteers, in lieu of the pension now being drawn by him.

Mr. PLATT. Now let the veto message be read.

The VICE-PRESIDENT. The message of the President will be read.

The Secretary read as follows:

To the House of Representatives:

I herewith return without my approval House bill numbered 1094, entitled "An act granting a pension to Francis E. Hoover."

It is proposed by this bill to grant a pension of $50 a month to the beneficiary therein named, who served as a private for about one year and nine months in the Union Army during the war of the rebellion.

I do not understand that it is claimed in any quarter that the present helpless condition of this soldier is at all attributable to his army service. He himself never applied for a pension until after the passage of the law of 1890, providing a pension for those who had served in the Army and are unable to maintain themselves by manual labor on account of disability not chargeable to army service. The committee of the House of Representatives, in reporting this bill, declare "the testimony does not show the disease of the soldier to be of service origin."

The beneficiary is now receiving the largest pension permitted under the law of 1890.

His condition may well excite our sympathy; but to grant him a pension of $50 a month without the least suggestion that his pitiable disability is related to his army service, and in view of the fact that he is now receiving the highest pension allowed by a general law enacted to expressly meet such cases, it seems to me would result in an unfair discrimination as against many thousand worthy soldiers similarly situated, and would invite applications which, while difficult to refuse in the face of such a precedent, must certainly lead to the breaking down of all the limitations and restrictions provided by our laws regulating pensions.

The value of pension legislation depends as much upon fairness and justice in its administration as it does upon its liberality and generosity.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April 25, 1896.*

Mr. PLATT. What has been the action of the House of Representatives?

The VICE-PRESIDENT. The action of the House of Representatives will be stated.

The Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES, *May 21, 1896.*

The President of the United States having returned to the House of Representatives, in which it originated, House bill 1094, entitled "An act granting a pension to Francis E. Hoover," with his objections thereto, the House proceeded, in pursuance of the Constitution, to reconsider the same; and

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

The VICE-PRESIDENT. The question is, Shall the bill pass, the objection of the President of the United States to the contrary notwithstanding?

Mr. PLATT. Mr. President, I should like some explanation of this bill. The President says that this soldier is receiving $12 per month under the act of 1890, and that there is no evidence showing that his disabilities are the result of army service. If that be so, I think it is the first time that we have increased a pension granted under the act of 1890 beyond the amount allowed by that act. I may be mistaken about that, but I wish the chairman of the committee would explain the case.

Mr. TURPIE. Mr. President, the controlling and only disputed question in this case is that of incurrence, whether the disease and disability to which the soldier is now subjected arose from his service in the Army. It is true the first report of the Committee on Pensions upon this subject was very meager, and perhaps sustained everything said in the message with respect to it; but the last report of the committee is a very full one, and I wish simply to read an extract from it.

I will say that the Committee on Pensions of this body have reported the bill unanimously after considering the veto message, and that the House of Representatives has decided nearly unanimously in favor of the bill against the veto.

With respect to the question of incurrence, I will read an extract from the testimony of physicians, and I regard it as very important. No extract from the testimony was put into the first report, which went to the President. The second report contains this extract:

There can be no doubt, at least to my mind, that the causative factor to this diseased condition, rheumatoid arthritis, is to be traced and placed to the exposure incident to military life; the damp ground upon which he slept, the poor food, the mental strain and excitement, produced a poor condition of body, which in after years was unable to resist the ravages of disease, and in this broken-down condition of body this essentially chronic disease found an easy victim.

That is the testimony of Dr. Hoopingarner, one of the principal physicians in Elkhart, Ind. He states the condition of the pensioner under oath, and then the committee go on to state that—

This statement is corroborated by four other physicians residing in Elkhart.

There, then, is the sworn testimony of five physicians that the condition of the soldier is due to his military service, and we should take the facts in the case. He was one year and nine months in the service, during which time he was in three pitched battles, one at Franklin and two other engagements, very severe engagements, perhaps the severest of the war. He made four forced marches. He was in perfect health, of the most sound constitution, and scarcely 18 years old when he entered the service. He returned without visibly suffering anything from the exposures and hardships to which he had been subjected; but everyone knows such exposures and hardships are drafts on the physical constitution which in the future must be honored. Nature avenges herself for such violations of her laws as are compelled by persons engaged in the military service as privates.

This soldier returned, went into his ordinary vocation, and was employed in it for many years. He suffered no disability, and therefore made no application for a pension until after 1890, when this rheumatoid arthritis appeared, to which perhaps he had some constitutional diathesis, but which it is certain that the military service aggravated to an unbearable degree. Now he is totally helpless. He requires the services not only of a third person, but of a fourth and fifth person. He is helpless in bed. He can be only handled by a sheet, which is fastened to cords and pulleys. He can not be touched without suffering exquisite pain. He lives, and that is all. The functions of life remain; real living has disappeared long ago. It is a living death. Any person not an expert, any person not a physician, any person in entire ignorance of medical science would inquire as to this man's history: Was he dissipated in any way; the victim of any vice? He is a man of blameless life; without fault; with no bad habits; with no bad associations; a law-abiding citizen; a moral man—more than moral, yet utterly helpless at this time from physical disease.

If subject to exposure, rheumatism may come upon a person who has never been in the Army, but it does not come without some exposure. He had none. He was a clerk in a drug store. That was his vocation up to the time he was unable to stand behind the counter. Then he would sit. Finally he got so that he could not do that. Then he could not leave his bed. That is the position he is in—he can not leave his bed, can not attend to himself, can not feed himself, can not attend to the ordinary functions of nature.

What, then, is there in the history of the man, except his military service, to which a disease of so fateful a character can be traced? What is there in his habits; what in his custom; what in his indulgences? Nothing, sir. There is but one cause for this disability, and that cause is his military service.

I do not make this argument as against the message of the President. The President has the constitutional right to veto any bill, but we have, as Senators, the constitutional right to consider a veto, to review it, to examine the evidence, to further examine it, and, in the further examination of it, I think any Senator will come to the conclusion that the bill is a meritorious one, and that, although the first report may have and does justify the description of this disability given in the message, the later

and fuller report and evidence justify the passage of the bill. Indeed, the passage of the bill and the payment of the money will be a very small and pitiful compensation for that suffering, that agony, that intense agony, that this man is subjected to day and night in the helpless condition in which he must live if he live many months or years in the future.

Mr. PLATT. I understand from the statement of the Senator from Indiana that the committee are satisfied that the disease from which the man is suffering originated in the service; that its origin may be traced to the service. Not being a physician myself, I should like to inquire of the chairman of the committee, who sits next to me [Mr. GALLINGER], what this disease is, not in medical language, but in common, ordinary language, so that we may understand it.

I desire to say that I have only one question in this case, and that is whether we may fairly believe that the present lamentable condition of this soldier results in any way, directly or even approximately, from his army service? If so, I think we ought to pass the bill over the veto.

Mr. GALLINGER. I will make very hurriedly a statement concerning this case. If one of the pages will kindly pass the photographs I have here around the Senate, Senators will see for themselves this man's condition.

I made the report which is now before the Senate, and I frankly admit in that report that the previous report was unfortunate. I said:

It is to be regretted that the report first made in the case did not specifically set forth in detail the material facts concerning the soldier's military record and the relation of his army service to his present disabilities.

The first report, I will say, was very brief, and upon that report the President had an undoubted right to veto the bill; but, before proceeding further, I will say to the Senator from Connecticut [Mr. PLATT] that he is mistaken when he says that we have not increased pensions under the act of June 27, 1890, beyond $12. We have increased quite a good many pensions, I will say, during the present session of Congress; and of course it is competent for Congress to increase those pensions, and I suppose it is really competent for Congress to pension anybody, whether he has been in the military service or not, or received his disabilities in the service of the Union or not. That is an undoubted right that Congress has if it chooses to exercise it.

I said further:

It will be observed that the report shows that the soldier is bedridden and absolutely helpless, but it also sets forth that "the testimony does not show the disease to be of service origin." Acting upon this latter statement, the bill was vetoed by the President.

When this matter went to the House of Representatives, it became the subject of careful consideration by the Committee on Pensions—and it is a matter which they ought to have attended to in the first place more carefully than they did—and a very lengthy report was submitted; and that report goes to show these facts:

Francis E. Hoover, the claimant, enlisted in Company I, Sixty-fourth Regiment of Ohio Volunteers, in February, 1864, when he was but 16 years of age. Without being acclimated or in any way inured to the hardships of a soldier's life he was at once put into active service with General Sherman, and participated in the battles and skirmishes of that vigorous campaign resulting in the capture of Atlanta. After General Sherman had started on his march to the sea the claimant's regiment was ordered to support General Thomas. Mr. Hoover was with his regiment on that tiresome and perilous march back to Nashville. He participated in the battles of Spring Hill and Franklin, and then in the two days' struggle with Hood at Nashville. He joined in that active pursuit of the remnant of Hood's army, and as a result of his extreme hardships and exertion varicose veins appeared in both of his legs. This condition gave rise to distressing ulcerations. After these ulcers were healed they would remain in that condition but a short time when they would again break out in festering sores. This has continued at intervals ever since his army service. How much of the poison from these festering sores passed into the circulation and was absorbed into the system it is quite difficult to tell; but that much of this did take place is evident from the fact that the ulcers when once healed would not remain so, but would break out again with equal if not greater violence.

It also appears from the statements of the physicians who have examined him that the legs are badly swollen and discolored. They also tell us that structural changes have taken place in the articulation of the joints. This would hardly have been looked for if the blood current had been pure. Had there been no other complications it is quite evident that this disease alone would have ultimately rendered the soldier helpless, and perhaps ere this. But in 1886 he was attacked with rheumatism, from which he never recovered. There were periods of partial relief from the effects of this disease but there were recurrences of the attack, and each time with greater severity. About four years ago this disease assumed a permanent and most distressing form. Every joint in the body became anchylosed—

That is, absolutely stiffened—

He can not now move hand or foot. He has no use of any of the joints of the body.

The spinal column has become perfectly rigid, and there is no power of rotation of the head—it is permanently fixed in one position. He can not turn himself in his bed and would perish with hunger with victuals all around him. A more distressing condition can not be imagined. How much of this rheumatic condition is due to the ulceration of his legs we are not fully prepared to say; but should it be assumed that his rheumatism is an independent disease, having no connection with the ulcerations, still, we are thoroughly convinced that a system so weakened and debilitated by ulcerations, and whose blood current had been contaminated by poisons absorbed from these festering sores, was in a poor condition to resist the attacks of disease, especially one of such prostrating persistence as rheumatism.

We have the testimony of a distinguished physician of Elkhart, Ind., who has personal knowledge of this soldier, to the effect that the disease, in his opinion, is due to his military service, and that opinion, as the Senator from Indiana [Mr. TURPIE] has stated, has been corroborated by four other physicians of repute. The committee add:

With the evidence now before us we think, as we have before stated, that the present disabilities of this soldier are fairly attributable to his army service. We find him in a most pitiable condition, utterly helpless, requiring the attendance of a strong man. He is entirely destitute of all worldly means and has no income aside from the small pittance of $12 per month. This will not support him, much less pay his necessary attendant. All hope of recovery is gone. He has suffered and must continue to suffer untold tortures until death relieves him. He gave the best days of his vigorous youth to his country, and out of his helplessness he asks us for bread and support. If Congress does not give relief, he must go to the poorhouse and there end his days.

In reporting the bill and advising that it should be passed, the objections of the President to the contrary notwithstanding, I did it with the firm belief in my own mind that the terrible disease from which this soldier is suffering can be fairly attributed to his army service. If that were not true it would not deter me from voting to pension this man as proposed in the bill. I hardly think it would deter Congress from voting the proposed pension, but the committee at least believe, and their belief is based upon medical testimony, which, I will say in justice to the President, was not incorporated in the first report made in this case, that this man's disabilities are fairly attributable to his army service, and therefore they think the bill ought to be passed, the objections of the President to the contrary notwithstanding.

The VICE-PRESIDENT. The question is, Shall the bill pass, the objections of the President to the contrary notwithstanding? The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BATE (when his name was called). I am paired with the Senator from Utah [Mr. BROWN].

Mr. BLACKBURN (when his name was called). I am paired with the senior Senator from Michigan [Mr. MCMILLAN].

Mr. BURROWS. If my colleague [Mr. MCMILLAN] were present, he would vote "yea."

Mr. BLACKBURN. Then I will withhold my vote. If he were present, I should vote "nay."

Mr. BLANCHARD (when his name was called). I am paired with the Senator from North Carolina [Mr. PRITCHARD].

Mr. CULLOM (when his name was called). I have a general pair with the Senator from Delaware [Mr. GRAY]. I am satisfied that if present he would vote as I will, and I will therefore vote. I vote "yea."

The roll call was concluded.

Mr. WALTHALL. I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. FAULKNER. I am paired generally with the Senator from West Virginia [Mr. ELKINS], but for the purpose of making a quorum I will vote. I vote "yea."

Mr. WALTHALL. I will vote for that purpose. I vote "nay."

Mr. BLACKBURN. For the purpose of making a quorum I will vote, notwithstanding my pair. I vote "nay."

Mr. BURROWS (after having voted in the affirmative). I have a pair with the senior Senator from Louisiana [Mr. CAFFERY]. I voted inadvertently. I do not know whether or not the vote should stand. I understand there is no quorum, and I will permit my vote to stand.

Mr. BLANCHARD. I suggest to the junior Senator from Michigan [Mr. BURROWS] that I am paired with the Senator from North Carolina [Mr. PRITCHARD], who is absent. I understand the junior Senator from Michigan is paired with my colleague [Mr. CAFFERY], who is also absent. I suggest that we exchange pairs and vote.

Mr. BURROWS. That will be entirely agreeable to me.

Mr. BLANCHARD. I vote "yea."

Mr. BURROWS. I am recorded as having voted in the affirmative.

Mr. BLANCHARD. It is understood that the pair of the Senator from North Carolina [Mr. PRITCHARD] and myself is transferred to my colleague [Mr. CAFFERY].

The VICE-PRESIDENT. It will be so noted.

The result was announced—yeas 31, nays 7, as follows:

YEAS—31.

Allen,	Clark,	Hawley,	Pettigrew,
Allison,	Cockrell,	Hill,	Platt,
Bacon,	Cullom,	Jones, Ark.	Smith,
Blanchard,	Daniel,	McBride,	Teller,
Burrows,	Dubois,	Mitchell, Oreg.	Turpie,
Butler,	Faulkner,	Nelson,	Warren,
Cannon,	Gibson,	Palmer,	Wetmore.
Chilton,	Hale,	Peffer,	

NAYS—7.

Berry,	Harris,	Mills,	Walthall.
Blackburn,	Lindsay,	Vest,	

NOT VOTING—51.

Aldrich,	Gallinger,	Mantle,	Sewell,
Baker,	Gear,	Martin,	Sherman,
Bate,	George,	Mitchell, Wis.	Shoup,
Brice,	Gordon,	Morgan,	Squire,
Brown,	Gorman,	Morrill,	Stewart,
Caffery,	Gray,	Murphy,	Thurston,
Call,	Hansbrough,	Pasco,	Tillman,
Cameron,	Hoar,	Perkins,	Vilas,
Carter,	Irby,	Pritchard,	Voorhees,
Chandler,	Jones, Nev.	Proctor,	White,
Davis,	Kyle,	Pugh,	Wilson,
Elkins,	Lodge,	Quay,	Wolcott.
Frye,	McMillan,	Roach,	

The VICE-PRESIDENT. No quorum has voted. The Secretary will call the roll.

Mr. MILLS. I move that the Senate adjourn. We can not do anything without a quorum, and we would be kept here just to try to get a quorum.

The motion was agreed to; and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, June 10, 1896, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *June 9, 1896.*

[*Continuation of legislative day of June 6, 1896.*]

The recess having expired, the House, at 10 o'clock a. m., was called to order by the Speaker.

ORDER OF BUSINESS.

Mr. DANIELS. Mr. Speaker, so much time has been consumed in dilatory proceedings——

Mr. RICHARDSON. Mr. Speaker, I rise to a question of order. A motion was made on yesterday to reconsider. I understand the gentleman from New York is starting out to discuss the election case.

Mr. DANIELS. Yes.

Mr. OWENS. Mr. Speaker, that is not before the House yet.

Mr. MCMILLIN. I suppose that, reserving the rights that existed for reconsideration under the motion that was made, there would be no objection to the gentleman making a statement.

The SPEAKER. The Chair does not know what rights are reserved.

Mr. MCMILLIN. The RECORD shows what rights are reserved.

The SPEAKER. Does the gentleman choose to raise the question of consideration?

Mr. OWENS. That was raised.

The SPEAKER. Was it not voted on?

Mr. OWENS. It was voted on; but a motion to reconsider was made, which is still pending.

Mr. MCMILLIN. I do not know what the purpose of the gentleman from New York is.

The SPEAKER. Very well. If there was a motion to reconsider it is now before the House, if it was recognized, and the question is, Will the House reconsider the vote by which it determined to consider the resolutions?

A MEMBER. Who made the motion?

Mr. HENDERSON. The gentleman from New York [Mr. DANIELS] made it himself, I think.

Mr. MOODY. Judge DANIELS was not recognized by the Chair for the purpose of making the motion. The RECORD will show that he was not recognized.

Mr. DANIELS. I made the motion to lay the motion to reconsider upon the table, and, as I understood it, it was so ordered.

Mr. RICHARDSON. Oh, no. There was no vote taken on it.

Mr. MCMILLIN. There was no vote taken. Pending that, there was a recognition for a conference report.

Mr. DANIELS. I had the attention of the Speaker pro tempore before any action was taken on that subject.

Mr. RICHARDSON. When?

Mr. DANIELS. Yesterday afternoon.

Mr. OWENS. You made a motion to reconsider and moved to table it, but the conference report cut it off.

Mr. MCMILLIN. The conference report cut it off. Pending the vote on that, a conference report was received. The RECORD shows that.

The SPEAKER. The question is on laying the motion to reconsider upon the table.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. OWENS, Mr. RICHARDSON, and Mr. MCMILLIN demanded a division.

Mr. GROW. Mr. Speaker, I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 99, nays 31, not voting 224; as follows:

YEAS—99.

Aldrich, Ill.	Curtis, Iowa	Henry, Ind.	Overstreet,
Andrews,	Curtis, Kans.	Hepburn,	Payne,
Arnold, Pa.	Daniels,	Howe,	Pearson,
Arnold, R. I.	Dayton,	Hunter,	Phillips,
Avery,	Dingley,	Jenkins,	Pugh,
Babcock,	Doolittle,	Johnson, Cal.	Raney,
Baker, N. H.	Draper,	Johnson, N. Dak.	Ray,
Bartholdt,	Eddy,	Kiefer,	Reeves,
Beach,	Faris,	Kulp,	Russell, Conn.
Bingham,	Fischer,	Lefever,	Sherman,
Bishop,	Fletcher,	Leonard,	Simpkins,
Blue,	Fowler,	Linney,	Southard,
Brewster,	Gardner,	Long,	Sperry,
Bromwell,	Gibson,	Loudenslager,	Stewart, N. J.
Brumm,	Gillet, N. Y.	Low,	Strong,
Burrell,	Goodwyn,	Mahon,	Sulloway,
Cannon,	Griffin,	McCall, Tenn.	Tawney,
Chickering,	Griswold,	McCleary, Minn.	Tayler,
Clark, Iowa	Grow,	Miller, W. Va.	Tracewell,
Coffin,	Hager,	Minor, Wis.	Updegraff,
Cook, Wis.	Halterman,	Mitchell,	Van Horn,
Cooper, Wis.	Hardy,	Mondell,	Van Voorhis,
Corliss,	Harmer,	Moody,	Walker, Mass.
Crowther,	Henderson,	Mozley,	Willis.
Crump,	Henry, Conn.	Otjen,	

NAYS—31.

Bailey,	Cobb,	Layton,	Stahle,
Baker, Kans.	Danford,	Leighty,	Stone, C. W.
Black, Ga.	Ellis,	Lester,	Talbert,
Broderick,	Evans,	Lewis,	Treloar,
Burton, Mo.	Hemenway,	Loud,	Wanger,
Burton, Ohio	Kem,	Owens,	Wilson, Idaho
Clardy,	Kerr,	Poole,	Wood.
Clark, Mo.	Lacey,	Shafroth,	

NOT VOTING—224.

Abbott,	Erdman,	Maguire,	Sayers,
Acheson,	Fairchild,	Mahany,	Scranton,
Adams,	Fenton,	Marsh,	Settle,
Aitken,	Fitzgerald,	Martin,	Shannon,
Aldrich, Ala.	Foote,	McCall, Mass.	Shaw,
Allen, Miss.	Foss,	McClellan,	Shuford,
Allen, Utah	Gamble,	McClure,	Skinner,
Anderson,	Gillett, Mass.	McCormick,	Smith, Ill.
Apsley,	Graff,	McCreary, Ky.	Smith, Mich.
Atwood,	Grosvenor,	McCulloch,	Snover,
Baker, Md.	Grout,	McDearmon,	Sorg,
Bankhead,	Hadley,	McEwan,	Southwick,
Barham,	Hainer, Nebr.	McLachlan,	Spalding,
Barney,	Hall,	McLaurin,	Sparkman,
Barrett,	Hanly,	McMillin,	Spencer,
Bartlett, Ga.	Harris,	McRae,	Stallings,
Bartlett, N. Y.	Harrison,	Meiklejohn,	Steele,
Belknap,	Hart,	Mercer,	Stephenson,
Bell, Colo.	Hartman,	Meredith,	Stewart, Wis.
Bell, Tex.	Hatch,	Meyer,	Stone, W. A.
Bennett,	Heatwole,	Miles,	Strait,
Berry,	Heiner, Pa.	Miller, Kans.	Strode, Nebr.
Black, N. Y.	Hendrick,	Milliken,	Strowd, N. C.
Boutelle,	Hermann,	Milnes,	Sulzer,
Bowers,	Hicks,	Miner, N. Y.	Swanson,
Brosius,	Hilborn,	Money,	Taft,
Brown,	Hill,	Morse,	Tate,
Buck,	Hitt,	Moses,	Terry,
Bull,	Hooker,	Murphy,	Thomas,
Calderhead,	Hopkins,	Murray,	Thorp,
Catchings,	Howard,	Neill,	Towne,
Clarke, Ala.	Howell,	Newlands,	Tracey,
Cockrell,	Hubbard,	Noonan,	Tucker,
Codding,	Huff,	Northway,	Turner, Ga.
Colson,	Hulick,	Odell,	Turner, Va.
Connolly,	Huling,	Ogden,	Tyler,
Cooke, Ill.	Hull,	Otey,	Underwood,
Cooper, Fla.	Hurley,	Parker,	Wadsworth,
Cooper, Tex.	Hutcheson,	Patterson,	Walker, Va.
Cousins,	Hyde,	Pendleton,	Warner,
Cowen,	Johnson, Ind.	Perkins,	Washington,
Cox,	Jones,	Pickler,	Watson, Ind.
Crisp,	Joy,	Pitney,	Watson, Ohio
Crowley,	Kendall,	Powers,	Wellington,
Culberson,	Kirkpatrick,	Price,	Wheeler,
Cummings,	Kleberg,	Prince,	White,
Curtis, N. Y.	Knox,	Quigg,	Wilber,
Dalzell,	Kyle,	Reyburn,	Williams,
De Armond,	Latimer,	Richardson,	Wilson, N. Y.
Denny,	Lawson,	Rinaker,	Wilson, Ohio
De Witt,	Leisenring,	Robertson, La.	Wilson, S. C.
Dinsmore,	Linton,	Robinson, Pa.	Woodard,
Dockery,	Little,	Royse,	Woodman,
Dolliver,	Livingston,	Rusk,	Woomer.
Dovener,	Lorimer,	Russell, Ga.	Wright,
Ellett,	Maddox,	Sauerhering,	Yoakum.

Mr. TALBERT. Mr. Speaker, I desire to ask indefinite leave of absence for my colleague, Mr. STRAIT. I have just received a telegram from him in which he states that he is now in bed sick.

The SPEAKER. The Chair thinks it is not in order at this time.

The following pairs were announced:

Until further notice:

Mr. DALZELL with Mr. CRISP.

Mr. ALDRICH of Alabama with Mr. MOSES.

Mr. WILSON of Ohio with Mr. RUSK.

Mr. LEISENRING with Mr. TUCKER.

Mr. WHITE with Mr. SPARKMAN.

Mr. WILLIAM A. STONE with Mr. LAWSON.

Mr. COLSON with Mr. KENDALL.
Mr. FOOTE with Mr. HUTCHESON.
Mr. HICKS with Mr. LITTLE.
Mr. MEIKLEJOHN with Mr. CROWLEY.
Mr. BARHAM with Mr. KYLE.
Mr. JOHNSON of Indiana with Mr. COX.
Mr. TRACEY with Mr. MCRAE.
Mr. SMITH of Michigan with Mr. BERRY.
Mr. TOWNE with Mr. WILSON of South Carolina.
Mr. BOWERS with Mr. MINER of New York.
Mr. COUSINS with Mr. LIVINGSTON.
Mr. FOSS with Mr. MCLAURIN.
Mr. HEATWOLE with Mr. DINSMORE.
Mr. STEELE with Mr. MCCLELLAN.
Mr. SPALDING with Mr. SPENCER.
Mr. STEPHENSON with Mr. NEILL.
Mr. GILLETT of Massachusetts with Mr. COWEN.
Mr. MCCALL of Massachusetts with Mr. DE ARMOND.
Mr. PICKLER with Mr. MILES.
Mr. JENKINS with Mr. DENNY.
Mr. MILNES with Mr. STRAIT.
Mr. PITNEY with Mr. DOCKERY.
Mr. GROSVENOR with Mr. MCMILLIN.
Mr. THORP with Mr. JONES.
Mr. BARNEY with Mr. BUCK, except Underwood election case.
Mr. HITT with Mr. WASHINGTON, except Underwood election case.
Mr. ROYSE with Mr. TURNER of Virginia, except on Tucker-Yost election case.
For this day:
Mr. SNOVER with Mr. MCCREARY of Kentucky.
Mr. STEWART with Mr. SORG.
On this question:
Mr. FENTON with Mr. STROWD of North Carolina.
Mr. DOVENER with Mr. CATCHINGS.
Mr. LEONARD with Mr. BARTLETT of Georgia.

Mr. MCMILLIN. Mr. Speaker, I am paired, I believe, with the gentleman from Ohio, Mr. GROSVENOR. I voted in the negative. I withdraw my vote.

Mr. TRACEY. Mr. Speaker, I am paired with the gentleman from Arkansas, Mr. MCRAE. I voted "yea." I withdraw my vote.

Mr. MCCALL of Tennessee. Mr. Speaker, my colleague, Mr. BROWN, is detained at his house on account of sickness. If it is in order, I want to move that he be excused.

The SPEAKER. The Chair thinks it is not in order just now.

Mr. JENKINS. Mr. Speaker, I desire to say that my colleague, Mr. BARNEY, is detained from the House by sickness.

The SPEAKER. On this question the yeas are 99, the nays 31.

Mr. MCMILLIN. No quorum.

The SPEAKER. The Chair is informed that there are 16 present in addition to that. Under the rule of the House there will be a call of the House, and the Sergeant-at-Arms will proceed at once to bring in absent members.

Mr. DANIELS. I move that there be a call of the House.

The SPEAKER. The Clerk will proceed to call the roll. Each member as he answers to his name may vote upon the pending question, so that it requires another vote upon the pending question. The House will govern itself accordingly.

Mr. BAILEY. I desire to ask if it is not a fact that the rule only requires the absentees to answer or are they brought to the bar to vote? It does not require that those who had previously responded should answer.

The SPEAKER. The Chair thinks it requires all members to answer.

The Clerk shall call the roll, and each member as he answers to his name may vote on the pending question.

Mr. BAILEY. I think that only provides for those who have not answered upon the previous call; otherwise a gentleman who had voted on the other call would be required to vote again.

The SPEAKER. The Chair thinks the only solution as the matter stands is for each member to vote when his name is called, and then when the roll call is finished the absentees may vote. The Sergeant-at-Arms will close the doors, and the Clerk will call the roll.

The Clerk proceeded to call the roll.

The SPEAKER (at the end of the first call). The Clerk will now call the names of members failing to respond to the first call. The Chair trusts that gentlemen who are present and do not vote will announce that they are present, to avoid confusion.

Mr. OWENS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. OWENS. In view of the request of the Chair to members to announce their presence if they do not vote, I wanted to ask whether they might not possibly be confused with the 16 already counted, or whether those 16 are to be used again in making a quorum?

The SPEAKER. The Chair thinks there will not be any confusion if gentlemen answer that they are present. The Clerk will call the roll.

Mr. JOHNSON of California. Mr. Speaker, is it in order at this time to ask leave of absence?

The SPEAKER. The Chair thinks it is not.

Mr. MCMILLIN. Mr. Speaker, I desire to know if I am recorded?

The SPEAKER. The gentleman is recorded.

Mr. MCMILLIN. I withdraw my vote, being paired.

Mr. DOOLITTLE. Mr. Speaker, I ask that my colleague, Mr. HYDE, be excused for the balance of this session, as he has been ill for some weeks past.

The SPEAKER. The Chair thinks the request is not in order at this time.

Mr. DOOLITTLE. Well, my colleague's illness accounts for his absence on the recent roll calls.

The SPEAKER. On this question the yeas are 126, and the nays are 43. The following-named gentlemen are present:

Mr. APSLEY, Mr. HEATWOLE, Mr. LEISENRING, Mr. TRACEY, Mr. RICHARDSON, Mr. MCMILLIN, Mr. WARNER, Mr. BELKNAP, Mr. FITZGERALD, Mr. JOHNSON of North Dakota, and Mr. DE WITT.

The Chair desires to say to these gentlemen that under a misapprehension he stated a while ago that they could not vote, but they are marked present, and their presence is necessary to constitute a quorum, and under the rule they have a right to vote if they desire to do so.

Mr. JOHNSON of North Dakota. Mr. Speaker, am I not recorded?

The SPEAKER. The gentleman is not recorded.

Mr. JOHNSON of North Dakota. I voted "yea" on the motion to lay on the table.

The SPEAKER. The change will be made.

Mr. WARNER. Mr. Speaker, I was present, but did not vote; I desire to vote "yea."

Mr. WARNER'S vote was recorded.

Mr. DE WITT. Mr. Speaker, I desire to vote "yea."

Mr. DE WITT'S vote was recorded.

Mr. HEATWOLE. Mr. Speaker, I was present, but being paired with the gentleman from Arkansas, Mr. DINSMORE, I did not vote.

Mr. RUSSELL of Georgia. Mr. Speaker, I came in during the roll call, and am present to make a quorum.

The SPEAKER. Does the gentleman desire to vote?

Mr. RUSSELL of Georgia. I vote "nay."

Mr. FITZGERALD. Mr. Speaker, I desire to vote "nay."

Mr. FITZGERALD'S vote was recorded.

Mr. BELKNAP. Mr. Speaker, I desire to vote "yea."

Mr. BELKNAP'S vote was recorded.

The roll call finally stood as follows:

YEAS—131.

Adams,	Curtis, Iowa	Hepburn,	Pugh,
Aldrich, Ill.	Curtis, Kans.	Hopkins,	Ray,
Anderson,	Daniels,	Howe,	Reeves,
Andrews,	Dayton,	Howell,	Rinaker,
Arnold, Pa.	De Witt,	Hunter,	Russell, Conn.
Arnold, R. I.	Dingley,	Jenkins,	Shannon,
Avery,	Dolliver,	Johnson, Cal.	Sherman,
Babcock,	Doolittle,	Johnson, N. D.	Simpkins,
Baker, N. H.	Draper,	Kirkpatrick,	Smith, Ill.
Beach,	Eddy,	Lefever,	Southard,
Belknap,	Fairchild,	Leonard,	Sperry,
Bennett,	Faris,	Linney,	Stewart, N. J.
Bingham,	Fischer,	Long,	Strong,
Bishop,	Fletcher,	Loudenslager,	Sulloway,
Blue,	Fowler,	Low,	Taft,
Boutelle,	Gamble,	Mahon,	Tawney,
Brewster,	Gardner,	Marsh,	Tayler,
Bromwell,	Gibson,	McCall, Mass.	Thomas,
Brumm,	Gillet, N. Y.	McCall, Tenn.	Thorp,
Bull,	Goodwyn,	McCleary, Minn.	Tracewell,
Burrell,	Graff,	McEwan,	Updegraff,
Calderhead,	Griffin,	Mercer,	Van Horn,
Cannon,	Griswold,	Miller, W. Va.	Van Voorhis,
Chickering,	Grout,	Mitchell,	Walker, Mass.
Clark, Iowa	Grow,	Mondell,	Walker, Va.
Coffin,	Hager,	Moody,	Warner,
Connolly,	Halterman,	Mozley,	Watson, Ohio
Cook, Wis.	Hardy,	Otjen,	Wellington,
Cooke, Ill.	Harmer,	Overstreet,	Wilber,
Cooper, Wis.	Harris	Parker,	Willis,
Corliss,	Hemenway,	Payne,	Woodman,
Crowther,	Henderson,	Pearson,	Wright.
Crump,	Henry, Ind.	Prince,	

NAYS—45.

Bailey,	Codding,	Lacey,	Shafroth,
Baker, Kans.	Danford,	Layton,	Stahle,
Baker, Md.	Ellis,	Leighty,	Stallings,
Bartholdt,	Evans,	Lewis,	Stone, C. W.
Bell, Colo.	Fitzgerald,	Loud,	Talbert,
Black, Ga.	Hainer, Nebr.	Maddox,	Treloar,
Broderick,	Hill,	McLachlan,	Wanger,
Burton, Mo.	Huling,	Owens,	Wilson, Idaho
Burton, Ohio	Joy,	Poole,	Wood.
Clardy,	Kem,	Powers,	
Clark, Mo.	Kerr,	Raney,	
Cobb,	Keifer,	Russell, Ga.	

NOT VOTING—178.

Abbott,	Foss,	McClellan,	Sayers,
Acheson,	Gillett, Mass.	McClure,	Scranton,
Aitken,	Grosvenor,	McCormick,	Settle,
Aldrich, Ala.	Hadley,	McCreary, Ky.	Shaw,
Allen, Miss.	Hall,	McCulloch,	Shuford,
Allen, Utah	Hanly,	McDearmon,	Skinner,
Apsley,	Harrison,	McLaurin,	Smith, Mich.
Atwood,	Hart,	McMillin,	Snover,
Bankhead,	Hartman,	McRae,	Sorg,
Barham,	Hatch,	Meiklejohn,	Southwick,
Barney,	Heatwole,	Meredith,	Spalding,
Barrett,	Heiner, Pa.	Meyer,	Sparkman,
Bartlett, Ga.	Hendrick,	Miles	Spencer,
Bartlett, N. Y.	Henry, Conn.	Miller, Kans.	Steele,
Bell, Tex.	Hermann,	Milliken,	Stephenson,
Berry,	Hicks,	Milnes,	Stewart, Wis.
Black, N. Y.	Hilborn,	Miner, N. Y.	Stone, W. A.
Bowers,	Hitt,	Minor, Wis.	Strait,
Brosius,	Hooker,	Money,	Strode, Nebr.
Brown,	Howard,	Morse,	Strowd, N. C.
Buck,	Hubbard,	Moses,	Sulzer,
Catchings,	Huff,	Murphy,	Swanson,
Clarke, Ala.	Hulick, Ohio	Murray,	Tate,
Cockrell,	Hull,	Neil,	Terry,
Colson,	Hurley,	Newlands	Towne,
Cooper, Fla.	Hutcheson,	Noonan,	Tracey,
Cooper, Tex.	Hyde,	Northway,	Tucker,
Cousins,	Johnson, Ind.	Odell,	Turner, Ga.
Cowen,	Jones,	Ogden,	Turner, Va.
Cox,	Kendall,	Otey,	Tyler,
Crisp,	Kleberg,	Patterson,	Underwood,
Crowley,	Knox,	Pendleton,	Wadsworth,
Culberson,	Kulp,	Perkins,	Washington,
Cummings,	Kyle,	Phillips,	Watson, Ind.
Curtis, N. Y.	Latimer,	Pickler,	Wheeler,
Dalzell,	Lawson,	Pitney,	White,
De Armond,	Leisenring,	Price,	Williams,
Denny,	Lester,	Quigg,	Wilson, N. Y.
Dinsmore,	Linton,	Reyburn,	Wilson, Ohio
Dockery,	Little,	Richardson,	Wilson, S. C.
Dovener,	Livingston,	Robertson, La.	Woodard,
Ellett,	Lorimer,	Robinson, Pa.	Woomer,
Erdman,	Maguire,	Royse,	Yoakum.
Fenton,	Mahany,	Rusk,	
Foote,	Martin,	Sauerhering,	

The SPEAKER. The Chair announces the corrected vote as follows: Yeas 131, nays 45; present, Messrs. APSLEY, HEATWOLE, LEISENRING, TRACEY, RICHARDSON, HURLEY, MCMILLIN, and HUFF. A quorum being present——

Mr. BOUTELLE. Mr. Speaker, I desire to present a conference report.

The SPEAKER. The Chair desires to state that on the vote on the motion to lay on the table the motion to reconsider a sufficient number of members were present to constitute a quorum. The decision of that question is consequently in the affirmative, and the motion to reconsider is laid on the table.

Mr. MCMILLIN. I rise to a point of order.

Mr. BOUTELLE rose.

Mr. MCMILLIN. I do not wish to lose my right in this matter, but I am entirely willing that the gentleman from Maine shall go forward with his conference report, this matter being held in abeyance until that is entered.

Mr. BOUTELLE. I withdraw the report for the present.

Mr. MCMILLIN. The point of order I desire to make is this: The Committee on Elections No. 1, from which this alleged report purports to come, is constituted of nine members, the following being the members of that committee: Judge DANIELS of New York, Mr. ROYSE of Indiana, Mr. COOKE of Illinois, Mr. LEONARD of Pennsylvania, Mr. MOODY of Massachusetts, Mr. LINNEY of North Carolina, Mr. DINSMORE of Arkansas, Mr. BARTLETT of Georgia, and Mr. TURNER of Virginia. Therefore it takes five to constitute a majority of that committee; and there is not in this case what the rules of the House and its practice require to bring a question before the House and make it privileged—the report of a majority acting in the matter. In support of this statement, I read what purports to be the majority report made by the gentleman from New York [Mr. DANIELS].

The SPEAKER. Is the gentleman's point of order that this case is not to be heard?

Mr. MCMILLIN. Yes, sir.

The SPEAKER. It is too late to raise that, because the House has voted to consider it.

Mr. MCMILLIN. But the House would not vote to consider that which was not a report. This alleged report is signed by only four members of the committee.

The SPEAKER. The House has voted to consider the case, and it is too late now to make the point which the gentleman is trying to raise. If the gentleman had wished to make that point of order, supposing it was tenable, he should have made it before raising the question of consideration——

Mr. MCMILLIN. I did not suppose, Mr. Speaker——

The SPEAKER. Because if the matter was not in order the House could not, if the point were raised, consider it.

Mr. MCMILLIN. But the House does not lose its right to question the validity of a report which purports——

The SPEAKER. Not by voting to consider the case? Certainly it does.

Mr. MCMILLIN. I trust the Chair will indulge me just a moment; I shall be very brief.

The subscribers—

This alleged report begins—

members of the Committee on Elections No. 1, respectfully report that they have heard the argument and considered the evidence presented in the contested election of the Ninth Congressional district of the State of Alabama, wherein Truman H. Aldrich, who was the candidate of the Jeffersonian Democrats and Republicans, is the contestant, and Oscar W. Underwood, who was the candidate of the Democratic party, is the contestee.

That the said district is, and was on the 6th day of November, 1894, when the contested election was held, composed of the counties of Bibb, Blount, Hale, Jefferson, and Perry. And the contests have wholly arisen in precincts in the counties of Hale, Jefferson, Perry, and Blount, the principal contests being in Jefferson County.

The subscribers have carefully considered the evidence and arguments relating to these precincts and the election held therein, and they do decide and find the following facts and conditions to be established, that is to say.

Then it goes on with the balance of the report, which I will not take time to read. It is signed, CHARLES DANIELS, chairman; L. W. ROYSE, EDWARD D. COOKE, FRED C. LEONARD.

This does not purport to be a report of a majority of the committee.

Mr. BAILEY. Will the gentleman from Tennessee allow me a suggestion?

Mr. MCMILLIN. With pleasure.

Mr. BAILEY. As I caught what the gentleman has just read, this does not purport to be the report of the committee, but simply the report of certain members of the committee.

Mr. MCMILLIN. Of four members of the committee. It is not a report.

Mr. BAILEY. That is a proceeding unknown to the rules of the House. The only report that the House can——

The SPEAKER. All that may be true just as alleged, but the House has voted to consider, not the report, but the case.

Mr. MCMILLIN. Then the House is considering, not the report, but the case—ignoring the report?

The SPEAKER. The House as a House has voted to consider the case.

Mr. OWENS. Will the Speaker allow me one suggestion?

The SPEAKER. Certainly; the Chair will allow any gentleman a suggestion.

Mr. OWENS. When the House voted on the motion to consider the case, and not the report, which was privileged, was not that substantially and in fact a motion to suspend the rules and consider the case?

The SPEAKER. Not in the least.

Mr. OWENS. As a matter from the committee, it would have been a matter of privilege.

The SPEAKER. It was a matter of privilege independently of the report of the committee. There are certain cases which have the right of way because the committee in charge of them is permitted to report at any time for consideration——

Mr. OWENS. Yes; but "the committee" did not report.

The SPEAKER. But the right of an election case is higher even than the rules of the House.

Mr. MCMILLIN. When the rules of the House provide for the disposition of a question in the way that the Chair states, or for reference to a committee, we contend that when the matter is referred to the committee under the rules of the House it can only get back to the House by affirmative action of a majority of the members of the committee.

The SPEAKER. That question could have been passed upon had it been raised before the House determined to consider the case.

Mr. MCMILLIN. But it strikes me, Mr. Speaker, that the matter having been in charge of the committee, having been referred to it by the House, that point may be raised at any time.

The SPEAKER. After the House has decided to consider?

Mr. MCMILLIN. At any time before action is taken.

The SPEAKER. The Chair thinks the point of order is not well taken.

Mr. MCMILLIN. I wanted to present the facts and call the attention of the House and of the country to the matter to show that we are proceeding here to consider what is claimed to be a report, but which, under the rules of the House, is not a report of the committee.

The SPEAKER. The Chair thinks that would be an argument as to the merits, but is not sufficient to induce the Chair to overrule the express determination of the House to consider the case.

Mr. DANIELS. Mr. Speaker, I will make one observation in reference to the subject alluded to by the gentleman from Tennessee [Mr. MCMILLIN] before proceeding with the argument of this case, and that is that the minority report is signed by only three members, and we have therefore a majority on the report that is presented to the House by the committee. In addition to the circumstance of the report being signed by four members of

the committee, we have also the cooperation of the gentleman from North Carolina [Mr. LINNEY], another member of the committee, and also, generally, of Mr. MOODY, from Massachusetts, who, however, did not sign the report.

Now, Mr. Speaker, on account of the great delay to which we have been subjected in this matter before the House, I propose to restrict the debate to twenty-five minutes on each side, and at the expiration of that time I will move the previous question. We shall concede to the other side, if they desire it, twenty-five minutes, either to one of the members or to some of the gentlemen on that side who may desire to discuss the question, and at the expiration of fifty minutes I shall demand the previous question, as I have stated, because of the great delay to which the case has been subjected.

Mr. MCMILLIN. The gentleman makes that, I suppose, as an announcement, not as a proposition. The reading of the alleged report could not be had within that time. The time is absolutely inadequate.

Mr. DANIELS. The previous question will be moved at the expiration of fifty minutes.

This case comes before the House for its consideration as a contest growing out of the right of one of these parties to the seat as a Representative from the Ninth Congressional district of the State of Alabama. In the short time in which I shall ask the attention of the House in regard to the case I simply propose to submit to their consideration the leading facts relating to the contest and to show the enormity, by those circumstances which I shall undertake to narrate, of the manner in which this election was carried on in that Congressional district of the State of Alabama.

The first precinct to which I shall direct your attention is the Elyton precinct, a precinct where it was proposed to deduct some 29 votes from the contestee; but on consideration of one member who did not consent to the count so made, the deduction was limited to but 5; and so there is no necessity of going further into that subject, as it will not affect the general result.

At Hillman precinct, in the same county, the polls were not opened at all. This is usually a Republican precinct; there was a small Republican majority in the precinct, and the officers of election refused to open the polls or hold the election at all. This means that certain votes were lost for the contestant to which he would otherwise have been entitled. There is no way of determining what the result of the election would have been, although the proof is that there would have been a Republican majority. The excuse for not opening the polls was that it was a very cold day and they had no means to make a fire. In the Birmingham precincts, two of them, a large number of deputy sheriffs were appointed as officers of election, and they interfered with and arrested persons who were present, which had the effect of intimidating voters and driving them away from the polls, and the result was that the Republicans lost a large number of votes. The pretense on which these arrests were made was that the persons arrested had tickets and were showing the colored people how they should mark their tickets in order to vote the Republican ticket. Here [indicating] is a sample of the ticket they had, showing that it is a mere skeleton or copy of the ticket, and was simply used as a direction to the ignorant voters, indicating to them how to mark the cross on their ticket, or showing where it should be placed. The law of Alabama provides that no person shall have in his possession a ticket or a copy of a ticket that is to be voted on the day of election, under pain of prosecution. This was not a copy of the ticket, but simply a skeleton of a ticket for the purpose of showing the ignorant people where they could mark the ballots for the purpose of voting them. These people were driven to a distance from the polls by these officers and by the prosecutions of the persons who were endeavoring to instruct them as to how to cast their votes.

Here is a ticket [indicating] which was used in this election in Alabama, and it will be seen that it is entirely different from the skeleton ticket which was used to show these ignorant voters how to mark them. We estimate that contestant lost from 60 to 69 votes by this proceeding. There was also quite a distance between the election booth and the room in which the ballot box was located; but we have made no particular point about that, although there was this gross irregularity in this arrangement. We simply ask the deduction of the votes in the two precincts of Birmingham and the number proven to have been lost to the Republican candidate by intimidation caused by the arrest of those persons who were showing the colored voters how to cast their votes.

I come now to the Bessemer precinct, in that district. This precinct was shown as having a registered vote of 1,271. On the evening preceding the election the Democratic officer—sworn to be a Democrat—put into the box the ballots of every voter, and delivered them to the proper officials of election. This box was delivered to Mr. McKinney, the deputy sheriff, the box being then locked. McKinney testified that the locked box was delivered to him with the key tied to the handle. He says he put it in the sheriff's office and locked the door; that there was only one key to the door, and McKinney and a Mr. Matingly were the only persons who used the room. He locked the room and left the ballot box there with the key tied to the handle of the box.

In the morning he went there. The box was heavy the night before, as he says, and it was lighter when he took it up in the morning. It was locked, apparently. The door was locked. The windows were down. He carried the box to the poll. It was understood at the polls before the election was opened that this box had been robbed, and Mr. McKinney says that when he went there and found the box in this condition (and he was probably the person who depredated upon these ballots in this manner) he found evidences of burnt paper in the grate. When the box came to be opened the books were gone. The challengers' oath was gone, and over 2,000 ballots had been taken out of that box and burned in the grate. So when the ballots were brought to the polling place and opened in the morning, there were but 127 ballots in the box, and one of those was spoiled. One hundred and twenty-six were voted.

Mr. Collins, who was a resident of the district there and familiar with all the voters in the locality, testifies that he knows that the night before the election took place word was passed around to the Democrats to be there early in the morning to vote, because the ballots would give out. The Democrats appeared there early in the morning and were taken up the back way, according to the evidence, while others who were there to vote, members of the opposition, were delayed in front until these ballots were all voted—at about half past 8 o'clock—and there were no more ballots to be voted. There were over 2,000 ballots destroyed, and destroyed by the men who had control of the election and the custody of this box, so that the opposition had no means of expressing its sentiments upon the subject of this election through the instrumentality of the ballot box.

Then, in addition to that, these inspectors of the election, who were probably concerned or confederated in the destruction of these ballots, took no measures at all to procure additional ballots, so that the voting could go on, and the matter was finally taken up by two outside men, one a Republican and one a Democrat, who went over to Birmingham, a city about 12 miles distant, to get additional tickets printed. They got them printed and returned to the polls there about 2 o'clock in the afternoon. There was a period of over five hours when there was no voting done, when there were no votes to cast at this election. When they returned there the inspectors were asked to open the polls and go on at once with this election, but they procrastinated in the matter until about half past 2 o'clock, when in answer to a request of Mr. Vaughn to Mr. Jackson that they should open the polls and go on voting, he said, "We will get them open soon enough for you damned Republicans"; so that that was all the satisfaction they got. When the polls were opened, these men who had been there for the purpose of voting had absented themselves, especially the persons who were employed in the manufacturing establishments at Birmingham, and they were justified in absenting themselves because it was announced by two of the managers when the ballots gave out that there would be no more voting, as the votes had given out, and they might as well go home, and they were sent home.

Now, upon this subject there was a paper published in Bessemer—a Democratic paper, the Bessemer Weekly—which commented on this matter very sensibly and very properly, in unmeasured terms, condemning the conduct of those persons who had stolen the ballots in this manner, to deprive the opposition of their privilege of voting. I have not time to read the entire article, but it contains this clause:

> A crime has been committed that should be ferreted out and the perpetrators brought to the penitentiary.
>
> There is not a man in Bessemer worthy of the name of man that approves of this crime or that can look with the slightest tolerance on those who would palliate or excuse it.

This is the language of a prominent Democratic paper, showing that the sentiment of the better portion of the Democratic party in that precinct was opposed to this destruction of ballots and opposed to the excluding of voters from voting in this manner.

It has been said in the minority report that these ballots were probably stolen by the Republicans, but there is not a word of evidence that any Republican knew where these ballots had been deposited. On the contrary, there is evidence showing that no other man knew where they were or how they had been left except this man McKinney, who was one of the managers of this election.

Under these circumstances we claim, while the evidence shows that from four to six hundred votes probably had been lost by the destruction of these ballots, that there should be allowed in this case to the contestant the number of 365 votes, making the number low, for the purpose of keeping it within conservative limits.

A question of a similar character came before the Fiftieth Congress, where Mr. Lacey made a report under somewhat similar circumstances, but where the system of voting was entirely different

from this, in which upon the authority of an election case this language is used:

When a legal voter offers to vote for a particular candidate and uses due diligence in endeavoring to do so, and is prevented by fraud, violence, or intimidation from depositing his ballot, his vote should be counted.

That has received the approval of the House in the case of Niblack *vs.* Walls. The case that we now present to the House is within this principle, for these men did all they could. They were ready to vote, and they were defrauded out of their votes as effectually as though the ballots had been by physical violence taken out of their hands.

Now, passing that, we will come down to the Marion precinct. There is a peculiarity that is found only in the case of this election, as well as this stealing of the votes.

Here is a plan of the court-house. The entrance is through there [indicating], through which the voter had to pass in order to get here where the booths were. Then here is a door passing through the partition to the next room, at the opposite end of the room to where the booths were. Here is the ballot box at the opposite end. Now, then, the voter went in here first, to prepare his ballot, and after he had prepared his ballot and was prepared to go in here, the ballot was taken by Mr. Hurt, a Democratic inspector of that election, and the voter was not allowed to take his ballot through this door and go into the room where the ballot box was; but it was taken from him by this man Hurt, no voter being able to follow him and see what he did with the vote and whether he deposited it or not in the ballot box, and he had no means of knowing whether Mr. Hurt had acted honestly in the matter. Now, Mr. Hurt made a statement to a Mr. Draper, who was a Democratic friend of his, subsequent to this election, when Mr. Draper informed him of the manner in which they managed those things in Mississippi, in which he says they did not manage it that way in the State of Alabama; that they divided their voting place into these two rooms, and then they took the ballots to carry them from one room to the ballot box, and changed them as they went to the ballot box. That is the testimony of Mr. Draper, who is a Democrat according to his own testimony, and Mr. Hurt did not take the stand to contradict it or to contradict the statement; and we submit that the statement is competent for the consideration of the House, because Mr. Hurt was a co-conspirator with the other conspirators carrying on a fraudulent election.

Now, the law of the State of Alabama requires that a room shall be provided by the sheriff for the purpose of carrying on the election, and that the booths should be placed in the room. Then, in addition to that, that when the voter had prepared his ballot he should hand his ballot to the inspector to deposit it in the ballot box. This was all evaded and prevented by the machinery resorted to in this case, and a system of fraud in this matter was created and perpetrated, as in no other election case that has been brought before the attention of this House in the consideration of these cases. The consequence is that there is no reliable evidence that any legal votes were deposited in the ballot box by the persons or under the authority of the persons who gave those tickets to Hurt. A man named Nelms testified that there were 196 Democrats on the polling lists, and he gave their names.

Now, these persons, if they voted there at all, were bound to go into this room and there prepare their vote; and while he knew all these persons, he could not give the name of any of the 196 as persons who passed through this room and prepared their votes there and delivered them for the purpose of voting any ticket at that election. He does not pretend to say that they voted; but he knew their names were on the list. If these men had voted he certainly would have noticed some of them, as he knew their names. He would have noticed them as they passed through this room, and would have given us the name of those whom he recognized; but there is not a word of that kind of testimony. He gives the names of those who are on the poll list, and that poll list was made for the purpose of accommodating those who were interested on this occasion.

Another man, Moore, says that 28 Republicans belonged to a Democratic club, but he does not say that they voted. On the other hand, upon his final examination he said he had reason to suppose a good many of them voted; and that was all he said about this, showing the entire scheme through which this matter was carried on, being a device as completely effective as it could be, by placing the ballot boxes in one room and a place to prepare the ballots in the other, by means of which fraud was successfully perpetrated. As to those ballots, the committee have concluded that they should be entirely rejected. There were 45 votes for the contestant, but they were not accounted for at the polls. Two hundred and twenty votes were found to be there for the contestee, and we have allowed the matter to stand with these entirely taken out of the account.

Now, as to the other precincts, which I will go through very rapidly, there are six of them concerning which no disagreement is made on the part of the contestee, but it is admitted on their part that as to those precincts the election has been substantially as it was claimed to be by the contestant, and that no more votes should be counted than those which the contestant is allowed.

As to the other precincts, six or seven in number, we present further objections. In Gallion beat, and in Greensboro beat, and in Laneville precinct, persons were brought on the stand to swear that they voted for Underwood, colored persons, Republicans apparently, over 200 of them, and the House will see when attention is called to this fact, as it will be presently by my colleague on the committee, that the questions were written out before they were put to these persons, and they were required to answer in the words that had been prepared in advance for that purpose by the individuals who desired their testimony that they had voted for Underwood. For the purpose of showing that these ignorant people—for they nearly all signed with a cross—were induced to swear falsely upon that occasion, I will simply read a few words from the testimony of Mr. Jackson, in which he says that he was approached by one of the managers of the election and asked to swear that he had voted for Underwood. He said:

They wanted me to go in directly after dinner to say I voted, and I told him I could not do that; I was afraid I would injure myself. I told him I didn't know what to say or how when I got there, and he said, "Well, I will tell you what to say."

The evidence of Dickerson is to the same effect. He says that when he told Mr. Collins that he did not know what to swear to Collins said, "Well, we'll tell you," and that he then told Collins he could not recollect all that. That is the testimony to show that these men were corrupting voters—hiring voters to swear falsely for the purpose of sustaining the case of the contestee before this House; and the men who testified under the employment of these persons testified in such a manner that in the Gallion precinct answer after answer was repeated in the very same words by nearly 100 persons.

As to the Uniontown precinct or beat, we cut that out entirely, for the reason that the evidence shows that there were several persons noted upon the list who were at a distance of 7 or 8 miles, one of them 8 miles, from the polls on the election day, and one man's name was placed upon the list who had been dead for over eight years. Upon this subject Mr. Richard Ware testifies that he watched the polls from before they opened in the morning until 3 o'clock in the afternoon and that only 12 persons went in, but there was no vote returned for Aldrich there; showing on the whole face of the proceedings a concocted scheme for the purpose of making a false return, as it was made, and defrauding the other side out of the votes they were entitled to.

In the Five Mile precinct the ballots gave out at 1 o'clock in the afternoon. How they happened to give out no one understood and there was no explanation of it, but after 1 o'clock in the afternoon there were no ballots there and no effort was made to get ballots, and the consequence was that the voters who were ready to vote were unable to do so, having no tickets by which to express their will at the polls. We have found, on the evidence submitted to the committee, that there were certainly 40 votes lost there, but to be within the fair and square rule of safety, we have put the number at 22.

As to the Carthage precinct, there were 32 votes allowed there for Aldrich. Seventy-six persons came in and swore that they voted for Aldrich during the election; but all that we count there is 44 votes to be added to Aldrich.

Now, without going further into detail, what I have already stated illustrates substantially the manner in which this election was carried on in utter disregard of the right of the voters and of the right of the opposite party for the purpose of preventing them from voting at all, or for the purpose of putting their votes in the hands of men to deposit for them.

Mr. PAYNE. Mr. Speaker, I suggest to my colleague that it is desirable to ascertain whether some arrangement can not be made with gentlemen representing the minority by which the debate on this case shall be extended to a certain time, and then the vote be taken.

Mr. MCMILLIN. The gentleman from New York [Mr. DANIELS] announced that at the end of twenty-five minutes on a side he would demand the previous question. I said at the time, on behalf of the contestee, that we thought the time was unreasonably short. However, if we can come to some agreement by which there can be a fair opportunity for a hearing of this case we shall be very glad to do so.

Mr. PAYNE. What does the gentleman suggest as the time that the minority desire for debate under the arrangement?

Mr. MCMILLIN. My judgment would be that we should have two hours and a half on a side.

Mr. DANIELS. We have lost too much time for that.

Mr. PAYNE. That would extend the debate until pretty late in the day. Suppose that two hours were conceded, with the understanding that then the vote should be taken.

Mr. MCMILLIN. I presume I do not betray any confidence when I state that originally the managers of the case for the

majority proposed two hours, but that was rejected by us as too short a time. We still believe that the time is too short in which to dispose of an important question like this, involving the examination of nearly 2,000 pages of record, but we also realize that the situation is now not just exactly as it was then——

Mr. DANIELS. Considering all the time we have lost, I think we ought not to take two hours on a side.

Mr. McMILLIN. Mr. Speaker, I think the gentleman from New York will see, when he reflects calmly upon it, that the amount of time lost in any preliminary proceeding does not affect the question of the amount of time that ought to be given for the discussion of the substantial question at issue.

The SPEAKER. The Chair thinks the easiest disposition of the case would be to agree to two hours' debate on a side.

Mr. McMILLIN. We will accept the proposition for two hours on a side, if that is satisfactory.

Mr. PAYNE. And then it will be considered, when the other side has had two hours for debate, that the previous question is ordered, and we take a vote directly?

The SPEAKER. The gentleman in charge of the case can move the previous question, if he chooses, when the other side has had two hours or any other time, as he may please. It is not necessary to have any agreement beyond what has already been had.

Mr. DANIELS. I wish to say, in addition to what I have already suggested, that on page 14 of the minority report (and this shows the manner in which this report has been made up) it is stated that Mr. John A. Bayloe testified that the colored voters in the district were from four to five hundred and that they were Democrats. There is no such testimony in the record at all. Bayloe's testimony is that the colored vote was from four to five hundred; but not a word was said about the colored voters being Democrats. It is further stated in the minority report that Mr. Hurt, who was so skillful in manipulating these ballots at Marion precinct, was in the employment of the contestant. There is not a word of truth in that statement. He was a Democratic manager at that election, all his sympathies and affiliations being with the other side, and his disposition was to beat the contestant in this election case so far as the vote of that precinct went. That is entirely made out. There is not one fact or circumstance to show that Hurt was a friend of the contestant or in his employ. There is no foundation whatever for that statement.

This minority report in other respects assumes matters that do not appear in any form whatever in the record. It relies upon testimony of the most unreliable character that was brought before the commissioners—the testimony of men who are now before the court—accomplices of these very men who were concerned in carrying on this election in the manner I have stated, for the purpose of retaining the contestee in his seat.

The only reason why I suggested (and of course it is a matter of some embarrassment) that we confine this discussion to so short a period of time is the tactics that have been resorted to on the other side to prevent this case from being considered by the House at all. The statement has been made that they intended to continue these tactics for the purpose of preventing any vote from being reached on this case, the object being to retain the contestee in his seat.

One word further. It has been stated in a morning paper here that there was no report agreed upon by the committee in the first instance, but that all the members of the committee, except one, were in favor of the contestee. That is utterly and absolutely false. There is not a circumstance or a fact which would authorize even an inference of that kind. There was a division among the members of the committee when the vote was first taken; the committee then was not full. A short time afterwards, when it was full, it was finally concluded to reconsider this vote. Upon that occasion there were only three persons (and they were the Democratic members of the committee) who were willing to sustain the right of the contestee to the seat.

I may say, further, that while we have been ready to concede to every Democratic contestee that has come before our committee all the rights and privileges to which he was entitled under the evidence and the law of the case, and have reported in favor of such contestee whenever the evidence and the law would justify us in doing so, there has not been a Democrat among the three who were on this committee who under any circumstances, or at any time, on any occasion, was willing to make the slightest concession to Republican contestants when their cases were brought up for consideration. On the other hand, they have banded together as one man, and whenever any vote has been taken or any suggestion made, no matter what the evidence proved to be, they have voted to sustain the Democratic sitting member under all circumstances.

Mr. TERRY. I wish to ask the gentleman from New York [Mr. DANIELS] whether a great majority of the committee did not at one time agree that the contestee was entitled to the seat?

Mr. DANIELS. They did not at any time.

Mr. TERRY. I have been so informed.

Mr. DANIELS. The information is not correct.

Mr. WILLIAMS. I should like to ask the gentleman a question. Upon that final vote on which, as the gentleman states, nobody except the three Democratic members of the committee voted in favor of the contestee, did all of the Republican members vote in favor of the contestant?

Mr. DANIELS. Yes; substantially.

Mr. WILLIAMS. "Substantially." How many remained quiet without voting at all?

Mr. DANIELS. There were two that did not vote at all. One disagreed as to the computation of certain precincts; another as to the regularity of the proceedings in another precinct. That is all the difference that ever existed in the minds of the committee—all the difference that arose in the committee room on this subject. One of the members who did not sign this report has acquiesced and acted with us, and we hope during the progress of this discussion to have him express his own views before the House.

Mr. HULICK. Are we to infer from the statements of the gentleman from New York that the committee in this case has resolved the doubts in favor of the contestee?

Mr. DANIELS. Yes, sir; right along.

Mr. HULICK. That is what I have understood—that all doubts were resolved in favor of the contestee.

Mr. DANIELS. I can say further that in examining these different precincts no particular theory controlled or influenced the examination on the part of the majority of the committee. Precinct after precinct was examined separately, the result as to each precinct being put down on paper; and when the examination of all the precincts was concluded the matter was turned over to the secretary of the committee, that he might go through and pick out the items and do the footing. No member of the committee did any footing in reference to the results. Whether the result would have come out in favor of the contestant or the contestee, the committee was ready to stand by the footing made by the secretary. When the footing came it turned out that there was a majority of 220 in favor of the contestant, and that, too, without counting the vote in one of the precincts which had by mistake been left out, a precinct in which there was a majority of 13 in favor of the contestant, making the majority 233 votes in favor of the contestant as against the contestee. There was the utmost care and caution exercised in all these investigations for the purpose of avoiding the possibility of injustice. And I can say there was no feeling on the part of any member against the sitting member. On the contrary, all spoke well of him as a man and as a gentleman; and if we could have come to the conclusion to retain him in his seat consistently with the evidence there would not have been (as there was not in the Maddox case) one dissenting vote against that conclusion. But they were driven to the result that was adopted by the full and complete examination given to the matter, precinct by precinct, when they found these were the absolute figures, and that by reason of them the contestant was undoubtedly entitled to his seat.

I may say further, Mr. Speaker, in reference to the article published in the newspaper this morning, to which my attention was called, without going through it, that there is not one important fact so far as this election case is concerned that is true. On the other hand, all of the statements made in reference to the action of the committee are without foundation. It has been written and published on this question to meet the contest before the House for the purpose of improperly influencing or attempting to influence the House or the members of the Committee on Elections in the disposition of this case. And it has been signed by an ex-Congressman who has not given his name and was unwilling to take the responsibility of vouching for the truth of the statement. In fact there is not a material statement in it that is found in the record of the case.

Now, I presume the other side will wish to be heard, and I reserve the remainder of my time.

Mr. UNDERWOOD. Mr. Speaker and gentlemen of the House, I am suffering this morning from a very hoarse cold, and shall consider it a great privilege if I can have quiet in the House while I undertake the discussion of this question. In the discussion of the case I do not wish to reflect upon any member of this committee. I do not wish to reflect upon the members of the House, but I do believe that the report of the majority of the committee has misquoted the evidence, and without intending any reflection on the honorable gentleman from New York [Mr. DANIELS], I hope he will pardon me when I state to this House wherein I believe that the evidence in the case has been misquoted to the House in that report.

Let us consider first the Elyton precinct. That is in Jefferson County. Jefferson County is the county in which the city of Birmingham, Ala., is located—the great iron center of the South. There are men living in that county from one end of the Union to the other who have money invested and property interests there. It is largely constituted of a white population.

This committee charged that the election officers in that county were selected only in the interest of the Democratic party; they charged that the managers of the county and the Democratic officials have not given fair representation at the polling places. I challenge the statement, and I challenge the gentlemen to deny the counter statement that my honorable opponent furnished a list of the persons he desired to represent him as election officers to the probate judge, the clerk, and the sheriff of that county, and that they appointed the men that he selected.

This report says that men were appointed who were weak and unable to look after the interests of my honorable opponent. But again I challenge the gentleman to deny the proposition that Mr. Fountain, the chairman of the contestant's Congressional committee, furnished a list of the men Mr. Aldrich desired to represent him in the election, and that they were appointed as requested by him.

Mr. DANIELS. I did not so understand the testimony of Mr. Lester. I understand from the testimony of this witness that they were ignorant men who could neither read nor write.

Mr. BARTLETT of Georgia. That was in reference to Perry County.

Mr. UNDERWOOD. That was in Perry County; but the same allegation was made there as with reference to Jefferson County. The Republicans furnished a list of their inspectors, except in three of the precincts, and there they refused to furnish them, and their reason for not asking representation in those precincts, they alleged, was because there were no white men acting with your party in these precincts, and that the Republicans would not furnish the names of colored men. Our party gave you representation on all of the election boards where your party asked for representation. That is a fact shown by the record. And the report of the minority of the committee shows the page where you can find the names of the witnesses who testify as to the appointment of these election managers in these various precincts.

Now let us consider this Elyton precinct again. The gentleman from New York says they have resolved all questions of doubt in favor of contestee. Here in this great white county in Alabama, where the contestant had managers of election selected by himself, they say that 19 votes should be rejected. Why? Because there were unfounded challenges. The report admits that. Under the law of Alabama when a voter presents himself for the purpose of casting his ballot if there is any citizen of that precinct who believes he is not a qualified voter he has a right to challenge the vote, and then the voter must either produce some one to identify him and prove that he lives in the precinct or make an affidavit that he is a resident of the precinct.

But the gentlemen say that we required negroes to be identified by white men. If that were true, gentlemen, it would be manifestly unfair and unjust and would have warranted the rejection of this precinct. But I say that the evidence does not show it. On whom do they rely to prove that assertion? They say that a man named Diffey, a colored man, says that colored men were required to be identified by white men. Let us see what Diffey says. You will find it in the record, on page 349. Mark you, they say that this man Diffey says colored men were required to be identified by white men. What does Diffey say? He says:

I voted at Elyton and I am a Republican.

He was their witness.

Q. Did you see the managers of that election refuse to allow any persons the privilege of voting? If so, state how many.
A. I can not say the managers refused them. I know that they were refused and that they stated to me that their vote was challenged. There were about 15.
Q. Do you know whether or not the managers of election in beat 9 in November required the colored people to be identified by any particular persons or class of persons? And if so, state by what persons or class of persons.
A. I could not say that they required any particular class of persons, because I identified one man myself.
* * * * * * *
Q. Did the managers of election refuse to allow any person to vote that you identified that day?
A. No, sir; they did not.
Q. Was there much of a crowd around the polls?
A. No; the crowd was small.
Q. Are you a colored man or a white man?
A. I am a colored man.

Now, I ask you in all fairness, do this committee resolve the doubts in favor of the contestee in this case, when they misquote the evidence in this case in this way?

But this is not all. Diffey says that there were only 15 men challenged. Their own Republican manager says there were about 12. I do not quote him exactly, because I am quoting from recollection. There were 5 colored men put on the stand who said they were challenged. Diffey says he watched all day and there were only 15. This report counts for contestant 19 men by adding to the number that Diffey says he saw the 5 who testified themselves. In other words, they count those men twice.

Mr. DANIELS. I desire to correct the gentleman. The report throws out only 5 votes.

Mr. UNDERWOOD. The gentleman's report says it only throws out 5; but in making up the figures the gentleman will see that the report says they should add to contestant's vote so as to make it 87 in this precinct. Now, the original vote was 68, and when they make it 87 there is added 19.

Mr. DANIELS. No; I will state that this reduction from 19 to 5 was made after the report was first drawn and read to the committee. It was suggested that it should be reduced to 5, and it was reduced, and in the footing which is made by the secretary of the committee the vote is put down at 5.

Mr. UNDERWOOD. I would not say anything in the world for which I have not the figures. If I have made a mistake in what the gentleman says in his report I am glad to be corrected. I do not want to misinform the House. But I will read what the report says:

They all said they were Aldrich men. In this manner there were 5 colored votes unlawfully refused which would have been cast for the contestant. They should be added to his vote, making it 87 in this precinct. There were no such abuses as will justify the exclusion of the vote in this precinct; but it should be increased as already stated.

The returns of the officers show that Mr. Aldrich was allowed 68 votes. Now, how can you add 5 to 68 and make it 87? They make it 87, and if you will add up the computation of the final figures in this case you will find that it requires that 87 to make the footing which they find. If the gentleman has made a mistake in his addition, I am glad he has corrected it.

But they say that we required white men to identify colored men. There is some testimony on that point, and I want to give you the full benefit of what it is. There is just one witness who says that he was told to go and get a white man to identify him. He does not say that the managers told him, but he says that the man challenging his vote told him. There is another witness who says that he was told to get a boss man to identify him; but he says that the man who challenged his vote told him that, not that the managers of election told him.

Now let us see what Mr. Pettyjohn says. He is asked this question, which will be found in the record on page 207:

Q. State if you saw any person that day challenged or not allowed to vote; and if so, what reasons, if you know, were given.
A. I did; the parties were challenged on the ground that they did not reside in the beat.
* * * * * * *
Q. Were there any colored voters identified by colored witnesses that day?
A. There were.
Q. Upon such identification were those voters permitted to vote?
A. They were.

Now, gentlemen, there is your Republican manager. There is the man that you selected to represent your interests, who says that these colored men were allowed to be identified by colored men, and that they were allowed to vote; and yet, in the face of that evidence, this committee brings in a report telling this House and telling the people of the United States, as a reflection on my constituency, that we deprived these colored men of their votes by requiring them to get an impossible or a wrongful identification, when your own man says it is false.

Take the next precinct—the Birmingham precinct. What do they charge here? They do not charge that there was a false return. I will call attention to the fact that the gentlemen selected at this box to represent my honorable opponent were selected by him as they were in the other case. But who were they? One was W. A. Smith, whose father was a Republican governor of Alabama. He is one of the most prominent Republicans in our city, an able lawyer and a man of high standing in our community. He represented them at one box. And the next, C. A. Meisener, a Republican, general manager of a furnace company. At the next box was Mr. R. L. Houston, an appointee of President Harrison as postmaster at Birmingham. At the next box Mr. L. L. Schwartz, a prominent merchant.

Now, with these selections, when my people appointed such men as these to represent the Republican party at these boxes in Birmingham, do you not think it is a slander on those people for this committee to come here in this report and charge them with not giving you fair representation at those boxes? But they say that by reason of arrest and intimidation these voters were driven away from the polls. What is the evidence? The facts show that the Republican managers in this campaign got out a dummy ticket, a dummy identical with the official ballot that was voted, and it was circulated among the voters. Now, in Alabama we work under what is called the Sayre law—it is really an Australian ballot system. The law is an educational qualification to some extent. The law provides that—

Any person * * * who aids or attempts to aid any elector by means of any mechanical device, or any other means whatever, in marking his ballot, or shall print or procure to be printed, or have in his possession any copy of the ballot proposed to be voted, shall be guilty of a misdemeanor, etc.

In the face of that law, the Republican committee in the town of Birmingham printed ballots identical in size—you will find that in Mr. Mothershead's testimony, the testimony of one of the attorneys for the contestant here—a ballot identical in size with the official ballots, with the names on it the same, except that

opposite the name of my honorable opponent was a cross mark. Then they took that to the polls and furnished it to the voters, under instructions to take the dummy ticket into the box, lay it alongside the original ticket, and when they fit the top and the bottom the cross at my opponent's name would fall opposite his name in the original ticket, and they instructed them when they matched these tickets to make a cross mark opposite the place where it occurred on the dummy ticket, which is in clear violation of this law. Why, the gentleman himself, in his report, admits that these men who were arrested were lawfully arrested, and then he says that we made the arrests to intimidate the voters.

Well, how many arrests did we make? In the whole city of Birmingham, a city of 40,000 or 50,000 souls, where 4,000 or 5,000 men were registered, on the day of election there were just 5 men arrested for using these dummy tickets, and I challenge the gentleman to show that there was a single other arrest. This report says that they were arrested and then discharged, leaving the impression on your mind that a fraudulent arrest was made for the purpose of harassing them, when the facts show that they were discharged, and I refer you to the testimony of Mr. Oldham, on a demurrer on the indictment, because the indictment did not show at what election they were using these dummy tickets.

But on what testimony do they seek to throw out these ballots? On the testimony of two men, one a colored man by the name of Simpson. He says that when one of these arrests was made that a crowd of 50 men was around him, and that they scattered and never came back to the polls. Mark you, there were two voting boxes in that beat, and the voters had the privilege to vote at either. Of all the persons who were there he can not name anybody but the man who was arrested, and yet he goes on the witness stand and says that they scattered, and on the testimony of that one witness they count 50 votes for the contestant.

On the testimony of Vincent Tilley they seek to count 9 votes. They do count 9 votes. What does he say? He says that himself and 9 men were put out of line by B. A. Thompson, a deputy sheriff, and prevented from voting. That is on direct testimony. On indirect examination he is asked, "Did you vote at the south side?" and his answer is, "Yes, sir." Gentlemen will find this testimony on page 326 of the record. Mr. Thompson says that he did not put Tilley out of the place at the November election, but that he did put him out at the August election because he was crowding the booths where they were marking the ballots for illiterate voters, and that he merely put him out of line until those men could be voted, to keep him from crowding the polls. Vincent Tilley himself says that he voted on the south side, and on cross-examination he is asked whether the other 8 men that he says were there voted, and he answers that he does not know. And yet, on that testimony, those 9 votes are to be counted for the contestant! Now, I appeal to you gentlemen, in all human fairness, is that resolving the doubts in this case in favor of the contestee, as the gentleman from New York says he did in preparing his report?

As to the Bessemer box, the gentleman from New York says that a Democratic paper wrote an editorial condemning the fraud there. That Democratic paper condemned the burning of those ballots not more than I do, but as I challenged my honorable opponent, so I challenge this committee, I challenge anybody, to say that throughout this whole election from beginning to end I have not done everything in my power to give my honorable opponent a fair election. At this Bessemer box it is true that the probate judge, clerk, and sheriff sent the requisite number of tickets, and it is true that some one went into the sheriff's office that night and burned all of those tickets except 127. Mr. McKinney, the man in charge of that box, was put on the stand by us, and he swore that he had nothing to do with the burning of those tickets, and that he did not know who did burn them.

Mr. DANIELS. The gentleman is mistaken. He does not say any such thing. Mr. McKinney does not testify that he did not know who burned the ballots.

Mr. UNDERWOOD. My recollection is that Mr. McKinney does say that he did not have anything to do with it.

Mr. DANIELS. No, sir; you are wrong there.

Mr. UNDERWOOD. Mr. McKinney was put on the stand and cross-examined, and he says he had nothing to do with it, and if he does not, in so many words, say that he does not know who destroyed the tickets, the gentleman on the other side did not cross-examine him as to whether he knew or not. Probably it was an oversight. But I say there is not a particle of evidence in this case to show, and I challenge the gentleman to produce any evidence to show affirmatively that Mr. McKinney did know who destroyed those ballots, or that he had anything to do with the transaction. We put the Democratic officials, we put the Democratic election officers, we put the manager of my campaign and everybody connected with me in the election on the stand, where they were subject to cross-examination, and they testified that they knew nothing about the destruction of those ballots. What more was possible for us to do? The testimony of contestant utterly fails to connect any Democrat with their destruction.

Now, if my honorable opponent lost votes by the loss of those tickets at that precinct, whether we are responsible for it or not, those votes should be counted for him. But the testimony is that when the ballot box was opened and it was found that there were but 127 ballots in the box the Democratic election officers sent Mr. Tillman to Birmingham to get more tickets, and that the other side sent Mr. Carwile; that those two men went to the probate judge and he furnished them more tickets, and a majority of the witnesses testify that those tickets got to the poll at 1 o'clock. The other witnesses swear that they got there at 2 o'clock; but the uncontradicted evidence shows that during the afternoon the voting at that precinct was slight, and that during the latter part of the afternoon there was full opportunity for everybody to vote who desired to do so. It is true that the evidence shows that when the tickets gave out in the morning there were two or three hundred men around the poll who did not vote, but the evidence also shows that there were two or three hundred men who did vote there in the afternoon.

Mr. Cook, one of the contestant's witnesses, one of the witnesses relied on in this brief to substantiate and make out the contestant's case, "guesses" that there were about 200 men deprived of the opportunity to vote, although he can not name a man of them, and yet this same witness, who can guess with so much facility, states that Mr. Schwabacher, one of the men whose names appeared on the poll list, was a dead man, whereupon we produced Mr. Schwabacher and put him on the stand and he swore that he was and had been alive and present at the polls and had voted.

Now, that is the kind of witnesses they bring to prove their case, men who will recklessly swear that a man whose name is on the poll list is dead when in fact he is alive and has voted. What does Mr. Carwile himself say about these tickets? He says he thinks there were two or three hundred men who did not vote in the morning, but he admits that he is only "guessing." In the first place, they say that we told those voters to leave and that they left, but Mr. Carwile himself says:

Then I went among the crowd—myself and others—and tried to convince the people we would get the tickets. In a short while afterwards—I can not say how long—Mr. Vaughn came with the tickets.

I read from another place in his testimony:

Q. How did you get your estimate that there were three or four hundred men who did not vote on account of lack of tickets?

A. It was an estimate I made up, seeing the men on the street. I suppose you might call it a guess.

"I suppose you might call it a guess!"

Mr. LACEY. How far did they have to go for their tickets?

Mr. UNDERWOOD. They had to go 12 miles for their tickets. There were two "dummy" lines and two railroads. It took about an hour to go and an hour to come back.

Mr. CLARKE of Alabama. How many trains were running?

Mr. UNDERWOOD. The trains ran on each line every half hour.

Now observe how fair the committee has been in considering the evidence in this case. Here is what they say in the report in reference to the managers who were appointed to represent the Republican party:

But these appointees were not the persons whose selection was desired by the combinations opposing the Democrats. They were, on the contrary, inexperienced persons whose good intentions could be readily frustrated by their wily and expert adversaries.

Now, the gentleman from New York will find in Mr. Stile's testimony the list that was handed in by the contestant's chairman; and on that list he will find the name of Mr. Spencer, the Republican election manager at that box. Yet it is claimed that these men—the very men that they selected themselves, as this report says—were not competent to look after the election. But although they had their own election managers, they took the precaution to have every man who voted for my opponent go before a notary public and make affidavit that he voted; and those affidavits are in the evidence. On page 251 of the record you will find the evidence of Mr. Reville, the man who took the affidavits, and the evidence shows that they tallied exactly with the returns.

Now, when they have put every man's name on the poll list that voted for their candidate (and they had the registration lists), is it not strange that they come here claiming 365 votes without being able to produce or to name the men who they say failed to vote for them? Was there ever a case where votes were counted where the men voted without knowing whom they voted for? Was there ever a case where men voted without telling whom they voted for or without somebody else telling? There is no evidence to show that those 300 men who were round the polls in the morning may not have come back in the afternoon and voted. I say that by following the action of the committee in this case you establish a precedent the like of which is heretofore unknown in the history of contested election cases. It is proposed to count

365 votes of men who are absolutely unknown and whom the witnesses for the contestant can not find, can not identify, and can not say whom they voted for.

I admit that there were four or five men—possibly seven or eight—who testify that they came to the polls in the morning, went away, and did not come back again. But outside of those there is not a man of those 365 supposed to have voted for Mr. Aldrich who has come forward and testified that he did so vote or would have so voted; and there is not one of these guessing witnesses who can name any of these supposed voters. Yet you propose to deprive me of my seat in this House, and to deprive my constituents of their right of representation by the man whom they have selected, on such evidence as this; because it requires these 365 votes to change the result (220 the report of the committee says would change the result); and you propose to do this without knowing any of these men whose votes you propose to count, and without any evidence identifying them or showing how they voted or would have voted.

So much for Jefferson County. I must hurry on, as my time is limited; and I want to call attention now for a few minutes to Blount County, where it is said the contestant was not fairly treated. I call attention to the fact that the machinery in that county was in the hands of his party or the party associated with his; it was in the hands of the Republican party and the Populist party. If you will look at the testimony of Mr. Hudson you will find that we furnished a list of men whom we asked to have appointed to represent me at the polls in that county, and that their appointment was refused. It is true that some of the men appointed were Democrats; but as to numbers of others, we did not know whether they were Democrats or not. As to two boxes, which are well known always to give Democratic majorities, the election managers representing my honorable opponent returned those boxes to the county board of inspectors; and those officers threw out the boxes and refused to count them for me. It is true the committee counts those votes for me because I brought forward the voters and proved their votes. But this circumstance shows that the cry of high-handed fraud does not apply alone to the Democratic party; that in the counties where the contestant and his party controlled I was not allowed the representation that I gave to his party in my county; and votes lawfully cast for me were wrongfully rejected.

Furthermore, I want to say that from Pratt Mines beat, in Jefferson County, a return came in unsigned, just as these did in Blount County; but the probate judge, clerk, and sheriff of Jefferson County, the men whom this honorable committee would condemn as conspirators and ballot-box stuffers, counted that precinct, with 300 majority for my honorable opponent, although the representatives of the Republican party in Blount County, under similar circumstances, refused to count the votes for me.

Now let us go to the lower counties. Let us take Marion precinct, where I received 238 votes, which the committee disregard; where Judge Shivers gave our opponents the representation that they asked; where they had Mr. Lester as their representative at the box. It is absolutely true that the booths were in one room and the ballot boxes in the other. But the law merely says that the sheriff shall provide a suitable room in which to conduct the election. Any lawyer will recognize the fact that that provision is merely directory, not mandatory, and that what was done at that precinct did not violate the law and does not make it necessary to throw out the vote, if the election was otherwise fair, merely because the ballot boxes and booths were in two separate rooms.

At that box the testimony shows—Mr. Lester's own testimony—that he was satisfied with the clerks who had been appointed. The law requires not that the voter shall put the ballot into the box, but that the manager shall take the ballot and put it in. That provision of the law was complied with. Mr. Lester, your own man, your own manager, says he went with Mr. Hurt with the vote in his hand, and on almost every occasion he saw him put it into the box. That is what your man establishes by your own proof.

But they say I can not have any votes because I have not proven my vote; that I did not prove that these men were on the poll lists. Now, gentlemen, this poll list is not attacked. It is true the returns are attacked. It is true that the returns were reduced or changed. That is true, but they were not changed in my behalf.

They were changed against me. According to what the witnesses testify was the real vote that my honorable opponent received, they place the number at only 15 votes, but the returns came in giving him 45. It was not, therefore, a change in my favor, but a change in his favor.

But they say that there is no proof that these men voted. Now, mark you, Mr. Lester, your manager, says that 302 men voted. He identifies the poll list. The poll list is not attacked, as I have said. There is nobody who has come forward to challenge the poll list. The poll list was introduced by the contestant himself.

You understand that whenever a man comes to vote in our country he gives his name to the clerk, who writes it down, and the list of voters thus kept is returned to the probate judge with the ballots. Now, here is the certified poll list kept in that manner not introduced by us, but introduced and put in evidence by the contestant himself. He uses other poll lists in the same way to attack other precincts; and yet the honorable committee say that there is no evidence as to who voted at this box. I ask you what better evidence can be furnished than this? Is it not the highest evidence, especially when it is introduced by my honorable opponent himself in support of his case?

Now as to the men who voted. The testimony shows that Mr. Nelms took the poll list in his hand and went over it and was asked various questions, as, for instance, "How did this man vote?" "Do you know this man?" "Is he a Democrat or Republican?" and so on, and he proved the names on that list. And that is legitimate. All the authorities on elections recognize that it is a legitimate way to prove how a man voted. He takes this list and picks out 196 names from the list who he swears voted the Democratic ticket. The poll list proves that they were voters. Mr. Le Vert and Mr. Lester swear that the 302 men whose names were on the poll list cast their ballots. Not all of the names are on the poll list whom Mr. Nelms identified as having voted. He says that 196 are Democrats, and they were Democrats who cast their votes that way all the time. Again, Sterling Moore testified that there was a Democratic colored club in that town with 66 voters in it and that they voted the Democratic ticket. He selects from the names on the poll list 28 men he says voted the Democratic ticket.

Mr. DANIELS. I would be very glad if the gentleman from Alabama would state where and in what part of the testimony he makes that assertion. Sterling Moore says, "I have reason to believe," or something to that effect, that they voted the Democratic ticket.

Mr. UNDERWOOD. Well, of course he could not say absolutely that they voted the Democratic ticket, that he saw them fix the tickets up and put them in, for he could not have been able to do that under the law. He could not swear absolutely that he knew it, but he swears that he has reason to believe it, that there are reason which induce him to believe it, and in this particular instance he swears that these men belonged to a club that was well known to have been organized and was working for me. Now, if that is not good ground for basing a reason for belief upon, I should like to know what is.

Mr. CLARKE of Alabama. And did not the committee give 365 votes at Bessemer to the contestant simply on the opinion or belief that if they had cast their vote they would have voted for the contestant, without any testimony at all as to how they voted?

Mr. UNDERWOOD. Yes; and as my friend from Alabama says, they gave my honorable opponent 365 votes at Bessemer, where they could not name a single voter, and with no testimony to show even a reasonable belief as to how they would have voted.

Mr. CLARKE of Alabama. And simply on the opinion of somebody that they would have so voted.

Mr. UNDERWOOD. It was simply guesswork. But they were organized in a club at Marion, and this man who knows them says he believes these men voted for me and gives the reasons for that belief, which reasons are fully embodied in his testimony contained in this record.

Now, gentlemen, all I have to say is that if you count these votes for me that I prove in Marion precinct, they elect me, and I say you can not, under any rules of evidence, disregard them.

But as my time is almost exhausted, let me hurry on to Greensboro precinct. In that precinct they put a colored man on the stand who watched the polls, and he testifies that 183 men entered the polling place. They admit that in these precincts they ordered the Republicans not to register and not to vote. That evidence is not contradicted, that that was the order of the executive committee. Now, this man admits that he saw 183 men enter this polling place, and he says that there were other doors by which others could enter. I only got 238 votes there. He admits 183 by name, names the men and tells who they were. Well, now I prove the votes of 51 other men on that poll list. I put 39 of them on the stand themselves. I proved the votes of the others by other witnesses, which made me prove every vote I received in that precinct.

Mark you, there was an admission of 183. Add the 51 which I prove, and I have proved every vote in that precinct except 7 or 8. I put the election managers on the stand and they swear that the vote was honest and straight. Yet this committee rejects that precinct and refuses to take the testimony of those witnesses whom I put on the stand. They are white men. Here is Mr. Lawson, a prominent banker; here is Mr. Massey, the head of the college; here are prominent merchants, farmers, and preachers in this list. If you will look at the minority report on page 12 you will find the men who were put on the stand, with the page of the record showing where you can find their testimony. Yet this committee, which, as the honorable gentleman from New York [Mr. DANIELS] says, have resolved all the doubts in my favor,

reject those 51 votes, and say that those 39 white men, lawyers, preachers, merchants, and doctors who took the stand and swore that they voted for me have perjured themselves. Gentlemen, I say are you going to reject the testimony of those 39 men and throw out that precinct on the testimony of this one colored man, who says he only saw 183 men go into that polling place, but admits there were other doors at which they might go in? Or are you going to say that he was simply mistaken, in view of the fact that these men have taken the stand and say on their oaths, subject to cross-examination, that they were there and voted for me? Count that box and you elect me.

Mr. BURTON of Missouri. Are these 51 men in addition to the 183?

Mr. UNDERWOOD. Yes. Of course, it was not necessary for us to prove the votes that they admitted.

Mr. HARTMAN. Is there no other evidence to contradict the evidence of these 39 men except the evidence of this one colored man?

Mr. UNDERWOOD. That is all on that point. Mr. Hobson swears that there are 50 men on the poll list whom he does not know; but we prove all except nine men.

Mr. HARTMAN. And nobody disputes it except this colored man?

Mr. UNDERWOOD. The colored man is the only one.

Mr. DANIELS. I ask the gentleman right here if Mr. Simms, a merchant, did not take an account of the men who went in there, making a memorandum of their names, and did he not state the number?

Mr. UNDERWOOD. That is what I say.

Mr. DANIELS. No; you say there was a colored man.

Mr. UNDERWOOD. Simms is a colored man. He says so in his own testimony.

Mr. DANIELS. He is a merchant.

Mr. UNDERWOOD. But he is a colored man. He keeps a huckster's store there in Greensboro, and I believe Simms swore to the truth. I believe that when he was sitting there all day watching his huckster's stand, some of these men may have passed him. And he admits that there were other doors by which these men might have entered. I do not say Simms swore to a lie, but I say he did not see all these men who went in and who swore that they went in. I say you can not, on that evidence, say these men have sworn falsely, and if you do not say they have sworn falsely, you must count this box, and I am elected.

Mr. LACEY. How much would it amount to?

Mr. UNDERWOOD. It would amount to 238 votes.

Well, now, take Gallion precinct. In that precinct they put some men on the stand who swore that some of my attorneys offered them 75 cents apiece to testify. That was in rebuttal. We had no chance to meet it; but that simply amounts to this: We paid the men who testified, as the law requires that they shall be paid, 75 cents. I have no doubt that when the officer went to summon these men from their fields and their plows, when they told him they could not come; that they did not have time to leave their work, he told them they would get 75 cents to come and testify; but the vote of that precinct where I got 272 votes is rejected on the testimony of one man named Jeffries, who says that he watched the polls all day. There are six reputable white men who say that Jeffries did not watch the polls all day. Jeffries admits that he saw 31 white men and 21 colored men go in there and vote. He admits that the colored Republicans were not voting, and yet this committee only counts, I believe, 38 votes in that box, when their own evidence admits 51.

But, outside of his own admission, we prove by six men that he did not stay there and watch the balance of the day, but that he was in the back room of a store picking a banjo. We put 133 colored men on the stand who swore that they went there that day and voted for me.

Mr. DANIELS. I would like to ask the gentleman a question.

Mr. UNDERWOOD. Certainly.

Mr. DANIELS. I understand you to say that the committee only allow you 38 votes there.

Mr. UNDERWOOD. I think so.

Mr. DANIELS. We allow you 183 votes.

Mr. UNDERWOOD. At Gallion?

Mr. DANIELS. At Greensboro.

Mr. UNDERWOOD. I am speaking of Gallion. At Gallion I think it is 38 votes.

Mr. DANIELS. You are right.

Mr. OWENS. Do I understand you to say that there were one hundred and thirty-odd negroes who swore they voted for you against the Republican candidate?

Mr. UNDERWOOD. Yes, sir.

Mr. OWENS. Was your opponent the Republican candidate?

Mr. UNDERWOOD. Yes, sir; but you understand, gentlemen, that your party told these men not to vote. Our party asked them to go to the polls and vote; and now, when you turn me out in this case and reject this Gallion precinct, you say to the world that these men whom your party is responsible for, having given them the elective franchise, in whose hands you have placed the ballot, that when they go to the polls and swear they voted for a Democrat, because they have sworn that they have voted for a Democrat, they are unworthy of belief. That is the record you make in this case when you reject this Gallion precinct, with these 272 votes, which alone would elect me. Well, now, I can not more fully discuss the details of the testimony; but let us go to Laneville precinct. Now, your witnesses have admitted 63 votes. There were 102 votes cast for me. The Republican chairman, Weems, said that there were more negroes who affiliated with the Democratic party in this beat than in any other beat in the county. They admit 63 votes there. We put on the stand every man whose name appeared on the poll list outside of those, and they swore they voted for me. Here is the strange thing in this case, gentlemen.

The record shows an order—it is printed, and in the record—whereby you told these colored men not to go to the polls and vote. Your own witness, Hylton, who admits 63 votes, but says there were 24 of these colored men, and he says he "believes they are Republicans." Now, on the strength of his testimony that they were Republicans, this honorable committee counts them for my opponent, when these men went to the ballot box and cast their votes against the orders of the Republican party not to vote, when your witnesses admitted that they tried to keep them away from the polls. Is it not fair to presume that they voted the Democratic ticket? But you count them for the Republican ticket. They admitted that they voted, and we put these men on the stand—19 of them were put on the stand—and they swore that they voted for me. Here they are, on page 13 of the record. Gentlemen, you will find the names of 19 of these men who are voted for my honorable opponent by the Election Committee. These men went on the witness stand and testified that they went to the polls and voted against the orders of your party. These 19 men took the stand and swore that they voted for me, and yet——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. UNDERWOOD. I will ask a little further time from the gentleman who has control of this matter. I believe we have two hours.

Mr. STALLINGS. I yield the gentleman such time as he needs.

Mr. UNDERWOOD. The report of the committee elects my honorable opponent by 220 votes. Now, these men, gentlemen, whom this committee counts for Mr. Aldrich on the statement of your own witnesses went there and voted, and voted against your order, and swore they voted for me, yet the honorable gentleman from New York in writing this report says that these 19 colored men have perjured themselves, and that you should not listen to their testimony, but on the testimony of this man Hylton, who "believed" that they are Republicans, he will count them for the contestant.

Take that record to the country, gentlemen. Take that record and go before the people of the United States and say that you do the fair thing when an election case is presented to this House. I say to you that bold was the man who stole the sacred fire of heaven and hid it in a hollow reed, but not less bold is he who steals the elective franchise from the people of Alabama and hides it in a hollow decision of this House. It is true I regret to lose my seat, but I am not arguing this case for myself. I feel it my duty to my constituents to let the country know on what evidence they are charging my people with fraud. I have not time to go through the rest of this testimony. I have pointed out more than a half a dozen precincts that if you counted would elect me. But I say to you in conclusion that when you decide this case against me you are putting a precedent in the decisions of this House that you will regret in the future. You have put this bitter cup to the lips of the people of Alabama, but I warn you to pause lest some day even-handed justice shall place the poisoned chalice to your own lips. I thank you, gentlemen, for your kind attention. [Applause.]

Mr. STALLINGS was recognized.

Mr. STALLINGS. Mr. Speaker, as I understand the situation, the gentleman on the other side [Mr. DANIELS] has about twenty minutes, and they also have two hours remaining on the side of the contestant. Now, I do not think it is fair that both of the hours allowed to the contestee in this case should be consumed following each other, thus giving the other side more than an hour and a half for their conclusion.

Mr. DANIELS. I will say to the gentleman that probably we shall not occupy the whole of that time.

Mr. STALLINGS. Then, Mr. Speaker, as I understand, there will be only one speaker on the other side after I conclude for the contestee?

Mr. DANIELS. I do not say that; but we are ready to go on now if the gentleman prefers.

Mr. STALLINGS. Under the circumstances, Mr. Speaker, it seems to be necessary for us on the side of the contestee to occupy

our time now. As I understand, under the custom and the rule of the House, it is for the contestant to conclude; but it seems here that the contestant is not only to conclude, but he is to have two hours in which to make the concluding argument.

Mr. DANIELS. We are perfectly willing to go on now. Do I understand from the gentleman from Alabama that he prefers not to go on?

Mr. STALLINGS. I would prefer that the other side should occupy a portion of their time now, and then let me go on.

Mr. DANIELS. Very well; I yield to the gentleman from North Carolina [Mr. LINNEY].

Mr. LINNEY. Mr. Speaker, in my opinion, we do not attach sufficient importance to the investigation of these causes. Upon reflection, I believe that one of the greatest intellectual contests that has ever taken place in this Capitol was the contest in which that trio of immortal Americans took part, Mr. Blaine upon the one side and Senators Thurman and Lamar upon the other, in the other end of this Capitol in 1878. The President of the United States in his message had called attention to the fact that there were complaints in certain sections of the Republic of the placing of corrupt hands upon the ballot box. Following that message the resolutions of the nation's darling, the late lamented James G. Blaine, were introduced in the Senate. Those resolutions provoked a discussion which is justly celebrated for the bringing to bear of eloquence and learning that have never been surpassed in the Senate of the United States. I will read a brief extract from the message of the President of the United States which resulted in the introduction of those resolutions:

It will be for the Congress for which these elections were held to make such examination into their conduct as may be appropriate to determine the validity of the claims of members to their seats. In the meanwhile it becomes the duty of the executive and judicial departments of the Government, each in its province, to inquire into and punish violations of the law of the United States which have occurred.

Here, Mr. Speaker, the attention of this Federal legislative department of the Government is directed to the fact, the important fact, that it is only in Congress that a remedy for stealing votes can be applied. There is no more chance to correct this great evil in the State courts than there is to shoot off the horns of the moon with a popgun. [Laughter.] Why do I say so? I say so because gentlemen on this floor will bear me out in the assertion that in the charges delivered by our judges throughout the various States of this Union, especially throughout the Southern States, you have rarely heard any mention made of election frauds. You hear elaborate arguments presented by our judges upon assaults and batteries, upon forcible trespasses, upon the obtaining of goods under false pretenses, upon forgery, and matters of that sort, but only a line, if even so much as a line, is ever given by the courts to the greatest of all questions, to wit, the right of the suffragan to cast his ballot and to have that ballot counted as cast. [Applause.]

It is refreshing, however, now to know that our judges of the South, and especially of North Carolina, are doing their full duty in this respect. I recollect on one occasion, in a jocose spirit, approaching a judge in my own State, a great and glorious man, and saying to him, "Judge, I will go 20 miles to hear you deliver an elaborate charge upon the crime of laying corrupt hands upon the ballot box." The judge turned to me in the same jocose way and said, "LINNEY, if you will wait until some ragged Radical steals a Democrat's votes, you can hear the charge without walking 10 steps." Of course that was a joke on the part of the great judge; he did not mean it seriously, but it becomes icy logic in many States of this Union, and it means that no adequate remedy for the laying of corrupt hands upon the ballot box is to be found in the courts in the past.

The President of the United States was right in his message. Following that message came the resolutions of Mr. Blaine. Then followed the great discussion between Blaine on the one side and Senators Thurman and Lamar on the other. This biography of Mr. Lamar which I hold in my hand states that when Senator Thurman had concluded his speech there went through the Senate Chamber a murmur that there must be an additional reply to Blaine's argument, and that that great leader of thought in the South, Senator Lamar, was expected to make the reply. He did so; and I want to call the attention of members of this House, and especially of my friends from the Southern States (whom I recognize as being the peers of any people on God's green earth), to the reply of that distinguished leader of Southern thought, Mr. Lamar. I read his language:

No, sir; the doctrine that I stated was that if the right of suffrage be invaded anywhere, or any constitutional right infringed in any quarter or by anybody, it shall be maintained and enforced if necessary by all the constitutional power of the Government.

A noble thought was this suggested by that distinguished leader from the South. In other words, his doctrine was: Better that the constitutional power of this Government shall be exhausted than that the rights of one suffragan shall be infringed upon anywhere in the United States. I recall, Mr. Speaker, a declaration which, if true, was the highest compliment that has ever been paid to any party organization in the United States. I believe it was the late General Sherman who stated in one of his letters that there is no place in the Republican States where a Democrat can not cast his vote and have it counted as cast. If that be so, I repeat it is the highest compliment ever paid to any political organization in this Republic. It ought to be written as a motto across the Republican party flag. Let it be written: "By the Eternal, there shall be no nook or corner in this Republic where any suffragan may not cast his vote and have that vote counted as cast." [Applause.]

This glorious motto manifests such superb patriotism that it will bind all hearts to the flag of the country. Second, it shows a deep sense of justice, which meets the enlightened conscience of the people; and, third, it exhibits superb moral courage, the highest quality of the soul, without which patriotism and justice dwarf into nothing. That party which adopts this motto challenges and commands the respect of all the sober-browed and intelligent men of this and all other countries.

Mr. Speaker, let us examine the evidence in this election case to determine whether the rights of the suffragans in that district have not been denied. I say they have been disregarded and trampled upon. The evidence discloses that in that Congressional district over a thousand suffragans having the right to vote have been deprived of that right.

Mr. MEREDITH. How did the gentleman vote on this case in the committee?

Mr. LINNEY. I will tell the gentleman how I voted. Here is the testimony.

Mr. MEREDITH. Please answer my question.

Mr. LINNEY. I am going to answer it. Here is the testimony. The bulk of it is immense. When the matter first came up I had not read all that testimony nor the half of it. I had heard the discussion before the committee; and I had doubt about the question. I declined to vote while I had that doubt. I voted the first time in favor of the contestee. After that a motion was made to reconsider. Every member of the committee voted for that motion, as I remember. Is not that the fact, I will ask the gentleman from New York?

Mr. DANIELS. Yes, sir.

Mr. LINNEY. There was not a single vote against the motion to reconsider. All the members, including the Democratic members, voted for it. The matter having been held up on the motion to reconsider, every man prepared himself to decide the case as best he could. On a second vote I still doubted and did not vote; neither did the gentleman from Massachusetts [Mr. MOODY], as I recollect. I have since examined that evidence more thoroughly; and the more I investigate it the more thoroughly I am satisfied the contestant is elected; and I will risk the assertion that my friend from Virginia [Mr. MEREDITH], or anybody else in this House, will be as thoroughly satisfied as I am if he will read the testimony as carefully as I have. [Applause.]

Now let me proceed to show some of the iniquities connected with this election. And while I speak with animation, God knows I speak with no hatred or tinge of hatred against anybody. I admire the contestee in this case. He stands in the majesty of a noble piece of God's workmanship, a gentleman who necessarily attracts attention as such, having a considerable amount of personal magnetism, as gentlemen here have discovered. But let me call attention to one thing. In the first place, the report of the minority of the committee itself admits 128 fraudulent votes. The returns show a majority of something over 1,100; and the minority report finds the contestee elected, not by that majority, but by 128 less. So that this case comes before the House tainted with fraud. And if we adopt the doctrine laid down by Chief Justice Pearson, the father of my distinguished colleague on this floor, the case comes to us in an awkward shape, for that distinguished jurist said that one rotten egg thrown into a pudding spoils the whole pudding. [Laughter.] Here I can show you a case worse than that, where there are a dozen dead dogs thrown into the well, destroying the wholesomeness of all the waters of the well. [Laughter.]

Here is one township where there was no election held at all—Hillman beat—a Republican beat, mark you, gentlemen of the House. It had been Republican hitherto. In this election the Jeffersonian Democrats combined with the Populists and the Republicans. That was a trio omnipotent enough to sweep the crippled Democracy from God's green earth. Even if it had not been crippled and had stood as a giant, it would have been vanquished. Here was this combination against the Democracy. Why? More than anything else, because of corrupt methods adopted in elections.

Now, at that beat, a Republican beat, the polls were not opened at all. Why? What excuse did the officers give? "Why," they said, "it was too cold down there in Alabama and they had no fire." What, sir, "too cold in Alabama and no fire"! If they had said that they were afraid of the snakes biting them, or the

alligators, or something of that sort, it would have been much more reasonable. We all know it is never very cold in Alabama. I believe that an election was held at the same time in Maine, where it is a great deal colder than in Alabama—ten times colder, probably. At any rate, it was not too cold in Alabama to hold the election. Yet the excuse given for not opening the polls at that beat was that "it was cold in Alabama and they had no fire." The thunder they had no fire! [Laughter.] Why, sir, they have more sorts of fire in Alabama than in any place in the world. They have the fox fire; they have the common fire you light your cigar with; and if they do not stop stealing votes they will, before this thing is over, have the biggest chunk of hell fire that ever struck the country. [Laughter.] Yet in the face of the intelligent people of this country and before this House that miserable, crooked makeshift and juggle is offered for not opening the polls at that precinct in Alabama, where the vote is Republican.

My friends, my brethren of Alabama, are you not ashamed of it? Let me illustrate this point, and I ask my friend from South Carolina [Mr. TALBERT] to allow me as a piece of pleasantry to use him by way of illustration. If I were called upon to select the bravest man in this House I should select the distinguished gentleman from South Carolina. I have wanted to jump on him once or twice in this House, but I was afraid to do so, and therefore have not attempted it. I believe he would fight a buzz saw; I believe he would fight a rattlesnake through a rail fence and give the snake two bites to start with. [Laughter.] Suppose he and I were to fall out and I were to challenge him or he me and I had the right to select the instruments with which we were to fight. Suppose I should select a double-barreled shotgun and give him a broom straw, would you not think that I was a miserable coward? Certainly. And I would be a miserable, scurvy coward if I were to do such a thing.

Now, what is a fair election? It is a great war of opinion. The Democracy in Alabama challenged the Republican party to this friendly contest, in which the higher qualities of soul and brain were to be exercised. In this conflict of opinion what do the Democrats do? They first pass an election law, which if you will examine it, you will find to be a one-sided law. What else do they do? They require a certain ballot to be voted, and none other, and then they refuse to furnish the ballots, and at one place they refuse to open the polls. Is not that worse than the case I put, of selecting a double-barreled shotgun for myself and giving my friend a broom straw? It is striking below the belt. It is cowardly, and can not be supported or maintained, and will not be, I am sure, by any gentleman who represents the other side.

How will you explain it? It stands absolutely unexplained. There is no attempt to explain it. It is there to-day, and the minority report makes no allusion whatever to it. How many votes did the contestant lose? We do not know. Why? Because there was no return of any election officer or any means of ascertaining how the people would have voted except the mere fact which is recognized, and not questioned, that it was a Republican precinct. Applying in that case the same rules laid down by the English judge that the presumption in all cases is against the spoliator, you would give every vote which is ordinarily cast in that precinct to the contestant.

But the distinguished gentleman from New York [Mr. DANIELS] who makes this report takes no account of it because the polls not being opened the whole thing was a blank in his opinion. The contestant got no benefit from it, but a stab was given to the right of suffrage which, according to Mr. Lamar, should not have been given, if Mr. Lamar told the truth, in the presence of the glittering light and transcendent intellectual genius of James G. Blaine when he confronted him, when he said it is better that the entire constitutional powers of the Republic should be exhausted than that this blot and stain should be on the history of the Republic. Yet it is there unanswered and can not be accounted for.

Now, Mr. Speaker, there is nothing worse than that.

Mr. FAIRCHILD. Will the gentleman allow me to interrupt him for a question?

Mr. LINNEY. Certainly.

Mr. FAIRCHILD. Do you know what vote was usually cast in that precinct?

Mr. LINNEY. No, sir; I do not.

Mr. BARTLETT of Georgia. There has not been an election there for four years.

Mr. LINNEY. Well, that is even worse and worse. Has it been too cold all the time for four years? [Laughter.] I do not believe that that is a good reason for not opening the polls and holding the election. However, I accept the gentleman's statement that that is true. No doubt they would not open them at all if they knew that the vote given would be largely Republican. But, gentlemen, you all know that cold weather was not the reason. My friends, no doubt, will laugh at this when we get away from here.

But let me call your attention to another thing in this matter. I come now to Bessemer Township. That is the big thing in this case. That is the matter about which my friend put a question to the contestee which has not been answered, and never will be until Gabriel blows his horn.

Here is the testimony on that point. Here is the law of Alabama, to which I wish first, however, to call your attention—the steepest statute ever written, I think, on this subject. You must have registration every year to begin with, and you have, I believe, only eighteen days to complete it in. Then after that you have what they call the secret ballot. It is the statutory secret ballot. What else? Then you have the booths, and here is a description of them. In addition to that we have section 14, which provides:

Be it further enacted, That in all elections hereafter held in this State on any subject which may by law be submitted to a vote of the people, and for all or any State, county, district, or municipal officers, the voting shall be by secret official ballots, printed and distributed as hereinafter provided, and no ballot shall be received or counted in any election to which this act applies except it be provided as herein prescribed.

Then they proceed under this most remarkable provision of the law. Just listen to it, gentlemen, while I read it:

SEC. 43. *Be it further enacted*, That any elector who shall, except as herein provided, allow his ballot to be seen by any person, or shall take or remove, or attempt to take or remove, any ballot from the polling place before the close of the polls, or place any mark upon his ballot by which it may be identified, or any person who shall interfere with any elector when inside the polling place, or when marking his ballot, or unduly influence or attempt to unduly influence any elector in the preparation of his ballot, or any elector who shall remain longer than the specified time allowed by this act in the booth or compartment, after being notified that his term had expired, or who shall endeavor to induce any elector to show how he marks, or has marked, his ballot, or aids, or attempts to aid, any elector by means of any mechanical device, or any means whatever in marking his ballot, or shall print or procure to be printed, or have in his possession any copy of the ballot prepared to be voted, shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than ten or more than one hundred dollars, and any ballot marked by the elector for identification shall be rejected.

Mr. WILLIAMS. Will the gentleman allow a question?

Mr. LINNEY. Certainly.

Mr. WILLIAMS. This horrible example that the gentleman has just read to the House of Representatives—after having called the attention of the House to it as a horrible example—I would ask him if it is not substantially contained in the law of every State in the United States which has adopted the Australian ballot system?

Mr. LINNEY. I never saw that feature in any of them.

Mr. WILLIAMS. You had better hunt up the statutes of the various States.

Mr. LINNEY. If they have any such features, they are cruel and unjust. Why do I say so? What harm can there be in a man having a copy of the ballot that he proposes to vote? I suspect the purpose was to furnish an excuse for the numerous arrests that the evidence shows were made, parties being arrested on this charge and in many cases being immediately discharged on the reading of the statute that I have called attention to.

But let me go on and see how this statute operated in this Bessemer precinct. Mark you, no citizen could have his ballot. They must be prepared; and the statute provides that there must be twice as many ballots as there were registered voters. How many registered voters were in that precinct? Here is the roll. There were something over 1,200, if I have counted correctly.

Mr. DANIELS. Twelve hundred and eighty-three.

Mr. LINNEY. Twelve hundred and eighty-three registered voters in that township. How many ballots did they furnish? They furnished only 126 ballots for 1,283 voters. Mark you, certain officers were designated as the proper custodians of those official ballots. Certain officers were designated as the only parties who could prepare them. Any ballot prepared by anybody else, or being in the possession of any suffragan, subjected the suffragan to indictment and to fine, to the penalties that I have read.

The testimony shows that a Democratic officer took the 2,400 ballots and put them in a room. He fastened the room up mighty tight, of course, and he says that he took the key away with him. I call the attention of my friend to the fact that he omits one little circumstance. The testimony fails to show that he locked the door before he took the key. But he took the key away. He had two agents, I believe, or one deputy, at any rate, and that deputy says nothing. He stands mute. He is not introduced. On the morning of election day they go down there to get the ballots. What is the result? Why, he said when he picked up the box, "It is lighter now than it was yesterday"; and there were some ashes near the box. When they opened the box again the ballots were all gone except 126. The testimony further shows that the Democrats rushed in to vote; that in some instances they wore upon their coats a sign of official power. Some of them voted, and as fast as they voted these marks or badges were changed and given to others, and they got in at the back door to vote. Shortly the 126 ballots were exhausted, while there stood outside an immense column of freemen, suffragans, men who, in the language of Lamar, the great Southerner, had a right to vote, and whose right was of such transcendent importance that he said, "Better

exhaust the entire constitutional power of the Republic than allow this crime to be committed." This column of impatient voters stood there awaiting the pleasure of their adversaries to whom had been committed the duty of furnishing them with ballots, which duty they did not perform.

Here is the testimony of one gentleman from Kentucky, who says he is engaged in the liquor business, that he is a Thomas Jefferson Democrat. In the first place he is a Kentuckian, in the second place he loves a good drink of whisky, in the third place he is a Jeffersonian Democrat, and if that does not make him a great man, I should like somebody else to add one other quality which will. I expect, like a great many men in North Carolina, he loves a woman, and that makes him, of course, a grand and noble man. What does he say? He says "I was there at that voting precinct. I voted early, and there stood men in a rage, excited men." I do not say that that is the exact language, but that is the substance of it, that there were men there who were complaining.

At one time a flag was raised, before the voting began, and the announcement was made, "All men in favor of good government and Aldrich come to this flag." They gathered around it in honest, patriotic protest against this outrage upon the ballot box, against that crime that was being perpetrated, against this wholesale high treason, we may call it, that was being perpetrated down there in this land of liberty. For protesting a number of them were arrested—arrested because it was said the statute prohibited it. The statute was brought out and read, and nothing was found in it to prohibit what they were doing, and these men were turned loose. They were laborers from the furnaces, from the farms, and from the factories, gathered there to vote, as they said, for good government. There were no tickets for them to vote. They retired and went away, and either that witness or some other one says the contestant lost between 400 and 500 votes, and he winds up finally by saying he lost 500 votes, and the character of this witness is unassailed.

Mr. WILLIAMS. Who was the witness?

Mr. LINNEY. He is the Kentucky gentleman. His testimony is in the record. Mr. Harney is one witness, but he is not the Kentucky witness. The testimony is so long it is difficult to find and read in full.

Mr. WILLIAMS. Let us get the Kentucky gentleman, the liquor seller.

Mr. LINNEY. You will find the evidence here in this record. Here is Mr. Harney, and there are two or three witnesses after him. You will find, if you will read it, that I have substantially stated the testimony.

Mr. WILLIAMS. The testimony of all three or of just one?

Mr. LINNEY. Oh, they do not all swear to the same thing. If they did, I would think it was fixed up. If gentlemen will read this, they will find I have understated it. But, gentlemen, let me show you something that does not depend upon the testimony of a witness, something that can not lie, something that human evidence can not destroy. It is a piece of natural testimony as true as its great author, the God of the universe. Let me call our friend's attention to that.

Now, here in this precinct there were how many votes? I ask members to look. Only 486 votes on the tally list. That was the number of votes given in this Bessemer precinct, where there is a registry of nearly 1,283, according to my friend. Now, gentlemen, of the list out of that four hundred and odd votes, 27 votes are fictitious; 27 votes cast in the air, representing no living soul. They are coined in the brains of the election officers. Partisan hate, partisan injustice, and rancor coined these names and placed them upon the polling lists. Of course they represented votes, but represented no elector, no suffragan. You have to add that to these 486 votes. Mark you, here are twelve hundred and some odd registered voters, who had been registered within eighteen days and had registered that year. They therefore are entitled to be received. If they each represent a man who registered within eighteen days, you may rest assured that he will vote if he gets a chance.

Now, let us see how many of them voted. You take 486 from the number of registered voters and then strike out these fictitious names that were thrown in there, that were coined for this evil purpose, and it leaves something near 700 men that did not get to vote. Who were they? Were they Democrats? Do you not know that there was not a Democrat among them? Oh, they say, "How do you know?" We ought not to state anything unless we have some evidence to prove it. A member of Congress has no right to do that; even a lawyer in a court has no right to do that unless he has made the proof. Here are 27 fictitious votes. If there is any evidence to contradict it I have failed to see it, and I ask my friend upon the other side, when he comes to this question, to show that it does not exist if he can from this record; and if so, I will join my friend in wiping it out so that it can not longer stand as a blur or a stain, a disgrace and shameful dishonor on our country's history. Wipe it out for the sake of Alabama; wipe it out for the sake of the contestee in this case; and wipe it out in the cause of justice and good government.

Mr. STALLINGS. Will the gentleman say he will stay with me if I do? We got him twice. Will he stick any faster then than he did before? [Applause on the Democratic side.]

Mr. LINNEY. How can a man who has a spark of conscience stick with men with such a record? I do not think that there is any animal that stands upon two legs that could stick, and stick honestly, by such a record as this. [Great laughter.] Strike it out and then go down on your knees in sackcloth and ashes, with Sam Jones by your side, and pray twelve years to save you from hell, and then, perhaps, I will stick with you. [Great laughter and applause.] But not until then.

Mr. WILLIAMS. The gentleman has not answered the question propounded by the gentleman from Alabama.

Mr. LINNEY. Maybe the gentleman can answer it to suit himself, and let me go on.

Mr. WILLIAMS. When once saved will he——

Mr. LINNEY. Now, the gentleman——

Mr. WILLIAMS. You have been saved twice already, as I understand.

Mr. LINNEY. No, he is not saved yet; nor are you, by a long shot. [Great laughter.] The only difference between the gentleman and myself is that I went pretty close to hell and turned back, and you will not turn back. [Great laughter.] You are going on. [Continued laughter.] I think I had the brains to stop before I was destroyed. [Great laughter and applause.]

Mr. WILLIAMS. The difference between myself and the gentleman from North Carolina [great laughter] is that I never admitted that I came pretty near going to hell. [Laughter.]

Mr. LINNEY. I do not believe the devil ever admitted that yet, either. I have never heard of his making any admissions against himself. [Great laughter and applause.] I have never heard of it if it be so. [Continued laughter.] In fact, that character you admire most always said exactly the opposite of what he meant. "He could teach sin the carriage of a saint." Hear him through Milton:

> Oh, sacred, wise, and wisdom-giving plaint,
> Well do I feel thy power within me now;
> Not only to trace things and their causes,
> But to know the ways of higher agents, deemed however wise.

That was the language of the devil, the biggest liar that ever performed in the world. [Great laughter.] But notwithstanding, it was said of an occasion that has done more harm than anything that has ever been known in this world except an election in Alabama. [Great applause.]

Mr. WILLIAMS. The gentleman from North Carolina, perhaps, did not hear what I said when he finished the quotation. I said, "Therefore you quote it."

Mr. LINNEY. I do not think you said much when you said that. [Renewed laughter.] Now, I was asking gentlemen of the House if they thought that one of these 700 or 800 votes that it was admitted were upon that registration list was a Democrat. Of course not. Of course I can not state that positively. I was not there. One witness has sworn to it, and it is supported by the best circumstantial evidence. "A mute witness," as Mr. Townsend says in his book on Circumstantial Evidence.

Now, here is a tally list showing four hundred and some odd votes, including these 27 fictitious votes. The registration list shows twelve hundred and some odd votes. Yet in making up the four hundred odd votes on the poll list they had to steal 27. What was the necessity of stealing 27 when there were so many names on the registration list? If they had taken 27 names of registered voters and returned them as voting the Democratic ticket there would have been opened an avenue by which this iniquity might have been discovered. Therefore they were forced to go outside of the registration books and coin 27 names.

Why, sir, a wolf never steals mutton when he has a ham of mutton beside him, does he? [Laughter.] They tell me that a bear will lie by a dead hog until he is almost destroyed by the decaying touch of time before he will go out and seek new meat. A Democrat in Alabama is not worse than a wolf or a bear, is he? [Laughter.] He would not steal votes outside of the registration list if they could be taken from that list. But the Democrats did steal those votes; nobody denies it. Why did they steal them? Because the registration lists did not furnish the proper material. Else, I respectfully submit as a legitimate argument, they would have taken the names from that list.

Striking out these fraudulent or illegal votes, there are left 700 votes that ought to have been added to the vote of the contestant, whereas that calm, judicial gentleman over there, Judge DANIELS, in his caution, in his conservatism, gave the contestant only three hundred and something over. You did wrong, Judge! [Laughter.] You intended to do right, but you listened, probably, to the arguments of eloquent gentlemen like my friend from Mississippi before you [Mr. WILLIAMS]. Such men seduced you to do wrong. They got you off the track.

Now, gentlemen, adopting another expression of the late lamented Judge Pearson, let me say, "take a fine sight" on this case. Take these two lists. Decide this question upon your oaths in this exalted place, under your responsibility to your conscience and your God. In passing upon this, one of the greatest questions that ever claimed the attention of a legislative body, how can you refuse to count these votes, which are supported not upon the testimony of one man, or two men, or a hundred men, but upon circumstances, natural evidence which is omnipotent in its effect in driving the human mind to accuracy and to a proper conclusion in its search for truth.

So much for that. It is not necessary for me to pursue this question further. The admission of 128 fraudulent votes taints the claims of the contestee in this case. Oh, that it were possible for this contestee to rise to a grand display of patriotism! We see him here a noble young man, a splendid representative of that glorious Southland, my home, where live as noble people as are found anywhere, and where, but for these practices which have recently overtaken them, the prospect for advancement in the scale of civilization, refinement, and power would surpass that of any other region. We have there the highest state of moral and intellectual manhood, untainted by anything except this wicked disposition to place corrupt hands on the ballot box. How does this happen to arise? It arose, gentlemen, by reason of a dread on the part of the South at one time of negro domination. And that was a plausible excuse. I myself have been in sympathy with that very idea. But God knows this corrupt tampering with the ballot box must stop somewhere. It can not go on forever. I say it ought to stop here. This House is the place to stop it; it is the only place where men can be shown that it must stop.

Let us see the result of that spirit in this election. Those who undertook to corrupt the ballot did not cheat the negro. The white men, it seems, were divided. There were the Jeffersonian Democrats, the regularly organized Democrats, the Republicans, and the Populists, representing four separate and distinct lines of thought. The Organized Democracy, unable to get out of the old channels of sin in which they had traveled, resorted to their fraudulent practices in this case; and when they did it, the white men of Alabama, as did the white men in North Carolina, thank God, and in other sections of this country, revolted against such practices. And, sir, in every one of these cases there will be an investigation, I believe, somewhere, in some shape.

But, gentlemen, let us go a little further. I have called your attention to the place where there was no voting done at all; I have called your attention to these shameful practices in Bessemer Township. I want now to call your attention to another township—the township where they voted a dead "nigger"! [Laughter.] What is that township, I will ask the gentleman from New York?

Mr. DANIELS. Union Township.

Mr. LINNEY. Union Township gave the contestee 177 votes, the contestant nothing. That is a strange way of doing business—177 votes on one side and none on the other. It was especially strange in the last election. But the evidence shows that there were 24 persons returned as voting whose names could not be found on the registration book, and who, after the issuing of a subpœna, could not be found in the beat, and one of them had been dead nine years—a negro—and he was returned as voting!

I submit that is wrong. [Laughter and applause.] But my friends over here on this side say it is all right. [Laughter.] I submit as a question of ethics, as a grave and moral question, that it does not come up to the average standard of gentlemen in the South. And we know it will not be indorsed by this House. How does it happen? Let us see if we can ascertain anything about the matter. It was a most awkward piece of—well, call it irregularity. [Laughter.] It was an awkward juggle and makeshift, so thin that even an idiot could see through it. Vote a dead man! not only dead, but dead nine years. [Great laughter and applause.] I do not know where they got the idea from or the suggestion. It is said that a cat has nine lives, but I never heard that they were annual. [Laughter.] It may be that they are for one day only. But here is a negro, after shuffling off this mortal coil, and going to that bourn whence no traveler ever returns, still marching in the columns of the Organized Democracy of the State of Alabama. [Laughter and applause.] And casting a vote, too. [Renewed laughter.] I submit that it is wrong. If he had voted in the township election, it might have done; if he had voted one year after he was dead, it might have done; but what in thunder the man could have been thinking of that put him on the registration list, and voted him after he was dead nine years, I am unable to fathom. [Laughter.]

But what does all of this show, Mr. Speaker? There was some motive back of it all. There is nothing here in the record to tell us how it was done. We can only draw our inferences. It would seem that no reasonable man, a man of ordinary intelligence, fixing up the poll list or registration list, would have committed so awkward a blunder as that. I can only imagine one way, I think, in which it was done. I can give you my own idea of it. I have made a sort of specialty of this business, for I have been suspecting these fellows for a good long time. [Laughter.] And I say in my State I have known from the press and otherwise of six officers, who had been elected according to the returns, who surrendered their certificates of election rather than stand a contested election trial. It must be that in the hurry of the perpetration of these frauds that the old registration books are copied and they forget that men die. Things of that kind do not generally happen in this country. I have seen one case on this floor, from that grand old Commonwealth of Virginia, the mother of States and statesmen, the mother of Presidents, in which the entire committee brought in a report, a unanimous report, if I mistake not, notwithstanding the allegations of fraud and corruption, in favor of the contestant. Who was the contestant?

Mr. OVERSTREET. Mr. Thorp.

Mr. LINNEY. Yes; Thorp, a Republican; a thing that never happened before, from the time this Government was formed down to the present time. This unanimous report was made, so far as I know, in his favor, for the first time in the history of all the contested cases of the Republic where there were allegations of fraudulent methods.

Yes, Mr. Speaker, the time has come when we should make a specialty of these matters. They involve the biggest blow at the Republic and its life. It touches the very integrity of the Republic. War may stride over our country with the crushing steps of the giant. Pestilence and famine may brood over our land with a long and weary visitation, until the skies are brazen and our beautiful valleys give place to parched deserts, a wide waste of unproductive desolation, but yet, Mr. Speaker, the wild flower of peace will bloom again on the field of battle and above the crushed skeleton, and the barrenness of famine will cease. But for moral desolation there is no reviving spring. Let the hand of evil disposed persons, guided by the cankered heart of partisanship, perform its work in despoiling the ballot box and in depriving the suffragans of their legal right at the ballot box, and the end of our Republic is near at hand.

This matter touches the very heart of the Republic. Strike off the end of that finger, and I can survive; cut off a part of my foot, I may survive. The greatest figure in this House, General HENDERSON, stands to-day upon one leg. Cut off the ear, and I can survive; but strike the left ventricle of the heart, decomposition and death immediately follow. You may commit blunders in tariff legislation, and run wild touching the trade relations of this Republic with the other great nations of the world; do wrong in finances—and yet our nation, by reason of its recuperative force, can survive and overcome them all. But when you poison the head spring of national life, when you corrupt the ballot, you strike at the heart of the nation, and political confusion and death follows as surely as death follows if you run a bayonet through the ventricles of the heart, which destroys the life of the human body. [Applause.]

We can not afford to sit silent in the presence of these crimes. Patriotism rises up against them. Honor, decency, self-respect, the demands of justice cry out against them. It is our duty to examine these things carefully, gentlemen, and to correct as far as we may every single instance of an infringement on the rights of the suffragan. Let it be said, as was said in 1878 by Senator Blaine in the Senate, and in his presence by Senator Lamar from the South: "Better, infinitely better, that the constitutional power of this Republic be exhausted than that one suffragan shall have his rights denied him." Better uphold the Ark of the Covenant than to pursue any other line of thought that has claimed our attention. If this nation has any ear to hear or any eye to see or any heart to feel, it is in the ballot. When it is assailed every lawful, legitimate, constitutional power of the Republic ought to be invoked in its behalf.

To you members of the House and to you alone this appeal can be made, because it never can be made in the States. In the great State of New York, when there was an outrage upon the ballot box and murder was committed, Bat Shea paid the penalty, but down in the State of Arkansas, when the noble Clayton fell, and the earth drank his blood, no man to this day has answered for that crime. I agree with the words of Judge Cunningham, who from the bench said, "Do not look for herring when whales are in sight;" but when the blood of Clayton cries from the ground for vengeance no judicial tribunal has been able to make its power felt. Brethren of the South, aid those who favor fair elections; let us determine, by the eternal and by the constitutional power of this Government, to protect the ballot box. By so doing your public conscience will be quickened and you will have the strongest claim to patriotic endeavor. [Applause on the Republican side.]

Mr. STALLINGS. Mr. Speaker, it was not my intention until a few days ago to address the House of Representatives in the contested-election case from Alabama of Aldrich *vs.* Underwood. It is generally known in the House that the three Democratic members

of the committee have unfortunately been unable to give this case their personal attention. The gentleman from Arkansas [Mr. DINSMORE] was seriously hurt ten days ago, and has since been unable to attend on the sessions of the House. The gentleman from Georgia, Judge BARTLETT, who was a member of the subcommittee to whom this case was referred, has been detained at his home by serious illness and only returned this morning. The only other member of the minority of the committee, Judge TURNER, of Virginia, is, and has been for several days, dangerously ill at his hotel in the city. For the above reasons I was selected by the Democratic minority, with the consent of the chairman of the committee, Judge DANIEL, to take charge of the case of contestee on the floor of the House. I therefore did not hear the arguments of counsel either for the contestant or contestee before the committee, nor did I critically examine the evidence in the case or read the briefs of counsel until within the past week.

It will be readily seen, Mr. Speaker, and appreciated, I hope, by members on the floor, that my prior relations to this case place me at a great disadvantage. This record, including briefs of counsel, contains something like 2,000 pages of closely printed matter, and the chairman of the committee, Mr. DANIELS, with his usual partisanship, and now reputed unfairness, when this case was called up this evening gave notice that at the expiration of thirty minutes he would move the previous question, thereby cutting off legitimate debate. The House, at the suggestion of the Speaker, has refused to sustain him in this unfair and unprecedented position, and has by vote allowed me one hour within which to discuss a case in which the interests and the rights of more than 200,000 intelligent and progressive people of Alabama are involved. I make the assertion here and now, without fear of successful contradiction, that in the history of Congress no contested-election case has ever before been called up on the suspension of the rules and notice given by the chairman of the committee that the previous question would be called within thirty minutes, and debate thereby limited to such an unreasonably short time.

The chairman of the committee gives no reason to this House why there should be such unseemly haste in the disposition of this particular case. For ten days he has endeavored to call it up in the closing hours of this session of Congress in the absence of a quorum of his own party, with the press of important legislation incident to the occasion, when members have no time to examine the voluminous record and vote intelligently thereon. On yesterday the House voted against consideration of this case at the present session of Congress, but not satisfied with this expressed disapproval of his course and conduct by his own party associates, he, on the same day, with the persistency worthy of a better cause, again called the case for consideration, which he obtained by a very narrow majority. I did hope, Mr. Speaker, for the good at least of his own reputation, a judge with twenty years' experience on the bench of the superior court of New York, that his unfairness would cease when he knew that his desire to turn out my colleague, which he has evidenced in many ways, would be gratified, but when he gave notice of his intention to call the previous question on thirty minutes' debate, I realized for the first time fully the lengths to which partisanship could be carried.

Mr. Speaker, it will not be expected, I feel quite sure, that I ignore the evidence in the discussion of this case and consume my time in replying to the foul and filthy philippic of the gentleman from North Carolina who has just preceded me [Mr. LINNEY] against assumed unfair elections in the South. I am not unaccustomed to such exhibitions of unwarranted spleen and hatred by a certain class of men who have turned their backs on their own people and their own section. He consumed the time allowed him to discuss the evidence and the rights of the contestee to a seat on this floor in coarse and vulgar vituperation and the dirtiest abuse of his own section ever heard fall from the lips of a white man from the South. If he had not on a former occasion, he has to-day fixed his status on this floor. We are here to discuss the evidence in this case, and to determine the respective rights of the contestee and contestant; we are here to discuss the evidence and the law before the most distinguished jury ever assembled in this or any other country, who have not read the evidence nor heard the witnesses from the stand. In this presence and under these circumstances the gentleman has descended from that high plane that he ought to have occupied, that the occasion demanded, to the low level of a common shyster before a justice's court. I dismiss him and the subject with the statement that there is not a man on the floor of this House who is better prepared to vote intelligently on this case than he was before he heard the gentleman from North Carolina [Mr. LINNEY]. The self-respect of his own constituency, it is hoped, may consign him to that utter oblivion from whence he so recently emerged.

Before I proceed to discuss the evidence in the record and the rights of the contestee to a seat on this floor I desire to assure you, gentlemen of the majority, that no true son of Alabama will plead with you for a seat in this Chamber or ask any consideration at your hands not justified by the evidence contained in the record and the law applicable thereto. We ask—yes, we demand—simple justice and nothing more; that justice which the evidence in the case before this body ought to guarantee to the contestee. There will be no pleading, knuckling, or cringing to a "brutal majority." The victim is ready; his neck is bared; bring on the guillotine and let the foul work of decapitation go on as it has in this House, actuated by partisanship, since the beginning of the session. [Applause.] You have been emboldened in your conduct by the want of that spirit of manhood and dignity which, in my judgment, ought to have actuated every Democratic contestee brought before the bar of the House. We realize, fully realize, that it is your purpose and your intention, judging from your conduct in the past, to unseat the contestee in this case to carry out a corrupt political bargain.

I desire to assure you now, however, that the culmination will not be in Alabama and in the South what you expect. [Applause.] You may put forward your willing tools to arouse the passions and prejudices that unfortunately exist, I fear, in the minds of members on this floor against the alleged nefarious habit of ballot-box stuffing to which the gentleman from North Carolina has referred. This is the same old desperate cry of the men in the South who have deserted their section, their cause, and their best interests, and who are not trusted by the people with any office or honor within their gift. We have heard this for the last quarter of a century, and we expect to continue to hear it. But let me tell you to-day, gentlemen of this House, that the virtue, intelligence, and manhood of the South will continue to control her destinies in the future as they have in the past. [Applause on the Democratic side.] For more than a quarter of a century we have contended against these enemies of the South at home and abroad, who would succeed in the destruction of our property and the overthrow of our institutions. During their régime we heard the tramp of soldiers on our soil, with the ballot box guarded by bayonets, the halls of our legislatures filled with the wicked, the vicious, and the ignorant, hundreds of millions of debt piled upon our people, seats in the United States Senate auctioned off to the highest bidder, with the brave and loyal men disfranchised; but we have stood up against it all and maintained our unequaled culture and refinement and rebuilt the South and placed her on that high plane of advancement and prosperity the like of which no people thus situated ever accomplished in so short a time. [Applause.]

I am warned by the limited time allowed for the discussion of this case that I must proceed to a serious consideration of the testimony disclosed by the record. The Ninth Congressional district of Alabama is composed of the counties of Bibb, Blount, Hale, Perry, and Jefferson. No section of this great country of ours, in my judgment, has more natural advantages or is more highly favored than this district in my native State. The people are educated, refined, manly, honest, and just. They would spurn as unworthy of themselves and their section a wrong even against a Republican. We have the secret or Australian ballot system in Alabama. That I will notice more fully as I proceed with my argument. The counties of Jefferson, Blount, and Bibb are what is known in Alabama as white counties. The population is made up of a large majority of white people. In the counties of Hale and Perry the colored race predominates. As the county of Jefferson is the largest in point of population and wealth, I will notice first the charges of fraud and intimidation alleged to have been perpetrated there. It may be proper for me to say before I proceed further that in only three of these counties are there any contests—the county of Jefferson, in which Birmingham is situated, and the counties of Hale and Perry. The last two are what is known as the "canebrake section" of Alabama. This section is noted for the unsurpassed fertility of its soil, its women for their culture, refinement, and matchless personal charms, and the sons of such mothers could only be honest, manly, and brave, above the charges brought against them by the gentleman from North Carolina [Mr. LINNEY], possessing qualities of heart and mind far superior to anything his imagination has ever pictured. It would be impossible for him, judged by his record, to conceive of men approaching in refinement and all the manly qualities of those of that section. We will take up first the county of Jefferson. In that county out of 40 precincts only 4 are contested.

ELYTON PRECINCT, NO. 9.

In this precinct there were returned for the contestant 68 votes, and for the contestee 190 votes. The objections urged in this precinct are, (1) unfounded challenges, and (2) that colored voters were required to be identified by white men. The report says:

> The persons offering to vote for the contestant were frequently annoyed by unfounded challenges. The challenges themselves can not be made the subject of serious objection, for they were allowed by the laws of Alabama.

If the challenges were allowed by the laws of Alabama, as is admitted by the report, then it is clear that they were not unfounded. Again, if the challenges were allowed by our State laws they are not only not subject to serious objection but are not subject to objection at all. On the face of the report itself it shows that the

officers had the right under the law to make these challenges, and they did make them in pursuance of the statute law of the State. This criticism ought not to have been aimed at the manner in which the challenges were made, but ought to have been made, if at all, against the law itself. But I presume that even this committee, with its many shortcomings, would not undertake, in the privacy of their committee room, to legislate for the people of our State.

We are prepared to stand any criticism that you may make against the laws of Alabama. We are fully competent to make our own laws, to govern ourselves, without any interference or suggestions from you. But let us see whether or not there were any challenges in this precinct not justified by the statutes of Alabama. The evidence in this case shows that the line between precinct 29 and precinct 9 (Elyton) ran through Ensley City, and it was the duty of the officer to see to it that men living in these precincts did not vote at Elyton. There is a large floating population at Ensley City employed at the furnaces and other public works located at this place. Under the law of Alabama voters are permitted to exercise the right of franchise only in the precinct of their residence. It is clearly shown by the evidence that parties only were challenged who lived in Ensley City, and the challenges thus made were not unfounded, and could not have been the subject of objection. Section 29 of the election law of Alabama provides that—

When the right to vote of any person who demands to be permitted to vote is questioned by an elector, the said challenge shall be communicated to the inspectors before the person is permitted to vote, by the sheriff, or some other officer or person in attendance and in charge of admission to the polling place, when his right to vote must be determined as required by law.

Under this section of the law not only the officer in charge of the polling place, but any voter has the right of challenge whenever, in his judgment, the party offering to vote is not a qualified elector under the law. When the challenge is made, the party challenged is carried before the judges of election, and they determine, and not the officer or party making the challenge, whether or not the applicant is a qualified elector. The law provides, in section 33, "that any elector applying to vote who shall declare on oath, which oath may be administered by any one of the inspectors, that by reason of his inability to read the English language he is unable to prepare his ballot, may have the assistance of an inspector, to be selected by the elector or a person to be appointed for that purpose by the inspector of election," etc. In this precinct it is proven by uncontroverted testimony that not exceeding 15 men were challenged during the entire day, and that at least 3 of them lived out of the precinct, and were therefore not qualified electors. The Republican inspector or judge of election, Mr. Pettyjohn, testified that at least one-third of those challenged were permitted to vote, and the others, he says, failed to make the required affidavit or get some one to identify them. No one was refused the privilege of voting who complied with the law by making the required affidavit.

On this evidence 15 votes are added by the committee to the vote of the contestant as returned by the election officers. There is no pretense by the committee that these men were refused to be allowed to vote who complied with the law. It will be seen also by a careful examination of section 29, which I have just read, that the managers or judges of election only are permitted to pass on the qualification of electors. It is not claimed in the record that either of these men so challenged were challenged by the judges of the election. It is perfectly clear from the evidence, as well as the report of the majority of the committee, that these men were properly challenged and not entitled to a vote under the statute laws of Alabama, much less being counted for Mr. Aldrich by this committee.

I will now proceed to discuss the second reason given by the committee why the 19 votes counted for the contestant by them, in addition to his returned vote, should be allowed. The report says:

The votes were refused when offered by colored men, unless they should be identified by white men—

And further—

That J. O. Diffy, a witness for contestant, said that 15 colored men who had their registration certificates were challenged and not allowed to vote unless they could get a white man to identify them.

The only evidence that can be found in the record to sustain this statement is that two colored men swore that they were challenged by the deputy sheriff, and that he said that they must get a white man to identify them. One other witness stated that the deputy sheriff said to him that he must be identified by a "boss man." This is all of the evidence in the record on this proposition. Even admitting that the deputy sheriff made such a statement to these voters would not under our statute law preclude them from the right of casting their ballot. The judges of election, and they alone, can, by section 29 of the law, pass upon the rights of electors to cast their ballot, and it is not even pretended that the managers required any such identification. Mr. Pettyjohn, the Republican inspector, selected by the contestant, and a Northern man, in reply to the following question said:

Q. State if you heard the parties who challenged the colored voters say that they required that said voters be identified by any particular class or race of men.
A. I never heard any expressions to that effect.
Q. Those who failed to vote were refused a vote by the inspector of elections, were they not?
A. Yes.
Q. Were there any colored voters identified by colored witnesses that day?
A. There were.
Q. Upon said identification were those voters permitted to vote?
A. They were.
Q. Was there a voter offering to vote on that day who, having been challenged, produced witnesses, either colored or white, as to his residence in the precinct, or other qualifications as an elector, who was refused a vote?
A. There was no one who knew the precinct; there was none refused a vote who knew the precinct and proved that they resided in that line.

Thus it will be seen, gentlemen, that even the Republican inspector flatly contradicts the statement of these three witnesses, which was all of the evidence produced by the contestant to sustain this allegation, and on which your committee gave to contestant 19 votes never cast. It is impossible for the members of this House to know the evidence in this case. You are compelled to take this report as you find it and pass judgment on statement of facts therein contained. The report, therefore, ought to speak the truth and nothing but the truth, and if it utters a falsehood in one place it should cast grave suspicion on the entire report; so much so that this House ought to investigate for itself and see whether or not it can place dependence upon the statements made. They gravely tell you with every appearance of truth in this report that colored men were required to be identified by white men. If that is untrue, then I can not see how you can afford to make up your minds from its statement of facts. The contestant's own inspector, a man in whom he placed confidence, says that no such requirement was made by the inspectors or anyone else to his knowledge. The contestee puts on the stand the deputy sheriff and a number of other witnesses, all of whom say that there is not a word of truth in the statement made by these three colored witnesses. Again, this report pretends to quote the testimony of one J. O. Diffy, a witness for contestant, and a "spotter" on the ground in his interest, who was at the polling place when it opened and remained until it closed. He says in reply to the following question:

Q. Did you see the managers of that election refuse to allow any persons the privilege of voting? If so, state how many.
A. I can not say that the managers refused them.
Q. Do you know whether or not the managers of the election in beat 9 required the colored people to be identified by any particular person or class of persons? If so, state by what person or class of persons.
A. I could not say that they required any particular class of persons, because I identified one man myself, though the parties who were challenged said that they told them to get some white man to identify them.
Q. How many voters were refused the privilege of voting whom you offered to identify.
A. Not one.

Now, it is clear that the chairman of the committee, who claims to have written this report, has misquoted the testimony of J. O. Diffy when he says that Diffy swore that colored men were not allowed to vote "unless they could get a white man to identify them."

Mr. Speaker, I desire to put the question to the majority on the other side of this Chamber whether or not they are willing to unseat the contestee in this case on a report that it is clear can not be relied on when it comes to stating the evidence of witnesses? This report speaks a falsehood in regard to the testimony of J. O. Diffy and others, and members of this House, who are the jury impaneled to try this cause, will be required to vote to unseat my colleague on evidence not in the record, evidence prepared to order in the committee room on Elections. No reliance can be placed in such a document. But on this statement of the committee, not sustained by the record, but contradicted by it, 19 votes are cast for the contestant. If you give him every vote challenged, which Diffy puts at 15, deducting from the 15 those who voted, which Diffy says are one-third, or 5, and deduct the 3 votes that were proven to reside outside of the precinct then and there, it only leaves 7 men challenged at that polling place who did not cast their ballots; but the committee counts 19 for Mr. Aldrich. I will not discuss this matter further. It is absolutely false upon its face, and I feel that this House is of the same opinion.

BIRMINGHAM PRECINCT, NO. 37.

In this precinct, which is a part of the city of Birmingham, the committee gives to the contestant 69 votes more than were returned for him by the election officers. The grounds of objection to the vote in this precinct and the reasons given for this addition to the vote of the contestant are, first, that electors were arrested at the polls for having "dummy" tickets in their possession, and second, that one Tilley, with 8 other men, were not allowed to vote. The question that arises first is, Was it unlawful for voters outside of the voting place to have in their possession copies of the official ballot? Under the election law of Alabama the ballots are prepared

and furnished at public expense. Section 43 of our election laws says that—

Any person who aids, or attempts to aid, any elector by means of any mechanical device, or any other means whatever, in marking his ballot, or shall print or procure to be printed, or have in his possession, any copy of the ballot prepared to be voted, shall be guilty of a misdemeanor.

It is therefore clear that if any person had on the outside of the polling place any mechanical device to aid an elector in marking his ticket, he was violating the statute laws of the State and was guilty of a crime. Deputy sheriffs are required to be placed at each polling place, with instructions to arrest all violators of the law. It is the uncontroverted evidence in this case that early in the morning parties were on the streets aiding electors in the preparation of their ballots, having in their possession an exact copy of the official ballot to be voted. A copy of this ticket is to be found in the record. The arrests made, 7 in all, in the city of Birmingham during the day, by the officers, were for the reason that parties arrested were showing men how to mark their ballots in the booths with this "dummy" ticket. So far from this being a reason for charging the officers of the election with intimidation, it was carrying out the statute itself in preventing men from violating the law. It surely can not be construed by this House as a reason why 50 votes should be given to the contesant in this case, that the deputy sheriffs arrested men who were openly violating the law, who were afterwards convicted in the courts.

I venture the assertion, Mr. Speaker, that such a reason was never given before for adding to the returned vote of a contestant votes that were never cast. The report says that the election law of Alabama "unreasonably" made it an offense for any person to have in his possession any copy of the ballot proposed to be voted. Again, the chairman of this committee, who has served for twenty years on the New York bench, justified the addition of 50 votes to the contestant's returned vote on the ground that in his judgment the statute was "unreasonable" for making certain acts illegal. This committee, as I have said before, has no authority to make laws for the people of Alabama controlling their elections, but can only construe such laws as they find on the statute book; but because in their judgment it is unreasonable to make it an offense for a person to have in his possession on election day a copy of the official ballot, and because they think the law unreasonable and men were arrested for its violation, they add 50 votes to the returns for the contestant. This position, gentlemen, is utterly untenable; it is absurd, and no man who desires to be fair or honest would contend for such a position on the evidence of one witness who says that he was arrested for this offense and that 50 men left the polling place and did not return.

It is clear from his evidence that he does not know whether these men voted or not, nor does he give the name of a single man of the 50 who he says were intimidated and did not vote for contestant. He further states that he walked twice that day a distance of one and one-half miles to the other box in this precinct, and of course could not tell whether any of these 50 men voted during his absence. There was another box in this precinct at which these men could have voted and may have voted, but it is not even pretended that anyone stayed at the other polling place to see whether they voted there or not. Not one of these 50 men is put on the stand to ascertain whether or not he voted, nor are their names given so that an examination of the poll list would disclose the fact that they did or did not vote. Notwithstanding this fact, the contestant is a gainer by 50 votes if the House sustains the committee and permits this outrage. The second objection is that Vincent Tilley, a colored man, was driven from the polls by Mr. Thompson and that 8 other men left the polling place with him. He says in his testimony that he went to the headquarters of contestant and they told him to go to the other box in the precinct and vote there; he did so, and voted. None of the 8 men claimed by Tilley to have been ejected from the polling place is put on the stand nor are their names given. Tilley says, in answer to the following question:

Q. Did you see them put out?
A. Yes, sir. They said that they did not vote. They then said, "What will we do?" They then went to the hotel to get answer what to do, and they were told to go to the South Side.

This witness, an illiterate colored man, went to the South Side box and voted, and his answer shows that he does not know that the other 8 men did not vote. Mr. Thompson, who was mayor of the city of Birmingham in 1889-90, and was chairman of the Democratic campaign committee in that great county in 1894, and who was at the time chief deputy sheriff of the county of Jefferson, which vouches for his character and standing in Birmingham, says that he did not see the colored man Tilley on that day; that he did not eject him from the voting place in November, 1894; that he was not at this box during the day; that in August he made Tilley stand aside so that illiterate voters could cast their ballots. On this testimony the committee gives to the contestant 9 votes. There is no principle of law or of right that would justify the counting of these votes for the contestant under these circumstances. Under no condition would he be entitled to more than 8 votes, for Tilley swears that he did vote on that day, and voted for Aldrich. But there is no fair-minded man on the floor of this House who will read this evidence, and not come to the irresistible conclusion that Tilley is speaking of the August election and not of the November election.

But, Mr. Speaker, this judge, chairman of this great committee of the House, on evidence like this asks this House to vote that the contestant is entitled in this precinct to 69 votes that were never deposited in the ballot box for him or anyone else. I desire to call your attention again to the fact that when a report is shown to be so unreliable you can not afford to follow it and deprive the contestee of his seat and the people of the Ninth Congressional district of Alabama of representation in this Chamber without an individual investigation of the evidence. The report as to this precinct further says:

The strong probability is that at least 69 colored voters were frightened away by the arrest of others who would have voted for Aldrich.

You are asked to try this case on "probabilities" and not on facts; you are asked to unseat the contestee, because, in the opinion of this committee, it is "probable" that Aldrich lost 69 votes, because the officers of the election obeyed the mandates of the law by arresting 5 parties who were violating its provisions in the presence of the officers.

BESSEMER PRECINCT, NO. 33.

There is only one other precinct in Jefferson County to which I wish to call your attention. In this precinct the contestant received 226 votes and the contestee 230 votes. In this, as in all of the other precincts of the county, a manager or judge of election was appointed at the request of the chairman of contestant's campaign committee. The objection to the election in this precinct, as set up by this one-sided, unfair, and untrue report, is, first, that the Republicans were allowed only one inspector; second, they were allowed no clerk; third, that the ballots sent to the precincts were destroyed the night before the election; and fourth, that the Republican inspector was incompetent, "whose good intention could be readily frustrated by his wily and expert adversaries."

The law of Alabama requires that there shall be three judges at each election precinct and two clerks, and that these judges shall be of opposing political parties. At this polling place the contestant was allowed a manager, and this is all that the law requires. This manager was of his own selection and belonged to the Republican party. I presume from the argument and from the report of the gentleman that it was in his opinion the duty of the Democratic officers in Jefferson County to give to the contestant two of the judges of election, in order that we might satisfy the demands of this election committee. We gave you what the law allowed you, which is more than contestant's friends did for contestee in Blount County when they had the machinery. I desire to assure you now, regardless of what the action of the majority of this House may be, that you will not get in the future any more judges than the statute law of the State provides. There is nothing in the objection that no marker was allowed the contestant at Bessemer precinct.

Section 33 of the law of Alabama provides that—

Any elector applying to vote who shall declare on oath, which oath may be administered by any one of the inspectors, that by reason of his inability to read the English language he is unable to prepare his ballot may have the assistance of an inspector, to be selected by the elector, or a person to be appointed for that purpose by the inspectors of elections.

The law makes no provision for the appointment of one of the clerks or markers from opposing political parties. It is clear from this section of the law of Alabama that if a marker was not appointed for the contestant his interest would be protected by the manager appointed for him, as he is authorized to mark the ballots of illiterate voters of his own party; for it is provided by the law that the illiterate voter has the right to select the manager to mark his ticket of his own political faith. The evidence in the record discloses that the inspector at this polling place marked the tickets of nearly or quite all of the illiterate voters of his own party. The judges of elections appointed at this and other boxes contested in Jefferson County were each appointed at the request of the managers of the campaign of Mr. Aldrich. One of them, Mr. Smith, is one of the most distinguished lawyers in the State of Alabama. Another was Mr. Houston, who was postmaster at Birmingham during President Harrison's Administration, and is a brother-in-law of the present distinguished chief executive of Alabama. The manager at Bessemer box, the evidence discloses, was a man of character and standing in the community in which he lived and far from being an "inexperienced person" whose intentions could be frustrated by his adversaries on that occasion.

If there is any complaint of a want of intelligence, honesty, and integrity, as is intimated in this report, on the part of the judges of election in the precincts contested in Jefferson County, it is the fault of the contestant himself, and not of the contestee or his friends. They were his own selection, his own choice, his own political and personal friends. The evidence of Mr. Stile, the chief clerk of the probate court of Jefferson County, discloses and it is not contradicted in this record, that every Republican

appointment at each of the 40 precincts in Jefferson County was made at the suggestion of the chairman of contestant's committee. At this precinct there were over 1,200 registered voters. The judge of probate of the county, as required by law, prepared and had sent in a ballot box to the voting place on the day prior to the election two ballots for each registered voter. On the morning of the election it was ascertained by the deputy sheriff who had charge of the ballots that during the night some person had entered the office, which he had left locked on the night before, and destroyed all but 127 of the tickets. As soon as this fact was ascertained by the judges of the election two men, a Republican and a Democrat, were immediately sent to Birmingham, on the car which left Bessemer every half hour during the day, for the purpose of securing additional ballots for the accommodation of those who desired to vote for contestant and contestee. These parties telephoned at 11 o'clock from Birmingham that the tickets would be down on the next dummy, at 12.15, and they received the ballots before 1 o'clock. It is claimed in this report that on this account a large vote was lost to the contestant, and the committee propose to give him 365 votes.

They charge further, on the evidence of unreliable persons, that the deputy sheriff in charge of the polling place intimidated the voters, and for this reason the contestant lost a large vote. On page 329, McCrary on Elections, it is said:

Intimidation of voters must always be shown, and allegations and proof upon this subject should always be heard. It must, however, in the nature of things, be a rare case in which votes of persons prevented from voting by force or intimidation can be counted for one or the other candidate as if actually cast. In order that a vote not cast can be counted as if cast, it must appear that a legal voter offered to vote a perfect ballot, and that he was prevented from doing so by fraud, violence, or an erroneous ruling of the election officer.

It is nowhere to be found in this record that any of the 365 voters counted for contestant offered to vote. In this entire record the name of not one man even of the 365 is given who went to the polls who desired to cast his ballot and was prevented from doing so for the want of a ticket or on account of intimidation by the officers.

But, Mr. Speaker, they give to the contestant these 365 votes on the evidence of such witnesses as Z. T. Carwill; and he seems to be the most reliable and trustworthy of any witness for the contestant:

Q. Do you know of any persons who were prevented from voting because they could not get tickets?

A. My judgment is that there must have been three or four hundred men who did not vote on account of the report that there were no tickets. I do not know how many of these were Aldrich men.

Q. How did you get at your estimate that there were three or four hundred men who did not vote on account of the lack of tickets?

A. It was an estimate I made from seeing the men on the streets. I suppose you might call it a guess.

The distinguished chairman of this committee gives to the contestant in this case 365 votes on the guess of this witness. I will venture the assertion, Mr. Speaker, that you may search the records of the contested election cases in this House in the past and no such precedent as this has ever been established. The rule laid down in McCrary on Elections is: "It is a rare case, where votes can be counted for a candidate when they were not cast." Surely it will not be contended that this is one of those rare cases. It is not contended or pretended in this record that there was any fraud in the count of the vote, but because the ballots were not there in the morning, when they arrived at 1 o'clock, and it gave plenty of time for every registered voter to have cast his ballot. In the case of Newcom *vs.* Kertley, it was held that "the votes of two electors who, according to the testimony of several witnesses, would have voted for contestant if the polls had not been closed too soon could not be counted as if cast."

Here is a case in point where the polls were closed too soon and they were thereby deprived of the right of voting, and it is decided that even under these circumstances their votes could not be counted for the contestant. At Bessemer, without giving the name of a single voter who was deprived of the privilege of voting for Mr. Aldrich, the committee counts for him 365 ballots on the mere guess of a single witness. There is but one name that could be applied to an outrage like this–that it is robbery of the contestee and the people of the Ninth Congressional district of Alabama. It is said on page 208, McCrary on Elections:

In order that a ballot not actually cast shall be counted as if cast, it must appear that the voter actually offered to cast it and was prevented from so doing without fault on his part, or, if he does not actually present his ballot to the officers of the election, that he endeavored to approach the polls for that purpose and used due diligence in endeavoring to reach the polls, but was prevented from doing so. Doubtless a rule much more lax than this has occasionally been adopted in legislative bodies, but every departure from this rule as here stated is and must be both erroneous and dangerous.

The evidence can not bring the Bessemer case within the purview of this rule. There is no pretense but that they could have voted if they had remained there until 1 o'clock. There is no pretense that any who offered to vote were refused the right to do so or that any person approached the polls with the intention of voting and the privilege denied. It is not even claimed that the contestee was in the remotest degree connected with the loss of these ballots. It is not even pretended that these ballots were destroyed by his political friends. But, Mr. Speaker, in order to seat the contestant it was necessary to have these votes added to those received, and the committee propose to do so without the warrant of evidence, law, or justice. You may elect in the committee and in this House a Republican member of Congress from the Ninth Congressional district of Alabama, as these members—Republican members of the committee—have done, what the thousands of honest voters in the Ninth district never did and never will do, elect a Republican to represent them in the Federal Congress; but I desire to call your attention to evidence about which there can be no dispute. The total vote of this precinct in November was 456; the total vote in August at the gubernatorial election was 688. There were 232 votes more polled in August than at the November election.

As I have said before, there are 40 voting precincts in Jefferson County, and in every one of these precincts, without a single exception, there was a falling off of the vote from August to November of 40 to 50 per cent. In precinct No. 1, 82 votes were polled in August and 43 in November, a loss of 39. Precinct No. 2, 204 in August and 144 in November, a loss of 60 votes. Precinct No. 21, 1,440 in August and 1,144 in November, a loss of 296 votes. In precinct No. 37 there were 1,647 in August and 1,190 in November, a loss of 457 votes. Precinct No. 38, 132 in August and 69 in November, a loss of 63 votes. Precinct No. 40, 147 in August and 68 in November, a loss of 79 votes. In Precinct No. 33, which is Bessemer, there were 688 votes polled in August and 456 in November, a loss of 232 votes. But the Committee on Elections, after they get through voting in this precinct, increase the vote in November over the vote in August by 139.

There is not another precinct in the county in which there were more votes polled at the November election than in the August election—the vote falling off, as I have said above, from August to November on an average of more than 50 per cent; but still, after the committee are through casting their ballots, in their endeaver to elect a Congressman for the people of the Ninth Congressional district of Alabama, they say this precinct in Jefferson County has increased its vote in November over its vote in August. There is no disputing the proposition that your conduct, Mr. Chairman, in this matter is not only a disgrace to your committee, but a disgrace to this House as well, if they follow the lines you have marked out for them. It does appear to me that even the greed of this committee might have been satisfied with making the vote in Bessemer as much in November as it was at the August election, when a full State ticket was placed in the field by both of the political parties, and every effort was made to poll a full vote.

Does not the gentleman from New York [Mr. DANIELS] think that he has been just a little too liberal in this precinct with the contestant? I challenge him when he comes to reply to explain how it happened that this is the only one of the forty precincts in the county that made a gain in its November vote over its August vote. There is but one way that he can explain it, and that is by honestly confessing that it was not done by the voters at Bessemer, but by the four members of the committee, and charged up to "political exigency" in the interest of contestant. Not because it was believed that the contestant was deprived of 365 votes, not because there was any evidence in the record to justify it, but simply to secure one more Republican seat in this House.

I would like to ask, Mr. Speaker, if there is any more harm in robbing the ballot boxes at the polls in Alabama, as they allege, than to stuff it with illegal and fraudulent votes in the room of the Committee on Elections of this House? [Applause.] The proceeding is so shameful and so disgraceful that it brings a blush of shame even to Republican members on this floor who were members of the famous Fifty-first Congress, for they did stop unseating Democrats in that Congress as soon as they obtained a majority sufficient to transact business.

MARION, PERRY COUNTY.

Mr. Speaker, I now desire to direct the attention of the House to Perry County and the precinct of Marion. I would like to know before I proceed further how much time I have remaining.

The SPEAKER pro tempore. The gentleman has twenty-nine minutes remaining.

Mr. STALLINGS. Mr. Speaker, under the circumstances I will have to hurry along with this discussion if I expect to cover the precincts in the two remaining counties where contests have been instituted and contestee robbed. In the precinct of Marion there were 257 votes for the contestee and 45 for the contestant, as appears from the papers, the election papers, on file in the office of the probate judge when the evidence in the contest was taken. However, the evidence shows beyond any question by both the Republican and one of the Democratic inspectors that the vote returned was 287 for contestee and 15 for contestant. This will not be disputed by the committee. Thirty votes were taken from the contestee and given to the contestant by some one who tampered

with the returns after the inspectors had certified the vote and sent it in. It is important that this House should know, if it is disclosed by the evidence in the case, who it was and at whose instigation this change was made giving to Mr. Aldrich 30 votes more than he actually received at this precinct. There is evidence on this point wrung from one of the political managers of contestant the last day allowed for taking testimony. It required a regular twisting process to get this evidence out of Mr. Mothershed. His recollection on every proposition was clear and distinct until he was asked by counsel about conversations he had with one Mr. Hurt, a manager at this box, and then it was impossible for him to remember the conversations between himself and Mr. Hurt.

I propose to show to this House from the testimony of this witness Mothershed that Mr. Hurt was in the employ of contestant, and beyond question is the man who changed the vote at this precinct:

Q. Do you know H. H. Hurt, in Perry County?
A. I have met him a time or two.
Q. He is a Democrat, is he not?
A. I do not know his politics.
Q. He was one of the inspectors in the November election in Perry County, was he not?
A. Yes, sir.
Q. Did Mr. Hurt ever tell you that Mr. J. W. Worthington, of Birmingham, had agreed to pay him $1,800 if he would hold down the majority in Perry County, to 600 or something like that?
A. No, sir. He told me that he had some business with Mr. Worthington in regard to this last election. I think his language was that he was to get some money if he would guarantee a fair count, or words to that effect.
Q. When was it that you had that conversation with him?
A. My recollection is that it was on the night of the 2d of January.
Q. Didn't he tell you that he had already been paid a part of the money that he was to have, and the balance was still due him on account of that election matter, whatever it was?
A. He told me that he had received some money from the Democrats and the Republicans both.
Q. How much did he tell you that he had received from Mr. Worthington on account of that election matter in Perry?
A. I do not remember the figures. I think he said that it was five or six hundred dollars.
Q. How much did he say was still due him on that transaction, to the best of your recollection, at the time that you talked with him?
A. I don't remember. He told me that he had got some of the managers to change the returns after the election, agreeing to pay them for it, but I do not remember how much.
Q. Was not $1,800, the gross amount that he was to receive from Mr. Worthington for his services?
A. I do not know.
Q. Didn't he tell you that that was about the amount, $1,800 or $2,000?
A. I do not remember whether he did or not.
Q. Is it not your best recollection, Mr. Mothershed, that the amount he named was about $1,800 or $2,000?
A. He was talking a great deal about money matters, or, in other words, he told me that he had money transactions with a lot of men, showing me a lot of letters with assumed names to them, he telling me that some of them were Mr. Aldrich's friends and some of them Mr. Underwood's friends.
Q. Did you talk with him more than once about that same matter?
A. Yes, sir.
Q. Mr. Worthington was an active supporter of Mr. Aldrich in that campaign, was he not?
A. That is my recollection.

There is much more evidence given by Mr. Mothershed on this line, but as it is perfectly clear that Mr. Hurt was in the employ of contestant's friends, and that he received money from them, agreeing in consideration therefor that he would change the election returns in the interest of contestant, I will not quote him further. It is further ascertained from the evidence of this witness and his manner of testifying that he knew all about this transaction. He admits that Mr. Hurt told him that he had procured the services of managers of the election, after the returns had been sent in, to change them in the interest of Mr. Aldrich. If I had the time, Mr. Speaker, I would like to devote a portion of it, at least, to a criticism of the evidence of this witness and the conduct of Manager Hurt in this case. The probate judge of the county in his testimony says—

That not only the vote in this precinct was changed after the returns had been made by some one in the interest of contestant, but also in the precincts of Uniontown, Pope, Walthall, and other precincts, thereby depriving the contestee in this case of at least 400 or 500 votes that had been honestly returned for him.

The papers in this case, together with the evidence of the probate judge, make this so clear that it is not disputed even by the majority who make this report against contestee.

In this report they say that "the contestant would not have been allowed the 45 votes unless he certainly had received them." Such fallacious reasoning as this is ridiculous in the light of the evidence in the record. The contestant proved that he received 14 votes in this precinct, and he was given 15 before there was any tampering with the returns. Mr. Lester, the Republican manager at Marion precinct, testifies that the vote actually returned for the contestant was only 15. Mr. Leverett, on page 153 of the record, also testifies that he placed every ballot in the box, and that the vote was counted as it went in, and that 15 was the number received by contestant at Marion. There can be no question but that at this box the vote of Mr. Underwood was 287 and for Mr. Aldrich 15.

This report of the committee goes on to say: "But the objection to the vote of this precinct is of a different nature." They attempt to dodge the issue at this precinct, for they realize that if the facts in the case were stated in the report as they actually exist this House could not be induced, even with all of its partisanship, to permit this box to be entirely thrown aside. I am not surprised that the chairman of the committee desires to place his objection to the vote in this precinct on a different ground. He knew full well that he had to discard this precinct entirely in order to secure the results that he set out to ascertain. So he says in his report, having the above objections clearly in mind, as is evidenced from the results, that the booths were in one room, while the ballot box and the managers were in another, and on this ground he proceeds to throw out the entire vote of this precinct; nevertheless the contestee has proven by the uncontradicted testimony of Mr. Leverett, the Democratic inspector; by Mr. Lester, the Republican inspector; by Mr. Nelms, the marker, and by the certified poll list, which is made a part of the record in this case, that contestee received 287 votes at this box.

Section 24 of the election laws of Alabama is in the following words:

The sheriff of each county, at the expense of the county, or in case of municipal elections, the mayor or other chief executive officer, at the expense of the city or town, shall provide at each polling place a room or covered inclosure, and in such room or covered inclosure shall provide booths or compartments; one booth or compartment for each 100 or fraction of 100 or 50 electors registered for that election, and each with a shelf or table for the convenience of electors preparing their ballots. Each booth or compartment shall be so arranged that it will be impossible for one elector at a shelf or table in one room to see an elector at another shelf or table in another compartment in the act of marking his ballot.

This section of the election law of Alabama clearly implies that it was the intention of the legislature that the sheriff should furnish a room in which should be placed the booths for voters to occupy while making their tickets. I presume that even this committee would concede that prior to the enactment of this statute there was some place in every voting district where voters cast their ballots. Then this law makes it the duty of the sheriff, in addition to the places heretofore prepared for voting, to prepare rooms or covered inclosures at each of the voting places in which booths should be placed, implying that there should be a different room for the booths from the one in which the voting is done—and this construction is placed on this law in Alabama. At this precinct the booths were placed in the office of the probate judge, which is 24 by 16 feet, filled with furniture, and the ballot box, together with the managers and the paraphernalia of the election, was in a small room adjoining, which was the vault in which books of all the public officers of the county are kept. The object of this law was to secure a secret ballot, and if the booths and the managers and clerks were all in a small room, when a marker was called to mark the ballot of an illiterate elector this secrecy that the law intended to provide could not be had, because the officers of the election could easily hear for whom the illiterate voter instructed the marker to mark his ballot.

It is made a crime by the same statute to disclose who was the voter's choice. The law further provides that all booths shall be vacated when an illiterate voter enters one of them for the purpose of preparing his ballot. If the different sections of this law are construed together, as is the rule in the construction of all statutes, the conclusion must be reached inevitably that it was the intention of the lawmaking power to preserve absolute secrecy in the preparation of the vote of the elector; but the committee insists that a different construction should be placed upon this statute, that the booths should be kept in the same room with the ballot box and managers and clerks of election, and because this is not done they proceed to discard the entire vote of this precinct; nevertheless, contestee has proven the vote cast for him outside of the returns. But this committee ought at least, in all decency, to have some consistency in their rulings. In Jefferson County, in precinct No. 37, at the court-house, they had exactly the same arrangement, the booths being in one room and the ballots deposited in another, but in this precinct there is no effort made to throw out the vote. I desire to ask the chairman [Mr. DANIELS] what is the difference? Why is it that you permit in Jefferson, without protest even, what you prohibit in Marion? I desire, when you come to reply, that you explain this fully to the members of this House, and explain to them further how the findings of the committee can be consistent when you apply one rule of construction in Perry County and another to Jefferson County.

Mr. Speaker, I find the rule on page 272, McCrary on Elections, laid down in clear and unmistakable terms:

To set aside the returns of an election is one thing; to aside the election itself is another and very different thing. The return from a given precinct being set aside, the duty still remains to let the election stand and to ascertain from other evidence the true state of the vote. The return is only to be set aside, as we have seen, when it is so tainted with fraud or with the misconduct of the election officers that the truth can not be deduced from it. The election is only to be set aside when it is impossible from any evidence within reach to ascertain the true result, when neither from the returns nor from other proof, nor from all together, can the truth be determined.

The rule laid down above is that where the returns are set aside it is the duty of the committee to let the election stand if it is possible to ascertain by evidence the actual status of the vote. In setting aside the returns it does not appear that the vote actually cast is to be disregarded. The returns are set aside for fraud or on the ground of the misconduct of the election officers, but the election itself can only be set aside when it is impossible by evidence to ascertain the true results. Here the true result has been ascertained; the managers for both the contestant and the contestee swear to the result; besides this, the contestant himself makes a part of this record a certified copy of the original poll list. Moreover, the witnesses introduced by contestee, Mr. Nelms, Mr. Leverett, and others, prove conclusively that 225 voters—white voters—in this precinct cast their ballots for Mr. Underwood. Disregarding this evidence, disregarding the clear rule of law, the committee lays violent hands on the vote of this precinct, not allowing my colleague a single one even of the votes that he has proven by outside evidence, independent of the returns.

In order that the returns may be set aside, fraud must be established on the part of the officers of the election. Fraud by the election officers has not been proven; but the evidence of Mr. Mothershed clearly shows that after the polls had closed and the returns were made up they were tampered with, evidently by a man who had been a manager of the election. After Mr. Hurt signed and returned to the probate judge the papers showing the result of the election he was no longer an officer within the purview of the law, and any act of his, or confederates of his, after this was the act of outside parties, and not the act of the officers charged with the duty of conducting the election. So his conduct in changing the results, which was a fraud, was the conduct of a private citizen and not of an officer; and the returns can not be set aside for fraud unless it was the act of the manager or officers of the election. The misconduct of Mr. Hurt and his confederates after the election was over was not the misconduct of the election officers. To put any other construction on this rule of law is unwarranted, and this House ought not to permit it. Again, it is said on page 274, McCrary on Elections:

After a vote has been admitted something more is required to prove it illegal than to throw doubt upon it. There ought to be proof which, weighed by the ordinary rules of evidence, satisfies and convinces the mind that a mistake has been made, and which the House can rest upon as a safe precedent for like cases.

In the light of the evidence in this case, I desire to know if it is the opinion of members on the other side of this Chamber that the chairman of this committee has applied the legal rules of evidence in discarding the vote of this precinct. I am ready to admit, of course, that it is very easy to satisfy and convince the mind of the chairman of the committee and his colleagues that a mistake has been made—a fraud perpetrated—because when their minds are so satisfied it means a loss of over 200 votes to the contestee. But I will not consume more time, Mr. Speaker, in the discussion of this legal proposition, when I realize that my words are falling on deaf ears, on the ears of men whose minds are irrevocably made up. We do not expect to convince you, because that would be out of the question; we know what the result is to be, and we are now ready to accept the consequences.

WALTHALL.

In this precinct the vote was changed from 115 to 55, and against the contestee. The contestant examined 13 colored men, each of whom stated that he did not vote. This is practically all of the evidence introduced by him at this precinct. Capt. B. A. Hardy, a man of unimpeachable character and unquestioned integrity, was one of the managers or judges at this polling place. He is a merchant and a planter, an old-time Southern gentleman, whose word in the section where he lives would not under any condition be questioned. In his evidence, on page 708, he testifies that 10 of the 13 men whose names appear on the poll list who swore that they did not vote live on his plantation, and that they did vote on that date; the others, who do not live with him, he says voted on the 6th day of November, A. D. 1894, and voted for Underwood.

Another witness, J. Huggins, states that he saw 5 of these 13 men sitting under the ginhouse while the managers were at dinner, and that they told him that they were waiting to get an opportunity to vote. In the report of the committee they say that the contestee endeavored to prove that the 13 men did vote, and that the evidence to this fact was given by an inspector and another person. Without one word of evidence in the record to sustain it the report gravely says that—

The inspector had other employments engaging his attention during the day, and the other witness differed with him in his evidence. The testimony of the 13 is far the most reliable, and these 13 votes must be deducted from the returns made.

There is no contradiction in the evidence of Captain Hardy and Huggins on the points about which they propose to testify. Captain Hardy testifies that all of the 13 parties voted; Huggins only attempts to testify to seeing the 5 men waiting to vote under the ginhouse. How a judge of twenty years' standing can put such a construction on the evidence of these witnesses is beyond my comprehension. He must know, if he has read the evidence in this case, which I very seriously doubt, that there is no contradiction in the evidence of these two witnesses. Two or three of the witnesses testify that they did not vote. The evidence shows that there were three men in the precinct of the same name, and that they were the men on the poll list, and not the witnesses introduced by contestant. But why waste time in discussing so small a matter as 13 votes? The frauds perpetrated on the contestee by the committee in other precincts so far surpasses this that we dismiss this precinct without further comment.

UNIONTOWN.

I desire to state for the information of this House that there were two reports written in this case. The first report elects the contestant by less than a hundred votes, and only the chairman of the committee could be induced to sign it. All of the members of the committee present and voting when this first report of the chairman of the committee was read for their approval voted that Mr. Aldrich was not elected a member of the Fifty-fourth Congress and was not entitled to a seat therein. Among those voting that Mr. Aldrich is not entitled to a seat on the floor of this House was the gentleman from North Carolina [Mr. LINNEY]. He has changed front at least twice in this case, and his name is not signed to the report of the committee recommending that Mr. Aldrich be seated.

When this report was read the gentleman was then of the opinion that Mr. Underwood was elected a member of the Fifty-fourth Congress, and not Mr. Aldrich, and so stated in the committee room when he refused to sign each of the reports. The first report, gentlemen, did not discard the entire vote at Uniontown precinct, but left 177 votes which it admitted should be given to Mr. Underwood. Now, the report under discussion says that the entire vote should be thrown out. What reliance can be placed in the judgment and findings of men on a given statement of facts, with the evidence in writing before them, who decide one thing to-day and another to-morrow? Can you afford to establish a precedent for the guidance of this House in the future by following the findings of such a committee?

The judge of probate of the county testifies that over 300 votes were originally returned for the contestee, but after Mr. Hurt and his confederates in crime had finished up their dirty work, hired by contestant's manager in Birmingham, the returns only showed 187 votes at this precinct for Underwood. The evidence on which the vote of this precinct is asked to be discarded is of three or four colored men, who state that they did not know any one of the 23 names called over to them, and did not believe them to be residents of the precinct; but on cross-examination they admit that they do not know one-half of the thousand colored voters in the precinct. The rule laid down in McCrary on Elections, on page 261, is—

For the purpose of showing that nonresidents have voted, witnesses are often called to testify that persons whose names appear upon the roll as having voted are not known to them as residents of the county or voting precinct, as the case may be. This kind of evidence is admissible for what it is worth, but it is manifest that its value must depend upon circumstances. If the district or territory within which the voter must reside is large or very populous, and the witness has not an intimate and extensive acquaintance with the inhabitants, the evidence will be of little value, and standing alone, will avail nothing.

This is clear, concise, and can not be misconstrued. The proof in this case does not come up to these requirements, but it appears that the committee not only disregard the clear rule governing such cases, but also every precedent heretofore established in this House. The names of 24 persons were read over to the witnesses in this case and they state, as I have said before, that they are not acquainted with these parties. Seven of these names do not appear on the poll list as having voted at all; therefore the evidence as to these can not have any weight with this House. It certainly shows the unreliability of the report of this committee. The report says further that one Jim Jones swore, as a witness for the contestee, that 7 of the persons named in this list lived in Birmingham. You are asked, gentlemen of the House, to decide that there was fraud at this box because Jim Jones swore, according to the report, that 7 of the men on the poll list did not reside at Uniontown, but resided in the city of Birmingham. If Mr. DANIELS has examined this evidence, and I presume that he did examine the evidence of this witness, because he attempts to quote it in his report, he must have ascertained that this witness did not testify as he is quoted.

On page 708 of the record will be found the evidence of this witness, which is as follows:

Q. What is your name, color, and where do you reside?
A. Jim Jones is my name; I am a black man; I live in Uniontown, Perry County, Ala.
Q. Are you well acquainted with the colored voters of Uniontown beat?
A. Yes, sir; I am very well acquainted with them.
Q. Do you know the following-named persons? If yea, where did they

reside in November last, to wit: Sam. Steel, Earnest Reed, Frank Langsdon, Albert Avery, William Anderson, Willis Carrington, and William Mitchell?
A. I know them all, and they lived here in Uniontown beat at that time.

Here is another of the many misquotations of the evidence in the interest of the contestant. There can be but one solution of the conduct of this great committee of the House, and that is that this misstatement is put in this report for the purpose of securing your support to seat a man who the people of the Ninth Congressional district never did elect. Why should this witness be made to say in this report that the 7 men named over to him lived in Birmingham, when his evidence is so plain that they lived in Uniontown, and were there on the day of election? You can not, Mr. Speaker, place any reliance in a report absolutely reeking with false statements, false charges, vile insinuations, and misquotations of the testimony as given in the record of material facts. They say in this report, which is a key, in my judgment, to a complete solution of the objects and intentions of this committee, that Richard Ware saw 12 colored persons enter the polling place, "And not," says Judge DANIELS, "a single vote has been returned from this precinct for the contestant." Because a "spotter" witness saw 12 colored men enter a polling place he insists that fraud was perpetrated on the contestant because these 12 men's votes were not given to Mr. Aldrich. Such an assertion or statement made by a committee is enough within itself to discredit the entire report, but on such evidence as this the entire precinct, by the last report, is thrown out, and the 177 votes returned for contestee after it had gone through the hands of Mr. Hurt and his coconspirators is discarded. I will waste no more time in discussing the committee's report at this precinct.

HALE COUNTY.

In the limited time allowed me to discuss this case I can not go into the evidence in each of the precincts in Hale County. The committee tampered with the vote of 11 of the precincts in this county, and deduct 522 votes from contestee and add 109 votes to the returned vote for the contestant. In some of these precincts they disregard and set aside the evidence of hundreds of men who swore that they voted for contestee.

I will first take up Laneville precinct, which is a fair example of the conduct of this committee in their dealings with the other 10 contested precincts of this county. There was returned for Mr. Underwood in this precinct 102 votes and for Mr. Aldrich 3 votes. The evidence shows that the polling place was in the rear room of a store, and that there were 2 spotter witnesses at this box, who had 2 other men stationed in the house to report to them who went inside of the voting place. These witnesses have 63 names in all on their list; 37 white Democrats, 24 colored men, and 2 Jeffersonian Democrats, who were white men. They admit that the 37 white men were Democrats and voted for Underwood, but they claim that the 24 colored men, because they were colored, voted for Mr. Aldrich. Of these 24 colored men the contestee introduces 19 of them on the stand, who swear that they voted for him at the November election in 1895. One other, Fielder, whose name is on the list of 24, told the witness, Pearson, that he also voted for Mr. Underwood, and 3 out of the 24 are not on the poll list, and therefore did not vote.

Thus it is seen how absolusely unreliable is the list, together with the evidence of these hired poll watchers of the contestant. The contestee introduces 65 witnesses who say that they voted for Mr. Underwood. Thirty-four out of these 65 were not on the list of the spotter witness, Hilton. As I have already said, contestant's spotter witness admitted and gave the names of 63 persons who voted at this box and swore that no other electors entered the polling place. Of these 24 Republicans—Republicans because they were colored—nine or ten of them swear that they voted for the contestee. By a careful examination of this evidence you will ascertain that Mr. Underwood has proven by 97 witnesses, whose testimony is not even attempted to be impeached, that they voted in the November election in 1894 and voted for Mr. Underwood. Of this number 53 contradict and impeach the spotter witness Hilton when they swear that they voted for the contestee. But notwithstanding this fact that Hilton stands impeached by the managers of the election and by 53 disinterested, uncontradicted witnesses, this committee adopts his evidence as true, and strikes down 65 votes for the contestee at this precinct. He says in the report, in speaking of the testimony of these witnesses, that—

Nearly all answer in the same words, showing that they had been drilled and probably hired to answer as they did.

I desire to call the attention of this House to the questions put to the witnesses at this precinct, for it is perfectly evident that the questions were prepared beforehand, as the same questions were asked each of the 65 witnesses:

Q. What is your name, age, where do you reside, and how long have you so resided?
Q. Did you vote at the 1894 Congressional election in November at Laneville; and if so, for whom did you vote?
Q. Are you a colored man?

These identical questions were propounded to every one of the witnesses examined in Laneville precinct, and because the witnesses answer in the same words the majority of this committee charge that they were drilled and probably hired to answer as they did.

Now, Mr. Speaker, let me call the attention of this House to the questions asked the 76 witnesses examined for Mr. Aldrich at Carthage beat. The questions to each of the 76 witnesses of the contestant are in identically the same words, and are answered almost in identically the same language by each of the witnesses, just as was the case at Laneville precinct of witnesses for the contestee:

Q. What is your name, residence, and how long have you resided there?
Q. No. 2. Do you remember the Congressional election that was held in beat 12 in November, 1894?
Q. No. 3. Did you vote at said election; and if so, who did you vote for?

Now, examine the record, and you will see that the same questions, without the variation of a single word, were put to each of these 76 witnesses, and the answers are almost identical to every question. But in one case, at Laneville beat, from the fact that the questions were alike and the witnesses answered them as they could only do, in practically the same way, this great judge of twenty years' experience states that they had been drilled and probably hired to answer as they did, and refused to count a single one of these votes for contestee, while at Carthage he overturns, discredits, and disregards the returns of the election officers, but counts these 76 colored votes for the contestant. I venture the assertion here and now in this presence, among whom are some of the truly great lawyers of America, that in no contest case, or any other kind of a case, such partisanship, such construction of evidence, was ever exhibited before, showing such utter disregard of all rules of law and construction of evidence; yea, even decency itself. I will not further take up the time of this House discussing this outrage perpetrated not only on the contestee, but against the people of the district who elected him to represent them on the floor of this House.

GALLION BEAT.

I will now, Mr. Speaker and gentlemen of the House, direct your attention to Gallion beat, in Hale County. In this precinct there were 272 votes returned for Underwood. The testimony for he contestant was that of two spotter witnesses and two only—John Jeffries and John Baloe—who were hired by the contestant's friends and sent to this precinct to watch the conduct of the election. These men testify that they arrived at the voting place about 9 o'clock and that one of them took his stand on the front porch of Mr. Collins's store; that he remained there until 3.30 or 4 o'clock in the afternoon, and that he saw 31 white and 25 colored men vote while he was on guard.

This is all of the evidence for the contestant at this precinct. The contestee introduces each of the merchants and the clerks at the village where the voting took place—eight or nine in number; they each swear that they know Jeffries and Baloe, and that Baloe was not at the voting place during the entire day, and that John Jeffries arrived about 11 o'clock and left between 1 and 2; that during the time that he was at Gallion precinct he was in Mr. Collins's store most of the time, amusing himself, as a darkey frequently does, picking his banjo. [Laughter.] John W. Collins, C. W. Collins, J. Wood Collins, and R. W. Collins, who are merchants and planters, swear that Jeffries, even if he had been on the porch of the store, where he claims to have been, could not have seen parties going into the polling place, as a wall of a house would have obstructed his view. But what does an ordinary plank wall amount to when it comes in the way of the vision of one of contestant's hired spotter witnesses? A few of these spotter witnesses, with the aid of some members of this committee on a hunt for Republican votes, can perform miracles even in these times.

Four or five other unimpeached witnesses, who are clerks and merchants in the village, testify, completely corroborating the testimony of the Collinses. If there were no other evidence in this case except the returns of the officers appointed by law to manage this election, I can not see how this House could afford to set aside the returns in this precinct on the statement of this perjured colored witness. I say perjured, for even Mr. DANIELS admits that "entire credit" can not be given to their statements.

But, gentlemen, this is not all. To sustain the returns of honest, upright white men, whose character in the community where they live is above reproach, the contestee introduces 132 colored men, all of whom swear that they voted for Mr. Underwood on that occasion and were members of an Underwood Club. But the chairman of the committee in his report says, in his effort to unseat the contestee and deprive him of the vote of honest men who swear that they supported him:

That the colored people so notoriously vote the other way when they follow their own inclination that it is incredible that these persons swore as they did without being improperly induced to do so by the friends of the contestee.

Mr. Speaker, are we trying this case to-day on what is not credible to the mind of this partisan judge, or are we trying it on the record made up and furnished to this House? Where did Judge DANIELS get his information that all of the colored people in Alabama notoriously vote the Republican ticket? This statement is so absurd upon its face that it is incredible to believe that a man of his age, his character, and his standing would risk his reputation upon such reasoning. He admits that the statements of the spotter witnesses have been overturned; that they have been so conclusively and successfully impeached by nearly 150 men that, in his own words, "Entire credit is not due to the testimony of the two witnesses" who in that manner testified for the contestant.

I have not the time, Mr. Speaker, to take up in regular order the different assertions made in this report in regard to this precinct by this committee and show them up to this House in their proper light. On this kind of evidence, in the very teeth of the sworn statement of the voters themselves, this committee strikes down 234 votes polled at this precinct for contestee. It is conceded, and the proof is made by the contestant himself, which is a part of the record of this case, that the Republican chairman of the State executive committee and the chairmen of the county committees of Hale and Perry sent circulars broadcast over each of these counties in the summer of 1894, instructing and commanding the colored Republican voters not to register; and that they in this way kept the Republicans from registering, and thereby from voting at the election. Hence the colored men who did register in these two counties, as is testified to by A. B. Weems, the Republican chairman of the county committee, were Democrats. He also testifies that there were more colored Democrats in Gallion beat than in the balance of Hale County combined. But, even with the evidence of the contestant showing that these colored people were Democrats and registered as Democrats, the committee says that it is incredible that these men could vote the Democratic ticket, for they notoriously vote the other way.

GREENSBORO BEAT.

I am warned, Mr. Speaker, by the short time still remaining to me that I will have to skip seven or eight precincts in this county where the contestee has been robbed of votes honestly cast for him, fully as bad as in the case in Gallion beat, of which I have just spoken.

I will therefore devote the remainder of my time in calling the attention of this House to Greensboro beat. In building monuments to perpetuate the memory and deeds of great men, or to perpetuate some great historical event, it has been the custom in all ages of the world to put on a capstone to preserve the masonry from the destructive truth of time. In the case of Aldrich *vs.* Underwood the committee has followed the precedents of all ages and of all peoples in one particular at least, by making Greensboro precinct the capstone to the complete infamy of this report.

At Greensboro Mr. Underwood received 238 votes and Mr. Aldrich 5. The town of Greensboro, in Hale County, is the seat of learning of the Methodist Church in Alabama. It is noted for its wealth, for the refinement and culture of its people, and for their high moral ideas. For more than two generations in Alabama the people of this town have been noted for their many sterling qualities, which go to make up that high ideal of manhood. In this precinct there was likewise a colored spotter witness, a fellow by the name of Simms, who, in this report, is called "Mr. Simms, the merchant." He ran a little huckster shop across the street from the polling place, and the evidence shows that he never had as much as $500 worth of goods during his career as a merchant. He testifies that he remained on guard during the entire day, and he saw 183 voters enter the court-house by the front door. He further testifies that there were three other approaches to the polls, namely, through the register's and sheriff's offices and the office of the clerk of the circuit court, and that he does not know and will not undertake to say how many men approached the polls from these three directions. He furnishes a list of the names of the men whom he saw enter the polling place from the front door, and on this list there are 183 names, 177 being the names of white men, residents of the town and vicinity.

There is no dispute in this evidence as to the number of men that Simms saw approach the court-house by the front door; but still this report, with its usual disregard for truth and accuracy, puts the number at 162, when the list furnished by Simms, made a part of his evidence and a part of this record, shows by actual count that there are 183 names thereon. I simply call your attention, gentlemen, to this fact to show you again that it is impossible for this report to have emanated from the mind of the chairman of the committee, or to have been his production. In the most trivial as well as the gravest matters the report contradicts the record. When the contestee came to rebut this evidence by witnesses who could not be impeached he introduced 39 witnesses whose names do not appear on Simms's list, and all of these men swear that they voted on November 6, 1894, and voted for Mr. Underwood. It is important, immensely important, to the people of Alabama at least, to know, and for the country to know, what manner of men are these who testify for the contestee at this precinct. They are the bankers, preachers, lawyers, and merchants of the city of Greensboro. I find that 2 of these 39 witnesses were then and are now professors in the Methodist College at Greensboro. We find that one of them is one of the most distinguished divines in the State of Alabama, a man whose reputation for honesty, integrity, piety, and learning is not bounded even by the limits of his own native State.

This man, Dr. Otts, pastor of the Presbyterian church at Greensboro, testifies that he voted for Mr. Underwood on the 6th day of November; Professor Massey also testifies that he voted for Mr. Underwood, none of these names being on the list "of Mr. Simms, the merchant." The names of all of these 39 witnesses are placed in the brief of counsel for contestee; their testimony may be found in the record in this case, and the contestant himself will not dare get up in this Chamber and state for the information of this House that these 39 men are not the equals or peers in point of intelligence, honor, and integrity, at least, of the members of this committee. Let him say now whether or not these men, who swear that they voted for Underwood at Greensboro, are not of the highest type of manhood in our State.

As I have said before, Mr. Speaker, on this list of 39 names is a banker, 2 ministers, 2 professors, doctors, lawyers, and men in other high avocations in the city of Greensboro. But when they come under the scrutinizing gaze of this unfair and partisan committee the chairman in his report takes occasion to dismiss them and their evidence from this case in the following language. I will first quote what he says about the colored witness, Simms, whose evidence in this case overturns the testimony of the 39 men about whom I have spoken, the judges and clerks of the election, while it does not attempt to contradict them, because Simms himself says that he would not undertake to say who entered through the other three approaches to the polls. The report, in speaking of Simms's testimony, says:

> This witness was evidently an intelligent and observing person, and as he took a list of the names of the persons who went in the court-house door, there is little or no ground for supposing that he was mistaken.

It is evident from the report of the committee that they ignore the fact altogether that Simms also testified that there were other ways of approaching the polls besides the front door of the court-house, the place where he was watching, and that he could not say and would not undertake to say how many entered by the other ways.

The report says, in speaking of the 39 witnesses examined for contestee—

> The 35 or 39 persons examined by the contestee, who were not named by Simms, and swore they voted for Underwood, are not entitled to very much reliance in their statements, for they evidently swore by previous arrangement as to questions to be asked and the answers they should give. These questions and answers are so generally identical as to indicate that they had been arranged before either was sworn, and the persons, with very few exceptions, answered in the same way and used the same words.
>
> The questions and answers betray the fact that a previous coaching process had been used, and that the witnesses' statements, simple as they are, can not be credited. This process extends from page 599 to page 636 of the record. They testified according to the expression of one mind and by which they had been instructed.

I will not undertake, Mr. Speaker, to express the to me natural feelings of disapproval and disapprobation at this language—feelings of resentment and disgust that I can not and would not conceal—aroused by reading the statements in this report in regard to the character and standing of these most estimable gentlemen, residents of Greensboro, Ala. I am fearful, were I to attempt to portray in language these resentments and these feelings, my language might be construed by the present Speaker of the House to be unparliamentary. I will dismiss this matter by stating that it is too contemptible for consideration by any deliberative body, much less this American Congress.

There was no other way, Mr. Speaker, that these witnesses could have answered these questions. They were formal and asked for a statement regarding two facts, namely, whether or not they voted, and for whom they voted. He dismisses this precinct by stating that "the testimony given by the contestee as to the voters in this precinct is quite fragmentary, not impairing the evidence of Mr. Simms, and taking the 178 votes referred to on page 57 of the brief of the contestee from his returned vote of 238 brings him in 60 votes short of the return." Thus the contestee is again robbed of 60 votes more in order that you may add one more to the already unwieldy majority of the Republicans on this floor.

CARTHAGE BEAT.

I will, Mr. Speaker, in conclusion, call the attention of the House to one other of the many inconsistencies that mark this report as a measure of partisan zeal and partisan unfairness never equaled even in the Fifty-first Congress. At Carthage beat, in Hale County, there was no charge of unfairness or of wrongdoing in any way by the managers or judges of election. The injustice done the contestee in this precinct is simply on the construction

of a section of the election laws of Alabama. The returns showed 47 votes for contestee and 32 votes for contestant, and 33 were thrown out by the managers because the intention of the voter could not be ascertained from an examination of the ballot. Seventy-six witnesses testified that they voted for Mr. Aldrich. The managers, who are gentlemen of unimpeachable character, testified and produced as well the ballots that were not counted by them, and these ballots are made a part of the record in this case, and are here for the inspection of the House; and they show on their face that the electors did not make a cross mark, as required by law, opposite either of the names of the candidates, but made the cross at the top of the ballot opposite the words "Official ballot." Section 42 of the election laws of Alabama is in the following words:

SEC. 42. *Be it further enacted*, That if the elector marks more names than there are persons to be elected to an office, or if for any reason it is impossible to determine the elector's choice for any office to be filled, his ballot shall not be counted for such office; but this shall not vitiate the ballot, so far as properly marked, nor shall any ballot be rejected for any technical error which does not make it impossible to determine the elector's choice; and nothing herein shall be construed to prevent any elector from voting for any qualified person other than those whose names are printed on the ballot.

It is evident, gentlemen, that it is impossible to determine from these ballots the elector's choice for Congress. I hold in my hand a copy of the official ballot required by the laws of Alabama. You will see upon examination that if the cross-mark was made on the left of the words at the heading of the ticket, "Official ballot," it was impossible to determine the choice of the elector for a member of Congress from the Ninth Congressional district of Alabama. The statute says that "a ballot thus marked, where it is impossible to determine the elector's choice, shall not be counted for any candidate." Section 407, McCrary on Elections, lays down the rule in the following words:

The intention of the voter can not be proven to contradict the ballot or when it is composed of the paper ballot which he has deposited in the ballot box.

In this case and at this precinct the distinguished chairman of the committee has permitted voters to testify, in the teeth of this rule as well as the statute, that they voted for Mr. Aldrich, and he has counted these 33 ballots for him, besides 2 other ballots which were not marked at all. In the county of Blount there were 10 ballots which the judges of election cast aside without counting, for the reason that the cross mark was made on the right of Underwood's name, instead of the left, as section 42 of the election law provides. In this case the chairman of the committee in his report gravely says that they must be discarded because they were not marked as the law directs, when the law says:

If, for any reason, it is impossible to determine the elector's choice for any office to be filled, his ballot shall not be counted for such office; but this shall not vitiate the ballot so far as properly marked, nor shall any ballot be rejected for any technical error which does not make it impossible to determine the elector's choice.

In this case it was simply a technical error, and the choice of the elector was evident and could not be disputed. I call your attention, Mr. Speaker and gentlemen of the House, to these two cases in order that I may impress upon your minds the want of consistency, much less fairness, on the part of this committee, and the absolute unreliability of their report. There is not a lawyer on this floor, unbiased by partisanship, who would not readily say that the 33 votes given to Mr. Aldrich at Carthage, where the voter had marked the ticket opposite the words "Official ballot," is a wrong or would hesitate for a moment in construing this statute to give the 10 votes in Blount to contestee.

Mr. Speaker, in conclusion I will call the attention of the House to the fact that Mr. Underwood had a clear majority of 1,247 votes, not including those taken from him in Perry County, which, according to Judge Shiver's testimony, exceeded 500. This majority of 1,247 the committee set aside in the manner set out in my remarks, and turned this into a majority for contestant of 196.

But, sir, this Congress is making its record—a record in which, for profligacy in the expenditure of public money, for reckless and blind partisanship, for a total disregard of the needs and necessities of the public service, for a want of capacity to provide for an already bankrupt Treasury, it has far surpassed its only rival, the famous Fifty-first Congress. For your many shortcomings then your party was hurled from power by an indignant and outraged people, and many of your trusted leaders consigned to oblivion from which there will be no awakening

There is an innate fairness in the American people which will rebuke and revenge such profligacy and partisanship as has been witnessed during this Congress. You have already turned out 10 members of this House to make room for their Republican contestants. The eleventh is soon to follow. You can not justify your action in many, at least, of these cases at the bar of public opinion. In Murray *vs.* Elliott you disfranchised an entire city, throwing out without even a semblance of right 20 precincts, including the entire city of Charleston, in order that you might make room for the colored contestant, thereby hoping to hold your colored cohorts in the South in the coming national election.

Justice will follow in the wake of such wrongs; retribution will surely overtake you in your wickedness. [Applause.]

Mr. DANIELS. How much time have I left, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from New York has twenty-two minutes left.

Mr. DANIELS. Mr. Speaker, a very large amount of attention has been given by the gentleman who has just taken his seat [Mr. STALLINGS], as well as by the contestee himself, to the precinct of Elyton, where it is claimed that 19 votes were deducted from the vote returned as cast for the contestee. A correction of that claim was made when the contestee was addressing the House by the statement that the votes deducted there were only 5 in number. It was believed at first that votes should be deducted to the number of 19, in accordance with the statement made by the gentleman on the other side, but when the matter came to be considered before the full committee it was determined that the deduction should be 5 instead of 19. That disposes of so much of the argument on the other side as has been based on Elyton precinct.

Now, as to Bessemer precinct, it is stated here that there was no evidence before the committee relating to the fact that voters there were challenged, and challenged upon a mere pretext, for the purpose of preventing them from voting, and not for the purpose of enforcing the law of the State, and it is claimed that those votes should not be included or considered here. It appears from the testimony that the persons who were challenged, 15 in number, were there with their registration certificates, and they certainly would not have been registered had it not been for the fact that they were entitled to registration as residents of that district and entitled to vote. Their registration certificates, according to the evidence of Mr. Diffay, were in their hands and were produced, but still when these challenges were made the voters were not allowed to vote unless they could secure their identification by white persons.

Mr. BARTLETT of Georgia. Will the gentleman yield for a question?

Mr. DANIELS. I will.

Mr. BARTLETT of Georgia. I want to ask the gentleman if Mr. Pettyjohn, a Republican inspector at that precinct, was not asked whether any one colored person had been refused permission to vote because he was not identified by a white man, and if he did not say that there was not one?

Mr. DANIELS. He testified that there were none that he knew of. His testimony is this:

Q. Did the inspectors of election require the colored voters who had been challenged to prove by white witnesses that they resided in the precinct?
A. There was no special edict to that effect, but that was the general ruling.

Mr. BARTLETT of Georgia. Now, read on a little further. Does not the witness use the expression, "No, not one"?

Mr. DANIELS. He testified that there was no person that he identified who was not allowed to vote, and he did not know of any one's vote being rejected because no white man had identified the voter; but when those men were challenged in this way and were required to produce white men to identify them, they were incapable of complying with that requirement, because the white men declined to appear and sustain their rights, and the consequence was that the voters lost their votes. The statement of Mr. Pettyjohn was that, while there was no special edict to the effect that those voters should be refused permission to vote unless identified by white men, the general ruling was to that effect. These men were challenged upon the pretense that they were not voters. Having certificates of registration in their hands, they were undoubtedly voters entitled to vote at that precinct, yet, owing to the fact that a challenge could be made under the State law, upon that pretext they were excluded from the exercise of their right to vote. So that it is not true, as was stated here in the course of the discussion upon the other side, that men's votes were not rejected because they were unable to secure their identification by white men, because the testimony of Mr. Pettyjohn is that the general ruling was that that requirement was made.

It is also claimed that these arrests on the part of the deputy sheriffs, who swarmed around the precincts in the Birmingham district, were rightly made, because the persons who were arrested had in their possession tickets that resembled the tickets that were voted at that election, and the law has been read to you providing that where a person shall have a copy of a ticket in his possession that is intended to be voted at the election he is guilty of a misdemeanor and subject to arrest and punishment. I have already called the attention of the House to the form of the ticket, or the skeleton of the ticket, that these persons had in their possession for the purpose of endeavoring to instruct the colored voters how to mark their tickets. In order to constitute it a copy of the ticket that was to be voted at the election it was necessary, under the law of the State of Alabama, as it would be without any law, that the names of the candidates should be printed upon the ticket, and that the spaces should be left where marks could be registered by the voter indicating the changes which he desired to make when he came to deposit his ballot in the ballot box.

To constitute a copy of that ticket as it was intended to be voted all those particularities must appear upon the face of the ticket. Here is the ticket which these witnesses had. [Exhibiting a ticket.] There is not a single name upon it anywhere; it is not filled out in any shape whatever; it is nothing more than a mere skeleton. There is simply at the head of the ticket this X mark, showing the place where the colored voter should place his mark if he intended to vote the entire ticket. The men who were receiving this information from the persons who had these skeleton tickets were frightened away by the fact that those men were, many of them, arrested and placed in jail, being afterwards discharged when the voting time was over.

Now, does this look like fairness? Does it look like enforcing or carrying into effect the law of Alabama, making it an offense for a person to have in his possession or to exhibit to others a copy of a ballot which was to be voted at the election? A copy means an entire, complete copy—something which may be made the subject of deception to the voter. There was no possibility of that, because no man in his senses could go to the polls with a blank slip like that and suppose that by means of it he was voting for any candidate who was to be voted for at that election.

It has been stated that Mr. McKinney testified that he did not know who destroyed these ballots at Bessemer precinct. I desire to call attention to a very few answers that Mr. McKinney gave upon this point, for we contend that he was the man who destroyed those ballots. He was the only one who had in his hands the means of entering the room where the ballot box was and plundering or destroying the ballots in the manner in which the evidence shows it was done.

Q. What condition was the box in?

That is, when he received it from Mr. Stiles, who testifies that it had more than 2,400 ballots in it.

A. The box was in the same place where I left it, but much lighter than when I left it.
Q. What was the appearance of the room?
A. There were two chairs against the door when I went in there and signs of paper having been burnt in the grate.
Q. What did you do with the box when you picked it up and saw it was light?
A. I carried it from there to the polls.
Q. Did you know of anybody going into that room that night?
A. I did not know of anybody going in.
Q. Did you know of any plan or hear anybody say anything about stealing the ballots?
A. No, sir.
Q. Mr. McKinney, you were the returning officer, I believe, at that election?
A. Yes, sir.

So that Mr. McKinney is the one man who had knowledge of the fact that the box had been deposited there; he had the key of the door; the windows seem to have been closed when he went there in the morning. What is the inference? That he, having the means to do it, being one of the managers of the election, went there and took out more than 2,000 ballots from that box and ruthlessly burned them in the grate of the sheriff's office.

In the face of such evidence as this there is no use of asking how those ballots were destroyed or by whose agency it was done. There was no possibility of bringing in a mere outsider. The time was too short. No knowledge in regard to where that box was placed was communicated to any person except Mr. McKinney; he was the party who knew where this box was, and had the means of entering that room with the key which he had put in his pocket and then destroying the ballots.

Now, I want to call attention to a few words of the testimony of Thomas Collins upon the subject of the vote of this precinct. He says:

In the November election three-fourths of the voters were for Aldrich. This I know, for I canvassed them, and I know there were three-fourths at least. Aldrich would have carried this beat by 600 majority—

We have only counted in his favor 365—

Aldrich would have carried this beat by 600 majority over Underwood if there had been a free, fair election with enough ballots. I am acquainted with the labor vote. In the national election in November, 1894, the colored voters were for Aldrich to a man. The white labor voters were generally for Aldrich. In my judgment, every white laboring man who had a position was for Aldrich. I was for Aldrich.

Passing down further in his evidence, I read:

On the November election, in 1894, there was a great deal of intimidation by the officers of election. The officers of the city were in charge of the rope, 50 feet from the polling place. Jim Tate, as an officer of the city; George Jones, as an official, shoved back the darkies who wanted to vote the Republican ticket, crowded the white people in under the ropes who wanted to vote for Underwood, and keeping the force of the Aldrich voters back to such a time as the polls would be closed.

Then he says further:

The officials in managing the election came out as soon as the tickets gave out, stated to the voters that the tickets were all gone; that we might as well go home, as there would be no more tickets that day and no more voting, and then the crowds left very angry. * * * I know it to be a fact that word was sent out by the Organized Democrats to have all the Democrats there early in the morning to vote, as the ballots would soon give out. When the polls opened in the morning I was there, and the place in front was all filled up with Organized Democrats according to the understanding that there was only 126 tickets to vote.

That is the testimony of a man who swears positively as to his own knowledge of the circumstances. Now, Mr. Potter testifies in response to questions as follows:

Q. State if there were any irregularities or illegalities at the polls in Bessemer at the November election.
A. I should say there was.
Q. In what way?
A. Voters were driven back by men who had badges on, and police, while others were conducted up through a room to the voting place, and while Organized Democrats were led up back ways, so they could vote, and those badges were changed onto men so as to authorize them to go in and vote.
Q. How many men, in your judgment, were deprived of the right to vote in November by the methods you described, and by the failure of the election officers to furnish voters with official ballots?
A. About 400 or 500; not less than 500.

Now, Mr. Speaker, we do not question in this matter that in some of these three precincts, where so many persons were brought up to swear they voted for Mr. Underwood, that there were some honest men who testified honestly, and that they may have been speaking the truth; but as to the mass, the great majority, as I shall presently show, there is no room for speculation of this character. I have read the testimony of two witnesses who state that there was an attempt to hire them, among others, to go in and vote, and they declined to do so. They also testify that they were to be given information as to what they should testify, if they accepted.

Now, in the case of Gallion precinct there were about 132 men marched in one after the other to be sworn, and I will refer you to some extracts from their testimony to show that, testifying as they did under these circumstances, it is apparent that they were there not to swear looking to the truth of the matters about which they undertook to testify, but, under the austere and sinister influences brought to bear on them by parties who were enabled to exercise control over them at best for the time being, to give such evidence as was required by their managers. There are a few of these witnesses who signed the affidavits they made in their own handwriting; but in nearly all cases it is signed by the witness making his mark, and I desire to read a specimen of the questions and answers given by these witnesses when interrogated on these subjects; and I ask you gentlemen in your experience whether you would be satisfied, when you come to decide a question involving a matter of right in a court of justice, to be willing to rely on testimony shaped in advance and given in this manner? It will be seen that all of these questions and answers are practically the same. Here is the testimony, for instance, of Seaborn Kelly:

Q. Do you remember the 1894 Congressional election; and if so, did you vote at said election in Gallion beat, and for whom did you vote?
A. I remember the Congressional election, and voted in Gallion beat for Mr. Underwood.

Following is the testimony of George Washington:

Q. Do you remember the 1894 Congressional election in Gallion beat, and for whom did you vote?
A. Yes, sir; I remember the 1894 Congressional election, and I voted in Gallion beat, and I voted for Mr. Underwood.

Now we turn over a few pages, omitting a number of witnesses testifying exactly the same way, and at random taking the next witness we find the testimony of Emmett Ashe:

Q. Do you remember the 1894 Congressional election; and if so, did you vote at said election in Gallion beat, and for whom did you vote?
A. Yes, sir; and I voted in Gallion beat for Mr. Underwood.

Again, on the same page, William Willis testifies:

Q. Do you remember the 1894 Congressional election; and if so, did you vote at said election in Gallion beat, and for whom did you vote?
A. I remember the Congressional election, and I voted in Gallion beat for Mr. Underwood.

Turning over a few pages filled with testimony precisely like this, we turn at random to page 536 and find the testimony of George Smith, as follows:

Q. Do you remember the 1894 Congressional election; and if so, did you vote at said election in Gallion beat, and for whom did you vote?
A. Yes, sir; and I voted in Gallion beat for Mr. Underwood.
Attest:

GEO. (his x mark) SMITH, JR.

J. T. COLLINS, JR., *Commissioner.*

And so it goes on, the stereotyped question eliciting answers of the same character and nearly in the same language for more than 99 witnesses, and I will not detain the House to read any more of them; but the mere statement of the fact is suggestive and sufficient.

Mr. Speaker, I claim that it is not within the wit of man to put 90 witnesses on the stand, propound to them the same question, and get precisely, as in this case, the same answer, if the answer is a truthful one. It can not be done, because the experience of man has shown to the contrary. Such matters leave different impressions on the minds of different men. A different impression being made upon their minds the answers are different, when answers are given to such a stereotyped question, a question that was undoubtedly carefully prepared and written out, for identically

the same question is put to all of these witnesses. And it brings us to the statement of the two colored men to whom I have already referred. These were asked to go in and swear with the other persons, and they were to be instructed with the answers they were to give. But they declined.

In the testimony respecting the voters at the Laneville beat we find precisely the same form, except the change made by inserting the name of the precinct which is concerned, and in reference to which the answer was made. We find, for instance, the evidence of Stonewall Scott, page 648:

Q. Did you vote at last Congressional election in 1894 at Laneville beat; and if so, for whom did you vote?
A. I did; I voted for Underwood.

Again, the evidence of Anderson Garner:

Q. Did you vote at the 1894 Congressional election in November at Laneville beat; and if so, for whom did you vote?
A. I did; I voted for Underwood.

Again, on the evidence of Louis Cash:

Q. Did you vote in the 1894 Congressional election in November, 1894? If so, for whom did you vote?
A. I voted, and voted for Underwood.

And so on through a long list of witnesses, from which I have read at random.

It will be seen that all of these answers were made in the same stereotyped form, showing that these people were instructed how to answer the question, as it was promised to the two men who would not go into the enterprise that they should be instructed as to how they should answer also.

Mr. OWENS. Were these witnesses cross-examined at the time?

Mr. DANIELS. Not very much.

Mr. OWENS. But there was an attorney there to cross-examine them.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DANIELS. I should like to have one moment. I say nothing against these gentlemen of prominence in the State of Alabama who came up and testified themselves and signed their own depositions. They are men of character and standing; but as to these colored voters of whom I have been speaking, they were the persons to whom this criticism refers.

Mr. Speaker, I now move the previous question.

The SPEAKER pro tempore. The Chair understands that no substitute resolutions have been offered. The gentleman from New York [Mr. DANIELS] moves the previous question.

The question was taken; and on a division (demanded by Mr. OWENS) there were—ayes 102, noes 5.

Accordingly the previous question was ordered.

Mr. OWENS. I move to recommit the report to the Committee on Elections No. 1.

The question was taken; and on a division (demanded by Mr. OWENS) there were—ayes 66, noes 93.

Accordingly the motion was rejected.

The SPEAKER pro tempore. The question now recurs on the resolutions offered by the committee.

Mr. BARTLETT of Georgia. I ask for a division of the resolutions.

The SPEAKER pro tempore. The gentleman from Georgia asks that the resolutions be divided. The question will first recur on the first resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That Oscar W. Underwood was not elected a member of the House of Representatives from the Ninth Congressional district of Alabama for the Fifty-fourth Congress, and is not entitled to a seat therein.

The question was taken; and on a division (demanded by Mr. OWENS) there were—ayes 101, noes 68.

Mr. OWENS. Let us have the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 119, nays 98, not voting 137; as follows:

YEAS—119.

Acheson,	Coffin,	Fletcher,	Hill,
Adams,	Connolly,	Fowler,	Hopkins,
Aldrich, Ill.	Cook, Wis.	Gamble,	Howe,
Andrews,	Cooke, Ill.	Gardner,	Hulick,
Apsley,	Corliss,	Gibson,	Hunter,
Avery,	Crowther,	Gillet, N. Y.	Hurley,
Babcock,	Crump,	Goodwyn,	Jenkins,
Baker, N. H.	Curtis, Iowa	Graff,	Johnson, N. Dak.
Bartholdt,	Curtis, Kans.	Griffin,	Kiefer,
Belknap,	Daniels,	Griswold,	Kirkpatrick,
Bingham,	Dayton,	Grow,	Knox,
Blue,	De Witt,	Hager,	Lefever,
Boutelle,	Dingley,	Halterman,	Leonard,
Brewster,	Dolliver,	Hardy,	Linney,
Bromwell,	Doolittle,	Harmer,	Linton,
Brumm,	Dovener,	Harris,	Long,
Bull,	Draper,	Hemenway,	Low,
Calderhead,	Eddy,	Henderson,	Marsh,
Chickering,	Fairchild,	Henry, Ind.	Miller, W. Va.
Clark, Iowa	Faris,	Hepburn,	Milliken,
Clark, Mo.	Fischer,	Hermann,	Minor, Wis.
Mitchell,	Pugh,	Southard,	Updegraff,
Mondell,	Quigg,	Sperry,	Van Horn.
Otjen,	Ray,	Stahle,	Van Voorhis,
Overstreet,	Reeves,	Stewart, N. J.	Warner,
Payne,	Rmaker,	Strong,	Wellington,
Pearson,	Russell, Conn.	Sulloway,	Willis,
Phillips,	Scranton,	Tawney,	Wood,
Poole,	Simpkins,	Tayler,	Woodman.
Prince,	Skinner,	Thomas,	

NAYS—98.

Abbott,	Culberson,	Loudenslager,	Russell, Ga.
Allen, Miss.	Cummings,	Maddox,	Sayers,
Bailey,	Danford,	Maguire,	Shafroth,
Baker, Md.	Dockery,	McCall, Tenn.	Sherman,
Bankhead,	Ellis,	McClure,	Sparkman,
Bartlett, Ga.	Erdman,	McCreary, Ky.	Stallings,
Bartlett, N. Y.	Evans,	McCulloch,	Stone, C. W.
Beach,	Fitzgerald,	McDearmon,	Sulzer,
Bell, Colo.	Hainer, Nebr.	McEwan,	Swanson,
Bell, Tex.	Hart,	McLachlan,	Talbert,
Bennett,	Henry, Conn.	McMillin,	Tate,
Berry,	Huling,	Mercer,	Terry,
Bishop,	Johnson, Cal.	Meyer,	Tracewell,
Black, Ga.	Joy,	Money,	Treloar,
Broderick,	Kem,	Moody,	Turner, Ga.
Buck,	Kerr,	Ogden,	Tyler,
Burrell,	Kleberg,	Otey,	Walker, Mass.
Burton, Mo.	Kulp,	Owens,	Wanger,
Catchings,	Lacey,	Parker,	Wheeler,
Clardy,	Layton,	Patterson,	Williams,
Clarke, Ala.	Leighty,	Pendleton,	Wilson, Idaho
Cobb,	Lester,	Pitney,	Woodard,
Codding,	Lewis,	Raney,	Wright.
Cooper, Fla.	Little,	Richardson,	
Cooper, Tex.	Loud,	Rusk,	

NOT VOTING—137.

Aitken,	Grosvenor,	McCleary, Minn.	Smith, Mich.
Aldrich, Ala.	Grout,	McClellan,	Snover,
Allen, Utah	Hadley,	McCormick,	Sorg,
Anderson,	Hall,	McLaurin,	Southwick,
Arnold, Pa.	Hanly,	McRae,	Spalding,
Arnold, R. I.	Harrison,	Meiklejohn,	Spencer,
Atwood,	Hartman,	Meredith,	Steele,
Baker, Kans.	Hatch,	Miles,	Stephenson.
Barham,	Heatwole,	Miller, Kans.	Stewart, Wis.
Barney,	Heiner, Pa.	Milnes,	Stone, W. A.
Barrett,	Hendrick,	Miner, N. Y.	Strait,
Black, N. Y.	Hicks,	Morse,	Strode, Nebr.
Bowers,	Hilborn,	Moses,	Strowd, N. C.
Brosius,	Hitt,	Mozley,	Taft,
Brown,	Hooker,	Murphy,	Thorp,
Burton, Ohio	Howard,	Murray,	Towne,
Cannon,	Howell,	Neill,	Tracey,
Cockrell,	Hubbard,	Newlands,	Tucker,
Colson,	Huff,	Noonan,	Turner, Va.
Cooper, Wis.	Hull.	Northway,	Underwood,
Cousins,	Hutcheson,	Odell,	Wadsworth,
Cowen,	Hyde,	Perkins,	Walker, Va.
Cox,	Johnson, Ind.	Pickler,	Washington,
Crisp,	Jones,	Powers,	Watson, Ind.
Crowley,	Kendall,	Price,	Watson, Ohio
Curtis, N. Y.	Kyle,	Reyburn,	White,
Dalzell,	Latimer,	Robertson, La.	Wilber,
De Armond,	Lawson,	Robinson, Pa.	Wilson, N. Y.
Denny,	Leisenring,	Royse,	Wilson, Ohio
Dinsmore,	Livingston,	Sauerhering,	Wilson, S. C.
Ellett,	Lorimer,	Settle,	Woomer,
Fenton,	Mahany,	Shannon,	Yoakum.
Foote,	Mahon,	Shaw,	
Foss,	Martin,	Shuford,	
Gillett, Mass.	McCall, Mass.	Smith, Ill.	

So the resolution was agreed to.

The Clerk announced the following additional pairs:

For this day:

Mr. SNOVER with Mr. YOAKUM.

On this question:

Mr. HICKS with Mr. ROBERTSON of Louisiana.

Mr. GROSVENOR with Mr. COCKRELL.

Mr. MERCER with Mr. POWERS.

Mr. FENTON with Mr. STROWD of North Carolina.

Mr. GROUT with Mr. MEREDITH.

Mr. MAHON with Mr. HALL.

On this vote:

Mr. CANNON with Mr. HARRISON.

Mr. WHITE with Mr. PRICE.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question now recurs on the second resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That Truman H. Aldrich was elected a member of the House of Representatives from the Ninth Congressional district of Alabama for the Fifty-fourth Congress, and is entitled to a seat therein.

The question was taken on the resolution; and on a division (demanded by Mr. OWENS) there were—ayes 97, noes 87.

Mr. BARTLETT of Georgia. Let us have the yeas and nays.

The yeas and nays were ordered.

Mr. DOCKERY. Mr. Speaker, a parliamentary inquiry. In the event that the pending resolution is disagreed to, will it not have the effect of declaring the seat vacant?

The SPEAKER pro tempore. If the resolution is disagreed to, the House will fail to indorse a resolution saying that the contestant is entitled to his seat.

The question was taken; and there were—yeas 116, nays 107, not voting 130; as follows:

YEAS—116.

Acheson,	Curtis, Kans.	Henry, Ind.	Prince,
Adams,	Daniels,	Hepburn,	Pugh,
Aldrich, Ill.	Dayton,	Hopkins,	Quigg,
Andrews,	De Witt,	Howe,	Ray,
Apsley,	Dingley,	Hulick,	Reeves,
Avery,	Dolliver,	Hunter,	Reyburn,
Babcock,	Doolittle,	Hurley,	Rinaker,
Baker, N. H.	Dovener,	Jenkins,	Robinson, Pa.
Belknap,	Draper,	Johnson, N. Dak.	Russell, Conn.
Bingham,	Eddy,	Kirkpatrick,	Scranton,
Bishop,	Faris,	Kulp,	Simpkins,
Boutelle,	Fischer,	Lefever,	Sperry,
Brewster,	Fletcher,	Leonard,	Stahle,
Bromwell,	Fowler,	Linney,	Stewart, N. J.
Brumm,	Gamble,	Linton,	Strong,
Bull,	Gardner,	Long,	Sulloway,
Calderhead,	Gillet, N. Y.	Mahany,	Tawney,
Cannon,	Goodwyn,	Marsh,	Tayler,
Chickering,	Graff,	McMillin,	Thomas,
Clark, Iowa	Griffin,	Miller, W. Va.	Updegraff,
Clark, Mo.	Griswold,	Milliken,	Van Horn,
Coffin,	Grow,	Minor, Wis.	Van Voorhis,
Connolly,	Hager,	Mitchell,	Walker, Va.
Cook, Wis.	Halterman,	Otjen,	Warner,
Cooke, Ill.	Hardy,	Overstreet,	Watson, Ohio
Corliss,	Harmer,	Payne,	Wellington,
Crowther,	Harris,	Pearson,	Wilber,
Crump,	Hemenway,	Phillips,	Willis,
Curtis, Iowa	Henderson,	Poole,	Woodman.

NAYS—107.

Abbott,	Cummings,	Loud,	Russell, Ga.
Allen, Miss.	Dockery,	Loudenslager,	Sayers,
Bailey,	Ellett,	Low,	Shafroth,
Baker, Md.	Ellis,	Maddox,	Sherman,
Bankhead,	Erdman,	Maguire,	Southard,
Bartholdt,	Evans,	McCall, Tenn.	Southwick,
Bartlett, Ga.	Fitzgerald,	McClure,	Sparkman,
Bartlett, N. Y.	Gibson,	McCreary, Ky.	Stallings,
Beach,	Hainer, Nebr.	McCulloch,	Stone, C. W.
Bell, Colo.	Hart,	McDearmon,	Sulzer,
Bell, Tex.	Henry, Conn.	McEwan,	Swanson,
Bennett,	Hill,	McLachlan,	Talbert,
Black, Ga.	Howell,	Meyer,	Tate,
Blue,	Huff,	Mondell,	Terry,
Broderick,	Huling,	Money,	Tracewell,
Buck,	Johnson, Cal.	Moody,	Treloar,
Burrell,	Joy,	Ogden,	Turner, Ga.
Burton, Mo.	Kem,	Otey,	Tyler,
Burton, Ohio	Kerr,	Owens,	Walker, Mass.
Catchings,	Kiefer,	Parker,	Wanger,
Clardy,	Kleberg,	Patterson,	Wheeler,
Clarke, Ala.	Knox,	Pendleton,	Williams,
Cobb,	Lacey,	Pitney,	Wilson, Idaho
Codding,	Layton,	Raney,	Wood,
Cooper, Fla.	Leighty,	Richardson,	Woodard,
Cooper, Tex.	Lester,	Robertson, La.	Wright.
Culberson,	Lewis,	Rusk,	

NOT VOTING—130.

Aitken,	Foss,	Mahon,	Shaw,
Aldrich, Ala.	Gillett, Mass.	Martin,	Shuford,
Allen, Utah	Grosvenor,	McCall, Mass.	Skinner,
Anderson,	Grout,	McCleary, Minn.	Smith, Ill.
Arnold, Pa.	Hadley,	McClellan,	Smith, Mich.
Arnold, R. I.	Hall,	McCormick,	Snover,
Atwood,	Hanly,	McLaurin,	Sorg,
Baker, Kans.	Harrison,	McRae,	Spalding,
Barham,	Hartman,	Meiklejohn,	Spencer,
Barney,	Hatch,	Mercer,	Steele,
Barrett,	Heatwole,	Meredith,	Stephenson,
Berry,	Heiner, Pa.	Miles,	Stewart, Wis.
Black, N. Y.	Hendrick,	Miller, Kans.	Stone, W. A.
Bowers,	Hermann,	Milnes,	Strait,
Brosius,	Hicks,	Miner, N. Y.	Strode, Nebr.
Brown,	Hilborn,	Morse,	Strowd, N. C.
Cockrell,	Hitt,	Moses,	Taft,
Colson,	Hooker,	Mozley,	Thorp,
Cooper, Wis.	Howard,	Murphy,	Towne,
Cousins,	Hubbard,	Murray,	Tracey,
Cowen,	Hull,	Neill,	Tucker,
Cox,	Hutcheson,	Newlands,	Turner, Va.
Crisp,	Hyde,	Noonan,	Wadsworth,
Crowley,	Johnson, Ind.	Northway,	Washington,
Curtis, N. Y.	Jones,	Odell,	Watson, Ind.
Dalzell,	Kendall,	Perkins,	White,
Danford,	Kyle,	Pickler,	Wilson, N. Y.
De Armond,	Latimer,	Powers,	Wilson, Ohio
Denny,	Lawson,	Price,	Wilson, S. C.
Dinsmore,	Leisenring,	Royse,	Woomer,
Fairchild,	Little,	Sauerhering,	Yoakum.
Fenton,	Livingston,	Settle,	
Foote,	Lorimer,	Shannon,	

The following additional pair was announced:

Mr. HICKS with Mr. LITTLE, until further notice.

Mr. TURNER of Georgia. Mr. Speaker, my colleague, Mr. LAWSON, is detained from the House by illness. I ask that he be excused.

The SPEAKER. If there be no objection, he will be excused.

There was no objection.

Mr. MCMILLIN. Mr. Speaker, this is an important vote, and I ask a recapitulation.

The vote was recapitulated.

Mr. MCMILLIN. Mr. Speaker, I desire to change my vote from "nay" to "yea."

The name of Mr. MCMILLIN was called, and he voted "yea."

Mr. LITTLE. Mr. Speaker, I find I am paired with the gentleman from Pennsylvania, Mr. HICKS. I desire to withdraw my vote.

Mr. FAIRCHILD. Mr. Speaker, I desire to withdraw my vote and be marked as "present."

Mr. BERRY. Mr. Speaker, I am paired with the gentleman from Michigan, Mr. SMITH, on political questions. I doubt whether this is a political question, but I think I ought to withdraw my vote, and do so.

The result of the vote was then announced as above recorded.

Mr. MCMILLIN. I move to reconsider——

Mr. CANNON. Mr. Speaker, I rise to a question of the highest privilege.

Mr. MCMILLIN (continuing). The vote just taken.

Mr. CANNON. I rise to a question of higher privilege.

Mr. DANIELS. I move to lay the motion to reconsider on the table.

Mr. CANNON. I rise to a question of higher privilege. I present a conference report.

The SPEAKER pro tempore. The gentlemen from Tennessee moves to reconsider the vote last taken, and the gentleman from New York moves to lay that motion on the table. Pending that, the gentleman from Illinois rises to present a conference report, which the Clerk will read.

SUNDRY CIVIL APPROPRIATION BILL.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 32, 61, 124, and 161.

That the House recede from its disagreement to the amendments of the Senate numbered 122, 146, and 147, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "To enable the Government to take official part in the international exhibition to be held at Brussels, Belgium, during the year 1897, $5,000: *Provided*, That no expenditure exceeding this appropriation shall be made or liability incurred, and no person shall be paid salary or compensation therefrom"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with amendments as follows: In lieu of the sum proposed insert "$20."

And on page 67 of the bill, in line 14, strike out the word "six" and insert in lieu thereof the word "five"; and the Senate agree to the same.

The committee of conference have been unable to agree upon the amendments of the Senate numbered 2, 3, 4, 6, 7, 8, 13, 15, 16, and 17.

J. G. CANNON,
JOSEPH D. SAYERS,
Managers on the part of the House.

W. B. ALLISON,
EUGENE HALE,
A. P. GORMAN,
Managers on the part of the Senate.

Mr. CANNON. Mr. Speaker, I ask that the conference report be laid aside temporarily, and that the gentleman from Vermont [Mr. GROUT] may be permitted to ask the House to put the District bill back into conference on a message from the Senate disagreeing to the House amendments.

The SPEAKER pro tempore. Without objection, it will be so ordered.

Mr. KEM. I object, Mr. Speaker.

Mr. CANNON. But this does not require unanimous consent.

The SPEAKER pro tempore. The gentleman withdraws the conference report.

Mr. CANNON. Oh, no.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GROUT. Mr. Speaker, I move that the House insist upon its amendment to the amendment of the Senate numbered 99, I believe, and also further insist upon its disagreement to the remaining Senate amendments, and agree to the conference asked for by the Senate.

Mr. OWENS. We can not hear the motion.

The SPEAKER pro tempore. The gentleman from Vermont moves that the House insist upon its amendment to the amendment of the Senate, and further insist upon its disagreement to the Senate amendments to the District of Columbia appropriation bill, and agree to a conference.

The motion was agreed to.

The SPEAKER pro tempore. The Chair will appoint as conferees on the part of the House the gentleman from Vermont, Mr. GROUT, the gentleman from New Jersey, Mr. PITNEY, and the gentleman from Missouri, Mr. DOCKERY.

CONTESTED-ELECTION CASE—ALDRICH VS. UNDERWOOD.

Mr. DANIELS. I bring up the motion to lay on the table the motion to reconsider the vote by which the resolution of the committee was agreed to.

The SPEAKER pro tempore. The question is on the motion of

the gentleman from New York [Mr. DANIELS] to lay on the table the motion of the gentleman from Tennessee [Mr. MCMILLIN] to reconsider.

The question being taken on the motion of Mr. DANIELS, the Speaker declared that the ayes seemed to have it.

Mr. MCMILLIN. I ask for a division.

The House divided; and there were—ayes 142, noes 67.

So the motion was agreed to.

SWEARING IN OF A MEMBER.

Mr. DANIELS. Mr. Speaker, I ask to have the oath administered to the gentleman who has just been declared entitled to a seat.

Mr. Truman H. Aldrich appeared at the bar of the House and the oath of office was administered to him by the Speaker pro tempore, Mr. PAYNE. [Applause.]

MESSAGE FROM THE PRESIDENT.

A message from the President, by Mr. PRUDEN, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On June 8, 1896:

An act (H. R. 9404) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes;

An act (H. R. 8469) to authorize the Baltimore and Washington Transit Company, of Maryland, to enter the District of Columbia;

An act (H. R. 4921) to relieve the North Georgia Agricultural College from the payment of $450 for damaged gun;

An act (H. R. 5946) granting an increase of pension to Abraham H. Parker;

An act (H. R. 5279) granting a pension to Jerusha H. Brown;

An act (H. R. 2143) granting a pension to Mrs. Emily M. Van Derveer, widow of the late Brig. Gen. Ferdinand Van Derveer;

An act (H. R. 4888) for the relief of George Hager;

An act (H. R. 4020) granting an increase of pension to Mrs. William Loring Spencer;

An act (H. R. 5258) granting an honorable discharge to John B. Besler; and

An act (H. R. 6259) to expedite the delivery of imported parcels and packages not exceeding $500 in value.

On June 9, 1896:

An act (H. R. 8248) to increase the pension of Mrs. Emily E. Cash.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 8383) to establish a site for the erection of a penitentiary on the military reservation at Fort Leavenworth, Kans., and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2928) to extend the routes of the Eckington and Soldiers' Home Railway Company and of the Baltimore Railway Company of the District of Columbia, and for other purposes.

The message also announced that the Senate had passed bills and a joint resolution of the following titles; in which the concurrence of the House was requested:

A bill (S. 3269) to pay the Richmond Locomotive and Machine Works its claim for damages and losses incurred in the construction of the armored battle ship *Texas;*

A bill (S. 3150) authorizing the President to appoint Lieut. Robert Platt, United States Navy, to the rank of commander;

A bill (S. 1583) for the relief of L. Robert Coates & Co., of Baltimore, Md.;

A bill (S. 524) for the relief of Avery D. Babcock and wife, of Oregon;

A bill (S. 286) to provide for the purchase of a site for the erection of a public building at Oakland, in the State of California;

A bill (S. 265) extending relief to Indian citizens, and for other purposes; and

Joint resolution (S. R. 138) for the relief of James P. Veach.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed with amendment the bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for expenses of the House of Representatives, and for other purposes, for the fiscal year 1896; in which the concurrence of the House was requested.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had disagreed to the amendment of the House to the amendment of the Senate numbered 99, and had still further insisted upon its amendments to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes, numbered 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 194, and 195, disagreed to by the House of Representatives, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. TELLER, Mr. ALLISON, and Mr. COCKRELL as the conferees on the part of the Senate.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, the following Senate bills were taken from the Speaker's table and referred by the Speaker as follows:

A bill (S. 3269) to pay the Richmond Locomotive and Machine Works its claim for damages and losses incurred in the construction of the armored battle ship *Texas*—to the Committee on Claims.

A bill (S. 3150) authorizing the President to appoint Lieut. Robert Platt, United States Navy, to the rank of commander—to the Committee on Naval Affairs.

A bill (S. 1583) for the relief of L. Robert Coates & Co., of Baltimore, Md.—to the Committee on Claims.

A bill (S. 524) for the relief of Avery D. Babcock and wife, of Oregon—to the Committee on Claims.

A bill (S. 286) to provide for the purchase of a site for the erection of a public building at Oakland, in the State of California—to the Committee on Public Buildings and Grounds.

A bill (S. 265) extending relief to Indian citizens, and for other purposes—to the Committee on Indian Affairs.

Joint resolution (S. R. 138) for the relief of James P. Veach—to the Committee on Military Affairs.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I call up the conference report on the sundry civil bill.

The SPEAKER pro tempore. The report has been read.

Mr. CANNON. Let the statement be read.

The statement of the conferees on the part of the House was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7664) making appropriations for sundry civil expenses of the Government, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report on each of said amendments, namely:

On No. 32: Strikes out the appropriation of $15,000 proposed by the Senate for a light-house at Swan Island, in the Caribbean Sea.

On No. 61: Strikes out the appropriation of $250,000 proposed by the Senate for an additional fire-proof building for the National Museum.

On No. 109: Appropriates $5,000, instead of $35,000, as proposed by the Senate, to enable the Government to take part in the exposition at Brussels, Belgium.

On Nos. 122, 123, and 124: Appropriates $14,000, as proposed by the Senate, instead of $11,500, as proposed by the House, for lighting the Executive Mansion and public grounds, limits the price per lamp in the grounds to $20, and requires that the same shall burn all night.

On Nos. 146 and 147: Appropriates for the Providence and Garfield Hospitals $19,000 each, as proposed by the Senate.

On No. 161: Strikes out the appropriation proposed by the Senate with reference to the accounts of the Soldiers' Homes.

The committee of conference have been unable to agree on the amendments of the Senate numbered 2, 3, 4, 6, 7, 8, 13, 15, 16, and 17, relating to the public buildings at—

Boise City, Idaho;
Camden, N. J.;
Cheyenne, Wyo.;
Fortress Monroe;
Helena, Mont.;
Kansas City, Mo.;
Omaha, Nebr.;
St. Paul, Minn.;
Salt Lake City, Utah; and
Savannah, Ga.

J. G. CANNON,
JOSEPH D. SAYERS,
Managers on the part of the House.

Mr. CANNON. Mr. Speaker, I move that the conference report be adopted.

Mr. HAINER of Nebraska. Mr. Speaker——

Mr. CANNON. I yield five minutes to the gentleman from Nebraska [Mr. HAINER].

Mr. HAINER of Nebraska. Mr. Speaker, as one of the conferees I could not sign the report which has been submitted to the House for its consideration. Gentlemen will have noticed that it makes the old-time appropriations for the two hospitals, Providence and Garfield. These institutions are private, and one, at least, in every sense sectarian. The appropriation is a subsidy—a largesse pure and simple. I have from the commencement opposed the appropriation of any money for any private purpose for any length of time or pretext whatever. I believed that such appropriations are wholly wrong, unjustifiable, fraught with danger, and perfectly inexcusable. I still think so. But the majority of the conferees felt that in order to close out this bill it was necessary to make the concession which is made in the conference report. In these circumstances I did not feel warranted in further prolonging the fight along this line, but permit me to say, gentlemen, that I think that on these questions, whether on this bill or on the District of Columbia bill or on the Indian

appropriation bill, you can not with safety make any compromise whatever, and that whoever makes a compromise is himself compromised in the end. No political party in the United States has in its platform ever expressed itself on the subject but in denunciation of the practice of appropriating public money for private purposes as un-American, unjust, and wholly unauthorized—not for one year nor for six months, but for any length of time whatever.

Having said this much, washing my hands entirely of any compromise which may have been made in this bill or in any other bill, I can go back to my people with the knowledge that I have carried the flag in this fight as a man should, true to his conscience and true to the principles of Americanism, which, though not entirely successful in this Congress, in the time to come certainly will beyond all possible question triumph. On this question, from this Congress and from any other adverse Congress, the appeal will be made to the great American people, who when their hearts and minds are touched, as surely they are being touched and awakened, are always true to the principles upon which their Government is founded.

Mr. SAYERS. Mr. Speaker, as the minority on the conference committee representing the House for the settlement of the matters of difference between the Senate and the House upon the sundry civil appropriation bill, I feel it due to myself and to the House to say that I believe that, unless some compromise of the kind proposed in this report is made, either this session of Congress will be indefinitely prolonged or the sundry civil bill, carrying over $30,000,000 for the support of the Government during the next fiscal year, will fail. I wish further to say to the House that the two appropriations to which the gentleman from Nebraska has referred are not for sectarian purposes. They are for the partial support of two hospitals, and exactly similar appropriations to those here made have appeared in the sundry civil bills for more than ten years past. The Senate in this case restored these provisions to the bill, and insisted upon the amendment. That is all I have to say.

Mr. WILLIAMS. May I ask the gentleman a question?

Mr. SAYERS. Certainly.

Mr. WILLIAMS. Are these institutions private institutions?

Mr. SAYERS. I do not consider them altogether private institutions. They are institutions incorporated for purposes of charity, and Congress has for many years past made appropriations to assist them, the Government not having any such institutions of its own in this District.

Mr. WILLIAMS. I understand that. I understand also that Congress has made provision from year to year to assist various other private institutions, some of them sectarian and some of them nonsectarian——

Mr. SAYERS. They are in another bill, the District of Columbia bill. They have nothing whatever to do with this bill.

Mr. WILLIAMS. But are these institutions that you are speaking of, and that are included in this bill, private institutions?

Mr. SAYERS. In one sense of the word they are private and in another sense of the word they are public, because any person who is poor and needy and sick or infirm can go to either of these hospitals and receive care and treatment.

Mr. WILLIAMS. In other words, are they subject to governmental inspection?

Mr. SAYERS. Every dollar of Government money expended must be accounted for to the accounting officers of the Treasury just as much so as any other public expenditure.

Mr. WILLIAMS. Then there is governmental supervision?

Mr. SAYERS. I so understand, to the extent stated.

Mr. CANNON. One word, and only a word, in reference to this conference report. As this bill passed the House it contained the following provision:

> For the support and medical treatment of medical and surgical patients who are destitute in the District of Columbia, under contract or contracts to be made with responsible and competent persons or institutions by the Surgeon-General of the Army, $38,000, or so much thereof as may be necessary: *Provided*, That no payment shall be made under any such contract except for service actually rendered, for which specific compensation shall be provided under such contract.

The Senate struck out that provision and inserted the following:

> For the support and medical treatment of 95 medical and surgical patients who are destitute, in the city of Washington, under a contract to be made with the Providence Hospital by the Surgeon-General of the Army, $19,000.
> Garfield Memorial Hospital: For maintenance, to enable it to provide medical and surgical treatment to persons unable to pay therefor, $19,000.

It will be noticed that these Senate amendments carry in the aggregate $38,000, the same amount carried by the provision adopted by the House. It will be noticed further that the Senate amendments are similar to the items of appropriation for the current year and many preceding years. It will also be noticed that for Providence Hospital the appropriation is for the treatment of 95 destitute patients, under a contract to be made by the Surgeon-General, while for the Garfield Hospital the provision is "for maintenance to enable it to provide medical and surgical treatment to persons unable to pay therefor."

Now, what has been the practice under this appropriation heretofore? Providence Hospital, the oldest hospital in the District of Columbia, as well as the best equipped and the largest, treats 95 destitute patients by contract with the Surgeon-General, while for the same amount of money Garfield Hospital treats 60 destitute patients. In other words, $19,000 goes one-half further under the contract made with the Providence Hospital by the Surgeon-General than it does at the Garfield Hospital.

When the conference committee met it appeared to the conferees that the result of the House provision would be that if this whole service were given out by contract upon bids the Garfield Hospital and the Providence Hospital, being the two best equipped hospitals for this service, would probably be the only institutions in the District of Columbia competent for such service; and it was perfectly apparent on inquiry that if the provision originally adopted by the House should be enacted Providence Hospital would get the whole contract and Garfield Hospital nothing, because it was frankly admitted that Garfield Hospital, being the younger institution and not so well off as Providence Hospital, could not compete with the latter as to the price to be paid for this service. Hence it was stated, and it appeared satisfactorily to your committee, that this meant the closing of the doors of the Garfield Hospital, that institution having received compensation of this kind from substantially the time of its establishment.

Now, then, although it appeared that under the Senate amendment Providence Hospital would render one-half more service for the same amount of money than the Garfield institution, it was thought that in this great and growing capital city, with both these hospitals equipped and in successful operation, we ought not now and in the future to pursue a policy which would tend to close (as it was positively stated the House provision would do) the doors of the Garfield Hospital. So, after full consideration and investigation, finding that these hospitals are incorporated under legislation of Congress, that they are purely hospitals devoted to the treatment of the sick, that they are legally controlled by their corporators, it seemed to us that no sectarianism arises in connection with this question; that if a man is sick and requires surgical treatment it makes no difference to him or to the Government (the Government not being prepared with a public hospital to treat the indigent sick) whether the patient or the nurse that stands over him sings Salvation Army songs or makes the sign of the cross. At any rate, we believe that this is a public service; that it is not sectarian. There are no public hospitals in the District of Columbia, and sooner than see the destitute go unprovided for we believe that under the conditions now existing the House ought not to insist further on its provision and oppose that of the Senate.

Mr. HAINER of Nebraska. Will the gentleman allow me to suggest——

Mr. CANNON. I do not want to prolong this debate. I will yield for a question.

Mr. HAINER of Nebraska. If, as the gentleman says, Providence Hospital will take care of one-half more patients for the same money than Garfield Hospital will do, then certainly the gentleman can not found the appropriation for Garfield Hospital on any claim that it is the best provision for the relief of the sick, because it appears by the gentleman's statement that more sick persons can be taken care of for a given amount of money at the Providence Hospital than at the other.

Mr. CANNON. What the gentleman says is correct as to to-day and this year and last year. For the same amount of money Providence Hospital has taken care of 95 patients, while Garfield Hospital has taken care of 60. I will grant you that perhaps we could have more patients cared for under the provision as the House passed it. But after all, acting as the common counsel for the District of Columbia, from the wise standpoint of public policy, I agree that the Garfield Hospital should not be compelled to close its doors.

I therefore ask the previous question on the adoption of the report.

The previous question was ordered, under the operation of which the report was agreed to.

Mr. CANNON. I now move that the House further insist on its disagreement to the Senate amendments which are mentioned in the report, and agree to a further conference on the disagreeing votes thereon.

Mr. LESTER. I desire to ask the gentleman whether he includes the amendment numbered 16?

Mr. CANNON. Yes, sir; all of them.

Mr. LESTER. Then I move, Mr. Speaker, that the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same.

Mr. HARTMAN. I move as a substitute that the House recede from its disagreement to the Senate amendment to the public buildings generally and agree thereto.

Mr. LESTER. I accept that substitute.

Mr. CANNON. Well, hardly. We must have a separate vote.

The SPEAKER pro tempore. The gentleman from Illinois demands a separate vote.

The Clerk will read the first amendment, on which a separate vote is asked.

The Clerk read as follows:

For public building at Boise City, Idaho: For continuation of building, $50,000; and the limit of cost of said building and site is increased from $150,000 to $200,000.

Mr. CANNON. If the gentleman from Montana desires to be heard I will yield to him for a few minutes.

Mr. HARTMAN. I only want two minutes.

Mr. Speaker, I only wish to say in respect to this motion that the House has heard before as to the merits of it. Now, we are held here pending the agreement between the conferees of the two Houses on these amendments. One of the special features of the disagreement has been these public-building amendments. In the three States of Montana, Idaho, and Wyoming there is not a single public building within the limits.

Mr. CANNON. If the gentleman from Montana will yield to me for a moment, I will ask to withdraw this report, so that the gentleman from Maine [Mr. BOUTELLE] may submit a report, which is a final agreement on the naval bill.

Mr. HARTMAN. Certainly, I yield with pleasure. I wish to be just as courteous as the gentleman from Illinois, and yield.

The SPEAKER pro tempore. Without objection, the naval bill will be laid before the House now.

Mr. HULICK and Mr. KEM objected.

Mr. BOUTELLE. Before objection is made I wish to state that the enrolling clerk is exceedingly anxious to obtain possession of this bill immediately to compare it.

Mr. CANNON. I withdraw the sundry civil bill temporarily.

The SPEAKER pro tempore. The report on the sundry civil bill is withdrawn.

NAVAL APPROPRIATION BILL.

Mr. BOUTELLE. Mr. Speaker, I offer for immediate consideration the conference report on the naval appropriation bill.

The SPEAKER pro tempore. The Clerk will read the report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 39, 42, 43, 44, 45, 46, 47, 48, and 52, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the word "two," inserted by said amendment, insert the word "three"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: Insert after the word "one," in line 24, page 49 of the bill, the following: "and not more than one"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: Strike out, in line 3 of said amendment, the word "five" and insert in lieu thereof the word "four"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "*And provided further*, That the Secretary of the Navy is hereby directed to examine into the actual cost of the armor plate and the price of the same which should be equitably paid, and shall report the result of his investigations to Congress at the next session at a date not later than January 1, 1897; and no contract for armor plate for the vessels authorized by this act shall be made until after such report is made to Congress for its action;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,870,000"; and the Senate agree to the same.

C. A. BOUTELLE,
J. B. ROBINSON,
AMOS J. CUMMINGS,
Managers on the part of the House.
EUGENE HALE,
M. S. QUAY,
A. P. GORMAN,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

Statement to accompany conference report on House bill 7542, making appropriations for the naval service for the fiscal year ending June 30, 1897, etc.:

The House recedes from its disagreement to the Senate amendment numbered 39, providing that not more than two battle ships and three torpedo boats shall be built by one contracting party.

Also, as to amendments 42 to 48, inclusive, providing for the construction of one torpedo boat on the Missouri River, with necessary verbal changes.

Also, as to amendment 52, reducing the appropriation under armor and armament $500,000.

The House recedes from its disagreement to amendment numbered 32, with an amendment providing for three battle ships instead of two.

The House recedes from its disagreement to Senate amendment numbered 40, with an amendment inserting the words "one, and not more than one," seagoing battle ship shall be built on or near the coast of the Pacific Ocean.

The House recedes from Senate amendment numbered 41, with an amendment providing that one battle ship and three torpedo boats shall be built on or near the Pacific coast provided they can be built at an additional cost not exceeding 4 per cent of the lowest accepted bid for the other battle ships and torpedo boats.

The House recedes from its disagreement to Senate amendment numbered 49, with an amendment which substitutes in place of all the provisions in regard to the price of armor plate the following proviso:

"*Provided further*, That the Secretary of the Navy is hereby directed to examine into the actual cost of armor plate and the price for the same which should be equitably paid, and shall report the result of his investigation to Congress at its next session, at a date not later than January 1, 1897; and no contract for armor plate for the vessels authorized by this act shall be made till after such report is made to Congress for its action."

Also, the House recedes from its disagreement to Senate amendment numbered 51, with an amendment adding $500,000 to the appropriations under the head of "Construction and machinery."

Mr. BOUTELLE. Mr. Speaker, it is entirely unnecessary to go into any detailed explanation of this report, which is substantially that which was presented to the House before. It embodies a proposition made to the House conferees by those of the Senate, providing for the construction of three battle ships, and in lieu of all the provisions reported before in regard to the price of armor plate provides that no contract shall be made for any of the armor to be furnished for any of the ships provided in this bill until after the Secretary of the Navy shall have made an investigation of the whole subject-matter of the cost and equitable price of armor, his report to be made not later than the 1st of January to the next session of this Congress.

I move the adoption of this report, it being a final agreement.

The conference report was agreed to.

[The announcement of the result was received with applause.]

INDIAN APPROPRIATION BILL.

Mr. SHERMAN. Mr. Speaker, I present a conference report on the Indian appropriation bill.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 69 and 70 to the bill (H. R. 6249) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"And it is hereby declared to be the settled policy of the Government to hereafter make no appropriation whatever for education in any sectarian school: *Provided*, That the Secretary of the Interior may make contracts with contract schools, apportioning as near as may be the amount so contracted for among schools of various denominations for the education of Indian pupils during fiscal year 1897, but shall only make such contracts at places where nonsectarian schools can not be provided for such Indian children and to an amount not exceeding 50 per cent of the amount so used for the fiscal year 1895."

And the Senate agree to the same.

J. S. SHERMAN,
CHARLES CURTIS,
GEORGE C. PENDLETON,
Managers on the part of the House.
R. F. PETTIGREW,
H. M. TELLER,
F. M. COCKRELL,
Managers on the part of the Senate.

The statement of the House conferees is as follows:

Statement of House conferees, to accompany conference report No. 7, on Indian appropriation bill:

The House recedes from amendment numbered 70, which is merely a formal amendment, adding the word "further."

To Senate amendment numbered 69 the House concurs with amendments. The amendments are, first, a change of phraseology in the declaration as to the discontinuance of appropriations for sectarian schools. The other amendment provides that in the expenditure of money for contract schools in the next fiscal year, the Secretary shall apportion the same as near as may be among schools of various denominations.

Mr. SHERMAN. Mr. Speaker, this is the final report on the Indian appropriation bill and has to do only with the question of schools. The amendment which is agreed upon in conference has been submitted to very many gentlemen in the House who have heretofore had different views upon the question of the continuance of the schools, and I think it is substantially satisfactory to all of them. The declaration in reference to the discontinuance of schools after the end of the next fiscal year is the same as that in the report which was submitted last Saturday, except a change in phraseology.

In reference to the money to be expended during the next fiscal year the provision is that the money shall be apportioned among the various denominations, as nearly as possible, by the Secretary.

I move the previous question upon the adoption of the report.

The previous question was ordered.

The conference report was agreed to.

[The announcement of the result was received with applause.]

SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON. Now, Mr. Speaker, I wish to proceed with the consideration of the remaining amendments to the sundry civil

appropriation bill, and I yield to the gentleman from Montana [Mr. HARTMAN] two minutes.

Mr. HARTMAN. Mr. Speaker, while I shall address my remarks to the subject of the public building at the capital of my own State, I give notice that I intend, if the rules permit it, to make and insist upon my motion as originally made, namely, to concur in the Senate amendments relating to these public buildings as a whole.

Now, as to the public building at Helena. Helena is a city of about twenty or twenty-five thousand inhabitants. It is the capital of the State which I have the honor to represent upon this floor. It has not one single public building in it owned by this Government. It has its full complement of United States offices, including the courts, the marshals, the land office, the post-office, and the collector of customs, with their various employees. The State has already ordered the construction of a million-dollar capitol building. I undertake to say that this amendment is not exorbitant when compared with the expenditures of our own people. We simply ask an appropriation for the continuation of the work, the site having already been authorized, and a one-hundred-and-fifty-thousand-dollar increase in the maximum that the building will ultimately cost. It will make a total of $300,000. I think Uncle Sam can well afford, at the capital of that State, to put up a three-hundred-thousand-dollar building to stand side by side with the one-million-dollar building that the people of that State are going to erect.

[Here the hammer fell.]

Mr. CANNON. I yield a minute to the gentleman from Kansas [Mr. CURTIS].

Mr. CURTIS of Kansas. I desire to move that the House recede from the amendment numbered 2, with the following amendment.

The amendment was read, as follows:

That the Secretary of the Interior be, and he is hereby, authorized and directed to purchase 50 feet of ground, or as much thereof as may be needed, adjacent to the ground now owned by the Government upon which the public building at Topeka, Kans., now occupied as a post-office and other Government offices, is located, at a cost not to exceed $30,000. That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause the public building at Topeka, Kans., now occupied as a post-office and other Government offices, to be enlarged, so as to make a suitable building, with fireproof vaults and elevator therein, for the further accommodation of the post-office and other Government offices, the plans and specifications to be drawn with respect to the present building, so as to furnish to the post-office more room and the better accommodation of the Government offices. The plans, specifications, and full estimation of said building shall be previously made and approved according to law and shall not cost to exceed the sum of $100,000: *Provided*, That said building, so enlarged, shall be unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet.

Mr. CANNON. Mr. Speaker, I notify the gentleman now that I shall be compelled to reserve the point of order on that amendment, but if the gentleman wants a minute or two I will make the point of order and he can reply to it if he chooses.

Mr. CURTIS of Kansas. I would like to hear what the point of order is, and then I would like to have a minute on the bill.

Mr. CANNON. My point of order is that the amendment covers new legislation or legislation, and is not germane to this amendment and therefore amenable to the rules of the House.

The SPEAKER pro tempore. The Chair is ready to decide the point of order.

Mr. CURTIS of Kansas. If the Speaker's mind is made up there is no use of saying anything.

The SPEAKER pro tempore. The Chair is compelled to say to the gentleman from Kansas that the Chair's mind is made up. The Chair sustains the point of order.

Mr. CANNON. Mr. Speaker, a very brief word in reply to the gentleman from Montana, and the better attention I can have the less time I will consume. These public-building provisions, that by the grace of the Senate are on this bill, legislate to authorize new buildings to the amount of $641,000 and appropriate $385,000, a necessary appropriation if you legislate; but if you do not legislate it is not necessary to appropriate. Now, that gives you the status. It is for the House to say whether it will legislate. I made points of order on this bill in the House because there was no man that under the rules of the House could get an amendment which was legislation on a general appropriation bill, just as I was compelled to make the point of order upon my personal and political friend from Kansas just a moment ago when he offered an amendment which legislates.

Mr. LOUDENSLAGER. Will the gentleman permit a question?

Mr. CANNON. In a moment. If this was a courteous body, and we did everything not by rule but by courtesy, then I should not have made the point of order upon the gentleman from Kansas, but as there are 356 members, there would be 356 courtesies to be extended; and it not being a very good way of legislation anyhow, I was compelled to cut my genial friend out with a point of order.

Mr. HARTMAN. Will the gentleman allow me to ask him a question?

Mr. CANNON. Certainly.

Mr. HARTMAN. As a matter of fact, would the gentleman from Illinois be very bitterly disappointed should the House carry this motion?

Mr. CANNON. I will tell the truth to the House before I get through. [Great laughter.]

Mr. HOPKINS. I ask that my colleague have unlimited time.

Mr. LOUDENSLAGER. Does the gentleman mean to claim that these buildings upon which the present disagreement is reported would require that amount?

Mr. CANNON. The present disagreement, I think, includes $641,000 in new legislation. I am not making objection to it because of the three hundred and odd thousand dollars of appropriation, or the six hundred and odd thousand dollars of legislation. I had just as well be square and honest. I believe that the legislation would be wise. [Applause.] When I have said that, I will go a step further, and say that I believe that $15,000,000 would be equally wise for public buildings. [Renewed applause.] That would include $100,000 for the building at Joliet, in my district. [Laughter.]

Mr. WILLIAMS. Pile it up!

Mr. MILLIKEN. Will my friend allow me to make a suggestion?

Mr. CANNON. Certainly.

Mr. MILLIKEN. Perhaps the Committee on Public Buildings and Grounds will give the gentleman an opportunity during the next session of Congress to show his faith by his works; and I am glad he has testified his conviction.

Mr. CANNON. I have my bill in your committee, and I believe a favorable report has been agreed to; but, unfortunately, when the waters were troubled at another place than this, there was nobody to put my "little William" into this bill. [Laughter.]

Mr. MILLIKEN. Let me say, if the gentleman will permit me——

Mr. CANNON. Yes.

Mr. MILLIKEN. If I have not been thoroughly misinformed, he is one of the gentlemen who would not be anxious to get it out if it had to go out with all the rest.

Mr. CANNON. Oh, well, we are not considering that matter now. [Laughter.] I was not consulted about it. I will say to you again I am not blaming anybody about the action of the House touching public buildings. I am not responsible for that policy. I am not condemning it; and I am not entitled to credit for it, and I am not prepared to condemn it, in the present condition of the Treasury. I had better say, perhaps, to be entirely candid, because I can not be otherwise [laughter]—I mean to say that I do not want to be otherwise—while I am not responsible for it, I approve it.

Mr. HARTMAN. Will you have any objection to having a separate vote on my motion?

Mr. CANNON. We will vote on them one by one. [Cries of "Vote!" "Vote!"] We will vote in a minute. It will save time if you will give me two minutes without interruption, and then we will have a vote. This is the seventh time that this matter has been fought over in the House. Now, if it was legislation that ought to have been had, it would have been wise, under all the circumstances, to have had it the first time, but if the members of this House believe, in view of existing conditions, that this legislation for these buildings ought to be had——

Mr. WALKER of Massachusetts. They do.

Mr. CANNON. If they believe that, and if they can afford to do it, then let them concur with the Senate. If, on the contrary, gentlemen, you do not believe that, if you are still of the same opinion that you have been heretofore, then further insist. "Oh, but," says somebody, "The Senate won't give up and we want to adjourn." Let me tell you what the condition is. This is legislation. We have eliminated everything but this. If the House concurs with the Senate, that is the end of it. That passes the bill and it goes to the President. If the House further insists and the bill goes back to the Senate and the Senate recedes, there is no further conference, that is the end of it. This is legislation. Every provision in it involves and covers legislation, and if the House says "We will not legislate," then, under the invariable rule, there is nothing left for the Senate but to recede, and vice versa. With this statement I am perfectly willing that the House shall vote.

Mr. HARTMAN. But there is no certainty as to the time when they will recede.

Mr. CANNON. Oh, gentlemen, I ask of the House one thing: That you decide this question according to your judgment. Decide it as you think it ought to be decided. Do not decide it because we are going to adjourn to-morrow. Let us not be pressed. Let us decide according to our judgment. I ask for a vote.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Montana [Mr. HARTMAN] that the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same.

The question being taken, it was decided in the negative.

Mr. HARTMAN. I ask for a separate vote on amendment numbered 7.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. CANNON] has asked for a separate vote upon each amendment. The Clerk will report the next amendment.

The Clerk read as follows:

For public building at Camden, N. J.: For construction of building, $25,000: and the limit of cost of said building is increased $125,000.

Mr. CANNON. Mr. Speaker, I yield three minutes to the gentleman from New Jersey [Mr. LOUDENSLAGER].

Mr. LOUDENSLAGER. Mr. Speaker, the question of this public building has been before the House on two or three occasions. This bill came over from the Senate with seventeen separate, different propositions in it. Upon the question of principle, as to whether new legislation shall be enacted in the bill or not, the House has already receded, because it has already voted that there shall be carried in this bill 33 per cent of the original propositions made in the Senate, and it is unfair to the other meritorious propositions that still remain in the bill for the House to say that 33 per cent of favored ones shall pass while others shall be rejected. It is not upon the merits that the attack has been made upon these provisions, but upon principle, and that principle has been broken down by the vote of the House in agreeing to 33 per cent of the propositions placed in the bill by the Senate as to new legislation.

Mr. CANNON. The House understands the matter, Mr. Speaker, and I now ask for a vote.

The question was taken on the motion that the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same, and it was rejected.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

(4) For public building at Cheyenne, Wyo.: For continuation of building, $50,000: and the limit of cost of said building and site is increased from $150,000 to $250,000.

Mr. HARTMAN. Mr. Speaker, it is very evident that the temper of the House is adverse to agreeing to these amendments, and I therefore withdraw my motion.

The SPEAKER pro tempore. The gentleman from Montana withdraws his motion. The question now is on the motion of the gentleman from Illinois [Mr. CANNON] that the House further insist upon its disagreement and ask a further conference.

The motion was agreed to.

The SPEAKER pro tempore appointed the same House conferees as on the previous conference.

Mr. BABCOCK. Mr. Speaker, I desire to present a conference report.

Mr. LESTER. Mr. Speaker, I desire to say a word with reference to the amendment numbered 16 in this bill.

Several MEMBERS. Too late.

Mr. CANNON. Mr. Speaker, I have no desire to cut off my friend from Georgia, and I will ask unanimous consent to return to amendment numbered 16.

The SPEAKER pro tempore. Without objection, the House will return to the amendment of the Senate numbered 16.

Mr. KEM. There is objection, Mr. Speaker. [Laughter.]

The SPEAKER pro tempore. Objection is made by the gentleman from Nebraska [Mr. KEM]. [Laughter.]

Mr. SAYERS. Mr. Speaker, unanimous consent is not required. The gentleman from Georgia reserved the right to a separate vote upon this amendment.

The SPEAKER pro tempore. A separate vote was asked for, but then the amendment was withdrawn.

Mr. CANNON. I move to reconsider the vote just taken by which the House insisted on its disagreement.

The motion to reconsider was agreed to.

Mr. CANNON. I now move that, except as to the amendment with regard to the public building at Savannah, the House further insist on its disagreement to the Senate amendments and ask for a further conference.

The motion was agreed to.

Mr. CANNON. Now I am willing to yield to the gentleman from Georgia [Mr. LESTER] two or three minutes.

Mr. LESTER. I shall occupy only a few minutes.

Mr. TATE. I rise to this point of order: As the Chair put this question, the House has insisted on its disagreement to all of the Senate amendments except that relating to the Savannah public building. Does not that practically adopt the amendment with regard to the Savannah building?

The SPEAKER pro tempore. It does not.

Mr. LESTER. Mr. Speaker, amendment 16 of the Senate proposes to increase the limit of cost of the public building at Savannah, Ga. The construction of that building was commenced some years ago; it was partly completed, the limit of cost being $400,000. Last summer contracts were let for the completion of the building. Everybody supposed that it was to be finished in marble. The stone foundations had been laid, and one story of the substructure erected. The old site had been changed, involving a loss of about $100,000—that is to say, there is that amount invested in the old site and the incomplete building erected upon it. When it was determined to finish the new building in marble it was found that possibly this could not be done within the limit of cost previously fixed, so alternative bids were invited for completing the work in marble and also in brick. When the bids came in it was discovered that it would be impossible to finish the building in marble within the limit of cost, so the contract was let for the finishing of the work in brick. But if this plan be pursued the building will present an incongruous appearance. Marble is the proper and suitable material; not brick. The Secretary of the Treasury saw the propriety of extending the limit of cost so as to allow the finishing of the building in marble; and it was arranged with the contractor that he should not insist upon his right to go on and finish the structure in brick. He agreed to carry out the contract in marble provided the Congress of the United States should extend the limit of cost to the extent required.

Mr. WALKER of Massachusetts. What is the difference in cost?

Mr. LESTER. One hundred thousand dollars. It is estimated that $500,000 will be required for a marble building, though $400,000 would have been sufficient if $100,000 had not been lost in the manner I have stated. The immediate question is whether Congress desires this building to be completed in brick or in marble.

This question might not demand immediate settlement but for the fact that the contract has been let, and it is the duty of the Government, if it does not wish to change the plan, to permit the contractors to go on, which they have the right to do under their contract. The agreement with the contractor to which I have referred, under which the Government was to have the right to have the building finished either in brick or in marble, extended only to June 1. But the Secretary of the Treasury has made such an arrangement that a few days' delay will not make any difference. The contractor is now insisting that this matter be settled, so that the work may proceed.

Other gentlemen here have been willing that their propositions in reference to public buildings should go over to the next session; and I should be perfectly willing to have this matter take the same course if our situation were the same. But unless Congress now agrees to extend the limit of cost, the work on our public building will proceed under the contract already made, and the building will be finished in brick. Next session will be too late to attend to this matter. The work must proceed at once. No one, I presume, desires that this building should be finished in a style discreditable to the Government. It ought to be a good building; we ought not to allow it to be spoiled, as it will be, practically, if finished in brick. I move, therefore, that the House recede from its disagreement to the Senate amendment and agree to that amendment.

Mr. WALKER of Massachusetts. I should like one minute.

Mr. CANNON. I yield to the gentleman one minute.

Mr. WALKER of Massachusetts. Mr. Speaker, let us lay aside the question of precedent; let us lay aside any consideration as to the dignity of the House which might tempt us to do a wrong, and let us do right. Here is a building which, if erected in brick, will be a discredit to the United States Government for the next century. It ought to be built in marble, and was so designed. At present, as I understand, the Secretary of the Treasury is unable to authorize it to be so constructed, because of the limit of cost. Let us do right in this matter, because we ought to do so. Let us recede from our disagreement to the Senate amendment and adopt it. [Applause.]

Mr. CANNON. Let us understand ourselves on this question. The present limit of cost in regard to this building is $400,000. The gentleman from Georgia [Mr. LESTER] says that unless the limit of cost is enlarged $100,000 this building can not have the outside finished in marble. Well, I will compromise on a building of brick, if I can get it, and save the hundred thousand dollars. I do not desire, however, to oppose the gentleman's proposition in the sense of opposing it upon the merits.

Mr. WALKER of Massachusetts. Does not that remark give the whole case away?

Mr. CANNON. No.

Mr. WALKER of Massachusetts. Well, I think it does. I am here to do right, without regard to any precedent which is not justified by right.

Mr. CANNON. Why did not the gentleman "do right" in reference to these other amendments?

Mr. WALKER of Massachusetts. I did; I voted for the whole of them.

Mr. CANNON. Mr. Speaker, I am ready for a vote.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Georgia, that the House recede from Senate amendment numbered 16, and agree to the same.

The question being taken, there were—ayes 100, noes 64. [Applause.]

Mr. CANNON. Mr. Speaker, I ask for the yeas and nays on that question.

The yeas and nays were ordered.

The question was taken; and there were—yeas 96, nays 91, not voting 167; as follows:

YEAS—96.

Acheson,	De Witt,	Kulp,	Rusk,
Adams,	Dockery,	Layton,	Sayers,
Aldrich, T. H.	Dovener,	Lester,	Scranton,
Allen, Miss.	Ellis,	Loudenslager,	Sherman,
Apsley,	Erdman,	Low,	Southwick,
Arnold, R. I.	Fenton,	Maddox,	Sparkman,
Bailey,	Fischer,	Mahon,	Sperry,
Baker, N. H.	Fitzgerald,	McClure,	Stallings,
Bartlett, Ga.	Fletcher,	McCreary, Ky.	Stone, C. W.
Bartlett, N. Y.	Fowler,	McCulloch,	Sulloway,
Bell, Tex.	Gardner,	McDearmon,	Sulzer,
Berry,	Gibson,	McLachlan,	Swanson,
Broderick,	Griswold,	Mercer,	Tate,
Bromwell,	Hart,	Mitchell,	Tawney,
Brumm,	Hartman,	Mondell,	Terry,
Bull,	Howe,	Money,	Turner, Ga.
Clardy,	Huff,	Noonan,	Tyler,
Clarke, Ala.	Hunter,	Otey,	Walker, Mass.
Coffin,	Hurley,	Otjen,	Wanger,
Cooper, Fla.	Johnson, Cal.	Patterson,	Wellington,
Cooper, Wis.	Johnson, N. Dak.	Pendleton,	Williams,
Culberson,	Joy,	Reeves,	Willis,
Cummings,	Kerr,	Reyburn,	Wilson, Idaho
Dayton,	Kleberg,	Richardson,	Woodard.

NAYS—91.

Anderson,	Crump,	Huling,	Raney,
Andrews,	Curtis, Iowa	Kem,	Ray,
Avery,	Curtis, Kans.	Kiefer,	Rinaker,
Babcock,	Danford,	Kirkpatrick,	Russell, Conn.
Baker, Kans.	Dingley,	Knox,	Shafroth,
Barney,	Doolittle,	Lacey,	Shuford,
Bennett,	Draper,	Lefever,	Skinner,
Bingham,	Fairchild,	Leighty,	Smith, Ill.
Bishop,	Faris,	Lewis,	Southard,
Blue,	Gamble,	Long,	Stahle,
Boutelle,	Graff,	Loud,	Stewart, N. J.
Brewster,	Griffin,	McCleary, Minn.	Strong,
Burrell,	Grow,	McEwan,	Strowd, N. C.
Burton, Mo.	Hager,	Minor, Wis.	Tayler,
Burton, Ohio	Hainer, Nebr.	Murphy,	Thomas,
Cannon,	Halterman,	Overstreet,	Tracewell,
Chickering,	Hardy,	Payne,	Treloar,
Clark, Iowa	Hemenway,	Pearson,	Updegraff,
Clark, Mo.	Henderson,	Phillips,	Van Horn,
Codding,	Henry, Conn.	Pitney,	Warner,
Connolly,	Henry, Ind.	Poole,	Wood,
Corliss,	Hill,	Prince,	Wright.
Crowther,	Howell,	Pugh,	

NOT VOTING—167.

Abbott,	Ellett,	Linton,	Robinson, Pa.
Aitken,	Evans,	Little,	Royse,
Aldrich, W. F.	Foote,	Livingston,	Russell, Ga.
Aldrich, Ill.	Foss,	Lorimer,	Sauerhering,
Allen, Utah	Gillet, N. Y.	Maguire,	Settle,
Arnold, Pa.	Gillett, Mass.	Mahany,	Shannon,
Atwood,	Goodwyn,	Marsh,	Shaw,
Baker, Md.	Grosvenor,	Martin,	Simpkins,
Bankhead,	Grout,	McCall, Mass.	Smith, Mich.
Barham,	Hadley,	McCall, Tenn.	Snover,
Barrett,	Hall,	McClellan,	Sorg,
Bartholdt,	Hanly,	McCormick,	Spalding,
Beach,	Harmer,	McLaurin,	Spencer,
Belknap,	Harris,	McMillin,	Steele,
Bell, Colo.	Harrison,	McRae,	Stephenson,
Black, Ga.	Hatch,	Meiklejohn,	Stewart, Wis.
Black, N. Y.	Heatwole,	Meredith,	Stone, W. A.
Bowers,	Heiner, Pa.	Meyer,	Strait,
Brosius,	Hendrick,	Miles,	Strode, Nebr.
Brown,	Hepburn,	Miller, Kans.	Taft,
Buck,	Hermann,	Miller, W. Va.	Talbert,
Calderhead,	Hicks,	Milliken,	Thorp,
Catchings,	Hilborn,	Milnes,	Towne,
Cobb,	Hitt,	Miner, N. Y.	Tracey,
Cockrell,	Hooker,	Moody,	Tucker,
Colson,	Hopkins,	Morse,	Turner, Va.
Cook, Wis.	Howard,	Moses,	Van Voorhis,
Cooke, Ill.	Hubbard,	Mozley,	Wadsworth,
Cooper, Tex.	Hulick,	Murray,	Walker, Va.
Cousins,	Hull,	Neill,	Washington,
Cowen,	Hutcheson,	Newlands,	Watson, Ind.
Cox,	Hyde,	Northway,	Watson, Ohio
Crisp,	Jenkins,	Odell,	Wheeler,
Crowley,	Johnson, Ind.	Ogden,	White,
Curtis, N. Y.	Jones,	Owens,	Wilber,
Dalzell,	Kendall,	Parker,	Wilson, N. Y.
Daniels,	Kyle,	Perkins,	Wilson, Ohio
De Armond,	Latimer,	Pickler,	Wilson, S. C.
Denny,	Lawson,	Powers,	Woodman,
Dinsmore,	Leisenring,	Price,	Woomer,
Dolliver,	Leonard,	Quigg,	Yoakum.
Eddy,	Linney,	Robertson, La.	

So the motion to recede from the disagreement and concur was adopted.

The following additional pairs were announced:

Mr. MCCALL of Tennessee with Mr. OGDEN.

Mr. HARMER with Mr. ABBOTT.

Mr. COOK of Wisconsin with Mr. HALL.

Mr. BELKNAP. Mr. Speaker, I was listening for my name, but momentarily my attention was attracted and I did not hear it when it was called. I should like to be permitted to vote on this question.

The SPEAKER. The Chair is afraid that he can not entertain the request under the circumstances.

Mr. BELKNAP. I bow, of course, to the decision of the Chair.

The result of the vote was then announced as above recorded.

The SPEAKER. The Chair will announce the appointment of the conferees on the remaining amendments.

The Clerk read as follows:

Conferees on sundry civil bill: Mr. CANNON, Mr. HAINER of Nebraska, and Mr. SAYERS.

The SPEAKER. The Chair understands that there is a conference report now on the desk.

Mr. BABCOCK. I ask to call that up, Mr. Speaker.

Mr. HARTMAN. Before that, Mr. Speaker, I move to reconsider the vote whereby the House refused to agree to the Senate amendments to the public buildings, since it is evident that this vote is an indication of the sense of the House on that question.

The SPEAKER. The Chair thinks, the conferees having been appointed, it is now too late to make that motion, unless there be some reason not yet stated to the Chair.

Mr. HARTMAN. If that is the decision of the Chair, of course I bow to it.

The SPEAKER. Of course, if the gentleman states that he rose before anything else was done, after the last vote——

Mr. HARTMAN. I did rise, Mr. Speaker, and was waiting, but did not address the Chair immediately.

The SPEAKER. The Chair thinks, then, that under the rule it is too late to recognize the gentleman for that motion now.

Mr. HARTMAN. Very well.

Mr. CANNON. Mr. Speaker, I would be very glad if we could in some way or other obtain the sense of the House finally upon this matter. The House having voted to concur in this amendment, if it means a change of heart, I have no objection to adopting the same rule with reference to the others. I have only sought to serve the House. I care nothing about it personally. I have no doubt that if the House had nonconcurred or insisted on its disagreement on all these amendments, they being in the nature of legislation, the Senate would have receded, in accordance with universal custom.

Mr. SAYERS. I will suggest to my friend from Illinois——

Mr. CANNON. In a minute. Now, if it is the sense of the House to recede on these other amendments, if there has been a real change of opinion, I have no objection. If it is believed that there has been such a change, I should be glad, in order to save time in these the closing hours of the session to have the House take such steps, by unanimous consent or otherwise, as will register its firm and fixed opinion. I do not want to go on a halfway opinion.

Mr. DOCKERY. I suggest to the gentleman from Illinois that unanimous consent be asked to take the expression of the House.

Mr. CANNON. The gentleman can make the request. I shall not object.

Mr. DOCKERY. I ask unanimous consent that the vote on the other amendments be reconsidered.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the vote on the other amendments be reconsidered. Is there objection?

Mr. KEM and Mr. KIEFER objected.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 2) disposing of 2 condemned cannon.

The message also announced that the Senate had agreed to the reports of committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

A bill (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes.

A bill (H. R. 6249) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal ending June 30, 1897, and for other purposes.

ECKINGTON AND SOLDIERS' HOME RAILWAY, ETC.

Mr. BABCOCK. Mr. Speaker, I call for the regular order.

The SPEAKER. The gentleman from Wisconsin [Mr. BABCOCK] has the floor on a conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2928) to extend the routes of the Eckington and Soldiers' Home Railway Company and of the Belt Railway Company, of the District of Columbia, and for other purposes, having met,

after full and free conference, have agreed to recommend, and do recommend, to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, 4, 9, 10, 12, 13, 14, 21, 22, and 23, and agree to the same.

That the House recede from its amendment numbered 26.

That the Senate recede from its disagreement to the amendments of the House numbered 6, 8, 11, 15, 17, 18, 19, 20, 24, and 27, and agree to the same, amended so that the sections of the bill shall be numbered consecutively; and that the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 5, and agree to the same amended as follows: In lieu of the matter proposed to be stricken out amend section 2 so that the said section shall read:

"SEC. 2. That the Eckington and Soldiers' Home Railway Company of the District of Columbia be, and the same hereby is, authorized to lay down and operate a street railway in the city of Washington, D. C., through and along the following-named streets and avenues, to wit:

"Beginning at the junction of Eighth and D streets northeast; thence by a double track south along Eighth street to C street south; thence by single track as follows: West on C street south to Seventh street east; thence south on Seventh street east to M street south; thence east on M street south to Georgia avenue; thence northeast on Georgia avenue to Ninth street east; thence north on Ninth street east to C street south; thence west on C street south to Eighth street east."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 7, and agree to the same amended so that the proviso in question shall read as follows:

"*And provided*, That said Eckington and Soldiers' Home Railway Company shall not have its stock and bonds outstanding at any one time to a greater amount than the actual cost of the construction and equipment of said railway, which actual cost shall be ascertained by the supreme court of the District of Columbia in such manner as the said court shall prescribe."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 16, and agree to the same amended so that the proviso in question shall read:

"*And provided*, That said Belt Railway Company shall not have its stock and bonds outstanding at any one time to a greater amount than the actual cost of the construction and equipment of said railway, which actual cost shall be ascertained by the supreme court of the District of Columbia in such manner as the said court shall prescribe."

And the House agree to the same.

J. W. BABCOCK,
G. M. CURTIS,
JAMES D. RICHARDSON,
Conferees on the part of the House.

JAMES McMILLAN,
ISHAM G. HARRIS,
Conferees on the part of the Senate.

The SPEAKER. The Clerk will report the statement of the House conferees.

The Clerk read as follows:

The effect of the conference report on Senate bill No. 2928 is as follows:

First, the Senate agrees to all amendments adopted in the House except amendment numbered 7, which provided that said railroad company shall not have its bonds outstanding at any one time to a greater amount than 50 per cent of the actual cost and equipment of said railway, and have inserted in place thereof the usual provision in street railway charters, that the company shall not have its stock and bonds outstanding at any one time to a greater amount than the actual cost and construction of said railway, which cost shall be ascertained by the supreme court of the District of Columbia.

Also amendment numbered 26, which provided for the construction of the Metropolitan Railroad from its present terminus on Connecticut avenue along Columbia road to Eighteenth street.

The House recedes from its amendment to Senate bill and agrees to the construction of a line of road on Eighth street northeast and on C street south to Seventh street east; thence south on Seventh east to M street south; thence east on M street to Georgia avenue; thence east on Georgia avenue to Ninth street east; thence on Ninth east to C south; thence west on C street south to Eighth street east, which is known as the Navy-Yard extension.

J. W. BABCOCK,
G. M. CURTIS,
J. D. RICHARDSON.

The conference report was agreed to.

On motion of Mr. BABCOCK, a motion to reconsider the last vote was laid on the table.

SPECIAL DEFICIENCY BILL.

Mr. CANNON. Mr. Speaker, I desire to move to concur in a certain amendment to the urgent deficiency bill, and to disagree to the second amendment. I ask that the amendment be read.

The bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for the expenses for the House of Representatives, and for other purposes, for the fiscal year 1896, was laid before the House. The amendments of the Senate were read, as follows:

Page 1, after line 7, insert:

"To make the salaries of the clerks to the Committees on Revolutionary Claims and Corporations Organized in the District of Columbia, from the 1st day of January to the 30th day of June, 1896, at the rate of $2,100 per annum, $660."

Page 1, after line 7, insert:

"To enable the Secretary of the Senate and the Clerk of the House of Representatives to pay to all officers and employees of the Senate and House of Representatives, including the Capitol police, who were employed on the 2d day of December, 1895, and who have ceased to be employed, a sum equal to one month's pay at the rate they were severally receiving on the 2d day of December, 1895, and a sufficient sum for this purpose is hereby appropriated."

Mr. CANNON. I move to concur in the first amendment read.

Mr. DOCKERY. What is that?

Mr. CANNON. It is to pay two clerks of Senate committees.

Mr. DOCKERY. I want to express my gratification that the clerk of the Senate Committee on Revolutionary War Claims has finally got his salary increased.

Mr. CANNON. Oh, well, the Senate always get their way about their force. We might just as well concur.

Mr. RICHARDSON. I desire to ask if the gentleman moves to concur in both amendments? If not, I desire to move to concur in the second.

Mr. CANNON. Let us have the vote first on the first one.

The first amendment of the Senate as read was concurred in.

Mr. CANNON. Now, Mr. Speaker, I move that the House nonconcur in the second amendment.

Mr. RICHARDSON. I move that the House concur in the second amendment, and ask to have it reported.

The SPEAKER. The Clerk will report the second amendment.

The amendment was again read.

Mr. CANNON. Now does the gentleman desire to be heard?

Mr. RICHARDSON. I only want to say a word or two.

Mr. CANNON. I yield the gentleman three minutes now, if that will do.

Mr. RICHARDSON. Mr. Speaker, I think that we ought to make this appropriation. These employees were brought here at the beginning of this Congress. They were kept here at work until after the organization some days, I can not tell exactly how many, and possibly the number of days differed in the different cases. Some of them were kept here until after the organization was perfected; and it seems to me it is but fair and just that they should have this extra month's pay. I understand that in many cases that course has been pursued heretofore; in other instances the House has refused to make this appropriation. Now, these men were brought here and put to that expense—the expense of coming—and then they lost their jobs, which was bad enough, and it seems to me it will be but fair and proper to make them this compensation.

Mr. LACEY. Will the gentleman yield to me for a question?

Mr. RICHARDSON. I yield the floor.

Mr. LACEY. I wanted to ask a question either of you or some one else who is in favor of the proposition. These gentlemen who were employees and drew their salaries during the vacation came here on the 1st of December and served a month and got a month's extra pay besides that. This is an additional month's pay to these men who had already drawn vacation salaries as clerks to committees.

Mr. RICHARDSON. Well, possibly it may be so in the case of annual clerks. They had work to do annually or there would not be annual clerks; and it is no argument against the annual clerks, if there was work for them to do; and if there was not, then there ought not to be annual clerks. There are a number of committees that have annual clerks allowed them, and there are others that have only session clerks. Those that have annual clerks have work to do annually, otherwise they would not be annual clerks.

Mr. PAYNE. Does the gentleman know of any clerks to committees that came back here?

Mr. RICHARDSON. I know of one clerk who came.

Mr. PAYNE. I know of several committees the clerks of which did not come back, and yet they got pay to the 1st of January.

Mr. RICHARDSON. There may be such cases as that, but I know of one of my own knowledge, one of the reading clerks, and a very efficient one, in the last House.

Mr. CANNON. Mr. Speaker, I want to say that this is a provision that has not been made for clerks and employees since the Forty-seventh Congress. That was known as the Keifer Congress, in 1881 to 1883. The Republican majority then gave the employees of the Forty-sixth Congress this extra month's salary. It was a Republican House paying the employees of a Democratic House. Our Democratic friends did not reciprocate. It has not been done from that time to the present. Now, this provision was put on the general deficiency bill, and it went off in conference; but the "little joker" jumped up in this bill, put on graciously by a Senate amendment without any request, so far as I know, from any member of the House. The Senate sees fit to let us take a vote upon it, and I suppose we will vote. They are magnanimous——

Mr. RICHARDSON. Before the gentleman gets away from that, I desire to ask him a question.

Mr. CANNON. Let me complete the sentence first. Now, the annual employees that ought to have served up to the time this Congress was organized on the 2d day of December got their annual pay, and the session employees got their extra month's pay at the close of the short session of the last Congress, and that mustered them out. Now, to take the annual employees, when most of them had nine months' vacation without much service, and to pay them an extra month's pay, when the most of them got pay, anyhow, during the month of December, I do not see that we ought to do it. We might have another bond issue to meet it, in part. It seems to me that it is without precedent in later years, and ought not to be adopted; and I hope this House will nonconcur.

Mr. BAILEY. May I ask the gentleman from Illinois a question?

Mr. CANNON. Yes, sir.

Mr. BAILEY. Generally I should be glad to adopt the gentleman's views in matters of this kind, but I have in mind a case where a Senate employee was brought here from his home and was discharged upon a notice of six hours. Now, it hardly seems to me fair and proper that the Government should discharge an employee under those circumstances and discontinue his pay, and I desire to ask the gentleman from Illinois whether an employee discharged under such conditions would draw the pay for that full month?

Mr. CANNON. When was he discharged?

Mr. BAILEY. Within the last thirty days.

Mr. CANNON. This amendment refers to employees who were discontinued last December.

Mr. BAILEY. What I desire to ask the gentleman is whether there is any provision of law under which this employee, discharged on six hours' notice, would be able to get his pay for the full month? I assume that the Government employs persons by the month, and of course an individual who employed a man for a month and discharged him without cause before that time expired would be compelled to pay the full month's salary.

Mr. CANNON. I will say to the gentleman that I have never seen a case or known of the case of a person who was employed by the Senate, or connected with the Senate, that did not "get in his work," whether he was discharged or not. [Laughter.] My friend from Texas need not agonize about anybody who ever was in the employ of the Senate. I say it respectfully.

Mr. RICHARDSON. Mr. Speaker, I wish to ask the gentleman from Illinois whether his memory is not at fault when he speaks of an appropriation of this kind having been made by the Forty-seventh Congress? Was it not by the Fifty-first Congress?

Mr. CANNON. No; it was the Forty-seventh. I think I am not mistaken about it. Now, Mr. Speaker, let us have a vote.

Mr. WALKER of Massachusetts. I ask the gentleman to give me one minute.

Mr. CANNON. Which side is the gentleman on?

Mr. WALKER of Massachusetts. I am going to help you out this time. [Laughter.]

Mr. CANNON. Well, sometimes the gentleman has one effect on the House, and sometimes he has another effect, and I feel a little uncertain, but I will yield him the time. [Laughter.]

Mr. WALKER of Massachusetts. Mr. Speaker, I hope this House will not present the spectacle of such virtuous and rigid economy that it can not appropriate money for the public business and that it can not pay the honest debts of the Government, and yet can actually throw away money in gratuities of the kind proposed here, where there is not the slightest claim, legal or moral, and where the services rendered are paid for at two or three times what they are worth anyway. I think we ought not to go any further in that direction. I think we had better set the example of paying what the Government justly owes, and appropriating for enterprises that the Government ought to enter upon, and I think it is not at all creditable to the House that it should even contemplate voting these gratuities, especially with an empty Treasury, which has prevented the House from having reports from its committees recommending appropriations for public work which we all agree ought to be done.

The Senate amendment was nonconcurred in.

Mr. CANNON. I will not ask for a conference, Mr. Speaker. Let the Senate ask for it if it desires.

OMAHA EXPOSITION.

Mr. MERCER. Mr. Speaker, I move to suspend the rules and pass the bill S. 130, with an amendment recommended by the Committee on Ways and Means, which amendment is incorporated in this bill.

The bill was read at length.

Mr. BAILEY. I demand a second, Mr. Speaker.

Mr. MERCER. I ask unanimous consent that a second be considered as ordered.

Mr. BAILEY. I object.

Mr. MERCER and Mr. BAILEY were appointed to act as tellers on the question of ordering a second.

The House divided; and the tellers reported—ayes 104, noes 2.

Mr. BAILEY. No quorum, Mr. Speaker.

Mr. MERCER. Mr. Speaker, I withdraw the bill.

Mr. BAILEY. I withdraw the point of no quorum.

DISTRICT APPROPRIATION BILL.

Mr. DOCKERY. Mr. Speaker, on behalf and at the request of the gentleman from Vermont [Mr. GROUT], who is not present at this moment, I present a conference report on the District appropriation bill. To save time I suggest that it will be sufficient to read the statement of the House conferees.

The statement of the conferees was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 5210) making appropriations for the government of the District of Columbia submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report on each of said amendments, namely:

On Nos. 90, 91, 92, 93, 94, and 95: Appropriates for lighting streets with gas, $150,000, instead of $122,000, as proposed by the House, and $175,000, as proposed by the Senate; limits the cost per lamp-post to $20 a year; requires that the lamps burn all night; strikes out the provisions proposed by the House requiring that the gaslighting shall be let to the lowest responsible bidder therefor, and that the price of gas to consumers be limited to not exceeding 75 cents per thousand feet.

On Nos. 96, 97, and 98: Appropriates for electric arc lighting in the streets, $50,000, instead of $43,600, as proposed by the House, and $59,170, as proposed by the Senate, and limits the cost per lamp to 30 cents per night.

The committee of conference have been unable to agree on the following amendments, namely:

On the amendment of the House to amendment of the Senate No. 99, with reference to electric light and power service in that part of the District of Columbia west of Rock Creek and outside the fire limits of the District;

On No. 100, limiting, as proposed by the House, the price of electric lights and electricity for power purposes to consumers; and

On Nos. 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 194, and 195, relating to the charities of the District of Columbia.

WILLIAM W. GROUT,
MAHLON PITNEY,
ALEX. M. DOCKERY,
Managers on the part of the House.

Mr. DOCKERY. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. PITNEY], a member of the committee of conference.

Mr. PITNEY. Mr. Speaker, I desire to submit a motion to have this conference report agreed to by the House; and also to give notice that at as early an hour to-morrow as is practicable this subject will be brought before the House with the view of obtaining the instructions of the House of Representatives to its conferees relative to the remaining disagreements upon this bill. I now move that the conference report be agreed to.

The report was agreed to.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 2947) increasing the pension of Daniel D. Jennings, late of Company C, Sixty-fifth Ohio Volunteers;

A bill (H. R. 8383) to establish a site for the erection of a penitentiary on the military reservation at Fort Leavenworth, Kans., and for other purposes; and

A bill (H. R. 6249) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes.

PREVENTION OF COLLISIONS AT SEA.

Mr. PAYNE. I move to suspend the rules and pass the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 9253) to amend an act approved August 19, 1890, entitled "An act to adopt regulations for preventing collisions at sea."

Be it enacted, etc., That article 15 of the act approved August 19, 1890, entitled "An act to adopt regulations for preventing collisions at sea," be amended to read as follows:

"ART. 15. All signals prescribed by this article for vessels under way shall be given:

"First. By 'steam vessels' on the whistle or siren.

"Second. By 'sailing vessels' and 'vessels towed' on the fog horn.

"The words 'prolonged blast' used in this article shall mean a blast of from four to six seconds duration.

"A steam vessel shall be provided with an efficient whistle or siren, sounded by steam or by some substitute for steam, so placed that the sound may not be intercepted by any obstruction, and with an efficient fog horn, to be sounded by mechanical means, and also with an efficient bell. (In all cases where the rules require a bell to be used a drum may be substituted on board Turkish vessels, or a gong where such articles are used on board small seagoing vessels.) A sailing vessel of 20 tons gross tonnage or upward shall be provided with a similar fog horn and bell.

"In fog, mist, falling snow, or heavy rainstorms, whether by day or night, the signals described in this article shall be used as follows, namely:

"(a) A steam vessel having way upon her shall sound, at intervals of not more than two minutes, a prolonged blast.

"(b) A steam vessel under way, but stopped, and having no way upon her, shall sound, at intervals of not more than two minutes, two prolonged blasts, with an interval of about one second between.

"(c) A sailing vessel under way shall sound, at intervals of not more than one minute, when on the starboard tack, one blast; when on the port tack, two blasts in succession, and when with the wind abaft the beam, three blasts in succession.

"(d) A vessel when at anchor shall, at intervals of not more than one minute, ring the bell rapidly for about five seconds.

"(e) A vessel when towing, a vessel employed in laying or in picking up a telegraph cable, and a vessel under way, which is unable to get out of the way of an approaching vessel through being not under command, or unable to maneuver as required by the rules, shall, instead of the signals prescribed in subdivisions (a) and (c) of this article, at intervals of not more than two minutes, sound three blasts in succession, namely: One prolonged blast followed by two short blasts. A vessel towed may give this signal and she shall not give any other.

"Sailing vessels and boats of less than 20 tons gross tonnage shall not be obliged to give the above-mentioned signals, but, if they do not, they shall make some other efficient sound signal at intervals of not more than one minute."

SEC. 2. That said act of August 19, 1890, as amended shall take effect at a subsequent time to be fixed by the President by proclamation issued for that purpose.

The question being put, the motion to suspend the rules and pass the bill was agreed to, two-thirds voting in favor thereof.

ORDER OF BUSINESS.

Mr. DINGLEY. I move that the House take a recess until 10 o'clock to-morrow morning.

Mr. LOW. I hope the gentleman will withdraw that for a moment.

Mr. ALDRICH of Illinois. I desire to present a report from the Committee on Accounts.

Mr. RICHARDSON. I move that the House do now adjourn.

The SPEAKER. The Chair suggests that there are one or two matters which ought to be acted upon by the House if convenient, and which, if they cause any debate, will be withdrawn. The transaction of public business at this stage of the session is of course important.

Mr. RICHARDSON. In view of that statement, I withdraw my motion, of course.

Mr. DINGLEY. And I withdraw my motion for a recess. If members will stay here, I will stay with the rest.

Mr. BOUTELLE. I should like to present a small matter which has been recommended by the Secretary of the Treasury and the Secretary of the Navy.

Mr. ALDRICH of Illinois. I have a report from the Committee on Accounts which should be considered in order to close up the business of the session. I doubt very much whether there will be any objection to it.

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. ALDRICH] for business from the Committee on Accounts.

ADDITIONAL EMPLOYEES, ETC.

Mr. ALDRICH of Illinois, from the Committee on Accounts, submitted a report; which was read, as follows:

The Committee on Accounts, to whom was referred sundry resolutions, begs leave to report as follows:

The resolution authorizing the Clerk of the House to appoint an additional clerk in his office at an annual salary of $1,800 is disapproved.

The resolution providing for the transfer of George W. Perkins from the special folders' roll at a compensation of $75 per month to the annual roll as assistant foreman of the folding room at a salary of $1,200 is disapproved.

The resolution providing for payment to W. D. Catlett for doing duty in Statuary Hall, in ladies' reception room, at the rate of $100 per month from January 15, 1896, is disapproved.

The resolution authorizing the payment to Robert A. Stickney for services rendered as clerk in the office of the Clerk of the House from January 9, 1896, to the close of the current session of Congress at the rate of $1,600 per annum, is disapproved.

The resolution authorizing the payment of $90 to James Hall for extra services as laborer in the Doorkeeper's department from March, 1895, to November, 1895, inclusive, is disapproved.

The resolution providing that the assistant clerks of the Committee on Invalid Pensions be continued on the roll during the recess of the present Congress is disapproved.

The resolution providing that the clerk of the Committee on Pensions be continued on the roll during recess of the present Congress is disapproved.

The resolutions providing for the employment of fonr additional annual messengers in the House post-office are disapproved.

The resolution providing for allowance of an extra month's salary to each messenger of the House post-office, now on the annual roll, is disapproved.

The resolution providing for the construction of a hoisting apparatus for the use of the folding room of the House at a cost not to exceed $1,000 is disapproved.

The resolution providing for the payment to Ephraim J. Totten for services rendered as clerk in the Clerk's document room during the month of January and fifteen days in the month of February, 1896, at the rate of $1,600 per annum, is disapproved, and in lieu thereof your committee recommends that an allowance of $133.33 be granted said Totten for such services, and submit herewith a resolution to that effect.

The resolution authorizing the Speaker of the House to appoint a committee of five members, who shall be empowered to examine and report to the House upon the plan, practical workings, and management of the National Home for Disabled Volunteer Soldiers at Leavenworth, Kans., and authorizing the expenditure by the chairman of said committee of a sum not exceeding $5,000 for the current expenses of said committee, has been amended by substituting $2,000 for $5,000, and thus amended the resolution is approved.

The resolution authorizing the chairman of the Committee on the District of Columbia to expend not to exceed $150 as compensation for the employment of stenographers and typewriters during the current session of Congress is approved.

The resolution providing for the payment of $33.34 to George W. Strattan as compensation for services performed by him as messenger in the House post-office from November 22, 1895, to December 2, 1895, is approved.

The resolution providing for the payment of $86.64 to Frank Burke for services performed in the stationery room from December 2, 1895, to January 14, 1896, inclusive, is approved.

The resolution providing for the payment to Noah L. Hawk of $300 per annum, from December 9, 1895, to December 9, 1896, in addition to his pay as Capitol policeman, for extra services as acting assistant deputy sergeant-at-arms is approved.

The resolution providing for the payment to Lauretz Olson of $100 as compensation for his services as messenger in the Doorkeeper's department during the month of January, 1896, is approved.

The resolution directing the Clerk of the House to pay to Mary Slater, widow of William P. Slater, deceased, late a folder in the Doorkeeper's department, the expenses of his last illness and funeral, not to exceed the sum of $250, and a further sum equal to his salary for six months is approved.

The resolution of May 25, 1896, authorizing the chairman of the Committee on Enrolled Bills to appoint two additional assistant clerks to the Committee on Enrolled Bills, is approved, and your committee recommend that the compensation of these employees be fixed at $6 per day each, from the date of said resolution to the close of the session.

The resolution authorizing the Doorkeeper of the House to employ one additional laborer for one month, at a compensation of $50, is approved.

The resolution providing for the payment to Daniel J. McKeever for services rendered as an additional page from February 21, 1896, to the close of the current session of Congress, at the rate of $2.50 per day, is approved.

The resolution authorizing the payment of $77.78 to Albert E. Werner for services performed as a messenger in the Doorkeeper's department from January 4 to January 31, 1896, inclusive, is approved.

The resolution authorizing the Clerk of the House to employ for the remainder of the session two bicycle messengers for day and night service between the enrolling room of the Clerk's office and the Government Printing Office, at a compensation of $5 per day each, is approved.

The resolution providing for the creation of the office of assistant janitor of the House, and the appointment of I. B. Jackson to said office, at a salary of $50 per month, is disapproved.

The resolution providing for allowance of an extra month's salary to each messenger of the House post-office is disapproved.

The resolution authorizing the Postmaster of the House to continue the employment of Albert E. Werner as a messenger in the House post-office during the recess of the present Congress is disapproved.

Mr. ALDRICH of Illinois, from the Committee on Accounts, reported favorably the following resolutions:

Resolved, That the chairman of the Committee on the District of Columbia is hereby authorized to expend not to exceed $150 as compensation for the employment of stenographers and typewriters during the current session of Congress, the same to be paid out of the contingent fund of the House.

Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to pay out of the contingent fund of the House to George W. Strattan the sum of $33.34 as compensation for services performed by him as messenger in the post-office of the House from November 22, 1895, to December 2, 1895.

Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, the sum of $86.64 to Frank Burke, for services performed in the stationery room from December 2, 1895, to January 14, 1896, inclusive.

Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to pay to Noah L. Hawk the sum of $300 per annum, out of the contingent fund of the House, from December 9, 1895, to December 9, 1896, in addition to his pay as Capitol policeman, for extra service as acting assistant deputy sergeant-at-arms.

Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to pay to Lauretz Olson, out of the contingent fund of the House, as compensation for his services as messenger in the Doorkeeper's department during the month of January, 1896, the sum of $100.

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Mary Slater, widow of William P. Slater, deceased, late a folder in the Doorkeeper's department, a sum equal to his salary for six months and the expenses of his last illness and funeral, said expenses not to exceed the sum of $250.

Resolved, That the chairman of the Committee on Enrolled Bills be, and he is hereby, authorized to appoint for the remainder of the current session two additional assistant clerks to the Committee on Enrolled Bills, at a compensation of $6 per day each, from May 25, 1896, to the close of the session, to be paid out of the contingent fund of the House.

Resolved, That the Doorkeeper of the House be, and he is hereby, authorized to employ one additional laborer for one month at a compensation of $50, to be paid out of the contingent fund of the House.

Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Ephraim J. Totten the sum of $133.33 for services performed in the Clerk's document room during the current session of Congress.

Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Daniel J. McKeever, for services rendered as an additional page from February 21, 1896, to the close of the current session of Congress, at the rate of $2.50 per day.

Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Albert E. Werner the sum of $77.78, for services performed as a messenger under the Doorkeeper of the House of Representatives from the 4th to the 31st day of January, 1896, both days inclusive.

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized to employ, from June 5, 1896, to the close of the present session, two bicycle messengers for day and night service between the enrolling room of the Clerk's office and the Government Printing Office, to be paid each out of the contingent fund of the House of Representatives, at $5 per day.

Resolved, That the Speaker is hereby authorized to appoint a committee of five members, who shall be empowered to examine and report to this House upon the plan, practical workings, and management of the National Home for Disabled Volunteer Soldiers at Leavenworth, Kans., and any specific complaints which have been made as to the workings and management of said Home, and to recommend, by bill or otherwise, what may appear to them to be necessary to insure the most effective, economical, and humane application of the funds annually appropriated by Congress for the support of said Home; and for that purpose said committee is authorized to sit during the sessions of the House and during the recess of Congress at Leavenworth, Kans., to examine said Home, to send for persons and papers, also the books, accounts, papers, and all other matters and things pertaining to said Home and the conduct of any manager or officer thereof, to administer oaths, and to employ such clerical and other assistance as may be required for this work. The Clerk of the House, upon the order of the chairman of said committee, shall advance, out of the contingent fund of the House, such sums as may be required to meet the current expenses for clerk hire and other services, traveling and other expenses, not exceeding $2,000, said amount to be promptly accounted for by proper vouchers duly certified by said chairman.

Mr. ALDRICH of Illinois. Unless some gentleman desires to ask some question in regard to some of these resolutions, I ask that the report be adopted.

Mr. RICHARDSON. I should be glad if the gentleman would make some statement in explanation of the number of increases which are proposed to be made by this report.

Mr. ALDRICH of Illinois. Without going into details, I will state that there is no increase whatever of any consequence. There is, for instance, provision for a laborer who was brought in to do some extraordinary work in an emergency, and who under the report of the committee will receive $50 for one month. There was also the case of an employee to whom notice of his discharge was sent through the post-office; but as the notice went to the Dead-Letter Office, he did not receive it; hence we propose to allow him pay for a fraction of a month during which he did

labor without any compensation. Most of these cases are of that character. The total amount called for in the various resolutions referred to the committee and now reported back is nearly $12,000. The propositions which we approve involve an expenditure of only $1,337—a very small amount in proportion. Most of the resolutions referred to us have been disapproved. Those that have been approved have been sifted very carefully by the committee and are meritorious.

Mr. RICHARDSON. I wish to inquire how the Committee on Accounts obtained jurisdiction of the resolution for an investigation of the Soldiers' Home at Leavenworth, Kans.?

Mr. ALDRICH of Illinois. I presume it came to us because it called for an appropriation from the contingent fund of the House. I understand the resolution was originally sent to the Committee on Military Affairs, by which committee it was favorably reported; but inasmuch as it called for a payment from the contingent fund in order to conduct the investigation, it was sent to the Committee on Accounts. We have recommended that the proposed expenditure be reduced from $5,000 to $2,000.

Mr. RICHARDSON. I simply desired to know whether it was ever referred by an order of the House to the Committee on Accounts.

Mr. ALDRICH of Illinois. Oh, it came to us in the regular order.

The SPEAKER. The Chair thinks it was referred, not in open House, but under the rules.

Mr. ALDRICH of Illinois. That may be.

Mr. DOCKERY. And without the actual knowledge of the Speaker.

The SPEAKER. It is a matter which, of course, if there were any objection, the Chair would not consider privileged. The intention had been to present it to the House under a suspension of the rules.

Mr. RICHARDSON. I did not wish to raise any question of order. My recollection was that there had been some discussion of the matter in the House. I did not know whether it had been formally referred by the House to the Committee on Accounts. That is the reason I made my inquiry.

The SPEAKER. The Chair thought he ought to say that much, because no such precedent ought to be established.

The question is on the adoption of the resolutions submitted by the gentleman from Illinois.

The resolutions were agreed to.

On motion of Mr. ALDRICH of Illinois, a motion to reconsider the last vote was laid on the table.

ORDER OF BUSINESS.

Mr. DINGLEY. Mr. Speaker——

The SPEAKER. The gentleman from Maine.

Mr. BOUTELLE. Mr. Speaker, I offer for consideration a Senate bill which I send to the desk.

The SPEAKER. One moment. The Chair must recognize gentlemen in their order.

Mr. BOUTELLE. I beg pardon. I thought "the gentleman from Maine" referred to myself.

Mr. DINGLEY. I was about to say that I have been notified that if these bills continue the point of no quorum will be made. I desire to avoid that difficulty, and therefore move that the House take a recess until 10 o'clock to-morrow morning.

Mr. RICHARDSON. Mr. Speaker, I do not think the gentleman from Maine ought to make a speech on the motion to take a recess. Surely with the large majority on that side of the House you ought to be able to keep a quorum here.

Mr. DINGLEY. Well, I hope the gentleman from Tennessee will not insist on that point now.

Mr. RICHARDSON. I do not object to the motion; I was only objecting to debate.

Mr. LOUD. If the gentleman from Maine had not made the motion I should have done so myself.

The motion of Mr. DINGLEY was agreed to.

The SPEAKER. Before announcing the result of the vote the Chair desires to announce the following appointments on committees.

COMMITTEE APPOINTMENTS.

By unanimous consent, Mr. COOPER of Texas was excused from further service on the Committee on the Territories.

The following appointments on committees were announced by the Speaker:

Mr. STALLINGS, Banking and Currency.

Mr. COOPER of Texas, Coinage, Weights, and Measures.

Mr. THORP, Railways and Canals and Patents.

Mr. RINAKER, Pacific Railroads and Railways and Canals.

Mr. BROMWELL, Pensions.

Mr. BELL of Colorado, Public Lands.

Mr. KLEBERG, Militia and Public Lands.

Mr. MITCHELL, Patents and Election of President, Vice-President, etc.

Mr. MEYER, District of Columbia.

Mr. MURRAY, Education and Expenditures in Treasury Department.

Mr. GOODWYN, Claims and Reform in the Civil Service.

Mr. MARTIN, Military Affairs.

Mr. TRUMAN H. ALDRICH, Manufactures and Territories.

The result of the vote was then announced; and accordingly (at 7 o'clock and 1 minute p. m.) the House took a recess until 10 o'clock a. m. to-morrow, Wednesday.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. GAMBLE, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 8584) confirming the title of mixed-blood Indians to their lands and allowing the same to be alienated under certain circumstances, reported the same with amendment, accompanied by a report (No. 2276); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DRAPER, from the Committee on Patents, to which was referred the bill of the Senate (S. 1897) entitled "An act to establish a classification division in the United States Patent Office," reported the same without amendment, accompanied by a report (No. 2277); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BARTLETT of New York, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 8220) to amend the act approved February 9, 1881, to grant the right of way for railroad purposes through certain lands of the United States in Richmond County, N. Y., reported the same without amendment, accompanied by a report (No. 2278); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WANGER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 2334) entitled "An act construing the acts of Congress in relation to the award of life-saving medals," reported the same without amendment, accompanied by a report (No. 2280); which said bill and report were referred to the House Calendar.

Mr. DINGLEY, from the Committee on Ways and Means, to which was referred the resolutions of the House (House Res. Nos. 173 and 189) directing the Committee on Ways and Means to inquire what effect the difference of exchange between gold-standard and silver-standard countries has upon agricultural and manufacturing industries of the United States, and also the effect in our markets of the products of cheap Oriental labor, in compliance with said resolutions submits a report (No. 2279) submitting certain information therein to the House.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. DINSMORE: A bill (H. R. 9434) for the establishment, control, operation, and maintenance of a national home for disabled volunteer soldiers of the late United States and Confederate armies at Eureka Springs, in the State of Arkansas—to the Committee on Military Affairs.

By Mr. HERMANN: A bill (H. R. 9435) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891—to the Committee on Indian Affairs.

By Mr. MCMILLIN: A joint resolution (H. Res. 200) proposing an amendment to the Constitution authorizing Congress to levy a tax on the incomes of corporations, firms, and individuals—to the Committee on Ways and Means.

By Mr. WOODARD: A resolution (House Res. No. 419) to print the views of the minority in the contested-election case of C. H. Martin *vs.* J. A. Lockhart—to the Committee on Printing.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred as follows:

The bill (H. R. 9374) granting a pension to Eliza Ann Harrington—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

Papers to accompany the bill for the relief of Daniel F. Donner—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. HALL: A bill (H. R. 9436) granting an increase of pension to Robert H. Metcalf—to the Committee on Invalid Pensions.

By Mr. HARRIS: A bill (H. R. 9437) to grant an honorable discharge to Dewitt C. Nash—to the Committee on Military Affairs.

Also, a bill (H. R. 9438) granting a pension to Joseph Harris—to the Committee on Invalid Pensions.

By Mr. KULP: A bill (H. R. 9439) to reimburse M. A. Williams—to the Committee on War Claims.

By Mr. LEWIS: A bill (H. R. 9440) granting increase of pension to Cyrus Allen—to the Committee on Invalid Pensions.

By Mr. RICHARDSON: A bill (H. R. 9441) for the relief of estate of Alice Hardaway, deceased, late of Benton County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 9442) for the relief of the estate of Susan L. Hardaway, deceased, late of Benton County, Miss.—to the Committee on War Claims.

By Mr. SOUTHARD: A bill (H. R. 9443) for the relief of Frank Wenzel—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. JOHNSON of California: Petition of citizens of Sacramento, Cal.; also of Grass Valley, Cal., praying that religious publications be given every advantage of the act of Congress of July 16, 1894, in transmission through the mails—to the Committee on the Post-Office and Post-Roads.

Also, petition of R. M. and A. C. Folger, of Bridgeport, Cal., for favorable action on House bill No. 4566, to amend the postal laws relating to second-class matter—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Stockton, Cal., favoring the passage of House bill No. 2626, for the protection of agricultural staples by an export bounty—to the Committee on Ways and Means.

By Mr. LEWIS: Petition of Cyrus Adams, signed by J. J. Ferry and other citizens of Kentucky, for a pension—to the Committee on Invalid Pensions.

By Mr. McCLEARY of Minnesota: Resolutions of the Mankato (Minn.) Board of Trade, opposing House bill No. 8536 and Senate bill No. 2967, proposing amendments to the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

By Mr. PUGH: Papers to accompany House bill No. 2454, for the relief of Allen Maze—to the Committee on Military Affairs.

SENATE.

WEDNESDAY, *June 10, 1896.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. FAULKNER, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 2783) to establish a life-saving station on the coast of New Hampshire or Massachusetts between the Hampton and the Merrimac rivers;

A bill (S. 2412) to make the city of Santa Barbara, county of Santa Barbara, State of California, a subport of entry;

A bill (S. 2490) to authorize the Secretary of War to improve and maintain the public roads within the limits of the national park at Gettysburg, Pa.;

A bill (S. 2859) changing the time for holding circuit court of the United States at Hartford, in the district of Connecticut, and

A bill (S. 2978) to provide an American register for the steamer *Menemsha*.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 2928) to extend the routes of the Eckington and Soldiers' Home Railway Company and of the Belt Railway Company of the District of Columbia, and for other purposes.

The message further announced that the House had agreed to the amendment of the Senate numbered 1 to the bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for the expenses of the House of Representatives, and for other purposes, for the fiscal year 1896, and disagreed to the amendment of the Senate numbered 2 to the bill.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes; recedes from its disagreement to the amendment of the Senate numbered 16, and agrees to the same; further insists upon its disagreement to the amendments numbered 2, 3, 4, 6, 7, 8, 13, 15, and 17 to the bill; asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CANNON, Mr. HAINER of Nebraska, and Mr. SAYERS managers at the conference on the part of the House.

The message further announced that the House had passed a bill (H. R. 9253) to amend an act approved August 19, 1890, entitled "An act to adopt regulations for preventing collisions at sea"; in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution authorizing the Secretary of the Interior to resume work upon and to issue patents to the Union Pacific Railroad Company without delay to all lands which have been sold by said company to bona fide purchasers, etc.; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 2) disposing of two condemned cannon;

A bill (H. R. 2947) increasing the pension of Daniel D. Jennings, late of Company C, Sixty-fifth Ohio Volunteers;

A bill (H. R. 6249) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes;

A bill (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes; and

A bill (H. R. 8383) to establish a site for the erection of a penitentiary on the military reservation at Fort Leavenworth, Kans., and for other purposes.

Mr. VEST. A bill has been sent from the other House in regard to maritime regulations. It is very important. A similar bill was unanimously reported by the Commerce Committee of the Senate and is now upon the Calendar. It will not take a moment, I think, to pass this House bill.

Mr. HALE. I call for the regular order. I ask the Senator to wait until the morning business is through.

The VICE-PRESIDENT. The regular order is called for. Petitions and memorials are in order.

PETITION.

Mr. TELLER presented a petition of sundry citizens of Gunnison, Colo., praying for the enactment of legislation to amend the postal laws relating to second-class mail matter, and also to reduce letter postage to 1 cent per half ounce; which was referred to the Committee on Post-Offices and Post-Roads.

REPORTS OF COMMITTEES.

Mr. HALE, from the Committee on Naval Affairs, to whom was referred the bill (S. 3257) donating condemned cannon and cannon balls to the Idaho Soldiers' Home, Boise City, Idaho, reported it without amendment.

He also, from the same committee, to whom was referred the bill (H. R. 7777) to authorize the Secretary of the Navy to furnish condemned cannon to Fort Thomas, Ky., reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 3234) donating condemned cannon and cannon balls to the Ohio Soldiers and Sailors' Home, Erie County, Ohio, reported it without amendment.

Mr. BERRY, from the Committee on Private Land Claims, to whom was referred the bill (S. 1624) to quiet title and possession with respect to certain unconfirmed and located private land claims in the State of Louisiana, reported it with amendments, and submitted a report thereon.

CIVIL SERVICE AND RETRENCHMENT COMMITTEE HEARINGS.

Mr. GALLINGER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. PRITCHARD April 13, 1896, reported it without amendment, as follows:

Resolved, That the Committee on Civil Service and Retrenchment be authorized to employ a stenographer to report hearings before it, the expense thereof to be paid out of the contingent fund of the Senate, and to have the notes of such hearings printed for the use of the committee.

Mr. GALLINGER. I ask that the resolution be now considered.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. GALLINGER. I will state that the Committee on Civil Service and Retrenchment has acted under the resolution and the

expenditure has already been made. The amount involved is very trifling.

Mr. VEST. I should like to know from the Senator from Maine why he called for the regular order upon another bill and now does not demand it.

Mr. HALE. I intend to call for the regular order on everything, and I have asked the Chair to enforce the regular order.

The VICE-PRESIDENT. When Senators request unanimous consent for the consideration of a bill or resolution the Chair submits the request to the Senate. The Chair recognized the Senator from Missouri, but objection was made. The question is on agreeing to the resolution reported by the Senator from New Hampshire.

The resolution was agreed to.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 32, 61, 124, and 161.

That the House recede from its disagreement to the amendments of the Senate numbered 122, 146, and 147, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: "In lieu of the matter inserted by said amendment insert the following: 'To enable the Government to take official part in the international exhibition to be held at Brussels, Belgium, during the year 1897, $5,000: *Provided*, That no expenditure exceeding this appropriation shall be made or liability incurred, and no person shall be paid salary or compensation therefrom;'" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: "In lieu of the sum proposed, insert '$20'"; and on page 67 of the bill, in line 14, strike out the word "six" and insert in lieu thereof the word "five"; and the Senate agree to the same.

The committee of conference have been unable to agree upon the amendments of the Senate numbered 2, 3, 4, 6, 7, 8, 13, 15, and 17.

W. B. ALLISON,
EUGENE HALE,
A. P. GORMAN,
Managers on the part of the Senate.

J. G. CANNON,
JOSEPH D. SAYERS,
Managers on the part of the House.

The report was concurred in.

Mr. ALLISON. I move that the Senate still further insist upon its amendments numbered 2, 3, 4, 6, 7, 8, 13, 15, and 17, and agree to the conference asked by the House of Representatives.

The motion was agreed to.

Mr. ALLISON. In this connection I desire to state that these amendments relate wholly to public buildings. The House having receded by a vote of that body upon one of the amendments, I take it for granted that we shall have no trouble in dealing with the remainder.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate at the further conference; and Mr. ALLISON, Mr. HALE, and Mr. GORMAN were appointed.

DEFICIENCIES IN APPROPRIATIONS.

Mr. HALE. I ask that the action of the House of Representatives on the special deficiency appropriation bill be laid before the Senate.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives, disagreeing to amendment of the Senate numbered 2 to the bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for the expenses of the House of Representatives, and for other purposes, for the fiscal year 1896.

Mr. HALE. I move that the Senate insist upon its amendment, and request a conference upon the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. HALE, Mr. ALLISON, and Mr. COCKRELL were appointed.

PREVENTION OF COLLISIONS AT SEA.

The bill (H. R. 9253) to amend an act approved August 19, 1890, entitled "An act to adopt regulations for preventing collisions at sea," was read twice by its title.

Mr. VEST. I ask the Senate to proceed to the consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. VEST. It will be remembered that in 1893 a conference was held between the maritime nations of the world in this city in regard to forming a consistent code of maritime signals. The President of the United States submitted the report of that conference to Congress. While it was pending here, to the surprise of everyone who had any cognizance of the facts, Great Britain objected to the fifteenth article of that report. The result was that the President asked that the report be returned to him and that he be authorized to ask for another maritime conference. That conference was held in this city last week, and the commissioners on the part of Great Britain agreed to the code as it is now presented in this bill to the Senate and as it has passed the House. This code was agreed upon unanimously by all the authorities of the maritime powers, and it has been reported unanimously from the committees of both Houses.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

UNION PACIFIC RAILROAD LANDS.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was read:

Resolved by the House of Representatives (the Senate concurring), That the Secretary of the Interior be, and he is hereby, authorized and directed to resume work upon and to issue patents to the Union Pacific Railroad Company without delay to all lands which have been sold by said company to bona fide purchasers: *Provided*, That nothing herein contained shall be construed as waiving any right that the United States may have to declare a forfeiture as to the lands which have not been so sold by said company: *Provided*, That the words "bona fide purchasers" herein contained shall not be held to include all holders of bonds secured by mortgage on such land grants.

Mr. WARREN. The resolution just read contains the same subject-matter as a Senate concurrent resolution which was passed here and sent to the other House. It seems that that resolution was lost, and therefore it appears before us as a House concurrent resolution. I ask for the adoption of the resolution.

The resolution was agreed to.

CHICKAMAUGA AND CHATTANOOGA NATIONAL PARK.

Mr. HALE, from the Committee on Printing, to whom was referred the following concurrent resolution submitted yesterday by Mr. PALMER, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 60,000 extra copies of the report of the Joint Committee on the Dedication of the Chickamauga and Chattanooga National Park; 18,000 copies shall be for the use of the House of Representatives, 6,000 copies for the Senate, 1,000 copies for the National Park Commission to supply the twenty-eight State commissions, and 500 copies for the Secretary of War to supply the governors of the States, and 100 copies for each speaker at the dedication.

BERLIN SILVER COMMISSION OF 1894.

Mr. HALE, from the Committee on Printing, to whom was referred the following concurrent resolution submitted yesterday by Mr. JONES of Arkansas, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That there be printed 5,000 copies of Senate Miscellaneous Document No. 274, Fifty-third Congress, second session, Proceedings of the Berlin Silver Commission of 1894, with index; 3,000 to be for the use of the House of Representatives and 2,000 for the use of the Senate.

UNIFORM SYSTEM OF BANKRUPTCY.

Mr. HALE, from the Committee on Printing, to whom was referred the following resolution submitted by Mr. MITCHELL of Oregon on the 8th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That 5,000 additional copies each of bill S. 742 and amendment thereto, reported from the Senate Committee on the Judiciary, be printed for the use of the Senate.

MESSENGER AT MALTBY BUILDING.

Mr. GALLINGER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution submitted by Mr. PEFFER on the 18th ultimo, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That the janitor now employed at the Maltby Building shall hereafter be designated as assistant messenger on the Maltby roll, and the Secretary of the Senate, from and after the 1st day of July, 1896, until otherwise ordered, shall pay said messenger on said roll at the rate of $1,200 per annum.

BILLS INTRODUCED.

Mr. BURROWS introduced a bill (S. 3292) authorizing the appointment of four additional superintendents of the Railway Mail Service; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. STEWART introduced a bill (S. 3293) granting a pension to Annie Fowler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CANNON (for Mr. PRITCHARD) introduced a bill (S. 3294) to amend the military record of Stephen Rice; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McBRIDE introduced a bill (S. 3295) removing the charge of desertion from the name of Absalom J. Hembree, who served as a private in Troop H, Third Regiment United States Cavalry; which was read twice by its title, and referred to the Committee on Military Affairs.

GOVERNMENT PRINTING OFFICE EMPLOYEES.

Mr. GALLINGER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Public Printer be, and he is hereby, directed to communicate to the Senate the names of all persons who were employed in the Government Printing Office in the fiscal years (each year separately) 1890, 1891, 1892, 1893, and 1894 who failed to receive their annual leaves of absence during those fiscal years, and the amount due each person for each fiscal year separately on account of such failure.

THE LEWIS RANGE AND POSITION FINDER.

Mr. DUBOIS submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate of the United States, That the Secretary of War be directed to furnish to the United States Senate, in addition to the copy of the record of the action of the Range Finder Board and the Board of Ordnance and Fortification in relation to the Lewis range and position finder, which was transmitted to the Senate in response to a resolution of the Senate dated May 18, 1896, a copy of the record of the action taken by the Commanding General of the Army and the Secretary of War in the matter.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills and joint resolutions:

A bill (S. 768) for the relief of James A. Moore;

A bill (S. 3170) to authorize the Butler and Pittsburg Railroad Company to construct and maintain a bridge across the Allegheny River;

A joint resolution (S. R. 27) granting permission for the erection of a monument in Washington, D. C., for the ornamentation of the national capital and in honor of Samuel Hahnemann; and

A joint resolution (S. R. 161) authorizing the Secretary of the Treasury to place a bronze tablet or inscription on the Government building now being erected in Detroit, Mich.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses of certain amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes; insists upon its amendment to the amendment of the Senate numbered 99; further insists upon its disagreement to the amendments of the Senate numbered 100, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 194, and 195 to the bill; asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GROUT, Mr. PITNEY, and Mr. DOCKERY managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 3771) for the relief of Stratton H. Benscoter; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HULL, Mr. FENTON, and Mr. MCCLELLAN managers at the conference on the part of the House.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 9253) to amend an act approved August 19, 1890, entitled "An act to adopt regulations for preventing collisions at sea"; and which was thereupon signed by the Vice-President.

ORDER OF BUSINESS.

Mr. HILL. If there is no further morning business, I move that the Senate proceed to the consideration of the bill (S. 2984) in relation to contempts of court. The bill was under consideration last evening, and I gave way for the consideration of other matters.

Mr. VEST. I rise to a parliamentary inquiry. To give the exact date, two days ago when 2 o'clock arrived the Senate suspended the further consideration of House bill 4580, a bill of considerable importance to the revenue. I inquire whether that bill would not now be the regular order of business?

The VICE-PRESIDENT. The Chair will state to the Senator from Missouri that the bill indicated by him went to the Calendar at the expiration of the morning hour.

Mr. VEST. I supposed that under the rule it would come up as unfinished business the next day in the morning hour.

The VICE-PRESIDENT. No; there is no unfinished business of the morning hour.

Mr. VEST. Will the Senator from New York have any objection to disposing of that bill now? It will take only a few moments. It is a House bill, and it is very evident that unless disposed of to-day it can not become a law at the present session.

Mr. HILL. I prefer to go on with the contempts bill. I have yielded to nearly everyone, and I prefer to get this bill through. It strikes me that I should not yield now.

Mr. VEST. I shall ask the Senate to consider House bill 4580 as soon as the contempts of court bill is disposed of.

Mr. MITCHELL of Oregon. May I ask the Senator from New York a question? The Senator succeeded in getting his bill up yesterday and it led to a good deal of discussion. Has the Senator any hope at all of being able to dispose of it in a reasonable time to-day?

Mr. HILL. I have no doubt about it, if the friends of the bill will not embarrass it.

Mr. MITCHELL of Oregon. If there is not a reasonable hope that it can be disposed of in the next hour, it seems to me the Senator ought not to insist on bringing it up. There are other matters here that ought to be considered. I am very desirous, if the Senator will allow me——

Mr. HILL. Mr. President——

Mr. MITCHELL of Oregon. I ask unanimous consent to make a statement.

Mr. HILL. I yielded for an hour and a half yesterday for Senators to have local bills passed and bills which they were anxious to have disposed of. It seems to me the courtesy is exhausted. I decline to yield any further.

Mr. MITCHELL of Oregon. I simply ask the Senator from New York, who is always very courteous, and the Senate, to allow me to make a statement not exceeding a minute.

Mr. HILL. Such a statement I of course can not object to.

The VICE-PRESIDENT. The Chair hears no objection. The Senator from Oregon will proceed.

Mr. MITCHELL of Oregon. There is a joint resolution here from the House of Representatives, passed two or three days since, looking to the reorganization of the Northern Pacific Railroad Company, and it is a measure that ought to receive the attention of the Senate. It is not by any means a bill exclusively in the interest of the railroad company, but it is more largely in the interest of the people of this country and of the Government in the proper conduct of the road. It is a road which crosses one-half the continent, and the company was incorporated by a national charter. This is a proposition to keep it under national control, which will not be done unless the joint resolution is passed. The road is about to be sold; judgment has been entered; a sale will be made on the 25th of July; a reorganization of the company will take place, and the control of the road will pass under State organization. The company has already been organized, I understand, under the laws of the State of Wisconsin, and if it is incorporated under the State law the control of this great road, in a great measure at least, if not entirely, will pass away from the National Government. It is of the utmost importance that action be had on the joint resolution.

This proposed legislation has been reported unanimously by the Judiciary Committee of the Senate, a somewhat different measure, I admit, from that passed by the House. It places restrictions upon this company of the most important character, and restrictions that do not now attach to the Northern Pacific Railroad Company. For instance, it compels the new company to sell all its lands outside of a mile distant from each side of the road for $2.50 an acre. That restriction does not now attach to the Northern Pacific Railroad Company. Therefore this is a measure in the interest of the people along the line of the road; it is a measure in the interest of the Government; and in view of the fact that the House of Representatives has passed this joint resolution, in view of the further fact that the Judiciary Committee of the Senate has reported unanimously in favor of action, it does seem to me that we ought to take it up and dispose of it and thus maintain and hold control over this great corporation in the interest of the people, shippers, landowners, and others along the line of the road.

Mr. HILL. Now I ask the Senate to take up the bill indicated by me.

The VICE-PRESIDENT. The question is on the motion of the Senator from New York to proceed to the consideration of the bill (S. 2984) in relation to contempts of courts.

The motion was agreed to.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. TELLER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 92 and 98.

That the House recede from its disagreement to the amendments of the Senate numbered 94 and 95, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$150,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$30"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: Restore the word "further" stricken out by said amendment; and on page 16 of the bill, in line 9, strike out the word "six" and insert in lieu thereof the word "five"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$50,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the

Senate numbered 97, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "30 cents"; and the Senate agree to the same.

The committee of conference have been unable to agree upon the amendment of the House to the amendment of the Senate numbered 99, and upon the amendments of the Senate numbered 100, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 194, and 195.

H. M. TELLER,
W. B. ALLISON,
F. M. COCKRELL,
Managers on the part of the Senate.

WILLIAM W. GROUT,
MAHLON PITNEY,
A. M. DOCKERY,
Managers on the part of the House.

Mr. TELLER. I am asked by Senators near me to make a statement in regard to the report. The principal matter that has been agreed to is with reference to street lighting—the question of gas. There was considerable controversy over that, and we finally amended the bill so as to pay $20 a street lamp and to burn 5 feet instead of 6. The most of the other amendments are items connected with that provision. For instance, the increase is the increase for the gaslight. Then the other contention was in reference to electric lighting, which the House had put at 28 cents a light. The Senate had put it at 38 cents, and the conferees have agreed upon 30 cents. The matters still in controversy are the subject of charities and the question of electric lighting by means of poles, etc. Those amendments are not disposed of.

The report was concurred in.

Mr. TELLER. I move that the Senate agree to the further conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate at the further conference; and Mr. TELLER, Mr. ALLISON, and Mr. COCKRELL were appointed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, it Chief Clerk, announced that the House had passed the following bills and joint resolutions:

A bill (S. 1767) to provide for subports of entry and delivery;

A bill (S. 3206) to grant a right of way through the new Fort Bliss Military Reservation to the El Paso and Northeastern Railroad Company; and

A joint resolution (S. R. 138) for the relief of James P. Veach.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 2859) changing the time for holding circuit court of the United States at Hartford, in the district of Connecticut;

A bill (H. R. 2928) to extend the routes of the Eckington and Soldiers' Home Railway Company and the Belt Railway Company, and for other purposes; and

A bill (S. 2978) to provide an American register for the steamer *Menemsha*.

CONTEMPTS OF COURT.

Mr. HILL. Now, Mr. President, I ask that Senate bill 2984 be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2984) in relation to contempts of court.

Mr. WARREN. I ask the Senator from New York if he will yield to me to make a request? I desire to call up the animal-industry bill, and I ask the Senator if he will not submit to an interruption now? I think it will only take the time to read it.

I will say further that I think I must have misunderstood the Senator from New York, because I thought I had an understanding with him that at whatever time a lull occurred between the speeches on the contempts bill he would send me word and allow me to ask the Senate to take up the bill which I have referred to. Last night a number of bills were taken up, and I waited in vain for word from the Senator.

Mr. HILL. If the Senator had asked me last evening when there was a lull, I would have been very glad to have obliged him, but I did not see him in the Chamber. I must now ask the Senate to proceed with the consideration of the contempts bill. After this bill is disposed of I will aid the Senator all I can in the passage of his bill. I do not believe there will be any difficulty about it.

Mr. WARREN. I desire some understanding, because I certainly understood the Senator to say that upon the first interruption he would send me word. I did not leave the Chamber.

Mr. HILL. I submitted to half a dozen interruptions; half a dozen bills were passed. If the Senator from Wyoming had asked me to yield I would have been very glad to oblige him. But this morning it seems to me it is my duty to press the pending bill to passage. I will aid the Senator when this bill is disposed of. There is really but one disputed question involved in the bill, and that is the amendment pending.

Mr. WARREN. I wish to understand the Senator, because I expected some word from him. I did not expect I would have to interrupt him every two or three minutes on the floor, but I supposed that I had some understanding with him whereby I would be notified of the time when he would submit to an interruption.

Mr. PEFFER. Mr. President, before the bill is put to a vote I wish to express my sincere gratification at the introduction of this bill and its report by the Committee on the Judiciary. It is one of that class of cases that the country has been exercised a good deal about during the last year or two, having its origin in the famous strike in Chicago in 1894. I took occasion at that time to express my own views concerning some of the features of that affair, and was criticised severely for it. I am glad that out of what occurred at that time and a short time afterwards in the courts with respect to certain proceedings connected with it the pending bill has been brought forth. By way of showing the interest which I have taken in the matter personally I wish to call attention to the fact that on December 3, 1895, the first bill day of the present session, I introduced a bill, S. 237, entitled "A bill to protect the rights of parties defendant in certain injunction cases." It has but one section, and I will read it:

Be it enacted, etc., That in any case where a writ of injunction issues from a court of the United States, or a judge thereof, to enjoin the commission of an act which is, at common law or by statute, a criminal offense, and where, afterwards, in such case, it is charged that the party or parties defendant has or have committed, or have attempted to commit, or have aided and abetted or encouraged or instigated other persons, or has or have conspired with other persons to commit such act or offense, and where the said party or parties defendant is or are brought before said court or judge to answer the charge in proceedings for contempt, and where the charge is denied by the defendant or defendants, on request, a jury shall be called to determine the fact.

Out of this bill and others of the same character has grown the one that is now before the Senate, and it is very gratifying to all persons who are anxious for this class of legislation to know that so many distinguished lawyers of this body have agreed upon the bill now pending, with the addition that was agreed upon yesterday.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Nebraska [Mr. ALLEN].

Mr. BUTLER. May I inquire if the amendment offered by myself, that went over without prejudice, was not to come up first? There was a distinct understanding in regard to it. Out of courtesy to the Senator from Nebraska [Mr. ALLEN] I withdrew my amendment temporarily.

The VICE-PRESIDENT. The Chair understood the Senator from North Carolina to agree that his amendment should be postponed until the substitute was considered.

Mr. BUTLER. What I meant was that it should be postponed until the Senator from Nebraska had finished his speech; and inasmuch as he had an amendment and I wished to hear what he had to say, I requested, or at least I intended to request, that my amendment should go over without prejudice until after he had finished.

The VICE-PRESIDENT. The Chair will submit to the Senate the amendment proposed by the Senator from North Carolina. The amendment will be read.

The SECRETARY. In section 4, line 18, strike out the words "in its discretion"; and in line 19, strike out the word "may" and insert "shall"; so as to read:

But such trial shall be by the court, or, upon application of the accused, a trial by jury shall be had as in any criminal case.

Mr. BUTLER. Mr. President, I think there can be no objection, seriously made, to the amendment. But if I may be pardoned in this connection, the fact that one of the most important committees of this body in reporting the bill failed to provide for a trial by jury in such cases is, to say the least, very significant. Yes, very significant, when we notice that this bill was reported unanimously and that there is no minority report.

There is nothing to-day that should attract the attention of the American people, barring the financial question, more than the authority which the courts of this country have assumed and built up and hedged around them. I will not call it usurpation of authority, but any man who will take the time and the trouble to read the debates that took place at the time of the adoption of our Constitution, any man who will take the time and the trouble to read the opinions of the most distinguished American citizens, including Thomas Jefferson, including Mr. Madison, and Mason of Virginia, who was a member of that convention, including many of the distinguished men living at that time and who have lived since, will see that not a single one of that class of American citizens who took part in framing and shaping the Constitution according to the majority will of our people at that time had the least idea that the courts of this country should ever have or exercise the authority and power that they have, or rather which they exercise to-day. He will see that they did not suppose that the Constitution gave to a court any such power and authority as it is now exercising and has been for nearly a century. Indeed, it was Thomas Jefferson who called attention to the fact that the Supreme Court and the other United States courts that were then established and have since been established under a clause in the Constitution had gone further than it was

intended they should go or than the strict letter of the Constitution allowed them to go in exercising their authority upon laws passed by Congress and other legislative matters which they have made step by step subject to the Federal judiciary. Indeed, Mr. Jefferson was so impressed with the importance of this matter and the danger which he saw looming up in the future that he conceived it to be his duty not only to call the attention of the country to this fact, but to brand, as he did, the Supreme Court of the United States at that time as the sappers and miners of the Constitution. He called attention to the fact, in public papers that are familiar to us all or should be, that this court, which was intended simply to hear causes between parties, had taken upon itself authority to overrule the legislative branch of the Government.

Mr. President, in order that the attention of Senators and the country may again be called to the exact words of Mr. Jefferson, in which he expressed his opinion of the aggressions of the Federal judiciary and warned the people of this danger in the Constitution, I will read some extracts from his writings.

In a letter to Mr. M. M. Coray, under date of October 21, 1823, Mr. Jefferson said:

At the establishment of our Constitution the judiciary bodies were supposed to be the most helpless and harmless members of the Government. Experience, however, soon showed in what way they were to become the most dangerous; that the insufficiency of the means provided for their removal gave them a free hold and irresponsibility in office; that their decisions, seeming to concern individual suitors, only passed silent and unheeded by the public at large; that these decisions, nevertheless, become law by precedent, sapping by little and little the foundations of the Constitution and working its change by construction before any has perceived that that invisible and helpless worm had been visibly employed in consuming its substance.

In a letter to Judge Roane, under date of September 6, 1819, Mr. Jefferson said:

The nation declared its will by dismissing functionaries of one principle and electing those of another in the two branches, executive and legislative, submitted to their election. Over the judiciary department the Constitution had deprived them of their control. That, therefore, has continued the reprobated system, and although new matter has occasionally been incorporated into the old, yet the leaven of the old mass seems to assimilate to itself the new, and after twenty years' confirmation of the federated system by the voice of the nation, declared through the medium of elections, we find the judiciary on every occasion still driving us into consolidation. * * * For, intending to establish three departments, coordinate and independent, that they might check and balance one another, it has given, according to this opinion, to one of them alone the right to prescribe rules for the government of the others, and to that one, too, which is unelected by and independent of the nation. For experience has already shown that the impeachment it has provided is not even a scarecrow; that such opinions as the one you combat, sent cautiously out, as you observe, also by detachment, not belonging to the case often, but sought for out of it, as if to rally the public opinion beforehand to their view, and to indicate the line they are to walk in, have been so quietly passed over as never to have excited an animadversion even in a speech of any one of the body intrusted with impeachment. The Constitution on this hypothesis is a mere thing of wax in the hands of the judiciary, which they may twist and shape into any form they please. It should be remembered as an axiom of eternal truth in politics, that whatever power in any government is independent is absolute also—in theory only at first, while the spirit of the people is up, but in practice as fast as that relaxes. Independence can be trusted nowhere but with the people in mass. They are inherently independent of all but moral law. My construction of the Constitution is very different from that you quote. It is that each department is truly independent of the others, and has an equal right to decide for itself. What is the meaning of the Constitution in the cases submitted to its action, and especially where it is to act ultimately and without appeal? * * * These are examples of my position: that each of the three departments has equally the right to decide for itself what is its duty under the Constitution, without any regard to what the others may have decided for themselves under a similar question.

In a letter to Thomas Ritchie, under date of December 25, 1820, Mr. Jefferson said:

But it is not from this branch of Government we have most to fear. Taxes and short elections will keep them right.

The judiciary of the United States is the subtle corps of sappers and miners constantly working underground to undermine the foundations of our constitutional fabric. They are construing our Constitution from a coordination of a general and special government to a general and supreme one alone. This will lay all things at their feet, and they are too well versed in English law to forget the maxim, "Boni judicis est ampliare jurisdictionem." We shall see if they are bold enough to take the daring stride these five lawyers (judges) have lately taken. Having found from experience that impeachment is in impracticable thing, a mere scarecrow, they consider themselves secure for life; they skulk for responsibility to public opinion, the only remaining hold upon them, under a practice first introduced into England by Lord Mansfield. An opinion is huddled up in conclave (perhaps by a majority of one), delivered as if unanimous, and with the silent acquiescence of lazy or timid associates by a crafty chief judge (Marshall), who sophisticates the law to his mind by the turn of his own reasoning. A judiciary law was once reported by the Attorney-General to Congress requiring each judge to deliver his opinion seriatim and openly, and then to give it in writing to the clerk to be entered on the record. A judiciary independent of a king or executive alone is a good thing, but independence of the will of the nation is a solecism, at least in a republican government.

In a letter to Archibald Thweat, under date of January 19, 1821, Mr. Jefferson further said:

I am sensible of the inroads daily making by the Federal into the jurisdiction of its coordinate associates, the State governments. The legislative and executive branches may some time err, but elections and dependents will bring them to rights. The judiciary branch is the instrument which, working like gravity, without intermission, is to press us at last into one consolidated mass. Against this I know no one who, equally with Judge Roane himself, possesses the power and the courage to make resistance, and to him I look and have long looked as our strongest bulwark. If Congress fails to shield the States from dangers so palpable and so imminent, the States must shield themselves, and meet the invader foot to foot.

In a letter to Mr. C. Hammond, under date of August 18, 1821, Mr. Jefferson declared:

It has long, however, been my opinion, and I have never shrunk from its expression, that the germ of dissolution of our Federal Government is in the constitution of the Federal judiciary, an irresponsible body, working like gravity by night and by day, gaining a little to-day and a little to-morrow, and advancing its noiseless steps like a thief over the field of jurisdiction, until all shall be usurped from the States and the Government of all be consolidated into one. To this I am opposed, because when all governments, domestic and foreign, in little as in great things, shall be drawn to Washington as the center of all power, it will render powerless the check provided of one government on another, and will become as venal and oppressive as the Government from which we separated. It will be as in Europe, where every man must either be pike or gudgeon, hammer or anvil. Our functionaries and theirs are wares from the same workshop, made of the same material, and by the same hand. If the States look with apathy on this silent descent of their Government into the gulf which is to swallow all, we have only to weep over the human character formed uncontrollable, but by a rod of iron, and the blasphemers of man as incapable of self-government become his true historians.

In a letter to Colonel Nicholas, under date of December 11, 1821, Mr. Jefferson said:

I fear, dear sir, we are now in such another crisis, with this difference only, that the judiciary branch is alone and single handed in the present assaults on the Constitution. But its assaults are more sure and deadly as from an agent seemingly passive and unassuming. May you and your contemporaries meet them with the same determination and effect that your father and his did the alien and sedition laws, and preserve inviolate a Constitution which, cherished in all its chastity and purity, will prove in the end a blessing to all the nations of the earth.

In a letter to William T. Barry, under date of July 2, 1822, Mr. Jefferson said:

We already see the power installed for life, responsible to no authority, advancing with a noiseless and steady pace to the great object of consolidation. The foundations are already deeply laid by their decisions for the annihilation of constitutional States' rights, and the removal of every check, every counterpoise, to the engulfing power of which themselves are to make a sovereign part. If ever this vast country is brought under a single government, it will be one of the most extensive corruptions, indifferent and incapable of a wholesome care over so wide a spread of surface. This will not be borne, and you will have to choose between reformation and revolution. If I know the spirit of this country, the one or the other is inevitable. Before the canker is become inveterate, before its venom has reached so much of the body politic as to get beyond control, remedy should be applied. Let the future appointment of judges be for four or six years, and renewable by the President and Senate. This will bring their conduct at regular periods under revision and probation, and may keep them in equipoise between the General and special Government. We have erred in this point by copying England, where certainly it is a good thing to have the judges independent of the King. But we have omitted to copy their caution, also, which makes a judge removable on the address of both legislative houses. That there should be public functionaries independent of the nation, whatever be their demerit, is a solecism in a republic of the first order of absurdity and inconsistency.

In a letter to Judge Johnson, under date of March 4, 1823, Mr. Jefferson said:

I can not lay down my pen without recurring to one of the subjects of my former letter, for in truth there is no danger I apprehend so much as the consolidation of our Government by the noiseless and therefore unalarming instrumentality of the Supreme Court. * * * For in truth there is at this time more hostility to the Federal judiciary than any other organ of the Government.

In a letter to Edward Livingston, under date of March 25, 1825, Mr. Jefferson wrote:

Time and changes in the condition and constitution of society may require occasional and corresponding modifications. One single object, if your provision attains it, will entitle you to the endless gratitude of society, that of restraining judges from usurping legislation. And with no body of men is this restraint more wanting than with the judges of what is commonly called our General Government, but what I call our foreign department. They are practicing on the Constitution by inferences, analogies, and sophisms as they would an ordinary law. They do not seem aware that it is not even a Constitution formed by a single authority, and subject to a single superintendence and control, but that it is a compact of many independent powers every single one of which claims an equal right to understand it and to require its observance. However strong the cord of compact may be, there is a point of tension at which it will break. A few such doctrinal decisions as barefaced as that of the Cohens happening to bear immediately on two or three of the large States may induce them to join in arresting the march of Government and in arousing the co-States to pay some attention to what is passing to bring back the compact to its original principles or to modify it legitimately by the expressed consent of the parties themselves, and not by the usurpation of their created agents. They imagine they can lead us into a consolidate Government, while their road leads directly to dissolution. This member of the Government was at first considered as the most harmless and helpless of all its organs, but it has proved that the power of declaring what the law is ad libitum by sapping and mining slyly and without alarm the foundations of the Constitution can do what open force would not dare to attempt.

These opinions and warnings of Jefferson are very pertinent at this time. The pity is that all have not paid heed to them for the past half a century. Now, let us see what another great expounder of the Constitution has said. In a speech at Fort Hill, July 26, 1831, Mr. Calhoun said:

No one has been so hardy as to assert that Congress or the President ought to have the right or to deny that if vested finally and exclusively in either, the consequences which I have stated would not necessarily follow; but its advocates have been reconciled to the doctrine on the supposition that there is one department of the General Government which, from its peculiar organization, affords an independent tribunal through which the Government may exercise the high authority which is the subject of consideration with perfect safety to all. I yield, I trust, to few in my attachment to the judiciary department. I am fully sensible of its importance and would maintain it to the fullest extent in its constitutional powers and independence, but it is impossible for me to believe that it was ever intended by the Constitution that it should exercise the power in question, or that it is competent to do so, and if it were it would be a safe depository of the power. Its powers are judicial, and not political, and are expressly confined by the

Constitution to all cases in law and equity arising under this Constitution, the laws of the United States, and the treaties made or which shall be made under its authority, and which I have high authority in asserting excludes political questions and comprehends those only where there are parties amenable to the process of the court.

Next I will put on the witness stand no less a person than Andrew Jackson. Let us hear his view of the province and powers of the Federal judiciary while he was President.

In his veto of the bill extending the old United States Bank, President Jackson said:

The Supreme Court ought not to control the coordinate authorities of this Government. The Congress, the Executive, and the court must each for itself be guided by its own opinion of the Constitution. Each public officer who takes an oath to support the Constitution swears that he will support it as he understands it, and not as it is understood by others. It is as much the duty of the House of Representatives, of the Senate, and of the President, to decide upon the constitutionality of any bill or resolution which may be presented to them for passage or approval as it is of the supreme judges, when it may be brought before them for judicial decision. The opinion of the judges has no more authority over Congress than the opinion of Congress has over the judges; and on that point the President is independent of both. The authority of the Supreme Court must not, therefore, be permitted to control the Congress or the Executive, when acting in their respective capacities, but to have only such influence as the force of their reasoning may deserve.

Mr. President, I could quote on the same line from Benton and dozens of others of the greatest minds that this country has produced, and all to the same effect. I might also quote the resolution introduced in the House by Mr. Draper of Virginia, on February 1, 1831, and the debate on the same, looking to correcting then some of the very evils that we are now considering; but time will not now permit.

Mr. President, in this connection, while we claim that our Government is more representative than that of England, I wish to call attention to the fact that in England to-day their courts can not overrule an act of Parliament. Though a monarchy, though not a representative government in the sense that ours is supposed to be, the courts there have not the authority and do not dare to overrule an act of Parliament. The Parliament is the supreme authority to decide whether or not any act is constitutional or unconstitutional. If an act passed by Parliament is deemed unconstitutional it must be so deemed by a subsequent act of the same body. How is it here? Between the House of Representatives and the Senate, this body consisting of two men from each State in the Union, many of them the peers of any man on the Supreme Court bench, the House of Representatives representing the people from every Congressional district of the Union, there sits another small body of nine men, and that body to-day is the supreme legislative body of America.

Why do I say that? The power to overrule acts of Congress and to make laws by construction is the power to legislate. Yes; the court to-day has the supreme legislative power on cases that come before it. We had a recent example in the case of the income tax. This body and the House, both of which have within their membership as able constitutional lawyers as sit on the Supreme Court bench, passed upon that measure. They passed the income tax because they thought it was constitutional. They, who had taken oaths to support the Constitution, which oaths are as binding upon them as are those of the members of the Supreme Court or the judges of other Federal courts, decided deliberately, after due discussion and consideration, that the income tax was not only proper, was not only justifiable, was not only necessary in order to equalize taxation between the different classes of our people to make the burdens of taxation bear upon all the different classes as nearly evenly as possible, but that it was constitutional, for that is what this body decides every time it passes an act. This body decides whenever it passes an act that it is constitutional just as solemnly and deliberately as the Supreme Court can.

Yet this court, this third legislative house, elected by nobody, representing nobody, under obligations to nobody, accountable to nobody, consisting of nine men with no constituency, arrogates to itself the authority and power to decide that Congress did not know what it was doing. It decided virtually that it was bad legislation, as well as unconstitutional. It took the liberty of lecturing Congress, expressing its opinion as to the wisdom, as to the expediency, and as to the general policy of legislation of that kind.

To-day there is no way to make wealth bear its equal share of taxation under our present methods of levying taxes, due to the decision of the Supreme Court. What is our method of levying taxes to-day? Chiefly by a tariff, supplemented by internal taxes and other very small ways of raising revenue. What is a tariff? Does the tariff equalize the burdens of taxation between the rich and the poor, the high and the low? No. The tariff is, I might say, a poll tax.

In every State in this Union, so far as I know, we have two methods of raising taxes by which the burdens of taxation are equalized between property and the individual. In my State we have first the poll tax. That tax is uniform. It is the same upon the millionaire as upon the pauper. It is a uniform tax, as I say, a tax per head. What do we have in addition? Would it be fair to the people of North Carolina to levy all the taxes for the State government by a uniform tax upon the head of each citizen? It would be manifestly unjust. Then what do we do to equalize taxation? We provide for a property tax, and we were so careful in my State that the parity, to use the modern gold-bug phrase, should be maintained between the tax on property and the poll tax that we provided that the tax on $300 of property should always be the same as the poll tax. In my State we provide not only taxation per head, but then we go to a man's assets, to each man's property, and charge him such a per cent on that property for the protection which he receives from the Government. If he is a millionaire he pays in proportion to the amount of property that is protected by the State government. Is that just? Is that fair? Everybody in my State says it is, and nobody dares to say to the contrary.

If that is just in North Carolina, then why is not the same method of taxation just and proper and right and necessary in raising taxes to support the General Government? Here we have a General Government more expensive than all the State governments put together, and in raising taxes to support the General Government we raise them chiefly by a poll tax. I say poll tax, because under a tariff the poor man with ten children pays as a rule as much taxes as the rich man with one.

I think we will always have a tariff in this country. I am not in favor of wiping it out. I am not a freetrader. I would, however, have the tariff schedules changed. I would have a tariff levied so that it did not discriminate against all the rest of the country for the benefit of one section of the country. I would have a tariff for revenue with the protection coming from it—for protection for somebody always accompanies any tariff—fairly distributed. There are cases where we need protection for certain industries, and I would favor it in such cases. I would have the protection resulting from it fairly and evenly distributed between the various sections of the country and the various industries in each section. But levy a tariff however you may, it is practically a poll tax. How are we to have property owned by men of large wealth, and men of even moderate wealth, bear an equal share of the burdens of government and pay a certain per cent for the protection their property receives from the National Government?

This Congress, in its wisdom, decided that the income tax was one of the fairest, most equitable, and most just methods for doing it, and after this body and the other House so decided, after the great American people had passed upon it, after the will of the people was expressed on that question, the Supreme Court, the third legislative house, representing nobody, responsible to nobody, legislates on the question, and decides how taxation shall be regulated in this country. It decides that we shall not tax property and make it pay its fair share of the burdens of government. It does it in the face of a former decision of the same court, which decided that such a tax was constitutional. The court says it decided it unconstitutional on account of the clause in the Constitution with reference to direct taxes. The copy of the Constitution on my desk puts that part of the Constitution in brackets, and calls attention in a foot-note to the fact that that clause of the Constitution became obsolete after the passage of the fourteenth amendment; and so the American people thought and still believe. But yet this court revives that clause of the Constitution, which was intended simply to apply to the peculiar conditions of slavery, for the purpose of putting all the burdens of taxation on the poor, and leaving those with big means to go scot free—that is, to make the poor man not only pay taxes for his own slight protection, but also for the larger protection for the rich. Every man in this body knows that that clause of the Constitution relating to direct taxes was put in there as a compromise between the slaveholder and the nonslaveholding interest when the Constitution was adopted. That clause of the Constitution has been said to be by numbers of leading jurists absolutely obsolete—to have been superseded—and yet we have such an enterprising third legislative house, which has hedged about it so much authority, and allowed to grow up by traditions and customs, that it revives, as it were, a dead paragraph of the Constitution and takes it as a weapon to strike down this method of taxing property equitably and justly.

Now, we must suffer this outrage or we must amend the Constitution, which is a very slow and difficult process. On the 27th of last December I introduced the following:

Joint resolution to amend the Constitution of the United States relating to direct taxes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following proposed amendment to the Constitution of the United States shall be submitted to the legislatures of the several States for ratification or rejection, to wit:

"ARTICLE XVI.

"The provisions of the Constitution of the United States relating to direct taxes, and the apportionment thereof among the several States in proportion to the census enumeration, shall not apply to income taxes; but the Congress shall have power to lay and collect taxes on all incomes regardless of the source from which the income is derived or acquired: *Provided, however*, That all income taxes which the Congress may lay and collect shall be uniform throughout the United States."

Mr. President, this amendment must be acted upon by Congress and submitted to the several States and secure a three-fourths ratification from them before the outrageous decision of the court can be corrected, or we must hold a constitutional convention. Hence the court has practically defeated the will of the people, and at the same time committed a great wrong.

But let us return to the income-tax law that was passed by Congress. It was, I admit, only a cowardly makeshift for an income-tax law. It was not a graduated income-tax law, as it should have been, nor did it extend to all the classes of incomes that should be taxed. But it was a step in the right direction. How any fair-minded, honest jurist could object to it, much less declare it unconstitutional, is beyond my comprehension.

The income tax did not attempt to tax property that did not yield a revenue. It did not attempt to tax property like some we have in our State, which makes a man land poor. We have men owning 10,000 acres of land in my State who would be richer if they did not have it. They could scarcely give it away if they tried. They are not making enough from it to pay taxes on it. So the income tax did not propose to tax property that did not yield a revenue. But it related to property that yielded a good revenue and only took a small percentage of the profits that came from such handsome dividend-yielding property, and in this connection I may say it was property that has largely been accumulated from special privileges granted by these very bodies, property and incomes due to discrimination of law against the rest of the country in favor of those who are able to pay such a tax, and those who would only be called upon to pay it for the simple reason that they have property that yields them a magnificent and princely income. Yet this third legislative house, representing nobody, responsible to nobody, with no constituency, arrogated to itself the supreme power to nullify the action of the people's representatives, to nullify the Constitution, for that is what it did, in order to protect those who have princely incomes.

Mr. President, we have an example like this before us; we have before us thousands of examples almost as significant through the last hundred years; we have the example of the case that this bill grew out of, where an American citizen, Mr. Debs, was arrested, tried by the court, and imprisoned without even a hearing before twelve of his peers. Yes, the man was tried by a judge simply, and put in prison without law and in defiance of the constitutional rights of an American citizen. With that example of the Constitution practically overridden in depriving a man of the right to trial by jury, here comes a bill from one of the most important committees of this body, proposing to legalize it. I can not believe but that it was an oversight on the part of the committee. I can not believe but that the committee simply did not notice that it had failed to provide for trial by jury. I can not believe that that committee, in view of the hundred years of dangerous history with Federal courts, could deliberately have brought here a bill to give that court more power, to give to the branches of the Federal judiciary more power, even to the monstrous extent of giving to them the power to imprison an American citizen without a hearing before a jury.

How much further do we have to go until we get back to the period of despotism where the king issues his order and has Mr. A thrown into a dungeon after a farce of a trial before a judge, who is one of his (the king's) puppets? Does not the history of despotisms in the Old World teem with such tyranny, and was not this Government established in defiance of such methods in the Old World, and to give to every man a haven of refuge, as it were, who sought freedom in religious opinions, freedom in political opinions, who sought a place where the free and brave could have such powers and such liberties as the God of heaven intended every upright citizen to have who would obey the decent laws of society? This Government was formed as an asylum, as it were, as a last gathering place, as it were, for men whose souls rebelled against such tyranny and such injustice.

But here is this Government, only a little over a hundred years old, dropping down into the grooves of despotism, putting the liberty of every American citizen at the mercy of a man who is not even elected by the people and who does not have to account to the people for his action. It is monstrous. It brings up the last warning which Thomas Jefferson gave to us that if we hope to preserve our liberties and hope to prevent the courts from arrogating to themselves the power to make this country a despotism, it would be necessary for us to hold a constitutional convention at least every twenty years. He said it was not safe or right or prudent to allow one generation to make a constitution that should stand ironclad for the next, with all the usurpation of power that might grow up under it to pervert it and twist it; that it would be better and safer for the people in their supreme legislative assembly—a constitutional convention—to come together to correct their landmarks, to strike down the hydra-headed monster, despotism, wherever he stuck up his head in the Constitution, and to make the Constitution just; to add to it, if need be, such provisions as were necessary to meet the progress of events; to add to it, if necessary, such amendments and such provisions as were essential to meet new conditions and the developments of society.

George Mason, who seems to have been, next to Thomas Jefferson, one of the clearest-headed men among the founders of the Constitution, wrote a paper warning the people of Virginia not to adopt the Constitution as it stood.

I will now quote from that great statesman, the author of the Virginia bill of rights, from which Mr. Jefferson drew inspiration for the Declaration of Independence. Mr. Mason was a member of the constitutional convention which framed our National Constitution, and refused to give it his support when adopted by the convention. He opposed its ratification by the State of Virginia with great power and intelligence, and in spite of Washington, Randolph, and others came very near carrying his point. During this contest he gave out his reasons in detail against the adoption by the State of Virginia of the Constitution. They were designated at that time as Mason's objections to the Constitution. I will say further that the first ten amendments to the Constitution are largely based upon Mr. Mason's objections. The fourth objection of Mr. Mason to the ratification of the Constitution relates to the judiciary branch of the Government, and is as follows:

> The judiciary of the United States is so constructed and extended as to absorb and destroy the judiciaries of the several States, thereby rendering laws as tedious, intricate, and expansive, and justice as unattainable by a great part of the community as in England, and enabling the rich to oppress and ruin the poor.

Thus we see that Mr. Mason took the position that the Constitution as it stood did not guarantee the rights of the people sufficiently against the encroachments of the Federal judiciary. He warned the people that the Constitution as it stood, he feared, did not sufficiently provide against what might grow into court usurpation, and out of his objections to the Constitution largely grew the first ten amendments, advocated by Jefferson and Mason.

With wonderful foresight he also saw how the Federal judiciary would overshadow and encroach on, if not destroy, the authority of the State courts. And to-day we see this dangerous work in progress. Under the clause of the Constitution relating to interstate commerce the Federal courts have managed to strip the State courts of the power to determine causes between a great railroad corporation and a citizen of said State, or even the State itself. Mr. President, I believe that the States still have a remedy in this matter in spite of the Federal judges. If a railroad is not willing to submit actions to a State court where they operate and receive the protection and favor of the State legislature, then the State can withhold its favor and not allow such corporations to operate in the State. But, Mr. President, if a State should attempt to exercise this last right left it in such matters we do not know but that the Supreme Court would try to have the State arrested for contempt and ousted from the Union without a trial by jury.

I think, Mr. President, that Congress should by legislative enactment, if possible, define and limit the powers of the Supreme and other Federal courts to simply the powers that Jefferson and the other expounders of the Constitution say that they have under that instrument. But, Mr. President, we are to-day in this deplorable plight. Some of the ablest jurists we have tell us that by legislative enactment we can strip the court of some of the powers it has assumed and taken to itself. But suppose this body were to-day to pass a bill limiting the powers of the Supreme Court and pointing out the facts that it has assumed powers not granted to it by the Constitution; suppose Congress should pass such a measure, and suppose the President should sign it, and be merciful enough not to use his veto power, another relic of monarchy, what would happen? Your third legislative house would sit quietly over there, and when you had passed your law, it, with nine men, representing nobody, responsible to nobody, would coolly decide that your act was unconstitutional, because it limited its powers.

There you are bottled, the American Congress bottled, with the Supreme Court holding down the stopper. What can you do? I see but one thing that we can do to correct the evils that now exist by law or by interpretations of courts, and I believe we will have to meet it soon. What is it? I believe it will be necessary to call a constitutional convention through the State legislatures to protect the people of this country against the aggressions of the courts. That is the only way it is possible if the court sees fit to disapprove of what you do. But that is in the future. While we may have to do that, and I think the quicker the better, yet certainly we do not wish to pass any law giving the courts more power than they have. We need a convention to strip and bring them down to where the Constitution and Thomas Jefferson said they should stand. But until we can do that certainly the representatives of the people can never, between their consciences and their God, in duty to their oaths to the Constitution and their pledges to the people, vote for any measure which deliberately increases the powers which the courts already have.

Therefore, we must pass this amendment which I have offered, which guarantees to every American citizen a trial by jury.

The VICE-PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from North Carolina [Mr. BUTLER].

Mr. HILL. I desire to suggest to the Senator from North Carolina that he withdraw his amendment for the present and allow a vote to be had on the amendment submitted by the Senator from Utah [Mr. CANNON], which presents precisely the general question involved.

Mr. BUTLER. What is the amendment submitted by the Senator from Utah?

The VICE-PRESIDENT. The amendment of the Senator from Utah will be stated.

The SECRETARY. In line 18, section 4, it is proposed to strike out the words "in his discretion," and in line 19 to strike out the word "may" and insert the word "shall"; so as to read:

But such trial shall be by the court, or upon the application of accused a trial by jury shall be had as in any criminal case.

Mr. BUTLER. I accept the amendment as an amendment to mine.

The VICE-PRESIDENT. The amendment is accepted. The question recurs on agreeing to the amendment as modified.

Mr. MITCHELL of Oregon. As I understand the effect of this amendment, it is to take from the court the discretion as to a jury trial and to provide an appeal in all cases of indirect contempts. I do not understand the amendment goes to the extent of providing for a jury trial in cases of direct contempts.

Mr. HILL. Direct contempts are not interfered with in any way. The control of that matter will, of course, remain the same as it is now—absolutely at the discretion of the court. It is only as to contempts committed outside of the court, called indirect contempts. Direct contempts may still be punished by the judge the same as formerly.

Mr. MITCHELL of Oregon. The court will, in direct contempts, have exclusive power to try and fix the punishment?

Mr. HILL. The court will still have absolute power in such cases.

Mr. PLATT. Mr. President, I want to call attention not to this bill particularly, only incidentally, perhaps, but I want to call attention to the method of legislating in the closing hours of a session. Here is a bill confessedly of great importance. It is a bill which requires very careful consideration. I desire to preface what I have to say by the distinct declaration that I do not suggest the absence of a quorum of this body; but this bill is being considered, so far as it is considered, by perhaps 20 Senators at times, 15 Senators at times, and there have been times during the discussion this morning when there have not been 15 Senators in their seats; yet we are apparently acting upon a measure of probably as much importance as any matter which has been brought before the Senate and House of Representatives. The measure is regarded as important by its friends. It is of such importance that we had a dispatch here yesterday stating that 800,000 railroad employees of the country were watching with the most intense interest the proceedings of the Senate with relation to this bill.

Well, Mr. President, if 800,000 railroad employees in the country are watching the proceedings of the Senate with intense interest in relation to this bill, they are doing a great deal more than Senators are. Probably half, or nearly half, of the Senators have gone home, or gone to political conventions, or gone elsewhere. I suppose there may be a bare quorum of Senators in the city, but of those a good many are interested in appropriation bills, a good many are packing up their papers to go home, seats are empty, and yet the Senator from New York insists upon considering, under such circumstances and at such a time, a most important measure. Whatever the opinion of Senators may be with reference to the particular bill before us, it is certainly a most important measure; that is agreed to by all, and I want to appeal to the Senator from New York that he do not press for a vote at this time, under these circumstances, upon such a measure as this. It is manifest that the bill can not pass the House of Representatives at this session; it is manifest that if anybody chooses to ask for a vote of the Senate, which shall represent a quorum of the Senate, the bill can not pass this body. It is also manifest that no attention is being paid to this bill by over a half dozen Senators, nor has there been from the time it has been taken up.

I felt, Mr. President, that perhaps it was quite as well to call attention to the practice and method of legislating in the last hours of a session. I think if there are any bills which have been passed by Congress which are open to criticism, it will be found usually that they have passed in the last days or, perhaps, in the last night of the session, when Senators were tired, when members of the House of Representatives were tired, when many of them had gone, when no point of a quorum was being made, and there were not more than ten or fifteen Senators in their seats, and even they inattentive under the circumstances.

Now, I protest, Mr. President, against this kind of legislation on important matters under such circumstances. If there were a great emergency, if it were absolutely necessary in order to the protection of the people that a measure should be passed, that would be one thing; but with another session of Congress to meet in December, and with no great pressing necessity that the Senate should act without consideration upon an important measure of this kind, I do protest against its being pressed to a vote here.

The power to punish for contempt has existed, Mr. President, from earliest times. I am not going to discuss this bill, or the propriety of it, or the wisdom of passing it, or question whether the provisions of it are such as they ought to be, if a bill is to be passed. I am not going to discuss it in a Senate of perhaps 20 people, most of whom are engaged in conversation among themselves so loud that it is almost impossible for me to hear myself talk. I am not going discuss a measure of this importance under such circumstances.

As a member of the Judiciary Committee I did not agree to this report—I desire to say that—not because I am of opinion that the law relating to procedure in contempt cases should not receive the attention of the legislative branch, but because I think this bill is entirely crude, that it has not had bestowed upon it the care and the study which ought to be bestowed upon a bill which attempts to revolutionize the entire practice in equity proceedings in the country. If I had a Senate here that would listen, I should be glad to discuss the bill, but what I do this morning is simply to protest against the attempt to pass a bill of this importance, of this magnitude, under such circumstances.

Now, I will allude to only one thing in the bill as showing how much it needs be reconsidered. Admitting, of course, for the argument, and admitting, I think, fully, that there should be some bill relating to the regulation of proceedings in contempt cases passed, if this bill were to pass and become a law, and a juror or a witness—I will say witness—where a civil case is on trial in a circuit court or a criminal case is on trial in a district court, refused to obey the summons and was brought into court, he would be guilty of an indirect contempt, and if the court undertook to fine him for refusing to obey the summons and absenting himself as a witness on the trial of that case he could demand a jury trial. If the amendment should pass, and, whether he demanded a jury trial or not, if he were fined $10 he could appeal that case to the Supreme Court of the United States. Well, Mr. President, the very statement that I have made, which can not be controverted and will not be controverted, is enough to show that this bill should not pass.

We have limited the jurisdiction of the Supreme Court of the United States, and there can not be an appeal in a capital case from the judgment of a circuit court or a district court to the Supreme Court of the United States. That has to be appealed or go by writ of error to the circuit court of appeals, and yet it is proposed here to give a witness who may disobey the summons of a court or the direction of the judge to appear in court, when the court undertakes to punish him as for contempt, the right of trial by jury and an appeal to the Supreme Court of the United States, when we have just listened to a half hour's denunciation of the Supreme Court of the United States by a Senator who desires to have a bill with that regulation in it passed.

Mr. President, have I not said enough to show that we ought not to act in this matter? There is probably no subject relating to the jurisprudence of this country which is any more intricate than the practice relating to contempts or the law of contempts. There has been practically no attempt at codification of the decisions relative to contempts of court. The trouble with this bill is that it sweeps all contempts, except those which are committed in the presence of the court or so near the court as to interfere with the administration of justice, into the catalogue of indirect contempts, and it makes no distinction between those alleged contempts, which have been the subject of discussion here, and contempts of a minor and lesser character. It might be admitted that the proceedings in the contempts which are complained of ought to be regulated. I do not think that a judge ought to have unlimited and unrestrained power to punish for contempts in such cases as have excited the attention of the country; but you can not have a court, Mr. President, without the power of the court to punish for contempt in certain cases which are not included within the definition in this bill of direct contempts, and a very large proportion of the equity practice of this country depends upon the power of the court to enforce its decrees.

Take the ordinary case of a court which requires a party to a proceeding to pay over money, to deposit money in court during the progress of the trial upon a pending petition. A person may have money in his hands who is utterly irresponsible. The court in an equity case issues an order that he shall pay that money into court pending the progress of the case. He says, "I will not do it." The court brings him in and attempts to fine him for contempt. He says, "I want a jury trial"; and he is entitled to a jury trial if it is an equity case. Then, when he has been convicted by the jury of being in contempt of court, he says, "I

propose to appeal this case to the Supreme Court of the United States." That will stay the execution, and he goes on and keeps the money.

Mr. CANNON. Will the Senator yield to me for a question?

Mr. PLATT. Yes.

Mr. CANNON. Would not the case cited by the Senator from Connecticut be a case of direct contempt?

Mr. PLATT. Not at all, under this bill; and that is the trouble about it. The bill is not understood. What I complain of is that there ought to be a different definition in this bill of direct, indirect, and constructive contempts.

Mr. CANNON. The Senator cited the case of an individual refusing in the presence of the court to obey an order of the court.

Mr. PLATT. Oh, no; not at all.

Mr. CANNON. I understood that to be the Senator's language.

Mr. PLATT. Oh, no. An order to pay money into court is not necessarily made when the person is in court.

Mr. CANNON. The Senator used the language, "If a person was brought before the court and refused to pay the money."

Mr. PLATT. No.

Mr. HILL. That would be an offense in court for which a person could be punished as a direct contempt.

Mr. PLATT. I may have been unfortunate in some of the language I have used; I think the RECORD, however, will show that I did not make use of that language. But this is the language of the bill:

That contempts of court are divided into two classes, direct and indirect, and shall be proceeded against only as hereinafter prescribed.

Now, these are direct contempts:

That contempts committed during the sitting of the court or of a judge at chambers, in its or his presence or so near thereto as to obstruct the administration of justice, are direct contempts. All others are indirect contempts.

Mr. MITCHELL of Oregon. Will the Senator allow me?

Mr. PLATT. Yes.

Mr. MITCHELL of Oregon. Take a case like this: Suppose a juror is summoned to be in court on a certain day to attend to jury duty and he fails to go. A writ is issued and he is brought in for contempt of court for failing to appear as a juror. That would be an indirect contempt, I take it, under this bill, and he would be entitled under the proposed amendment to trial by jury.

Mr. PLATT. Yes, and an appeal to the Supreme Court of the United States.

Mr. MITCHELL of Oregon. Also to an appeal to the Supreme Court of the United States. It seems to me that would be a dangerous obstruction of the administration of justice.

Mr. PLATT. The passage of this bill in its present form is not only a revolution in the equity practice of this country, but is practically abolishing the chancery practice of our courts. I am not complaining at all of the principle of the bill. I am not asserting that there should not be regulations of the practice in the matter of contempts. Our statutes on the subject acknowledge the right of Congress to regulate proceedings in contempt cases. I will read that section of the Revised Statutes:

SEC. 725. The said courts shall have power to impose and administer all necessary oaths, and to punish, by fine or imprisonment, at the discretion of the court, contempts of their authority: *Provided*, That such power to punish contempts shall not be construed to extend to any cases except the misbehavior of any person in their presence, or so near thereto as to obstruct the administration of justice, the misbehavior of any of the officers of said courts in their official transactions, and the disobedience or resistance by any such officer, or by any party, juror, witness, or other person, to any lawful writ, process, order, rule, decree, or command of the said courts.

This bill proposes to put into the list of indirect contempts "the misbehavior of any of the officers of said courts in their official transactions, and the disobedience or resistance by any such officer, or by any party, juror, witness, or other person, to any lawful writ, process, order, rule, decree, or command of the said courts." These are all swept into indirect contempts. I say, Mr. President, that we can not proceed with the equity jurisdiction of our courts without certainly the power to punish officers for misbehavior in their official transactions, and certainly jurors and witnesses for disobedience or resistance to the orders of the court, nor indeed without the power to enforce by fine and imprisonment the refusal to obey a large proportion of the orders which are made by equity courts.

The trouble about this thing is that a contention has arisen in this country over an extreme exercise of this authority, about which there is very intense feeling, and because of this Senators are ready to go and strike down the whole equity jurisprudence of the country.

I made a reference a moment ago to our having limited the jurisdiction of the Supreme Court of the United States. If I understand, and am correct in my recollection, to entitle a person to go to the Supreme Court on a money question the amount involved must be $5,000, or it must be a case in which a constitutional question arises on a law of Congress, or where a question may be certified up from the court of appeals.

In criminal matters we have taken jurisdiction entirely away from the Supreme Court of the United States, except in regard to criminal cases which come up from the Territories for offenses against United States laws. But a case can not come from a State or from a United States district or circuit court in a State to the Supreme Court of the United States even in a capital case. Those cases must go to the court of appeals. But that is not sufficient, apparently, for the purposes of this bill. An appeal from the judgment rendered in a contempt case does not by this bill go to the court of appeals, where a murder case must go, where all cases of money damage less than $5,000 in value must go from the district or circuit court, but must be taken directly to the Supreme Court of the United States. Why? Apparently, if this bill is passed, the Supreme Court of the United States will not have a great deal to do except to attend to appeals in contempt cases; and, as I was saying a moment ago, a very large proportion of the business transacted——

Mr. HILL. Will the Senator allow me a moment?

The PRESIDING OFFICER (Mr. BLANCHARD in the chair). Does the Senator from Connecticut yield to the Senator from New York?

Mr. PLATT. Yes, sir.

Mr. HILL. The question which the Senator suggests as to whether an appeal in cases of conviction of indirect contempts should be taken to the circuit court of appeals direct, and not elsewhere, or should go directly to the Supreme Court of the United States was very carefully considered. Upon that question I conferred with a distinguished member of the circuit court who had had before him some contempt cases of an important character, and he gave it as his opinion to me that it was better that those cases should go directly to the Supreme Court, otherwise the various circuit courts of appeals throughout the United States would establish different decisions upon the question as to what constitutes a contempt, and that it was wiser to take such cases directly to the court of appeals. I do not care about giving the name of the gentleman; but he thought it would be better and wiser in such cases, as a rule, to have the appeal in the first instance go to the highest court, in order that that court might lay down the law as to what constitutes contempt. It was in pursuance, among others, of the suggestion made by this very able judge that we adopted that course. I also submitted it to other judges, who coincided in that opinion. For that reason the course was taken.

Mr. PLATT. Now, I venture to guess—of course I can not assert—that the judge of the court of appeals who advised that the appeal should be taken to the Supreme Court of the United States did not understand the scope of the bill. He did not understand that a witness or a juror who refused to obey the order of the court and was fined for contempt would be entitled under the bill to appeal to the Supreme Court of the United States. I venture to guess that the opinion which was rendered to the Senator from New York upon this subject by the judge of the circuit court or the circuit court of appeals was rendered without knowing what the bill was, and that no one will be more surprised than he when he learns that the Senator from New York has cited him as authority for supposing it was better to appeal a case where there was a ten-dollar fine for contempt to the Supreme Court of the United States than to the circuit court of appeals.

Mr. HILL. I desire to say to the Senator from Connecticut that the judge referred to will not be surprised about it. He had this bill and carefully examined it. I had several consultations with him in regard to it, and upon that very point he was emphatic.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CHAPELL, one of its clerks, announced that the House had passed the bill (S. 1306) to authorize and encourage the holding of a transmissisippi exposition at the city of Omaha, in the State of Nebraska, in the year 1898, and making an appropriation therefor, with an amendment in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 180) to make the city of Erie, Pa., a port of immediate transportion;

A bill (H. R. 7338) for the relief of William H. Scofield, Jacob Brady, James Ketcham, Annie Booth, as administratrix of the goods, chattels, and credits of George W. Booth, deceased, Wilson P. Billar, Ezra L. Waterhouse, Moses C. Bell, George W. Byles, and George A. Scofield;

A bill (H. R. 9123) to prevent forest fires on the public domain; and

A bill (H. R. 9345) to enable certain persons in the State of Mississippi to procure title to public lands.

TRANSMISSISSIPPI INTERNATIONAL EXPOSITION.

Mr. ALLEN. I ask the Chair to lay before the Senate the amendment of the House of Representatives to Senate bill 1306; and I desire to ask unanimous consent that the Senate concur in the amendment made by the House of Representatives.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1306) to authorize and encourage the holding of a transmississippi and international exposition at the city of Omaha, in the State of Nebraska, in the year 1898; which was, on page 5, line 17, after the word "dollars," to insert:

Provided, That no liability against the Government shall be incurred, and no expenditure of money under this act shall be made, until the officers of said exposition shall have furnished the Secretary of the Treasury proofs to his satisfaction that there has been obtained by said exposition corporation subscriptions of stock in good faith, contributions, donations, or appropriations from all sources for the purposes of said exposition a sum aggregating not less than $250,000.

Mr. ALLEN. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

PORT OF ERIE, PA.

Mr. CAMERON. I ask the Senate to take up the bill (H. R. 180) to make the city of Erie, Pa., a port of immediate transportation.

The PRESIDING OFFICER. The Senator from Pennsylvania asks unanimous consent to consider at this time the bill which he has indicated.

Mr. HILL. Without prejudice to the pending bill, it is understood.

Mr. CAMERON. The bill will not lead to debate.

There being no objection, the bill was read twice and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PAY OF LETTER CARRIERS.

Mr. MITCHELL of Oregon. I ask the Senator from New York to allow the pending bill to be laid aside temporarily for a few moments, to allow me to call up a small bill of only seven lines.

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Oregon?

Mr. HILL. The Senator from Connecticut has the floor.

Mr. MITCHELL of Oregon. I ask the Senator from Connecticut to yield to me. It is a small bill of only seven lines.

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Oregon?

Mr. PLATT. So far as I am concerned, I will yield. I feel, however, that I am rather under the direction of the Senator from New York.

Mr. MITCHELL of Oregon. I am much obliged to both the Senator from New York and the Senator from Connecticut. I ask the unanimous consent of the Senate to proceed to the consideration of the bill (S. 3058) to increase the pay of letter carriers.

Mr. MILLS. I think that is too large a bill to be considered now. I object to the consideration of the bill.

Mr. MITCHELL of Oregon. I hope the Senator from Texas will not object.

Mr. MILLS. It is a bill of too much importance to be pressed during the last hours of the session.

The PRESIDING OFFICER. The Senator from Texas objects.

Mr. MITCHELL of Oregon. I think the Senator from Texas will not insist on his objection.

Mr. MILLS. Yes, I will.

Mr. PETTIGREW. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon has the floor. The Chair understands the Senator from Texas to object to the consideration of the bill.

Mr. MITCHELL of Oregon. If the Senator from Texas insists upon his objection, of course I can not proceed, but I appeal to the Senator not to object. This bill was reported from the committee of the Senate and a similar bill was reported also in the House.

Mr. MILLS. How much money will it take?

Mr. MITCHELL of Oregon. It will take considerable money, but that is not the most important question. The question is whether we should not do justice by these letter carriers, who are the hardest worked class of people in this country in the public service and get the least pay in proportion.

Mr. MILLS. What committee reported the bill?

Mr. MITCHELL of Oregon. The Committee on Post-Offices and Post-Roads. It was also reported in the House and is on the Calendar there. I hope the Senator from Texas will withdraw his objection.

Mr. HARRIS. To what extent are the salaries increased?

Mr. MITCHELL of Oregon. It advances them about $100 each class; there are three classes. That is all. It is a very small increase.

Mr. MILLS. What will the lowest class get, $800?

Mr. MITCHELL of Oregon. Six hundred dollars.

Mr. MILLS. And then up to $1,000?

Mr. MITCHELL of Oregon. Six hundred dollars, $800, and $1,000, and up to $1,200. I hope the Senator from Texas will withdraw his objection.

Mr. MILLS. I object, Mr. President.

The PRESIDING OFFICER. The Senator from Texas objects to the present consideration of the bill.

BREEDING OF FOXES IN ALASKA.

Mr. PETTIGREW. I ask unanimous consent for the present consideration of Senate bill 2555.

The PRESIDING OFFICER. Does the Senator from Connecticut, who is entitled to the floor, yield to the Senator from South Dakota?

Mr. PLATT. I have no objection.

Mr. HILL. What is the nature of the bill the Senator from South Dakota desires to have considered?

The PRESIDING OFFICER. The bill will be read for the information of the Senate.

Mr. PLATT. I desire to state that I have no objection to yielding for the passage of bills that are important and do not lead to discussion. I feel, however, that I am somewhat under the direction of the Senator from New York, and that he is the one who should be asked to yield.

Mr. MITCHELL of Oregon. I object to the passage of any bill until we dispose of the pending bill.

The PRESIDING OFFICER. The Senator from Oregon interposes an objection.

Mr. PETTIGREW. I will say in regard to the bill I wish to call up that it simply gives authority to the Secretary of the Treasury to lease certain islands in Alaska for the raising of foxes. Some of our citizens several years ago occupied the islands and now have a large number of foxes upon them. They find that they are interfered with by poachers, who kill their property and carry it away. The islands named in the bill are not occupied. Then it provides that other islands may be leased for the same purpose, under the direction of the Secretary of the Treasury. No one lives upon the islands. It interferes with no rights and conveys no title. It seems to me there ought to be no objection to the passage of this measure. I hope the Senator from Oregon will withdraw his objection.

Mr. MITCHELL of Oregon. I withdraw it if the bill does not lead to debate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota?

There being no objection, the bill (S. 2555) to authorize the Secretary of the Treasury to issue leases of certain islands in Alaska for the breeding of foxes was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with amendments.

The first amendment was, in line 3, after the word "That," to insert "for the purpose of encouraging the propagation of the blue and silver fox"; so as to read:

That for the purpose of encouraging the propagation of the blue and silver fox the Secretary of the Treasury be, and he is hereby, authorized to issue leases to the islands of North Semidi, South Semidi, Ukomok, Long Island, Little Koniushi, Pearl Island, Carlsons Island, Little Naked Island, and Marmot Island, in Alaska, for a period not exceeding twenty years, for the purpose of breeding and domesticating blue and silver foxes; and he may issue leases of such other islands in Alaska for this purpose as may seem, in his opinion, to be in accordance with the public interest; all such leases to be held under such regulations as he may prescribe.

The amendment was agreed to.

The next amendment was to add at the end of the bill the following proviso:

Provided, That persons actually engaged in caring for and domesticating such foxes on any of said islands shall be accorded the preference right to lease the island or occupy the same under such rules and regulations as the Secretary of the Treasury may prescribe, and such lessee shall have the privilege of killing the foxes and disposing of their furs, subject to the rules and regulations aforesaid.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PAY OF LETTER CARRIERS.

Mr. MILLS. I withdraw the objection I interposed to the bill called up by the Senator from Oregon. It seems that he has his heart set on its passage.

Mr. MITCHELL of Oregon. I am obliged to the Senator from Texas. Then I ask that the bill may be considered at this time.

The PRESIDING OFFICER. The Senator from Oregon asks unanimous consent for the present consideration of a bill, which will be stated.

Mr. HILL. Without prejudice to the pending bill?

Mr. MITCHELL of Oregon. Oh, certainly.

The Secretary read the bill (S. 3058) to increase the pay of letter carriers; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It provides

that after June 30, 1896, the pay of letter carriers in cities of more than 75,000 population for the first year of service shall be $600; for the second year of service shall be $800; for the third year of service shall be $1,000; for the fourth year of service and thereafter shall be $1,200. And after June 30, 1896, the pay of letter carriers in cities of a population of under 75,000 for the first year of service shall be $600; for the second year of service, $800; for the third year of service and thereafter, $1,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 261) for the relief of Arthur P. Selby;

A bill (S. 1011) for the relief of Capt. James Regan, United States Army;

A bill (S. 2943) to authorize the construction of a bridge across the Warrior River by the Mobile and Ohio Railroad Company;

A bill (S. 2944) to authorize the construction of a bridge across the Cahaba River, in Bibb County, Ala., by the Mobile and Ohio Railroad Company; and

A bill (S. 2945) to amend an act approved August 6, 1888, entitled "An act to authorize the construction of a bridge across the Alabama River."

The message also announced that the House had passed a bill (H. R. 1256) for the relief of Henry A. Webb; in which it requested the concurrence of the Senate.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. PRUDEN, one of his secretaries, announced that the President had on the 9th instant approved and signed the following acts:

An act (S. 1189) granting a pension to Eliza Sandford; and

An act (S. 2022) to amend an act entitled "An act to provide for the protection of the salmon fisheries of Alaska."

The message also announced that the President of the United States had on this day approved and signed the following acts:

An act (S. 2859) changing the time for holding circuit court of the United States at Hartford, in the district of Connecticut;

An act (S. 2928) to extend the routes of the Eckington and Soldiers' Home Railway Company and of the Belt Railway Company of the District of Columbia, and for other purposes; and

An act (S. 2978) to provide an American register for the steamer *Menemsha*.

CONTEMPTS OF COURT.

Mr. HILL. Mr. President, I must insist that the debate shall proceed upon the contempts bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2984) in relation to contempts of court.

Mr. PLATT. Mr. President, I do not think there could have been any better illustration of the point I made against attempting to consider legislation of the importance of this measure relating to the proceedings in case of contempt than what has taken place in the Senate during the last ten minutes, I might say what is taking place now, where Senators are talking so loud around me that I can not be heard.

The PRESIDING OFFICER. The Senate will be in order. Senators will please suspend audible conversation.

Mr. PLATT. For the information of the Senate—for I do not think Senators know what has been done in the last few minutes by my yielding goodnaturedly to Senators who desired to pass bills—I will state that we have authorized the lease of some islands up in Alaska for the raising of foxes—blue foxes and silver foxes; we have passed a bill to make Erie a subport of entry, and we have increased the pay of letter carriers as far as the Senate is concerned, thereby taking about $1,000,000 annually from the Treasury of the United States. Now, I venture to say that not ten persons in the Senate knew until I made that statement what had been done in the Senate during the last few minutes; and I think none of them scarcely know that up to that time we were discussing one of the most important questions that has come before Congress and one of the most important questions relating to the administration of our Government.

The PRESIDING OFFICER. The Senator from Connecticut will suspend until order is restored in the Chamber.

Mr. MITCHELL of Oregon (at 2 o'clock p. m.). What is the unfinished business?

The PRESIDING OFFICER. The pending bill. The Senator from Connecticut is recognized.

Mr. MITCHELL of Oregon. I understood that the immigration bill is the unfinished business.

The PRESIDING OFFICER. The Chair understands that the measure now under discussion is the unfinished business.

Mr. MITCHELL of Oregon. When, may I inquire, was the immigration bill displaced? It was certainly made the unfinished business some days ago.

The PRESIDING OFFICER. The Chair will cause the matter to be looked up.

Mr. HILL. The RECORD shows that with the assent of the Senator from New Hampshire [Mr. CHANDLER] that bill was displaced and this bill taken up.

Mr. MITCHELL of Oregon. If this bill was taken up after 2 o'clock, then it would have the effect of displacing the immigration bill.

The PRESIDING OFFICER. The Chair will have the RECORD read.

Mr. HILL. I trust that the Senator, after having been allowed to secure the passage of a million-dollar bill, will not now raise a technical question against the contempts bill.

Mr. MITCHELL of Oregon. Not at all.

The PRESIDING OFFICER. The Secretary will read from the RECORD.

The Secretary read as follows:

Mr. HILL. I move that the Senate proceed to the consideration of the bill (S. 2984) in relation to contempts of court.

The motion was agreed to.

Mr. HILL. Mr. President——

Mr. MITCHELL of Oregon. Will the Senator from New York yield to me a moment?

Mr. HILL. Yes, sir.—*Congressional Record*, June 9, page 6320.

Mr. HILL. I always have to yield to the Senator from Oregon.

Mr. HARRIS. At what hour was that motion made?

Mr. MITCHELL of Oregon. Was the motion made before or after 2 o'clock?

Mr. HARRIS. It was made after 2 o'clock, I understand.

The PRESIDING OFFICER. After 2 o'clock.

Mr. MITCHELL of Oregon. Then the effect would be to displace the immigration bill.

Mr. HARRIS. Unquestionably.

Mr. HILL. The immigration bill is not expected to be passed. The author of it has gone away.

Mr. CULLOM. The Calendar of to-day indicates that the immigration bill is the unfinished business. I know nothing more about it than that.

The PRESIDING OFFICER. The Senator from Connecticut will proceed.

Mr. PLATT. Mr. President, this new interruption of my remarks being over, I trust that I may be able to draw the attention of the few Senators who have thought it their duty to attend the session of the Senate to-day to the bill which was under discussion and to the point which I was making, that a bill of this character ought not to be pressed to a vote under such circumstances. If my recollection serves me through the interval which has elapsed since I was addressing the Senate on this subject, I had adverted to the fact that we had limited the Supreme Court of the United States in its jurisdiction necessarily and properly to cases involving $5,000 value, and to those involving constitutional questions or the construction of some statute law of the United States, and that in criminal cases we had taken away from them entirely their jurisdiction to hear and review the decisions of the lower courts, even in capital cases. And yet here is a bill which proposes to allow an appeal from a district court or a circuit court anywhere in the United States upon a five-dollar judgment of that court inflicted as a punishment for contempt.

The Senator from New York interrupted me to say that he had the opinion of some judge of the circuit court or circuit court of appeals that that is where the appeal ought to go rather than to the circuit court of appeals. If that judge understood what this bill is, the very fact that he thought an appeal in a five-dollar punishment for contempt of a circuit court or district court of the United States should be taken to the Supreme Court of the United States is perhaps an argument why it should not be taken to the circuit court of appeals. I am surprised that in his zeal to pass this bill any Senator should stand here and attempt to defend the provisions of the bill so far as they relate to practice in our courts. The difficulty about it I was proceeding to state. There has been a tendency in courts of late to extend the power of punishing for contempts. It has been carried to a very great length, and some of the recent cases alluded to by the Senator from Nebraska [Mr. ALLEN] yesterday, and the Senator from Kansas [Mr. PEFFER] to-day, have so far excited the attention of the country that it has been felt that there should be some limitation upon the power of the circuit or district courts of the United States to inflict punishment in such cases, and in the zeal to accomplish that purpose they have, as it seems to me, utterly failed to understand the provisions of this bill.

Let us see if I am right or wrong about this matter. I have spoken of the fact that all offenses and disobedience of the orders of the court except those directly within the presence of the court or so near thereto as to interfere with the administration of justice have been swept into this description of indirect contempts. Section 4 of the bill provides that any case except the case of a direct contempt, that is, any misbehavior of the officers of the court outside of the court, any refusal of the officers of the court to

execute the process of the court, unless that refusal be made within the presence of the judge or in the immediate neighborhood of the chamber, a letter written from half a mile away by the sheriff to the judge saying, "I refuse your order to execute your process," is an indirect contempt; and a man is to have a regular accusation filed against him, is entitled to be confronted with his witnesses, his case tried orally, and if the amendment of the Senator from North Carolina prevails he is entitled to have a jury and then to appeal that case from the punishment which is inflicted upon him to the Supreme Court of the United States. Is it possible, Mr. President, that this is insisted upon? Let me see if it is not so. Section 5 provides—

That the testimony taken on the trial of any accusation of indirect contempt—

"Any accusation of indirect contempt." It does not make any difference whether it is before a jury or whether it is before a court, whatever testimony is taken upon the trial—

of any accusation of indirect contempt may be preserved by bill of exceptions, and any judgment of conviction therefor may be reviewed upon direct appeal to or by writ of error from the Supreme Court, and affirmed, reversed, or modified as justice may require. Upon allowance of an appeal or writ of error execution of the judgment shall be stayed upon the giving of such bond as may be required by the court or a judge thereof, or by any justice of the Supreme Court.

This, as it seems to me, is so plain, so palpable, that there can be no Senator found within the walls of this Chamber who as an independent proposition would vote for that provision. Put it in another form, introduce it as a separate bill, and say in case any officer or any district or circuit court in the United States shall refuse to execute the official orders of the judge of such court he shall, when accused of contempt, be entitled to be tried upon an accusation filed in the court, confronted with witnesses, and shall have the right to appeal from the judgment inflicting punishment upon him, even though it be no more than $5, to the Supreme Court of the United States; and tell me whether any Senator within the sound of my voice would vote for such a proposition.

Now, what I have said in regard to this matter applies equally well to a great variety of cases in which, if it was not for the anxiety to regulate the contempt proceedings in these cases where it is supposed that the power has been extended beyond its legitimate and proper office, there is a whole line of cases which it would be admitted it is perfectly proper should be enforced by the process of contempt by the court, district or circuit, without any review; and indeed as to almost all of the instances in which a circuit or district court would use its power to punish for contempt as a method of enforcing its decrees and orders it will be admitted that that power ought to exist and that there was no occasion for any change of the law on the subject. Take, for instance, the order of a court to execute a deed. The case having been tried, the witnesses heard, the party given a full opportunity to make his defense, the court determines that he ought to execute a deed which he has agreed to execute, and orders him to execute it. Will it be claimed that there is any justice in applying the power to punish for contempt for a disobedience of that order? Mr. President, it would not for a moment excite the attention of Senators.

Mr. ALLEN. Will the Senator from Connecticut permit me to ask him a question at this point?

Mr. PLATT. Certainly.

Mr. ALLEN. Suppose the party should refuse or fail to execute a deed, is it not always within the power of the court to direct an officer to execute the deed in the delinquent's name, and does not that deed have the same force that it would have as if executed by the other party?

Mr. PLATT. I am unable to answer the question. The Senator from Nebraska is so much better a lawyer than I am that I will not undertake to question——

Mr. ALLEN. I hope the Senator will not consider that I am trying to establish my equality with him as a lawyer. But I submit to the Senator from Connecticut that it is the law that if a party is directed by decree of court to execute a deed, in case of specific performance or something of that kind, and he fails to do it, the court ordinarily provides in the same decree that on his failure to execute the deed within thirty or sixty days, as the case may be, the sheriff or marshal shall execute the deed in his name, and that deed is just as good as if the party himself executed it.

Mr. PLATT. In that case there would be no doubt, I imagine, about the power of the marshal or the officer to execute the deed. But I supposed that the question which the Senator asked me was in respect to a decree where that direction had not been inserted.

So with regard to all patent cases. I think a very large proportion of the patent practice in this country now depends for enforcement to prevent infringement of patents upon the power of the court to punish for contempt for disobedience of its decree. Here is an infringer of a patent, and the person owning the patent goes into court and asks for a trial. Possibly a preliminary injunction is granted; perhaps not. Perhaps the case is tried. It proceeds to a final decree. The court orders that the infringement cease, and forbids the infringer further to sell or make the article made in violation of the patent. There is no method of enforcing that decree except by punishment for contempt; and yet, the case having been all tried, having been carried, possibly, to the circuit court of appeals, and judgment affirmed there, and remanded to the circuit court for execution, the person refusing still to obey the order of the court is brought in on contempt, and my friend the Senator from Kansas says he should have a jury trial.

It is proposed to try it all over again before a jury, and then he is to have the right of appeal to the Supreme Court of the United States. He can not get his patent suit there in any other way. It is not altogether improbable that, having taken away from the Supreme Court the jurisdiction in patent cases, a person whose case has been decided by the circuit court and the circuit court of appeals may refuse to execute the order of the circuit court for the mere purpose of getting his patent case into the Supreme Court of the United States when now it can not be taken there. I do not know what would come up on the hearing of such an appeal in the Supreme Court of the United States. I do not know whether it would be just the question whether he had refused to obey the order of the circuit court. I presume there would be something more than that. The question whether the decision of the circuit court in relation to the patent suit was right and just would come up. I think it would bring up the whole question.

I am not objecting to the principle which is contended for in the pending bill, but I am objecting to the crude character of the bill and to the fact that it makes no distinction between contempts which are merely the disobedience by a witness or a juror of the command of a court and the contempt which is the disobedience of orders such as were issued in the Ricks and Debs cases. The fault of this bill is that its definitions are not correct. Its division of contempts into different classes is not correct, and it needs more care, more attention, more thought, more study, before it should be passed by this body or by Congress.

I said that I was not going to argue the question involved in this bill before a Senate in which, while I insist again that I am not suggesting the absence of a quorum, there are not 15 Senators at this time. The question whether the power to punish for contempt is a necessary, inherent, integral part of our judicial system and of a court is a great question. I admit that you can regulate it. I deny that you can take it away. Notwithstanding the strictures of the Senator from North Carolina [Mr. BUTLER], I do not believe that the legislative branch can interfere with the judicial branch of the Government any more than it can with the executive branch of the Government.

Mr. BUTLER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from North Carolina?

Mr. PLATT. I do not.

The PRESIDING OFFICER. The Senator from Connecticut declines to yield.

Mr. BUTLER. Then I shall reply to that statement——

Mr. PLATT. The Senator from North Carolina is out of order at the present time.

That we may regulate proceedings in cases for contempt I do not deny; that if there has been any injustice, any tyranny, any interference with the rights of the citizen in the administration of the power of a court to punish for contempt, we ought to interfere, I do not deny. But we ought to be very careful in doing so that we do not go to the extent of taking away from the court one of its essential features, and without which there can no more be a court than there can be a court without a judge.

It is a great question, as I have said. It involves the powers of the different branches of the Government, of the wisdom of the division of those powers into three parts—executive, legislative, and judicial. It involves the greater question how far the people in the United States are to be made to submit to law and to what extent they are to be permitted to run wild and defy the law and defy the Government in all its branches, executive, legislative, and judicial. That question is too large to argue to a half dozen Senators, who are more interested about leasing the islands of Alaska for the raising of foxes than they are about this question; and I only rose for the purpose of protesting against the attempted passage of the bill in the last hours of the session without consideration of its provisions.

Mr. President, the power to punish for contempt is older than the Constitution. It is as old as courts. It is as old as the administration of justice. While there may have been some perversion of this power, such cases do not arise frequently. There is no reason to suppose that naturally any trouble of that kind will occur between now and next fall. In a hundred years and more of constitutional history we have had no serious question of this sort raised. The courts have got along pretty well, the administration of justice has progressed pretty well under the power to punish for contempt. Once in a while a man who is punished for contempt feels that he is oppressed. I have defended cases in which I felt at the time that there had been a very severe exercise

of the power of the court in the punishment inflicted for a disobedience of its orders. I know my clients felt outraged. But as time has gone on and I have looked at it again and referred to the cases as reported, I must confess that I think the courts were right. Cases may arise—I will not say such cases have not arisen—in which the power of the court has been arbitrarily exercised I will not say that such cases have arisen. But it will be found that those cases in this country, with the love of freedom which exists here, are and will be of very infrequent occurrence; and I think it is as likely to be regulated by public sentiment without legislation as by legislation, and ten times more likely to be regulated by public sentiment without legislation than to be satisfactorily regulated by legislation such as is here proposed.

If the Senate were full I should be glad to argue the question. I have glanced at it just enough to indicate the importance of the subject, just enough to indicate how utterly improper it is to attempt to dispose of a question of this sort under the circumstances which now exist in the Senate of the United States.

Mr. MITCHELL of Oregon. Mr. President, I quite agree with the Senator from Connecticut [Mr. PLATT] that the question under discussion is a very important one. The wide range which the debate has taken indicates that very clearly. This is a Senate bill, moreover. Even if passed at this late hour in the session there can be no possible hope of its getting consideration elsewhere. It does seem to me in view of what has been said by the Senator from Connecticut, and of all the facts and circumstances surrounding the case, that it is but a waste of time to continue the discussion of this question to the obstruction of other measures of importance which have already passed the House of Representatives and which ought to be considered by the Senate.

I have not been disposed, as the Senator from New York in charge of the bill knows, to interfere with a reasonable effort on his part and on the part of the Senate to bring this bill to a vote. The Senator from New York in charge of the bill this morning was of the impression that a vote could be reached without any extended debate. The result has shown that he was mistaken, and even now, as it would seem, there is scarcely any possibility, much less probability, that a vote can be reached to-day if we were to continue the discussion from now until midnight.

Mr. HILL. Who is anxious to continue the discussion, I should like to know?

Mr. MITCHELL of Oregon. I shall not make a motion at this point to attempt to displace it, but I will and do make an appeal to the Senator from New York and to the Senate to permit this matter, unless a vote can be had without further debate—of course, if a vote can be had without further debate, all well and good—to be laid aside, and that I may be permitted to move to proceed to the consideration of the House joint resolution looking to the reorganization of the Northern Pacific Railroad Company.

There are, I am aware, on the part of certain Senators, some objections to the joint resolution of the House, and some objections, perhaps, to the joint resolution reported unanimously from the Committee on the Judiciary of the Senate, which has been on our docket here for some time, but I suggest that we permit the matter to come up. Let us counsel with each other, and if amendments are to be proposed to the House joint resolution—and there certainly will be, for I shall propose an amendment myself—let us discuss them and consider them and endeavor to come to some conclusion in regard to the matter.

As I intimated this morning in the few remarks I made, this is a matter not so much in the interest of the purchasers or the men who may become the purchasers of the property as it is in the interest of the people of the communities of the States through which the road runs.

I will state further, if I may be permitted to discuss it on this question, that neither the joint resolution that comes from the House, nor the joint resolution reported by the Judiciary Committee, now on the Calendar, grants any new rights whatever to these people. It grants no new franchises, no new property rights——

Mr. BERRY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Arkansas?

Mr. MITCHELL of Oregon. Not for the present. I will yield in a moment. Neither of the joint resolutions grants any new rights of any kind or character whatever or that are not possessed now by the Northern Pacific Railroad Company; while on the other hand——

Mr. HILL. Does the Senator from Oregon——

Mr. MITCHELL of Oregon. I do not yield now.

Mr. HILL. Does the Senator from Oregon think it fair to take up the time of this bill——

The PRESIDING OFFICER. The Chair asks Senators to address the Chair before interrupting another Senator. Does the Senator from Oregon yield to the Senator from New York?

Mr. MITCHELL of Oregon. Not now. I will yield in a moment. I am not going to talk long, as I do not wish to take up the time of the Senate.

In addition to granting no new rights, various and sundry restrictions are proposed to be thrown around the purchasers of this property, every one of them in the interest of the Government and the people. I will state some of them. I referred to one this morning which compels the new company, if organized under an act of Congress, to sell, at not exceeding $2.50 an acre, all lands outside of a certain limit—a mile distant from the road. Not only that, but the measure, both as sent here by the House and as reported in the Senate, proposes to prevent by legislation any possibility of a combination upon the part of this company or its stockholders and directors with any other company or its stockholders or directors, so as to make a combination with other roads—a matter of vital importance to the people of this country, and especially to the people of the States through which this great line of road runs.

Further, I say the measure is not one simply in the interest of some railroad men, some capitalists. They get the benefit, perhaps. They undoubtedly desire some such legislation. That is all well enough, but if we can hold on to this great property so that it will be under the control of Congress and not allow it to get away from us, to be organized under some State charter, where Congress will have no control, then it seems to me that it is our bounden duty to do it. This resolution, I may further state, provides that the new company shall be responsible for and shall pay all judgments obtained against the old Northern Pacific Company on covenants of warranty, for sales of lands, and for injuries to persons and property.

Now, I shall not take further time. I simply intend to make this appeal to the Senate to take up the joint resolution and discuss it. If there are objections to it, if there are further restrictions that ought to be thrown around it, we will consider them, and if they commend themselves to the good judgment of the Senate we will incorporate them. It is a matter of importance. It is here from the House. We can take it up and dispose of it, it seems to me, within the next few hours. Therefore I make this appeal. If we can get a vote upon the bill now before the Senate of which the Senator from New York has charge, of course I shall be glad, and shall not obtrude to prevent it; but after that I shall ask the Senate to proceed to the consideration of this House joint resolution.

Mr. SMITH. Mr. President, I feel it my duty, in fairness and justice, in view of what the Senator from Oregon [Mr. MITCHELL], who is interested in the joint resolution, has said, to state that in the closing hours of the session my consent can not be obtained for the passage of a measure that involves $400,000,000 and 43,000,000 acres of land which this Government has granted to other companies. To allow them to reorganize without carrying out what some of us believe to be honest obligations, and to hurry the measure through the Senate as it was railroaded through the House day before yesterday, will not be done with my consent.

Mr. MITCHELL of Oregon. Will the Senator from New Jersey allow me?

Mr. SMITH. Certainly.

Mr. MITCHELL of Oregon. So far as I am concerned, I will vote for no joint resolution allowing a reorganization of the Northern Pacific Railroad Company that will of itself interfere with any existing rights or obligations. Whatever rights other parties or third parties have to-day in virtue of contracts or arrangements with the Northern Pacific Railroad Company I do not propose to interfere with. Those contracts stand good against the old company. I would not for one moment think of voting for any proposition that would interfere with any of them. We could not do it if we should desire to do so. The courts would hold that it was ultra vires. Let us get the matter up and discuss it and see what kind of a joint resolution we have here.

Mr. SMITH. My object in rising was to reply to the proposition of the Senator from Oregon, who seems rather to criticise the Senator from New York for consuming time with a bill which, he says, can not possibly pass at this session, and that it is useless to take up time in discussing it.

I will say to the Senator from Oregon that the joint resolution in which he is interested is of as great if not more importance to the people of this country and that it will require at least two or three days for the gentlemen who wish to talk on the subject to be heard. With that fact now known, and in the closing hours of the session, it does not seem to me reasonable or fair for him to ask anyone else to give way, on a measure which others believe is of great importance, to a matter which can not in my judgment be settled at this session.

This is a matter of great importance, one that should not be taken up even for discussion at so late a day in the session. I feel all kindness for the Senator from Oregon, and as he has the joint resolution in charge it is his right and duty to press it, perhaps. I hope he will see, however, that it is beyond question impossible

to engage now in discussion even of a character which would lead to a vote during the present session of Congress, and that the bill now under consideration will be proceeded with.

Mr. BACON. Mr. President, I simply desire to suggest to the distinguished Senator from Oregon [Mr. MITCHELL] that if the matter which he desires to bring to the attention of the Senate is of such commanding and urgent importance there is certainly no reason why the Senate and Congress has not ample time for its consideration. The very fact that gentlemen are willing to adjourn without it is somewhat of comment as to the estimate in which they hold its alleged importance.

I do not depreciate the importance of the measure, and I will say to the distinguished Senator from Oregon that I am ready to remain here, if it is desired, for the purpose of its consideration. I do not think, however, that the consideration of that or any other bill should displace the bill now before the Senate. I do not desire to discuss the pending bill, although I am very deeply impressed with its importance. I have been impressed with the importance of such a measure for many years, in the course of a not inactive practice of the law. I think the lodgment of the power in any one man to determine whether personal liberty shall be taken is something entirely inconsistent with the genius of this age and with the spirit of our institutions. Every other branch of government has been shorn of the power of despotism—the legislative and the executive; but it is a fact that the judicial authority has the same power for despotism and personal tyranny to-day in all practical effect that it had three hundred years ago; and it is time that this legislation should be had.

My experience is not like that of the distinguished Senator from Connecticut [Mr. PLATT]. I have seen instances of judicial tyranny where time has not brought me to the conclusion that the power was wisely exercised. On the contrary, the lapse of time has but deepened the conviction which I had that those exercises of power could be denominated as nothing else than personal tyranny.

Mr. President, it is not simply the fact that one man is clothed with this power which no man ought to have; it is not simply the fact that there never was a man good enough and wise enough to be endowed with the power that judges now have in this regard; but it is the fact that they are frequently called upon to decide these questions when they have personal feelings in the matter. Frequently there is such feeling between the judge and the man whom he punishes, and yet he is judge and jury and prosecutor in the case in which he has this personal feeling.

I do not desire, Mr. President, to add anything to what has been so well said by the distinguished Senator from New York [Mr. HILL] as to the importance of this matter; but whether this bill can become a law at this session or not, I trust it may receive the approval of the Senate before we adjourn.

Mr. HILL. Mr. President, I shall detain the Senate only a few moments in possibly closing this debate. I am not authorized to say, of course, that I shall close the debate, but I trust I may. I speak, not because I think it is necessary, but I think it is due to the distinguished Senator from Connecticut [Mr. PLATT], who occupied so much time, that I should at least refer to a few of his arguments. He said he did not intend to argue the bill, and then proceeded to make all the arguments which could possibly be urged against it. He entered his protest, and with that he said he should be content. We have heard his protest, no one else seems desirous of arguing against the bill, and I do not know why the bill should not be treated the same as all other bills and passed, if a majority of the Senate wishes to pass it.

The bill was reported six weeks ago from the Judiciary Committee. Time and time again I have tried to bring the bill forward. It was crowded out by several other bills; it was crowded out by the bond bill of my friend from North Carolina [Mr. BUTLER]; it was crowded out by the filled-cheese bill in behalf of the great agriculturist from Ohio [Mr. SHERMAN]; it was crowded out by other bills which were here, and I have submitted to it and have assisted in the passage of some of those measures, until now, having been good-natured until the end of the session, I am told that an important measure like this is proposed to be rushed through with empty seats.

Mr. President, some of the most important measures we have ever discussed in this Senate have been discussed in the presence of only a half dozen members. I heard the distinguished Senator from Connecticut discussing the Du Pont case and speaking with only a half dozen Senators in their seats, a great question involving the right of a Senator to a seat; and there are as many Senators listening to this argument and listening to the Senator as usually listen to arguments here.

This bill had its inception in a resolution introduced asking the Judiciary Committee to investigate this subject. I did not introduce that resolution. I was placed upon the subcommittee having it in charge. It was a duty imposed upon me, and I proceeded to discharge it, not in the interest of railroad employees, not in the interest of Mr. Debs, not in the interest of any particular class of people, but simply in the interest of good legislation demanded by the public welfare.

Mr. President, six weeks ago this bill was placed upon our files. It was known that the Judiciary Committee favored it. There was no division in the Judiciary Committee except upon one point. On all the questions raised by the Senator from Connecticut there was substantially no division. The only point involved in the bill was whether it was wise in cases of indirect contempt that there should be a jury trial as a matter of right, or whether the jury trial should be a matter of discretion with the judge. That is all the point there was involved. Six members of the committee thought it wise to leave that matter with the court whether to give a jury trial or not, and five of them thought it was wiser to give the absolute trial by jury to the defendant. But upon the main features of the bill that some relief was demanded, that some legislation should be had upon this great subject of contempt of court, there was no division of sentiment. Therefore the point simply is this, and that is all the point involved in it, whether in cases of contempt which occur out of court, involving a disputed question of fact as to what a man did or did not do, when arraigned in court upon such a question can he ask that he be brought before a jury or must he be arbitrarily tried before a judge alone, who is judge, jury, prosecutor, and substantially executioner? That is the question involved.

In order to have the bill reported I voted with the majority which reported the bill. I see no objection to the amendment offered by the Senator from Utah [Mr. CANNON] by which the right of trial by jury is given absolutely to the defendant.

My friend from Connecticut criticises this bill. It is easy to criticise, and of course he can criticise the bill. I think it was General Grant who once said of a distinguished Senator who criticised one of his messages that of course he criticised the message, and he would criticise anything that he did not write himself. I recollect what was said by David Dudley Field when he was arguing in favor of the revised code in New York and various criticisms were made against the code. It was said that it did not mean this or it did not mean that; it was not perfect and there would be criticisms made of it. He said, in answer to these critics, "It is easy enough to criticise; take the Ten Commandments, and they are all subject to criticism. For instance, here is one of them: 'Thou shalt not bear false witness against thy neighbor.' That is defective; why should it refer to his neighbor? Why not include everybody?" That same criticism would apply here.

Mr. ALLISON. Mr. President——

Mr. HILL. I must give way to general appropriation bills, of course. I have given way to everything else here, and I might as well give way to appropriation bills, though I can not give the pending bill away.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask leave to submit a report from the committee of conference on the sundry civil appropriation bill, with the statement that the conferees are unable to agree.

The PRESIDING OFFICER. The report of the committee of conference will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have been unable to agree.

W. B. ALLISON,
EUGENE HALE,
Managers on the part of the Senate.

J. G. CANNON,
E. J. HAINER,
JOSEPH D. SAYERS,
Managers on the part of the House.

The PRESIDING OFFICER. The question is on concurring in the report.

Mr. DUBOIS. Mr. President, I ask the Senator from Iowa what is the condition now as to the proposed public buildings at the capitals of the new States?

Mr. ALLISON. The sundry civil bill is in precisely the condition it was when the last conference report was made, wherein there was a disagreement as to six or seven public buildings, including all the capital buildings and including three or four other public buildings. Since the last report was made the other House has receded from its disagreement to the public building at Savannah, Ga., and I hope it will follow that good example as to the remainder of the amendments now in dispute.

The PRESIDING OFFICER. The question is on concurring in the report of the committee of conference.

The report was concurred in.

Mr. ALLISON. I move that the Senate still further insist upon its amendments disagreed to by the House of Representatives.

The PRESIDING OFFICER. The question is on the motion of the Senator from Iowa, that the Senate still further insist upon its amendments disagreed to by the House of Representatives.

Mr. SHERMAN. Upon that question I wish to make a remark. It has always been, so far as I know, the custom in the Senate, and also in the House of Representatives as well, where there is a disagreement between the two Houses threatening to defeat the passage of an important appropriation bill—and it is the only true rule that can be applied to such a case—that the House proposing the amendment which is firmly resisted by the other House ought to recede from the amendment. No provision ought to be ingrafted in a law by Congress which has not been assented to by both Houses. Therefore, if there is a particular proposition, for instance, the erection of a public building at any place, the Senate proposing the amendment and the House saying firmly that they will not agree to it, the Senate ought to recede, and the amendment be stricken out. That is the established rule. The two Houses of Congress can only legislate upon the firm rule, adopted by the Houses, that no proposition whatever shall be forced upon the House by the Senate or upon the Senate by the House.

The only way of disposing of these disagreeing votes is for that House to recede which proposes a provision which is firmly resisted by the other. That seems to me the natural and proper course, and rather than have this bill defeated I shall move, if no member of the committee does it, that the Senate recede.

Mr. ALLISON. I hope the Senator will not make that motion, at least not until I have had an opportunity of making a brief statement.

Mr. SHERMAN. Very well.

Mr. ALLISON. Mr. President, the contention on the part of the conferees has been that these Senate amendments involve an enlargement of the limit of cost of these public buildings, and that is true respecting all of them, I believe, but one. The Senate conferees have insisted, inasmuch as the public buildings had been authorized by both Houses, and inasmuch as in nearly all of them progress has been made respecting their construction, and the necessity arising for enlarged appropriation either now or in the future, that this is not legislation within the proper sense of the term, and that we have the right to propose to the other House arrangements respecting public buildings in the course of construction.

In addition to that, however, Mr. President, I believe at each report of the conferees, certainly upon the last two or three reports, the House of Representatives has receded upon public buildings. We had a disagreement yesterday as to these public buildings, and the House receded as to one of the important public buildings without taking a decisive vote upon the others.

Whilst I agree to the general statement made by the Senator from Ohio that the House proposing new legislation must in the end, perhaps, yield to the other House, if that House insists, I take it for granted that the House of Representatives, having now on three different occasions itself, by a vote of the House, violated the principle upon which they claim that these amendments should not be made, will, if another opportunity be given, recede from its disagreement to the amendments of the Senate. Therefore I hope the Senator from Ohio will not make a motion to recede as the conference stands at this moment. The other House having receded from the principle which it has urged as against the Senate amendments on three different occasions, and notably last evening upon a yea-and-nay vote, I think it will likely recede upon the remainder of the public buildings.

Mr. DUBOIS. Mr. President, so far as the public buildings in the capital towns of the new States are concerned, they were granted by the last Congress. There is no reason now why this Congress should not continue the appropriation for them. As the Senator from Iowa has said, the other House has yielded on similar matters not in the new States, but on public buildings; and those of us who have been pressing for the buildings at these capital towns feel as though we ought to have them given us. We feel it so strongly that I can assure the Senator from Ohio that while in my judgment we would beat him upon a viva voce vote, if we did not I should feel it my duty to call for a yea-and-nay vote.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. DUBOIS. The Senator will excuse me a moment.

I am satisfied that there are enough Senators here to second a motion for a roll call and to gain it. I believe that a majority of the House of Representatives feel that we are right in this matter, and that they are being held up by one or two individuals over there. I am satisfied the House will yield if the Senate will stand firm, and they ought to.

Mr. NELSON. Mr. President, I am very sorry to have the Senator from Idaho threaten us with calling a yea-and-nay vote. It has been whispered around this Chamber for the last two or three days that unless we agree to these public-building matters we shall have to stay here until July next.

Let us look at this question calmly. As I understand it, a year ago, or during the last Congress, an appropriation was made for these public buildings, fixing a limit. Some of them have been commenced and some have not been commenced. These new propositions in the sundry civil bill are simply to enlarge the limit of cost of those buildings: There is no hurry about those buildings; they will keep; and their construction can go on under appropriations already made. At the next session of Congress bills enlarging the appropriations can be passed.

Moreover, there is this about it: Certain Senators in the matter of public buildings are favored, they get their items ingrafted on appropriation bills, and we who are not favored in that same way get nothing at all. Then we are told if we do not go in with this favored class we shall have to sit here until these gentlemen are willing to adjourn.

Mr. CLARK. Will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Minnesota yield?

Mr. NELSON. I will yield by and by.

The PRESIDING OFFICER. The Senator from Minnesota declines to yield.

Mr. NELSON. A little while ago we had a bill called the filled-cheese bill, which was asked for by the farmers and dairymen of the country. How was that met? A barrel of beer was rolled in upon us [laughter], and some of these gentlemen, who are now so anxious to keep us here simply for the enlargement of two or three public buildings, it seems to me, have time and again resorted to what would be called outside of this Chamber—it might not be polite to say it here—a species of bulldozing. I am willing to go a great way to accommodate Senators, but when they get up here and tell us that unless we do so and so a quorum will be called, which means, under present conditions, that we can not adjourn until at their own will, I think that is carrying this matter too far.

I am aware that I am breaking the rules of the courtesy of the Senate; I have sought to avoid it; but I presume I have broken over the traces; and, if I have, I pray, Mr. President, that you will forgive me. [Laughter.]

Mr. SHERMAN. Mr. President, I think favorably of the policy, and I believe it is right to erect necessary public buildings in the new States and Territories. The people in the Territories and new States are not generally able to erect public buildings with their means, and therefore I always take pleasure in voting and in insisting, to a reasonable extent, upon amendments which have been proposed for the erection of public buildings; but the rule I have already mentioned is a vital one, without which the two Houses can not exist.

In the British Parliament, the House of Commons will not allow the House of Lords to propose amendments upon the question of appropriating money. That is the right of the Commons, the representatives of the people there, and the House of Lords have never been allowed in any case to say whether or not an appropriation should be made for any purpose whatever. Whatever appropriations may be proposed by the House of Commons go to the House of Lords, and are accepted as a matter of course; but here such is not the case. We have equal power with the House of Representatives; we have the power to propose amendments to their bills; we have the power to originate appropriation bills, for they are not in any constitutional sense bills for raising revenue. They are simply bills appropriating money supposed to be in the Treasury.

I remember one striking case where the two Houses were at outs with each other and there was a condition somewhat similar to that which now exists, only at that time public feeling was much more heated than it is now. In 1860 the House of Representatives undertook to reduce as much as possible the appropriations for the support of the Government. Then the war, with the difficulties that came after, was foreseen and everybody was very anxious to prevent any large appropriations of public money, the House of Representatives especially taking the lead. During that session when an appropriation bill came to the Senate the Senate attached an appropriation for the expenditure of half a million dollars for a public building at New Orleans and half a million dollars for a public building at Charleston.

When the bill was returned to the other House with the amendment the House struck out the amendment and insisted upon its action. When a gentleman who I might say is known to you all, by reputation at least, who was then a Senator from Georgia and was a very positive man, met the committee of conference and said to them distinctly that unless the appropriation was made for these two public buildings in the South the appropriation bill could not pass at all, that was promptly resented by the House of Representatives, and upon the meeting of the conferees again the Senate of its own accord receded and took the position, upon the ground that I have stated, that it had no right to force the House to agree to that to which the House was opposed. That was put upon broad national grounds. That is this case. Wherever the Senate of the United States undertakes to force upon the House of Representatives an appropriation it goes beyond the limits of its power. It may insist; it may hold on and continue

debating until probably the House will be wearied; but after all, if the House of Representatives says "no" definitely, the appropriation ought not to be made; and it is equally true that if the House should insist upon an appropriation to which the Senate is opposed, and the Senate says, "We will not agree to that; we are opposed to it; it is wrong," or, "It should not be appropriated at this time," as a matter of course the House would have to recede.

It is only by the adoption by the two Houses of such a rule that we can get along at all with our appropriations. We may insist and insist, but when the time comes when we must choose between the passage or the defeat of an appropriation bill, then, as a matter of course, the House proposing the disputed proposition must withdraw it.

I shall not make any motion at present, in the hope that an agreement may be arrived at by the conferees.

Mr. ALLISON. I move that the Senate still further insist upon its amendments.

The VICE-PRESIDENT. The question is on the motion of the Senator from Iowa.

The motion was agreed to.

ENLISTED MEN IN THE NAVY.

Mr. HALE. A Senate joint resolution has just come from the House of Representatives with an amendment. I ask the Chair to lay before the Senate the action of the House of Representatives.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the joint resolution (S. R. 149) extending the benefits of sections 1426 and 1573 of the Revised Statutes to all enlisted persons in the Navy; which was, in line 9, after the word "Navy," to insert:

And all accounts of paymasters who have made payments to enlisted men, not of the classes named in sections 1426 and 1573 of the Revised Statutes as if they had been included in the provisions of said sections, shall be allowed and passed by the accounting officers of the Treasury as if they had been included in said sections.

Mr. HALE. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

CONTEMPTS OF COURT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2984) in relation to contempts of court.

Mr. PETTIGREW. I move that the Senate proceed to the consideration of executive business.

Mr. HILL. I believe I had the floor, Mr. President, when I was interrupted by a conference report, and I do not yield to anything else at present.

The VICE-PRESIDENT. The present occupant of the chair was out of the Chamber at the time the Senator from New York yielded the floor.

Mr. PETTIGREW. I ask the Senator from New York, then, to let me make the motion.

Mr. HILL. I will do so later if the Senator please, but not now.

I was simply going to say that I have discussed this question all I care to. The bill is a safe one, it has been carefully prepared, and notwithstanding the criticisms of the Senator from Connecticut, it is not a radical departure such as has been stated: but it leaves contempts, so far as a large portion of them are concerned, precisely where they were before. The bill has been considered as much as a bill of this character is likely to be considered, and the Senate is just as competent to vote upon this question now as at any other time.

I resent the suggestion that I am endeavoring to crowd the Senate. The Senate understands this question. It has heard the distinguished Senator from Connecticut, who has ably given his objections to the bill, and I have replied as well as I could during the brief period I have had. I hope we shall now proceed to vote upon the bill.

Mr. PETTIGREW. I move that the Senate proceed to the consideration of executive business.

Mr. HILL. I hope not under the circumstances. I have been crowded out, and it seems to me I should not be asked to yield again.

Mr. PUGH (to Mr. HILL). Call for the yeas and nays.

Mr. HILL. I do not want to call for the yeas and nays, but I hope the Senator will withdraw the proposition. Later on he can renew it.

Mr. PETTIGREW. I am perfectly willing to withdraw the motion to proceed to the consideration of executive business, but I apprehend if I do so a yea-and-nay vote will be called upon the bill now pending before the Senate.

Mr. HARRIS. Let us see whether it will be or not.

Mr. PETTIGREW. I withdraw the motion.

Mr. PLATT. I can not suppose the Senator from New York thinks that this bill can pass without a roll call.

Mr. HILL. We have just passed a bill appropriating $2,000,000 without a roll call; we have passed other important bills without a roll call, and Senators can be placed upon record just the same. The Senator has vigorously asserted his opposition to the bill; it is in the RECORD; and I hope the Senator will not resort to that to defeat the bill. If we want to make fools of ourselves, let us have the opportunity of doing it. The Senate understands the question. We think this is a proper bill. Of course we differ with the Senator. It seems to me we ought to have the bill passed, if the Senate wants to pass it, and then proceed to the consideration of whatever else may come before the Senate.

Mr. PLATT. I move that the bill be postponed until the next session of the Senate.

The VICE-PRESIDENT. The Senator from Connecticut moves to postpone the pending bill until next session.

Mr. PETTIGREW. Pending that motion, I move that the Senate proceed to the consideration of executive business.

Mr. HILL. What is the motion now?

The VICE-PRESIDENT. Pending the motion of the Senator from Connecticut, the Senator from South Dakota moves that the Senate proceed to the consideration of executive business.

Mr. HILL. I hope that will be voted down at present. Later on we can have an executive session.

The VICE-PRESIDENT. The question is on the motion of the Senator from South Dakota.

The motion was not agreed to.

The VICE-PRESIDENT. The question recurs on the motion of the Senator from Connecticut, that the pending bill be postponed until the next session.

Mr. PLATT. I ask for a division.

The Senate proceeded to divide; and there was—aye 1.

Mr. PASCO. I hope the Senator from Connecticut will withdraw his call.

Mr. HARRIS. Does the Senator from Connecticut demand a further count? It will bring results, if it come.

Mr. PLATT. It is not my fault.

Mr. HARRIS. I am not fixing any fault on anybody. I am simply stating a fact.

The noes were 30.

The VICE-PRESIDENT. No quorum has voted. The Secretary will call the roll.

Mr. HARRIS. That is the result, necessarily.

The Secretary called the roll; and, after a little delay, the following Senators answered to their names:

Allen,	Cullom,	McBride,	Sherman,
Allison,	Daniel,	Mills,	Smith,
Bacon,	Davis,	Mitchell, Oreg.	Stewart,
Bate,	Faulkner,	Mitchell, Wis.	Teller,
Berry,	Gallinger,	Morgan,	Turpie,
Blackburn,	Gibson,	Morrill,	Vest.
Blanchard,	Hale,	Nelson,	Walthall,
Butler,	Harris,	Pasco,	Warren,
Cannon,	Hawley,	Peffer,	Wetmore.
Chilton,	Hill,	Pettigrew,	
Clark,	Jones, Ark.	Platt,	
Cockrell,	Lindsay,	Pugh,	

The VICE-PRESIDENT. Forty-five Senators have answered to their names. A quorum is present.

Mr. PETTIGREW. I move that the Senate proceed to the consideration of executive business.

Mr. HILL. I hope that motion will not prevail at present, until this bill is disposed of.

Mr. PETTIGREW. I wish to say that I do not make the motion for the purpose of hindering the passage of the pending bill. I think, perhaps, if we should go into executive session it might facilitate the passage of the bill.

Mr. HAWLEY. An executive session for a few minutes.

Mr. PETTIGREW. For a very few moments only.

The VICE-PRESIDENT. The question is on the motion of the Senator from South Dakota, that the Senate proceed to the consideration of executive business.

The motion was not agreed to.

The VICE-PRESIDENT. The question recurs on the amendment submitted by the Senator from North Carolina [Mr. BUTLER] as modified by the amendment submitted by the Senator from Utah [Mr. CANNON].

Mr. PLATT. What has become of the motion to postpone?

The VICE-PRESIDENT. The Chair will entertain that motion. The Chair inadvertently overlooked the motion of the Senator from Connecticut.

Mr. PLATT. I made a motion to postpone. A division was taken, and no quorum appeared. Now a quorum is present.

The VICE-PRESIDENT. The Chair will put the motion. At the time it was developed that there was no quorum present the Senate was dividing. A division had been called for. Senators opposed to the motion to postpone the bill until the first Monday in December will rise and stand until they are counted.

Mr. PLATT. I have no desire to embarrass the proceedings of the Senate. If I may do so, I will withdraw the call for a division.

The VICE-PRESIDENT. Is there objection? The Chair hears

none, and it is so ordered. The question recurs upon the amendment of the Senator from North Carolina as modified by the amendment of the Senator from Utah.

Mr. PEFFER. What is the present status of the amendment?

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to amend the bill by striking out, in line 18 of section 4, the words "in its discretion," and, in line 19, by striking out the word "may" and inserting the word "shall"; so as to read:

But such trial shall be by the court, or, upon application of the accused, a trial by jury shall be had as in any criminal case.

The amendment was agreed to.

Mr. ALLEN. I desire to withdraw the amendment I offered to the bill on yesterday.

The VICE-PRESIDENT. The amendment submitted by the Senator from Nebraska is withdrawn.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. PLATT. I protest against the passage of an important bill in this way. I ask that the vote be put.

The VICE-PRESIDENT. The Chair submits to the Senate the question on the passage of the bill. Shall the bill pass?

The bill was passed.

ORDER OF BUSINESS.

Mr. MITCHELL of Oregon. I move that the Senate proceed to the consideration of House joint resolution 190, relating to the reorganization of the Northern Pacific Railroad Company.

Mr. PETTIGREW. I move that the Senate proceed to the consideration of executive business.

Mr. MITCHELL of Oregon. I hope not until I get the joint resolution up. Then I shall have no objection.

Mr. TURPIE. I appeal to the Senator from Oregon to allow me to call up a pension bill on which a vote was taken yesterday.

Mr. MITCHELL of Oregon. I yield to the Senator from Indiana to call up a pension bill.

Mr. TURPIE. I ask the unanimous consent to take up the bill (H. R. 1094) granting a pension to Francis E. Hoover.

Mr. MITCHELL of Oregon. That is a veto case.

Mr. TURPIE. Yes, sir.

Mr. MITCHELL of Oregon. I hope the Senator will allow me to make an effort to get up the joint resolution referred to by me first. Then I will yield.

Mr. TURPIE. I appeal to the Senator to allow the roll to be called on this bill. It is the only way it can be passed. There is a quorum now present.

Mr. MITCHELL of Oregon. Very well. With the understanding that I shall not lose the floor I yield to the Senator from Indiana for that purpose.

Mr. TURPIE. I ask that the vote be taken upon the bill indicated by me.

FRANCIS E. HOOVER—VETO MESSAGE.

The Senate proceeded to reconsider the bill (H. R. 1094) granting a pension to Francis E. Hoover.

The VICE-PRESIDENT. The Chair will state that the bill has been read, likewise the message of the President, and the action of the other House thereon. The question is, Shall the bill pass, the objections of the President to the contrary notwithstanding? The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BATE (when his name was called). I am paired with the Senator from Utah [Mr. BROWN]. He gave me the privilege, if I saw fit, to vote, but I do not know how he would vote. It is a matter of some importance. If I had the right to vote, I should vote "nay." ["Vote."] I will record my vote in the negative.

Mr. BLANCHARD (when his name was called). I am paired with the Senator from North Carolina [Mr. PRITCHARD].

Mr. BUTLER. I will state to the Senator from Louisiana that my colleague [Mr. PRITCHARD], if present, would vote to pass the bill over the President's veto. So the Senator is at liberty to vote on the bill if he desires.

Mr. BLANCHARD. Then, with that statement from the Senator from North Carolina in behalf of his colleague, I will vote. I vote "yea."

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY]. Under the circumstances I will take the liberty of voting. I vote "yea."

Mr. MITCHELL of Wisconsin (when his name was called). I am paired with the Senator from New Jersey [Mr. SEWELL], but I have reserved the right to vote to make a quorum. I vote "yea."

Mr. PASCO (when his name was called). I am paired with the Senator from Washington [Mr. WILSON].

Mr. PUGH (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. HOAR]. I reserved the right to vote to make a quorum. For that purpose I vote "yea."

The roll call was concluded.

Mr. BLACKBURN. I am paired with the senior Senator from Michigan [Mr. MCMILLAN], but I will vote to make a quorum. I vote "nay."

Mr. PASCO. I have authority to vote in order to make a quorum. I understand that my vote is needed for that purpose, and I vote "nay."

The result was announced—yeas 36, nays 9; as follows:

YEAS—36.

Allen,	Cullom,	Jones, Ark.	Platt,
Allison,	Daniel,	McBride,	Pugh,
Bacon,	Davis,	Mitchell, Oreg.	Sherman,
Blanchard,	Dubois,	Mitchell, Wis.	Smith,
Butler,	Faulkner,	Morgan,	Stewart,
Cannon,	Gallinger,	Morrill,	Teller,
Chilton,	Gibson,	Nelson,	Turpie,
Clark,	Hawley,	Peffer,	Warren,
Cockrell,	Hill,	Pettigrew,	Wetmore.

NAYS—9.

Bate,	Harris,	Mills,	Vest,
Berry,	Lindsay,	Pasco,	Walthall.
Blackburn,			

NOT VOTING—44.

Aldrich,	Frye,	Kyle,	Roach,
Baker,	Gear,	Lodge,	Sewell,
Brice,	George,	McMillan,	Shoup,
Brown,	Gordon,	Mantle,	Squire,
Burrows,	Gorman,	Martin,	Thurston,
Caffery,	Gray,	Murphy,	Tillman,
Call,	Hale,	Palmer,	Vilas,
Cameron,	Hansbrough,	Perkins,	Voorhees,
Carter,	Hoar,	Pritchard,	White,
Chandler,	Irby,	Proctor,	Wilson,
Elkins,	Jones, Nev.	Quay,	Wolcott.

So the bill was passed (two-thirds of the Senators present voting in the affirmative).

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House insists upon its disagreement to the amendment of the Senate numbered 2 to the bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for the expenses of the House of Representatives, and for other purposes, for the fiscal year 1896, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CANNON, Mr. HAINER of Nebraska, and Mr. SAYERS managers at the conference on the part of the House.

The message also announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 1256) for the relief of Henry A. Webb;

A bill (H. R. 4538) for the relief of John Keefe;

A bill (H. R. 5482) authorizing the Cleveland Bridge Company to construct a bridge across the Arkansas River between Pawnee County, Okla., and the Osage Indian Reservation;

A bill (H. R. 8321) to authorize the county of St. Louis, in the State of Minnesota, to build or authorize the building of a foot and wagon bridge across the St. Louis River between Minnesota and Wisconsin, at a point near Fond du Lac, in said State of Minnesota;

An act (H. R. 8433) to amend section 4878 of the Revised Statutes, relating to burials in national cemeteries;

A bill (H. R. 9149) to regulate the establishment of submarine telegraphic cable lines or systems in the United States;

A bill (H. R. 119) to protect and administer public forest reservations;

A bill (H. R. 9226) to change the time and places for the district and circuit courts of the northern district of Texas;

A bill (H. R. 9447) to amend section 1 of "An act to amend an act entitled 'An act authorizing the Postmaster-General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty,'" approved May 9, 1888; and

A joint resolution (H. Res. 194) extending the scope of the investigations by the Agricultural Department in the matter of the improvement of the public roads.

NORTHERN PACIFIC RAILROAD.

Mr. MITCHELL of Oregon. I ask the Senate to proceed to the consideration of House joint resolution 190, relating to the reorganization of the Northern Pacific Railroad Company.

The joint resolution (H. Res. 190) to facilitate the reorganization of the Northern Pacific Railroad Company, to secure to actual settlers the right to purchase at a price not exceeding $2.50 per acre the agricultural lands within its grant, and to prohibit said company or any successor company from giving by consolidation, sale, or other corporate action control of its railroad to any corporation, company, person, or association of persons owning, operating, or controlling a parallel or competing railroad was read the second time by its title.

Mr. PEFFER. I think the joint resolution is a measure altogether too important to be considered——

Mr. MITCHELL of Oregon. Debate is not in order, I believe.

The VICE-PRESIDENT. Debate is not in order except by unanimous consent.

Mr. PEFFER. I object to the consideration of the joint resolution at this time.

The VICE-PRESIDENT. The joint resolution has been read the second time.

Mr. ALLEN. I rise to a parliamentary inquiry.

The VICE-PRESIDENT. The Chair will state the status of the joint resolution. It has been read the second time, and will be placed on the Calendar.

Mr. ALLEN. I was going to state that yesterday when the joint resolution was read the Senator from Texas [Mr. MILLS] objected to a second reading.

Mr. MILLS. That is correct. The joint resolution takes its second reading to-day.

Mr. MITCHELL of Oregon. I understood that the joint resolution was read the first and second time yesterday.

Mr. JONES of Arkansas. No; it was not.

Mr. ALLEN. A distinct objection was made yesterday to its second reading.

Mr. MILLS. That is correct. So the joint resolution takes its second reading to-day.

Mr. MITCHELL of Oregon. My motion would be in order all the same, I take it. It had to be read the second time, even admitting all that is said to be true, before it could be taken up. Consequently my motion must necessarily be in order.

The VICE-PRESIDENT. The Chair will submit to the Senate the motion of the Senator from Oregon that the Senate proceed to the consideration of the joint resolution. [Putting the question.] The noes appear to have it.

Mr. MITCHELL of Oregon. I call for the yeas and nays.

The yeas and nays were not ordered.

The VICE-PRESIDENT. The motion is lost.

BUREAU OF ANIMAL INDUSTRY.

Mr. WARREN. I move that the Senate proceed to the consideration of the bill (S. 1147) for the establishment of a bureau of animal industry for the inspection of meat products and live stock, suppression and extirpation of contagious and infectious diseases among cattle and live stock, to regulate the transportation of cattle and live stock and prevent the exportation or importation of diseased cattle, live stock, or other animals, and for other purposes.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Wyoming to proceed to the consideration of the bill indicated. [Putting the question.] The noes seem to have it.

Mr. WARREN. I ask for the yeas and nays.

Mr. CULLOM. If I may be allowed to say a word, I am inclined to think there will be no opposition to the bill. It is a very important one, affecting the cattle interests of the country, and I think we can do no better than to consider it while we are here anyway.

Mr. WARREN. I desire to say that I do not wish to discuss the bill to any length. Of course if it leads to extended debate I do not propose to detain the Senate. I have before me a very urgent letter from the Secretary of Agriculture indicating his desire that the bill shall be passed as soon as possible. With the permission of the Senate, I ask that the letter may be read at the desk.

The VICE-PRESIDENT. Without objection, the letter will be read.

The Secretary read as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., June 3, 1896.

DEAR SENATOR: Permit me to remind you that S. 1147, revising the laws under which the Bureau of Animal Industry is working, has not yet been acted upon by the Senate. The condition of the present law makes it very embarrassing for this Department to proceed, as it has been found impossible to inspect all of the exported beef in accordance with the requirements of the present statute. To undertake to enforce this law will destroy the business of many small exporters, and throw the trade entirely into the hands of a few large concerns. If the bill as reported by your committee could be passed it would permit inspection where this is required, and allow the exportation of uninspected meats to countries which are willing to receive it.

Considering the interests involved, and the fact that no serious objection has been raised to this bill, would it not be possible to secure action upon it before adjournment?

Very respectfully, J. STERLING MORTON, *Secretary.*

Hon. REDFIELD PROCTOR,
Chairman Committee on Agriculture and Forestry,
United States Senate.

Mr. WARREN. If I may be permitted, I wish to say that in the Agricultural appropriation act for the fiscal year 1896 a provision was inserted that has not been carried out. The Secretary of Agriculture issued rules according to law, and later on he was compelled to issue an order suspending the operation of those rules, which was really suspending the law. That suspension held good until last March. Then, in the absence of legislation by Congress in the meantime, the Secretary renewed the suspension order, and it holds good until July 1.

I submit to the Senate that we ought not to leave the Agricultural Department hanging in the air in this way. We ought at least to give the moral support that the passage of the bill through this body will give, and I feel quite sure that if it passes here it can pass the other House. The bill takes up the four or five enactments bearing upon this question, smoothes off the rough points of former legislation, puts in the missing links, and makes one measure in a reenactment that can be understood alike by lawyer and layman.

As I said, if the bill should only pass the Senate, it would give the Department of Agriculture moral support that will enable it to provide for the exportation of meat and meat products without each shipload being unduly delayed for inspection. Under the law to-day no clearance can be granted to a vessel on which are cured meats, canned beef, or any product of meat, unless it has a certificate that the live stock from which it was made was inspected upon the hoof. There has not been sufficient appropriations to carry out such an inspection. It has not yet been inaugurated at every abattoir and every slaughterhouse, and it can not be for some time; and the consequence is that we are proceeding contrary to and in the face of the law. It seems to me the bill should be read, and if there is anything in the bill that is wrong we can amend it. If its consideration brings forth honest criticism and opposition which defeats the bill, my duty will have been done. It seems to me the bill should be taken up and considered.

The VICE-PRESIDENT. The Chair will again submit to the Senate the motion of the Senator from Wyoming to proceed to the consideration of the bill indicated. [Putting the question.] The ayes appear to have it.

Mr. MILLS. Let us have the yeas and nays.

The yeas and nays were not ordered.

Mr. MILLS. I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Daniel,	McBride,	Sherman,
Allison,	Davis,	Mills,	Smith,
Bate,	Dubois,	Mitchell, Oreg.	Stewart,
Berry,	Faulkner,	Mitchell, Wis.	Teller,
Blackburn,	Gallinger,	Morgan,	Turpie,
Blanchard,	Gibson,	Morrill,	Vest,
Butler,	Hale,	Nelson,	Walthall,
Cannon,	Harris,	Pasco,	Warren,
Chilton,	Hawley,	Peffer,	Wetmore.
Clark,	Hill,	Pettigrew,	
Cockrell,	Jones, Ark.	Platt,	
Cullom,	Lindsay,	Pugh,	

The VICE-PRESIDENT. Forty-five Senators have answered to their names. A quorum is present.

Mr. PETTIGREW. I move that the Senate proceed to the consideration of executive business.

Mr. WARREN. I understand a roll call has been ordered upon the pending measure.

Mr. PETTIGREW. No; the yeas and nays were refused.

The VICE-PRESIDENT. The question was raised by the Senator from Texas that no quorum was present. A quorum is present, and the Senator from South Dakota moves that the Senate proceed to the consideration of executive business. That motion the Chair is compelled to entertain. The question is on agreeing to the motion of the Senator from South Dakota.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

Mr. WARREN. I should like to ask what is the parliamentary condition of Senate bill 1147? I understood the Chair to declare that it was before the Senate when the attention of the Chair was called to the absence of a quorum.

The VICE-PRESIDENT. The Chair will answer the inquiry of the Senator from Wyoming. The Chair submitted the motion of the Senator from Wyoming. The motion carried apparently. A demand was made by the Senator from Texas [Mr. MILLS] for the yeas and nays. The Chair called upon those in favor of taking a vote by yeas and nays to rise. Only four Senators rose. At that moment the Senator from Texas made the point of order that there was no quorum present. That was the condition at the time the roll was called.

Mr. MILLS. The question, then, is pending, to proceed to the consideration of the bill?

The VICE-PRESIDENT. That is correct. The Senator from Wyoming desires to make a statement, and by unanimous consent the Chair will hear him.

Mr. WARREN. Mr. President, I simply desire to say that while at another time I should feel entitled to a call of the yeas and nays and to further press this bill, there has been so much opposition to the bill developed upon the other side of the Chamber, that I am convinced that they do not propose to let the bill pass

at this time, nor even be considered; and I therefore withdraw all efforts to get the bill before the Senate, because it is well understood we can not develop a quorum in voting upon the measure when it is within the power of any one or two opposing Senators to break a quorum in the present thin condition of the Senate.

FRAUDULENT BOTTLING OF LIQUORS.

Mr. VEST. I move that the Senate proceed to the consideration of the bill (H. R. 4580) to amend section 3449 of the Revised Statutes of the United States.

The motion was agreed to.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. TELLER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 5210) "making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 100, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, and 191; and agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 99, and agree to the same with an amendment as follows: In lieu of the matter inserted by said House amendment insert the following: ": *Provided*, That the Commissioners of the District of Columbia may, under such reasonable restrictions as they may prescribe, authorize any existing electric light company having overhead wires to maintain and use for a period of eight months, and no longer, its existing poles and overhead wires west of Rock Creek, in places outside of the existing fire limits of the city of Washington and of the District of Columbia; and any such overhead wire system may be extended west of Rock Creek and outside of said fire limits, to continue only for the said period of eight months; and at the end of said period all right or authority hereby conferred shall cease. And the said Commissioners may also authorize any such existing electric light company to construct and use, under such regulations as the Commissioners may fix, conduits for the reception of existing overhead wires within the territory formerly known as Georgetown, and to extend the same by an aggregate of not more than 1¼ miles of conduit in the same territory. And the United States Electric Lighting Company may extend its underground conduits and wires east of Rock Creek, and within the said fire limits, to Mount Pleasant and Washington and Columbia Heights, under such regulations as the Commissioners of the District of Columbia may prescribe"; and the House agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 193, and agree to the same with an amendment as follows: Strike out all after the word "dollars," in line 3, down to and including the word "denomination," in line 6 of said amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 194, and agree to the same with an amendment as follows: On page 40, after line 19 of the bill, insert as a separate paragraph, before amendment numbered 195, the following:

"And it is hereby declared to be the policy of the Government of the United States to make no appropriation of money or property for the purpose of founding, maintaining, or aiding by payment for services, expenses, or otherwise any church or religious denomination or any institution or society which is under sectarian or ecclesiastical control. And it is hereby enacted that from and after the 30th day of June, 1897, no money appropriated for charitable purposes in the District of Columbia shall be paid to any church or religious denomination or to any institution or society which is under sectarian or ecclesiastical control."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 195, and agree to the same with an amendment as follows: In line 15 of said amendment, after the word "denomination," insert: "Or any institution or society which is under sectarian or ecclesiastical control." After the word "extent," in line 22 of said amendment, insert: "Within the limits of the policy hereinbefore declared, and if not, the probable expense of providing and maintaining public institutions for such purpose." Strike out lines 28 to 33, inclusive, of said amendment, and insert in lieu thereof the following: "Said committee is authorized to sit during the recess, and the necessary expenses of the committee, including clerical and stenographic work, shall be paid out of the contingent fund of the Senate and House of Representatives, jointly, on the certificate of the chairman of the committee"; and the Senate agree to the same.

H. M. TELLER,
W. B. ALLISON,
F. M. COCKRELL,
Managers on the part of the Senate.
WILLIAM W. GROUT,
MAHLON PITNEY,
ALEXANDER M. DOCKERY,
Managers on the part of the House.

The VICE-PRESIDENT. The question is on concurring in the report.

Mr. VEST. I wish to say a word before the vote is taken. I will never agree to one portion of the conference report. I shall make no factious opposition, and if a majority of the Senate favor it, as a matter of course at this late stage in the session I shall not arrogate to myself more knowledge and patriotism than all the Senate combined, nor would I delay public business or the adjournment of the Senate if I were able to do so.

But I want to say that that provision, which will be construed hereafter to be a contract on the part of all of us who accede to it, that under no circumstances after the 30th of June, 1897, shall there be any appropriations for any hospital or to any asylum or to any eleemosynary institution of any sort which is under the control or connected with any church—this agreement, as I say, this provision, which will be construed as a contract, is to my mind absolutely inhuman, or may be so. For instance, here is an eleemosynary institution in this District of Columbia, under the control of a Protestant or a Catholic church, for orphan children or for incurables or for the sick and maimed. In the vicissitudes of fortune that church may be utterly unable within six or twelve or eighteen months or two years from now to take care of the inmates. Is Congress to be told then that we have entered into a legislative contract not to assist that institution?

Take an orphan asylum, which I have now in my mind's eye, with 100 little orphan boys picked up here in the streets, without mother or father, who are under the charge of some Sisters of Charity. They would be left to the jails, to the penitentiaries, to the slums, and alleys of this city but for the Christian charity of these pure women. Now, suppose that two years from this time these women or that church, if they are under the control of a church—for the sake of argument I will concede it—are absolutely unable to take care of those 100 little boys? Are they to be turned out? Are they to starve and become criminals?

Take the Providence Hospital here, where the Sisters of Charity are ministering angels to the sick and the maimed. Suppose that in two years they are unable to take care of the people within their doors, are we to allow these poor, sick, unfortunate people to be turned out; and then, if we undertake to give them a pittance out of the public Treasury, are we to be told, "Here is a legislative contract; you can not help them; you have agreed that after the 30th of June, 1897, under no state of case shall you give a dollar"?

Mr. President, I shall not be forced into any such legislation.

Mr. SHERMAN. I should like to ask the Senator if such a stipulation made by this Congress can have any binding force whatever upon a subsequent Congress?

Mr. VEST. I grant that we can hereafter repeal any act of Congress.

Mr. SHERMAN. We can repeal any action, or we can make an appropriation, if we desire, without repealing it.

Mr. VEST. But I commend to the Senator his own argument, made so repeatedly here, as to the parity of the two metals, which was put into the Sherman law, and repeated afterwards when we repealed the purchasing clause of the Sherman law. I have heard him contend again and again that that parity was in the nature of a solemn contract with the creditors of this Government, which we were bound to sustain.

Mr. SHERMAN. In dealing with a question of loans and bonds, etc., I have no doubt that a stipulation of that kind would be binding in public honor, but a mere declaration that Congress will not two years hence contribute to these charities is not worth the paper upon which it is written. If any of us are here then we shall violate it undoubtedly.

Mr. VEST. Then I understand the Senator thinks it is a mere brutum fulmen—that it amounts to nothing.

Mr. SHERMAN. We are using it merely as a way of getting out of a dilemma, and the chairman of the committee so asserts.

Mr. HILL. It is a stump speech.

Mr. VEST. It is worse than a stump speech, because it is impressing the country at large with the idea that we have succumbed to this religious clamor that has been raised and that we have satisfied public sentiment, when we amuse ourselves and wink at each other and say, "Of course we do not mean it; it goes for nothing; it is a pious fraud." Some people out in my country would call it a lie, but I shall not use that unparliamentary language. In other words, as they say out in "the wild and woolly West," "it don't go" when you come to put it in operation. I do not believe in that sort of legislation. I do not believe that we should put something here into an act which either amounts to nothing or which, if we keep it in and execute it, would be absolutely inhuman. I do not propose that any amount of clamor shall drive me into such a thing as that. I shall not stand here and make a factious opposition at all, but I want to put on record my objection to being bound by any such provision as that.

Mr. TELLER. Mr. President, I suppose it will be in the power of the next Congress without any question to act on the judgment of the Congress. I want to say for myself that while I have acceded to this report, I believe, as general principle, it is better that the Government of the United States, when it dispenses charity, should keep control of it and pay it out, although I do not say that I should not use these charitable agencies sometimes, for I would, and, so thinking, I shall feel for myself always, without reference to this provision or any other, justified in voting as the case presented seems to demand.

I want to say to the Senator from Missouri that I do not believe, and it was not the idea on the part of the Senate committee of conference, that we were deceiving the public nor responding to a public sentiment. I do not believe that there is a sentiment amongst the people of the United States that requires that we should withhold the charity of this Government from proper agencies because they may be considered and treated as sectarian. I think this question stands upon entirely different grounds from what the school question does, which has so agitated the public mind.

I want to say to the Senator who objects that we found ourselves in a condition where we either had to prolong, apparently

indefinitely, this session, or we had to agree to something of this character, and we have agreed to it under the stress of circumstances and conditions in which we found ourselves. For myself, I do not understand that by so doing I assert that under no circumstances shall I vote for charities of this kind.

The VICE-PRESIDENT. The question is upon concurring in the conference report.

The report was concurred in.

WILLIAM H. SCOFIELD AND OTHERS.

Mr. HILL. Mr. President, I hope the Senator from Missouri will permit me to call up a bill which came from the House of Representatives a few moments ago, so that I may dispose of it. I am not going to make any factious opposition to his bill.

Mr. VEST. I yield for that purpose.

Mr. HILL. I ask unanimous consent that House bill 7338, which just came over from the House of Representatives, may be laid before the Senate.

The bill (H. R. 7338) for the relief of William H. Scofield, Jacob Brady, James Ketcham, Annie Booth, as administratrix of the goods, chattels, and credits of George W. Booth, deceased; Wilson P. Dillar, Ezra L. Waterhouse, Moses C. Bell, George W. Byles, and George A. Scofield, was read twice by its title.

Mr. HILL. Mr. President, this bill has passed the other House, and a similar bill has been reported from the Judiciary Committee of the Senate and is now upon the Calendar. I simply desire to have the House bill now disposed of.

Mr. SHERMAN. What is the amount involved?

Mr. HILL. About $2,000.

Mr. SHERMAN. It is rather a dangerous precedent to set to discharge sureties on a bond. We have had one or two examples of that kind, and we should be extremely careful in releasing sureties.

Mr. HILL. The House report contains the facts in full.

Mr. SHERMAN. I should like to have the report read. If there are any special circumstances to justify the passage of the bill they ought to be stated.

Mr. HILL. The special circumstances are these, if the Senator will indulge me a moment: The statute requires that when any deficiency occurs in the accounts of a postmaster the Government should notify the sureties, and it should be done in thirty days. It was not done in this instance. A bond was given under which the liability was incurred. Subsequently, without notice to the sureties of the deficiency, a new bond was required and given. The committee held very properly that the sureties had no knowledge of this defalcation, no knowledge of a deficiency in any way, and supposed the accounts were all right. That was the reason the sureties gave the second bond. Under those circumstances it was deemed that the Government ought to relieve them from the last bond and hold them to the other; and that is the occasion for the relief. The very highest equity requires that they should be relieved.

Mr. SHERMAN. From what committee of the Senate has the bill been reported?

Mr. HILL. A similar bill has been reported from the Committees on the Judiciary of both Houses, and this bill has passed the House of Representatives. The other bill is here awaiting action.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill; which was read.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The VICE-PRESIDENT. In the absence of objection, Senate bill 3229, on the same subject, will be indefinitely postponed.

ST. LOUIS RIVER BRIDGE.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 8321) to authorize the county of St. Louis, in the State of Minnesota, to build or authorize the building of a foot and wagon bridge across the St. Louis River between Minnesota and Wisconsin, at a point near Fond du Lac, in said State of Minnesota; which was read twice by its title.

Mr. NELSON. I ask unanimous consent for the consideration of that bill at this time. The bill has been referred to the War Department and meets with the approval of the Department, and it has also been referred to the Committee on Commerce.

Mr. VEST. I should like very much to proceed with the consideration of House bill 4580, which has been interrupted by other matters.

The VICE-PRESIDENT. The Chair will recognize the Senator from Minnesota subsequently.

Mr. VEST. The Senator can call his bill up after the revenue bill is disposed of. I have had such extraordinarily bad luck with the bill that I should like to get rid of it.

DEFICIENCIES IN APPROPRIATIONS.

Mr. HALE. I submit a privileged report, which will take but a moment.

The VICE-PRESIDENT. The report will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 2 to the bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for expenses of the House of Representatives, and for other purposes, for the fiscal year ending June 30, 1896, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 2.

EUGENE HALE,
W. B. ALLISON,
F. M. COCKRELL,
Managers on the part of the Senate.

J. G. CANNON,
JOSEPH D. SAYERS,
Managers on the part of the House.

The VICE-PRESIDENT. The question is on concurring in the report of the committee of conference.

The report was concurred in.

FRAUDULENT BOTTLING OF LIQUORS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4580) to amend section 3449 of the Revised Statutes of the United States.

Mr. VEST. The bill was heretofore read for information; the amendment of the committee was adopted, and the hour of 2 o'clock having arrived, the consideration of the bill was suspended.

Mr. BATE. I should like to have the bill read, as well as the amendment upon which we are to act.

The VICE-PRESIDENT. The bill will be read and the amendment will be stated.

The bill was read.

The SECRETARY. Mr. HILL proposes to amend the bill, in line 14, page 2, by striking out the word "and" and inserting the word "or"; so as to read:

Or to be imprisoned, etc.

Mr. HILL. Mr. President, I do not think this proposed legislation is wise, nor do I take much stock in the original statute which this bill proposes to amend, and which I shall read. It is section 3449 of the Revised Statutes:

Whenever any person ships, transports, or removes any spirituous or fermented liquors or wines under any other than the proper name or brand known to the trade as designating the kind and quality of the contents of the casks or packages containing the same, or causes such act to be done, he shall forfeit said liquors or wines, and casks or packages, and be subject to pay a fine of $500.

Mr. President, I think this statute was unnecessary for any purposes of the collection of revenue. Of course, if a person stamps a keg "lager beer" when it contains wine or liquor, that would be a transparent fraud, although he might pay the amount of the tax correctly. But it will be seen that this original statute says that there must not be stamped "any other than the proper name or brand known to the trade as designating the kind and quality of the contents of the bottles, casks, or other packages containing the same."

Mr. MILLS. Will the Senator from New York yield to me to ask for the passage of a bill?

Mr. HILL. The Senator from Missouri has charge of the pending bill.

The VICE-PRESIDENT. The Senator from New York is recognized.

Mr. HILL. The question arose under this statute as to what was meant by the phrase, "other than the proper name or brand known to the trade as designating the kind and quality of the contents of the bottles, casks, or other packages containing the same." The question will arise as to whether one of these packages marked "Old Holland Gin" is properly branded, although the gin is manufactured in this country and although that was a trade-mark which the party had been using for years and years. Is it to be said because he continues the use of that old phrase, "Old Holland Gin," it is necessarily a false statement, and that it necessarily would be implied that it was made in Holland or Old Holland? Questions of that kind arose under this statute, and some prosecutions have been had, more, I think, in the interest of opposition dealers than in the true interests of the Treasury.

Now it is proposed to amend this statute, which I think was in its full extent of doubtful propriety in the outset, by not only making the party pay a fine of $500, as the existing law provides, but also that he shall be imprisoned for six months for the first offense—that he shall pay a fine of $500 and also be imprisoned for six months; so that in case a man continues the use of these old trade-marks, which may be strictly held to imply something different from what the article actually is, he is not simply to be fined but is absolutely to be imprisoned for the first offense. I think that is pretty harsh. In the first place, the question will arise as to the extent of the power of this Government thus to make what are essentially police regulations.

This is not in consonance with the other revenue laws of the nation. Nearly all of them provide simply for fines. This is not to punish smuggling or defrauding the Government. For instance,

take an illustration. Assume that there was a tax upon brussels carpet, which a man must pay, and the statute requires him to use the correct name. Formerly brussels carpet came from Brussels and was exclusively manufactured there. Now brussels carpet is manufactured in this country; but it retains its name and designation. So there is an article called Schiedam schnapps, whatever that is. That is made here, and yet it might be implied from the name that it was something which came from abroad. A question will arise under this statute, as it has arisen before, as to whether a person can be prosecuted under it. The trade-mark protected him; but this statute it is proposed to amend by providing imprisonment for the first offense. The report of the House committee on this bill says:

The Internal Revenue Office reports that the existing statute is inadequate to meet and correct the gross and extensive frauds perpetrated upon the public and upon the revenue by persons engaged in the sale of a great variety of spirituous, vinous, and malt liquors under false and fraudulent brands. To illustrate, but without going into details, the Commissioner of Internal Revenue reports that in many districts lager beer is found upon the market under such names as "hop tea" and "ambrosia," as well as other false designations.

Of course where lager beer is in kegs and is marked "hop tea" and "ambrosia," that is a palpable fraud; and I do not suppose any sort of imprisonment would be objectionable in such cases. But the original statute was broad; and while the committee in reporting this bill have added the words "knowingly and willfully," that language does not tone down the thing much, because the Senate committee have made this amendment to the bill, or the House committee, I do not know which.

Mr. PLATT. The Senate committee reported that amendment.

Mr. VEST. Yes; that was reported by the Senate committee.

Mr. HILL. The Senate committee reported the amendment. The committee realized the fact that it was pretty harsh to condemn a party upon the first offense to imprisonment; and in order to mitigate the situation they have added the words "knowingly and willfully," so that anyone who knowingly and willfully sells or keeps on hand for sale or removes packages that do not contain the proper name of the liquor, etc., shall be liable to the penalty. That does not cover the case I have mentioned. Of course when a person sells Old London gin he does it knowingly and does it willfully, and he claims the right to do it under his own trade-marks which have existed for years. The prosecution under the statute is based upon the idea that in some way or other that is not the proper name of the liquor because it may imply that it was a foreign production.

This bill strikes me as more in the interest of opposition dealers than as a bona fide bill for the protection of the Treasury; but it goes too far. I can not see why a fine should not be a sufficient punishment for the first offense, instead of six months' imprisonment. The reason I make that statement is not that I want to justify persons in evading the statute, but there are delicate legal questions arising and have arisen before, after the original act was passed. It is said that when persons are convicted they will pay the fine promptly. Where a man has had these old trade-marks for years and years people are willing to buy his goods, no matter by what name they are called.

I see no particular benefit to be derived to the public Treasury by the enactment of this bill. I think it will absolutely prevent respectable dealers in New York, St. Louis, Chicago, Milwaukee, and all over the country from raising the question which would arise under these cases, when they will have to go to prison if beaten upon the technical point. That is the reason I object to it. That is the reason that I suggest, with the consent of my friend from Missouri, that it should be left discretionary with the judge as to whether the first offense should be absolutely punished by imprisonment. Prosecution is made, say, against a client of mine upon the ground that some of the articles contained in kegs do not absolutely express the proper names—in other words, might import that they were produced abroad, and I illustrated by "Old Holland Gin" and the other names they have for these and other articles. It has been suggested on my left that the "lager beer" originally came from Germany and that would imply that all lager beer was made abroad. I do not think the bill is correct, and that is all I have to say about it.

Mr. VEST. Mr. President, this bill was drawn by the Commissioner of Internal Revenue and urged upon the committees of both branches of Congress. The Senator from New York says it is a bill which was intended to apply to the question of business of brands or trade-marks. The Internal Revenue Department disclaim anything of that sort, and they say the bill is intended simply to prevent frauds upon the revenue. For instance, the practice obtains of putting a brand or trade-mark upon fine brandies, which bear a duty of $1.80 a gallon, and the brand or trade-mark put upon it is "whisky," which would pay but $1.10 a gallon, making a difference of 70 cents in the tax. Under the old statute when these liquors were put up in bottles and a trade-mark was put upon them it was simply impossible to detect the fraud without opening the package, and when there is a large number of them it is almost impossible to do that.

It was also further found, according to the report of the internal-revenue officer, that the dealers in these goods were willing to pay the $500 fine on account of the enormous profits they made, and it was simply no obstacle at all to this fraud upon the revenue to impose a simple fine. Therefore, the Internal Revenue Department found it absolutely necessary to ask from Congress an amendment to the law so as to add the terror of personal imprisonment in order to prevent these fraudulent practices.

This proposed legislation does not stand upon the same footing as the oleomargarine or the filled-cheese law. My objection to that legislation was that it was the perversion of the taxing power of the Government for police purposes. But here there is no question about the power of the Government to put an excise tax upon liquors. Every civilized country derives a large portion of its revenue, and England derives the largest portion, from an excise tax upon liquors. The constitutional power of taxation unquestionably exists, and no court would say and no lawyer would contend that we did not have the right to pass auxiliary laws to make effective our unquestionable right to collect these excise taxes.

General WHEELER, a prominent member of the Committee on Ways and Means of the House, addressed me the following note:

I inclose you a copy of the House report on House bill 4580, which is an amendment to section 3449 of the Revised Statutes. I am informed that the bill was drawn by the Commissioner of Internal Revenue, and, as shown by the inclosed report, is necessary to protect the revenue.

Since the report was made I am informed on the authority of Mr. Brooks, the special agent of the internal revenue in New York, that he is unable to convict parties violating the existing law, for the reason that the word "bottles" is not included in the present law.

He says that a party arrested for illicit distillation admitted that he had filled 30,000 cases of illicit whisky and branded it at his pleasure gin, brandy, or whatever he desired. Thus not only depriving the United States of the internal-revenue tax, $1.10 per gallon, but also imposing these goods on the public as imported spirits, which should have paid $1.80 per gallon.

There is no matter of trade-mark involved in this, but simply an act to protect the revenue.

This states as clearly as I could possibly do it the object of this proposed law.

Mr. HILL. Take the instance I suggested of gin, old Holland gin. A man is entirely willing to pay the full amount of the tax; yet would it not be argued that that is not under the proper name or brand? The report says they want to reach cases where the implication is that they are imported when they are not imported. That is the object, it is said, that it is sought to accomplish now. I ask the Senator, in such case as that, would it not be claimed that that is the effect of the bill?

Mr. VEST. I admit that one might conjecture hard cases under this and every other revenue law, but we have amended the bill so that any jury must be satisfied that he knowingly and willfully did so. I opposed that amendment, to be frank about it, because I can hardly conceive of a case in which a conviction will ever be had with those words in the law. It is an unusual thing in revenue laws—in fact, it is the exception in this case—to put in the words "knowingly and willfully"; but a large majority of the committee disagreed with me and inserted the words, so that it would be impossible under the case put by the Senator from New York to secure a conviction.

Mr. HILL. If he does it knowingly he does it willfully; he does it because he claims he has a right to do it and he is willing to pay the full amount of the tax.

Mr. VEST. I do not suppose any court would hold in a case of that sort that it was done willfully. But, putting it in the broadest way, if a dealer in liquor deliberately and knowingly puts a trade-mark or brand upon a package or a bottle when he knows it is a falsehood he ought to be punished for it. He must have some object in doing it. He is not doing it for amusement. He is certainly doing it to commit a fraud.

Mr. JONES of Arkansas. And he perpetrates a fraud.

Mr. VEST. And he perpetrates a fraud. The public are entitled to know, when a brand is put on, that the brand or trade-mark properly represents the contents of the package.

Mr. HILL. That, of course, is all right enough where they attempt to substitute one kind of liquor for another kind—lager beer for ale, or ale for whisky, or whisky for brandy, or something of that kind. That is a proposition entirely different from the one I present.

Mr. VEST. Take the case that is mentioned by General WHEELER in this letter as coming from Mr. Brooks, the inspector. Here is a man who says he had 30,000 bottles, into which he put whisky and then put on the trade-mark of gin, brandy, and different sorts of imported foreign liquors. That was a clear violation of law.

Mr. HILL. It was a false statement, and if it is desired to punish a case of that kind—and it ought to be—a statute can be framed to cover it.

Mr. VEST. And this statute is intended to cover it. Under

the old statute he could not be convicted, because it was impossible to do so. This law is intended to cover a case where bottles are fraudulently used.

Mr. HILL. I do not object to that part of it.

Mr. VEST. That is one of the main objects of this proposed legislation. I ask for a vote, Mr. President.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from New York.

Mr. VEST. I hope the amendment will be rejected.

Mr. HILL. If hopes will carry it, Mr. President, I hope it will be adopted.

The amendment was rejected.

The bill was reported to the Senate as amended.

Mr. GALLINGER. Before the matter passes from the committee I should like to ask the Senator in charge of the bill if I understood him correctly to say that the bill was drawn and recommended by the Commissioner of Internal Revenue?

Mr. VEST. Yes, sir.

Mr. GALLINGER. I had intended to offer, and have had printed, an amendment to the bill comprising the text of a bill popularly known as the pure-food bill. I think it is much more important that the people of this country should have pure food than pure whisky or pure gin or pure brandy or any other intoxicating drink. I have been astounded that Congress has not before now passed that bill, which I will not now detain the Senate in having read, as I think it is of the utmost consequence to the people of this country. But I have no desire to obstruct the passage of the pending bill, upon the statement of the Senator from Missouri that the Commissioner of Internal Revenue desires it shall become a law. So I withhold my amendment, and trust that when the pure-food bill comes before the Senate, as I have no doubt it will during the term of the Senator from Missouri, he will interest himself to see that it becomes a law, as well as the bill in which he is now interested.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

COURTS IN TEXAS.

Mr. MILLS. I ask unanimous consent to take up the bill which has just come from the other House affecting courts in Texas. Nobody else is interested in it except Texas people.

There being no objection, the bill (H. R. 9226) to change the time and places for the district and circuit courts of the northern district of Texas was read the first time by its title and the second time at length, and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ST. LOUIS RIVER BRIDGE.

Mr. NELSON. I ask unanimous consent for the present consideration of House bill 8321.

There being no objection, the bill (H. R. 8321) to authorize the county of St. Louis, in the State of Minnesota, to build or authorize the building of a foot and wagon bridge across the St. Louis River between Minnesota and Wisconsin, at a point near Fond du Lac, in said State of Minnesota, was read the first time by its title and the second time at length, and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

POTOMAC RIVER BRIDGE.

Mr. DANIEL. I ask the unanimous consent of the Senate to consider the bill (S. 2775) to authorize the Herndon and Aldie Railroad to construct a bridge over the Potomac River at or below the Great Falls.

The Secretary read the bill, and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Commerce with amendments.

The first amendment was, in section 1, line 7, after the word "or," to strike out "below" and insert "near"; so as to make the section read:

That the Herndon and Aldie Railroad Company, a body incorporated under the laws of the State of Virginia, be, and is hereby, authorized and empowered to construct a bridge and approaches thereto across the Potomac River at a point at or near the Great Falls thereof.

The amendment was agreed to.

The next amendment was, in section 2, line 4, after the word "Company," to strike out "are" and insert "is"; in line 6, after the word "railroad," to strike out "with such conveniences aforesaid," and in line 8, after the word "feet," to insert "including slopes, culverts, and all appurtenances"; so as to make the section read:

That the said bridge may be constructed with a single or with double tracks, and may be provided with such conveniences as may be deemed necessary for railway traffic; and the said Herndon and Aldie Railroad Company is hereby granted the right of way, and may construct said railroad across the land reservation of the United States adjacent to said Great Falls, not exceeding in width 66 feet, including slopes, culverts, and all appurtenances.

The amendment was agreed to.

The next amendment was, in section 3, line 3, before the word "shall," to insert "its approaches and appurtenances"; in line 4, after the word "said," to strike out "structure" and insert "structures and their proposed location," and in line 8, after the word "approval," to strike out "and thereupon"; so as to read:

That the said Herndon and Aldie Railroad Company, before entering upon the construction of said bridge, its approaches, and appurtenances, shall submit to the Secretary of War plans and drawings of said structures and their proposed locations for his approval, and should he approve such plans and drawings he shall at once notify the officers of said Herndon and Aldie Railroad Company of such approval.

The amendment was agreed to.

The next amendment was, in section 3, line 8, after the word "approval," to insert:

That said company, before commencing work on said bridge, its approaches, or appurtenances, shall deposit with the Treasurer of the United States to the credit of the Washington Aqueduct the sum of $5,000, to defray all the expenses that may be incurred by the United States in connection with the inspection of the company's work on the lands of the United States, and any of the company's work that may affect the interests of the United States, and in making good any damages done by said company or its works to any work or land or other property of the United States, and in completing, as the Secretary of War may direct, any of the company's work that the said company may neglect or refuse to complete, and which the Secretary of War may consider necessary for the safety of the Washington Aqueduct and the works pertaining thereto, or for the proper care and preservation of its lands; and the said company or its successors shall also deposit as aforesaid such further sums for said purposes at such times as the Secretary of War shall direct. The said moneys shall be disbursed like other moneys appropriated for the Washington Aqueduct, and whatever shall remain of said deposits after the completion of the works for which they may be obtained shall be returned to said company with an account of the disbursements in detail. The disbursements of said deposits shall, except in case of emergency, be made only on the order of the Secretary of War.

The amendment was agreed to.

The next amendment was, in section 3, line 33, after the word "war," to insert:

Upon compliance with all of the preceding conditions the.

And in line 35, after the word "bridge," to insert "its approaches and appurtenances"; so as to read:

Upon compliance with all of the preceding conditions the said company may proceed to the erection of said bridge, it approaches and appurtenances.

The amendment was agreed to.

The next amendment was to add at the end of section 3:

During the construction and after the completion of said bridge, approaches, and appurtenances, the agents and employees of the company, when on the public lands of the United States in the vicinity, shall be subject to such regulations as may be approved by the Secretary of War.

The amendment was agreed to.

The next amendment was, in section 4, line 8, before the word "That," to insert:

That the said Herndon and Aldie Railroad Company shall not construct any passenger room, ticket office, depot, workshop, water tank, or building on the lands of the United States. That any changes in the bridge, approaches, roadbed, or appurtenances rendered necessary by the construction of any public work of the United States shall be promptly made by the company or its successors without charge to the United States.

In line 15, after the word "within," to strike out "three years" and insert "one year"; in the same line, after the word "within," to strike out "six" and insert "three," and in line 21, after the word "or," to insert "until"; so as to make the section read:

That the said Herndon and Aldie Railroad Company shall not construct any passenger room, ticket office, depot, workshop, water tank, or building on the lands of the United States. That any changes in the bridge, approaches, roadbed, or appurtenances rendered necessary by the construction of any public work of the United States shall be promptly made by the company or its successors without charge to the United States. That the said Herndon and Aldie Railroad Company may at any time make any alterations deemed advisable to be made in said bridge, or such conveniences aforesaid, but must first submit such proposed alterations of said bridge to the Secretary of War, and his approval shall be first had before they shall be made: *Provided*, That the construction of said bridge shall be commenced within one year and completed within three years from the date of the approval of this act: *Provided further*, That nothing in this act contained shall be so construed as to authorize the said railroad company to acquire or occupy any portion of the property right or rights of way of the Chesapeake and Ohio Canal Company without the consent of the owners of a majority of the stock of said company, or until after condemnation proceedings and proper compensation of said Chesapeake and Ohio Canal Company.

The amendment was agreed to.

The next amendment was to insert as an additional section:

SEC. 5. That the right to alter, amend, or repeal this act is hereby reserved; and if construction of the bridge hereby authorized is not begun within twelve months and completed in three years from the approval of this act it shall be null and void.

The amendment was agreed to.

Mr. PLATT. On page 4 there is a reference to "conveniences." Will the Senator from Missouri inform me what "conveniences" are? I ask the Secretary to read the clause to which I have reference.

The Secretary read as follows:

That the said Herndon and Aldie Railroad Company may at any time make any alterations deemed advisable to be made in said bridge, or such conveniences aforesaid.

Mr. PLATT. What are "conveniences"? That word was stricken out in a former place in the bill. I do not know what the conveniences of a bridge are.

Mr. VEST. Some abutment works. If the word was stricken out in a former place it should be stricken out in the succeeding part of the bill.

The PRESIDING OFFICER (Mr. BACON in the chair). Without objection that amendment will be made.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Herndon and Aldie Railroad to construct a bridge over the Potomac River at or near the Great Falls."

LOSSES OF POSTMASTERS.

Mr. CULLOM. I ask the Senate to consider the House bill 9447, now on the table.

The bill (H. R. 9447) to amend section 1 of "An act to amend an act entitled 'An act authorizing the Postmaster-General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty,'" approved May 9, 1888, was read the first time by its title, and the second time at length.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. HARRIS. May I inquire of the Senator from Illinois what the provision of law is that is proposed to be amended?

Mr. CULLOM. The part of the law that is proposed to be amended is the proviso of an act which limits the sum to $2,000. The House has passed a bill providing that no claim exceeding $10,000 shall so and so. It merely strikes out the word "two" and inserts the word "ten."

Mr. HARRIS. No disbursements are to be made by the Department without the action of Congress?

Mr. CULLOM. This is not a matter of disbursement. It relates to the settlement of claims. For instance, there are four or five cases now before Congress where burglaries have been committed upon post-offices and sums extracted, and the postmaster of the town or place is charged with the amount. If it exceeds $2,000, the account can not be settled without coming to Congress for an act relieving him. For the purpose of giving the Postmaster-General further discretion, the amount is enlarged from two to ten thousand dollars.

Mr. HARRIS. In cases such as these he may adjust the matter and settle it up to $10,000?

Mr. CULLOM. That is all there is in the bill.

Mr. HARRIS. It is a pretty large discretion, but I shall not interpose any objection.

Mr. CULLOM. I consulted with the only members of the Committee on Post-Offices and Post-Roads present, and I am prepared to say that they both approve the provisions of the bill.

Mr. MITCHELL of Oregon. I desire to say that I think this is very wise legislation. I am on two committees, each of which is annoyed from time to time, if that is a proper word to use about legislation, with the bills for relief, simply because the Postmaster-General has not jurisdiction to adjudicate. He has jurisdiction, as stated by the Senator from Illinois, in all cases where the amount does not exceed $2,000. But whenever it runs over that sum—and most cases do—the postmasters must come to Congress for a special bill of relief. There are a number of bills of that kind pending in the Committee on Post-Offices and Post-Roads, and there are some in the Committee on Claims, of which I am a member. I see no reason why the Postmaster-General should not have jurisdiction to adjudicate all of them. This will undoubtedly include all.

Mr. CULLOM. I will state, in addition, that a robbery occurred two or three years ago at the post-office in Chicago, and I think a year or two ago I secured the passage of a bill for the relief of the gentleman who was postmaster at that time. For some reason or other it has been kept back and never has passed the House.

Within a year another robbery occurred, where the safe was broken open, in my own town, and the postmaster was robbed of a very considerable sum of money, stamps, etc. I understand there is another case in New Jersey, one in Kansas, and they are scattered about, and the postmasters are unable to settle their accounts, as they would like to do before they get out of office, on account of the difficulty in getting private acts passed for individual relief. I hope the bill will be passed.

Mr. PLATT. I do not think there is any danger in giving the Postmaster-General power to adjudicate these claims up to $10,000. My observation has been that the Postmaster-General has been exceedingly technical about adjudicating any claims. There are a good many more claims which he does not adjudicate than those he does adjudicate.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

IMPROVEMENT OF PUBLIC ROADS.

Mr. WARREN. House joint resolution 194 in relation to the improvement of public roads is on the table. The same subject-matter has been passed upon by the appropriate committee of the Senate. It is a measure of a few lines, and I should like to call it up and have it passed.

The joint resolution (H. Res. 194) extending the scope of the investigations by the Agricultural Department in the matter of the improvement of the public roads was read the first time by its title and the second time at length.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. HARRIS. Before the joint resolution is voted upon, I simply desire to say, as I shall not ask for a yea-and-nay vote, which would afford me an opportunity to record my vote, that I should vote against the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, and was read the third time.

The PRESIDING OFFICER. The question is, Shall the joint resolution pass?

The joint resolution was rejected.

Mr. WARREN subsequently said: I desire to move that the vote by which the Senate rejected House joint resolution 194 may be reconsidered and that the joint resolution may be placed on the Calendar.

The PRESIDING OFFICER. If there be no objection, the motion to reconsider will be agreed to, and the joint resolution will be placed upon the Calendar. The Chair hears no objection, and it is so ordered.

STATUS OF MIXED-BLOOD INDIANS.

Mr. ALLEN. I desire unanimous consent to call up for consideration the bill (S. 3051) defining the rights and privileges of mixed-blood Indians under the treaties and statutes of the United States, confirming the title of said Indians to their lands, allowing the same to be alienated under certain circumstances, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PLATT. I object to the consideration of the bill.

Mr. ALLEN. I should like the attention of the Senator from Connecticut for a moment. This bill met the approval of the Indian Committee, of which the Senator from Connecticut is a member. The report was unanimous, and I hope the Senator will not insist on his objection.

Mr. PLATT. I beg leave to say the report on the bill was not unanimous.

Mr. ALLEN. Very well. Then I will accept the consequences, and endeavor to establish after a while the Senatorial parity as to courtesy.

Mr. PLATT. I wish to reply to the remark of the Senator from Nebraska. The bill is a very important one, and I was not in favor of it in committee. It can not be passed without discussion. It is a bill of very wide scope; and while I do not know that I objected to it when the report was made, I reserved my rights in the committee to oppose the bill.

NAVASSA ISLAND AND SWAMM ISLAND.

Mr. GIBSON. I desire to call up the joint resolution (S. R. 89) directing and authorizing the Secretary of the Navy to appoint a board of three officers of the Navy to proceed to Navassa Island, in the West Indies, and examine and report upon the cost of establishing a coaling station for the United States Government on said island.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which had been reported from the Committee on Naval Affairs with an amendment, to strike out all after the resolving clause and insert:

That the Secretary of the Navy be, and he is hereby, authorized and directed to appoint a board of three officers of the Navy and instruct said board to proceed to Navassa Island and Swamm Island, in the West Indies, and examine and report upon the practicability and advisability of establishing a coaling station for the United States Government on either of said islands.

Mr. HAWLEY. I have a large photograph of the island, showing its whole breadth and length. It has a fine elevation. It is used chiefly for getting materials for fertilizers. There is no anchorage anywhere near there. Deep water goes bang up to steep stone walls. I do not know what they will do with it. The Senator is welcome to have the photograph if it will do him any good, or the Navy Department either. My information comes from a man who has spent years there in charge of the fertilizing works. The photograph comes from him to me.

Mr. GIBSON. The joint resolution has been carefully considered by the Committee on Naval Affairs, and it was decided to report it favorably. There was added, however, an amendment which increases the propriety of appointing the commission. The scope and advisability of the joint resolution are greatly enlarged by the amendment to the original joint resolution, including another island besides Navassa. The sole purpose of the inquiry is to determine which one of these two islands it is the more advisable should be selected as a coaling station for the United States.

Both of these islands are the property of citizens of the United States. The absolute necessity of establishing such a coaling station has been passed upon by the Navy Department. The object of the joint resolution is to enable a committee of three naval officers to visit the two islands and later on to report to the Secretary of the Navy their judgment with reference to the advisability of the enterprise.

Mr. PLATT. I think we ought to have some information on this subject. We do not want to send a naval expedition off to find a place to establish a coaling station unless there is some probability that they can find such a location. We ought to have some information on the subject as to whether there is really a probability that a coaling station for the United States can be established at this island. We do not want to send junketing expeditions from the Navy any more than we do from the Senate. I am quite willing to vote for the joint resolution if there is any probability that we can establish a coaling station there.

Mr. HAWLEY. Mr. President, I have no objection in the world to an investigation (I do not think it will cost very much) by one of the lighter vessels. It can pass around that way with a naval board and look at the island. I only give the Senate the benefit of what I happen to know about it. I think it is twelve or fifteen years since I met the American who had charge of the works on that island, and on one of his occasional visits I afterwards saw him. He gave me various little curiosities. Among others he gave me a photograph of the island, giving a view of the whole island from a distance of two or three miles, and then some views of the buildings and groups of people who worked there, and all that.

I saw, two or three weeks ago, I think, some reference in the papers to the precise matter embodied in the joint resolution, and, as fortune would have it, I met this gentleman himself within a week after that. I asked him, what I thought I knew already, whether there was anchorage around there at any place for a ship to lie, and he said nothing whatever; that they had to go up there in boats. But new modern science has no difficulty in cutting out a hole in the side of an island somewhere. There is no harm in the investigation, anyhow.

Mr. GIBSON. The joint resolution merely provides for an investigation. The question has been thoroughly considered by the committee, and the conclusion, I think, was unanimously reached that the joint resolution should be passed.

Mr. HALE. What is the language in reference to that point?

Mr. GIBSON. I was going to ask that the joint resolution should be again read.

The Secretary again read the joint resolution.

Mr. GIBSON. It will be discovered, I will say in reply to the Senator from Connecticut [Mr. PLATT], that the duties of the commission will be very far from any junketing trip.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the Committee on Naval Affairs.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "Joint resolution authorizing and directing the Secretary of the Navy to appoint a board of three officers of the Navy to proceed to Navassa Island and Swamm Island, in the West Indies, and examine and report upon the practicability and advisability of establishing a coaling station for the United States Government on either of said islands."

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for the expenses of the House of Representatives, and for other purposes.

The message also announced that the House had passed a bill (H. R. 4058) to set apart a portion of certain lands in the State of Washington, now known as the Pacific Forest Reserve, as a public park, to be known as the Washington National Park; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice-President:

A bill (S. 261) for the relief of Arthur P. Selby;

A bill (S. 1011) for the relief of Capt. James Reagan, United States Army;

A bill (S. 2943) to authorize the construction of a bridge across the Warrior River by the Mobile and Ohio Railroad Company;

A bill (S. 2944) to authorize the construction of a bridge across the Caleaba River, in Bibb County, Ala., by the Mobile and Ohio Railroad Company;

A bill (S. 2945) to authorize the construction of a bridge across the Alabama River by the Mobile and Ohio Railroad Company;

A bill (H. R. 7338) for the relief of William H. Schofield, Jacob Brady, James Ketcham, Annie Booth, as administratrix of the goods, chattels, and credits of George W. Booth, deceased; Wilson P. Billar, Ezra L. Waterhouse, Moses C. Bell, George W. Byles, and George A. Schofield;

A bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for expenses of the House of Representatives, and for other purposes, for the fiscal year 1896; and

A joint resolution (S. R. 149) extending the benefits of sections 1426 and 1573 of the Revised Statutes to all enlisted persons of the Navy.

DONATION OF CONDEMNED CANNON.

Mr. GALLINGER. There are two small bills on the Calendar, one of which my colleague [Mr. CHANDLER], when he left the city, desired me to call up. The first one is Senate bill 2483, donating condemned cannon to the Soldiers' Home of New Hampshire, and the other donates condemned cannon to a monument association. I ask that the bill (S. 2483) donating condemned cannon and cannon balls to the New Hampshire Soldiers' Home may be now considered.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. GALLINGER. I offer an amendment to be inserted at the end of the bill.

The SECRETARY. It is proposed to add at the end of the bill:

Provided, That the condemned cannon herein mentioned are available for the purposes stated, and can, in the opinion of the Secretary of the Navy, be spared without detriment to the public interest: *And provided further*, That the Government shall not incur any expenses in handling and transporting said cannon.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. GALLINGER. I ask to call up the next order of business on behalf of my colleague. It will take but a moment. It is the bill (S. 2630) authorizing and directing the Secretary of the Navy to donate condemned cannon to the Londonderry Soldiers' Monument Association of Londonderry, N. H.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CLASSIFICATION OF RAILWAY POSTAL CLERKS.

Mr. MITCHELL of Oregon. I ask unanimous consent for the present consideration of the bill (S. 2741) to classify railway postal clerks and prescribe their salaries.

The PRESIDING OFFICER. The bill will be read for information, subject to objection.

The bill was read.

Mr. MITCHELL of Oregon. I desire to make a brief statement in regard to the bill.

Mr. HALE. That bill is too important a bill to pass without being discussed. I have had a great many letters in opposition to it. I must object to its consideration.

The PRESIDING OFFICER. The Senator from Maine objects to the consideration of the bill.

Mr. MITCHELL of Oregon. I understood the bill was taken up by common consent.

Mr. HALE. It was read for information. I was waiting to hear it read.

Mr. MITCHELL of Oregon. Will the Senator allow me to make a statement?

Mr. HALE. Certainly.

Mr. MITCHELL of Oregon. This is a bill originally prepared in the Post-Office Department, which has received the approval and the strong recommendation of every Postmaster-General since 1885. It has received the approval four several times unanimously, I think, of the Committee on Post-Offices and Post-Roads of the Senate, and has twice heretofore passed the Senate. It is a bill, as I have stated, which the Post-Office Department is very desirous

of having passed, looking to the efficiency of the Railway Mail Service.

Mr. STEWART. The same bill?

Mr. MITCHELL of Oregon. The same bill which has just been read; and under the circumstances I hope the Senator from Maine will allow it to be passed.

Mr. HALE. It adds very largely to the expenses of the Government.

Mr. MITCHELL of Oregon. I can state, if the Senator will allow me——

Mr. HALE. Mr. President, I must object.

Mr. MITCHELL of Oregon. Very well.

The PRESIDING OFFICER. The Senator from Maine objects.

PENSIONS TO PAYMASTERS' CLERKS IN MEXICAN WAR.

Mr. VEST. The Senator from North Dakota [Mr. ROACH] requested me to ask for the consideration of the bill (S. 810) to amend the act entitled "An act granting pensions to the soldiers and sailors of the Mexican war, and for other purposes," approved January 29, 1887, which he reported from the Committee on Pensions without amendment; and I make that request.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to so construe the provisions of the act entitled "An act granting pensions to the soldiers and sailors of the Mexican war, and for other purposes," approved January 29, 1887, as to include the surviving paymasters' clerks in the Army as of the same relative rank and grade as pursers' clerks in the Navy, and the surviving paymasters' clerks of the Army, and the widows of those who have died, so as to entitle them to all the rights and benefits given by the act of January 29, 1887, to pursers' clerks of the Navy.

Mr. COCKRELL. Is there a report with that bill?

Mr. VEST. There is a report with it. There are not a half dozen of these cases. They do not amount to anything.

Mr. GALLINGER. There are only four or five of these men left.

Mr. VEST. Only four.

Mr. GALLINGER. Four, I think, is the exact number.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had receded from its disagreement to the amendments of the Senate numbered 2, 3, 4, 6, 7, 8, 13, 15, and 17 to the bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes, and had agreed to the same.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 4580) to amend section 3449 of the Revised Statutes.

The message further announced that the House had passed the bill (S. 361) for the relief of Silas P. Keller with an amendment; in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 4058) to set apart a portion of certain lands in the State of Washington, now known as the Pacific Forest Reserve, as a public park, to be known as the Washington National Park;

A bill (H. R. 7500) to grant a pension to Mrs. Keturah Wilson, widow of James Wilson, deceased;

A bill (H. R. 8159) to pension Mrs. Martha M. Gibson;

A bill (H. R. 8250) for the relief of William Gemmill; and

A bill (H. R. 8886) for the relief of Hiram T. Corum and Silas W. Davis, of Oregon.

CEDED INDIAN RESERVATION LANDS.

Mr. ALLEN. There is a little joint resolution on the desk that is a mere formal matter, which I should like unanimous consent to consider at this time. It is very short. In carrying out the provisions of the sundry civil appropriation bill it suspends the operation of the cancellation of certain entries of land, the payment of certain indebtedness for Indian lands, until the provision of the bill which has passed the House and is now on the Calendar can be acted on at the next session of Congress. I should like to have unanimous consent to take up the resolution and have it considered at this time.

The joint resolution (H. Res. 201) extending the time of payments due from settlers and purchasers on all ceded Indian reservations was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the homestead settlers and settlers who purchased with the condition annexed of actual settlement on all ceded Indian reservations be, and they are hereby, granted an extension of one year in which to make payments as now provided by law.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FINAL ADJOURNMENT.

Mr. ALLISON. The Committee on Appropriations instruct me to report back the resolution of the House of Representatives of May 6, 1896, which was referred to that committee, with an amendment, to strike out "Monday, the 18th day of May, at 2 o'clock p. m.," and insert "Thursday, the 11th day of June, at 3 o'clock p. m."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to amend the resolution by striking out "Monday, the 18th day of May, at 2 o'clock p. m.," and inserting "Thursday, the 11th day of June, at 3 o'clock p. m."; so as to make the resolution read:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on Thursday, the 11th day of June, at 3 o'clock p. m.

The PRESIDING OFFICER. The question is upon agreeing to the amendment proposed by the committee.

Mr. STEWART. Mr. President, of course I shall not attempt to delay the adjournment of Congress, but it seems to me worthy of remark that this Congress, coming in as it did with high-sounding promises, has utterly failed to redeem any of them. It has left the country in a most deplorable condition. It has failed to put an end to a policy which means ultimate ruin. We have been for several years borrowing gold to pay interest on borrowed money and to pay fixed charges to foreign countries. During the present Administration two hundred and sixty-two and a half million dollars of bonds have been sold to borrow gold to maintain the gold standard. It has not maintained the gold standard, however, because we are paying a large premium for the gold. On sixty-two and a half million dollars borrowed in February, 1895, we paid $16,000,000 premium, as the President informed us. On the sale of $100,000,000 there was also a large premium paid, or a discount on the bonds, which is the same thing. These were twenty-nine-year 4 per cent bonds, and would have sold for 125 if it had not been for the necessity of paying a premium to buy gold. As we go on, and our credit gets worse and worse, the premium must necessarily be larger and larger.

Our farm products, which we export and upon which we must rely to buy gold and pay for what we import, are depreciating in price in foreign markets year by year as the competition with silver-standard countries increases. See under what disadvantages our farmers labor as against the Asiatics. Take Russia, for example, which is on a silver basis. The Russian farmer has a hundred dollars of taxes to pay and the American farmer has a hundred dollars of taxes to pay. The Russian farmer takes a hundred bushels of wheat to Liverpool and sells it for 60 cents a bushel in gold. He takes that back to Russia, exchanges it for Russian money, and gets $120; pays his hundred dollars of taxes and has $20 with which to buy tea and coffee. The American farmer sells his hundred bushels of wheat for $60 and only has $60 when he gets home. He applies it on his taxes and finds himself $40 in debt. This advantage goes to all the Asiatic and silver-standard countries as against the American farmer. The result is that the Asiatic has money with which to reproduce wheat and it does him some good; he has money with which to reproduce cotton and it does him some good, but the American farmer is left in debt every year, and still we say this must go on and debt must be piled up and there must be no relief.

Nonaction is the order of the day. We passed through the Senate a bill to stop the sale of bonds, which would have required the Executive to obey the law and pay out silver, of which there is an abundance. There are some $30,000,000 of silver coin in the Treasury, and silver coin coming in daily. I am informed that more than half the revenue is paid in silver certificates, which are substantially silver coins, because the Government can convert them into silver coins when they come into the Treasury. We have an abundance of silver coin with which to redeem, and there is no possible necessity for involving the country in further debt.

What remedy for our difficulties have the Republicans of the House of Representatives suggested? They have suggested more taxation; they say all we need is more revenue. When we point out to them that there is a cash balance in the Treasury of available money amounting to nearly $270,000,000, and that one of the embarrassments of the country is this unhealthy surplus, the only remedy proposed by the Republicans of the House, in the bills they have sent to us, was more taxation to increase the surplus and impound more and more money. About $125,000,000, if I recollect aright—over $120,000,000, at all events—of your greenbacks are retired in the Treasury; prices are falling; times are hard, and growing worse; and we are going to adjourn this Congress, for what?

In the New York Sun to-day there is a description of the fight which the Republicans propose. They are to make a fight for what? For tariff. To show the character of the campaign upon which we are about to enter, and for which we are to now adjourn, I will ask the Secretary to read the article from the New York Sun, a gold-standard paper, which appeared to-day.

Mr. GALLINGER. The New York Sun does not speak for the Republican party.

Mr. STEWART. Oh, but it speaks the truth about the Republican party, and I think you had better hear it. I should like to have that article read.

Mr. CULLOM. Is it brief?

Mr. STEWART. It is quite brief.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

WHOM OR WHAT WILL THEY FIGHT?

"The money question," the McKinley men keep on saying, "is a secondary issue, although important. The main issue is the tariff, and the Republican party will make its fight on that."

This sentiment finds repeated expression from McKinley managers and McKinley organs in various parts of the country. It is pronounced so persistently and so emphatically that it must mean something.

What does it mean? What is the tariff issue which is to be the principal issue of the coming campaign? On that issue who is it, or what is it, that the McKinley Republicans expect to fight?

Certainly not the present high protective tariff, enacted by a Congress Democratic in both branches and allowed to become a law by a Democratic President, who nevertheless denounced it as too atrociously protective to receive his signature. The present tariff is one of the highest protective tariffs ever in force in the United States. Its average rate falls short of the average rate of the preceding tariff, distinguished as the McKinley tariff, by very little. A Presidential campaign waged in support of the general theory of protection as against the general theory of tariff taxation for revenue only is a conceivable thing. Such a campaign occurred four years ago. But a Presidential campaign turning on the question whether 41 per cent, let us say, or 47 per cent shall be the average rate of protection is utterly inconceivable to the ordinary mind. You are not going to fire up much enthusiasm in the hearts of either the forty-oners or the forty-seveners.

Is the fight to be for the rearrangement or readjustment of the protection afforded by the schedules of the existing tariff? That undertaking might involve differences of opinion important enough to start a controversy in a Committee on Ways and Means, or even to occasion a lively debate in the House, sitting as a Committee of the Whole. Hardly important enough to fill and inflame the length and breadth of the Union in a Presidential year.

Or is it merely to contend in behalf of the theory of protection, as an abstract proposition, that the warriors of McKinleyism are arming themselves? Do they want to smash the last Democratic national platform? The enterprise is superfluous; the Democracy has smashed the platform already. The Democrats themselves have abandoned the position which the McKinley Republicans propose to attack. The McKinley warriors may march forth to occupy a stronghold which has been evacuated by its garrison, but it is a strained use of the English language to speak of such a proceeding as a fight, much less as the principal fight of a great Presidential campaign.

It requires two sides to make a fight. It requires two political parties, both earnestly interested and hot for the wager of battle, to make a main issue for a Presidential campaign. What is the tariff issue which looms before the excited imaginations of those Republicans who profess to regard the cause of honest money and the gold standard as of subordinate importance?

Nobody yet has told us this in language clear enough to be comprehensible.

Mr. STEWART. It will be observed by that article, which I think fairly dissects the situation, how inconsequential the purposes of the Republican party are except to obtain the offices. I do not know about the Democracy, whether the Democratic party has any purpose or not. It has been without a purpose for many years, and whether it will ever have a purpose it is for the future to determine. So far as the Republican party and the Democratic Administration are concerned, they are one and the same; their purpose is the same. It is their purpose to maintain the gold standard by loading the nation with debt, paying a premium for gold, increasing that debt year after year—falling prices, stagnation, and hard times. That is their purpose. They have indicated no other policy.

Not one gleam of hope has come from either the Democratic Administration or the Republican managers. I defy any man to suggest a proposition put forth by either which by any possibility could relieve the present distress. On the contrary, they refuse to change the policy of borrowing money; they refuse to change the policy of impounding the greenbacks in the Treasury; they refuse to change the policy of buying gold for gold gamblers; they refuse to change the policy of contraction; they refuse any hope. They are in favor of retiring the legal tenders. They are in favor of depriving the people of money. They are in favor of an Asiatic tariff, built up by a difference of exchange, whereby the Asiatics and all silver-standard countries have at least 100 per cent advantage in the markets of Europe.

McKinleyism means what? It means to maintain the Asiatic tariff against American farmers. It means to build up for a special privileged class a tariff high enough to protect the manufacturers of the East. It means to make the necessaries of life dearer and dearer to the producers of this country. It means to make the products of the unprotected labor of this country cheaper and cheaper. It means to put the farmer in competition with 800,000,000 coolies, who are competing with him in the European markets. It means to impoverish the farmer. No one seeks to protect him.

I have been a protectionist and I have advocated protection; but I never dreamed that the party to which I belonged would abandon the producers of this country and build up a protection entirely in favor of the millions of coolies and see the struggling masses of this country reduced to powder. I never believed that. Why, the first move in protection is to equalize exchange, to give our people money, to make it possible to manufacture in different parts of the country. Protection with the gold standard means slavery for the masses. It means to build up classes, to build up and widen the gulf between the laborers and the money changers.

The Republican party in the House declared—Mr. REED, who is the Republican party of the House, declared—that nonaction should be their motto; that they dared not disturb the present condition of things—contraction, falling prices, and hard times, and borrowing gold for gold gamblers—and they have not disturbed it. They are going forth to the country and say it shall not be disturbed, that the tariff shall be the issue; and here we have got a tariff only about 5 or 6 per cent below the McKinley tariff. Mr. McKinley himself stated in several speeches that perhaps his tariff was too high, and perhaps it was extravagant. Certainly the present tariff is higher, on an average, than any other tariff we have had, except the McKinley tariff. It is higher than any other in the history of the country except the McKinley tariff. We are going forth now to fight for what? To fight for the gold standard. How are we going to do that? By smothering the real money issue and keeping this sham issue of tariff before the country. The New York Sun, in the article which has been read, describes what kind of a fight that is. They are going to fight bravely with nothing before them.

Now, as to the Democratic party, if any party could have done more to injure the country than it has done for the last three years it would have been something more than human. I think the wit of man has been about exhausted to plunge the country into distress. Whether the party will reform or not, there are men in the Democratic party who do not like the present situation. There are men in the Democratic party who do not like loading the nation with debt in time of peace to buy gold for a set of gold gamblers. There are men in the party—here in the Senate—who rebel against any such proceeding. There has been a strong vote of Democrats here against it, and some Republican votes, too; but the Republican votes came from men who are opposed to sinking the country under the gold standard and fastening the chains of bondage upon the people. There are men in the Democratic party, and in the Republican party, but more in the Democratic party, who do not like the single gold standard, who do not like the English gold standard, who want to restore the money of the Constitution, who believe in the money of the better days of the Republic, who believe that there is not too much of both gold and silver for use as standard money.

There is a movement in the country which, if it can have expression, will sweep from the earth the policy which is afflicting mankind. Four-fifths of the people of these United States are in favor of the restoration of the money of the fathers and the wise laws of Hamilton, Jefferson, and Jackson as they existed prior to 1873. If they do not give expression to their sentiments it will be because the leaders will manipulate and keep them apart. But they will come together if you will let them. They will embrace the opportunity if you give it to them. The great mass of them put country above party. They mingle together in their neighborhoods and make no distinction as to party. They want a party of patriots such as existed in the better days of the Republic. They are anxious to throw off this load; they are anxious for the restoration of peace and prosperity as it existed in the better days of the Republic, as it existed before the machinations of a few men destroyed one-half of the metallic basis of our circulation and brought on falling prices and enabled a few money manipulators to pool the gold in the world, to take the circulation from the people and to charge what they pleased for it.

There is no gold in circulation, but everything is to be sold at such prices as the gold kings may dictate. The gold is pooled, and the kings of that pool have held in bondage as slaves the politicians of both hemispheres, who have danced to the music of the stock jobbers, the smaller fry following on.

We are rushing to adjourn the Senate for what purpose? One party is going out to make war between tweedledee and tweedledum. The Republican party can not state an issue which they dare to meet. We see the papers filled for days as to how they can get a jumble of words to deceive somebody, not how they can express a sentiment upon which people may vote; but the whole discussion of the leading politicians of the day is how they can twist words to deceive somebody.

Nobody will be deceived this time. No jumble of words will do. In this campaign you must be for the single gold standard, as the English syndicate prescribe, or you must be for the restoration of the money of the Constitution. The common people have dropped on it; they understand it; and they are moving from the Lakes to the Gulf and from ocean to ocean and all around the coast. They begin to understand how you have deceived them.

Let me tell you politicians, who care not for country but are fixing words to deceive, the day will come when the common people will rise in their might and rescue this Government from your hands and place it in the hands of those who use plain English and do not boast of the power of deception. What a spectacle these newspapers present; and we are going to adjourn Congress to engage in a fruitless struggle, a struggle that will bring no hope to anyone, a struggle that will sink us deeper and deeper in poverty and want.

I tell you, Senators, this Congress ought to stay here and grant relief. If the gold men have any legislation to propose that will give relief, let us know it. Let them proclaim it. The only thing they have proposed or suggested was more contraction, more hard times, less money for the people, lower prices, more debt, harder competition with the Asiatics. This country, with its 70,000,000 people, ought to be the richest nation on earth, and it would be the richest if an English syndicate had not been allowed to rob us of our patrimony. If we could make American laws, if there was an American sentiment here so that we could make laws for America and not have them dictated from the other side of the Atlantic, we would be an independent and a free people.

What an outrage it is that here, after thirty years of profound peace and abundant harvests, the opportunity for an honest, industrious man should be worse that it has been at any period since the landing at Jamestown! Never in all history have there been such galling hard times, such discouraging conditions, so much despair and want and misery among the masses of the laboring people, and particularly among agriculturists, as there are to-day. No young man can go forth into legitimate business and make money, because prices are falling, and if he produces property it is worthless in his hands. And this condition, known of all men, has been treated with ridicule and contempt by this Congress! We have sat supinely here and never raised a hand to relieve the people from the burden under which they are groaning!

I suppose we may as well adjourn, for we shall do nothing. This is a do-nothing Congress, and it is proposed to carry on the business of doing nothing and have no issue except an issue to grind the people and to avoid giving them any relief. That is all that is proposed for the future, and I suppose the sooner Congress adjourns the better. I shall not prolong its session.

Mr. ALLISON. I hope we can now have a vote on the resolution.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. BUTLER. Mr. President, before the question is put, I desire to call the attention of the Senate and the country to a few pertinent facts. I have here a copy of this morning's Post, which contains an article that is very pertinent in view of the resolution now before the Senate, which I should like to have read.

Mr. HAWLEY. Will the Senator from North Carolina let me appeal to him? I wish to say that it is really a matter of very great consequence, of business consequence and in every other way tending to the comfort and satisfaction of Senators, to have the resolution providing for adjournment at 3 o'clock to-morrow go to the other House for their concurrence. The floor will still be open for Senators to make speeches. We might like to have a little dinner to-night and to take a recess for that purpose. Then speech making can go on at half past 8. But I wish, and I know Senators wish, the resolution to go to the other House for concurrence.

Mr. BUTLER. The thing that I want to talk on is the resolution. I do not care to talk after it has passed. I am willing to adjourn if it is a comfort to Senators and make my remarks to-night or in the morning, but I have got something to say on the resolution.

Mr. HAWLEY. I think it better that we spend the night in talking if we do not want to adjourn at all.

Mr. ALLEN. I rise for the purpose of making a suggestion to the Senator from Iowa. Would it not be better to let the resolution go over until to-morrow morning before voting on it?

Mr. FAULKNER and others. Oh, no.

Mr. ALLEN. I see nothing to be lost or gained particularly, although I can well understand that the President would have so many bills before him that he might not be able to approve them or prepare a veto if the hour is fixed.

Mr. ALLISON. I think there will be no difficulty in securing the signature of the President to such bills as he may approve. I should be very glad to accommodate Senators, but I think it is very important, if we are to deal with this subject, that the Senate should pass upon it to-night, in order that the resolution may go to the other House. It was my purpose later on, as soon as this matter is disposed of, to ask the Senate to take a recess until half past 8 or, say, 9 o'clock. It will be necessary, in order that enrolled bills may be signed and other business between the two Houses transacted, that the Senate shall be in session to-night. It will probably be in session to a reasonably late hour to-night, so that all the real business of the Senate may be transacted and sent to the President.

Mr. BUTLER. I suggest to the Senator from Iowa, to keep from inconveniencing Senators, as it is now our dinner hour, that he let the resolution go over until to-night, and when the Senate reassembles at 9 o'clock I wish to make some brief observations upon it.

Mr. ALLISON. I would prefer that the resolution should be passed and go to the other House before taking a recess.

Mr. BUTLER. Mr. President, before the resolution to adjourn Congress is passed, it is well enough to stop and see what has been done and where we are at and where the country is at. Senators are paid a salary by the year. We are about to leave here and proceed to draw four hundred and some odd dollars a month at home, while our constituents are unable to draw anything, which is quite a serious question to our constituents, and ought to be to us as their representatives.

We have been here since last December, and we have done absolutely nothing. I challenge any man in this Chamber or the other to point to a single bill which has become a law that will be of material benefit to the American citizens, or that will in the least relieve the real trouble lying at the root of financial ills and the economic evils that are now like a cankering sore eating and undermining the body politic. There is not a single measure. Here we have stayed, and we have hedged and sparred, one side trying to place the responsibility on the other, a Democrat rising in his seat and pointing at the Republicans as being responsible for the condition of the Treasury, a Democrat pointing at and blaming the Republicans for bringing evil times upon us, and just as often a Republican has risen and tried to show that it has all been brought upon us by the Democratic party and the Democratic Administration.

This sham battle has gone on, with Senators sparring for party advantage, while each hour has increased the evil conditions that have grown up for the last twenty years because of laws placed upon the statute books by the Republican party mainly, and indorsed by the Democratic party—because when it had its chance it did not repeal them and therefore it indorsed them, and not only indorsed them but augmented them, for it commenced where the Republicans left off and leaves the laws and therefore conditions worse.

A few days ago a most important measure passed this body, probably the most important measure that has been before Congress this session, probably the most important measure that has passed either House—a bill to put a barrier between the hands of the gold combine and the Treasury of the country, a measure to stop the endless chain which was invented by the Senator from Ohio [Mr. SHERMAN], put into operation by him, and which has been kept well greased and running at high speed by the Democratic President ever since he got a chance to operate it to deplete the people's Treasury, to put the dollars thus robbed from us, I may say truly, into the coffers of aliens.

That bill, I say, is more important than a free-coinage measure. Why? Because it strikes at the root of the evils that have brought hard times and distress upon the country, with the evils which have resulted, low prices, mortgage, debt. It was the bondholder who demonetized silver, and it was simply one of his many schemes to enhance the value of his bonds and to pillage and plunder the American people.

Mr. PEFFER. I wish to inquire whether it would suit the convenience of the Senator from North Carolina to conclude his remarks after dinner. We are all getting a little hungry. I know I am.

Mr. BUTLER. It would suit me just as well. I should like to be reenforced by my dinner before I proceed; but still I am prepared to go on.

Mr. ALLISON. Of course, this debate we understand to be political in its character, and I trust that the resolution may pass. Certainly the Senator from North Carolina will have ample time to complete his observations this evening in the line on which he seems to be proceeding or on any other line that may be agreeable to him.

Mr. BUTLER. Yes, it is political, and that is why it is pertinent now. It will not be so pertinent after this session of Congress has gone out of existence—is dead—and therefore unable to give the people relief. I do not desire now to engage in preaching funerals. I am talking over a live question and not a dead one. I will not allow the resolution to pass and then make my speech on it after Congress has decided to adjourn.

Mr. ALLISON. I did not suppose the Senator was engaged on a funeral address.

Mr. BUTLER. If you adjourn this Congress and do nothing I will preach the funeral address next November.

Mr. ALLISON. I ask the Senator if he is opposed to the resolution?

Mr. BUTLER. I want to have a chance to express my opinion about it before voting on it one way or the other.

Mr. ALLISON. Then I will not interrupt the Senator. I hope he will be allowed to proceed.

Mr. HILL. Permit me to make a suggestion. There are quite

a number of Senators who would simply like to have the vote taken in order that they may make their arrangements in reference to other matters. If it could be understood this evening whether the resolution is or is not to pass, it would be a great personal accommodation to them. Otherwise there is nothing about it.

The Senator may make his speech at any time. We shall be glad to hear him upon this or any other question. The only point is that we should like to know before we go to our dinners this evening. We may want to telegraph people—I do, and I know others do—as to whether there is a likelihood that we will adjourn at 3 o'clock to-morrow. If the Senator can accommodate us we shall be very much obliged to him. That is all. If he can see his way consistently to do that he will oblige a number of us.

Mr. BUTLER. I have been appealing here on a number of occasions to have the American people relieved from their inconveniences, and I want to show why the people have not been accommodated. I want to show where the responsibility rests, and then see whether or not we are willing to accommodate ourselves without accommodating the people.

Mr. PEFFER. I think the Senator from North Carolina has seen enough of the temper of the Senate to know that practically the unanimous sentiment here is in favor of an adjournment. The views which the Senator wishes to express I think we are all anxious to hear. I do not see why the Senator can not as well proceed after the resolution is disposed of as before, unless it is his purpose to oppose the resolution in the end.

I am personally in favor of it. I think we have done nothing and we are not going to do anything, and the sooner we adjourn and get away from here the better it will be for us all. But if the Senator insists upon delivering his remarks before the vote is taken, very well.

Mr. BUTLER. I saw there was rather a unanimous sentiment for adjournment or that the preponderance of sentiment was that way, but I had hoped to be able to convert some of the Senators by appealing to their sense of duty to their constituents before they voted. Of course my vote, if I should vote against the resolution, would not count by itself. We would have to have a majority to make it count, possibly. But the fact that I shall have to undertake to convert my friend the Senator from Kansas too, with the others whom we have been trying to convert all this session, of course embarrasses the situation very much.

However, I was interrupted at a very interesting point and now Senators are anxious to hear me to-morrow.

Mr. CULLOM. To-night.

Mr. BUTLER. To-night. It is very tantalizing for one to find himself in a position where Senators are naming a time when they are very anxious to hear him, because there are not many of us who can find a large number of our fellow-Senators who are kind enough to say that they are anxious to hear us at any time. That pleases my vanity a little, I admit. Although I was at a most interesting point in my remarks, I will not now resume. However, I have here a very important paragraph in a paper which I must have read. It shows why the very important bill which I was discussing has not passed the House, and that is very appropriate and pertinent now before we vote upon the resolution. I ask the Secretary to read the explanation as to why the other House has not acted upon the bond bill.

The PRESIDING OFFICER. The Secretary will read as indicated, if there be no objection.

The Secretary read from the Washington Post of June 10, as follows:

CAPITOL CHAT.

The "ghost dance," as Senator BRICE calls the silver agitation, has frightened the Republican leaders of the House of Representatives, and they did not consider it "expedient" to take a vote upon the bill, which passed the Senate last week, prohibiting the further issue of bonds. The question of expediency was, however, determined entirely from one point of view——

Mr. BUTLER. Let Senators note that. The House was controlled by one point of view.

The SECRETARY—

and that is the effect a division of the Republicans on this issue might have upon the St. Louis convention.

Quite a number of Republicans from the Southern States and the Northwest informed Mr. DINGLEY that they dare not vote against the bill.

Mr. BUTLER. That is important.

The SECRETARY—

Quite a number more informed him that they would be compelled to vote for it if it were taken up for consideration.

Mr. BUTLER. That is very important.

The SECRETARY—

They explained that their constituents are decidedly of the opinion that the President should be deprived of the authority to issue bonds at his pleasure——

Mr. BUTLER. That is highly important.

The SECRETARY—

and do not think the Government ought to borrow money to pay its running expenses when it has the means and the power of producing a sufficient amount of revenue without increasing the interest-bearing debt.

Mr. BUTLER. That is extremely important.

The SECRETARY—

They think it would be wise to deprive the President of the power to borrow money without the cooperation of Congress, and believe that he might in that way be convinced of the advisability of increasing the revenues.

Mr. BUTLER. Of course that is not correct, as every intelligent man must know, and as it seems to me must be admitted by every fair-minded, honest man. As I have already shown, the amount of revenue has nothing to do with these bond issues. The Senator from Ohio [Mr. SHERMAN] knows and the President knows that as long as they attempt to force upon the country the gold standard, that as long as they insist upon redeeming greenbacks in gold alone and in paying all our Government obligations in gold alone, just so long we will be forced to borrow the gold—be forced to issue bonds to buy gold. No matter how high the tariff or how much revenue is collected, we will still have to borrow gold under this infamous endless-chain gold-standard system. Why? Because the Government does not get gold when it collects its customs duties. Then what folly to insist on paying out gold, when we have no gold and can not collect taxes or duties in gold. Oh, the sham, the fraud, and the infamy of the whole thing! All this talk about more revenues being the remedy is the work of politicians in order that they may fool the people and get them to submit to further robbery. Let the Secretary read the balance of the article.

The SECRETARY—

Other Republicans whose constituents are engaged in the "ghost dance" did not wish to antagonize local sentiment, and from these two classes there would have been a considerable Republican vote in favor of the passage of the bill. The effect of such a division would stimulate the free-silver element in the St. Louis convention, and, therefore, Mr. DINGLEY, after consultation with the Speaker and other leaders on the Republican side, decided to allow the bill to remain on the Calendar.

Mr. BUTLER. That is the climax. The Post has some very bright newspaper men, and they are, as a rule, as they go—I am a newspaper man myself—responsible; but I will tell you that the newspaper reporter had better hide who put that article in the paper, because there is danger that the House will kidnap him—kuklux him, as we call it in North Carolina—when he treats them that way.

There is no doubt that the reporter gave the correct reason for their nonaction, but the point about it is the audacity of a newspaper man having the courage to tell the truth. It is outrageous. If I were a member of the House I would not stand it. It is outrageous to tell the truth on them in that way. It may be, however, that they will let him off easy on account of that reference to the Republican campaign slogan—more revenues—as the panacea of all our ills; that is, that the way to give the people relief is to tax them more.

Here is an important measure to protect the Treasury, to preserve the credit of the country, to prevent our Treasury from being filched, to prevent debt from being piled up on us for future generations to pay, and the House will not pass upon it. Why? Because the St. Louis convention meets next week, and they are afraid that they will start and give a new impetus to the silver movement, which they have been trying to smother down. But, like Banquo's ghost, it will not down. They are afraid to do anything. They will be d——d if they do, and they will be d——d if they don't. The people will place the responsibility upon them.

Yes, they are afraid that a large number of the members of the House will have to vote for the bond measure. They can not now hold it down, because their constituents are writing to them. That is a humiliating confession. It is almost a shame upon the American Congress that such a confession should be made from one of the great legislative branches as its excuse for not acting upon one of the most important measures that has been before these bodies in ten years. Now, what I wanted to say is this: If the House does not dare to pass that antibond bill now, then we should stay in session till after the Republican convention; then if the reasons given in the Post are correct, we might be able to get the bill passed through that House and save the people from another bond deal this summer. In my opinion we should not adjourn with matters standing in this shape.

Learning that the Senators are very anxious to get their dinners, and are equally anxious to have me continue afterwards, I will try to be agreeable to them. I wish I could be agreeable and obliging to my constituents at the same time.

Mr. ALLISON. I desire to modify the amendment by fixing the hour of final adjournment at 4 o'clock to-morrow instead of 3.

The PRESIDING OFFICER. Without objection, that modification will be made. The question is on agreeing to the amendment of the committee as modified.

The amendment as modified was agreed to.

The resolution as amended was agreed to.

Mr. ALLISON. I move that the Senate take a recess until half past 9 or 9 o'clock.

Mr. BUTLER. Half past 9 will be better.

Mr. ALLISON. Would the Senator from North Carolina prefer half past 9?

Mr. BUTLER. Yes.

Mr. ALLISON. I fixed it at 9 o'clock to suit the Senator from North Carolina. I will modify my motion and make it half past 9.

Mr. PEFFER. Before the motion for a recess is put to the Senate I desire to ask for a unanimous-consent agreement that there shall be no bills taken from the Calendar to-night for the purpose of putting them upon their passage.

Mr. ALLISON. I hope that suggestion will be adopted by unanimous consent.

The PRESIDING OFFICER. The Senator from Kansas asks unanimous consent that at the evening session no bills shall be taken from the Calendar and put upon their passage. Is there objection to such an agreement? The Chair hears none, and it is so ordered.

Mr. ALLISON. Now let us take a recess.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Iowa [Mr. ALLISON], that the Senate take a recess until half past 9 o'clock this evening.

The motion was agreed to; and (at 6 o'clock and 40 minutes p. m.) the Senate took a recess until 9 o'clock and 30 minutes p. m.

EVENING SESSION.

The Senate reassembled at half past 9 o'clock p. m.

SILAS P. KELLER.

The PRESIDING OFFICER (Mr. BACON in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 361) for the relief of Silas P. Keller, which was, in line 6, to strike out the word "Indians" where it occurs the second time, and insert the words "Indian bands."

Mr. COCKRELL. Let the bill lie on the table for the present.

Mr. PLATT. I move its reference to the Committee on Indian Affairs.

Mr. COCKRELL. That is right.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes.

The message also announced that the House had passed a bill (H. R. 2663) to amend the laws relating to navigation; in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendment of the Senate to the concurrent resolution of the House of Representatives providing for the adjournment of the present session of Congress.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 1853) for the relief of Edward Rice; and

A bill (H. R. 9226) to change the time and places for holding the district and circuit courts of the northern district of Texas.

BILL INTRODUCED.

Mr. CANNON introduced a bill (S. 3296) granting to the State of Utah the Industrial Christian Home in Salt Lake City; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

PAY OF LETTER CARRIERS.

Mr. HALE (at 10 o'clock and 45 minutes p. m.). I enter a motion to reconsider the vote by which the Senate passed the bill (S. 3058) to increase the pay of letter carriers.

Mr. MITCHELL of Oregon. I thought it was the understanding that no business should be transacted this evening.

Mr. HALE. The understanding was that no bill on the Calendar should be called up for consideration. This bill was taken from the Calendar and put on its passage, and I enter a motion to reconsider the vote by which it was passed.

Mr. MITCHELL of Oregon. I move to lay the motion to reconsider on the table.

Mr. HALE. I do not make the motion. I enter the motion.

Mr. MITCHELL of Oregon. I should like to have the Secretary read the unanimous-consent arrangement entered into before we adjourn.

The PRESIDING OFFICER (Mr. BACON in the chair). The Secretary will read the agreement.

The Secretary read as follows:

Mr. PEFFER. Before the motion for a recess is put to the Senate I desire to ask for a unanimous-consent agreement that there shall be no bills taken from the Calendar to-night for the purpose of putting them upon their passage.

Mr. ALLISON. I hope that suggestion will be adopted by unanimous consent.

The PRESIDING OFFICER (Mr. BACON in the chair). The Senator from Kansas asks unanimous consent that at the evening session no bills shall be taken from the Calendar and put upon their passage. Is there objection to such an agreement? The Chair hears none, and it is so ordered.

Mr. MITCHELL of Oregon. I desire to inquire whether the bill referred to by the Senator from Maine has gone to the House of Representatives?

Mr. HALE. That makes no difference.

Mr. MITCHELL of Oregon. Let us know what the facts are.

Mr. HARRIS. For the information of the Senate I should like to know what the bill is.

Mr. HALE. It is a bill increasing the compensation of letter carriers. It adds about a million and a half dollars to the expenses of the Government, and so much taxation.

The PRESIDING OFFICER. The Chair is advised that the bill has been sent to the House of Representatives.

Mr. MITCHELL of Oregon. Then the Senate has no jurisdiction.

Mr. HALE. I enter a motion to reconsider.

Mr. MITCHELL of Oregon. I enter a motion to lay the motion to reconsider on the table.

The PRESIDING OFFICER. The motion to reconsider is entered. The motion to lay on the table will have to be made at the proper time.

Mr. HARRIS. I suggest to the Senator from Maine that if he desires to reconsider the vote he should connect with his motion, as it seems to me, a request that the House of Representatives shall return the bill, as it has gone to the House.

Mr. HALE. I have no doubt that, under the courtesy which exists between the Houses, if the motion is made within the necessary time under the Senate rules the bill will be held up, because otherwise that would always have to be done in every case.

Mr. HARRIS. Still, in the absence of the bill, can the Senator proceed with his motion——

Mr. HALE. Then let me suggest to the Senator, who is an old parliamentarian, that no motion to reconsider within the two days would ever amount to anything, because when a bill is passed it always goes to the other House.

Mr. HARRIS. That is quite true; but in reply I suggest to the Senator that so far as my memory goes back, where a bill has been passed by the Senate and has gone to the other House, and a motion has been made to reconsider the vote by which the bill was passed, there has been connected with such motion a request that the House should return the bill.

Mr. HALE. The Senator knows it would be useless now to make any motion. I simply enter the motion.

The PRESIDING OFFICER. The Chair will have read for the information of the Senate the second clause of Rule XIII, upon that subject.

The Secretary read as follows:

When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate, and been communicated to the House of Representatives, the motion to reconsider shall be accompanied by a motion to request the House to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative, shall be a final disposition of the motion to reconsider.

Mr. MITCHELL of Oregon. I rise to a point of order. It is that the motion of the Senator from Maine to reconsider is not in order unless accompanied, as required by the rule, with the request that the House shall return the bill. Not being accompanied by that request, of course the motion is not in order.

Mr. HALE. I have only entered a motion to reconsider. I am entirely willing that it shall take its fate under the rule.

I have no idea that the House of Representatives, after the motion to reconsider is entered, will take any action until the Senate has had an opportunity to consider the matter. I do not think, and I suppose a great many Senators agree with me, that the present is an opportune time for increasing the salaries of a favored class. The whole course of Congress this winter has been against increasing salaries. There has been a great importunity and a great pressure to increase the salaries of the letter carriers all over the country. I do not sympathize with that movement, and I enter this motion now, although I am entirely aware that one result of it will be that I may be denounced in many quarters as lacking in my duty. But I enter the motion and take the responsibility of it.

The PRESIDING OFFICER. The Chair is of the opinion that when the motion is made it will have to be accompanied by the other motion under the rule. The Chair does not understand the Senator from Maine now to make the motion.

Mr. MITCHELL of Oregon. I understand by the ruling of the Chair that the motion can not now be entertained.

Mr. HALE. I do not make the motion. I simply enter the motion.

The PRESIDING OFFICER. But the Senator from Oregon misunderstood the Chair. The Chair ruled that it did not understand the Senator from Maine now to make the motion to reconsider, but that whenever a motion was made to reconsider under the rule the accompanying request for the return of the bill must also be made. But this is simply in the nature of a notice that such a motion will be made.

Mr. MITCHELL of Oregon. It amounts to nothing.

Mr. HALE. That is not for the Chair to say.

The PRESIDING OFFICER. That is not for the Chair to determine.

Mr. MITCHELL of Oregon. It amounts to nothing, as I shall contend when this matter comes up at the next session.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the Vice-President:

A bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes;

A bill (H. R. 8321) to authorize the county of St. Louis, in the State of Minnesota, to build or authorize the building of a foot and wagon bridge across the St. Louis River, between Minnesota and Wisconsin, at a point near Fond du Lac, in said State of Minnesota;

A bill (H. R. 4580) to amend section 3449 of the Revised Statutes;

A bill (H. R. 3990) granting a pension to Mrs. Eliza G. Pyne;

A bill (H. R. 9447) to amend section 1 of an act to amend an act entitled "An act authorizing the Postmaster-General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty," approved May 9, 1888; and

A joint resolution (H. Res. 201) extending the time of payments due from settlers and purchasers on all ceded Indian reservations.

Mr. ALLISON. I move that the Senate adjourn, to meet at 11 o'clock to-morrow.

The motion was agreed to; and (at 11 o'clock p. m.) the Senate adjourned until to-morrow, Thursday, June 11, 1896, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 10, 1896.

PROMOTIONS IN THE ARMY.

Cavalry arm.

First Lieut. Franklin Oliver Johnson, Third Cavalry, to be captain, June 8, 1896, vice Bourke, Third Cavalry, deceased.

Second Lieut. Alexander Wallace Perry, Ninth Cavalry, to be first lieutenant, June 8, 1896, vice Johnson, Third Cavalry, promoted.

Infantry arm.

Second Lieut. Harry Raymond Lee, Eleventh Infantry, to be first lieutenant, June 8, 1896, vice Penn, Second Infantry, appointed quartermaster.

POSTMASTER.

Axel S. Ellis, to be postmaster at Sioux Falls, in the county of Minnehaha and State of South Dakota, in the place of B. F. Campbell, Alfred D. Tinsley now holding the commission under a recess appointment.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 10, 1896.

PROMOTIONS IN THE ARMY.

First Lieut. Franklin Oliver Johnson, to be captain, Third Cavalry.

Second Lieut. Alexander Wallace Perry, to be first lieutenant, Third Cavalry.

Second Lieut. Harry Raymond Lee, to be first lieutenant, Second Infantry.

POSTMASTERS.

Axel S. Ellis, to be postmaster at Sioux Falls, S. Dak.

William H. Chapman, to be postmaster at Farmersville, in the county of Collin and State of Texas.

Charles C. Field, to be postmaster at Puyallup, in the county of Pierce and State of Washington.

John L. Anable, to be postmaster at Mount Vernon, in the county of Skagit and State of Washington.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *June 10, 1896.*

[*Continuation of legislative day of Saturday, June 6, 1896.*]

The recess having expired, the House was called to order at 10 o'clock a. m. by the Speaker.

HOUSE BILLS LAID ON THE TABLE.

The SPEAKER laid before the House the following House bills, which are ordered to lie on the table, Senate bills covering the same subjects having passed the House:

A bill (H. R. 796) amending the act for the adjustment of railroad land grants;

A bill (H. R. 7868) to bridge the Missouri River near Boonville, Mo.;

A bill (H. R. 8885) amending the act approving the funding act of Arizona;

A bill (H. R. 6119) providing for a commission to investigate problems presented by labor, agriculture, and capital;

A joint resolution (H. Res. 191) authorizing a scientific investigation of the fur-seal fisheries; and

A bill (H. R. 6403) amending the act for the protection of the salmon fisheries in Alaska.

REBINDING OF PRESIDENTS' MESSAGES.

Mr. RICHARDSON. Mr. Speaker, I ask for the adoption of the resolution which I send to the Clerk's desk, which resolution I think is privileged.

The resolution was read, as follows:

Resolved, That the Public Printer is hereby authorized to rebind such of the original messages of the Presidents of the United States as may, in the judgment of the Clerk of the House, require rebinding, for preservation in the files of the House; and the Clerk of the House is hereby directed to deliver said original messages to the Public Printer for the purpose herein authorized.

The resolution was agreed to.

MATERIAL FOR MINOR COINS.

Mr. CHARLES W. STONE. Mr. Speaker, I desire to present from the Committee on Coinage, Weights, and Measures the resolution which I send to the Clerk's desk, with the recommendation that it do pass.

The resolution was read, as follows:

Resolved, That the Secretary of the Treasury be requested to communicate to the House at the commencement of the next session such information as he may have or may be able to obtain meantime as to the comparative merits and advantages of pure nickel, nickel alloy, aluminium combined or alloyed with other metals, and of copper bronze as material for our minor coins; and for the purpose of making such information as full and complete as possible the Secretary of the Treasury is authorized to have struck such experimental minor coins of the metals above mentioned, pure and in combination with other metals, as he may deem necessary and proper, and is requested to communicate to the House the results and conclusions derived from such experimental coinage.

The resolution was agreed to.

REPORT ON JAPANESE COMPETITION.

Mr. DINGLEY. Mr. Speaker, I desire to submit a privileged resolution for printing some additional copies of a report.

The resolution was read, as follows:

Resolved, That there be printed for the use of the House 10,000 copies of the report of the Committee on Ways and Means on Japanese competition.

Mr. RICHARDSON. I should like to ask the gentleman from Maine if this was a unanimous report?

Mr. DINGLEY. There is no minority report presented. The understanding was that if one was presented it would be printed with the majority report.

Mr. RICHARDSON. There have been no views of the minority submitted?

Mr. DINGLEY. There have been no views of the minority presented, but if they should be there would be leave for printing them in connection with the report.

The resolution was agreed to.

UNITED STATES COURT AT HARTFORD, CONN.

Mr. HENRY of Connecticut. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2850) changing the time for holding circuit courts of the United States in the district of Connecticut.

The bill was read, as follows:

Be it enacted, etc., That a term of the United States circuit court in the district of Connecticut shall be held at Hartford, in said district, on the second Tuesday of October, 1896, and thereafter in each year on the second Tuesday of October, and that after the third Tuesday of September, 1896, the term of said circuit court now by law provided to be held annually on the third Tuesday in September shall be discontinued.

Mr. RICHARDSON. Mr. Speaker, I should like to have some explanation from the gentleman about this.

Mr. HENRY of Connecticut. I will say that this bill is an exact copy of a bill which has been considered by the Judiciary

Committee of the House and favorably reported. The passage of the bill is asked for by the bar of the State, and also by the judge of the United States district court. Nobody objects to it. It is merely for the convenience of the bar of the State.

The SPEAKER. The question is on suspending the rules and passing the bill.

Accordingly, two-thirds having voted in favor thereof, the rules were suspended and the bill passed.

AMERICAN REGISTER FOR STEAMER MENEMSHA.

Mr. LOW. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2978) to provide an American register for the steamer *Menemsha*.

The bill was read, as follows:

Be it enacted, etc., That the Commissioner of Navigation is hereby authorized and directed to cause the foreign-built steamer *Menemsha*, owned by Charles W. Hogan, a citizen of the United States, to be registered as a vessel of the United States.

SEC. 2. That the Secretary of the Treasury is hereby authorized and directed to cause the inspection of said vessel, steam boilers, steam pipes, and their appurtenances, and cause to be granted the usual certificate issued to steam vessels of the merchant marine without reference to the fact that said steam boilers, steam pipes, and appurtenances were not constructed pursuant to the laws of the United States, and were not constructed of iron stamped pursuant to said laws; and the tests in the inspection of said boilers, steam pipes, and appurtenances shall be the same in all respects as to strength and safety as are required in the inspection of boilers constructed in the United States for marine purposes.

Mr. DINGLEY. I should like to have the report read, or some explanation.

The report (by Mr. MCCORMICK) was read, as follows:

The Committee on the Merchant Marine and Fisheries, to whom was referred the bill (S. 2978) granting an American register for steamer *Menemsha*, have examined the bill and accompanying papers, and report the same back to the House and recommend its passage.

An identically similar bill was favorably reported from this committee May 8 last, and that bill (H. R. 8557) is now upon the House Calendar.

The following are the facts in the case as taken from the committee's report on the House bill:

"The *Menemsha* is an iron steamer, built at Newcastle, England, in 1885. Her length is 310 feet 6 inches; beam, 38 feet 8 inches; depth of hold, 27 feet; tonnage, 1,724 net and 2,743 gross. She was classed in Lloyds prior to her wreck as 100 A1, and, by the repairs put upon her by the Newport News Shipbuilding and Dry Dock Company, she is now in first-class condition.

"The owner of the *Menemsha*, Mr. Charles W. Hogan, is a citizen of the United States, and purchased the vessel from the Mendota Steamship Company, of England, for $43,000, which price included the bill for repairs put upon said vessel, which were made by the Newport News Shipbuilding and Dry Dock Company, amounting to $35,558.25, which Mr. Hogan assumed and paid. Smaller bills, amounting to $900, were also paid by him.

"The *Menemsha* encountered fearful weather during the month of February when coming west. One of her ballast tanks collapsed, and for a number of days the condition of those upon the vessel was extremely critical. The principal trouble and disaster occurred in mid ocean during the voyage from Leith, Scotland, to Newport News, Va., where she arrived in an unseaworthy condition. Her present value is shown to be $46,000, and the repairs put upon her by the Newport News Shipbuilding and Dry Dock Company have amounted to $35,558.25, being in excess of the three-fourths of her value, as required by law."

In view of these facts your committee report the bill favorably and recommend that it pass.

Mr. DINGLEY. As I understand from the report, the only reason for the passage of this bill is that the wreck occurred outside of the jurisdiction of the United States—beyond the three-mile limit?

Mr. LOW. Yes.

Two-thirds voting in favor thereof, the rules were suspended and the bill passed.

CONTESTED ELECTION CASE—HOPKINS VS. KENDALL.

Mr. MOODY. Mr. Speaker, I desire to call up the contested election case of Hopkins *vs.* Kendall, of the Tenth Congressional district of Kentucky, and ask for the passage of a resolution which has been unanimously reported by the Committee on Elections No. 1.

The Clerk read as follows:

Resolved, That the parties in the contested election case of N. T. Hopkins *vs.* J. M. Kendall be permitted to take additional testimony touching the election in Clark County up to the 1st day of August, 1896, according to the rules for taking testimony in contested election cases prescribed in the statutes of the United States. Said testimony to be confined to the issues made by the notices of contest and the answer thereto.

Mr. BAILEY. I would like to have some explanation of this. I make the inquiry if this is from the Committee on Elections No. 1?

Mr. MOODY. It is from the Committee on Elections No. 1. This resolution was considered by all the members of the committee present. The gentleman from Georgia [Mr. BARTLETT] was present when it was adopted in the committee, and it meets his approval.

Mr. BAILEY. I have no further questions.

Mr. MOODY. I move the adoption of the resolution.

The resolution was agreed to.

FOREST FIRES ON THE PUBLIC DOMAIN.

Mr. SHAFROTH. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 9123.

The Clerk read as follows:

A bill (H. R. 9123) to prevent forest fires on the public domain.

Be it enacted, etc., That any person who shall willfully or maliciously set on fire, or cause to be set on fire, any timber, underbrush, or grass upon the public domain, or shall carelessly or negligently leave or suffer fire to burn unattended near any timber or other inflammable material, shall be deemed guilty of a misdemeanor, and, upon conviction thereof in any district court of the United States having jurisdiction of the same, shall be fined in a sum not more than $5,000 or be imprisoned for a term of not more than two years, or both.

SEC. 2. That any person who shall build a camp fire, or other fire, in or near any forest, timber, or other inflammable material upon the public domain, shall, before breaking camp or leaving said fire, totally extinguish the same. Any person failing to do so shall be deemed guilty of a misdemeanor, and, upon conviction thereof in any district court of the United States having jurisdiction of the same, shall be fined in a sum not more than $1,000 or be imprisoned for a term of not more than one year, or both.

SEC. 3. That in all cases arising under this act the fines collected shall be paid into the public-school fund of the county in which the lands where the offense was committed are situate.

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. BAILEY. I should like to ask the gentleman from what committee this proposition comes?

Mr. SHAFROTH. I will state to the gentleman that this comes from the Committee on Public Lands; and I will make a little statement concerning the necessity of this legislation. At the present time there is no law on the statute books punishing persons for setting fire to forests. Great destruction to the timber on the public domain is caused by forest fires. There has been considerable legislation on cutting timber; but the amount of timber that is cut compared with the destruction by fire is almost infinitesimal. The cutting is simply done near lines of railroads, which upon the map would be indicated simply by a line; but a forest fire will begin and it will sometimes in three days cover 100 square miles, thus destroying a growth of years.

Now, the necessity for legislation like this is apparent to everyone. We in the West for years have seen the necessity of preserving the timber on the public domain. We are interested in preserving the shade, so that the snows on the mountains will not melt until the summer, and when they do melt will furnish a copious supply of water for irrigation purposes in the plains below. There is nothing in the United States statutes that prohibits persons from setting fire to forests, and this bill has been considered by the Committee on Public Lands, which has reported it unanimously. It has been referred to the Secretary of the Interior, and he has recommended its enactment; and so, it seems to me, there should be no opposition whatever to the measure.

Mr. BAILEY. If the gentleman will permit me, I believe this is a bill that ought to have come from the Committee on the Judiciary, inasmuch as it creates and punishes a crime. I cordially assent to the proposition that a man who willfully and maliciously sets fire to the public domain ought to be severely punished; but it appears to me that the punishment is out of all proportion to the offense, in that it sends a man to the penitentiary for two years because he negligently or carelessly happens to set fire to the public domain. Though it may not burn a square mile nor a square foot, under this bill he could be put in the penitentiary and made infamous during the balance of his life. I think the bill ought to be limited to men who "willfully and maliciously" or who "willfully or maliciously" commit the offense, but to punish a man by two years in the penitentiary for carelessly setting fire to the public domain is altogether out of proportion to the offense.

Mr. SHAFROTH. I think if you will examine the first section of the bill you will find that it is: "That any person who shall willfully or maliciously set on fire." The words "willfully or maliciously" are used.

Mr. BAILEY. I may have misunderstood it, but I think it covered the case of carelessness or negligence.

Mr. SHAFROTH. That feature is covered in the second section. I want to explain the necessities for that. Nine-tenths of the forest fires occur on account of campers who go out and camp near some stream and leave a fire burning. They do not totally extinguish it. A wind comes up and blows the fire into the adjoining forest, and then you have a conflagration, and it is almost impossible to extinguish it. The fires have to burn until they come to barren land or a stream of some kind which the fire can not leap; this bill is to meet the case of those people who will start camp fires and will not extinguish them. There is no minimum punishment prescribed, so that the court can take into consideration all the circumstances. It says not more than $1,000; so that the court may inflict a punishment of only $1. We thought it best to leave it entirely in the discretion of the court, which would take into consideration all the circumstances.

Mr. BAILEY. That is the second section. I thought I was not mistaken in what the first section contained. I find that it reads:

That any person who shall willfully or maliciously set on fire or cause to be set on fire any timber, underbrush, or grass upon the public domain or shall carelessly or negligently leave or suffer fires to burn unattended near any timber or other inflammable material, etc.

This is a matter in which my constituents can not possibly be interested, for we have not and never had an acre of public land in

our State. I simply suggest that you are defining a crime and punishing it out of proportion to the offense, which, I think, is always bad legislation. I make no objection if the House desires to pass it.

Mr. SHAFROTH. In answer to the suggestion of the gentleman, I simply desire to say that there is no minimum fine or imprisonment imposed by this bill, but it leaves the punishment to the judge, who can fine the party found guilty a dollar if he chooses.

Mr. LITTLE. What is to hinder the States or Territories in which these lands lie from enacting laws for the punishment of this offense?

Mr. SHAFROTH. They have passed laws concerning the subject-matter. It is difficult to enforce the State laws. It is fear of Federal jurisdiction that will make the offenders observe the law.

Mr. LITTLE. If the people of the Territories or States who are to be protected by this will not respect the laws of their own States, it will not justify Congress, I think, in placing the matter under the jurisdiction of the Federal courts.

Mr. SHAFROTH. In answer to that suggestion, I wish to say just this: We have had some legislation of this kind on our State statute, of course; but persons living in the immediate vicinity of this timber are not so much interested in its preservation as those who live on the plains below who want the water during the summer months.

Mr. DOOLITTLE. What States will this proposed legislation cover?

Mr. SHAFROTH. All the States.

Mr. LITTLE. Every one of them.

Ms. DOOLITTLE. A great deal of timber has been destroyed in my State through the carelessness of campers and sheep herders—most valuable timber—worth hundreds, thousands, and even millions of dollars. I think legislation of this character is very urgently required in the West to preserve the timber against the criminal carelessness of the persons who go there.

Mr. SHAFROTH. The people against whom we seek to protect this timber are not so much those residing permanently in those portions of the country as the hunters who go there transiently and do not care anything about the permanent welfare of the State. The class of persons whom we desire to reach do not yield so readily to State law as they would to the authority of the United States Government.

Mr. BAILEY. The gentleman makes a very serious accusation against his own people when he says that they do not respect the laws which their own representatives make.

Mr. SHAFROTH. It is not an accusation against my own people; it is an accusation against offenders of the law, and often they are not residents of the State. At any rate, we know that a law on this subject emanating from Federal authority would be better observed than a State enactment, on account of the greater certainty of prosecution.

Mr. LITTLE. In my State portions of the public domain are scattered here and there over the State; and under this proposed legislation a citizen who might happen to touch off fire on one of those tracts would be subject to prosecution in the Federal courts, and in order to be tried might be carried 80 or 100 miles away. Now, I think that if the citizens of the States sought to be protected by this bill will not enforce their own State laws, then the jurors who would be furnished to the Federal courts in those States from the same citizenship can not be intrusted to enforce a law of this kind.

The fact is, I do not think Congress is justified in exercising jurisdiction through the Federal courts in matters where the State courts already have ample authority and power under State laws framed for the purpose of dealing with this question. I can not see why a citizen should be in greater terror of going to the penitentiary under a conviction in a Federal court than of going to the penitentiary through a conviction in a State court. If the evil of which gentlemen complain is so serious, then the States that suffer in this way ought not only to pass laws, but to enforce them.

Mr. DOOLITTLE. It is more difficult to detect these men through the officials of the State than it would be through the power of the Federal Government.

Mr. LITTLE. It strikes me that the State organization, with its power to detect and punish offenses against the law through the instrumentality of constables, sheriffs, etc., of the respective counties, must be better equipped for the discovery and prosecution of these offenses than Federal officers scattered here and there.

Mr. DOOLITTLE. With all due deference to the gentleman, I think he is mistaken.

Mr. SHAFROTH. In reply to the suggestions which have been made against this bill, I wish to say that the timber which the bill seeks to protect is on the public domain, and it seems to me absurd to say that the United States Government can not or should not pass laws to protect the timber upon its own domain.

Mr. LITTLE. My views on this question impel me to object to the passage of the bill.

The SPEAKER. The question is on the motion of the gentleman from Colorado [Mr. SHAFROTH], to suspend the rules and pass the bill.

The question having been put,

The SPEAKER. In the opinion of the Chair, the ayes have it.

Mr. LITTLE. I call for a division.

The question being again taken, there were—ayes 93, noes 3.

Mr. LITTLE. No quorum.

Mr. SHAFROTH. I withdraw the bill.

The SPEAKER. The bill is withdrawn; and the gentleman from Wyoming [Mr. MONDELL] is recognized.

Mr. LITTLE. I withdraw the point of no quorum.

The SPEAKER. As the Chair understands, the point of no quorum is withdrawn.

Mr. SHAFROTH. The bill has been withdrawn. The gentleman withdrew his point after I had withdrawn the bill.

WORK ON UNION PACIFIC RAILROAD LAND PATENTS.

Mr. MONDELL moved to suspend the rules and adopt the following concurrent resolution:

Resolved by the House of Representatives (the Senate concurring), That the Secretary of the Interior be, and he hereby is, authorized and directed to resume work upon and to issue patents to the Union Pacific Railway Company without delay to all lands which have been sold by said company to bona fide purchasers: *Provided*, That nothing herein contained shall be construed as waiving any right that the United States may have to declare a forfeiture as to the lands which have not been so sold by said company: *Provided*, That the words "bona fide purchasers" herein contained shall not be held to include the holders of lands secured by mortgage on such land grant.

Mr. DINGLEY. I should like to have this resolution explained briefly.

Mr. MONDELL. The lands referred to in this resolution are lands along the line of the Union Pacific Railway and within its land-grant limit. About a year ago the Secretary of the Interior issued orders to the Commissioner of the General Land Office to cease patenting lands to the Union Pacific Railway Company and other land-grant roads pending legislation by Congress in regard to those roads and their land grants. It is evident that this Congress will take no action in regard to those roads or their land grants. In the States of Colorado, Wyoming, Nebraska, and Utah there are some two and a half millions of acres which have been sold by the Union Pacific Railway Company to actual settlers. In a great many cases those lands were entirely paid for several years ago, and in other cases they are under contract and partly paid for. They are absolutely in the hands of actual settlers and are for the most part the only real estate owned by them. It is a great hardship to those settlers that they are unable to obtain patents for their lands. The resolution provides that it shall not affect the title of the Government in any Union Pacific Railway Company lands that have not been sold to bona fide purchasers. Citizens of the States interested are very anxious to have the Department resume the patenting of the lands that have been actually sold to bona fide settlers.

Mr. PARKER. I would like to ask the gentleman whether this proposed legislation will make good the title to lands sold by the railway company after the United States declared that the grant should be forfeited?

Mr. MONDELL. I will say to the gentleman that the United States has never declared these lands forfeited. There is no question between the United States and the Union Pacific Company as to the forfeiture of their lands. That question never has been raised. The company has fulfilled the terms of its agreement with the Government in full. There has simply been an arbitrary ruling of the Secretary that, temporarily, patents for these lands shall not issue.

Mr. PARKER. Is not some reason given for that ruling?

Mr. MONDELL. In reply to the question of the gentleman from New Jersey, I will read an extract from the annual report of the Secretary of the Interior:

I have recently deemed it advisable to direct the Commissioner of the General Land Office to allow his force to give their time to selections of lands made by roads other than bond-aided roads. I have not undertaken to pass finally upon the rights of the bond-aided roads, but I have considered, in view of the fact that this whole subject must come before Congress, that it is advisable to leave the lands as they are for the present.

Now, this resolution simply provides that the Secretary shall issue patents to the Union Pacific Company for all lands which have been sold by said company to bona fide purchasers: "*Provided*, That nothing herein contained shall be construed to affect any right that the United States may have to declare a forfeiture as to lands that have not been sold." Thus it absolutely protects the Government, and what we ask is simply that these settlers who have bought their lands in good faith shall receive title to them.

Mr. McEWAN. I desire to ask the gentleman what is meant by the words "resume work" in this resolution. Does it mean the expenditure of money upon these lands?

Mr. MONDELL. No, sir. The Secretary instructed the Commissioner of the General Land Office last year to cease work in his department upon the lists of these lands furnished by the roads to be patented.

Mr. MCEWAN. But what is that "work"?

Mr. MONDELL. It is simply labor in the department. The Secretary directed the Commissioner to suspend work upon the issuing of patents for these lands, and this resolution proposes to direct him to resume that work.

Mr. BELL of Texas. I desire to ask the gentleman whether this bill has been reported by the Committee on Pacific Railroads?

Mr. MONDELL. It has been reported unanimously by the Committee on Public Lands of this House.

Mr. BELL of Texas. But has it been reported by the Committee on Pacific Railroads? Was it referred to that committee?

Mr. MONDELL. No, sir; it went to the Committee on Public Lands in both Houses.

Mr. BELL of Texas. I remember the bill now, and I want an opportunity to make a little explanation in regard to it, but I will not interrupt the gentleman at this time.

Mr. MONDELL. I yield to the gentleman.

Mr. BELL of Texas. Mr. Speaker, this bill, or one exactly like it, was referred to the Committee on Pacific Railroads. The gentlemen who represented the railroad companies appeared before the committee and made arguments, and the position taken by them was this: They contended that a mortgage made in good faith would have exactly the same effect as a sale, and if we should pass this bill or the bill similar to it which was pending before that committee, the effect would be to at once not only authorize but require the Secretary of the Interior to issue patents for all the lands covered by mortgage as well as for those which have been actually sold. There may have been some disposition made of the bill at a time when I was not present in the committee, but I know there was a very general opposition to the passage of such a bill, and I am sure that a matter of this great importance ought not to be disposed of at this time, especially in the absence of the chairman of that committee. The bill has a much more far-reaching effect than seems to be anticipated by the gentleman in charge of it, unless the attorneys who appeared before the committee were entirely mistaken in their contention, and I do not think the subject ought to be disposed of summarily at this time.

Mr. MONDELL. Mr. Speaker, in reply to the gentleman from Texas it seems to me that he does not understand the scope of the resolution or else he must have in mind some very different character of legislation than that proposed here. This is simply a concurrent resolution, not even a joint resolution, and can not in any manner change existing law or affect in any way the existing law relating to the Union Pacific Railway land grants. It is simply a resolution providing that men who have gone into these States and in good faith invested their all in real estate for the purpose of securing homes shall have their lands patented to them as they have been patented heretofore.

I wish to call the attention of the gentleman to the fact that up to one year ago there was no delay whatever in the issue of the patents to these people; but the Secretary of the Interior, pending possible legislation (understand that the question never was raised as to the right of the company to any of the lands)—but pending possible legislation by Congress the Secretary felt that it might be better to use the force in the Department in other lines rather than in patenting these lands in view of possible action by Congress. That is the only reason for their suspension. This resolution simply directs the Secretary of the Interior to issue to these settlers—in other words, it is an expression of Congress on the subject.

Mr. BELL of Texas. Does it not say "purchasers"?

Mr. MONDELL. Yes; to issue to the bona fide purchasers the patents to which they are clearly entitled.

Mr. BELL of Texas. Now, the point is that a lawyer of eminence nominated by the President of the United States or one of the justices of the Supreme Court of the United States was asked recently the specific question before the committee when this matter was under consideration as to what effect the passage of such a law would have. He replied that it would not only affect the issuance of patents, and thus affect claims to titles, but would also require the issuance to the bona fide and good-faith mortgagee of patents to them. That was the position taken by Mr. Justice Peckham, who I understand to be very eminent as a lawyer, and while of course he may be mistaken, we certainly ought not to commit ourselves to a policy that may have that effect, when it is clearly not intended by the gentleman in charge of the measure.

Mr. MONDELL. If the gentleman will look at the list set forth in this report by Senator ALLEN, a list which is printed to accompany the report—and remember that this bill passed the Senate unanimously—he will find that it refers to certain lists containing some two and one-half million acres of land which are affected by the present conditions. It is true that the Union Pacific land grant—the entire grant—is covered by bonds; but in no possible way can a concurrent resolution affect any law in reference to the Union Pacific land grants, especially when it provides specifically that it shall be confined exclusively to the issuance of patents with reference to lands held by absolute and bona fide purchasers.

Mr. BELL of Texas. Not settlers, but purchasers, as I understand the resolution.

Mr. MONDELL (continuing). And the Government absolutely retains the right of forfeiture.

Mr. BELL of Texas. But it is well known to all lawyers who are familiar with such subjects that when a patent is issued by the Government it puts an end to the contention.

Mr. MONDELL. But it is true that patents are being annulled every day by the Department.

Mr. BELL of Texas. I understand that; but only in cases of fraud, or something of that kind.

Mr. MONDELL. And this resolution simply directs the Secretary to do what has been done heretofore by all the Secretaries. There has never been a question heretofore up to one year ago that these men were not entitled to their patents. Up to that time they were receiving the patents as fast as they complied with the conditions required by the road and the railroad company applied for patents.

Now, I am certain that the gentleman from Texas does not ask me to go back home, and other gentlemen who represent the States interested in this matter—some twenty-two or twenty-three thousand farmers being involved—and say to them that the House absolutely refuses to allow the Secretary of the Interior to issue patents to the railway company for their lands.

Mr. BELL of Texas. No, but I would like him to say this to these people, that we do not think it safe, just on the close of the session, when there is not a quorum present, to pass a law or a joint resolution, which is practically the same thing, which will have the effect, in the judgment of some of the best lawyers of the country, to not only settle these questions so far as they are concerned, but also so far as the mortgagees or holders of mortgages are concerned.

Mr. SHAFROTH. The gentleman from Texas labors under a misapprehension. He assumes that this is a joint resolution.

Mr. BELL of Texas. I so understood the gentleman in charge of it.

Mr. SHAFROTH. This is not a joint resolution but a concurrent resolution; and such a resolution can not change existing law. In one instance—in the case of a joint resolution—it requires the signature of the President, and then it has the effect of a law; but a concurrent resolution has no such effect. It is simply directory to the Secretary of the Interior.

And I wish to say now that I am a member of the committee, and made the report in this instance, and that the resolution introduced, which came before the committee and members of the Public Lands Committee (which passed the Senate unanimously), does not contemplate any such action as the gentleman from Texas seems to apprehend.

The Committee on Public Lands believe that the Secretary of the Interior should be directed to resume the issue of patents to these lands, and the gentleman from Arkansas [Mr. MCRAE], who was chairman of the Committee on Public Lands in the last Congress, drew this resolution himself. He did not like the wording of the resolution that was brought to the Committee on Public Lands, but drew this resolution in his own handwriting, and modified it in the manner that he wanted to. It unanimously passed the Committee on Public Lands. It does not change existing law. It could not change existing law, because it is simply advisory to the Secretary of the Interior.

Mr. MONDELL. Mr. Speaker, I yield to the gentleman from Montana [Mr. HARTMAN].

Mr. HARTMAN. Mr. Speaker, in reply to the suggestion of the gentleman from Texas [Mr. BELL] and to obviate his objection, I will ask leave to propose the following amendment, which I think will do away with his objection entirely, if it does exist in fact:

Provided, That the words "bona fide purchasers" herein contained shall not be held to include the holders of bonds secured by mortgage on such land grant.

That obviates the gentleman's objection.

Mr. MONDELL. I accept that amendment.

Mr. BELL of Texas. I think that probably obviates some of my objections; but I still make the point that this bill ought to have been referred to the Committee on Pacific Railroads. The chairman of that committee is not here, and I see only two members of that committee present besides myself. I do not think that a bill of this kind and of this importance should be passed in the closing hours of this session, when there is no quorum present,

when there is nobody present to whom it was referred who can explain particularly the effect of it. Therefore I object to it, regardless of any amendment that may be offered.

Mr. MONDELL. I yield to the gentleman from Indiana [Mr. FARIS].

Mr. BELL of Texas. I should like to hear what the gentleman from Indiana [Mr. FARIS] has to say about this.

Mr. FARIS. Mr. Speaker, I think my colleague on the Pacific Railroads Committee [Mr. BELL of Texas] is laboring under some misapprehension relative to this matter. I believe I attended all the meetings of the Pacific Railroads Committee. I do not believe that this resolution or any similar bill or resolution was ever before that committee. This, however, did occur: In the early days of this session the receivers of the Union Pacific came before our committee and presented this difficulty that the management of the railroad was and is under, expressing the hope that the committee would take the matter in hand and that some legislation would be had on the subject, they representing to our committee that the Secretary of the Interior had arbitrarily, of his own motion, entirely suspended the issuance of these patents. For the information of the committee the Secretary of the Interior appeared before us and made a long statement on the subject, and, as I remember, he assumed the entire responsibility for the present status in the matter of the issuance of patents, justifying himself because of the default on the part of the company and the expected continued default on the part of the company as to its obligations to the Government. He stated that he thought that the status quo should be maintained as to the matter when he stopped issuing these patents. Now, I do not remember that we have had any bill on the subject before the committee. I think, indeed, we never had, and I agree with my colleague, the gentleman from Texas [Mr. BELL], that this matter ought to have been referred to the Committee on Pacific Railroads. Mr. Speaker, as I understand it, there is no purpose or object in this resolution except to protect the bona fide purchasers of lands along the line of the Union Pacific road, and understanding the situation as I do from the hearings before our committee, I think this resolution ought to pass.

Mr. BELL of Texas. Do you not remember that Judge Peckham appeared before our committee and made a speech in behalf of the mortgage bondholders, asking for this very legislation, and stating that the effect of it would be to require the issuance of patents not only where the land had been sold and the settler had gone upon it but also wherever it had been mortgaged in good faith?

Mr. FARIS. I will say in answer to my colleague that I do not remember——

Mr. BELL of Texas. You remember Judge Peckham being before the committee?

Mr. FARIS. Judge Peckham and Mr. Ellery Anderson were before our committee on the same day, one following the other, and they made a statement or argument, with a great deal of elaboration, upon this and kindred subjects. I have no recollection that Judge Peckham stood in antagonism to Mr. Anderson on this proposition.

Mr. BELL of Texas. No; on the contrary, representing the holders of the mortgages, he of course favored it and wanted the legislation.

Mr. TAWNEY. Will not the amendment proposed by the gentleman from Montana [Mr. HARTMAN] obviate your objection?

Mr. BELL of Texas. It certainly will to a certain extent. It does modify it very much.

Mr. FARIS. My recollection is very clear that Mr. Anderson, one of the receivers for this road, insisted to the committee that some such relief as this ought to be accorded to these people buying these lands, and, if my colleague will permit me, I will say that I have no recollection that Judge Peckham or anybody else ever referred to that subject or made any argument before the committee subsequent to that day.

Mr. BELL of Texas. No, not subsequent to that day, but right on that day.

Mr. BRODERICK. You understood that there were a great many lands in several States that purchasers had been in possession of for a number of years, for which they had no patents?

Mr. FARIS. Yes.

Mr. BRODERICK. And they wanted their patents?

Mr. FARIS. Yes; had paid the money in good faith; that many of them were living on the lands and all of them were affected by what was conceded and not disputed by the Secretary of the Interior to be his own arbitrary act in the premises.

Mr. BRODERICK. I understand, also, that the bill went to the Committee on Public Lands of the Senate?

Mr. FARIS. I heard that this morning, but did not know it before.

Mr. BRODERICK. That committee is a safe committee, composed of good lawyers.

Mr. FARIS. I make no point on that. I only refer to the failure to present this matter to our committee, because such distinguished men had appeared before us and given us information, including the Secretary of the Interior. I think the resolution ought to pass.

Mr. BRODERICK. I think so, too.

The SPEAKER. The question is on suspending the rules and passing the concurrent resolution.

Several MEMBERS. There is an amendment.

The SPEAKER. Under the rules, on a motion to suspend the rules there can be no amendment.

Mr. HARTMAN. Can not it be done by unanimous consent?

The SPEAKER. Yes. If there be no objection, the amendment will be considered as agreed to.

There was no objection.

The question was put.

The SPEAKER. In the opinion of the Chair, two-thirds having voted in favor thereof, the rules are suspended and the concurrent resolution is agreed to.

JONATHAN SCOTT.

Mr. KIRKPATRICK. Mr. Speaker, I desire to present a privileged report. The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4526) granting a pension to Jonathan Scott, together with the message of the President of the United States, bearing date May 30, 1896, vetoing the same, directs me to report the bill back with the recommendation that the bill pass, the veto of the President to the contrary notwithstanding.

Mr. DINGLEY. One moment. I desire to call the gentleman's attention to the fact that under the Constitution the yeas and nays will have to be taken on the passage of that bill over the veto; and in view of the circumstances that exist it is hardly wise that they should be called.

Mr. KIRKPATRICK. I realize that; but it seems to me that a quorum is present here this morning. [Cries of "Oh, no!"]

Mr. DINGLEY. I think you had better withdraw the bill for the present and wait until we have a quorum.

Mr. KIRKPATRICK. In your judgment will there be a quorum here?

Mr. DINGLEY. I can not tell. Of course the gentleman very well understands that if the absence of a quorum should be developed on the yeas and nays it will be fatal to some matters of very great importance, among which is final adjournment.

Mr. KIRKPATRICK. I will allow the matter to stand for the present, and may call it up a little later.

The SPEAKER. The report is withdrawn.

FOREST FIRES.

Mr. SHAFROTH. Mr. Speaker, I wish to call up again the bill (H. R. 9123) to prevent forest fires on the public domain, and move to suspend the rules and pass the bill. The gentleman from Arkansas [Mr. LITTLE] has withdrawn the point of no quorum.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

TITLES TO CERTAIN LANDS IN MISSISSIPPI.

Mr. WILLIAMS. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 9345) to enable certain persons in the State of Mississippi to procure title to public land.

The bill was read, as follows:

Be it enacted, etc., That all persons who, prior to January 19, 1895, purchased in good faith from the State of Mississippi any lands within the 6 miles or granted limits of the Mobile and Ohio Railroad, and which lands were included in approved swamp-land list No. 7, Augusta series, their heirs or assigns, shall have the preference right of entry for one year from the passage of this act, either under the homestead law or by purchase at private entry, at $1.25 per acre; and the fact that persons affected by this act have heretofore made entry of lands under any law or laws shall not work a disqualification to make entry as herein provided.

Mr. WILLIAMS. Mr. Speaker and gentlemen of the House, this is a bill that was unanimously reported by the Committee on Public Lands, and which is worded precisely as the Commissioner of the General Land Office recommended that it should be worded. The case is this: On September 20, 1850, there was a law passed by the United States Government granting a right of way and granting the even-numbered sections within a 6-mile limit to a certain railroad, styled in the act the Mobile and Chicago Railroad Company, the Government reserving the odd-numbered sections, having granted the even ones to the railway company, at an increased price of $2.50, in order to indemnify the Government for the lands granted to the railroad company. Upon September 20, 1850, the Government of the United States passed what is known as the land-grant act, by means of which they allowed States to select certain lands as swamp lands. The State of Mississippi proceeded under the swamp-land-grant law to select certain lands, and selected, among others, a great many of these lands which were upon this list of lands reserved to be sold at $2.50 an acre. The governor of the State of Mississippi certified

that land to the Interior Department. The Interior Department, on August 23, 1883, approved the list selected by the governor of the State of Mississippi, and transmitted to the governor on February 19, 1884, his approval of the list. The approval was never carried into patent.

Now, subsequently the Interior Department, upon January 19, 1895—years after these lands had been sold to parties who had bought them and had been living upon them for a generation, in many instances had buried their ancestors on them—the Department came to the conclusion that these lands were reserved, and revoked the approval which had been previously given. The consequence has been to leave the lands of a great many people who have been living upon them for a generation or longer subject to homestead entry, and it is very natural for a man who wants to enter a homestead to prefer one with a house and barn and other conveniences upon it rather than to go into the woods. A great deal of trouble has grown up in the counties where these lands are situated, and where about 15,000 acres are involved. The bill is worded in the exact language recommended by the Commissioner of Public Lands of the United States, and the passage of the bill is of immediate necessity in order to cure a crying evil which, if not cured, will cause a great deal of damage to actual, bona fide settlers upon these lands.

Two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles:

A bill (H. R. 2) disposing of two condemned cannon; and

A bill (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes.

WILLIAM H. SCOFIELD AND OTHERS.

Mr. FAIRCHILD. Mr. Speaker, I call up House bill No. 7338, and I move that the rules be suspended for the present consideration of the bill.

The SPEAKER. Not for the passage of the bill?

Mr. FAIRCHILD. No; my object is to amend it so that it will correspond to the form in which the bill is about to pass the Senate.

The SPEAKER. Why does not the gentleman move to suspend the rules and pass the Senate bill?

Mr. FAIRCHILD. I accept the suggestion of the Chair, and move to suspend the rules and pass the bill in the form in which I send it to the Clerk's desk.

The bill was read, as follows:

Be it enacted, etc., That William H. Scofield, Jacob Brady, James Ketcham, Annie Booth, as administratrix of the goods, chattels, and credits of George W. Booth, deceased; Wilson P. Billar, Ezra L. Waterhouse, Moses C. Bell, George W. Byles, and George A. Scofield be, and they are hereby, released from any liability as sureties on the bond of Neil Hepburn, by reason of the defalcation of Neil Hepburn, as late postmaster at City Island, N. Y. And the Secretary of the Treasury is hereby authorized and directed to discontinue as against said William H. Scofield, Jacob Brady, James Ketcham, Annie Booth, as administratrix of the goods, chattels, and credits of George W. Booth, deceased; Wilson P. Billar, Ezra L. Waterhouse, Moses C. Bell, George W. Byles, and George A. Scofield any action that may have been instituted against them to enforce such liability, and to cause to be satisfied of record any judgment that may have been entered against said sureties in any such action: *Provided, however*, That the provisions hereof shall apply only to the bond covering amounts accrued subsequent to September 30, 1893.

By unanimous consent a second was considered as ordered.

Mr. BAILEY. Mr. Speaker, I desire to have some explanation of this bill.

Mr. FAIRCHILD. I will say to the gentleman from Texas that this is a bill that was reported some time ago unanimously by the Committee on the Judiciary and was before the House on a former occasion and went over on the objection of my colleague, Mr. BARTLETT. Subsequently my colleague called at the Post-Office Department and satisfied himself as to the propriety of the bill to the extent that he said he would not renew his objection.

Mr. BAILEY. Does the Post-Office Department recommend the passage of the bill?

Mr. FAIRCHILD. The Auditor's department, having charge of the subject, favors the passage of the bill.

Mr. BAILEY. Do they recommend the passage of the bill?

Mr. FAIRCHILD. They have not specifically in any writing recommended the passage, but they have written a letter which is now before the Judiciary Committee of the Senate, upon which that committee has reported the bill favorably, and which indicates that the Department favors the passage of the bill. It was upon that communication that the Senate Judiciary Committee recommended the passage.

Mr. BAILEY. Mr. Speaker, the chairman of the Judiciary Committee tells me that this has been before that committee, and that it is a proper bill, so I make no further question about it.

The SPEAKER. The question is on the motion to suspend the rules and pass the bill.

Mr. BRUMM. Mr. Speaker, one moment. I want to get some information about this. I will ask the gentleman why this bill was sent to the Judiciary Committee, if it involves a claim?

Mr. FAIRCHILD. This is not a claim against the Government. The bill relates to a suit by the Government against the parties named in it.

Mr. MCEWAN. Mr. Speaker, I do not think we have sufficient information yet to vote intelligently on this matter. The Government is either going to give away money when it should not do so, or it is not——

Mr. CANNON. Let me ask the gentleman from New York——

Mr. MCEWAN. I believe I have the floor, Mr. Speaker. These people went on this man's bond knowing that they assumed a liability. We are now asked to relieve them from that liability, and if we do it I think we are doing wrong. We have no right whatever to vote away the people's money and give it to these men who assumed this liability. Let them pay. In other words, by this kind of legislation we are doing our best to entirely nullify the system of taking bonds for the protection of the Government.

Mr. FAIRCHILD. Mr. Speaker, I think I can satisfy my friend on that point. These men were sureties on two bonds. The first expired September 30, 1893, and under it a liability accrued of $1,900. The second bond expired three quarters later, and under that bond a liability accrued of $2,800. Under the law the Department is required to notify sureties immediately of any deficiency discovered on the part of any postmaster. The Department neglected to do that.

A deficiency in the accounts of this postmaster was discovered as early as June, 1893, amounting to more than $500; but the Government failed to notify the sureties of this fact, although the officers of the United States were corresponding with the postmaster urging him to make good his default. The bill as originally introduced and as originally reported by the Judiciary Committee proposed on that state of facts to relieve the sureties from both bonds. The bill as now amended relieves them from only the second bond, thus according with the views of the Judiciary Committee of the Senate. With regard to the second bond the equities in favor of the sureties are greater, for the reason that one of the sureties on the first bond died and the Department, owing to the death of that surety, wanted a new bond; and although the Government officials had knowledge at the time that this postmaster was in default to the extent of $1,900 the same men were accepted as sureties upon the second bond, they being kept in ignorance of the defalcation.

Mr. BRUMM. From the statement just made by the gentleman from New York [Mr. FAIRCHILD] it strikes me that this bill should have been sent to the Committee on Claims.

Mr. FAIRCHILD. I think I can satisfy the gentleman on that point. At the time when this bill was introduced in the House, proceedings had been commenced against these parties; and it was a question whether or not the Government should discontinue that action. It was to that view of the case that the bill applied. Owing to objection made by my colleague from New York [Mr. BARTLETT], at the time when the bill first came up, proceedings were continued and judgment entered. Execution is now in the hands of the marshal for enforcement, and will be enforced unless before this Congress adjourns this bill becomes a law. If that judgment should be enforced, these sureties, who are poor men with nothing in the world but their little homes which they have earned by a lifetime of labor and by husbanding their earnings in building associations, will be sold out to satisfy this judgment.

Mr. MITCHELL. Has this bill the unanimous approval of the two committees?

Mr. FAIRCHILD. It has.

Mr. BRUMM. This is really a claim of the Government against the sureties?

Mr. FAIRCHILD. That is correct.

Mr. BRUMM. Judgment has been obtained and execution is in the hands of the marshal. Now, a bill proposing to release the claim of the Government against these people should have gone to the Committee on Claims; the Committee on the Judiciary has no jurisdiction of such a matter.

Mr. FAIRCHILD. I wish to say to my friend from Pennsylvania [Mr. BRUMM] that in introducing this bill and having it referred to the Judiciary Committee I had no disposition at all to prefer one committee above another. My only object was to have a proper reference; and I followed in the matter the advice of those who had been in the House longer than I had.

Mr. BRUMM. That is not a matter of law; it is a matter involving a claim; and of course it should have gone to the Committee on Claims.

Mr. RAY. When the bill was referred to the Judiciary Committee this judgment had not been rendered; so that the bill appeared to be of the same class as other bills which are usually sent to the Judiciary Committee.

The question being taken on the motion to suspend the rules

and pass the bill, it was agreed to, two-thirds voting in favor thereof.

SANTA BARBARA, CAL., A SUBPORT OF ENTRY.

Mr. MCLACHLAN. I move to suspend the rules and pass the bill (S. 2412) to make the city of Santa Barbara, county of Santa Barbara, State of California, a subport of entry.

The bill was read, as follows:

Be it enacted, etc., That the city of Santa Barbara, State of California, be, and the same is hereby, made a subport of entry in the district of Los Angeles, with the privileges of section 7 of an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, 1880.

Mr. MCLACHLAN. This bill, which proposes merely to make Santa Barbara a subport of entry, has already passed the Senate and is unanimously recommended by the House committee. I know of no objection to it whatever.

The question being taken, the motion of Mr. MCLACHLAN to suspend the rules and pass the bill was agreed to, two-thirds voting in favor thereof.

LIFE-SAVING STATION ON NEW ENGLAND COAST.

Mr. MOODY. I move to suspend the rules and pass Senate bill No. 2783. This bill, which was drawn by the Superintendent of the Life-Saving Service, has been passed by the Senate and has been unanimously reported by the House committee.

The bill was read, as follows:

A bill (S. 2783) to establish a life-saving station on the coast of New Hampshire or Massachusetts, between the Hampton and the Merrimac rivers.

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized to establish a life-saving station on the coast of New Hampshire or Massachusetts at such point between the Hampton and Merrimac rivers as the General Superintendent of the Life-Saving Service may recommend.

Mr. RICHARDSON. I demand a second on the motion to suspend the rules.

Mr. MOODY. I ask that a second may be considered as ordered.

Mr. RICHARDSON. I agree to that.

There being no objection, a second was ordered.

Mr. RICHARDSON. Now I should like to hear some explanation of this bill.

Mr. MOODY. Mr. Speaker, this bill proposes to permit the establishment of a life-saving station on a certain part of the coast of Massachusetts or New Hampshire. As I have said, it was drawn by the Superintendent of the Life-Saving Service. It has been presented in consequence of the fact that during the storm of last February four vessels were wrecked on the Massachusetts coast in one night; and there was no means of rescue for the sailors, so that eleven lives were lost. I do not know that I need add anything except to say that the bill has passed the Senate and has been unanimously reported in the House.

Mr. RICHARDSON. As I understand, the bill is only permissive, and does not order that this station be established.

Mr. MOODY. It does not order the establishment of the station.

The question being taken, the motion to suspend the rules and pass the bill was agreed to, two-thirds voting in favor thereof.

GETTYSBURG NATIONAL CEMETERY.

Mr. CURTIS of New York. Mr. Speaker, I ask that the Senate bill (No. 2490) to authorize the Secretary of War to improve and maintain the public roads within the limits of the national park at Gettysburg, Pa., be taken up, and move to suspend the rules and pass the same.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized, in his discretion, to improve and maintain the public roads within the limits of the national park at Gettysburg, Pa., over which jurisdiction has been or may hereafter be ceded to the United States: *Provided*, That nothing contained in this act shall be deemed and held to prejudice the rights acquired by any State or by any military organization to the ground on which its monuments or markers are placed nor the right of way to the same.

Mr. RICHARDSON. I demand a second in order to hear an explanation of this bill.

Mr. CURTIS of New York. I will give an explanation if the gentleman will just allow me.

Mr. RICHARDSON. Very well.

Mr. CURTIS of New York. This bill was before the House some time ago, and the gentleman from Nebraska objected. It was explained to him, and later he said he would withdraw the objection.

The bill simply allows the Secretary of War to improve the roads in the Gettysburg Park, and lay out such other roads as may be necessary to get to one monument or from one set of monuments of the States to the others. It requires no appropriation but simply authorizes the use of the money already set apart for this purpose. It passed the Senate unanimously, and comes with unanimous report from the Committee on Military Affairs of the House.

I ask a vote.

The question was taken; and two-thirds voting in favor thereof, the rules were suspended and the bill passed.

ERIE, PA., PORT OF IMMEDIATE TRANSPORTATION.

Mr. GRISWOLD. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 180) to make the city of Erie, Pa., a port of immediate transportation.

The bill was read, as follows:

Be it enacted, etc., That the privileges of the seventh section of the act approved June 10, 1880, governing the transportation of dutiable merchandise without appraisement, be, and the same are hereby, extended to the port of Erie, in the State of Pennsylvania.

The motion to suspend the rules and pass the bill was agreed to, two-thirds voting in favor thereof.

REPRINT OF BANKRUPTCY BILL.

Mr. RICHARDSON. Mr. Speaker, I desire to submit a privileged report from the Committee on Printing.

The SPEAKER. The report will be read.

The Clerk read as follows:

Resolved, That 5,000 copies of House bill No. 8110, entitled "An act to establish a uniform law on the subject of bankruptcy throughout the United States," as the same passed the House, be reprinted for the use of the House.

Mr. RICHARDSON. There is also a report presented by the committee which I ask to have printed in the RECORD.

The report is as follows:

The Committee on Printing, to whom was referred resolution 405, providing that 5,000 copies of House bill No. 8110, entitled "An act to establish a uniform law on the subject of bankruptcy throughout the United States," as the same passed the House, be reprinted for the use of the House, having had the same under consideration, recommend that it do pass.

Mr. ALLEN of Mississippi. Mr. Speaker, in view of the record made by this Congress, it does seem to me that we should do all in our power to give the people instruction and information on the subject of bankruptcy.

The result of the action of this Congress will certainly be to produce that condition among the people. And why should we not put them in a condition to avail themselves of the benefits of laws suitable to their condition? But, sir, before elaborating my views fully on this resolution I desire to make something in the nature of a personal explanation. Both in the public press and this House I have been criticised for my silence during this session of Congress. [Laughter.] I want to say, sir, there has been very little during this session of Congress to inspire a Christian man with loquacity. [Renewed laughter and applause.]

Mr. Speaker, I am not the only great statesman who has been observing a great deal of silence for the last few months. "There are others." [Laughter.] In fact, Mr. Speaker, there are several of us great leaders who have not been talking much of late. [Laughter and applause.]

I suppose we all have our reasons for being silent. In my life there have been some discouraging incidents during this session. When I returned here last winter and found this Hall so full of Republicans, with such a scarcity of Democrats, when I found myself crowded back from my old seat on the middle aisle, where it had been for ten years, and the Republicans lapping over and occupying nearly half of the west side of the Hall, whereas the Democrats had for years occupied not only all of that side, but had lapped over and occupied a part of the Republican side of the House; I say when I found I had been driven away from this commanding position I occupied so long, and from which I speak to-day by courtesy, to make room for a Republican majority, in the language of my friend General WHEELER, "I trembled for my country." [Laughter]. While I still occupy the seat that is the outpost of the Democratic position in this House, it is entirely too far away from the center aisle, and there are too many Republicans on what was formerly Democratic territory.

I sat in the gallery the other day and heard some one ask, "Which is the Democratic side?" The response came that there is no Democratic side; that there was only a Democratic strip. [Laughter and applause.]

Now, Mr. Speaker, I insist that individually I am not to blame for the disasters that have come upon my party. I feel it is due myself that I should make this explanation, because, in yielding to the pressure brought to bear on me to stand for reelection to Congress [laughter], I consulted an old friend, who wrote me that there was some dissatisfaction among the people because, he said, I had lead the party to defeat, and some were demanding a new leader. [Laughter and applause.]

I want the country to understand that the Democratic party never went to defeat so long as it followed my leadership. It will be remembered, Mr. Speaker, that three years ago a great many of the Democrats of this House went off under the lead of my friend Tracy, from New York, and ceased to follow me. They began to condone the crime of 1873, by which silver was demonetized; began to talk about its being "the recognition of a condition"; about "the act of 1873" being "the tombstone on an old grave"; turned their backs on silver, and became worshipers at the shrine of gold! It was this departure from the time-honored principles of the Democratic party that caused a great many people to lose confidence in it and filled this Hall with the opponents of Democracy.

There was another incident in the early part of the session, a Senatorial election that occurred down in Mississippi, the result of which rather impressed me with the conviction that the best men were not being selected for high positions this year. [Laughter.] I doubt not, Mr. Speaker, that there are others who have occasion to feel and do feel about this as I do. [Laughter.]

I do not know, Mr. Speaker, how you feel about it, but these mistakes of the people at times have a tendency to make me despair of the perpetuity of our republican institutions. [Great laughter and applause.]

And then, Mr. Speaker, when I remember the circumstances under which this House met and the promises and professions of the Republican leaders as to what they would do when they got possession of the House, and when I have watched their performances, it has not been calculated, as I said before, to produce talk from a Christian man who was unwilling to "cuss."

This Congress met in the midst of great industrial and business depression. Business was paralyzed, people poor and growing poorer, their products selling for almost nothing, discontent and unrest with both labor and capital, the Administration selling bonds to buy gold to keep up a gold reserve, the gold brokers and bond buyers taking this gold in turn out of the Treasury to force the issue of more bonds, and the great Republican party that had professed so much capacity for relieving this condition of distress—the only remedy they proposed was one bill to increase taxation, and a bill to authorize the issuance of a different series of bonds. The people asked for bread, and you offered them a stone. They wanted to be rid of the bond-selling business; your remedy was to facilitate it. They did not need to be taxed any more, but the Republican prescription for every governmental evil is to increase taxation.

Mr. Speaker, I desire to call special attention to the extravagance of this Congress. It has already passed appropriation bills which carry directly in round numbers about $520,000,000, and has authorized contracts that will require the expenditure of $100,000,000 more, practically making a voting away by this Congress of $620,000,000 of the people's money; and it should be remembered that in some of these appropriations provision is only made for eight months, instead of the whole year, as has always been done heretofore. Besides this, many of the claims against the Government, such as war claims passed upon by the Court of Claims, are denied payment in pursuance of the policy of Republican managers to keep down the figures, as far as possible, in a Republican Congress, for party purposes in the coming Presidential election.

But, Mr. Speaker, the amount is already large enough to damn the party responsible for it. This money must all be raised by taxing the people; there is no other way to get it. The figures are so stupendous it is hard for the mind to grasp them, and this money is voted at a time when the Treasury and the people are in no condition to pay it.

The people are already overtaxed and the revenues insufficient to meet the expenses of the Government. I am aware that it is very difficult to make any impression on this body or to arouse the country on the question of economy against extravagance. But I do hope and believe that the condition of the people of this country at this time will make them call their public servants to account for wasteful extravagance.

Let me call your attention to how this thing is growing. In 1860, when the Democratic party was in power, and the country was prosperous, the entire governmental expenditures amounted to $63,200,875.65; and if you will look at the platform adopted by the Republican party that year you will see that they arraigned the Democratic party for its wasteful and extravagant appropriations. That was one of its greatest charges against Democracy.

Now, with the population of the country only about doubled, you have appropriated almost ten times the amount of money required to run the Government when your party said it was run extravagantly. Ten years ago, when the country was comparatively prosperous and the Treasury was overflowing with a large surplus, we appropriated $336,439,918.20 for the expenses of the Government, and that was regarded and was, in my opinion, an extravagant appropriation. But in ten years, without any excuse for it, with the purchasing power of money nearly doubled, $185,000,000 of direct appropriations and $100,000,000 of continuing contracts have been added—and see how easily you do it!

A bill creating a Government liability of $75,000,000 or $80,000,000—I refer to the river and harbor bill—is passed through this House under a suspension of the rules with only thirty minutes' debate, no opportunity being allowed to offer amendments or vote out improper items; and when it is returned here by the President with his veto, the previous question is called and no opportunity given to discuss it and show the President's characterization of it to be true or false.

There has been added nearly $300,000 this year by law to the annual expense of running the two Houses of Congress.

Mr. Speaker, my vote has been against every proposition to increase appropriations and expenses during this Congress, and in my efforts I have had some assistance from the President. [Laughter.] In some instances we have succeeded, and in others we have failed.

Mr. Speaker, the prudent business man, when he finds his expenses exceeding his income, goes to work to cut down expenses that he may live within his means. I do think the most sensible and patriotic proposition that has been made during this session with reference to our expenditures came from the gentleman from Alabama [Mr. WHEELER] when he proposed to make a cut of 25 per cent in the salaries of all Government officials and employees.

We could have made the revenues of the Government square with our expenses if we had adopted this plan, and there would have been no injustice in it, for the 75 per cent left will buy more of the necessaries of life now than the 100 per cent would buy when most of these salaries were fixed. I would be glad to see such a measure pass yet before we adjourn. But this wise proposition was only laughed at. No, the Republican party does not want to reduce expenses; they want a pretext for increasing taxation for the benefit, not of the Government, but for the few who have grown rich through governmental favor.

The gentlemen who we are told by some of the Republicans are this year having the "fat fried out" of them to get money to nominate and elect the great apostle of protection to the Presidency no doubt expect to get their money back with ten and an hundred fold interest.

I cite to prove this statement the fact that the Republicans in this Congress have rejected every proposition to increase the revenue unless it comes in that shape that individuals would get more money out of it than the Government. We could raise $25,000,000 or $30,000,000 of revenue by an additional tax on beer, and it would not affect the price but little, if any, paid by the consumer. The tax would fall mainly on the brewing trust, and the Republican party will not have it, because it does not enable any private interest to exact any of the tax. The same might be said of a tax on tea; but that meets the same objection from the Republicans—it would be a tax for revenue.

Mr. Speaker, I do hope and believe that the farmers of the South and West, and the farmers of the whole country, for that matter—I mention the South and West, as they are the great agricultural and producing sections of this country—will look at this thing in a sensible way and go to the polls next November prepared to vote not only patriotically but in their own interest. I call your attention here to a portion of an article on the relative prosperity of the agricultural and manufacturing sections of the country, the facts of which are taken from the last census returns. It presents some startling and interesting facts. In this article New England, New York, New Jersey, and Pennsylvania are reckoned as the East:

With 5 per cent of the area and 26 per cent of the population, the East possesses 43 per cent of the assessed wealth of the nation—above two-fifths. What is more, it was able to capture of the wealth gained in the ten years from 1880 to 1890, 41 per cent.

THE EAST NOT A PRODUCING SECTION.

How did it do it? How, with one-twentieth of the land to work on and with one-fourth of the population to do the work, was this little section able to secure so large a percentage of the increment of the nation's stored-up riches? Be it understood that this little section is not to any considerable degree a "producing" section. It does not "raise things." For example, it has only 18 per cent of the farm capital of the country and only 11 per cent of the acreage improved for cultivation. Of the total agricultural product of the country—and in this is to be included all the cotton, wool, hides, and the like, as well as all the cereals—this section raises only 17 per cent.

Again, it has only 15 per cent of the total railway mileage of the country which may represent transportation facilities.

Clearly it did not grow rich out of these. But the East is a manufacturer. With only 5 per cent of the area on which to locate its mills and factories, it still does more than half the manufacturing for the whole country. The States of New York and Pennsylvania alone turn out more than one-third of all the manufactured product of the United States.

In a word, the West produces the materials and the East makes them up. Precisely the relative profits of these two operations probably no man could determine. The following facts are presented for just what they may be worth:

At the time the census was taken there were 9,000,000 workers employed on the farms, in the fisheries, and in the mines of the whole country. The annual value of their produce was about $2,500,000,000. That was an average value of product per worker of $273.

RATIO IN FAVOR OF MANUFACTURERS.

In the same year there were 5,000,000 men and women employed in manufactories. The total value of the product they turned out was above $9,300,000,000. Deducting from this sum the computed cost of the raw materials, and the total value added to these raw materials in the process of manufacturing was $4,210,000,000. That was an average of $842 per worker, or a ratio of 3 to 1 in favor of the manufacturing worker as against the man on the farm.

One dollar invested in farming earns 15 cents.

One dollar invested in manufacturing earns 64 cents.

Or, to put the matter in another way, it took nearly $16,000,000,000 of farm capital to turn out a product of $2,500,000,000—a relationship of $1 to 15 cents. On the other hand, $6,000,000,000 of manufacturing capital was able to take $5,000,000,000 worth of raw material and make it worth above $9,000,000,000, or a net gain of $4,000,000,000 and more. That was a relation of capital to net gain of $1 to 64 cents.

Whether this be a hint or a path to the solution of the question, it is certain that the wealth gain of the manufacturing States in the last decade was

extraordinarily greater than that of some of the leading agricultural or producing States. There is a little book published by the Arena Company. It is called Bread Winners and Bond Holders, and was written by S. S. King, of Kansas.

In one of his illustrations Mr. King has taken the State of Massachusetts as an example of what he calls a "nonproducer," and set it in contrast to the nine great producing States shown on the opposite side. Taking land, labor, and capital as the three chief factors of production, he shows that the nine States of what he calls "the produce district" had land in proportion to Massachusetts as 58 to 1; they had labor as represented by population as 7 to 1, and capital as represented by assessed value as 2 to 1.

And yet in ten years the nine great producing States added to their assessed wealth $559,000,000, while the single little State of Massachusetts gained $569,000,000. The one small exceeds the nine great!

Mr. Speaker, the farmers of this country are a great, conservative class. They are as much entitled to the kindly consideration of the Government as any class of people in it. They help fight our battles in time of war. They feed our armies and our people both in war and peace. They furnish most of our exports with which we liquidate our debts and balances abroad. They pay more taxes in proportion to their wealth than any other class. Their holdings are of such a character that they could not escape them if they would.

In the very nature of things, they can not be protected to any appreciable extent by tariff laws, because we raise a large surplus of agricultural products that must find a market beyond the reach of our tariff laws. In these markets the price of their products are fixed.

Representing, as I do, an agricultural district, and familiar, as I am, with their struggles, misfortunes, and disappointments, I, sir, intend in the future, as I have in the past, to give my votes and influence toward relieving them of every unnecessary burden placed upon them, whether it be in the interest of extravagant appropriations or for the benefit of individual corporate gain, and I wish to warn them that they make a great mistake if they give their votes for any party or policy that increases unnecessarily their burdens.

There is no flowery path ahead of the American farmer; his lot will be hard enough with the very best the Government can do for him, and it is a grievous wrong to require him to bear taxation unnecessarily in any interest.

Mr. Speaker, there is another silent man about whose prospects and silence a good deal is being said at this time, and I desire to pay my respects to him. I refer to the distinguished gentleman from Ohio whom they say is to be nominated for the Presidency by the Republican party at St. Louis next week. I will not speak of the methods by which it is said his successful campaign has been won. I leave that for Senator CHANDLER and other Republicans who exposed the methods of his managers not long ago. But suffice it to say if his nomination is secured by the practices charged against him by his party friends, he should be defeated at the polls.

Mr. Speaker, there is about this time a very great interest and desire in the public mind to ascertain what are now the views of this silent man on the financial question, which is exciting so much interest just now. But they say his manager, Mr. Hanna, will not allow him to talk. While he is profoundly silent himself, he has friends in every part of the country certifying to what his real views on the question are, and these certificates seem to be made to suit the locality in which they are given; and I confess that his friends, by going to his past record on this question, can find warrant for certificates to suit all shades of opinion.

When I see the trouble some people are having with speeches made in the past, I am more reconciled to my own silence. But at this time, when the public mind is so wrought up and concentrated on the financial question, would it not look better for this leader of Republican thought to define his own position? Certificates as to what a man's opinions are might do very well if he were so situated he could not speak for himself. A certificate ought to be the last resort of the man whose word would be taken about his own position.

I have always heard that an egg that goes around with a certificate attached that it is a good egg is not a safe egg to buy, for they do say an egg never feels called upon to take around a certificate of its soundness until it is under suspicion.

Mr. Speaker, I have read and reread the platform adopted by the Republican convention of the State of Ohio, from which the Republican candidate for the Presidency will come; and of all the conglomerations of financial declarations that have appeared in this year of our Lord, the Ohio platform on this question "takes the cake." It declares for gold, silver, and paper money; wants each of them to be "as sound as the Government and as untarnished as its honor."

If you will look at the wording of this platform and the speech made by Mr. McKinley before the Marquette Club at Chicago, you will find the wording of the platform is almost in the exact words of this speech. We are therefore authorized to conclude that the Ohio platform was written by the Republican candidate for the Presidency. It is susceptible of all and more misleading constructions than have been put on the platforms of the two great political parties adopted at their last national conventions, and we all know what that means.

I here call attention to the financial plank of the Ohio Republican State platform:

THE FINANCIAL PLANK.

We contend for honest money, a currency of gold, silver, and paper, with which to measure our exchange, that shall be as sound as the Government and as untarnished as its honor, and to that end we favor bimetallism, and demand the use of both gold and silver as standard money either in accordance with a ratio to be fixed by an international agreement, if that can be obtained, or under such restrictions and such provisions to be determined by legislation as will secure the maintenance of the parities of values of the two metals, so that the purchasing and debt-paying power of the dollar, whether of silver, gold, or paper, shall be at all times equal.

I now give you a sentence from Governor McKinley's speech before the Marquette Club at Chicago last February, that you may see who wrote the Ohio platform. In speaking of the Republican party he said:

It stands for a currency of gold, silver, and paper, with which to measure our exchanges, that shall be as sound as the Government and as untarnished as its honor.

I could now give extracts from his speeches showing him on every side of this question. He voted for free coinage in 1878 and for the Bland-Allison law, for the Sherman law in 1890, denounced the Democrats for repealing the Sherman law, and now stands for any sort of money the national Republican convention will prescribe.

I would like, Mr. Speaker, to see the great parties this year adopt platforms susceptible of no double or misleading construction and then nominate candidates on them who have real convictions in accord with them, and who would be willing to stand by them. But the Ohio candidate seems to be waiting and willing to take his views from the convention from which he seeks the nomination. The Republican party may desire to observe the same rule in selecting their candidate that the cavalryman observed in selecting his horse. He said the kind of a horse he wanted was one that could turn quick and go fast. [Great laughter.] I doubt if the Republican party can find a candidate who can turn quicker or go faster than the gentleman from Ohio. But, Mr. Speaker, there is one thing about this candidate for the Presidency against which I wish to enter my protest here and now, and I hope the convention, if it does nominate him, will take a stand as between the English and American handshake. Mr. McKinley's rallying cry is "Americanism; American systems; American policies." Why should he be permitted to abandon the American handshake? Have any of you seen him in the last few years shaking hands; seen him raise his arm high in the air for his overhanded English handshake? Just think of how the American simplicity of a Jefferson or a Lincoln would be shocked by this effort to imitate the English handshake! We want an American President to shake hands right out from the shoulder—good old American style—none of this overhanded business. [Great laughter.]

Mr. Speaker, I served in this House with Mr. McKinley; I knew him very well. If he should be the nominee of the St. Louis convention I hope he will get on a straight, frank, and unequivocal platform. And if the American people should make the mistake of putting him in the White House I hope he will come down to the good old American handshake; and, so far as I am concerned, the same intimate and cordial relations that have existed between the occupants of the White House and myself for so many years will be continued. [Applause and laughter.]

Mr. Speaker, the efforts of the Republican party to divert the people in this campaign from the financial question to the tariff will, in my judgment, be abortive. The financial question is uppermost in their minds, and the friends of silver are going to stand up and be counted this year. The gold standard has had a fair trial; it has been weighed in the balance and found wanting. It does not suit the masses of the American people. I grant you that the people who want to invest their money in United States bonds, where they escape all taxation and where the owners can live in idleness and luxury, free from all care and secure from all obligation to contribute to the support of the Government, those who are interested in having their dollars buy as much as possible of products of labor. They seem to like the gold standard, for it is working just to suit them; but the great body of the people who have no fixed incomes are catching onto the fact that they are the victims of this system.

Mr. Speaker, I am no prophet, but in my speech more than two years ago I predicted just about what has happened with reference to our currency. The demand now is for the retirement of all our paper money except the issue of the national banks, and that what silver we have is to be practically mere subsidiary coin or token money. It will require the sale of seven or eight hundred millions more of bonds to carry out the programme, and then the people will be without a currency except such as the national banks see proper to let them have. I do not wonder that the

American Bankers' Association are interested in preserving the existing standard of value, as shown by this letter:

THE AMERICAN BANKERS' ASSOCIATION,
2 WALL STREET AND 90-94 BROADWAY,
New York, March 23, 1896.

[President, Eugene H. Pullen, vice-president National Bank of the Republic, New York; first vice-president, Robert J. Lowry, Lowry Banking Company, Atlanta, Ga.; chairman executive council, Joseph C. Hendrix, president National Union Bank, New York; treasurer, William H. Porter, vice-president Chase National Bank, New York; secretary, James R. Branch, 2 Wall street, New York.]

To the Bankers of the United States:

At a meeting of the executive council of the American Bankers' Association, held in this city on March 11, 1896, the following declaration was made by unanimous vote:

THE EXISTING STANDARD OF VALUE.

"The executive council of the American Bankers' Association declare unequivocally in favor of the maintenance of the existing gold standard of value, and recommend to all bankers and to the customers of all banks the exercise of all their influence as citizens in their various States to select delegates to the political conventions of both the great parties who will declare unequivocally in favor of the maintenance of the existing gold standard of value."

Your influence is earnestly requested to give practical effect to this action.

EUGENE H. PULLEN, *President.*
JAMES R. BRANCH, *Secretary.*
JOSEPH C. HENDRIX,
Chairman Executive Council.

This shows an effort on their part to control the national conventions, but I am thankful to be able now to say that they will not be able to control the Democratic convention this year. We will see next week how they succeed with the Republicans. You will see, I think, they will control, and demand either a gold-standard platform or one that is a great deal worse—a straddle. I do hope the people of these United States will require of public men and parties that they make an intelligible declaration on the great issues before the people, and then require them to live up to it. I will speak for no party that attempts to straddle on any great issue again.

I desire to call attention to one or two objections to free coinage as stated by the opponents of that proposition when the Senate sent us the free-coinage bill some few months ago. The gentleman from New Jersey, Mr. PARKER, in speaking of the free coinage of silver at 16 to 1, said:

I believe that if this be done the dollar will buy less, will pay less wages, will be worth less, and that this practically will effect partially a repudiation of debts, both public and private.

He is more honest than most of his crowd. His objection to the dollar we want is that it will buy less and pay less wages and will be worth less. That is just the sort of dollar we want—one that will buy less and one that will pay less wages. Your dollars are now worth too much. It takes too much labor and too much of the products of labor to get one. It is the appreciation of the dollar that makes the falling prices for property and commodities, and that is what is ruining the country and what we are trying to stop. We are as much interested in restoring the parity between the dollar and commodities as we are in maintaining the parity between the dollars. My friend Colonel BLUE, of Kansas, in his speech against free coinage, gave as one of his reasons for opposing it that he had so many pensioners in his district and that free coinage would lessen the purchasing power of their pension money.

Mr. Speaker, these arguments give the whole case away, as I understand it. It is hard on the American people if they must be required to double the purchasing power of these pensions because they have of their bounty given them. You see the pensioners belong to the fixed-income class; but it does seem to me the farmers in Colonel BLUE's district would protest against their products being sold for nothing in order that the pensioners' money should buy more. No, sir; this policy will not do. We must get out of it and go back to old Democratic principles. We must go back to the money of the Constitution. We can not afford to have all the business interests in our country disturbed by the fact that some gold broker is raiding the little gold in the Treasury.

They try very hard to frighten us by telling us of the calamities that will follow free coinage, but they do not stop to think about the calamities that are on us from the present condition, and they are growing worse every day, and whenever what the gold standard really leads to comes there is no financial calamity could be worse. Let the Democratic party declare for an honest and economical administration of the Government and for the restoration of silver to the place it occupied prior to 1873.

Let Democrats cease to talk about this being a billion-dollar country and necessarily a billion-dollar Congress; let the Democratic party in its platform and in its practices be what it was organized to be—a party of the masses of the people of this country contending for their rights and their welfare against the encroachments of the classes. Let Democrats cease to follow where JOHN SHERMAN leads on the financial question, and we will fill this House again with Democrats, and disappoint the silent man from Ohio by electing a Democratic President. [Loud applause.]

The SPEAKER. The question is on agreeing to the resolution. The question was taken; and the resolution was agreed to.

HENRY A. WEBB.

Mr. ARNOLD of Rhode Island. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 1256) for the relief of Henry A. Webb.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to redeem, in favor of Henry A. Webb, of Providence, R. I., the following-described bonds of the United States, issued under acts of Congress approved July 17, 1861, and August 5, 1861, namely: Bonds numbered 30049 to 30051, inclusive, for $500 each; also bonds numbered 5495 to 5497, inclusive, for $100 each; also bonds numbered 18433 to 18437, inclusive, for $100 each; also bonds numbered 4345 to 4353, inclusive, for $50 each, amounting in all to $2,750, with interest for sixteen and one-half years on said bonds numbered 30049 to 30051, inclusive, 5497, 18436, 18437, and 4345 to 4350, inclusive, from January 1, 1865, to July 1, 1881, the said Henry A. Webb claiming that he owned said bonds on February 11, 1865, when it is alleged they were stolen from him, and have never been recovered by him: *Provided*, That before the redemption of said bonds the said Henry A. Webb, or some one in his behalf, shall execute or cause to be executed and deposit with the Secretary of the Treasury a bond of indemnity, with good and sufficient sureties, subject to the approval of said Secretary, to secure the United States against loss or damage in consequence of the redemptcion of said bonds.

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. DINGLEY. One moment before that is done. Do I understand from the gentleman from Rhode Island that this is for the payment of certain bonds that were stolen, upon giving to the United States bonds sufficient to indemnify the Government if the bonds should ever be discovered.

Mr. ARNOLD of Rhode Island. Yes, sir.

Mr. DINGLEY. That is all.

Mr. BLUE. Mr. Speaker, I would like to ask the gentleman in charge of this matter if an investigation has been had to see whether any of these bonds have been presented for payment. We have had one bill vetoed that provided for the payment of bonds which it seems had been paid. What is the information in regard to that?

Mr. ARNOLD of Rhode Island. Six hundred and fifty dollars of these bonds has been paid. If the gentleman would like to have the report read, I will ask that it be read.

Mr. BLUE. I do not understand that. If there has been $650 of these bonds paid, why should there be an appropriation to pay them? It seems to me that that is objectionable.

Mr. ARNOLD of Rhode Island. The report will give a better explanation than I can.

The Clerk proceeded to read the report.

Mr. BLUE. Mr. Speaker, I understand, as to this payment of this $650, it was the fault of the Department, as proof had already been made that these bonds were stolen. If that is correct, I will withdraw my objection and not ask for the further reading of the report.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

IMPROVEMENT OF PUBLIC ROADS.

Mr. WILLIS. Mr. Speaker, I move to suspend the rules and pass the joint resolution H. Res. 194.

The joint resolution was read, as follows:

A joint resolution (H. Res. 194) extending the scope of the investigations by the Agricultural Department in the matter of the improvement of public roads.

Resolved, etc., That the inquiries and investigations relating to public roads with which the Secretary of Agriculture is charged by the act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1897, be extended to the following subjects, namely:

First. The scientific location of highways on the public domain.

Second. The practical use that can be made of the Geological Survey in the discovery of road materials.

Third. The methods and conditions under which free testing of road materials can be afforded.

Fourth. The feasibility and most practical methods of securing instructions in road building at agricultural colleges, the Military Academy, and all institutions having military instructors.

Fifth. What measures can be adopted to secure the general reduction of transportation rates on road materials.

And for the furtherance of these inquiries and investigations the Secretary of Agriculture is authorized to request the cooperation of the Secretary of War, the Secretary of the Interior, and the Interstate Commerce Commission.

Mr. WILLIS. Mr. Speaker, I move to suspend the rules for the purpose of passing the joint resolution; and I will remark simply that the purpose of the resolution is to extend and make more specific the scope of road inquiry. There is no appropriation and no additional expense involved in this other than the necessary use of the appropriations already made for that purpose.

Mr. BLUE. How much is that?

Mr. DINGLEY. Let me ask the gentleman from Delaware if this is to be done by a division of the Agricultural Department? Is this simply an extension of their work?

Mr. WILLIS. Exactly. It is simply an extension of work that is now under their direction. The whole thing is to be done under the Agricultural Department as formed before. The attention of the Department is desired to be called to this scheme and interest is purposed to be excited in the country generally on this very important and very vital question of road improvement. That is all there is in it.

Mr. DINGLEY. This is for the purpose of diffusing information, as I understand?

Mr. WILLIS. Yes, sir.

Mr. HENDERSON. Why can not all this be done by the Department now? They have full power.

Mr. WILLIS. But they do not do it.

Mr. HENDERSON. That is another matter. It is one thing to have the power and another thing to exercise it.

Mr. CHARLES W. STONE. I will say to the gentleman from Illinois that the appropriation bill provides that the inquiry shall be directed to certain matters, and this simply adds certain other matters which the road bureau of the Agricultural Department desires to direct attention to.

Mr. HENDERSON. This does not appoint a new commission?

Mr. CHARLES W. STONE. No new commission and no additional expense.

Two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

BRIDGE ACROSS THE ALLEGHENY.

Mr. WILLIAM A. STONE. Mr. Speaker, I move to suspend the rules and pass the bill which I send to the desk, being the bill (S. 3170) to authorize the Butler and Pittsburg Railroad Company to construct and maintain a bridge across the Allegheny River.

The bill was read.

By unanimous consent, a second was considered as ordered.

The rules were suspended, and the bill was passed.

ENLISTED MEN IN THE NAVY.

Mr. BOUTELLE. Mr. Speaker, I move to suspend the rules and pass Senate joint resolution No. 149, extending the benefits of sections 1426 and 1573 of the Revised Statutes to all enlisted persons in the Navy.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives of the United States in Congress assembled, That the benefits of honorable discharge, as conferred by section 1426 of the Revised Statutes, and of three months' pay upon reenlistment after honorable discharge, as conferred by section 1573, upon seamen, ordinary seamen, landsmen, firemen, coal heavers, and boys, be, and the same are hereby, extended and made applicable to all enlisted persons in the Navy.

Mr. BAILEY. Mr. Speaker, I demand a second, in order that we may have an explanation of the resolution.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BOUTELLE. Mr. Speaker, this measure is to correct the effect of a recent ruling of the Assistant Comptroller which has reversed the action of the Navy Department for more than forty years, by applying a technical rule to the construction of the statute. A statute more than forty years of age provides that where an enlisted man, after serving his term and receiving an honorable discharge from the Navy, reenlists within three months, he shall receive his pay of the interim. The provision was intended to create a species of bounty which should serve to retain the best men in the service, and it has been very effective in giving us the best class of men. The original law was intended to cover all classes of enlisted men, and was so construed for many years.

In the evolution of the service they have got into a way of rating enlisted men for different minor positions and giving them special designations, such as stewards, boatswain's mates, and so on. They are all enlisted men, they are neither appointed nor commissioned, but the Comptroller has made a ruling that inasmuch as he does not find the specific titles of these different rates of enlisted men in the law, none of the enlisted men who are so rated, as the yeomen, or stewards, or cooks, or by any of these special designations, come under the operation of the statute, and he has held up the application of the statute in those cases. This joint resolution is to provide that the law shall apply as it was intended to apply, and as it had been construed to apply for more than forty years—to all the enlisted men in the service. It affects, as I am informed by the Department, 36 per cent of the very best men in the Navy, and serious trouble will be caused unless this remedy is applied. There is an amendment recommended by the Comptroller which I desire to have incorporated in the joint resolution.

The amendment was read, as follows:

Add after the word "Navy," in line 9, the words "and all accounts of paymasters who have made payments to enlisted men, not of the classes named in sections 1426 and 1573 of the Revised Statutes as if they had been included in the provisions of said sections, shall be allowed and passed by the accounting officers of the Treasury as if they had been included in said sections."

Mr. BAILEY. I presume that the amendment is intended to relieve officers who have acted upon the former construction of the law.

Mr. BOUTELLE. That is the object.

The SPEAKER. Without objection, the resolution will be modified so as to include the amendment.

There was no objection.

The rules were suspended and the joint resolution as amended was passed.

HAHNEMANN MONUMENT.

Mr. JOHNSON of North Dakota. Mr. Speaker, I move to suspend the rules and pass the joint resolution (S. R. 27) granting permission for the erection of a monument in Washington, D. C., for the ornamentation of the national capital and in honor of Samuel Hahnemann.

The joint resolution was read, as follows:

Resolved, etc., That permission be, and the same is hereby, granted the Hahnemann monument committee of the American Institute of Homeopathy to erect said monument in such place in the city of Washington, D. C., as shall be designated by the officer in charge of the new Library building, the Joint Committee on the Library, and the chairman of the monument committee; and the sum of $4,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the building of a foundation upon which to place said monument, said monument to be presented to the people of the United States by the American Institute of Homeopathy, kindred associations, and citizens, and to be erected in the city of Washington, D. C.

Mr. RICHARDSON. I demand a second, Mr. Speaker.

Mr. DALZELL. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

Mr. RICHARDSON. Mr. Speaker, I do not like to consent to this in view of the fact that the joint resolution contains a large appropriation. It seems to me that it is a very unusual kind of legislation.

Mr. DALZELL. It does not contain a large appropriation.

Mr. RICHARDSON. It appropriates $4,000 for a monument to a private individual.

Mr. JOHNSON of North Dakota. I will say to the gentleman that the statue——

Mr. RICHARDSON. I do not object, Mr. Speaker, to having a second considered as ordered.

Mr. BAILEY. I do.

Mr. JOHNSON of North Dakota. Let me say to the gentleman from Texas——

Mr. BAILEY. I will say to the gentleman that I have no objection in the world to the Government giving space for this statue—all the space that may be needed—if the appropriation be struck out.

Mr. JOHNSON of North Dakota. The statue, including the pedestal, will be the gift of private parties. The only expenditure asked on the part of the Government is for leveling the ground so as to make a proper foundation.

Mr. BAILEY. I am informed that this work has been largely completed——

Mr. JOHNSON of North Dakota. Certainly.

Mr. BAILEY. And while I shall vote against the appropriation for this purpose, I withdraw the objection to a second being considered as ordered.

There being no objection, a second was ordered.

Mr. JOHNSON of North Dakota. This is a proposition to present to the United States a seventy-five-thousand-dollar statue, including the pedestal. As to the merits of the statue, I wish to say that a number of the leading sculptors of the world were invited to compete for this work, and 24 models, coming from some of the greatest men in this line of art, were submitted. These models were publicly exhibited in New York City under the auspices of the American Sculptors' Society, being the first instance in the history of art in the United States where a public exhibition of models was made before a selection. The committee appointed to make the selection, including the American Sculptors' Society, decided unanimously on the model selected. As a work of art this statue is superior to anything now existing in the city of Washington, except the statues on horseback. The simple request is that the parties who have planned the execution of this work may present this beautiful statue to the United States. The only possible expenditure on the part of the Government (and that is the object of the small appropriation) will be for leveling the ground and digging down to build a foundation. The statue itself and the pedestal are complete, and are offered as a gift.

Mr. KIEFER. Who offers them?

Mr. JOHNSON of North Dakota. The American Society of Homeopathists, besides whom a great many citizens have contributed.

Mr. BLUE. Mr. Speaker, if I understand this proposition, it contemplates an appropriation of something like $4,000.

Mr. JOHNSON of North Dakota. It can not possibly exceed

that. The actual expenditure will depend upon the quality of the ground as it may appear when excavations are made for the foundation.

Mr. BLUE. This proposition involves the establishment of a precedent in the direction of making an appropriation by the Government whenever some society or organization comes along and proposes to make a presentation of a statue. I think, Mr. Speaker, the precedent is a bad one.

Mr. DALZELL. The gentleman will allow me to say this is not making a precedent. The precedent has already been established a number of times.

Several MEMBERS. Time and again.

Mr. BLUE. Well, the precedent ought not to have been established. It is sufficient for the Government to permit the statue to be erected here without appropriating money for the purpose.

Mr. DALZELL. I want to say to my friend that there is not a city in this country that would not be glad to make an appropriation for a work of art of this kind. I venture to say that when this statue is erected it will be the most artistic of all the works of art in this capital city. I know it was one of the pet projects of General Casey, recently in charge of the construction of the Library building, that this statue should be erected on the grounds of the Library; and he marked out the spot which he himself would select for the purpose. It seems to me that when a society—not a society, but numerous citizens representing this particular faith in medicine throughout the country—have had the enterprise to secure such a monument at a cost of $75,000, this Government ought to be glad to furnish in this capital city not only a place on which to erect the statue but a pedestal for it to rest upon.

Mr. JOHNSON of North Dakota. The pedestal is already prepared, and is presented along with the statue. The only expense to the United States in connection with this matter will be the erecting of the foundation—the expense connected with the excavation. The pedestal is part of the present, and is already paid for.

Mr. BLUE. Well, Mr. Speaker, I have not yet been convinced; and it seems to me that if this expense is incurred in connection with the statue of one individual, there may be no restriction or limit in this direction; and whenever somebody comes along with a statue having the indorsement of some gentlemen of taste and who are reputed to be judges of the fine arts, this case will be cited as a precedent. It seem to me the whole business is bad and the appropriation ought not to be made.

Mr. DALZELL. Let me say to my friend from Kansas that the chances of parties coming along in the future and contributing seventy-five-thousand-dollar statues for the adornment of the city of Washington are not going to be "plenty as blackberries."

Mr. BINGHAM. In the case of two or three of the military statues which now adorn the city of Washington the pedestals and foundations have been furnished by the Government, the statues themselves being the contributions of army organizations. The precedent of the Government contributing a part of the expense in connection with these works of art is already established; the only difference being that in the other cases the statues, being military, have belonged to a class exceptionally popular.

Mr. BLUE. Well, to my mind there is a vast difference between such cases and a matter of this kind. There are different schools of medicine——

Mr. BINGHAM. Take this statue at the foot of the Capitol; that was a contribution of citizens.

Mr. BLUE. I understand that. But statues which commemorate distinguished military service or something of that character are of a different class from this. If the Government once starts out in the direction proposed here, there is no telling what will be the limit. If we once set the precedent, we do not know how soon another society may come along with a similar proposition; and thus year after year and month after month these appropriations may be urged, supported by the precedent now sought to be established. I do not think it is right.

Mr. JOHNSON of North Dakota. I suggest to the gentleman that in the matter of nonmilitary statues the capital of the United States is singularly deficient.

Mr. BINGHAM. Gentlemen will recall the large foundation work in connection with the statue in the Botanical Gardens. That statue was a contribution of the French Government, having been first exhibited at the Centennial Exposition in Philadelphia. The presentation having been made, the Government expended $8,000 for the foundation and the erection of the statue. I merely wanted to give the gentleman facts, showing that there are precedents for the action proposed here.

Mr. DALZELL. And I would say to the gentleman further that there is a statue of Dr. Gross, near the Smithsonian Institution, built under similar circumstances at the close of the last session of Congress, I am informed; and also one of Professor Henry in the Smithsonian Grounds.

Mr. BLUE. I will content myself simply with voting against the proposition. I will not obstruct its passage, but I think it wrong, all the same.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill passed.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GROUT. Mr. Speaker, I call up the conference report on the District of Columbia appropriation bill.

The SPEAKER. The Clerk will read the report.

The Clerk proceeded to read the report.

Mr. DOCKERY. Mr. Speaker, that report was agreed to last evening, and the only question at issue now is to further insist on the disagreement to the remaining Senate amendments.

Mr. GROUT. I move, Mr. Speaker, that the House further insist on its disagreement to the remaining Senate amendments, and ask for a conference on the disagreeing votes thereon.

Mr. RICHARDSON. I understand from the motion of the gentleman from Vermont that there has been no agreement upon any one of the amendments in dispute since the last report?

The SPEAKER. The Chair understands that there has been no agreement since the last report.

The motion of Mr. GROUT was agreed to.

The SPEAKER appointed as conferees Mr. GROUT, Mr. PITNEY, and Mr. DOCKERY.

Mr. DINGLEY. Mr. Speaker, before this matter goes into conference I desire to ask the gentleman in charge of the bill as to the prospect of an agreement upon the points of difference now remaining between the two Houses.

Mr. GROUT. Mr. Speaker, the remaining points of difference, I will state, in response to the gentleman from Maine, relate to the District charities and to the lighting of the city west of Rock Creek. These are the only points on which there is any disagreement.

Mr. DINGLEY. Has there been any progress made since the prior report?

Mr. GROUT. I was going to say further, if the gentleman will allow me a moment, that the conferees have been together informally this morning, and there is a bright prospect of coming to an early understanding so far as the District charities are concerned, and I have no doubt that the other question, with reference to the lighting of the city west of Rock Creek, will also be settled in some satisfactory manner.

Mr. DINGLEY. Because, if the gentleman will pardon me a moment, there seems to be, as I understand it now, only two points of difference between the Senate and the House, one on the District bill, with reference to the matters suggested by the gentleman in charge of the bill, and the point of difference with reference to the few public buildings embraced in the sundry civil bill in the Senate amendments. That is all that stands between the completion of the work of the House and the final adjournment of this session of Congress.

Now, it seems to me that with such slight differences remaining between the two Houses there ought to be a conclusion reached at a very early moment [applause] in order that we may be able to wind up the business of the session and adjourn Congress.

Mr. GROUT. I beg to say in response to the gentleman that the House conferees have been working diligently and have been prepared to make reasonable concessions in order to secure a settlement of these differences, and they have spared no effort toward reaching an agreement. I give the gentleman hope, however, that an understanding may be reached on the question of the charities in the District bill, and I presume we shall be able to reach an understanding also on the other matter, so that apparently a final agreement is in sight.

Mr. RICHARDSON. I would like to ask the gentleman from Maine a question. I suppose the statement the gentleman has made is equivalent to an official announcement that nothing will be done with the bond resolution pending before the Committee on Ways and Means?

Mr. DINGLEY. Well, in all probability there will not be much opportunity for any matters of that kind at this late stage in the session.

Mr. TAWNEY. I presume the gentleman from Tennessee refers to the bond resolution recently passed by the Senate. That was referred by the House to the Committee on Ways and Means, but is not before the committee now, having been adversely reported to the House.

Mr. RICHARDSON. I take it, therefore, from the statement of the gentleman from Maine that we are to understand officially that no action is to be taken on that question.

Mr. DINGLEY. What does the gentleman refer to?

Mr. DOCKERY. The gentleman refers to the bill of the Senate prohibiting the further issue of interest-bearing bonds.

Mr. RICHARDSON. A matter the consideration of which could easily be reached. But I was simply asking if we are to understand that nothing is to be done in regard to that question.

Mr. DINGLEY. The gentleman well knows that the House is very thin, and members are eager to get away; and there is no probability of any such action as he contemplates.

Mr. RICHARDSON. Well, with a majority of some hundred and sixty-odd, and growing rapidly——

Mr. DOCKERY. Sometimes at the rate of two a day.

Mr. RICHARDSON. Yes; sometimes at the rate of two a day; it seems that the gentleman ought to be able to secure and keep a majority for action on such an important measure as that.

Mr. HOPKINS. The gentleman from Tennessee, if he is anxious to get at the circumstances of the case, will find a report from the Committee on Ways and Means which has been prepared and submitted to the House. If he will get that report and read it he will obtain some information upon this subject.

Mr. CORLISS. Mr. Speaker, I ask for the regular order.

The SPEAKER. This debate does not seem to be germane to the question before the House. [Laughter.]

PUBLIC BUILDING AT DETROIT, MICH.

Mr. CORLISS. Mr. Speaker, I move to suspend the rules and pass the joint resolution (S. R. 161) authorizing the Secretary of the Treasury to place a bronze tablet or inscription on the Government building now being erected in Detroit, Mich.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be prepared and placed in some suitable position on the Government building now being erected in the city of Detroit, Mich., a bronze tablet or an inscription commemorative of the fact that the said public building is erected on the site of the British Fort Lernoult, which was surrendered to the United States in 1796; and is also on the site of the American Fort Shelby, which was demolished in 1826: *Provided*, That the cost of such tablet shall be paid from the appropriation already made for the said building.

Mr. CORLISS. I ask that a second be considered as ordered.

Mr. DINGLEY. Mr. Speaker, as I understand it, this simply gives permission to private individuals to place on this building a tablet commemorative of an historical event.

Mr. CORLISS. This building is erected on the site of an old fort, evacuated by the British one hundred years ago, and this authorizes the placing on the building of a tablet containing an appropriate inscription commemorative of that event, without any additional expense to the Government.

Two-thirds voting in favor thereof, the rules were suspended and the joint resolution was passed.

SUBMARINE CABLES.

Mr. BINGHAM. I move to suspend the rules and pass the bill (H. R. 9149) to regulate the establishment of submarine telegraphic cable lines or systems of the United States.

The bill was read, as follows:

Be it enacted, etc., That the shore end of any new submarine telegraphic cable line or system that shall be established after the passage of this act, which line or system shall be protected in any foreign country by exclusive landing rights or by any other special privileges or franchises, shall not be permitted to be landed or operated on the territory of the United States until the consent of the Congress of the United States shall have been obtained therefor. But this prohibition shall not apply to the renewal or renewals of any submarine telegraphic cable or cables now in operation.

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. RICHARDSON. Mr. Speaker, I demand a second, in order to have some explanation of this matter.

Mr. BINGHAM. The bill comes from the Committee on Interstate and Foreign Commerce, and is unanimously reported. Heretofore the permission for the landing of submarine cables has been granted by the State Department. Under date of December 21, 1893, the late Secretary Gresham stated that since March 1, 1893, no permission had been given by the Department of State to any foreign cable company to land its line on the coast of the United States, and that he knew of no law of Congress authorizing him or any other executive officer to grant such permission. That emphasized the necessity of this legislation. This bill vests the granting of the permission in Congress.

Two-thirds voting in favor thereof, the rules were suspended and the bill passed.

STRATTON H. BENSCOTER.

The SPEAKER laid before the House the bill (H. R. 3771) for the relief of Stratton H. Benscoter, with Senate amendments thereto.

The Senate amendments were read.

Mr. LACEY. I move to nonconcur in the Senate amendments, and ask for a conference.

The motion was agreed to; and the Speaker appointed as conferees on the part of the House Mr. HULL, Mr. FENTON, and Mr. MCCLELLAN.

JAMES A. MOORE.

Mr. NEWLANDS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 768) for the relief of James A. Moore.

The bill was read, as follows:

Be it enacted, etc., That the proper accounting officers of the Treasury are hereby authorized and directed to settle the accounts of James A. Moore for services rendered and expenses incurred as United States marshal for the district of Nevada from October 12, 1892, the date of the expiration of his commission, until May 15, 1893, the date when his successor qualified, in the same manner as if section 793 of the Revised Statutes of the United States, providing for ad interim appointments, had been complied with.

Mr. LOUD. I demand a second, in order that the gentleman may make some explanation. I am willing to have a second considered as ordered.

Mr. NEWLANDS. I ask unanimous consent that a second be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Nevada [Mr. NEWLANDS] has twenty minutes and the gentleman from California [Mr. LOUD] twenty minutes.

Mr. NEWLANDS. I wish to say with reference to this bill that it simply authorizes the accounting officers of the Treasury to audit the account of a man who served as United States marshal for some few months after the expiration of his term. There was some informality in his appointment. Mr. Bowler, the Comptroller of the Treasury, admits the equity of the claim, but insists that he must have authority from Congress to audit it. The letter of the Comptroller of the Treasury appears in the report. The bill has been passed by the Senate and favorably reported by the Committee on Claims of the House. It involves only a matter of ten or twelve hundred dollars. It makes no appropriation, but simply authorizes the accounting officers to audit the claim.

Mr. LOUD. I would like to state that passage by the Senate is no recommendation of a bill, Mr. Speaker, especially if it carries an appropriation.

Mr. NEWLANDS. This bill carries no appropriation.

Mr. LOUD. Is not there some money involved in this bill?

Mr. NEWLANDS. It authorizes the Comptroller of the Treasury to audit these accounts.

Mr. LOUD. Has it been reported by a House committee?

Mr. NEWLANDS. It has been reported by a House committee. This man actually served under the orders of the judge of the United States circuit court there, rendered the services, presented his accounts, which have not been audited, on the presumption that there was some informality in the appointment. The Comptroller of the Treasury recommends the passage of the bill.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

WASHINGTON NATIONAL PARK.

Mr. DOOLITTLE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 4058) to set apart certain lands now known as the Pacific Forest Reserve as a public park, to be known as the Washington National Park. I ask that the bill be passed with the amendments recommended by the committee.

The bill was read, as follows:

Be it enacted, etc., That all those certain tracts, pieces, or parcels of land lying and being situate in the State of Washington, and within the boundaries particularly described as follows, to wit: Beginning at a point 3 miles east of the northeast corner of township No. 17 north, of range 6 east, of the Willamette meridian; thence southerly through the central parts of townships Nos. 17, 16, and 15 north, of range 7 east, of the Willamette meridian, 18 miles more or less, subject to the proper easterly or westerly offsets, to a point 3 miles east of the northeast corner of township No. 14 north, of range 6 east, of the Willamette meridian; thence east on the township line, between townships Nos. 14 and 15 north, 18 miles more or less, to a point 3 miles west of the northeast corner of township 14 north, of range 10 east, of the Willamette meridian; thence northerly, subject to the proper easterly or westerly offsets, 18 miles more or less, to a point 3 miles west of the northeast corner of township No. 17 north, of range 10 east, of the Willamette meridian (but in locating said easterly boundary line, wherever the summit of the Cascade Mountains is sharply and well defined, the said line shall follow the said summit, where the said summit line bears west of the easterly line as herein determined); thence westerly along the township line between said townships Nos. 17 and 18 to the place of beginning, the same being a portion of the lands which were reserved from entry or settlement and set apart as a public reservation by proclamation of the President on the 20th day of February, in the year of our Lord 1893, and of the independence of the United States the one hundred and seventeenth, are hereby dedicated and set apart as a public park, to be known and designated as the Washington National Park, for the benefit and enjoyment of the people; and all persons who shall locate or settle upon or occupy the same, or any part thereof, except as hereafter provided, shall be considered trespassers and be removed therefrom.

SEC. 2. That said public park shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be to make and publish, as soon as practicable, such rules and regulations as he may deem necessary or proper for the care and management of the same. Such regulations shall provide for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonders within said park, and their retention in their natural condition. The Secretary may, in his discretion, grant leases for building purposes, for terms not exceeding twenty-five years, of small parcels of ground at such places in said park as shall require the erection of buildings for the accommodation of visitors, all of the proceeds of said leases, and all other revenues that may be derived from any source connected with said park, to be expended under his direction in the management of the same and the construction of roads and bridle paths therein. And through the lands of the Pacific Forest Reserve adjoining said park rights of way are hereby granted, under such restrictions and regulations as the Secretary of the Interior may establish, to any railway or tramway company or companies, through the lands of said Pacific Forest Reserve, and also into said

park hereby created, for the purpose of building, constructing, and operating a railway or tramway line or lines through said lands, also into said park. He shall provide against the wanton destruction of the fish and game found within said park, and against their capture or destruction for the purposes of merchandise or profit. He shall also cause all persons trespassing upon the same after the passage of this act to be removed therefrom, and generally shall be authorized to take all such measures as shall be necessary or proper to fully carry out the objects and purposes of this act.

SEC. 3. That upon execution and filing with the Secretary of the Interior, by the Northern Pacific Railroad Company, of proper deed releasing and reconveying to the United States the lands in the reservation hereby created, also the lands in the Pacific Forest Reserve, which have been heretofore granted by the United States to said company, whether surveyed or unsurveyed, and which lie opposite said company's constructed road, said company is hereby authorized to select an equal quantity of nonmineral public land, so classified as nonmineral at the time of actual Government survey which has been or shall be made, of the United States not reserved, and to which no adverse right or claim shall have attached or have been initiated at the time of the making of such selection, lying within any State into or through which the railroad of said Northern Pacific Railroad Company runs, to the extent of the lands so relinquished and released to the United States.

SEC. 4. That upon the filing by the said railroad company at the local land office of the land district in which any tract of land selected in pursuance of this act shall lie, a list describing the tract or tracts selected and the payment of the fees prescribed by law in analogous cases, and the approval of the Secretary of the Interior, he shall cause to be executed, in due form of law, and deliver to said company a patent of the United States conveying to it the lands so selected. In case the tract so selected shall at the time of selection be unsurveyed, the list filed by the company at the local land office shall describe such tract in such manner as to designate the same with a reasonable degree of certainty; and within the period of three months after the lands including such tract shall have been surveyed and the plats thereof filed in the local land office, a new selection list shall be filed by said company describing such tract according to such survey; and in case such tract, as originally selected and described in the lists filed in the local land office, shall not precisely conform with the lines of the official survey, the said company shall be permitted to describe such tract anew, so as to secure such conformity.

SEC. 5. That the mineral-land laws of the United States are hereby extended to the lands lying within the said reserve and said park.

Amend the title so as to read: "A bill to set apart a portion of certain lands in the State of Washington, now known as the Pacific Forest Reserve, as a public park, to be known as the Washington National Park."

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. BAILEY. I demand a second on that.

Mr. DOOLITTLE. I ask that a second be considered as ordered.

Mr. BAILEY. I object.

The SPEAKER. Objection is made. The gentleman from Texas and the gentleman from Washington will take their places as tellers.

Mr. BAILEY. If the gentleman will permit me, I am entirely willing that the United States Government shall cede this land to the State of Washington to be made a park. The matter I am objecting to is that the Federal Government undertakes to maintain this park after it is made.

Mr. DOOLITTLE. I would like to say to the gentleman from Texas that all we are asking for in this bill is for three sections square of mountain land about the foot of this mountain, which is 16,000 feet above the sea level, snow-capped with eternal snow and ice fields. We ask that it be set aside, and that the people of my State be permitted to improve that as a park. Many people travel across the continent and from foreign lands to view the grandeur of that mountain scenery. We are simply asking that this matter be placed under the authority of the Secretary of the Interior——

Mr. LACEY. The land has already been withdrawn as a forest reservation.

Mr. DOOLITTLE. The land has already been withdrawn as a forest reservation, and we ask that the Secretary of the Interior be given authority to formulate regulations as to what shall be done in the park in the way of its improvement, and so on.

Mr. BAILEY. I thoroughly sympathize in the desire of the gentleman to obtain this land for his State, and I am more than willing that he should have double the amount; but——

Mr. DOOLITTLE. We do not ask a nickel of appropriation.

Mr. BAILEY (continuing). I object to the Secretary of the Interior becoming the keeper of a park; and I object to taxing all the people of the United States to maintain a park in the State of Washington. If the gentleman will prepare an amendment that gives this land absolutely to the State of Washington I will support it.

Mr. DOOLITTLE. You understand that we are not asking for an appropriation, and do not intend to ask for a nickle from this Government. We propose to make the necessary improvements, for the benefit of all the people of this country, out of our own pockets, every dollar of it, and are asking nothing in the way of appropriation. It seems to me that no fairer proposition has ever been made to Congress than this.

Mr. BAILEY. The difficulty I have is that I have not learned how it is possible to maintain a park by any government without expense.

Mr. DOOLITTLE. I will explain——

Mr. BAILEY. If the gentleman will excuse me, this Congress ought to be advised by what has been the result in the Yellowstone Park. Annually we are called upon to make appropriations to maintain it. I will, however, accept the assurance of the gentleman from Washington that they do not intend to ask a dollar from the Government in the way of an appropriation; but I am willing to put it in the RECORD now that I will, in less than two years, remind him of it; and he agrees to have it stricken out.

Mr. DOOLITTLE. Why, most assuredly.

Mr. BAILEY. Then I withdraw the demand for a second.

Mr. DOOLITTLE. I ask for a vote, Mr. Speaker.

Mr. LACEY. There were amendments reported by the committee.

The SPEAKER. The question is on the motion to suspend the rules and pass the bill with the amendments as reported by the committee.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

UNITED STATES COURTS—TEXAS.

Mr. BELL of Texas. Mr. Speaker, I move to suspend the rules and pass the bill which I send to the desk, being a bill (H. R. 9226) to change the time and places for holding the district and circuit courts of the northern district of Texas.

The bill was read, as follows:

Be it enacted, etc., That the United States circuit and district courts for the northern district of Texas shall be composed of the counties hereinafter named, and the terms of the said courts shall be held in each year at the time and places as follows:

At Dallas, in the county of Dallas, on the second Monday of January and the third Monday of May.

At Waco, in the county of McLennan, on the second Monday of April and the third Monday of November.

At Fort Worth, in the county of Tarrant, on the first Monday of March and the third Monday in September.

At Abilene, in the county of Taylor, on the third Monday of March and the third Monday in October.

At San Angelo, in the county of Tom Green, on the fourth Monday of March and the first Monday in November.

SEC. 2. That all process issued against defendants residing in the counties of Brazos, Robertson, Leon, Limestone, Freestone, McLennan, Falls, Bell, Coryell, Hamilton, Bosque, Somervell, and Hill shall be returned to Waco. All process issued against defendants residing in the counties of Navarro, Johnson, Ellis, Kaufman, Dallas, Rockwall, Hunt, Collin, Denton, Cooke, and Montague shall be returned to Dallas. All process issued against defendants residing in the counties of Comanche, Hood, Erath, Tarrant, Parker, Palo Pinto, Wise, Clay, Jack, Young, Archer, Wichita, Wilbarger, Baylor, Hardeman, Cottle, Motley, Briscoe, Hall, Childress, Collingsworth, Donley, Armstrong, Randall, Deaf Smith, Oldham, Potter, Carson, Gray, Wheeler, Hemphill, Lipscomb, Ochiltree, Roberts, Hutchinson, Hansford, Sherman, Moore, Hartley, and Dallam shall be returned to Fort Worth. All process issued against defendants residing in the counties of Eastland, Stephens, Throckmorton, Shackelford, Callahan, Taylor, Jones, Haskell, Knox, Nolan, Fisher, Stonewall, Kent, Dickens, King, Crosby, Garza, Lubbock, Gaines, Andrews, Mitchell, Scurry, Borden, Howard, Martin, and Midland shall be returned to Abilene. All process issued against defendants residing in the counties of Glasscock, Sterling, Coke, Tom Green, Crockett, Schleicher, Sutton, Irion, Mills, Runnels, Coleman, and Brown shall be returned to San Angelo.

SEC. 3. That all actions or proceedings now pending in the courts of said district against parties residing in either of the counties from which process is made returnable to the courts to be held at Fort Worth, San Angelo, and Abilene, respectively, may, on the application of either party to such actions or proceedings, be transferred to the court at which the said proceedings would be returnable as provided in this act; and in case of such transfer all papers and files therein, with copies of all journal entries, shall be transferred to the office of the deputy clerk of the said court, and the same shall proceed in all respects as if originally commenced in said court.

SEC. 4. That there shall be appointed, in the manner required by law, a deputy clerk, who shall keep his office at the city of Fort Worth, and also one who shall keep his office at the city of Abilene, and also one who shall keep his office at the city of San Angelo.

SEC. 5. That no session of the said circuit court and district court of the northern district of the State of Texas shall be held at the city of Graham after this law shall take effect, and the records of said courts shall be removed from said town of Graham to the said town of Abilene, and the change of the places of holding the terms of the said courts as herein provided shall not affect the validity of any process or any bond or other obligation heretofore issued or made, and the same shall be held and taken as returnable and otherwise to the respective courts to which they would be returnable as provided after this law takes effect.

The rules were suspended and the bill was passed.

JOHN KEEFE.

Mr. POOLE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 4538) which I send to the desk.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Keefe, of Syracuse, N. Y., the sum of $220, in full compensation for his services as engineer in the United States court-house and post-office building in Syracuse, N. Y., for the months of July and August, 1888, and from June 1 to August 17, 1889.

The rules were suspended and the bill was passed.

FORT BLISS MILITARY RESERVATION.

Mr. CATRON. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3206) to grant a right of way through the new Fort Bliss Military Reservation to the El Paso and Northeastern Railroad Company.

The bill was read, as follows:

Be it enacted, etc., That there is hereby granted to the El Paso and Northeastern Railroad Company a right of way 100 feet wide, on such route as the Secretary of War may designate, through the new Fort Bliss Military Reservation, Tex. If said railroad shall not be built across said reservation within three years next after the passage of this act, this grant shall absolutely cease and determine.

The rules were suspended and the bill was passed.

JAMES P. VEACH.

Mr. FARIS. Mr. Speaker, I move that the Committee on Military Affairs be discharged from further consideration of Senate joint resolution No. 138, for the relief of James P. Veach, and that the rules be suspended and the joint resolution be passed.

The joint resolution was read, as follows:

Resolved, etc., That the Secretary of War be, and he hereby is, empowered, authorized, and directed to cause record to be made in the military history of James P. Veach, a private of Company I of the One hundred and nineteenth (Seventh Cavalry) Regiment of Indiana Volunteers, in the service of the United States, that the said James P. Veach, having received from the President of the United States a full and unconditional pardon of all military offenses for which he was tried and convicted by court-martial, and sentence of which court was promulgated January 8, 1866, in General Orders No. 6, Department of Texas, is thereby absolved from said offenses and from all the penalties of such offense and sentence, and is therefore entitled to an honorable discharge; and thereupon to discharge said Veach as of the date October 8, 1865.

The SPEAKER. The question is on discharging the Committee on Military Affairs from further consideration of the joint resolution and suspending the rules and passing the resolution.

Mr. TALBERT. Mr. Speaker, I demand a second, in order that we may have some explanation of the resolution.

Mr. PAYNE. I ask unanimous consent that a second be considered as ordered.

There was no objection.

Mr. FARIS. Mr. Speaker, in response to the gentleman from South Carolina [Mr. TALBERT], I desire to say that this resolution was passed by the Senate at a former session of Congress. Its object is simply to make effective the pardon by President Harrison of this soldier, who was resting under a military sentence. This soldier enlisted in 1863 when he was 15 years old. After about two years of honorable service he fell sick and left his command, and in a short time, being recovered, he voluntarily returned to it, there being no record of his arrest. This was in October, 1865, when the soldier believed the war was over, and when it was actually ended. He was court-martialed, however, and sentenced to two years' confinement and served a part of his sentence, and in December, 1866, escaped and went home in Indiana. This was when he was about 18 years old. He was a good soldier and he is a very reputable man. The records will bear out the statements which I make in relation to him as a soldier in the service, and subsequently as a citizen. This joint resolution carries no appropriation whatever. It simply authorizes the Secretary of War to make effective the President's pardon and issue to this soldier an honorable discharge.

Mr. LOUD. Mr. Speaker, I wonder what this soldier's meritorious services were and where they were performed in 1866.

Mr. BISHOP. He had been for some years in the Army.

Mr. LOUD. He could not have been many years in the Army, if he was only 18 years of age when this trial took place, unless he was born there. [Laughter.]

Mr. FARIS. The report shows that he enlisted in September, 1863.

Mr. LOUD. And he was only 18 years of age at the time of the trial?

Mr. FARIS. He was only 15 when he enlisted, and he was about 18 at the time of the court-martial.

Mr. LOUD. This court-martial was in 1866.

Mr. FARIS. It may have been early in that year, but it was long after the offense was committed. He was down in Texas in the service before that.

Mr. LOUD. Permit me to say that soldiers who deserted during the war were not tried in 1866. The President's proclamation pardoned them all.

Mr. BISHOP. Mr. Speaker, if I remember the case correctly, this soldier enlisted as a recruit some time about 1863 or 1864, with the expectation of serving only until the end of the term of service of the regiment in which he was placed as a recruit. When the war was over they took him, with some others, and sent them down on the Mexican border. He remained there until 1866, when he got sick and went to New Orleans. He then went back, and some time afterwards he was tried for going to New Orleans when he was sick. Upon that trial he was convicted and sentenced. The President of the United States thought an injustice had been done him and granted him a pardon, but that does not give him an honorable discharge, and this joint resolution simply directs that he be given an honorable discharge.

Mr. LOUD. Why not bring in a bill at once granting a pension to this man? That is evidently what he wants.

Mr. BISHOP. Well, I think his service in the Army from the time he was 16 until he was 18 years old, two years, would probably entitle him to a pension; and for one I should be perfectly willing to give it to him.

Mr. LOUD. Why not be consistent and go right at it at once?

Mr. PAYNE. We can not do it all in so short a time. The gentleman wants us to work too fast. [Laughter.]

Mr. LOUD. That course would save time.

Mr. FARIS. Mr. Speaker, I ask for a vote.

The question being taken, the motion of Mr. FARIS to suspend the rules, discharge the Committee on Military Affairs from further consideration thereof, and pass the joint resolution was agreed to, two-thirds voting in favor thereof.

Mr. FARIS. Mr. Speaker, there is on the House Calendar a resolution (H. Res. 161) which has been favorably reported by the House Committee on Military Affairs. As it is exactly similar in its provisions to the Senate joint resolution just passed, I move that it be laid on the table.

There being no objection, it was so ordered.

BRIDGE ACROSS ST. LOUIS RIVER.

Mr. HARTMAN. I move to suspend the rules and pass the bill which I send to the desk.

The bill (H. R. 8321) to authorize the county of St. Louis, in the State of Minnesota, to build or authorize the building of a foot and wagon bridge across the St. Louis River between Minnesota and Wisconsin, at a point near Fond du Lac, in said State of Minnesota, was read.

The question being taken, the motion to suspend the rules and pass the bill was agreed to, two-thirds voting in favor thereof.

BURIALS AT NATIONAL CEMETERIES.

Mr. BAKER of New Hampshire. I move to suspend the rules and pass the bill (H. R. 8443)) to amend section 4878 of the Revised Statutes, relating to burials in national cemeteries.

The bill was read, as follows:

Be it enacted, etc., That section 4878 of the Revised Statutes be amended so as to read as follows:

"SEC. 4878. All soldiers, sailors, or marines dying in the service of the United States, or dying in a destitute condition after having been honorably discharged from the service, or who served during the late war, either in the regular or volunteer forces, may be buried in any national cemetery free of cost. The production of the honorable discharge of a deceased man shall be sufficient authority for the superintendent of any cemetery to permit the interment. Army nurses honorably discharged from their service as such may be buried in any national cemetery; and if in a destitute condition, free of cost. The Secretary of War is authorized to issue certificates to those army nurses entitled to such burial."

Mr. BAKER of New Hampshire. The only change which this bill proposes to make in existing law is to permit army nurses regularly discharged and so certified by the Secretary of War to be buried in national cemeteries.

Mr. HULICK. Does the bill require the presentation of the discharge before authority is granted for burial in a national cemetery?

Mr. BAKER of New Hampshire. There must be a certificate from the Secretary of War.

Mr. HULICK. Suppose there is other authority.

Mr. BAKER of New Hampshire. The other evidence, whatever it may be, must be presented to the Secretary of War, and he will furnish the certificate. This bill applies only to army nurses.

The question being taken, the motion of Mr. BAKER of New Hampshire to suspend the rules and pass the bill was agreed to, two-thirds voting in favor thereof.

SUBPORTS OF ENTRY, ETC., IN FLORIDA.

Mr. COOPER of Florida. I move to suspend the rules, and pass the bill (S. 1767) to provide for subports of entry and delivery in the State of Florida.

The bill was read, as follows:

Be it enacted, etc., That such places in the collection districts in the State of Florida as the Secretary of the Treasury may from time to time designate shall be subports of entry and delivery, and customs officers shall be stationed at such subports, with authority to enter and clear vessels, receive duties, fees, and other moneys, and perform such other services and receive such compensation as, in the judgment of the Secretary of the Treasury, the exigencies of commerce may require.

SEC. 2. That all acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Mr. LOUD. I demand a second on this motion, in order that we may have an explanation of the measure.

Mr. COOPER of Florida. I can explain it to the gentleman in a few moments.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. COOPER of Florida. Mr. Speaker, this bill has been unanimously reported from the Committee on Ways and Means. In consequence of the extension of a railroad down the Atlantic coast of Florida there has been a development of commerce with the Bahamas, the West Indies, etc., and thus there has arisen a need for several subports of entry. This is a Senate bill, and has been passed by that body. The suggestion was made (and it was approved by the Committee on Commerce) that the shortest way of meeting the demands of the present case would be to pass this bill, which simply authorizes the Secretary of the Treasury to establish these subports at the needed points.

Mr. LOUD. I should like to ask the gentleman from Maine [Mr. DINGLEY], the chairman of the Committee on Ways and Means, whether he thinks it advisable that the Secretary of the Treasury be empowered to establish subports of entry wherever, in his judgment, he may see fit to do so.

Mr. DINGLEY. Such legislation as this is ordinarily undesirable. It has been adopted in the case of Alaska——

Mr. COOPER of Florida. And Washington.

Mr. DINGLEY. And in the case of the State of Washington. The justification for legislation of this kind arises from peculiar circumstances where the ports in a given State for the transaction of this class of business are changing in consequence of peculiar conditions. Under such circumstances measures of this kind are resorted to as a temporary expedient. In the case of Florida, the establishment of lines to Cuba and various other points brings about a continual change in the requirements of trade; so that on conference with the Treasury Department, it was thought best to give this exceptional authority in the case of Florida, which has been given in the case of Washington and Alaska, until the regular conditions of trade should settle down. Hence the Committee on Ways and Means believed it justifiable to give this authority, which is exceptional, of course, and ought not ordinarily to be given.

Mr. LOUD. Would it not be wise to insert in the bill a proviso that the number of officials shall not be increased? Surely the commerce of Florida is not growing so rapidly as to require the appointment of new officials. If the current of business is changing, I realize that there may be need for new subports of entry and delivery. But this is a great discretionary power which it is proposed to lodge in the hands of the Secretary of the Treasury.

Mr. DINGLEY. Under existing law the Secretary of the Treasury has authority to appoint as many of these subordinate officials as may be necessary for the transaction of the public business, so that as far as that matter is concerned this bill confers no additional power. On the whole, under the peculiar circumstances, the committee thought it advisable to give the authority contemplated by the bill.

Mr. LOUD. If the gentleman from Maine can stand it I can. He is going to stay here longer than I am.

Mr. DINGLEY. In that respect there is no change in existing law. There is no limit now.

The SPEAKER. The question is on the motion to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill passed.

LOSSES BY POSTMASTERS, ETC.

Mr. CONNOLLY. Mr. Speaker, I move to suspend the rules and pass the bill I send to the desk.

The SPEAKER. The bill will be read.

The Clerk read as follows:

A bill (H. R. 9447) to amend section 1 of an act entitled "An act authorizing the Postmaster-General to adjust certain claims of postmasters for loss by burglaries, fire, or other unavoidable casualties," approved May 9, 1888.

Be it enacted, etc., That the first proviso in section 1 of said act be so amended as to read as follows:

"*Provided*, That no claim exceeding the sum of $10,000 shall be paid or credited until after the facts shall have been ascertained by the Postmaster-General and reported to Congress, together with his recommendation thereon, and an appropriation made therefor."

Mr. LOUD. Mr. Speaker, I demand a second.

Mr. CONNOLLY. I ask that a second be considered as ordered.

Mr. LOUD. I have no objection to that.

A second was ordered.

Mr. CONNOLLY. Mr. Speaker, this bill simply amends the section of the statute which now authorizes the settlement of that kind of claims in the Post-Office Department where the amount involved does not exceed $2,000. As a result, every burglary of a post-office, which has been investigated by the Department, or loss of any kind arising in the post-offices without fault on the part of the postmaster, if the amount stolen is less than $2,000, is settled at the Department at once; but if it exceeds that sum, say $2,001, the postmaster must come to Congress and wait until a bill is passed for his relief. As a result of that, there are not less than a dozen or fifteen bills now pending for such claims, that have been recommended by the Department.

The purpose of this act is to change the limit fixed by the law from $2,000 to $10,000, so that the great bulk of the claims investigated by the Department, which they would settle if they had authority, may be settled when the limit is so raised.

The chairman of the Post-Office Committee understands the situation; he has examined the amendment to the law, and other gentlemen who are interested in it have also examined it, and there seems to be no objection to it so far as I am aware.

Mr. COOKE of Illinois. Mr. Speaker, I desire to say in favor of the passage of this bill that I have a case coming directly under the provision of the proposed amendment, in which case the committee have reported favorably upon a bill for the allowance to Mr. James A. Sexton, the late postmaster of Chicago, of the sum of $3,757.05 on account of funds stolen from his office in 1893. The report of Mr. Bissell, the Postmaster-General, which was made in 1894, uses this language:

Being satisfied from the evidence that the loss resulted from no fault or negligence on the part of said postmaster, I respectfully recommend the passage of a bill authorizing the credit claimed and making appropriation of said amount.

A complete examination and investigation of the case was made by the inspectors of the Post-Office Department, and the postmaster having gone out of office there is no way in which he can settle his final accounts aside from a special act for his relief, unless some such provision as this is adopted, whereby the limit shall be raised above the amount now fixed by law to such an extent as to cover the amount of his loss.

I heartily approve of the bill, as it simply places it in the power of the Postmaster-General to pass on such cases promptly when on a thorough investigation he ascertains that there is no fault resting upon the postmaster whereby the funds are lost, stolen, or otherwise destroyed.

Mr. BINGHAM. Will the gentleman from Illinois allow an inquiry?

Mr. CONNOLLY. Certainly.

Mr. BINGHAM. In this proposed change of the statute is it simply a change of the limit from two to ten thousand dollars, the wording of the statute in other respects remaining the same?

Mr. CONNOLLY. Precisely. The word "two" is stricken out and "ten" inserted. That is the only change.

Mr. LOUD. Mr. Speaker, just a word on this matter. While I demanded a second, I have no objection to the bill proposed by the gentleman from Illinois, and think it ought to pass. But still the House should know before it is passed exactly what is contained therein. This bill, of course, will extend the law or make it retroactive for fifteen years. I think the House should be in possession of the facts. It will take every claim that is now pending before Congress, or that is not pending before Congress, back for fifteen years preceding 1882. Not fifteen years back of the present date, but, as I understand, in amending the act of 1882, which this does, that act extends back a period of fifteen years, and this act passed in 1896, as we passed it, of course, would extend it back, I think, fifteen years prior to 1882.

Mr. HILL. Why should it not?

Mr. COOKE of Illinois. Mr. Speaker, I desire to call the attention of the gentleman from California [Mr. LOUD] to the fact that the act which is amended by the pending bill provides, it is true, that only those claims which accrued within fifteen years prior to March 17, 1882, should be covered by the act, but it also contains a proviso which is not disturbed by the bill now pending, which proviso is as follows:

And no claims for losses which may hereafter accrue shall be allowed unless presented within six months from the time the loss occurred.

It seems to me that is an ample provision for the protection of the Post-Office Department concerning any old claims which have not been presented.

Mr. LOUD. Possibly it is. There is a question about it. As I said, Mr. Speaker, I do not propose to oppose the bill. I think it is a meritorious one, because I am satisfied that the Post-Office Department is more competent to investigate these claims, and to judge as to whether they ought to be paid, than Congress is. I am perfectly willing to allow the Department to investigate those cases. But while I am on my feet I can not refrain from offering this suggestion, that there are a great many laws that need amending, but there is one in particular, and that is the law relating to lost checks. The limit, as I understand it, is now $2,500, and that law needs amendment more than this one does. I will say that there are several other bills amending the postal laws which, in my opinion, will be of great benefit to the Government. This bill of course can only be of great benefit to the claimants. There are a great many bills before Congress which would aid very materially the better management of the Post-Office Department, and while I congratulate the gentleman from Illinois [Mr. COOKE] who has written this bill within the last hour, on the alacrity with which he has brought it before the House, and on the alacrity with which he has gained recognition, I do still feel that if bills of this character, where there is no one especially interested except the claimants, can receive the attention of Congress, it would have been better for Congress to have turned its attention to such matters of legislation as would have improved the service.

I hope this bill will pass.

Two-thirds voting in favor thereof, the rules were suspended and the bill passed.

BRIDGE ACROSS THE ARKANSAS RIVER.

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 5482) authorizing the Cleveland Bridge Company to construct a bridge across the Arkansas River between Pawnee County, Okla., and the Osage Indian Reservation.

The bill was read. It provides that the Cleveland Bridge Company, a corporation duly organized and existing under the laws of the Territory of Oklahoma, and its successors or assigns, be, and is hereby, authorized to construct and maintain a bridge and approaches thereto across the Arkansas River between a point in Pawnee County and the Osage Indian Reservation, in the Territory of Oklahoma, on section 9, township 21 east, of range 8 east. Said bridge shall be constructed to provide for the passage of

wagons and vehicles of all kinds, for the transit of animals, foot passengers, and all kinds of commerce, travel, and communications, and said corporation may charge and receive such reasonable tolls therefor as may be permitted by the laws of the Territory of Oklahoma.

Two-thirds voting in favor thereof, the rules were suspended and the bill passed.

ARTHUR P. SELBY.

Mr. JOY. Mr. Speaker, I move to suspend the rules and pass the bill (S. 261) for the relief of Arthur P. Selby.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby directed to pay to Arthur P. Selby the sum of $946, being an amount paid into the Treasury by said Selby, as clerk of the United States circuit court of the eastern district of Missouri, by mistake on his part and on the part of the accounting officers of the Government.

Mr. DINGLEY. I understand that there is a letter from the Comptroller stating the facts in this case.

Mr. JOY. Yes.

Mr. DINGLEY. I suggest that that letter be put in the RECORD.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

TREASURY DEPARTMENT,
OFFICE OF COMPTROLLER OF THE TREASURY,
Washington, D. C., December 6, 1895.

SIR: I am in receipt of your letter of the 3d instant inclosing a copy of the report of the Committee on Claims of the House of Representatives (Fifty-second Congress, first session, Report 1069, April 13, 1892), on the claim of Arthur P. Selby, late clerk of the United States circuit court for the eastern district of Missouri. You ask whether said report states the facts of said claim and whether there is any appropriation from which it can be refunded.

On March 6, 1886, the First Comptroller stated the emolument account of the clerk for the calendar year 1885 by report 95797, and found that a balance of $2,400.70 was due to the United States, arising principally from the fact that the Attorney-General had approved his expenditures for clerk hire in the sum of $3,000 for the year when, according to his vouchers, he had expended $4,946. In his letter of June 2, 1886, to the First Comptroller, the Attorney-General stated that Mr. Selby's allowance for clerk hire is $4,000 instead of $3,000, as the Department of Justice had authorized the former amount by letter of August 4, 1885. Thereupon the First Comptroller stated a supplemental emolument account (No. 97571) allowing Mr. Selby the additional credit, reducing his balance to $1,400.70. This latter balance was deposited by Mr. Selby June 29, 1886, and covered into the Treasury, and his account of emoluments for calendar year 1885 was closed by First Comptroller's report 98926.

So far as the records of this Department show, the facts in the case are as stated in the committee's report.

There is now no appropriation from which said claim, amounting to $946, could be paid.

Respectfully, yours, R. B. BOWLER, *Comptroller.*

Mr. THO. C. FLETCHER,
Attorney for estate of Arthur P. Selby, deceased,
11 Sun Building, Washington, D. C.

Two-thirds voting in favor thereof, the rules were suspended and the bill passed.

PRINTING OF NICARAGUA CANAL REPORT.

Mr. CHICKERING. Mr. Speaker, I wish to present a privileged report from the Committee on Printing.

The Clerk read as follows:

Your committee, having had under consideration the resolution for printing 10,000 copies of the hearings before the Interstate and Foreign Commerce Committee upon the Nicaragua Canal, report in favor of the passage of the same.

Resolved, That there be printed 10,000 copies of the hearings before the Interstate and Foreign Commerce Committee upon the Nicaragua Canal, 3,000 copies for the use of the Senate and 7,000 for the use of the House.

The resolution was agreed to.

PROTECTION OF FOREST RESERVATIONS.

Mr. BELL of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 119) to protect forest reservations.

The bill was read, as follows:

Be it enacted, etc., That the objects for which public forest reservations shall be established under the provisions of the act approved March 3, 1891, shall be to protect and improve the forests for the purpose of securing a continuous supply of timber for the people and insuring conditions favorable to water flow. And it is not the purpose of this act to authorize the inclusion within such forest reservations of lands more valuable for mining or agricultural purposes than for the timber thereon.

SEC. 2. That the Secretary of the Interior shall make such rules and regulations and shall establish such service as shall be required to regulate the occupancy and use of forest reservations which have been heretofore, or shall be hereafter, created under the said act of March 3, 1891, and to preserve the timber and other natural resources, and such natural wonders and curiosities and game as may be therein, from injury, waste, fire, spoliation, or other destruction: *Provided*, That all such forest reservations shall be controlled and administered in accordance with the provisions of this act and the rules and regulations so prescribed hereunder; and all acts and parts of acts inconsistent with the provisions of this act and the rules and regulations prescribed thereunder are hereby repealed in so far as the same relate to public lands embraced within such forest reservations.

SEC. 3. That for the purpose of preserving a sufficient supply of living and growing timber and facilitating its growth, and with a view to proper utilization of same, the Secretary of the Interior may, under rules and regulations prescribed by him, permit the cutting, removal, and disposal of so much of the dead or mature timber on such reservations as may, in his judgment, be expedient. That in disposing of such timber the Secretary of the Interior shall cause the same to be properly marked and designated, and thereafter appraised and advertised for sale to residents of the State or Territory in which the lands to be cut upon are situated. Such advertisement shall be made for not less than thirty days in a newspaper of general circulation throughout the State or Territory in which the said lands are situated, and like publication shall also be made, for the same period, in a newspaper published in the county or counties in which the lands lie. Such advertisement shall offer the timber for sale at not less than the appraised value and in limited quantities to each purchaser, specifying that payments therefor shall be made to the receiver of public moneys of the local land office of the district wherein the said timber is situated, subject to conditions prescribed by the Secretary of the Interior. No timber so purchased shall be removed until payment in full therefor has been made and receipt for such payment has issued by the receiver of public moneys. And no timber shall be either cut or removed under the foregoing provisions of this section except under such rules and regulations as the Secretary of the Interior may prescribe. The proceeds of all such sales shall be accounted for by the receiver of public moneys in a separate account, and shall be covered into the Treasury of the United States as a special fund, to be expended in the care and management of public forest reservations under the direction of the Secretary of the Interior or as Congress may provide.

SEC. 4. That in behalf of miners, prospectors, agriculturists, and other bona fide settlers occupying lands within or near forest reservations, who have not a sufficient amount of timber on their own claims or lands for use in developing the natural resources of same or for firewood, fencing, or building purposes, that the Secretary of the Interior may permit such parties, under rules and regulations prescribed by him, to procure from the public lands within such reservations, free of charge, so much timber as may be needed for their own individual use in developing the natural resources of their own claims or lands, or for firewood, fencing, and building purposes.

SEC. 5. That nothing herein shall be construed to prohibit in any wise any person or persons from free ingress and egress in respect to such reservations, or from crossing the same, or from constructing through the same necessary wagon roads: *Provided further*, That a strict compliance with the statutes and rules and regulations thereunder governing such reservations is observed.

SEC. 6. That the settlers and other residents within the boundaries of such reservations or in the vicinity thereof may maintain schools, churches, and cemeteries within such reservations; and for that purpose may occupy any of the unappropriated and unoccupied lands in said reservations, not exceeding 10 acres for each school building and for each cemetery.

SEC. 7. That nothing herein shall be construed to prohibit the use of any and all water on such reservations for power, domestic purposes, or for general irrigation purposes, under the laws of the State or Territory wherein such reservations are situated.

SEC. 8. That in cases in which a tract covered by an unperfected bona fide claim or by a patent is included within the limits of a public forest reservation, the settler or owner thereof may, if he desires to do so, relinquish the tract to the Government, and may select in lieu thereof a tract of vacant land open to settlement not exceeding in area the tract covered by his claim or patent; and no charge shall be made in such cases for making the entry of record or issuing the patent to cover the tract selected: *Provided further*, That in cases of unperfected claims the requirements of the laws respecting settlement, residence, improvements, etc., are complied with on the new claims, credit being allowed for the time spent on the relinquished claims.

SEC. 9. That all public lands withdrawn from settlement and entry for such forest reservations which, upon due examination by personal inspection on the part of a competent person or persons, appointed or detailed for that purpose by the Secretary of the Interior, shall be found to be more valuable for mining or agricultural purposes than for forest uses, shall be duly restored to entry under the general mining or settlement laws. The restoration to entry of such withdrawn lands shall be made only after due publication or proclamation of restoration by the President, based upon recommendation by the Secretary of the Interior. Publication in such cases shall be made for not less than sixty days in two papers published nearest the lands in question, and which are of daily issue and of general circulation in the State or Territory wherein the said lands lie: *Provided further*, That prospectors and mineral claimants shall have free access to such forest reservations for the purpose of prospecting, locating, and developing the mineral resources thereof, and that title to mineral claims may be acquired in the same manner as upon other mineral lands of the United States.

SEC. 10. That any person who shall willfully set fire or cause to be set fire to any timber upon any public forest reservation, or shall negligently leave or suffer fire to burn unattended near any such reservation, shall be deemed guilty of a misdemeanor, and, upon conviction, be fined in a sum not less than $50 nor more than $5,000, or be imprisoned not more than two years, or both.

SEC. 11. That any person who shall build a camp fire other fire in any public forest reservation shall, before breaking camp or leaving the same, totally extinguish such fire. Any person failing to do so shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than $25 or more than $1,000, or imprisoned not more than one year, or by both such fine and imprisonment.

SEC. 12. That the State or Territory wherein such forest reservations are situated shall have civil and criminal jurisdiction over persons within such reservations.

Amend the title so as to read: "A bill to protect and administer public forest reservations."

The SPEAKER. The question is on suspending the rules and passing the bill as read.

Mr. TERRY. For the purpose of obtaining information, I demand a second.

Mr. LACEY. I ask that a second be considered as ordered.

The SPEAKER. Without objection, a second will be considered as ordered. [After a pause.] The Chair hears none.

Mr. TERRY. I would like to ask the gentleman from Colorado if this is the bill that was prepared or revised by my colleague, Mr. MCRAE?

Mr. BELL of Colorado. Yes, sir; it is.

Mr. LACEY. The bill is the joint work of Mr. MCRAE, the Forestry Commission, the Land Office, and the Committee on Public Lands. It is a bill that has been prepared with a great deal of labor, and covers the question of the preservation and management of the forest reservations.

Mr. ELLIS. And has the approval of all the members of the committee and members from the public-land States.

Mr. HERMANN. It embraces the Senate amendments prepared at the last session.

Mr. SHAFROTH. It is the same bill that passed the Senate last session, but failed to pass the House.

Mr. HERMANN. It meets the approval of all the members from the public-land States.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

INTERNATIONAL EXPOSITION AT OMAHA, NEBR.

Mr. MERCER. Mr. Speaker, I move to suspend the rules and pass the bill S. 1306. Inasmuch as the bill has been read once in this legislative day, I ask unanimous consent that the reading be dispensed with.

The SPEAKER. The gentleman asks unanimous consent to dispense with the reading of the bill. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (S. 1306) to authorize and encourage the holding of a transmississippi and international exposition at the city of Omaha, in the State of Nebraska, in the year 1898.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

LAYING SUBWAYS IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I move to suspend the rules and pass the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That a subcommittee consisting of three members of the Committee on the District of Columbia, to be appointed by the Speaker, be, and they are hereby, authorized to sit during the recess of Congress, at such times and places as they may deem advisable, for the purpose of investigating the subject of the laying of subways in the streets, roads, avenues, and alleys of the District of Columbia, as recommended by the Commissioners of said District in the letter of the president of the Board of District Commissioners transmitted to the chairman of the Committee on the District of Columbia, under date of February 8, 1896, and as provided for by the bill (H. R. 5920) accompanying said letter, with authority to summon witnesses, to send for persons and papers, to administer oaths, to employ a stenographer, and such clerical and other assistants as may be necessary, the expense of such investigation to be paid from the contingent fund of the House, but not to exceed the sum of $2,000, said committee to make a full report of the proceedings of such investigation and their opinions thereon to the House of Representatives on the 1st day of December, 1896.

The SPEAKER. The question is on suspending the rules and agreeing to the resolution.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the resolution was agreed to.

MOBILE AND OHIO RAILROAD COMPANY.

Mr. WHEELER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2943) to authorize the construction of a bridge across the Warrior River by the Mobile and Ohio Railroad Company.

The bill was read at length.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

BRIDGE ACROSS THE ALABAMA RIVER.

Mr. STALLINGS. Mr. Speaker, I move to suspend the rules and pass the bill which I send to the desk, being the bill (S. 2945) to amend an act approved August 6, 1888, entitled "An act to authorize the construction of a bridge across the Alabama River."

The bill was read, as follows:

Be it enacted, etc., That the rights, powers, and privileges granted to the Alabama Great Northwestern Railway Company by the act of Congress entitled "An act to authorize the construction of a bridge across the Alabama River," and approved August 6, 1888, be, and the same are hereby, in all respects extended to and vested in the Mobile and Ohio Railroad Company.

SEC. 2. That the time within which said railway company was authorized to complete the construction of said bridge, which construction has already been begun in accordance with the provisions of said act, be, and the same is hereby, extended for three years from the date of the passage of this act.

The rules were suspended and the bill was passed.

BRIDGE ACROSS THE CAHABA RIVER.

Mr. STALLINGS. Mr. Speaker, I move to suspend the rules and pass the bill which I send to the desk, being the bill (S. 2944) to authorize the construction of a bridge across the Cahaba River, in Bibb County, Ala., by the Mobile and Ohio Railroad Company.

The bill was read at length.

The rules were suspended and the bill was passed.

CAPT. JAMES REGAN.

Mr. FISCHER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1011) for the relief of Capt. James Regan, United States Army.

The bill was read, as follows:

Be it enacted, etc., That the proper accounting officers of the Treasury are hereby authorized and directed to credit the account of Capt. James Regan, Ninth United States Infantry, as first lieutenant and regimental quartermaster of said regiment, for a shortage of subsistence stores at Fort D. A. Russell, occasioned by the dishonesty of Com. Sergt. James Boling, without misconduct on the part of said Regan, with the sum of $2,455.82, and said Regan is discharged from paying the same.

The SPEAKER. The question is on the motion to suspend the rules and pass the bill.

Mr. BLUE. Mr. Speaker, I ask for a second, in order that we may have some explanation of this bill.

By unanimous consent, a second was considered as ordered.

Mr. FISCHER. The case in brief is this: Captain Regan was commissary of stores at the point mentioned in the bill, Fort D. A. Russell. He was detailed by the War Department to act on a court-martial which took him a long distance from his post, some 300 miles, which he was compelled to travel on horseback. He was absent for about a month, and when he returned he found this sergeant had absconded and had left this shortage. Legally and technically Captain Regan was responsible, but the loss was not due in any degree to his dishonesty, but to that of the sergeant, who has ever since evaded justice. Captain Regan is now an old man, without means to make good this money, and the claim is a cloud upon his life and his record.

Mr. LITTLE. I will ask the gentleman whether this bill provides for a pension? [Laughter.]

Mr. FISCHER. No, sir. Captain Regan is already on the Army roll. He is an old man and desires to be retired. He has not a dollar and can not possibly make good this shortage.

Mr. BLUE. Was there any other commissioned officer at that post who could have been detailed to this duty when Captain Regan was absent?

Mr. FISCHER. The War Department ordered him away from his post on court-martial duty.

Mr. BLUE. That does not answer my question.

Mr. FISCHER. The commandant of the post was there.

Mr. BLUE. Why was not some commissioned officer detailed to take this captain's place while he was absent?

Mr. FISCHER. That I do not know. He was not responsible for it, however. He was only a junior officer himself.

A MEMBER. What committee has reported this bill?

Mr. FISCHER. The Committee on Military Affairs of the Senate. Captain Regan was certainly entirely innocent in the premises. As I have stated, he was away when this sergeant absconded.

Mr. LOUD. Has this bill been up for consideration before?

Mr. FISCHER. Yes, sir; and it has passed two Congresses, and has been reported favorably by the subcommittee No. 5 of the Committee on Military Affairs. I ask for a vote.

The rules were suspended and the bill was passed.

Mr. PAYNE. Mr. Speaker, I move that the House do now take a recess until 3 o'clock p. m.

The motion was agreed to; and the House accordingly (at 1 o'clock and 54 minutes) took a recess until 3 p. m.

The recess having expired, the House resumed its session.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 525) for the relief of Thomas Guinean, of Oregon;

A bill (S. 2054) for the relief of Rinaldo P. Smith, of Baltimore, Md.; and

A bill (S. 2840) to incorporate the East Washington Heights Traction Railway Company, of the District of Columbia.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 9253) to amend an act approved August 19, 1890, entitled "An act to adopt regulations for preventing collisions at sea."

The message also announced that the Senate had passed resolutions of the following titles; in which the concurrence of the House was requested:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 60,000 extra copies of the report of the Joint Committee on the Dedication of the Chickamauga and Chattanooga National Park; 18,000 copies shall be for the use of the House of Representatives, 6,000 copies for the Senate, 1,000 copies for the National Park Commission to supply the twenty-eight State commissions, and 500 copies for the Secretary of War to supply the governors of the States, and 100 copies for each speaker at the dedication.

Also:

Resolved by the Senate (the House of Representatives concurring), That there be printed 5,000 copies of Senate Miscellaneous Document No. 274, Fifty-third Congress, second session, Proceedings of the Berlin Silver Commission of 1894, with index, 3,000 to be for the use of the House of Representatives and 2,000 for the use of the Senate.

The message also announced that the Senate had passed without amendment the following resolution:

Resolved by the House of Representatives (the Senate concurring), That the Secretary of the Interior be, and he hereby is, authorized and directed to resume work upon and to issue patents to the Union Pacific Railway Company without delay to all lands which have been sold by said company to bona fide purchasers: *Provided*, That nothing herein contained shall be construed as waiving any right that the United States may have to declare a forfeiture as to the lands which have not been so sold by said company: *Provided*, That the words "bona fide purchasers" herein contained shall not be held to include the holders of lands secured by mortgage on such land grant.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for expenses of the House of Representatives, and for other purposes, for the fiscal year 1896, numbered 2, disagreed to by the House of Representatives, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. ALLISON, and Mr. COCKRELL as the conferees on the part of the Senate.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 180) to make the city of Erie, Pa., a port of immediate transportation.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes, had disagreed to the amendment of the House to the amendment of the Senate numbered 99; had still further insisted upon its amendments numbered 99, 100, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 194, 195, disagreed to by the House of Representatives; had agreed to the further conference asked by the House of Representatives on the disagreeing votes of the two Houses thereon, and had appointed Mr. TELLER, Mr. ALLISON, and Mr. COCKRELL as the conferees on the part of the Senate.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the bill (S. 3058) to increase the pay of letter carriers; in which the concurrence of the House was requested.

The message also announced that the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes, was unable to agree.

The message also announced that the Senate had passed joint resolution (S. R. 161) authorizing the Secretary of the Treasury to place a bronze tablet or inscription on the Government building erected in Detroit; in which the concurrence of the House was requested.

ELECTION CONTEST—MARTIN VS. LOCKHART.

Mr. BAILEY. I ask unanimous consent that the views of the minority of the Committee on Elections on the contested election case of Martin against Lockhart may be printed as a public document, as they would have been——

The SPEAKER. Does the gentleman ask that they be printed in the usual form?

Mr. BAILEY. In the usual form.

The SPEAKER. The gentleman from Texas asks unanimous consent that the views of the minority of the Committee on Elections in the case of Martin against Lockhart may be printed in the usual form. Is there objection? The Chair hears none, and it is so ordered.

MARTHA M. GIBSON.

Mr. STRONG. I move to suspend the rules and pass the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 8159) to pension Mrs. Martha M. Gibson.

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha M. Gibson, widow of William H. Gibson, late colonel of the Forty-ninth Regiment Ohio Volunteer Infantry and brevet brigadier-general United States Volunteers, and pay her a pension at the rate of $50 per month.

The question being taken, the rules were suspended and the bill was passed, two-thirds voting in favor thereof.

HIRAM T. CORUM AND SILAS W. DAVIS.

Mr. ELLIS. I move to suspend the rules and pass the bill (H. R. 8886) for the relief of Hiram T. Corum and Silas W. Davis, of Oregon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to Hiram T. Corum and Silas W. Davis, of Wapinitia, Oreg., out of any money in the Treasury not otherwise appropriated, the sum of $300, being in full of a claim for seed wheat and potatoes furnished the Indians on the Warm Springs Indian Agency in Oregon, which said claim was allowed by the Commissioner of Indian Affairs December 15, 1894, as "F, No. 80960."

The question being taken, the rules were suspended and the bill was passed, two-thirds voting in favor thereof.

SETTLERS ON INDIAN RESERVATIONS.

Mr. SHERMAN. I move to suspend the rules and pass the joint resolution which I send to the desk.

The Clerk read as follows:

Joint resolution extending the time of payments due from settlers and purchasers on all ceded Indian reservations.

Resolved by the Senate and House of Representatives, etc., That the homestead settlers and settlers who purchased with the condition precedent of actual settlement on all ceded Indian resevations be, and they are hereby, granted an extension of one year in which to make payments as now provided by law.

Mr. RICHARDSON. What committee has reported this resolution?

Mr. SHERMAN. A provision similar to this is contained in the Indian appropriation bill of this year; but that provision does not cover certain persons who have taken out homestead reservations under a special act passed, I think, in 1881. This affects a comparatively few people who are in a similar condition to those covered by the provision in the Indian appropriation bill. This involves no appropriation.

Mr. LACEY. Does this affect only the lands being sold for the benefit of the Indians, or does it affect also lands which have been sold and the proceeds covered into the Treasury?

Mr. SHERMAN. Both, as I understand.

Mr. LACEY. What committee has examined this joint resolution?

Mr. SHERMAN. This particular resolution has not been examined by any committee; but the subject has been examined by the Committee on Indian Affairs; and, as I have stated, a provision similar to this is contained in the general appropriation bill.

Mr. LACEY. Then it involves two classes of lands, a part of which would come within the jurisdiction of the Committee on Public Lands and another part under the jurisdiction of the Committee on Indian Affairs?

Mr. SHERMAN. It covers both questions, as I understand.

The question being taken, the rules were suspended and the joint resolution was passed, two-thirds voting in favor thereof.

SILAS P. KELLER.

Mr. VAN HORN. I move to suspend the rules and pass the bill (S. 361) for the relief of Silas P. Keller, with an amendment reported by the Committee on Indian Affairs.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to examine and adjudicate the claim of Silas P. Keller, late licensed Indian trader with the Pottawatomie Indians in Kansas, for supplies furnished said Indians for their subsistence, and to determine the amount thereof justly due said Silas P. Keller, and whether there is any fund belonging to said Indians which can be applied to the payment of such claim, and, if so determined, then to report and certify the amount found due to said Silas P. Keller, without interest, to be paid from the funds of said Indians to the Secretary of the Treasury, to be so paid by him.

The amendment reported by the Committee on Indian Affairs was read, as follows:

In line 6, strike out "Indians" and insert "Indian band."

Mr. RICHARDSON. I was unable from the reading to catch fully the purport of this bill. I should be very glad if the gentleman from Missouri would make some explanation.

Mr. VAN HORN. A bill similar to this was passed at the last Congress but did not reach the President in time for his signature. This bill has passed the Senate at this session and has been favorably reported by the Committee on Indian Affairs of this House. It proposes simply an inquiry into a personal account. It does not take any money from the Treasury.

Mr. RICHARDSON. Has the bill been reported by the Committee on Indian Affairs at this session?

Mr. VAN HORN. It has been.

Mr. RICHARDSON. Is there a unanimous report from that committee?

Mr. VAN HORN. I do not know whether the report is unanimous or not. I know the bill has been regularly reported.

Mr. RICHARDSON. I will ask that the report be read in my time.

The Clerk proceeded to read the following report by Mr. STEWART of Wisconsin:

The Committee on Indian Affairs, to whom was referred the bill (S. 361) for the relief of Silas P. Keller, report it back favorably with an amendment.

The subjoined letters from the Secretary of the Interior and Commissioner of Indian Affairs are made part of this report.

DEPARTMENT OF THE INTERIOR, *Washington, December 20, 1894.*

SIR: I have the honor to be in receipt of your communication of 10th instant, requesting the opinion of the Department on bills (S. 2364 and S. 2365) for the relief of Silas P. Keller and Northrup & Chick, late licensed traders with the Pottawatomie Indians, for supplies alleged to have been furnished the said Indians.

In reply I beg to hand you herewith a copy of a letter, dated 18th instant, from the Commissioner of Indian Affairs, wherein report is made of the facts and circumstances under which the liabilities referred to were incurred by the said Indians and the steps that have since been taken to secure payment therefor by the claimants.

As suggested by the Commissioner, I see no objection to the proposed legislation, providing the adjudication of said claims be left to the Department, as indicated in the bills referred to.

Very respectfully, HOKE SMITH, *Secretary.*

Hon. JAMES K. JONES,
Chairman Committee on Indian Affairs, United States Senate.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, December 18, 1894.

SIR: I have the honor to acknowledge the receipt, by your reference of the 11th instant, for report, of Senate bill 2364, for the relief of Silas P. Keller, late licensed trader with the Pottawatomie Indians of Kansas, for supplies furnished said Indians, and Senate bill 2365, for the relief of Northrup & Chick, late licensed Indian traders with the Pottawatomie Indians in Kansas, for supplies furnished said Indians; also by your reference of the 13th instant, for consideration in connection with the two above-named bills, of a communication from the clerk of the Senate Committee on Indian Affairs, in which

he refers to the above bills submitted for the opinion of the Department and states that Senator JONES had just directed him to request that the Senate committee be furnished, in the report of the Department thereon, with a full and complete history of these transactions, and that such suggestions and opinions as the Department may have on the subject be given the committee as early as practicable.

Senate bill 2364 provides "that the Secretary of the Interior be, and hereby is, authorized and directed to examine and adjudicate the claim of Silas P. Keller, late licensed Indian trader with the Pottawatomie Indians in Kansas, for supplies furnished said Indians for their subsistence and to determine the amount thereof justly due said Keller, and whether there are any funds belonging to said Indians which can be applied to the payment of such claims, and if so determined, then to report and certify the amount found due to said Keller, to be paid from the funds of said Indians, to the Secretary of the Treasury, to be so paid by him."

Senate bill 2365 provides that the same course be pursued in the matter of the claim of Messrs. Northrup & Chick.

The following is a history of the claims, as ascertained from the records and files of this office: Prior to 1864 Pottawatomie Indians residing in Kansas were largely indebted to traders and others for supplies furnished them for some years previous, and at the urgent request of the said Indians, through their business committee, and upon the recommendation of their agent, Mr. W. W. Ross, this office determined to appoint a commission to examine and report upon the merits of said claims. Accordingly a committee of two was appointed, one of whom was the Pottawatomie agent, W. W. Ross, and the other Mr. J. A. Steele. On the 13th of January, 1864, the committee rendered its report to this office, in which it stated that claims to the amount of $98,601.11 were examined, and recommended to be allowed $43,365.91.

On the 14th day of March, 1863, the Pottawatomie business committee addressed a letter to Mr. Ross, in which they stated that they desired to have him pay $15,000, or as much as might be necessary, out of their funds upon their national debts at the rate of 50 cents on the dollar, for all accounts that are approved and recommended to be paid by the commission appointed by the Department to investigate the same.

A great many of the claimants accepted 50 cents on the dollar for their claims and were paid, but others objected to this mode of settlement and demanded payment in full, among whom were Messrs. Northrup & Chick, named in Senate bill 2365, whose claim had been approved in part.

The claim of Mr. Keller was disallowed in toto by the commission, the said commission having attached a certificate to the claim, in which is set forth the statement that evidence of fraud or dishonesty appeared in making up the account, and recommended the rejection of the whole claim, amounting to $11,189.33, it being impossible for them or anyone else to determine what parts of said claim, if any, are paid or unpaid.

On the 31st of October, 1864, Mr. Keller filed in this office his protest against the report of Agents Ross and Steele against his claim, and filed an affidavit of his clerk, Mr. Ewing M. Sloan, who swears that during the years of 1853, 1854, 1855, and 1856 he was a clerk in the employ of Silas P. Keller; that in 1854 and 1855 S. P. Keller kept a larger stock of goods in the Pottawatomie Reservation than any other trader there, save during payment, at which time others, perhaps, had stocks as large as Keller's, but that he resided continually on the reservation during the years named, and he knew positively that Keller kept a large, well-assorted stock of such goods as the Indians most needed, and when the tribe was in need of credit, that the credit extended them by said Keller through him was larger, and for such articles as the Indians most needed, than any other trader there. Mr. Sloan answers in detail every point made against the claim by the commission, and in closing his affidavit states that the claim of Mr. Keller having been made and filed by him, it was proper for him to state that the goods charged in the accounts against the different Indians were all actually sold and delivered to parties to whom they are charged, and that the prices at which they were sold were the fair market price for the goods at the time they were sold and delivered, and that he believes the amount claimed by said Keller is justly due him, of course allowing for such clerical errors as will be found upon careful examination to have been made.

On the 24th day of April, 1865, the then Commissioner of Indian Affairs, W. P. Dole, submitted a report to the Secretary of the Interior, in which he stated that several claimants against the Pottawatomie Indians, whose books, transcript, and testimony relative thereto were examined and reported upon by W. W. Ross and J. A. Steele, commissioners, June 13, 1864, having through their attorney protested against the decision of said commission, he had at his earnest repeated requests caused the same to be reexamined in this office in connection with new testimony filed by some of the parties interested, viz:

Claim No. 40, Northrup & Chick, called for $5,522.68; $3,529.98 allowed.

Claim No. 47, S. P. Keller, $11,189.33, rejected by commission.

In this report the Commissioner states in regard to claim No. 40 as follows:

"This claim was allowed by the commissioners to the extent of $3,529.98, but Messrs. Northrup & Chick protest against the finding—both, I presume, against the reduction and the taking of the pro rata.

"The claim is badly prepared, and I do not see how the commission could make an intelligent examination. They seem, however, by some process to have arrived at the conclusion that there was due, after deduction for errors, etc., $4,011.34, from which amount they deduct 12 per cent, and arbitrarily, as I think, take $481.36 from the $4,011.34. After a consideration of the claim, I think it should have been allowed for $4,011.34.

"Claim No. 47, S. P. Keller; amount claimed, $11,189.33. This claim was rejected by the commission in toto. It was the largest one examined by the commission, and perhaps for that reason and the fact that it was known that only a 'pro rata' was to be paid the traders it was attacked by some of the other claimants. In this connection I would respectfully refer you to the affidavit of Lewis Ogee and E. G. Nadean, with the explanation that when Mr. Keller's late clerk was in this city for the purpose of making his explanatory affidavits those affidavits were not observed, but were afterwards found folded in the leaves of the transcript; besides by consulting the schedule you will find that the parties named are themselves claimants.

"I consider that Mr. E. M. Sloan's testimony in the above case, he being a reliable gentleman, as appears from the affidavit of A. S. Johnson, filed by S. N. Blackidge on the 15th instant, removes all the aspersions cast upon the claimant; and I can not see that any deduction should be made, except of the individual accounts of Lewis Ogee and E. G. Nadean."

The Secretary of the Interior, under date of May 5, 1865, in reply to the above report of April 26, 1865, returned the claims, books, etc., with the statement that, as there was no appropriation for paying these debts and no express authority for their examination and adjudication, he was of the opinion that all attempts to adjust them would be unavailing to the claimants, concluding no one, and that the books, etc., might be filed for future reference, it being possible that Congress will provide for their settlement. Mr. Keller states that since 1865 he has several times called up his claim for examination and settlement, but that until recently the papers could not be found.

Since the date of the reports referred to 1,400 Indians of the Pottawatomie Nation have become citizens of the United States and received their pro rata share of the assets of the tribe, and 780 preserved their tribal relations and are now residing upon their reservation in Kansas; consequently, if these claims should be paid, $\frac{1}{2123}$ thereof would be chargeable to the Citizen Band and $\frac{780}{2123}$ thereof to the Prairie Band, or Indian class. Within the last five years large sums of money have been appropriated for the Pottawatomie Nation on account of annuities growing out of various unfulfilled treaty stipulations, which money has been distributed among the two classes named upon the above basis.

The citizen class has now to its credit in the Treasury the sum of $61,123.32, being the aggregate of unexpended balances of the appropriations made for said class, and the Prairie Band receive an annual appropriation of $20,647.65 under treaties, besides trust-fund interest amounting annually to $9,204.72, the principal being $184,094.57.

The papers referred are respectfully returned herewith, with the above statement of facts, and with the remark that I can see no objection to the legislation proposed by the two bills named.

Very respectfully, your obedient servant,

D. M. BROWNING, *Commissioner.*

The SECRETARY OF THE INTERIOR.

Mr. RICHARDSON (before the reading of the report was concluded). Mr. Speaker, I do not ask for the further reading of the report; let the residue be printed.

The SPEAKER. Without objection, the complete report will be printed in the RECORD.

There was no objection.

The question being taken, the motion to suspend the rules was agreed to, two-thirds voting in favor thereof, and the bill was passed.

KETURAH WILSON.

Mr. McCREARY of Kentucky. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 7500) granting a pension to Mrs. Keturah Wilson, widow of James Wilson, deceased.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Mrs. Keturah Wilson, formerly of Madison County, Ky., and widow of James Wilson, deceased, late a private in Captain Stone's company Mounted Volunteers, First Kentucky Regiment, Mexican war, and allow her a pension at the rate of $8 per month.

Mr. THOMAS. Mr. Speaker, I would like to have the report read in that case.

Mr. McCREARY of Kentucky. I ask unanimous consent that a second be considered as ordered.

There was no objection.

The SPEAKER. The Clerk will read the report.

The report (by Mr. COLSON) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 7500) entitled "A bill to grant a pension to Mrs. Keturah Wilson," submit the following report, and recommend that said bill do pass:

The claimant herein is the widow of James Wilson, deceased, who served from June 8, 1846, to January 1, 1847, in the Mexican war. He was pensioned at $8 per month under the act of January 29, 1887, and this was subsequently increased to $12 per month under the act of January 5, 1893, upon his proving his indigent circumstances and his inability to earn a support by manual labor.

The said soldier, James Wilson, died April 10, 1894, and his widow, the beneficiary, filed an application for pension, which was rejected because he did not serve sixty days in Mexico, etc., the said soldier having been prostrated by typhoid fever for months in Louisville, Ky., while en route to Mexico with Captain Stowe's company, First Kentucky Cavalry, in which he had enlisted. The report at the War Department shows his discharge on account of disability.

Mrs. Keturah Wilson is 62 years old and is very poor and physically feeble, has no property and is dependent for support on her children, who are all very poor. Her statement is in writing, regularly signed and verified, and is filed with the Committee on Pensions.

Under the original ruling of the Department claimant would have been granted a pension, but on account of a new ruling made since the pension was granted to her husband, her application was rejected.

The committee recommend the passage of the bill.

Mr. TALBERT. I would like to ask if that bill has been considered in Committee of the Whole?

Mr. McCREARY of Kentucky. It was considered by the Committee on Pensions and unanimously reported to the House. My motion is to suspend the rules and pass the bill, and that will suspend any rule requiring its consideration in Committee of the Whole.

Mr. TALBERT. I am not objecting to the bill, but I just came in, and I did not know but that we were passing a bill for some more "coffee coolers."

Mr. McCREARY of Kentucky. This bill is all right.

The motion to suspend the rules and pass the bill was agreed to, two-thirds having voted in favor thereof.

LAWS RELATING TO NAVIGATION.

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 2663) to amend the laws relating to navigation as amended by the Committee on Merchant Marine and Fisheries.

The bill was read, as follows:

Be it enacted, etc., That section 4507 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4507. The Secretary of the Treasury shall assign in public buildings or otherwise procure suitable offices and rooms for the shipment and discharge of seamen, to be known as shipping commissioners' offices, and shall procure furniture, stationery, printing, and other requisites for the transaction of the business of such offices."

SEC. 2. That on and after June 30, 1898, every place appropriated to the crew of a seagoing vessel of the United States except a fishing vessel, yacht, or pilot boat, and all vessels under 100 tons register, shall have a space of not less than 72 cubic feet and not less than 12 square feet measured on the deck or floor of that place for each seaman or apprentice lodged therein: *Provided*, That any such seagoing vessel built or rebuilt after June 30, 1898, shall have a space of not less than 108 cubic feet and not less than 18 square feet measured on the deck or floor of that place for each seaman or apprentice lodged

therein. Such place shall be securely constructed, properly lighted, drained, heated, and ventilated, properly protected from weather and sea, and, as far as practicable, properly shut off and protected from the effluvium of cargo or bilge water; and failure to comply with this provision shall subject the owner and vessel to a penalty of $500.

Fishing vessels, yachts, and pilot boats are hereby exempted from the provisions of section 1 of chapter 173 of the laws of 1895, entitled "An act to amend section 1 of chapter 398 of the laws of 1882, entitled 'An act to provide for deductions from the gross tonnage of vessels of the United States,'" so far as said section prescribes the amount of space which shall be appropriated to the crew and provides that said space shall be kept free from goods or stores not being the personal property of the crew in use during the voyage.

SEC. 3. That section 4576 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4576. The master of every vessel bound on a foreign voyage or engaged in the whale fishery shall exhibit the certified copy of the list of the crew to the first boarding officer at the first port in the United States at which he shall arrive on his return, and also produce the persons named therein to the boarding officer, whose duty it shall be to examine the men with such list and to report the same to the collector; and it shall be the duty of the collector at the port of arrival, where the same is different from the port from which the vessel originally sailed, to transmit a copy of the list so reported to him to the collector of the port from which such vessel originally sailed. For each failure to produce any person on the certified copy of the list of the crew the master and vessel shall be severally liable to a penalty of $400, to be sued for, prosecuted, and disposed of in such manner as penalties and forfeitures which may be incurred for offenses against the laws relating to the collection of duties. But such penalties shall not be incurred on account of the master not producing to the first boarding officer any of the persons contained in the list who may have been discharged in a foreign country with the consent of the consul, vice-consul, commercial agent, or vice-commercial agent there residing, certified in writing, under his hand and official seal, to be produced to the collector with the other persons composing the crew, nor on account of any such person dying or absconding or being forcibly impressed into other service, of which satisfactory proof shall then also be exhibited to the collector."

SEC. 4. That section 4541 of the Revised Statutes be, and is hereby, amended by striking out the words "district judge for the district," in the seventh line of said section, and substituting in place thereof the words "circuit court of the circuit"; and that said section be, and is hereby, further amended by striking out the words "district judge" where they occur in the eleventh and twelfth lines of said section and substituting in place thereof the words "circuit court."

SEC. 5. That rule 11 of section 4233 of the Revised Statutes, relating to pilot boats, be amended by adding thereto a paragraph as follows:

"Steam pilot boats shall, in addition to the masthead light and green and red side lights required for ocean steam vessels, carry a red light hung vertically from 3 to 5 feet above the foremast headlight, for the purpose of distinguishing such steam pilot boats from other steam vessels."

SEC. 6. That section 4542 of the Revised Statutes be, and hereby is, amended by adding thereto the words "or where he died."

SEC. 7. That section 4545 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4545. A circuit court, in its discretion, may at any time after the expiration of three months from the receipt thereof direct the sale of the whole or any part of the effects of a deceased seaman or apprentice which it has received or may hereafter receive, and shall hold the proceeds of such sale as the wages of deceased seamen are held. When no claim to the wages or effects or proceeds of the sale of the effects of a deceased seaman or apprentice, received by a circuit court, is substantiated within six years after the receipt thereof by the court it shall be in the absolute discretion of the court, if any subsequent claim is made, either to allow or refuse the same. Such court shall, from time to time, pay any moneys arising from the unclaimed wages and effects of deceased seamen, which, in their opinion it is not necessary to retain for the purpose of satisfying claims, into the Treasury of the United States; and such moneys shall form a fund for, and be appropriated to, the relief of sick and disabled and destitute seamen belonging to the United States merchant-marine service."

SEC. 8. That chapter 97 of the laws of 1895, entitled "An act to amend an act entitled 'An act to amend the laws relative to shipping commissioners,' approved August 19, 1890," be, and is hereby, amended by striking out the word "seventh" where it occurs in the twelfth line of said act; and that said act be, and is hereby, further amended by inserting therein the words "and forty-six hundred and two" after the words "forty-five hundred and fifty-four" where they occur in the twenty-eighth line of said act.

SEC. 9. That fees for the entry direct from a foreign port and for the clearance direct to a foreign port of a vessel navigating the waters of the northern, northeastern, and northwestern frontiers of the United States otherwise than by sea, prescribed by section 4382 of the Revised Statutes, are abolished. Where such fees, under existing laws, constitute in whole or in part the compensation of a collector of customs, such officer shall hereafter receive a fixed sum for each year equal to the amount which he would have been entitled to receive as fees for such services during said year.

SEC. 10. That section 4165 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4165. A vessel registered pursuant to law which by sale has become the property of a foreigner shall be entitled to a new register upon afterwards becoming American property, unless it has been enlarged or undergone change in build outside of the United States."

SEC. 11. That section 13 of chapter 344 of the laws of 1874 be, and is hereby, amended to read as follows:

"SEC. 13. The Secretary of the Treasury may, upon application therefor, remit or mitigate any penalty provided for in this act, or discontinue any prosecution to recover the same, upon such terms as he, in his discretion, shall think proper, and shall have authority to ascertain the facts upon all such applications in such manner and under such regulations as he may think proper. All penalties herein provided may be sued for, prosecuted, recovered, and disposed of in the manner prescribed by section 4305 of the Revised Statutes."

SEC. 12. That rule 14 of section 4233 of the Revised Statutes be, and is hereby, amended to read as follows:

"Rule 14. The exhibition of any light on board of a vessel of war of the United States may be suspended whenever, in the opinion of the Secretary of the Navy, the commander in chief of a squadron, or the commander of a vessel acting singly, the special character of the service may require it. The exhibition of any light on board of a revenue cutter of the United States may be suspended whenever, in the opinion of the commander of the vessel, the special character of the service may require it."

SEC. 13. That section 4233 of the Revised Statutes be, and is hereby, amended by adding thereto:

"Rule 25. A sail vessel which is being overtaken by another vessel during the night shall show from her stern to such last-mentioned vessel a torch or a flare-up light.

"Rule 26. Nothing in these rules shall exonerate any ship, or the owner or master or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper lookout, or of the neglect of any precaution which may be required by the ordinary practice of seamen or by the special circumstances of the case."

SEC. 14. That the Secretary of the Treasury be, and he is hereby, authorized to direct the inspection of any foreign vessel admitted to American registry, its steam boilers, steam pipes, and appurtenances, and to direct the issue of the usual certificate of inspection, whether said boilers, steam pipes, and appurtenances are or are not constructed pursuant to the laws of the United States, or whether they are or are not constructed of iron stamped pursuant to said laws. The tests in the inspection of such boilers, steam pipes, and appurtenances shall be the same in all respects as to strength and safety as are required in the inspection of boilers constructed in the United States for marine purposes.

SEC. 15. That section 2834 of the Revised Statutes be, and is hereby, amended by repealing the following words therein:

"The master of any vessel bound to any district in Connecticut, through or by the way of Sandy Hook, shall, before he passes the port of New York and immediately after his arrival, deposit with the collector for the district of New York a true manifest of the cargo on board such vessel. The master of any vessel bound to the district of Burlington shall, before he passes the port of Philadelphia and immediately after his arrival, deposit with the collector thereof a like manifest: and the collector shall, after registering the manifest, transmit the same, duly certified to have been so deposited, to the officer with whom the entries are to be made; and the."

SEC. 16. That sections 2570, 2571, 2572, 2573, 2574, 2575, 2584, 2585, 2824, 2835, 2897, 4133, 4134, 4234, 4306, 4307, 4589, and 4590 of the Revised Statutes are repealed.

SEC. 17. That section 2797 of the Revised Statutes be, and is hereby, amended by adding thereto the following words:

"Sea stores and the legitimate equipment of vessels belonging to regular lines plying between foreign ports and the United States, delayed in port for any cause, may be transferred in such port of the United States under the supervision of customs officers from one vessel to another vessel of the same owner without payment of duties, but duties must be paid on such stores or equipments landed for consumption, except American products."

SEC. 18. That section 5347 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 5347. Every master or other officer of any American vessel on the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States, who willfully beats or wounds or without justifiable cause imprisons any of the crew of such vessel or withholds from them suitable food and nourishment or inflicts upon them any cruel and unusual punishment, shall be punished by a fine of not more than $1,000 or by imprisonment not more than five years, or both. This section shall apply to the coastwise and foreign trade."

SEC. 19. That article 7 of section 4511 of the Revised Statutes be, and is hereby, amended to read:

"Seventh. Any regulations as to conduct on board and as to fines, short allowances of provisions, or other lawful punishments for misconduct, which may be sanctioned by Congress or authorized by the Secretary of the Treasury not contrary to or not otherwise provided for by law, which the parties agree to adopt."

SEC. 20. That this act shall take effect three months after its passage.

Mr. TALBERT. I ask a second.

Mr. TERRY. I hope the gentleman will not press the consideration of so important a bill as that at this time, because I shall feel compelled to raise the point of no quorum.

Mr. PAYNE. I think if the gentleman from Arkansas will allow a second to be considered as ordered, I can explain this bill to him so that he will not insist upon his objection.

Mr. TERRY. I have no objection to a second being ordered.

Mr. TALBERT. I demand a second.

Mr. PAYNE. I ask that a second be considered as ordered.

There was no objection.

Mr. PAYNE. Mr. Speaker, this bill, I have been informed by the Commissioner of Navigation, is approved by seamen and vessel owners alike. There is no objection to it, according to his statement, from any quarter. Certainly no objection from any quarter has come to me; but, on the contrary, the bill is demanded by nearly everybody.

This bill was introduced and referred to the Committee on Merchant Marine and Fisheries, who, after a full investigation and thorough discussion of the matter, after going through the bill carefully and proposing a number of amendments which are embodied in the bill, present it to the House, make a favorable report upon the bill, and recommend its passage.

The first section of the bill simply authorizes some provision to be made for the accommodation of the shipping commissioners, to be used as offices by them for the transaction of their business. These commissioners are appointed under the authority of the Commissioner of Navigation. They receive $1,500 per annum for their salary, and it is provided that they may have a suitable provision in the Government offices at the port, or, if necessary, they may have a rented office for that purpose.

Passing now to section 2, the act of March 2, 1895, provided that in all seagoing vessels built after June 30 of that year the crew's quarters should have a space of not less than 72 cubic feet, and not less than 12 square feet on deck or floor for each seaman. We continue that provision which gives the sailors this space allowed under that act, making it apply to all seagoing merchant vessels on and after June 30, 1898. A further provision is made that all vessels that are built or rebuilt after June 30, 1898, shall have a crew space for each seaman of not less than 182 cubic feet, and not less than 18 square feet measure on the deck or floor. Under the former regulation the floor space for sleeping quarters was 6 feet high, 6 feet long, and 2 feet wide. The provision to go into effect after 1898 gives, as will be seen, a larger space than this, namely, 6 feet high by 6 feet long and 3 feet wide. The bill exempts, however, from this provision fishing vessels, yachts, pilot boats, and all vessels under 100 tons burden, there being no demand and no need for this provision on these vessels. This provision was of course designed for the comfort and health and

well-being of the merchant seaman, and imposes no hardship on the owner of the vessel. We deemed it, therefore, a most reasonable provision to be inserted in reference to new vessels only, or vessels entirely or practically rebuilt, so that there may be no extra expense or hardship on the owners of old vessels requiring them to remodel their ships to give this space.

The abolition of the requirement of bonds upon the registering, enrollment, or license of vessels, and the substitution of a penalty in place thereof for the misuse of the ship's papers, is a provision that has given general satisfaction to shipping interests. It has also been a saving to the Government. Section 3 of this bill proposes to extend that principle to crew bonds. The present law, enacted in 1803, requires the master of every foreign-going vessel, or vessel engaged in whale fishing, to give bonds and sufficient security in the sum of $400 for the production of all members of the crew in the return to the United States. This is known as the crew bond. We abolish this, and instead of that we enact a fine which, of course, the Secretary of the Treasury is authorized to remit or mitigate at his discretion.

Section 4 amends section 4541 of the Revised Statutes. It corrects an error in the former section. The law evidently contemplated that the custody of the wages and effects of deceased seamen shall be with the circuit courts of the United States, and not with the district judges. We make an amendment giving the custody of the effects of deceased seamen to the circuit courts, and not to the district judges. The other sections of the law show that it was intended to give it to the circuit courts.

Section 5: The pilot associations of the United States are, in many instances, substituting steam pilot boats for sailing vessels used as pilot boats. We simply propose in this section to give steam pilot boats a distinctive light. Of course this is in the interest of safety in the navigation both of the steam pilot boats and in the navigation of other vessels. This section has the approval of the Supervising Inspector-General of steam vessels.

Mr. TERRY. I will ask the gentleman at that point if that is not carrying out to some extent the principle of the bill you had up some time ago, which was defeated?

Mr. PAYNE. Oh, no; not in the least. The general law now applying to sailing pilot boats gives them a distinctive light, and this gives a distinctive light to steam pilot boats, for the safety of the boats themselves and of the vessels which they may meet. It does not in any way interfere with the compulsory pilotage system. The bill does not interfere with that in the slightest degree.

Section 6 of the bill is to protect the interest of a seaman who ships at a foreign port for a round voyage, and dies during the voyage at some point in the United States, by providing that his wages and effects shall be paid over to the commissioner of the port where he may die. The present law provides that payment shall be made only where he was discharged or was to have been discharged. It is simply for the protection of a seaman's wages in case he dies in the United States.

Section 7 makes it discretionary with the circuit court to dispose, by sale, of the effects of a deceased seaman after the expiration of three months after the receipt thereof by the circuit court. Under the present law if a seaman dies at a port his effects may be sold by the United States consul; or if he dies at sea, the effects may be sold by the master at the mast; but if he dies in the United States they must be held six years before they can be disposed of. These effects are for the most part clothing, and there is no suitable space provided in which to store them, and they are thoroughly valueless and likely to be offensive before the six years during which they must now be kept expires. Better pecuniary returns can be procured for the heirs of the deceased seaman by permitting an earlier sale of his effects. It simply authorizes the circuit court to sell his clothing after six months instead of six years.

Mr. LOUD. I should like to ask the gentleman——

Mr. PAYNE. In a moment. It is still left with the discretion of the court to retain keepsakes or articles of value to be preserved and held for those entitled to claim them.

Mr. LOUD. How are you going to provide for the shipping station down at Little Rock if you do not give them that public building?

Mr. PAYNE. I understand the gentleman from California is now trying to mix up the public building at Little Rock with this bill, and he can not do it.

Mr. LOUD. Little Rock is a great commercial port.

Mr. PAYNE. The gentleman from Arkansas [Mr. TERRY] who represents the district in which Little Rock is situated, appreciates the fact that this bill does not at all affect the question of the public building at Little Rock.

Mr. TERRY. I am afraid you are trying to interfere with my pilots, and my lodge is against that bill.

Mr. PAYNE. I am not going to interfere with your pilots at all. The gentleman from Arkansas knows that whenever I try to interfere with anybody's pilots I always do it in an open way.

Mr. TERRY. I hope so.

Mr. PAYNE. Section 8 of the bill refers to item 2 of section 4511 of the Revised Statutes. This item is as follows:

Any regulations as to conduct and as to fines, short allowance of provisions, or other lawful punishments for misconduct which may be sanctioned by Congress as proper to be adopted, and which the parties agree to adopt.

Mr. TERRY. Who wants this bill? What interest is demanding this bill?

Mr. PAYNE. The seamen are demanding it.

Mr. TERRY. The common sailors?

Mr. PAYNE. The common sailors.

Mr. TERRY. The gentleman states that as a fact?

Mr. PAYNE. Oh, yes.

Mr. MAGUIRE. They are demanding a part of it.

Mr. PAYNE. I think we can take a vote now. The gentleman from Arkansas [Mr. TERRY] seems to be satisfied.

The question was taken, and two-thirds voting in favor thereof, the rules were suspended and the bill passed.

SPECIAL DEFICIENCY BILL.

Mr. CANNON. Mr. Speaker, I desire to call up the little deficiency bill.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for the House of Representatives, and for other purposes, for the fiscal year 1896.

Mr. CANNON. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendment and assent to a conference.

Mr. RICHARDSON. I would ask the gentleman what is the only difference now between the two Houses?

Mr. CANNON. There is only one.

Mr. MILLIKEN. What is that?

Mr. CANNON. It is an amendment that the Senate put on for a month's salary to the employees of the House and Senate who were on the rolls on the 2d day of December last.

Mr. RICHARDSON. That is the amendment we voted on yesterday, as I understand?

Mr. CANNON. Oh, certainly.

Mr. RICHARDSON. Some one suggested that perhaps the members of the House conferees had yielded. [Laughter.]

Mr. CANNON. We put that out of the general deficiency bill, it being a Senate amendment.

Now, in this little deficiency bill, carrying a smaller amount for the pay of members, the Senate put this amendment on, and we disagreed to it. The Senate insists on the amendment, and has sent it back. I want to say to the House, in all fairness, that in my judgment when it goes back the Senate will give way. If it does not, so far as I am concerned, the bill can be lost.

The SPEAKER. The question is on agreeing to the motion insisting on the disagreement to the Senate amendment and agreeing to the conference.

The question was put; and the motion was agreed to.

The SPEAKER. The Chair will appoint the following conference committee: Mr. CANNON, Mr. HAINER of Nebraska, and Mr. SAYERS.

EDWARD RICE.

Mr. SPERRY. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1353) for the relief of Edward Rice.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward Rice, of Denver, in the State of Colorado, formerly of Worcester, in the State of Massachusetts, the sum of $2,700, in full for the following coupon bonds issued under the act of March 3, A. D. 1865, known as consols of 1867, namely: Nos. 104568 and 104569, of $100 each; Nos. 61857, 61858, 61859, of $500 each, and No. 101302, of $1,000, and, in addition thereto, the interest maturing on said bonds after July 1, A. D. 1868, to the date when said bonds ceased to bear interest: *Provided*, That said Edward Rice shall first give bond, with sureties to the satisfaction of the Secretary of the Treasury, in a sum double the amount of said bonds, conditioned to secure the United States harmless against said bonds and coupons, said bonds having been lost by said Edward Rice on the 19th day of July, A. D. 1868.

Mr. BAILEY. I demand a second.

The SPEAKER. A second is demanded.

Mr. BAILEY. I am willing that it should be considered as ordered.

The SPEAKER. Is there objection to a second being considered as ordered? [After a pause.] The Chair hears none.

Mr. BAILEY. I desire to ask the gentleman from Connecticut why it is necessary to come to Congress for this relief?

Mr. SPERRY. I ask that the report be read.

The report (by Mr. DE WITT) was read, as follows:

The Committee on Claims, to whom was referred the bill (S. 1353) for the relief of Edward Rice, have examined the same and respectfully report:

Edward Rice was, on the 19th day of July, 1868, the owner of the certain described bonds set forth in the bill; but on that day said bonds, with the coupons attached thereto, were lost. Every means was taken to regain possession of them, but up to the present time no trace of them has been discovered; neither have the bonds been presented to the Treasury for payment, although they were long since called in for redemption.

Your committee are of opinion that, from the lapse of time (twenty years),

the destruction of the bonds is fully established. They therefore recommend the passage of the bill, which authorizes the Secretary of the Treasury, after securing a proper bond for indemnity, to pay the said claimant the amount of the bonds, with interest to date when the bonds ceased to bear interest.

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. BAILEY. Mr. Speaker, I desire to ask why it was necessary to come to Congress in this matter, my understanding being that where the proper proof can be made the Treasury Department is itself, without the enactment of a special law, allowed to duplicate lost or destroyed bonds?

Mr. SPERRY. That is not so. I have tried it, and they do not do it. It has to be done by an act of Congress.

Mr. BAILEY. Then I have no further question.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

SILAS P. KELLER.

The SPEAKER. The gentleman from Kansas notified the Chair that he desires to move to reconsider a vote by which a bill was passed.

Mr. BRODERICK. I move to reconsider the vote by which the bill (S. 361) for the relief of Silas P. Keller was passed. It is a bill that passed in my absence a few minutes ago.

The SPEAKER. Was the bill passed under a suspension of the rules? [After a pause.] The Chair understands it was passed under a suspension of the rules; and it can not be reconsidered.

Mr. BRODERICK. I ask unanimous consent to make a motion to reconsider the vote by which the bill was passed.

Mr. VAN HORN. I object.

Mr. BRODERICK. The bill was wrong, and the gentleman knew that I objected to it. It affects my constituents. I have talked to the gentleman and to the parties interested a number of times about this bill, and they know I object to the passage of the bill. It is absolutely wrong. It is an old claim fifty years old. It has been passed upon by one of the Departments and has been rejected, and should not have been called up at this time.

Mr. VAN HORN. Mr. Speaker, the bill has passed two Congresses, it has passed the Senate this time, and passed through the Committee on Indian Affairs. The gentleman knows that I have tried to call it up. I have talked to him about it, and there is no reason in the world why it should not pass, except that some of his constituents object to it. That is all there is about it. No more honest claim has ever passed this House.

Mr. BRODERICK. The parties interested object; and the last talk I had with the gentleman from Missouri was that it should not come up during this session——

Mr. VAN HORN. Oh, no.

Mr. BRODERICK. While there was no stipulation that it was not to come up, that was the understanding.

Mr. VAN HORN. I told the gentleman I was trying to get it up.

Mr. BRODERICK. I was necessarily absent from the House when this bill was called up. Had I known that the parties intended to call it up I would not have been absent. It was a surprise to me, and will be a surprise to my constituents.

The SPEAKER. The gentleman asks unanimous consent to reconsider the vote by which the bill was passed. Is there objection?

Mr. VAN HORN. I object.

The SPEAKER. Objection is made by the gentleman from Missouri.

Mr. BRODERICK. I move to suspend the rules and annul the action of the House in passing that bill.

The SPEAKER. That would only be another way of accomplishing it, and would not be in order.

Mr. WALKER of Massachusetts. I suggest to the gentleman that the President has been looking anxiously for an opportunity to veto something, and if the gentleman will reveal his trials and troubles to the President he will undoubtedly veto that bill. [Laughter.]

Mr. BRODERICK. That is what I will do. [Laughter.]

Mr. WALKER of Massachusetts. Mr. Speaker, at the request of the committee, I would like to engage the attention of the House for about two minutes in relation to matters concerning the Committee on Banking and Currency. That committee has made but four reports at this session, and those, to be sure, not upon matters of the greatest magnitude. The Speaker was ready to recognize the committee for action upon them, but the committee decided they could not be enacted into law. It has diligently pursued the investigation of this subject, one of the greatest magnitude and of the most far-reaching consequences of any that can engage the attention of Congress. It has been made manifest that the conservative financiers of the Government and in Congress and in the country did not think it wise to enter upon the solution of the financial and bank difficulty on the eve of a Presidential election; that the cool, careful, and wise decision the subject demanded might not be reached. In this opinion the committee agree. The House may rest assured that early in December that committee will bring in a bill covering the whole question of the currency and finances of the country, and give members ample opportunity to discuss and act upon it. [Applause.]

WILLIAM GEMMILL.

Mr. GAMBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 8250) for the relief of William Gemmill.

The bill was read, as follows:

Be it enacted, etc., That there be, and hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $75, to be paid to William Gemmill, of Yankton, S. Dak., in full payment for quartering and boarding United States soldiers during a terrific and protracted snowstorm in the month of April, 1873.

Mr. RICHARDSON. Mr. Speaker, I demand a second, in order that we may have some explanation of the bill.

Mr. GAMBLE. Mr. Speaker, I ask that a second be considered as ordered.

There was no objection.

Mr. GAMBLE. Mr. Speaker, I will ask for the reading of the report. It contains, I think, as condensed a statement of the facts as I could orally make to the House. The bill in every way is meritorious, and the money should have been paid long ago.

The report (by Mr. FENTON) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 8250) for the relief of William Gemmill, having had the same under consideration, recommend that the same do pass.

This is a claim for quartering and boarding 12 men of the Seventh United States Cavalry during a terrific snowstorm or blizzard in the month of April, 1873. A portion of this regiment was encamped in the suburbs of the city of Yankton, and during the storm, which lasted for three days and which was of extreme violence, the men were driven from their tents and took shelter in neighboring houses, and remained for two day succeeding on account of the condition of the weather and tents. Claims which grew out of this compulsory hospitality were settled and paid by the Government, but the claim of Mr. Gemmill, which he swears was filed with the proper officer, appears to have been mislaid or overlooked. The amount claimed appears to the committee to be reasonable, and should be paid. The claim was before this committee in the first session of the Forty-fourth Congress and favorably reported.

Mr. LOUD. How many men were there in the party?

Mr. GAMBLE. Fifteen, I believe.

Mr. LOUD. The report does not say 15.

Mr. GAMBLE. No; the number is 12—12 men for five days at $1.25 a day. All the other claims of this character have long since been paid by the Government.

Mr. LOUD. I do not see how you can make $75 out of it.

Mr. GAMBLE. I will say to the gentleman that the claimant is personally known to me and is a reputable man, and the claim is entirely just. It is for the board of 12 men for five days at the rate of $1.25 per day.

The rules were suspended and the bill was passed.

ALBERT AUGUSTINE.

Mr. LITTLE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 1021) granting relief to Albert Augustine for property taken for the Cayuse war.

The bill was read, as follows:

Be it enacted, etc., That there is hereby appropriated, out of any moneys not otherwise appropriated, the sum of $350, to be paid to Albert Augustine, of Rose Hill, Iowa, for property taken for use of the United States Army in the Cayuse war, in 1847 and 1848.

Mr. DALZELL. Mr. Speaker, I demand a second.

Mr. LITTLE. I ask unanimous consent that a second be considered as ordered.

There was no objection.

Mr. DALZELL. Now, Mr. Speaker, in my time, I would like to have the report on that bill read.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON (pending the reading of the report on the bill H. R. 1021). Mr. Speaker, I rise to present a conference report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to House bill 7764, making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have been unable to agree.

J. G. CANNON,
E. J. HAINER,
J. D. SAYERS,
Conferees on the part of the House.

W. B. ALLISON,
EUGENE HALE,
Conferees on the part of the Senate.

Mr. CANNON. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from Illinois moves that the House further insist on its disagreeing votes with the Senate and ask for a conference.

Mr. WILSON of Idaho. Mr. Speaker, I move as an amendment that the House recede from its disagreement to the Senate amendments as to public buildings and concur therein.

Mr. HOPKINS. Mr. Speaker, before there is any discussion on that I would like to ask my colleague one or two questions.

The SPEAKER. Does the gentleman from Illinois [Mr. CANNON] yield?

Mr. CANNON. Yes.

Mr. HOPKINS. When was the first conference held on this bill?

Mr. CANNON. I do not recollect. I think this is the seventh, or eighth, or ninth—I am not certain; but there have been a good many.

Mr. HOPKINS. During all those conferences has the Senate insisted upon its amendments relating to public buildings?

Mr. CANNON. I do not know that it is apt for me to say what has passed in the conference room. The official statements of the House and of the Senate, insisting and reinsisting, back and forth, appear upon the respective Journals of the two Houses.

Mr. HOPKINS. They give us a bare outline of what was done; but the gentleman can perhaps tell the House whether there is any probability of the Senate receding from these amendments, or whether in the last conference they exhibited the same stubborn persistence in their wrongdoing that they had manifested in previous conferences. [Laughter.]

Mr. CANNON. I will tell my colleague, in answer to his question, what I understand to be the situation. The Senate amendments in question—it is not necessary to describe them more particularly—propose legislation. The House conferees have uniformly insisted, and the House has in effect instructed them to insist, upon its disagreement to those legislative provisions. In the last report, which was made yesterday, the House further insisted upon its disagreement to all those Senate amendments except one. My opinion is, as an individual, that if the House had on yesterday insisted upon its disagreement to all of those amendments, including the Savannah building amendment, this bill would have been before the President and signed by this time. That was my opinion then; that is my opinion now.

Now let me exhaust this subject in a minute, so far as I am concerned. These are the closing hours of the session. Here is the sundry civil bill, that carries thirty or thirty-five million dollars, in this peculiar situation: The Senate, as I am informed, with a quorum——

A MEMBER. Barely a quorum.

Mr. CANNON. Well, a quorum of the Senate are insisting on these legislative provisions. Now, the House can do and will do as it pleases. For a month past I, substantially as the messenger of the House, representing it in conference, have tried to carry out its will; and the House has exhibited great determination. Now, if the House is still of the opinion it has heretofore expressed, it can show its faith by its works. Nothing ventured, nothing gained, in individual and in parliamentary life. In my judgment this bill is not to fail. So far as my individual vote is concerned in this House touching these matters upon which the House has taken a stand, I shall vote to further insist and let this bill go back. [Applause.]

Mr. HOPKINS. Will the gentleman allow me a question right there?

Mr. CANNON. Certainly.

Mr. HOPKINS. Is it not the opinion of the gentleman in charge of this bill on the part of the House that if the House sustains him in his position the Senate will yield and we can have this bill settled?

Mr. CANNON. If I were a member of the Senate, as I do not desire to be at this time, but as possibly I may be some time [laughter], I could give a better opinion perhaps than I can now. I will say to my colleague that under all parliamentary precedents the body proposing legislation, when the other body will not assent, recedes; and if the Senate, proposing legislation in this case, lets this bill fail because the House will not assent to the legislation, then let the responsibility be upon the Senate. [Applause.] For one I will not be bulldozed. That, briefly stated, is my position.

Let there be no paltering. If the House or a majority of its members as they shall now rise and be counted—and it is just as well to take the vote on all these amendments at once—as members stand to be counted, or as they pass through the tellers, let the House understand that it is an expression of its will and determination as heretofore expressed, that it will not assent to these legislative provisions. If members want to assent to them, let them do so, and that passes the bill. This is all I can say about it.

Mr. SAYERS. Mr. Speaker, I desire to say a few words in connection with this matter.

Mr. CANNON. I yield to my colleague on the committee.

Mr. SAYERS. I am not willing that the opinion expressed by the gentleman from Illinois [Mr. CANNON] should be considered as representing the opinion of all the conferees of the House on this bill. I am not so sanguine as the gentleman from Illinois that if the House should continue to insist upon its disagreement to these amendments the Senate will recede. Again and again and again have the conferees of the two Houses met to consider these items of difference, and every time the conferees of the Senate have sternly insisted upon at least four of these amendments—the four amendments which relate to public buildings in the newly admitted States—and they have said to us, Mr. Speaker, that they would not make a report to the Senate receding from those four amendments.

Now, this bill carries about $34,000,000. It is intended to provide for the necessities of the Government in almost every branch of the service. We have but little more than a quorum in this House; there is not, I understand, a quorum in the Senate; and the question remains with the House whether or not we will continue this contest until the numbers in both Houses shall continue to abate and abate until we scarcely have a dozen members in either House.

It is no new thing for the Senate to insist upon such amendments. We had a struggle in the last Congress upon the amendments providing public buildings for the four new States. The House continued to insist on its disagreement; but finally the conferees of the House, with myself at the head, had to yield. There is not a single item involved in this disagreement which, considered separately and alone, would be objectionable to this House. The only objection to these amendments is that they come here upon the sundry civil bill and that they ought to have come before the two Houses of Congress as separate propositions. That is the objection as I understand it.

Having said this much, having made a candid statement as to the condition of the case, I will only add that the majority of the House can do with these amendments just as it pleases. The majority of this House is responsible for the conduct of public business.

Mr. HARTMAN. Is it not a fact that we have already made four or five exceptions to the rule suggested—for instance, yesterday, in agreeing to one of these amendments of the Senate to this bill?

Mr. SAYERS. That is entirely within the knowledge of the House. I frankly confess I have sympathized with the gentleman from Illinois in this struggle, and I still sympathize with him. I think he has been in the right. I think the majority of the House has been right in this struggle. But I believe it my duty to give to the House as far as I can a fair and truthful statement of the situation as I understand it.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I withdraw the report temporarily and rise for the purpose of presenting another conference report, one which can be closed up at once and disposed of without delay, and for that reason I call it up at this time.

The SPEAKER. The Clerk will read the report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 9409) making appropriations to supply deficiencies in the appropriation for the expenses of the House of Representatives, and for other purposes, for the fiscal year ending June 30, 1896, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 2.

J. G. CANNON,
JOS. D. SAYERS,
Managers on the part of the House.

EUGENE HALE,
WM. B. ALLISON,
F. M. COCKRELL,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on Senate amendment No. 2 to the bill H. R. 9409, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report on said amendment, namely:

Strikes from the bill the amendment proposed by the Senate, to pay a sum equal to one month's pay to certain discharged employees of the House and Senate.

J. G. CANNON,
JOSEPH D. SAYERS,
Managers on the part of the House.

The report was agreed to.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON. I now call up again the conference report on the sundry civil bill, and yield two minutes to the gentleman from Idaho [Mr. WILSON].

Mr. WILSON of Idaho. Mr. Speaker, I desire the attention of the House for a very few moments in support of my motion, which is that the House recede from its disagreement and concur in the Senate amendments heretofore disagreed to in this bill.

The chairman of the Committee on Appropriations, our genial and able friend from Illinois [Mr. CANNON], says that there is an invariable rule in parliamentary bodies that where one body proposes legislation affirmative in its character, and the other body

dissents from it, that the body offering such legislation must yield in the end. I submit in all fairness that that principle can not be relied upon now. We have waived it in the House, and we have done it in no less than five different instances upon this very bill, and even no later than yesterday we abandoned the same principle on a yea-and-nay vote. We are, therefore, committed to a waiver of that principle or else the House will be guilty of an invidious discrimination against the section of country represented by these new States which is directly interested in this matter.

I call your attention to the number of exceptions which have been made in this bill. We agreed to the amendment for the construction of a public building at St. Albans, Vt.; we also agreed to the amendment proposed by the Senate for Little Rock, Ark.; we agreed to the item for a building in West Virginia, and we agreed on yesterday, by a yea-and-nay vote, to the item for the construction of a public building in Savannah, Ga., and the increase of the appropriation, with the extension of the limit of cost of that building.

Mr. VAN HORN. We also agreed to the New York matter.

Mr. WILSON of Idaho. Now, Mr. Speaker, I have the honor to represent in this House a State—one of the youngest States of the Union—which has no Federal building of any kind or character. It has been the invariable rule of Congress heretofore that whenever a new State was admitted, at least one public building should be authorized at its State capital. It has been done from time immemorial, and done also on the sundry civil appropriation bill. You provided in the last sundry civil bill such a building at the capital in my State, and the site has been selected and purchased. We have the United States courts there, with valuable records, and no vault or place of security in which to keep them—records upon which depend the title to hundreds of thousands of dollars worth of property, and no vault for their protection.

We have the surveyor-general's offices there, in which are employed a large number of clerks, and which require a large floor space. We have secured a larger appropriation than ever before for public-land surveys, and it is expected that our State will receive an apportionment thereof sufficient to survey large tracts on which settlers are now residing. If these surveys are carried on it will necessitate an increase in the force of the surveyor-general's office, and it is therefore necessary that from time to time more space shall be provided for this purpose.

We have the United States land offices there, the deputy collector of internal revenue, the post-office, the United States marshal and deputies, the United States attorney, the clerk of the United States court, the United States district judge, and other Federal officials, all of whom need the use of a Federal building.

The rents which the United States Government is compelled to pay for these various offices is more than sufficient to justify the erection of this building from a plain business standpoint; but, aside from this feature of it, it has been the policy of the Government from time immemorial to erect Federal buildings in the several States, and especially at the State capitals. That this is a wise public policy is not now open to question. It serves a manifold purpose. The flag of the United States will always wave from this Federal building, so that the citizens of the States, and especially the youth of the land, have an object lesson of patriotism given them when they behold the emblem of their country's honor unfurled from the flagstaff of their Federal building.

It has been contended on the floor of this House that it is unwise to legislate in this manner on appropriation bills, and that by putting public-building riders on these bills in the nature of things a true investigation of the measure in question can not be had by the House. If this criticism were well founded the House has waived it in so many instances, and particularly during this session, that it is not a reason worthy of advancement against these items. While I will agree, generally speaking, in the unwisdom of any kind of riders on appropriation bills, nevertheless, in view of the record we have made, and the record of preceding Congresses on this question, and in view of the special merits of these cases, I do not think this objection is well founded.

These building bills have been considered in committee. The Senate Committee on Public Buildings and Grounds has reported all of them favorably and the Senate has passed them as separate bills, and the item which I am especially interested in—the building at Boise City—has been reported favorably by the subcommittee on Public Buildings and Grounds of the House, and I was only a few days ago invited to prepare a report for the full committee. Moreover, the public buildings in the far Western States referred to in my amendment were originally provided for in the sundry civil bill of last year. This special exception was made because these four new States were the only ones not provided with Federal buildings, save and except the State of Washington and the State of Maryland. Congress, recognizing the special merit in these cases, made provision for them in the sundry civil bill of last year. It is apparent, however, that in the case of Boise City $150,000 is not sufficient to properly construct and equip a Federal building commensurate with the requirements of the Government in that State. Our people, realizing this, have been anxious for the enlargement of the aggregate of the appropriation. I therefore introduced a bill at the beginning of the session increasing the limit of cost to $200,000, and such bill has been reported as above stated.

Under the law passed by the last Congress which provided for the construction of this building at a cost of $150,000 no right to contract was given and no appropriation was made available except sufficient for the purchase of a site. I am therefore informed by the chairman of the Committee on Appropriations [Mr. CANNON] that under such law we have no right to enter into a contract for the construction of this building. We are therefore left in the anomalous position of having a building provided for by law, with no authority or right to enter into a contract for the construction of it.

Senate amendment No. 2 to the present sundry civil bill corrects this mistake and will increase our limit to $200,000, making an appropriation of $50,000 immediately available. From this appropriation we are given the right to contract for the entire building; and thus the law originally passed may be carried out in its full intent and meaning.

Further objection has been made against these items on the ground that it has not been determined that these particular places are the proper ones for the construction of these Federal buildings. In the case of Boise City, I may say that our State constitution, adopted in 1890, provides that the capital shall be there located for a period of twenty years. There is no disposition on the part of our people to change this location, and by almost universal consent it is conceded that we have the best location for the capital in the State.

Boise City is a thriving town of 8,000 inhabitants, and is to-day one of the most prosperous little cities in the far West. It lies about midway between Salt Lake City, Utah, and Portland, Oreg., and is the most important point between those two cities. It is situated at the head of the celebrated Boise Valley, which is far-famed for its agricultural and horticultural products.

As a fruit-growing and cereal-producing section this valley has no superior. A mineral belt of almost untold wealth forms a half circle to the east, north, and northwest of the city, while the celebrated Owyhee mines are to the southwest. Boise Basin is to the north, and is likewise rich in mineral resources, all tributary to Boise City. Vast timber resources abound to the north of us, while stock raising flourishes over a large area of country surrounding this city. Natural hot water has been discovered in artesian wells almost within the city limits, and our buildings, public and private, are heated by it. A beautiful natatorium has been constructed by our citizens near these wells, and Boise City in the near future is destined to be a celebrated health resort.

Our State legislature has provided for a beautiful capitol building, which is almost entirely paid for. We have three magnificent public school buildings, and our public school facilities are not excelled by any State in the Union. Boise City is substantially constructed; it has electric car lines, electric lights, and all modern improvement which are to be found in a thriving, advancing American city.

There was taken in at the United States assay office there more than twelve hundred thousand dollars in gold last year, and indications point to a large increase in this respect during the coming fiscal year. Our mines are developing rapidly, and indications are that they will shortly astonish the mining world.

With all of these advantages and improvements, Mr. Speaker, I submit that it is a disgrace to the Government that it can not provide a Federal building for the use of the Government officers. We have joined with our friends in the East in voting appropriations for battle ships, fortifications, and rivers and harbors. We are protected from the encroachments of foreign enemies, and our people do not need these Government expenditures for their especial use; nevertheless, they heartily sustain their representatives in voting these appropriations, because, being patriotic, they recognize that it is for the public good. In return we ask recognition at your hands in the matter of our public buildings. We think it is only fair, just, and right that we should get them.

The chairman of the Committee on Appropriations [Mr. CANNON] has made a magnificent fight against these items, and he has done it on the broad ground that they should not be tacked onto an appropriation bill. I admire him for the courageous fight he has made, and I desire to bear witness now that that fight has been eminently fair. I have no word of criticism to make against his course in that respect; but this House, as I have before stated, has already discriminated in five instances, and has gone on record against the principle which he contends for. In view of that fact, I believe it should now yield. I do not want to say what would be the effect of remaining longer in session here, contending against the opposition of the Senate. I believe, however, I can truthfully say that the Senate will not yield. Moreover, it ought not to yield. The House has surrendered its position on

this question, and now to fail to recede from these amendments is to go to the height of inconsistency itself.

This matter has been in conference for six weeks. The first report of the conferees was made April 26, 1896, and we have been contending for a settlement ever since. We are no nearer an agreement now than we were six weeks ago. In the meantime you have waived the principle for which the gentleman from Illinois contends, and now if you continue to resist you make a plain and clear discrimination against these Western States. I tell my Republican friends that you can not afford to do this. The other side of this House stands ready and willing to join you in support of my motion. They demonstrated that by their vote on the Savannah case yesterday.

In conclusion, permit me to say we are now on the eve of adjournment, and a settlement must be had soon if at all. Even the chairman of the Committee on Appropriations admits we ought to have these buildings, and that there is no important reason from the standpoint of the public interests why they should not be provided for, except the objection that such provision is made on an appropriation bill. Inasmuch as you have surrendered your position on that question, in the interest of consistency I appeal to you to accept the Senate amendments. Let these buildings be authorized and let us adjourn and go home in peace. [Applause.]

Mr. CANNON. I yield now a few minutes to the gentleman from Missouri [Mr. DOCKERY].

Mr. DOCKERY. Mr. Speaker, I desire to ask the gentleman from Illinois what amount of money is involved in the five buildings—I believe there are but five—yet in disagreement?

Mr. CANNON. Well, the amendment has increased the limit to $541,000.

Mr. DOCKERY. But the cash involved—the appropriation?

Mr. CANNON. Three hundred and sixty thousand dollars. The legislation increases the limit $541,000 and establishes one new building.

Mr. DOCKERY. Now, Mr. Speaker, a word in reference to the motion of the gentleman from Idaho [Mr. WILSON]. I would prefer greatly that the motion to concur or recede from the disagreement should be made in each case separately. I think I would support most of the propositions, and perhaps all, if presented separately on the motion to recede from the disagreement to the Senate amendments. But I do not like a motion that comes in such a "questionable shape."

Mr. WILSON of Idaho. Personally I am willing to do that.

Mr. DOCKERY. I have had some experiences recently with "logrolling" propositions that have not been satisfactory to me. I prefer to consider these items singly.

Now, if I understood the gentleman from Illinois [Mr. CANNON], the chairman of this committee, in reply to his colleague he failed to answer the direct question as to whether, in his opinion, the Senate would recede as to these amendments. Mr. Speaker, I am not authorized to speak for the Senate of the United States—and I am very glad I am not—but unofficially I may say, having spent some time at the other end of the Capitol during the last two or three days in connection with another bill, that I do not believe the Senate will recede.

Mr. CANNON. I do not think it is fair for the gentleman to undertake to terrorize the House by that statement. I think my opinion is a fair offset to it. But let each body perform its function and take the responsibility.

Mr. DOCKERY. That is very true; but the inquiry was propounded to the gentleman by his colleague, and if I understood the gentleman, he did not make a direct answer.

Mr. CANNON. If the gentleman will allow me, I said I was not of the Senate, nor responsible for it, but that under the invariable rule the body that proposed legislation receded if the other body insisted.

Mr. WILSON of Idaho. We have violated that rule.

Mr. DOCKERY. The gentleman is correct about the general rule, and I am in sympathy with his general position, but we are face to face with this situation: a constantly dwindling attendance upon the House, hence we must come to some sort of an accommodation in respect to this bill.

Accommodations have been reached upon other bills that have not reflected my views upon many of the matters at issue; but we have reached agreements because agreements were necessary in order to terminate this session.

Mr. Speaker, I want to say for myself that I do not favor a policy that looks to the failure of the sundry civil bill and the extension of the appropriations for six months. I am in favor of some sort of an adjustment on this question by which a conclusion can be reached and this session terminated to-night. I hope the gentleman from Idaho [Mr. WILSON], however, will modify his motion so that the House can take up each item separately. There is one item for my own State, an extension of the limit of cost at Kansas City $116,000, recommended by the Secretary of the Treasury; but I believe that item can go over with entire safety, if I am properly advised, until the next session. If, however, the other amendments are agreed to, then I want this one agreed to. But as I said a moment ago, I think, probably, that can go over until the next session without serious detriment to the building.

Now, Mr. Speaker, it seems to me the issue is this: We must reach an accommodation in respect to these disagreements or this bill will fail, and I suppose it is contemplated in such an event to extend the appropriations by resolution for six months. To that policy I object.

Mr. CANNON. I yield three minutes to the gentleman from Kansas [Mr. BLUE].

Mr. BLUE. Mr. Speaker, it is not true, as I understand it, that these amendments all stand on the same footing. It has been urged by gentlemen here that this House has violated the rule by acceding to the demands of the Senate in a number of instances similar to those now presented. If the House up to the present moment has acceded to a single amendment that looked to the establishment of an entirely new building, I should like to be told what that amendment is.

Mr. WILSON of Idaho. What about the building at St. Albans, Vt.?

Mr. BLUE. The building at St. Albans, Vt., is a building that had been practically completed.

Mr. WILSON of Idaho. Yes, and destroyed by fire.

Mr. BLUE. It was partially consumed by fire, but the photographs of that building, exhibited at the time the matter was discussed, show that it was only injured and not destroyed. Every single instance in which there has been a receding in this matter has been an instance of repair or some sum for completion. The violation of the rule made in the instance of Savannah the other day was made under a misapprehension in part, I am satisfied, upon the part of a number of gentlemen here. If it had been understood, as it now seems to be understood by some here, that about $100,000 of the original appropriation for that building had been devoted to a site, when it was not originally so intended to be devoted—if that had been understood here yesterday, in my judgment the action which was taken would not have been taken.

Gentlemen speak of this as a compromise, and say "Let us compromise." What compromise is there in it? We have acceded in these matters of improvement, like that in West Virginia, like that in St. Albans, like that in New York City, where it was simply placing another floor in a building; but now it is insisted that we shall give away all the rest of them. There is no compromise in this. It is a mere accession to the Senate in every respect.

Mr. SWANSON. Will the gentleman allow me to ask him a question?

Mr. BLUE. I have not time. If this rule is to be followed, then no difference how conservative this body may attempt to be, no difference how well it may intend, as it did at the commencement of this session, in seeking to have the Committee on Public Buildings and Grounds report no bills, or at least advocate the appropriation of no money for this purpose, then it is left for the diligence of Senators to thrust upon this body, out of favoritism, a number of projects that are the least deserving and the most unworthy of all. [Applause.] For myself, as one member of the House, I am willing to take responsibility, and say to the Senate that if Senators wish to take the responsibility of the delay and, in violation of the rules, stand by the Senate and force these amendments upon us, let them accept it. It is about time that this House should let the Senate understand that the House will not be driven and dragged about at its pleasure. [Applause.]

So, Mr. Speaker, in my judgment we should still adhere and still insist upon the ground the House has heretofore taken, and insist that the Senate shall recede from these amendments that it has thrust upon this bill. No time has been fixed to adjourn; no concurrent resolution has been passed or suggested; and there is no haste about this matter. They talk about a vanishing quorum. Does not the same condition exist in the Senate?

Mr. Speaker, it seems to me utterly absurd and impracticable to insist upon this House at this time accepting the propositions of the Senate. Let the House assert itself, preserve its independence, and compel the Senate to follow the well-established parliamentary practice in such cases, and all will be well.

Mr. CANNON. I yield two minutes to the gentleman from Washington.

Mr. DOOLITTLE. Mr. Speaker, I live in the State of Washington and the city of Tacoma, and the State of Washington has no public buildings within its limits. It is a State with a population of 500,000. Two-thirds of the goods landed in the United States from Oriental countries come through the port at Tacoma. The courts are held there. The commercial interests are very great and very rapidly growing. When we came here at the beginning of this session of Congress we introduced our bills providing for the construction of public buildings, and it was soon announced in this Congress by those who have shaped its business and the transaction of matters before it that owing to the present

condition of the country it would be unwise policy on the part of the party to permit public-building bills to be passed during this session. All gentlemen interested in public buildings went before the Committee on Public Buildings and Grounds——

Mr. WILSON of Idaho. Will the gentleman allow me to ask him a question?

Mr. DOOLITTLE. After a while. [Continuing.] And represented their causes, and in many instances a favorable report was ordered on those bills; but the reports on the bills by the committee have not been made. I respect our friends highly, and do not wish to say a word that would in any wise reflect upon their course, or that would change or affect their hopes, because I know how desirous they are to have these buildings, but it was the understanding here in the House that no public-building bill should be passed through this session, so that we could all go back and say the same thing, and some of our friends have gone over to the Senate and there introduced this legislation upon this bill. Now, if that course is to be followed, Mr. Speaker, when I shall attempt to get a public building I will go to the Senate and not trouble myself with the committees of the House. But I supposed that this was the proper place to initiate legislation of that kind and pass it in the Congress of the United States; and I still think so.

Mr. CANNON. I yield two minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I understand that the principal objection to the passage of this legislation for public buildings is that it is not brought before the House from the Committee on Public Buildings. I have not heard any objection on the floor of this House to these public buildings, or to the appropriation, on the ground that they were not appropriations that were justified. It has been stated here that there are a great many gentlemen representing constituencies on the floor of the House who desire public buildings within their districts. That is undoubtedly true. There is no question but what every gentleman here would like to have a public building in his district, regardless of the number he already has.

Now, the Senate simply did this: It provided, first, in this amendment, that where public buildings were under construction and the Senate believed that an increase of the appropriation was necessary in order to finish these buildings in accordance with the plans, to make them harmonious as a whole, they made an appropriation for these buildings; and these appropriations are certainly in the line of good business principles.

It has been the custom in this country to provide a public building in all the new States and Territories. That is the other proposition in this amendment. In the far West there are four daughters of the Republic that have not received the customary birthday present. There are 400,000 square miles in the intermountain region, comprising four sovereign States, where, if your Uncle Samuel should visit them, there is not within the limits of that vast territory a single roof under which he could rest upon his own ground and under his own rooftree. We simply ask that these States shall, each and every one of them, have one public building at least, and that the flag of the Union shall float in the capital of each State in this Union from a building erected by the Government. [Applause.]

Mr. CANNON. I yield three minutes to my colleague from Illinois [Mr. HOPKINS].

Mr. HOPKINS. Mr. Speaker, this matter is degenerating into a question of physical endurance between the two bodies. The first conference that was held on this bill was on the 27th day of April last. According to the statement of my colleague, eight separate conference meetings have been held since that time, and the Senate has persisted in adhering to these amendments. As the conference reports have come back here, the House has receded from time to time until the 17 items originally in the Senate amendments have been reduced to 10, and an aggregate of something over a million dollars embraced in those 17 items has now dwindled down to the sum of $360,000, which, I understand, is the amount of the present difference between the two Houses.

Mr. CANNON. My colleague is slightly mistaken. Three hundred and sixty thousand dollars is the appropriation that would be made if these limits were broken, but the limits are broken by the Senate amendments to the extent of $541,000, making an aggregate of about $900,000.

Mr. HOPKINS. How much was the aggregate of the appropriations which the Senate added?

Mr. CANNON. I do not really recollect exactly; about two millions.

Mr. HOPKINS. Then, as a matter of fact, the House has yielded on items amounting to more than a million dollars?

Mr. CANNON. On the contrary, the Senate has yielded on several items, amongst others the National Museum item, amounting to $120,000.

Mr. HOPKINS. But that does not answer my question. Has not the House yielded on the New York, the Vermont, the Georgia, and other items more than a million dollars in the aggregate?

Mr. CANNON. I think not so much, but we have yielded on the items the gentleman mentions, in some cases on my motion, and in some cases on the motion of the gentleman from Georgia.

Mr. HOPKINS. Now, Mr. Speaker, the question presents itself to us whether we are to stay here for a week or a month longer, or whether we are to concur in these Senate amendments. I know from what I learn at the other end of the Capitol that there is a determination on the part of the Senate to adhere to these amendments, and if the House does not agree to the motion made by the gentleman from Idaho [Mr. WILSON], to accept the Senate amendments, the members of this House can settle down to the fact that we shall not adjourn during the month of June or the month of July. That is the question that we have to settle by the vote that is about to be taken.

Now, why should not we concur in these amendments? Does my colleague from Illinois show that any one of these items separately considered is not proper and just? Is there any man on this floor who will say that any one of these items, aggregating $541,000, is not proper and just? The only argument that the gentleman makes is that some other gentleman will indirectly be injured because his public building is not in this bill. I have a public-building bill that has been pending before the Committee of this House on Public Buildings and Grounds, a bill that has been favorably considered, and to please my constituents, I would like exceedingly well to have that bill reported and passed at this session, but I recognize that it can not be done. I recognize the fact that none of the public-building bills except those that are on this appropriation bill can be passed at this session.

Mr. Speaker, it seems to me that there is not a single member of this House who can afford to say, "Because I can not get what I want I will not permit any other gentleman to get what he wants." It seems to me that no member, at this stage of the session, can afford to say that we ought still to adhere to our disagreement upon these amendments and force a delay upon this appropriation bill. Everyone understands that we can not adjourn until this bill becomes a law, because it carries appropriations affecting all the great Departments of the Government, and it is a bill which if it should fail would necessitate an extra session of Congress. So far as I am concerned, I have steadily followed my colleague during these eight conferences and have voted with him every time he has asked for a disagreement, but I think the time has now come when the House should say that there shall be a limit to this, and should agree to the Senate amendments and let this bill become a law. In saying this I make no reflection upon my colleague, because I think he has conducted these conferences with ability and integrity, and has only sought to carry out the wishes of this House as expressed from time to time. Furthermore, the House in now concurring would simply be endeavoring to close a prolonged disagreement between the two branches of Congress which, as I have already said, has already degenerated into a question of physical endurance.

Mr. CANNON. I yield one minute to the gentleman from New York.

Mr. FAIRCHILD. Mr. Speaker, I only wish to make a suggestion in response to the arguments that I have heard upon this floor with regard to these public buildings, particularly in the Western States. As a Representative from New York who in the early days of this session introduced a bill for a public building in a place of sufficient size to deserve it, and who has been unable to get that bill out of the committee room, I want to say that I shall be the last man in this House to indulge in a "dog-in-the-manger" policy, and say that because I can not get my bill passed I will not vote for those bills for public buildings which are before us in this appropriation bill. I believe that this is a matter for the House to decide now upon its merits. So far as I have heard this discussion, I have heard nothing against the merits of these buildings, but simply technical points and assertions of a "dog-in-the-manger" policy, and I hope the House will now vote to concur in the Senate amendments. [Applause.]

Mr. CANNON. I yield five minutes to the gentleman from Indiana [Mr. HENRY].

Mr. HENRY of Indiana. Mr. Speaker, I do not intend to say very much on this question, for the reason that I have expressed my views already. I am surprised at the gentleman from Illinois [Mr. HOPKINS] who has just taken his seat, that he does not want to say, "I won't because I can't"; yet he tells us, in the very same sentence almost, that we should yield to the Senate because they will insist upon a thing which they ought not to insist upon and thereby cause this bill to fail. These gentlemen put the Senate in the position which they say we are in. If the Senate insist upon a thing which they ought not to insist upon and thereby cause this bill to fail, they are the "dogs in the manger," not we. [Applause.] We are not asking anything that we have not the right to ask.

Now, I am ready to recede from our disagreement and to agree to these Senate amendments whenever the chairman of the committee in charge of this bill comes into the House and gives us to understand that we ought to do it, and not till then. [Applause.] The gentleman [Mr. MONDELL] has eloquently talked about the sister States in the far West that have no public buildings. But, Mr. Speaker, let it be remembered that those three States that are now asking for the passage of these amendments have already had a step taken in that direction. They have had provision made for public buildings, and now they want an increase. Not content with what we first voted to give them, they want to increase the amount.

Mr. MONDELL. Will you allow me a moment?

Mr. HENRY of Indiana. Yes, sir.

Mr. MONDELL. You say we wish to have an increase.

Mr. HENRY of Indiana. Yes, sir.

Mr. MONDELL. We do; and for this reason——

Mr. HENRY of Indiana. I did not yield for a speech.

Mr. MONDELL. Will the gentleman allow me to explain why we are asking this increase?

Mr. HENRY of Indiana. No, sir; not in my time.

Now, Mr. Speaker, there have been passed by Congress acts authorizing a public building at each one of these places; and these amendments are not for new buildings, but for an increase of the limit, just like the case voted on yesterday, and wrongly voted on.

Now, how does it stand with the rest of the Western States? Two of them are not recognized in these amendments and have no public buildings provided.

A MEMBER. What two?

Mr. HENRY of Indiana. Utah and——

Mr. SAYERS. Utah is in the bill.

Mr. HENRY of Indiana. Then I correct myself on that.

Mr. BINGHAM. It is in the bill for a new building, not an increase.

Mr. SAYERS. Allow me a moment. The only States that are not provided with public buildings——

Mr. HENRY of Indiana. I know which.

Mr. SAYERS. Are Utah and Maryland. Maryland has no public building provided for.

Mr. HENRY of Indiana. You forget about Washington.

Mr. SAYERS. Washington has about $100,000 in this bill for military posts.

Mr. SWANSON. The gentleman from Indiana has stated that it was distinctly understood at the commencement of this session of Congress that no public building bills should go through the House of Representatives at this session. Now, the gravamen of the gentleman's complaint is that the Senate, in a "revolutionary" manner, has seen proper to put amendments for public buildings upon this appropriation bill. I wish to ask whether it is not as "revolutionary" in the House, or those who manage the House, to say that no appropriation for public buildings that Senators think should go through shall have consideration in the House—is not that as "revolutionary" as the course adopted by the Senate?

Mr. HENRY of Indiana. I take pleasure in answering the gentleman. If we are to select a few public building enterprises like those put upon this bill by the Senate and vote them through each session of Congress, we never shall provide the country with the public buildings that ought to be provided for. What we need is the consideration of public building measures in this House. And if the members of this House make up their minds to vote down these amendments, and at the beginning of the next session of Congress insist on taking up public buildings and considering them and voting them where they ought to go, then the country can be provided with them, but not in this way. [Applause.]

Mr. SWANSON. We have understood the policy to be not to give public buildings any chance this session.

Mr. HENRY of Indiana. I do not know what the gentleman understood. I know this much—that the Public Buildings Committee has not had any opportunity to present matters of this kind in this House. But it can have such opportunity at the next session; and it ought to have it.

One thing further: Not a single one of these enterprises will suffer in the least from the delay if we refuse to authorize them now. If there were any such danger, I for one would concede the point. But, Mr. Speaker, they will not suffer; and hence there is no occasion for yielding on that point.

Mr. CANNON. I yield two minutes to the gentleman from Kentucky [Mr. OWENS].

Mr. OWENS. Mr. Speaker, I am not inclined to play the part of "the dog in the manger"; but there is something more than that involved, I think, in the objection which has been urged against the proposition that we agree to these Senate amendments. It is true that a great many members, myself among them, introduced into this House bills which we thought had merit, providing for the erection of public buildings. I introduced one, I remember, asking for a pittance of $50,000 for a public building in a county that has paid from $250,000 to $400,000 a year in direct taxes to the Federal Government during the last twenty-five years. But assenting to the assurance made on all sides that there was to be no legislation of that kind at this session, I did not seek to force that bill through, and did not attempt to get that sort of legislation from the Senate.

Now, it is true, as the gentleman from Virginia [Mr. SWANSON] has said, that the Senate has a right to its own policy in regard to these appropriation bills and in regard to public building bills. But I do insist that while it is true they have a right to pass public building bills if they choose, they ought to pass them as separate measures and send them here on their merits, and not put them on an appropriation bill containing appropriations necessary for the existence of the Government, and in that way attempt to force them down our throats. [Applause.]

Mr. Speaker, I believe everybody in the Senate, from the pages up, understand that all the Senate has to do when it passes an amendment to a House bill is to be firm, and the House will "lie down" as soon as it gets a decent opportunity. Let us fool them once. That is my proposition. Let us "stand to our guns" once and show them that the policy we have enunciated and undertaken to carry out we intend to carry out, and are able to endure the consequences as long as they are.

Mr. FAIRCHILD. Does not the gentleman think that is rather a poor basis on which to rest our action with reference to legislation which is before us?

Mr. WILSON of Idaho. And which we admit is right.

Mr. OWENS. I do not know as to that. We know nothing about it. We have the report of no committee. The gentleman is assuming that the Senate is right upon the merits of these propositions. I do not know whether it is or not. But I say that where we have a fixed policy we should not recede from that fixed policy every time the Senate says we must recede.

Mr. FAIRCHILD. We receded on yesterday.

Mr. OWENS. Well, I do not care if we receded on yesterday and the day before; that does not settle the controversy. I do not think that we ought to do anything of the kind at their dictation. Let us stand by our own guns; let us have our own policy and adhere to it, and let them recede a little while. [Applause.]

Mr. CANNON. I yield now a minute to the gentleman from Montana [Mr. HARTMAN].

Mr. HARTMAN. Mr. Speaker, in reply to the gentleman from Indiana [Mr. HENRY], who says he will not vote to recede from the disagreement to the Senate amendments until the chairman of this committee informs the House that he wants us to do so, I wish to remind him that the chairman of this committee on yesterday said, when this matter was up, that he would stand here opposing any concession until he was instructed by the House as to its wishes.

Now, are you going to follow him on that suggestion and instruct? I say that he has made a gallant fight. I honor him for it. He stood up manfully with his colleagues in this controversy, and I have no fault and the House can have no fault to find with him. But we have no right to ask him to carry the burden further. He would be doing his full duty, I claim now, to ask the House to yield to the demand of the Senate, and I ask him now to come to us and concur in the Senate amendment.

In the language of the topical song—

I want you, I want you mighty bad;
I want you, ma honey, I do.

[Laughter and applause.]

Mr. CANNON. I yield now two minutes to the gentleman from Indiana [Mr. FARIS].

Mr. FARIS. Mr. Speaker, it seems to me that when the proposition is presented to us, as has just been done by the gentleman from Illinois [Mr. HOPKINS], that this contention has resolved itself into a question of endurance between the two Houses, we have the best of it. We are well equipped to enter that sort of contest with the body at the other end of this building. We are not only fresher from the people, but we are fresher in every other way. [Laughter and applause.] The influence that we have to meet now from the Senate, as I understand it, is the influence of its younger men from the far West, who do not hesitate when they want anything to reach for it; and they are well seconded by the members from the far West in this body.

I suggest, sir, that our colleagues on the floor from the far West have seen but very little loose in this session of Congress that they have not attempted to take hold of and appropriate to themselves for the benefit of their growing section.

Mr. WILSON of Idaho. How about fortifications, and rivers and harbors?

Mr. FARIS. I am in sympathy with my colleagues from the West. I participate in the sentiment uttered by my friend from Wyoming as to these daughters in that great empire; but for one I am willing to stand here fast, by the honored chairman of this committee, and adhere to the policy adopted by the House in the early days of the session, that we should have respect for the

depressed condition of our industries and the deplorable condition of our Treasury in this question of additional public buildings. I hope, Mr. Speaker, that we will stand by the leadership of the honored gentleman from Illinois [Mr. CANNON], and not submit to such legislation as riders upon appropriation bills, but await providing for other public buildings until the revenues are increased, and until we can have the orderly procedure in this matter that we have hitherto followed; and I hope we will insist in our disagreement to this unusual method of legislation. [Applause.]

Mr. CANNON. Now, but a single moment, Mr. Speaker, and I am ready for a vote.

The State of Illinois, at its capital in Springfield, from 1818 to 1868 never had a public building. So much now for the precedents along that line.

Now, then, I will say again, I do not discuss the merits of this provision. If it is the temper of any member of this House, if it is the temper of the majority in this House on the merits, considering the manner in which the amendments come, with all the surrounding conditions, to concur with the Senate, then I say "Amen," vote that way. But I protest that I will not vote, I will not stand and ask anybody else to vote—I never have done so, do not now, and will not in the future beg a vote from this House presenting the alternative that the Senate will not agree, and thereby seek to affect the votes of my colleagues, when the Senate amendment ought to go out under the invariable rule, acknowledged by such men as Senator SHERMAN himself and the other great parliamentary leaders through all of the years in the past.

Now I am ready for a vote. [Applause.]

Mr. FAIRCHILD. When the gentleman quotes Senator SHERMAN of Ohio I want to suggest to him that I also can quote him as saying a very few moments ago, in the Senate Chamber, that as these appropriations are for buildings already authorized, they do not come within the rule the gentleman from Illinois has quoted. [Applause.]

Mr. CANNON. My information is entirely different from that of the gentleman from New York. But the man who has read the history of his country understandingly in the parliamentary contests in 1878, 1879, and 1880 understands—and this contest began before the breaking out of the later war—that the rule is unvarying that the body proposing legislation as a rider upon a money bill must recede if the other body will not assent.

I want now to take off from this House any duress, if I have that power. I do not want you to agree with the Senate because perchance the Senate will not agree with you. That is not a good way to legislate. It rubs the hair the wrong way on me. I can not do it and keep my respect. Now I am ready for a vote.

The SPEAKER. The question is on receding and concurring in the Senate amendments.

The question being taken, the Speaker announced that the noes seemed to have it.

Mr. WILSON of Idaho demanded a division.

Mr. CANNON. Let us take the vote by tellers.

Mr. HAINER of Nebraska. I understood that the vote was to be separate; but if it is to be taken on all the amendments jointly, then I wish to move to recede and concur with an amendment.

Several MEMBERS. Too late.

The SPEAKER. The gentleman has a right to do that.

Mr. HAINER of Nebraska. I send the following amendment to the Clerk's desk——

The SPEAKER. To which amendment?

Mr. LOUDENSLAGER. Mr. Speaker, I raise the point of order that the question has been put, and the House is dividing, so the amendment is not in order.

Mr. SAYERS. I will suggest, Mr. Speaker, that the gentleman from Nebraska [Mr. HAINER] must have a separate vote upon the particular amendment in which he is interested, and then we can take a vote on the other amendments.

The SPEAKER. The Chair thinks that whether the gentleman was too late or not the motion to recede and concur has precedence. The House was dividing, and upon that question the vote must be taken. If the House votes that down, then the matter of the amendment of the gentleman from Nebraska would be before the House. As many as are in favor of receding and concurring will rise in their places and be counted.

The House divided; and there were—ayes 81, noes 88.

Mr. WILSON of Idaho. Tellers, Mr. Speaker.

Tellers were ordered; and the Speaker appointed Mr. CANNON and Mr. WILSON of Idaho.

The SPEAKER. The Chair desires that the House shall understand the proposition. As many as are in favor of receding and concurring in the Senate amendments will now pass between the tellers.

The House again divided; and the tellers reported—ayes 90, noes 74.

Mr. RANEY. I demand the yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 100, nays 88, not voting 166; as follows:

YEAS—100.

Acheson,	Dockery,	Johnson, N. Dak.	Payne,
Adams,	Dovener,	Knox,	Phillips,
Andrews,	Ellis,	Layton,	Pitney,
Baker, Md.	Erdman,	Lefever,	Poole,
Baker, N. H.	Fairchild,	Lester,	Price,
Bankhead,	Fischer,	Linton,	Prince,
Bell, Colo.	Fowler,	Little,	Reyburn,
Bell, Tex.	Gamble,	Long,	Russell, Conn.
Bishop,	Gardner,	Loud,	Russell, Ga.
Black, Ga.	Grout,	Loudenslager,	Sayers,
Brewster,	Hager,	Mahany,	Shafroth,
Broderick,	Hainer, Nebr.	Mahon,	Sherman,
Buck,	Halterman,	McClure,	Stahle,
Bull,	Harmer,	McCreary, Ky.	Stone, C. W.
Catchings,	Harris,	McCulloch,	Tawney,
Chickering,	Hart,	Mercer,	Terry,
Clardy,	Hartman,	Meyer,	Thorp,
Cobb,	Henry, Conn.	Miller, W. Va.	Tyler.
Coffin,	Hermann,	Mondell,	Van Horn,
Corliss,	Hopkins,	Moody,	Van Voorhis,
Cummings,	Howe,	Mozley,	Walker, Mass.
Curtis, Iowa	Howell,	Newlands,	Wellington,
Curtis, N. Y.	Hunter,	Noonan,	Wilson, Idaho
Dayton,	Jenkins,	Otjen,	Wood,
De Witt,	Johnson, Cal.	Patterson,	Woodard.

NAYS—88.

Abbott,	Cooper, Tex.	Kirkpatrick,	Shuford,
Aldrich, T. H.	Cooper, Wis.	Lacey,	Skinner,
Allen, Miss.	Crowther,	Leighty,	Smith, Ill.
Arnold, R. I.	Crump,	Lewis,	Sorg,
Babcock,	Curtis, Kans.	Low,	Southard,
Bailey,	Dalzell,	Maddox,	Southwick,
Belknap,	Dingley,	Maguire,	Sperry.
Berry,	Doolittle,	Marsh.	Stewart, N. J.
Bingham,	Eddy,	McCall, Tenn.	Strong,
Blue,	Ellett,	McEwan,	Strowd, N. C.
Boutelle,	Evans,	Milliken,	Talbert,
Bromwell,	Faris,	Minor, Wis.	Tate,
Burton, Mo.	Gibson,	Murphy,	Thomas,
Burton, Ohio	Graff,	Otey,	Tracewell,
Calderhead,	Griffin,	Overstreet,	Treloar,
Cannon,	Grow,	Owens,	Turner, Ga.
Clark, Iowa	Harrison,	Pugh,	Updegraff,
Clark, Mo.	Hemenway,	Raney,	Warner,
Codding,	Henry, Ind.	Reeves,	Wheeler,
Connolly,	Hill,	Richardson,	Williams,
Cook, Wis.	Huff,	Rinaker,	Woodman,
Cooke, Ill.	Kiefer,	Scranton,	Wright.

NOT VOTING—166.

Aitken,	Fitzgerald,	Leisenring,	Sauerhering,
Aldrich, W. F.	Fletcher,	Leonard,	Settle,
Aldrich, Ill.	Foote,	Linney,	Shannon,
Allen, Utah	Foss,	Livingston,	Shaw,
Anderson,	Gillet, N. Y.	Lorimer,	Simpkins,
Apsley,	Gillett, Mass.	Martin,	Smith, Mich.
Arnold, Pa.	Goodwyn,	McCall, Mass.	Snover,
Atwood,	Griswold,	McCleary, Minn.	Spalding,
Avery,	Grosvenor,	McClellan,	Sparkman,
Baker, Kans.	Hadley,	McCormick,	Spencer,
Barham,	Hall,	McDearmon,	Stallings,
Barney,	Hanly,	McLachlan,	Steele,
Barrett,	Hardy,	McLaurin,	Stephenson,
Bartholdt,	Hatch,	McMillin,	Stewart, Wis.
Bartlett, Ga.	Heatwole,	McRae,	Stone, W. A.
Bartlett, N. Y.	Heiner, Pa.	Meiklejohn,	Strait,
Beach,	Henderson,	Meredith,	Strode, Nebr.
Bennett,	Hendrick,	Miles,	Sulloway,
Black, N. Y.	Hepburn,	Miller, Kans.	Sulzer,
Bowers,	Hicks,	Milnes,	Swanson,
Brosius,	Hilborn,	Miner, N. Y.	Taft,
Brown,	Hitt,	Mitchell,	Tayler,
Brumm,	Hooker,	Money,	Towne,
Burrell,	Howard,	Morse,	Tracey,
Clarke, Ala.	Hubbard,	Moses,	Tucker,
Cockrell,	Hulick,	Murray,	Turner, Va.
Colson,	Huling,	Neill,	Wadsworth,
Cooper, Fla.	Hull,	Northway,	Walker, Va.
Cousins,	Hurley,	Odell,	Wanger,
Cowen,	Hutcheson,	Ogden,	Washington,
Cox,	Hyde,	Parker,	Watson, Ind.
Crisp,	Johnson, Ind.	Pearson,	Watson, Ohio
Crowley,	Jones,	Pendleton,	White,
Culberson,	Joy,	Perkins,	Wilber,
Danford,	Kem,	Pickler,	Willis,
Daniels,	Kendall,	Powers,	Wilson, N. Y.
De Armond,	Kerr,	Quigg,	Wilson, Ohio
Denny,	Kleberg,	Ray,	Wilson, S. C.
Dinsmore,	Kulp,	Robertson, La.	Woomer,
Dolliver,	Kyle,	Robinson, Pa.	Yoakum.
Draper,	Latimer,	Royse,	
Fenton,	Lawson,	Rusk,	

So the motion to recede and concur in the Senate amendment was agreed to.

Mr. CLARKE of Alabama. Mr. Speaker, I desire to know how I am recorded.

The SPEAKER. The gentleman is recorded in the affirmative.

Mr. CLARKE of Alabama. I did not vote, Mr. Speaker. I am paired, and simply announce that I am present.

The following pairs were announced:

Until further notice:

Mr. DALZELL with Mr. CRISP.

Mr. GILLETT of Massachusetts with Mr. COWEN.

Mr. GROSVENOR with Mr. MCMILLIN.

Mr. STEPHENSON with Mr. NEILL.

Mr. JOHNSON of Indiana with Mr. COX.
Mr. MCCALL of Massachusetts with Mr. DE ARMOND.
Mr. PICKLER with Mr. MILES.
Mr. JENKINS with Mr. DENNY.
Mr. MILNES with Mr. STRAIT.
Mr. BARNEY with Mr. BUCK.
Mr. HITT with Mr. WASHINGTON.
Mr. HENDERSON with Mr. CULBERSON.
Mr. SPALDING with Mr. SPENCER.
Mr. STEELE with Mr. MCCLELLAN.
Mr. HEATWOLE with Mr. DINSMORE.
Mr. FOSS with Mr. MCLAURIN.
Mr. COUSINS with Mr. LIVINGSTON.
Mr. TOWNE with Mr. WILSON of South Carolina.
Mr. SMITH of Michigan with Mr. BERRY.
Mr. TRACEY with Mr. MCRAE.
Mr. BARHAM with Mr. KYLE.
Mr. MEIKLEJOHN with Mr. CROWLEY.
Mr. FOOTE with Mr. HUTCHESON.
Mr. COLSON with Mr. KENDALL.
Mr. WHITE with Mr. SPARKMAN.
Mr. LEISENRING with Mr. TUCKER.
Mr. WILSON of Ohio with Mr. RUSK.
Mr. WILLIAM F. ALDRICH with Mr. MOSES.
Mr. BOWERS with Mr. MINER of New York.
Mr. WILLIAM A. STONE with Mr. LAWSON.
Mr. WATSON of Ohio with Mr. COCKRELL.
Mr. ROYSE with Mr. TURNER of Virginia, except on Tucker-Yost election case.

For this day:

Mr. SNOVER with Mr. YOAKUM.
Mr. MCCLEARY of Minnesota with Mr. CLARKE of Alabama.
Mr. HICKS with Mr. JONES.

Mr. OTEY. Mr. Speaker, I would like to know how I am recorded.

The SPEAKER. The gentleman is recorded in the affirmative.

Mr. OTEY. I wanted to vote in the negative. I desire to change my vote to "nay."

The name of Mr. OTEY was called, and he voted "nay."

The result of the vote was then announced as above recorded. [Applause.]

SUBWAYS IN THE DISTRICT OF COLUMBIA.

The SPEAKER. The Chair desires to appoint as a subcommittee on the resolution relating to the subways in the District of Columbia Mr. BABCOCK, Mr. ODELL, and Mr. RICHARDSON.

SOLDIERS' HOME AT LEAVENWORTH.

The SPEAKER. The Chair appoints on the committee to investigate the Soldiers' Home at Leavenworth Mr. GROUT of Vermont, Mr. CHARLES W. STONE of Pennsylvania, Mr. WARNER of Illinois, Mr. SAYERS of Texas, and Mr. LAYTON of Ohio.

The Chair will lay before the House the following House bill with a Senate amendment.

Mr. LITTLE. A parliamentary inquiry. I would like to know if it would not be in order to proceed with the consideration of the bill which was under consideration when the conference report was called up.

The SPEAKER. There will be a conference report presented.

Mr. LITTLE. That was a bill where the second had been ordered. I would ask if it would be in order to proceed with the consideration of that bill?

The SPEAKER. It would, unless a conference report is presented.

Mr. EVANS. I would be glad if the Speaker will allow the matter to proceed.

The SPEAKER. If there be no objection, a House bill with Senate amendment will be laid before the House.

There was no objection.

FRAUDULENT BOTTLING OF LIQUORS.

The SPEAKER laid before the House the bill (H. R. 4580) amending section 3449 of the Revised Statutes, with Senate amendment.

The bill and Senate amendment were read.

Mr. EVANS. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to; and accordingly the House concurred in the Senate amendment.

On motion of Mr. EVANS, a motion to reconsider the vote by which the Senate amendment was concurred in was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 7338) for the relief of William H. Scofield, Jacob Brady, James Ketcham, Annie Booth, as administratrix of the goods, chattels, and credits of George W. Booth, deceased; Wilson P. Billar, Ezra L. Waterhouse, Moses C. Bell, George W. Byles, and George A. Scofield.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for expenses of the House of Representatives, and for other purposes.

The message also announced that the Senate having proceeded in pursuance of the Constitution to reconsider the bill entitled "An act granting a pension to Francis E. Hoover," returned to the House of Representatives by the President of the United States with his objections, and sent by the House of Representatives to the Senate with the message of the President returning the bill:

Resolved, That the bill do pass, two-thirds of the Senate agreeing to pass the same.

The message also announced that the Senate had passed the bill (S. 2555) to authorize the Secretary of the Treasury to issue leases of certain islands in Alaska for the breeding of foxes; in which the concurrence of the House was requested.

The message also announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 8321) to authorize the county of St. Louis, in the State of Minnesota, to build or authorize the building of a foot and wagon bridge across the St. Louis River between Minnesota and Wisconsin, at a point near Fond du Lac, in said State of Minnesota; and

A bill (H. R. 9226) to change the time and places for the district and circuit courts of the northern district of Texas.

The message also announced that the Senate had passed with amendments the bill (H. R. 4580) to amend section 3449 of the Revised Statutes; in which the concurrence of the House was requested.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 9447) to amend section 1 of the act to amend an act entitled "An act authorizing the Postmaster-General to adjust certain claims of postmasters for loss by burglary," etc., approved May 9, 1888.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GROUT. Mr. Speaker, I desire to present a conference report on the District appropriation bill.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 100, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 187, 188, 189, 190, and 191.

Amendment numbered 99: That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 99 and agree to the same with an amendment as follows: In lieu of the matter inserted by said House amendment insert the following: "*Provided*, That the Commissioners of the District of Columbia may, under such reasonable restrictions as they may prescribe, authorize any existing electric light company having overhead wires to maintain and use for a period of eight months, and no longer, its existing poles and overhead wires west of Rock Creek in places outside of the existing fire limits of the city of Washington and of the District of Columbia, and any such overhead wire system may be extended west of Rock Creek and outside of said fire limits, to continue only for the said period of eight months, and at the end of said period all right or authority hereby conferred shall cease. And the said Commissioners may also authorize any such existing electric light company to construct and use, under such regulations as the Commissioners may fix, conduits for the reception of existing overhead wires within the territory formerly known as Georgetown, and to extend the same by an aggregate of not more than one and a quarter miles of conduit in the same territory. And the United States Electric Lighting Company may extend its underground conduits and wires east of Rock Creek and within the said fire limits to Mount Pleasant and Washington and Columbia Heights under such regulations as the Commissioners of the District of Columbia may prescribe"; and the House agree to the same.

Amendment numbered 193: That the House recede from its disagreement to the amendment of the Senate numbered 193, and agree to the same with an amendment as follows: Strike out all after the word "dollars," in line 3, down to and including the word "denomination," in line 6 of said amendment; and the Senate agree to the same.

Amendment numbered 194: That the House recede from its disagreement to the amendment of the Senate numbered 194, and agree to the same with an amendment as follows: On page 40, after line 19 of the bill, insert as a separate paragraph, before amendment numbered 195, the following:

"And it is hereby declared to be the policy of the Government of the United States to make no appropriation of money or property for the purpose of founding, maintaining, or aiding by payment for services, expenses, or otherwise, any church or religious denomination, or any institution or society which is under sectarian or ecclesiastical control; and it is hereby enacted that from and after the 30th day of June, 1897, no money appropriated for

charitable purposes in the District of Columbia shall be paid to any church or religious denomination, or to any institution or society which is under sectarian or ecclesiastical control."

And the Senate agree to the same.

Amendment numbered 195: That the House recede from its disagreement to the amendment of the Senate numbered 195, and agree to the same with amendments as follows: In line 15 of said amendment, after the word "denomination," insert the words "or any institution or society which is under sectarian or ecclesiastical control." After the word "extent," in line 22 of said amendment, insert the words "within the limitations of the policy hereinbefore declared; and if not, the probable expense of providing and maintaining public institutions for such purpose." Strike out lines 28 and 33, inclusive, of said amendment and insert in lieu thereof the following: "Said committee is authorized to sit during the recess; and the necessary expenses of the committee, including clerical and stenographic work, shall be paid out of the contingent funds of the Senate and House of Representatives jointly, on the certificate of the chairman of the committee;" and the Senate agree to the same.

WILLIAM W. GROUT,
MAHLON PITNEY,
ALEX. M. DOCKERY,
Managers on the part of the House.

H. M. TELLER,
W. B. ALLISON,
F. M. COCKRELL,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 5210) making appropriations for the government of the District of Columbia submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report on said amendments, namely:

On the amendment of the House to Senate amendment numbered 99: In lieu of the provision proposed by the House relative to electric light and power wires in the District of Columbia west of Rock Creek and outside of the fire limits of the District, inserts as a substitute therefor the provision the text of which is fully set forth in the conference report.

On No. 100: Strikes out the provision proposed by the House regulating the prices to be paid for electric light and electric power in the District of Columbia.

On Nos. 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 194, and 195, relating to the charities of the District of Columbia: The appropriations for the various charitable institutions are made in specific terms, as proposed by the Senate, and a provision is inserted declaratory of the policy of the United States with reference to appropriations for charities in the District of Columbia, the full text of which provision is set forth in the conference report; and provision is made, as proposed by the Senate, for a joint committee of Congress to inquire and report as to the best methods of caring for the poor and destitute in the District of Columbia after the close of the fiscal year 1897.

WILLIAM W. GROUT,
MAHLON PITNEY,
ALEX. M. DOCKERY,
Managers on the part of the House.

Mr. GROUT. Mr. Speaker, this is the fourth report that the conferees on this bill have submitted, and I am sure the House will be glad to learn that we have at last fully agreed. I will occupy but a minute or two in giving a summary of figures showing what has been done in the bill:

The bill as finally agreed upon appropriates $5,905,082.48, being an increase over the current appropriations of $159,639.23, and $359,403.91 over the appropriations for the preceding fiscal year of 1895.

For paving streets the appropriations amount to $163,500, an increase of $19,000.

For constructing county roads the appropriations are $90,500, an increase of $25,500.

For sewers the appropriations are $376,000, an increase of $44,700, and authority is given to contract for $75,000 more.

For public schools the appropriations are $1,193,056, including authority to contract for completion of certain school buildings, an increase of $55,440 over current law; provision being made for four new school buildings, including a high-school building in Georgetown; for the reconstruction of three old buildings and the enlargement of another.

An increase of 50 privates in the Metropolitan police is authorized—twice the number that has ever been authorized heretofore in any single appropriation bill.

The fire department is increased by provision for two new engine houses, engines therefor, and for a new hook-and-ladder truck.

For lighting streets with gas a reduction is made from $20.50 per lamp to $20, and an increase in the service is required from the old "moonlight" schedule of 3,000 hours per annum to an all-night schedule of 3,762 hours per annum; and about $7,500 is given for extension of the service. If this be reckoned according to the old schedule, there is a reduction of about $17,000 or more in the cost of lighting by gas.

For lighting streets with electricity a reduction is made in the limit of cost from 40 cents to 30 cents per lamp per night, a reduction, as will be seen, of 25 per cent in the cost of lighting by electricity. And new service is provided for to the amount of $11,000 or thereabouts.

Mr. PITNEY. According to my understanding of the bill, as we have agreed upon it in conference, the effect of the gas-lighting provision is to reduce the price of gas for public lighting to 85 cents per thousand.

Mr. GROUT. I should have stated in passing that while the bill which the two Houses recently agreed upon, and which has been approved by the President, reduces the cost of gas 25 per cent to private consumers and to the Government where used through the meter—that is, in the public buildings—it did not touch the subject of gas used in the street lamps. Your conferees insisted that there should be in this branch of the service a corresponding reduction; and they struggled long and resolutely for that reduction, but were unable to carry a reduction to that extent. They did, however, secure a provision for gas through the public lamps at the rate of 85 cents per thousand, or in that neighborhood, which, as I have already stated, amounts to about $17,000——

Mr. Speaker, I have given these figures for the information of our constituents, the people of the District of Columbia, who have found much fault with the Appropriations Committee on account of what they have termed the small appropriations made in this bill. But the bill, as will be seen, is much larger than the bill for the last two years; and I now say that it is the largest District bill ever passed by the two Houses. It has never been equaled in amount. While I make this statement, I would not have you think your conferees have been extravagant. On the other hand, we think we have succeeded in keeping the bill within reasonable limits. As the bill went over to the Senate from the House it carried $5,418,960.39. The Senate added thereto $1,866,179.03. Of this amount of increase put on by the Senate that body yielded in conference $1,380,056.94 and the House yielded $486,122.09, leaving the aggregate of appropriations in the bill as finally agreed upon $5,905,082.48.

Mr. PITNEY. Will the gentleman allow me to say that in addition to the increase of $1,866,179.03 the Senate reappropriated an unexpended balance of a former appropriation amounting to $266,546.38, so that the actual addition made by the Senate was $2,152,725.41?

Mr. GROUT. The statement of the gentleman is correct.

Now, one word about an item which was stricken from the bill and which has been a subject of much criticism in another place, as well as in the public prints of the city. I refer to the proposal to resume work on what is known as the Lydecker tunnel, upon which there has heretofore been expended, as gentlemen may generally know (though some may not), between two and three million dollars, to bring water from the reservoir above Georgetown to the new reservoir up by the Soldiers' Home, which is still empty, carrying the water through an underground conduit, in some places 170 feet beneath the surface.

Well, it was abandoned five or six years after the expenditure of this large sum of money, not only as an impracticable scheme, but because there was a wicked waste of money in conducting the work, on account of certain frauds which were discovered. Recently a board of engineers has examined this tunnel, and they recommend that an appropriation be made by which it is believed it can be made available for use. That report, however, was not submitted to the House Committee on Appropriations. The proposition was put in on the bill in the Senate. In fact, it was too late for the House committee to act upon it. We had, therefore, no investigation of the matter. The amendment of the Senate called for some $600,000 appropriation now, and involved the total expenditure of nearly $900,000.

Now, Mr. Speaker, for one I want to say for myself, and I also speak the sentiments of my associates in that conference, I felt unwilling to enter upon an expenditure of that sum until we could take the matter more carefully under consideration; could, in short, talk it over with the gentlemen who made this report, and ask them certain questions touching, first, if you please, the practicability of clearing out the silt that would certainly form in the tunnel and yet keep up the supply of water to those dependent on the tunnel for water. I do not say that the scheme is an impracticable one; but my mind was not clear. I wanted the information I have indicated; also information on other points. It may be all right; I do not know. I want a chance, before I consent to this expenditure, to ask these gentlemen who recommend the completion of the tunnel about several important matters connected with it; and all your conferees were of the same opinion. We wanted more information upon the subject, and we resisted this item, which was stricken out of the bill in the conference. When I know more about it I may be for it first and last. Congress has been soundly berated by the District press for not having entered on the scheme, and now before we take it up again I think we should be sure it is the best way to furnish an additional supply of water.

I will also say in further explanation that your conferees were not clear but that the present supply of water is fully equal to the immediate necessities of the city.

The fact is, at the time this tunnel was abandoned, or soon after, and to take the place, in part at least, of this tunnel, some six or seven hundred thousand dollars was appropriated for a high-pressure service on Capitol Hill, which is but just completed. It was also said that the dam at the Great Falls was not high

enough to supply the aqueduct with all the water it would carry and that it should be increased in height. An appropriation was accordingly made for that purpose and the dam was raised. It was also ascertained that the aqueduct was about one-fourth full of a silt sediment; an appropriation of $14,000 was made in the last appropriation bill to clean it out. That work is now about completed, and when the increased volume of water is turned into the aqueduct by reason of the raised dam at Great Falls, and when the aqueduct is thoroughly cleaned out, it is estimated that the supply of water will be increased 25 per cent, and your conferees were not at all certain but the increased supply would meet all the demands for some time to come. Not having full information on this point we put in a provision calling on the Secretary to investigate and report on the subject.

Mr. Speaker, there is another consideration in this connection: Sewers should go ahead of an increased water supply in this as in every city, for which we have liberally provided in this bill. When we get the sewers under way we will then be sure to have plenty of water.

As to the charities, I will say that after fully considering the sectarian question involved your conferees finally concluded to agree to the same limitation attached to the Indian appropriation bill as to sectarian schools; and principally for the reason that the House had already agreed to that provision.

This provision will give time to prepare for the change which the bill provides for in that respect, and at the same time after June 30, 1897, forbids the appropriation of any public money to any institution or society under sectarian or ecclesiastical control. This fully saves the principle declared in the House bill, and ought to be satisfactory to the most exacting.

Now I yield to the gentleman from Michigan [Mr. LINTON] so much time as he may desire.

Mr. LINTON. I wish to congratulate the Congress and the people of this country upon the outcome of the acrimonious controversy which we have had over the question of Government support of sectarian institutions. Yesterday at each end of the Capitol men of all parties, men of all creeds and of no creed, voted almost as a unit in favor of the clause inserted in the Indian bill stating that "it is hereby declared to be the settled policy of the Government to hereafter make no appropriation whatever for education in any sectarian school." The adoption of this section was a great victory for the free schools of America as against the so-called sectarian or parochial schools that have for many years been receiving subsidies from the public Treasury, and to which our entire people, against the bitter protest of a great majority, have been contributing. The fact that the measure carried a small appropriation, only 50 per cent of last year, and then only to be expended at the discretion of the Secretary of the Interior in places where schools are necessary and where nonsectarian schools can not possibly be provided at once, is simply an incident in the triumph of the principle for which we have been so ardently striving. The appropriation, small as it is, is but temporary; but the declaration that the Government will not again, under any circumstances, pay for education in this class of schools is permanent and becomes a part of the law of the land. To-day we go still further, and, with hardly an objection in either House of Congress, adopt in the pending measure a section or declaration framed in practically the precise language of the joint resolution it was my honor to introduce early in the session, as follows:

And it is hereby declared to be the settled policy of the Government of the United States to make no appropriation of money or property for the purpose of founding, maintaining, or aiding, by payment for services, expenses, or otherwise, any church, religious denomination, or religious society, or any institution, society, or undertaking, which is wholly or in part under sectarian or ecclesiastical control, and it is hereby enacted that from and after the 30th of June, 1897, no money appropriated for charitable purposes shall be paid to any church or religious denomination or to any institution or society which is under sectarian or ecclesiastical control.

This should cause the demands for church subsidies to cease for all time to come, and I hope they may never again be presented to Congress in any shape or form, because if they are there will against them be the gathering of that storm predicted by the New England Senator, as the great mass of our people, irrespective of party or religion, will not again permit them to exist for a moment.

I believe that the enactment of to-day's legislation puts a stop to this agitation at the nation's Capitol, and will cause a better feeling among our citizens throughout the country. Therefore, again I desire to congratulate the members of the House and Senate upon the outcome of the fight in having firmly established the principle that the Government of our country will not in the future in any way support the schools of creed or the institutions of sect. The last two days have seen the enactment of laws that will remain in history and mark an epoch in the nation's progress.

Mr. GROUT. I now yield to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I beg the attention of the House for a few moments now in the closing hour of this first session of the Fifty-fourth Congress.

In a word, I want to congratulate the House on the work of this session. Coming here, most of us, new to legislation in the beginning of the Congress, we brought a sincere desire to faithfully represent our constituents, and by wise legislation and appropriation to enact the will of the majority into law.

Mr. Speaker, this is a Government through parties. The Government is best served when a party that in fact stands for the majority of the people has full power. It then writes its policies, economic and financial, upon the statute book.

The Republican party has not power, except in the House of Representatives. The Senate is worse than Democratic, and Mr. Cleveland is President. To the best of our ability, from the practical standpoint, we proposed revenue measures that in these trying times would save us from borrowing money, and the House has performed its duty. But not having the power in the Senate, that bill slept the sleep of death there. Nothing was left us but to make the appropriations necessary to carry on the Government, taking care that we only appropriated the money absolutely necessary to supply the needs of the Government, and in no instance entering upon new fields of appropriation save where their importance was so manifest that a sound public sentiment would justify even the borrowing of money to carry them on. [Applause.]

Therefore we have authorized expenditures for the fortification of our seacoasts, in order to give our people assurance of permanent safety, in a greater sum than the aggregate of all appropriations for the like purpose made from 1888 to 1896; and we believe that the country will justify us in that expenditure. A liberal naval bill has been enacted. Wise legislation has been written upon the statute book, by which (fashioned by the Committee on the Judiciary) we correct abuses that abounded through the administration of justice in the courts of the country. The House has done promptly, with wisdom, what it was possible to do. To sum it all up in a word, no scandals can be charged to this House.

While we have been unable to do all that we desired, we have been enabled to keep our record clean; and now, in these last hours, we can unite in assuring all the people, if they will give us, next November, full power in House and Senate and Executive Mansion, that we will write upon the statute book the protective, economic policy of the Republican party. [Applause on the Republican side.] And while in the future, with full power, we will make wise and economical appropriations, not scant and insufficient, but wise and economical, we give assurance to the country that through our system we will bring revenue enough from the business and commerce of a prosperous people to pay the appropriations that we make, and at the same time restore confidence to the country; and, with that renewed confidence, under that economic policy, employment will again seek the laborer instead of the laborer seeking employment. [Applause on the Republican side.]

In a word, we believe, with the Republican party restored to complete power, with its protective economic revenue policy written on the statute book, and the Democratic policy taken off the statute book, that the cause of the disease which now infects the body politic, and has done so since November, 1892, will be removed; that the cause of the disease being removed, the patient will again become sound and healthy, and that, with the cause of the disease removed, its symptoms will disappear, and the Populist quack, the Democratic free-silver quack, and the fiat-money quack, who all seek to treat symptoms only, will vanish as the vapors of the night vanish before the rising sun. [Great applause.]

Then, Mr. Speaker, we will again have universal employment, increased production and consumption, and plenty of money, all as good as gold, to do the business of the country, just as we had all these blessings from 1879 to 1892, inclusive.

Mr. Speaker, having made these general remarks, I proceed to state the work of the session in detail touching appropriations for the public service.

The appropriations for the session just closing amount to $515,759,820.49.

The estimates on which these appropriations were based, and submitted by the Executive to Congress at the beginning of the session in the regular Book of Estimates, or from time to time in special or supplemental estimates, amounted to $529,134,193.92, or $13,374,373.43 more than has been appropriated.

The whole amount of appropriations, $515,759,820.49, charged to this session includes $119,054,160 under permanent laws, of which amount $50,000,000 is for sinking fund and $30,500,000 for interest on the public debt, or $3,355,614.40 more than was included at the last session of Congress in the statements of appropriations, and is on account of the increase of $162,315,400 in the bonded indebtedness of the country by the present Administration up to February, 1895, the interest and sinking-fund charge on account of the later bond issue of $100,000,000 in February, 1896, amounting

to $4,400,000, not being included in the estimates of permanent appropriations, as stated and submitted to Congress in the last regular Book of Estimates.

The increase in the principal of the interest-bearing debt of the country under the present Administration, by the loans negotiated in February and November, 1894; February, 1895, and February, 1896, amounts to $262,315,400, which entails an annual interest charge of $11,492,616, and to meet the sinking-fund obligations the further sum of $2,623,154.

During the Administration of Mr. Harrison, from March, 1889, to March, 1893, the principal of the interest-bearing debt of the United States was reduced in amount $258,192,900, and the annual interest charge was thereby diminished $10,327,716.

The Table B, giving a history of the appropriation bills for this session, which I shall incorporate at the conclusion of my remarks, shows in detail, by bills and in the aggregate, the estimates submitted to Congress, the amount of the bills as reported to the House, as passed by the House, as reported to the Senate, as passed by the Senate, and as they became laws, and the appropriations made at the last session of the last Congress.

An examination of the table shows that the regular annual bills, including deficiencies, as passed by the House, made a reduction in the total estimates submitted by the Executive of $26,083,191.67; that they were increased by the Senate $22,920,442.30, and that as they became laws they appropriate $10,636,624.06 less than as passed by the Senate, $12,283,818.24 more than as they passed the House, and $13,374,373.43 less than the estimated requirements of the Administration.

The regular annual appropriations, including deficiencies, made at the last session of Congress, amounted to $383,636,896.97, and included no river and harbor bill. So, excluding the river and harbor act passed at this session, it will be seen that the regular annual bills as passed by the House appropriated only $373,505,082.25, or more than $10,000,000 less than was appropriated by the last Democratic Congress, with the approval of a Democratic Executive.

The following shows by titles the appropriations made at this session, in comparison with those made at the last session of Congress, with the increase or reduction in each:

TABLE A.

Title.	Amount this session.	Amount last session.	Reduction.	Increase.
Agriculture	$3,255,532.00	$3,303,750.00	$48,218.00	
Army	23,278,402.73	23,252,608.09		$25,794.64
Diplomatic and consular	1,642,558.76	1,574,458.76		68,100.00
District of Columbia	5,905,082.48	5,745,443.25		159,639.23
Fortification	7,397,888.00	1,904,557.50		5,493,330.50
Indian	7,390,496.79	8,762,751.24	1,372,254.45	
Legislative, etc.	21,518,834.71	21,891,718.08	372,883.37	
Military Academy	449,525.61	464,261.66	14,736.05	
Navy	30,562,739.95	29,416,245.31		1,146,494.64
Pension	141,328,580.00	141,381,570.00	52,990.00	
Post-Office	92,571,564.22	89,545,997.86		3,025,566.36
River and harbor	12,621,800.00			12,621,800.00
Sundry civil	33,031,152.19	46,568,160.40	13,537,008.21	
Total	380,954,157.44	373,811,522.15	15,398,090.08	22,540,725.37
Deficiencies	15,326,503.05	9,825,374.82		5,501,128.23
Total	396,280,660.49	383,636,896.97	15,398,090.08	28,041,853.60
Miscellaneous (estimated for this session)	425,000.00	297,667.37		127,332.63
Total, regular annual appropriations	396,705,660.49	383,934,564.34	15,398,090.08	28,169,186.23
Permanent annual appropriations	119,054,160.00	113,073,956.32		5,980,203.68
Grand total, regular and permanent annual appropriations	515,759,820.49	497,008,520.66	15,398,090.08	34,149,389.91

Net increase this session over last session, $18,751,299.83.

It will be noted from this exhibit that, while at this session reductions have been made in many of the appropriation acts, increases of any considerable amount appear in but few.

Thus the fortification act is increased from $1,904,557.50 to $7,397,888, and in addition to the latter sum, authority is given to enter into contracts to the further sum of $4,195,076, making, in all, $11,592,964 authorized at this session for the work of strengthening our coast defenses, or nearly as much as had been given in all of the previous eight years combined, since the Government entered on the present plans of fortification and harbor defense.

The Post-Office bill is increased from $89,545,997.86 to $92,571,564.22, which is the usual increase requisite to keep pace with the growth of population and commerce of the country.

The river and harbor bill appropriates $12,621,800, the whole of which is an apparent increase, no bill having been enacted at the last session. The river and harbor act that was passed during the first regular session of the last Congress appropriated $11,643,180.

The inadequacy of appropriations made during the last Congress accounts for the apparent increase in deficiencies.

The permanent appropriations show an apparent increase of a little less than $6,000,000, accounted for in part by the increase for sinking fund and interest on the public debt, to which I have already adverted, and to an increase in the amount estimated to be required during the coming year for the redemption of notes of national banks that have surrendered circulation.

Aside from a necessary increase in the number of seamen and men in the Navy and Marine Corps, in order to place in commission the new ships of war provided for by previous Congresses, there has been no appreciable increase in employments or of salaries of employees authorized in any of the several Departments of the General Government. On the contrary, appropriations for 337 employees, with salaries aggregating $475,190, in the Internal Revenue Service, have been omitted because of the failure of the income-tax law under the decision of the Supreme Court.

At the beginning of the session the Committee on Appropriations in its first report to the House called attention to the abnormal growth in the expenditures under the fee system on account of United States courts, and to the fact that they had more than doubled during the period between 1885 and 1896. With commendable zeal the Judiciary Committee of the House took up the question, and reported a well-digested measure, which was incorporated into the legislative, executive, and judicial appropriation bill, and is now the law, abolishing the fee system as to United States attorneys and marshals, and placing those officials on fixed salaries; revising and reducing the schedule of fees of United States commissioners, and requiring their appointment to be made by the district instead of the circuit courts, and for terms of four years each instead of for life, as heretofore. This legislation will, it is confidently asserted by those in position and competent to judge, reduce expenditures annually on account of United States courts more than $1,000,000, and will reduce to a minimum frivolous and malicious prosecutions. Under the fee system attorneys and marshals received as compensation during the fiscal year 1895 $708,219.70, or $160,719.70 more than the aggregate of their salaries as fixed by the new law. The aggregate of their salaries as prescribed is $547,500, or $292,500 less than it was possible for them to earn under the fee system.

As against this record of reformatory legislation inaugurated by this House, it has been developed that the present administration of the Treasury Department, under the discretion vested in it by law, has increased, since July 1, 1895, the number of employees in the customs service by 331, and raised the compensation of 281 others, at a total cost for nine months for both of $206,385.02; that it has expended or incurred expenditures amounting to $7,377,440 for the present year in collecting the revenue from customs estimated at $165,000,000; whereas for the last whole fiscal year 1892, under President Harrison's Administration, there was collected under the McKinley tariff act $177,452,000 of customs revenue at a total cost of only $6,607,517, or $12,000,000 more of revenue and $770,000 less of expense in collecting it.

The following table shows the aggregate appropriations made during the Fifty-first, Fifty-second, and Fifty-third Congresses, and at the present session of the Fifty-fourth Congress:

Appropriations, fiscal years 1891 to 1897, inclusive.

FIFTY-FIRST CONGRESS.		
1891.		
Regular annual appropriations	$361,770,057.79	
Permanent appropriations	101,628,453.00	
		$463,398,510.79
1892.		
Regular annual appropriations	402,531,864.55	
Permanent appropriations	122,486,808.00	
		525,018,672.55
Total appropriations Fifty-first Congress		988,417,183.34
FIFTY-SECOND CONGRESS.		
1893.		
Regular annual appropriations	$385,736,308.71	
Permanent appropriations	121,863,880.00	
		$507,600,188.71
1894.		
Regular annual appropriations	404,036,085.29	
Permanent appropriations	115,468,273.92	
		519,504,359.21
Total appropriations Fifty-second Congress		1,027,104,547.92

FIFTY-THIRD CONGRESS.

1895.		
Regular annual appropriations	$391,156,005.03	
Permanent appropriations	101,074,680.00	
		$492,230,685.03
1896.		
Regular annual appropriations	383,934,564.34	
Permanent appropriations	113,073,956.32	
		497,008,520.66
Total appropriations Fifty-third Congress		989,239,205.69

FIFTY-FOURTH CONGRESS—FIRST SESSION.

1897.	
Regular annual appropriations	$396,705,660.49
Permanent appropriations	119,054,160.00
Total first session	515,759,820.49

The Fifty-first Congress was Republican in both branches, with a Republican Executive.

The Fifty-second Congress was composed of a House with a more than two-thirds Democratic majority, and a Senate with a narrow Republican majority. The Executive was Republican.

The Fifty-third Congress was Democratic in both branches, with a Democratic Executive.

The Fifty-fourth Congress is composed of a Republican House, a Senate having a Democratic and Populist majority, and the Executive is a Democrat.

RECEIPTS AND EXPENDITURES.

The revenues of the Government from all sources, except postal receipts, which are devoted exclusively to the postal service, for the three complete fiscal years of the Harrison Administration, ending June 30, 1892, and just preceding the last election of Mr. Cleveland, were as follows:

1890	$403,080,982.63
1891	392,612,447.31
1892	354,937,784.24
Total	1,150,631,214.18
Average per annum	383,543,738.06

The ordinary expenditures of the Government for the same period, exclusive of the postal service, premium on redemption of bonds, and to meet requirements of the sinking fund, were as follows:

1890	$297,736,486.60
1891	355,372,684.74
1892	345,023,330.58
Total	998,132,501.92
Average per annum	332,710,833.97

The entire surplus of $152,133,565.52 of revenues over expenditures was applied during the period named to the reduction of the public debt.

During the two complete fiscal years of Mr. Cleveland's present Administration the revenues of the Government, except from postal receipts, have been as follows:

1894	$297,722,019.25
1895	313,390,075.11
Total	611,112,094.36
Average per annum	305,556,047.18

The ordinary expenditures of the Government for the same period, exclusive of the postal service and to meet requirements of the sinking fund, were as follows:

1894	$367,525,279.83
1895	356,195,298.29
Total	723,720,578.12
Average per annum	361,360,289.06

The excess of expenditures, $112,608,483.76, over revenues for the first two years of Mr. Cleveland's present Administration, together with the excess of expenses over receipts of $26,504,984.04 for the first eleven months of the present fiscal year 1896, has been met out of moneys derived from the sale of bonds.

When Mr. Harrison retired from the White House on March 4, 1893, there was a net cash balance in the Treasury of $124,128,087.88.

On the 1st day of June of this year, but for moneys derived from the sale of bonds, there existed an actual deficiency in the Treasury of $26,261,062.28.

TABLE B.—*Chronological history of appropriation bills, first session of the Fifty-fourth Congress; estimates and appropriations for the fiscal year 1896-97; and appropriations for the fiscal year 1895-96.*

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

Title.	Estimates 1897.	Reported to the House.		Passed the House.		Reported to the Senate.		Passed the Senate.	
		Date.	Amount.	Date.	Amount.	Date.	Amount.	Date.	Amount.
		1896.		1896.		1896.		1896.	
Agriculture	a $2,542,692.00	Jan. 30	$3,158,392.00	Feb. 18	$3,215,392.00	Feb. 28	$3,282,652.00	Mar. 3	$3,333,652.00
Army	24,003,276.03	Feb. 3	23,275,902.73	Feb. 19	23,275,902.73	Feb. 26	23,279,402.73	Feb. 27	23,279,402.73
Diplomatic and consular	1,649,058.76	Jan. 27	1,630,058.76	Jan. 28	1,630,058.76	Feb. 5	1,641,058.76	Feb. 19	1,642,558.76
District of Columbia b	c 7,706,405.22	Jan. 30	5,417,960.39	Apr. 9	5,418,960.39	May 8	6,963,598.86	May 19	7,285,189.42
Fortification	7,414,633.00	Apr. 10	5,845,837.00	Apr. 14	5,845,837.00	May 18	10,763,888.00	May 20	10,763,888.00
Indian	d 8,750,458.17	Feb. 18	8,376,995.17	Feb. 25	8,420,445.17	Apr. 2	7,413,806.79	Apr. 23	7,657,596.79
Legislative, etc	22,365,051.00	do	21,444,195.51	Mar. 6	21,380,765.51	Mar. 20	21,545,874.71	Mar. 27	21,627,794.71
Military Academy	619,169.61	Jan. 14	448,967.61	Jan. 20	448,117.61	Feb. 4	450,525.61	Feb. 18	449,525.61
Navy	29,313,166.20	Mar. 24	31,611,034.95	Mar. 26	31,647,239.95	Apr. 9	31,279,482.20	May 2	30,062,939.95
Pension	141,384,570.00	Jan. 9	141,325,820.00	Jan. 17	141,325,820.00	Feb. 4	141,378,580.00	Feb. 18	141,378,580.00
Post-Office e	94,817,900.00	Feb. 26	91,943,757.88	Mar. 11	91,819,557.88	Mar. 30	93,171,564.22	Apr. 7	93,171,564.22
River and harbor	f 7,700,000.00	Apr. 3	10,351,860.00	Apr. 6	10,453,860.00	Apr. 27	12,609,550.00	May 13	12,690,550.00
Sundry civil	40,473,653.93	Mar. 26	29,498,374.59	Apr. 2	29,836,992.19	Apr. 20	34,959,342.50	Apr. 25	36,406,149.29
Total	388,830,033.92		374,305,361.50		374,718,949.19		388,719,326.38		389,749,141.48
Urgent deficiency, United States courts	g 16,000,000.00	Jan. 20	4,415,922.61	Jan. 21	4,421,402.61	Jan. 30	5,930,667.60	Feb. 13	6,044,536.52
Deficiency, printing for Navy Department		Mar. 11	25,000.00	Mar. 11	25,000.00	Mar. 13	25,000.00	Mar. 13	25,000.00
Deficiency, 1896, and prior years		Apr. 18	4,791,340.45	Apr. 20	4,793,590.45	May 23	8,986,298.71	May 25	11,060,046.55
Deficiency, 1896, and prior years		June 6	(h)	June 6	(h)	June 8	(h)	June 8	(h)
Deficiency, House of Representatives, etc		June 8	37,900.00	June 8	37,900.00	June 9	38,560.00	June 9	38,560.00
Total	404,830,033.92		383,575,524.65		383,996,842.25		403,699,852.69		406,917,284.55
Miscellaneous	g 5,250,000.00								
Total, regular annual appropriations	410,080,033.92								
Permanent annual appropriations	119,054,160.00								
Grand total, regular and permanent annual appropriations	529,134,193.92								

a No amount is included in the estimates for 1897 for the Agricultural Department for agricultural experiment stations in the several States authorized by the act of March 2, 1887. The amount appropriated for this purpose for 1896 is $750,000.

b One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1897 at $215,047.75), which are payable from the revenues of the water department.

c "Supplementary estimates" for the District of Columbia of $5,019,700 are submitted, but not carried into the total, in Book of Estimates for 1897.

d This amount includes $1,660,000 for payment of installment due the Cherokee Nation for the purchase of the Cherokee Outlet.

e Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

f This is the amount estimated for rivers and harbors for 1897, exclusive of $4,044,597, required to meet contracts authorized by law included in the sundry civil estimates, and exclusive of $4,992,000 for improving the Mississippi and Missouri rivers under the Mississippi and Missouri River commissions, submitted but not carried into the total in Book of Estimates. "The amount that can be profitably expended" in that fiscal year, as reported by the Chief of Engineers, is $12,356,000. (Book of Estimates for 1897, pages 210-215.)

g This amount is approximated.

h The general deficiency appropriation bill, as agreed upon by the House and Senate, appropriating $10,719,503.19, was vetoed by the President, and failing to pass over the veto, another bill, being an exact copy of the bill vetoed, but omitting therefrom section 4, appropriating $1,761,996.66 for French spoliation claims and other claims, was enacted.

TABLE B.—*Chronological history of appropriation bills, first session of the Fifty-fourth Congress; estimates and appropriations, etc.*—Continued.

Title.	Law, 1896-97. Date.	Law, 1896-97. Amount.	Law, 1895-96. Amount.
	1896.		
Agriculture	Apr. 25	$3,255,532.00	$3,303,750.00
Army	Mar. 16	23,278,402.73	23,252,608.09
Diplomatic and consular	Feb. 27	1,642,558.76	1,574,458.76
District of Columbia *a*	June 11	5,905,082.48	5,745,443.25
Fortification	June 6	7,397,888.00	1,904,557.50
Indian	June 10	7,390,496.79	*b* 8,762,751.24
Legislative, etc	May 28	21,518,834.71	21,891,718.08
Military Academy	Mar. 6	449,525.61	464,261.66
Navy	June 10	30,562,739.95	29,416,245.31
Pension	Mar. 6	141,328,580.00	141,381,570.00
Post-Office *c*	June 9	92,571,564.22	89,545,997.86
River and harbor	June 3	*d* 12,621,800.00	(*e*)
Sundry civil	June 11	*f* 33,031,152.19	*g* 46,568,160.40
Total		380,954,157.44	373,811,522.15
Urgent deficiency, United States courts	Feb. 26	6,305,436.52	
Deficiency, printing for Navy Department	Mar. 20	25,000.00	
Deficiency, 1896, and prior years	June 6	(*h*)	9,825,374.82
Deficiency, 1896, and prior years	June 8	*h* 8,957,506.53	
Deficiency, House of Representatives, etc	June 11	38,560.00	
Total		396,280,660.49	383,636,896.97
Miscellaneous		*i* 425,000.00	297,667.37
Total, regular annual appropriations		396,705,660.49	383,934,564.34
Permanent annual appropriations		119,054,160.00	*k* 113,073,956.32
Grand total, regular and permanent annual appropriations		515,759,820.49	497,008,520.66

Amount of estimated revenues for fiscal year 1897	$375,000,000.00
Amount of estimated postal revenues for fiscal year 1897	89,793,120.75
Total estimated revenues for fiscal year 1897	464,793,120.75

a One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1897 at $215,047.75), which are payable from the revenues of the water department.

b This amount includes $1,660,000 for payment of installment due the Cherokee Nation for the purchase of the Cherokee Outlet.

c Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

d In addition to this amount the sum of $3,284,597 is appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1897, and the sum of $300,000 is appropriated in the urgent deficiency act to carry out such contracts for 1896.

e No river and harbor bill was passed for 1896, but the sum of $11,287,115 was appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1896.

f This amount includes $3,284,597 to carry out contracts authorized by law for river and harbor improvements for 1897.

g This amount includes $11,287,115 to carry out contracts authorized by law for river and harbor improvements for 1896.

h The general deficiency appropriation bill, as agreed upon by the House and Senate, appropriating $10,719,503.19, was vetoed by the President, and failing to pass over the veto, another bill, being an exact copy of the bill vetoed, but omitting therefrom section 4, appropriating $1,761,996.66 for French spoliation claims and other claims, was enacted.

i This amount is approximated.

k This is the amount submitted by the Secretary of the Treasury in the annual estimates for the fiscal year 1896, the exact amount appropriated not being ascertainable until two years after the close of the fiscal year.

Mr. BOUTELLE. Mr. Speaker, if it were in order, I would move that when we adjourn we adjourn to meet at the polls. [Laughter and applause.]

Mr. GROUT. Mr. Speaker, it is only fair that we should hear from the Democracy, and I yield to my friend from Texas [Mr. SAYERS].

Mr. SAYERS. Mr. Speaker, the appropriations made during the present session of Congress, including the permanent annual appropriations as estimated, amount to $515,759,820.49.

This sum exceeds the appropriations made during the last session of the Fifty-third Congress by $18,751,299.83, and exceeds those of the first regular session of that Congress by $23,529,135.46. It is less than the appropriations made by the second session of the Fifty-second Congress by only $3,744,538.72, although at the latter session $39,352,494.85 more was appropriated for pensions than is appropriated at this session. It is more than the appropriations made by the first session of the Fifty-first Congress by $21,303,571.84, and $25,464,040.80 less than the appropriations made at the second session of the Fifty-first Congress.

THE RIVER AND HARBOR ACT.

The river and harbor act, in addition to appropriating $12,621,800 specifically, and the further estimated sum of $3,000,000 under an indefinite appropriation to purchase the Monongahela Navigation Company's property, authorizes contracts involving other expenditures to the amount of $59,616,404.91. The river and harbor act of the last Congress authorized no contracts beyond the amounts actually appropriated in said act.

THE NAVAL ACT.

The naval appropriation act authorizes the construction of 3 battle ships and 15 torpedo boats, at an authorized cost of $12,900,000, exclusive of armament, which will cost not less than half as much more or quite $20,000,000 in all for the ships complete; and yet that act appropriates for the increase of the Navy only $11,479,054, which is $6,515,575 less than will be required to complete the ships which have heretofore been authorized and are now being constructed. Since the construction of the new Navy was begun there have been constructed and authorized to be constructed, including the ships authorized in the naval act of this session, a total of 84 new ships, at an aggregate cost in appropriations up to date of $113,479,054; and consequent upon this large increase of the naval establishment there has been an addition of 3,250 men for the Navy and Marine Corps, including 1,500 men authorized in the act of this session. The expense for pay and allowances of these 3,250 additional men in the Navy is not less than $3,000,000 per annum.

THE FORTIFICATION ACT.

The fortification act, in addition to making specific appropriations amounting to $7,397,888, authorizes contracts involving the further expenditure of $4,195,076.

VETO OF THE GENERAL DEFICIENCY BILL.

The President, by his action in vetoing the general deficiency bill, has eliminated from the proposed appropriations of this session the sum of $1,761,996.66, as follows:

For payment of French spoliation claims	$1,027,314.09
For payment of war and other claims certified by the Court of Claims under the Bowman Act	548,922.54
For payment of the Chouteau claim	174,445.75
For payment of claims of D. N. Fish and others	11,214.28

The Senate, organized at the beginning of this session by a combination of Republican and Populist votes, placing the control of the committees of that body in the hands of the Republicans, by its amendments to the general appropriation bills as they passed the House proposed to increase the sum total of appropriations by $22,920,442.30. By conferences between the two Houses this aggregate increase was reduced to $12,283,818.24. So it will be seen that, if the Senate had been allowed its way in increasing appropriation bills, the sum total of appropriations at this session would have been raised $10,636,624.06 above the aggregate as it now appears.

By reference to the table (Table B) which I will incorporate as a part of my remarks, setting forth the appropriations made at each session of the Fifty-first, Fifty-second, and Fifty-third Congresses, together with the first (or now closing) session of the Fifty-fourth, it will be observed that the appropriations made at the second session of the Fifty-first Congress exceeded those made

at the first session of the same Congress by $46,767,612.64, or nearly 10 per cent. If the same proportionate increase should be made at the next session over the appropriations of this present session, then the appropriations of the next session will not be less than $565,000,000.

I submit herewith another table (Table A), showing by title of bills the appropriations made at this session and those made at the last session, together with the reduction or increase in each case:

TABLE A.

Title.	This session.	Last session.	Reduction.	Increase.
Agriculture	$3,255,532.00	$3,303,750.00	$48,218.00	
Army	23,278,402.73	23,252,608.09		$25,794.64
Diplomatic and consular	1,642,558.76	1,574,458.76		68,100.00
District of Columbia	5,905,082.48	5,745,443.25		159,639.23
Fortification	7,397,888.00	1,904,557.50		5,493,330.50
Indian	a 7,390,496.79	8,762,751.24	1,372,254.45	
Legislative, etc	21,518,834.71	21,891,718.08	372,883.37	
Military Academy	449,525.61	464,261.66	14,736.05	
Navy	30,562,739.95	29,416,245.31		1,146,494.64
Pension	141,328,580.00	141,381,570.00	52,990.00	
Post-Office	92,571,564.22	89,545,997.86		3,025,566.36
River and harbor	b 12,621,800.00	(c)		12,621,800.00
Sundry civil	33,031,152.19	d 46,568,460.40	13,537,008.21	
Total	380,954,157.44	373,811,522.15	15,398,090.08	22,540,725.37
Deficiencies	e 15,326,503.05	9,825,374.82		5,501,128.23
Total	396,280,660.49	383,636,896.97	15,398,090.08	28,041,853.60
Miscellaneous (estimated for this session)	425,000.00	297,667.37		127,332.63
Total, regular annual appropriations	396,705,660.49	383,934,564.34	15,398,090.08	28,169,186.23
Permanent annual appropriations	119,054,160.00	113,073,956.32		5,980,203.68
Grand total, regular and permanent annual appropriations	515,759,820.49	497,008,520.66	15,398,090.08	34,149,389.91

Net increase this session over last session, $18,751,299.83.

a This sum is exclusive of $1,660,000 for second installment on account of purchase of Cherokee Outlet, which has been paid under "permanent annual appropriations," but is not included in the estimates thereunder for 1897. A like sum was included in the Indian appropriation act passed at the last session of the last Congress.

b This does not include $3,000,000 estimated to be necessary under indefinite appropriation made in river and harbor act of this session to purchase property of Monongahela Navigation Company.

c No river and harbor act was passed during the last session, but the sundry civil act of that session carried $11,287,115 for river and harbor works under contract, while the sundry civil act of this session appropriates only $3,284,597 for such works.

d This sum includes $5,238,289.08 to pay sugar bounty under legislation enacted by the Fifty-first Congress.

e This sum includes $1,496,679.56 for objects that are in no sense deficiencies; $3,614,133.77 to pay judgments of the courts and audited accounts certified by the accounting officers for 1893 and prior fiscal years; in all, $5,110,813.33.

It will be noticed by this table that reductions of any consequence are made in only three of the regular bills—the Indian, legislative, and sundry civil.

The reduction in the case of the Indian act is only apparent, and not actual. In the last Indian appropriation act the sum of $1,660,000 was appropriated to meet the first annual installment due on account of the purchase of the Cherokee Outlet, and an estimate was submitted to the present Congress in a like sum to meet the second installment on the same account. But subsequent to the submission of the estimate, and after the appropriation had been made by the House, it was held by the Secretary of the Treasury that, under the legislation ratifying the treaty whereby the purchase was made from the Indians and regulating the payments therefor, a permanent annual appropriation was made to meet the obligations arising thereunder; and upon this construction of the law the sum of $1,660,000 has already been paid this year from the Treasury on that account. If this amount were added, as it should be for purposes of comparison, to the sum total of the Indian appropriation act for this session, it would be seen that instead of a reduction the bill this session makes an actual increase of $287,745.55 over the act passed at the last session.

The apparent reduction of $372,883.37 in the case of the legislative act is more than accounted for in the omission of $475,190 which was carried in the last legislative act for the expense of collecting the income tax, which sum has been omitted for the next fiscal year, under the decision of the Supreme Court declaring the income tax to be unconstitutional.

The reduction of $13,537,008.21 which appears in the sum total of the sundry civil act this session, as compared with that passed at the last session, is almost offset by the sum of $5,238,289.08, appropriated in that act at the last session to pay the sugar bounty (under legislation enacted during the Fifty-first Congress), and by the excess of $8,002,518 to meet contracts for river and harbor works over the sum appropriated for river and harbor contract works in the bill of the present session.

In considering the sum total of appropriations made at this session, it may be noted that the river and harbor act, appropriating specifically, as stated above, $12,621,800, was passed, whereas no bill for river and harbor works was passed at the last session. But in this connection it must be borne in mind that in order to meet contract obligations authorized by previous Congresses for river and harbor works, the sundry civil act for the last session appropriated $11,287,115, while at this session the sundry civil act carries for such objects only $3,284,597.

In addition to the large aggregate of $515,769,820.49 of specific appropriations made at this session, contract liabilities, to be met at the next and succeeding sessions of Congress, are authorized as follows:

CONTRACTS AUTHORIZED.

River and harbor act, for rivers and harbors	$59,616,404.91
Sundry civil act, for public buildings, light-houses, and revenue cutters	1,406,000.00
Fortification act, for defenses and armament	4,195,076.00
Naval act, for new war ships	12,900,000.00
District of Columbia act	124,000.00
	78,241,480.91

The river and harbor act, in addition to specific appropriations made on its face, makes an indefinite appropriation for the purchase, under condemnation, of the property of the Monongahela Navigation Company, of Pennsylvania, estimated at not less than $3,000,000. As stated before, the sum of $1,660,000 has recently been paid out of the Treasury on account of the purchase of the Cherokee Outlet, which sum is not included either in any of the regular annual appropriation bills or in the estimates of permanent annual appropriations set out in the foregoing table. Add these sums on account of the purchase of the Cherokee Outlet, the purchase of the Monongahela Navigation Company's property, and the additional contract liabilities, amounting in all to $82,901,480.91, to the sum of the specific appropriations made in the bills and the permanent annual appropriations as estimated, and we have the enormous aggregate of $598,661,301.40 appropriated and authorized by contracts to be expended by the legislation of this session of Congress.

The total ordinary expenditures of the Government have never approached so large a sum in any one fiscal year during our whole history, except for the last three fiscal years of the civil war, as has been appropriated and authorized by the present session of Congress. The total assessed valuation of property in no one of the South Atlantic States is equal to this vast sum of expenditures authorized at this single session of Congress.

It is not unfair to charge the present session of Congress with this gigantic sum of contract liabilities and to characterize the same as appropriations in the light of the statute passed by Congress in 1870, providing that no Department of the Government should expend in any one fiscal year any sum in excess of appropriations made by Congress for the fiscal year or should involve the Government in any contract for the future payment of money in excess of appropriations. Except on the occasion in the Fiftieth Congress, when, under the advice of the late Gen. Thomas Lincoln Casey, in charge of the new Library building, Congress authorized him to make contracts for all of the granite necessary for the construction of the outer walls of that edifice, in order to secure uniformity of material therein, Congress sacredly observed both the spirit and letter of that statute until the advent of the Fifty-first Congress, which instituted the present system of authorizing large contracts for river and harbor works. Gradually since then the practice has been enlarged and extended, until now public buildings, light-houses, revenue cutters, fortifications and their armament, and certain municipal public works in the District of Columbia are embraced within the system.

In addition to the contracts authorized at this session, and which must be met by appropriations hereafter, there are other contract liabilities, made by previous Congresses and yet to be met, on account of river and harbor works, amounting to $4,800,436; on account of armament of fortifications, amounting to $2,730,131, and on account of public buildings, amounting to about $10,000,000; and also on account of the completion of war ships, beyond the amount of appropriations carried on the naval act this session, in the sum of $6,515,575; or in all, $24,046,142.

Referring to the apparent excess of $5,493,330.50 for deficiencies appropriated at this session over the deficiencies provided for at the last session, Mr. Speaker, I call attention to the fact that of the whole sum of $15,326,503.05 appropriated for deficiencies,

$1,496,679.56 stands for works and objects that are in nowise deficiencies, and $3,614,133.77 represents judgments and audited claims, which have no relation whatever to current or recent annual appropriations; the two sums making an aggregate of $5,110,813.33; which, deducted from the sum total of deficiencies, leaves but $10,215,689.72, or a sum equal to about the sum of normal deficiencies in the annual appropriations of Congress year by year. This explanation of the apparently large deficiencies provided for at this session I deem to be fitting and proper, in order to show that there was no undue reduction in the appropriations made at the last session, and no unusual lack of provision for the public service thereunder. As compared with deficiencies in previous years, the deficiencies at the former and present sessions appear as follows:

First session, Fifty-first Congress	$38,617,448.96
Second session, Fifty-first Congress	38,699,746.96
First session, Fifty-second Congress	15,906,191.50
Second session, Fifty-second Congress	22,277,086.36
First regular session, Fifty-third Congress	11,811,004.06
Second regular session, Fifty-third Congress	9,825,374.82
Present session, Fifty-fourth Congress	15,326,503.05

Mr. Speaker, the present Congress had a splendid opportunity for the future reduction of expenses, but it has completely failed in this particular. Upon all outstanding contracts authorized previous to the present Congress only the following sums had to be appropriated in order to complete them, to wit:

On river and harbor contracts	$7,925,033
On war vessels	18,094,629
On construction of guns for fortification purposes	3,380,131
On public buildings	12,622,000
Total	42,021,793

If the present Congress had rigidly refused authority for additional contracts, and had appropriated only to meet the immediate or fiscal year requirements under existing ones, the next Congress and Administration would have been in a position to largely reduce appropriations and expenditures, and the administration of the Government could easily have returned to an economical method of governmental expenditure. This, however, has not been done; and the majority in Congress must be held responsible for this grave dereliction in public duty. In conclusion, Mr. Speaker, it will be seen from the tables herewith that the appropriations made by the past three Congresses and at the present session have been as follows:

Fifty-first Congress, both sessions	$1,035,680,109.94
Fifty-second Congress, both sessions	1,027,104,547.92
Fifty-third Congress, three sessions	989,239,205.69
Fifty-fourth Congress, first session	515,759,820.49

TABLE B.—*Appropriations made by the Fifty-first, Fifty-second, and Fifty-third Congresses, and first session of the Fifty-fourth Congress, fiscal years 1891 to 1897, inclusive.*

Title.	Fifty-first Congress.		Fifty-second Congress.		Fifty-third Congress.		Fifty-fourth Congress.
	First session, 1891.	Second session, 1892.	First session, 1893.	Second session, 1894.	Extra and first regular sessions, 1895.	Third session, 1896.	First session, 1897.
Agriculture	$1,799,100.00	$3,028,153.50	$3,232,995.50	$3,323,500.00	$3,223,623.06	$3,308,750.00	$3,255,532.00
Army	24,206,471.79	24,613,529.19	24,308,499.82	24,225,639.78	23,592,884.68	23,252,608.09	23,278,402.73
Diplomatic and consular	1,710,815.00	1,656,925.00	1,604,045.00	1,557,445.00	1,563,918.76	1,574,458.76	1,642,558.76
District of Columbia	5,769,544.15	5,597,125.17	5,317,973.27	5,413,223.91	5,545,678.57	5,745,443.25	5,905,082.48
Fortifications	4,232,935.00	3,774,806.00	2,734,276.00	2,210,055.00	2,427,004.00	1,904,557.50	7,397,888.00
Indian	7,282,016.02	16,386,284.86	7,664,047.84	7,854,240.38	10,659,565.16	8,762,751.24	*f* 7,390,496.79
Legislative, etc	21,030,752.75	22,027,674.75	21,900,132.97	21,865,802.81	21,305,583.29	21,891,718.08	21,518,834.71
Military Academy	435,296.11	402,064.64	428,917.33	432,556.12	406,535.08	464,261.66	449,525.61
Navy	24,136,035.53	31,541,654.78	23,543,385.00	22,104,061.38	25,327,126.72	29,416,245.31	30,562,739.95
Pension, including deficiencies *a*	123,779,368.35	164,550,383.34	154,411,682.00	180,681,074.85	151,581,570.00	141,381,570.00	141,328,580.00
Post-Office	72,226,698.99	77,907,222.61	80,331,276.73	84,004,314.22	87,236,599.55	89,545,997.86	92,571,564.22
River and harbor	25,136,295.00		21,154,218.00		11,643,180.00	(*g*)	*h* 12,621,800.00
Sundry civil	*b* 31,100,341.38	*c* 38,388,552.73	27,665,076.93	41,716,311.15	34,253,775.55	*i* 46,568,160.40	33,031,152.19
Deficiencies, except for pensions	13,295,541.61	9,364,148.62	8,230,859.50	8,127,361.51	11,811,004.06	9,825,374.82	*j* 15,326,503.05
Total	356,121,211.68	399,238,522.19	382,527,385.89	403,515,586.11	390,578,048.48	383,636,896.97	396,280,660.49
Miscellaneous	7,010,905.27	*d* 19,498,531.10	3,208,922.82	520,499.18	577,956.55	297,667.37	*k* 425,000.00
Total regular annual appropriations	363,132,116.95	418,737,053.29	385,736,308.71	404,036,085.29	391,156,005.03	383,934,564.34	396,705,660.49
Permanent annual appropriations	*e* 131,324,131.70	*e* 122,486,808.00	*e* 121,863,880.00	*e* 115,468,273.92	*e* 101,074,680.00	*e* 113,073,956.32	*e* 119,054,160.00
Total	494,456,248.65	541,223,861.29	507,600,188.71	519,504,359.21	492,230,685.03	497,008,520.66	515,759,820.49
Total Fifty-first, Fifty-second, and Fifty-third Congresses	1,035,680,109.94		1,027,104,547.92		989,239,205.69		

a Deficiencies included as follows: 1891, on account of 1890, $25,321,907.25; 1892, on account of 1891, $29,335,598.34; 1893, on account of 1892, $7,674,332; 1894, on account of 1893, $14,149,724.85.

b This amount includes $1,362,059.16 actual expenditures under indefinite appropriations for pay and bounty claims.

c This amount includes $978,188.74 actual expenditures under indefinite appropriations for pay and bounty claims.

d This amount includes $15,227,000 for refund of direct taxes in addition to the specific sum of $500,000 appropriated for that purpose.

e This is the amount originally submitted to Congress by the Secretary of the Treasury as estimated to be necessary under permanent specific and permanent indefinite appropriations, except that to the amount thus submitted for 1891, $101,623,453, there are added expenditures under permanent appropriations made by the Fifty-first Congress subsequent to said estimate, as follows: Salaries diplomatic and consular service, $27,756.79; redemption national-bank notes, $23,553,298.50; expenses of Treasury notes, $218,362.60; coinage of silver bullion, $210,893.14; rebate tobacco tax, $770,082.39; and repayments to importers and for debentures and drawbacks, customs service, $4,915,235.23; in all, $29,695,878.70.

f This sum is exclusive of $1,630,000 for second installment on account of purchase of Cherokee Outlet, which has been paid under "permanent annual appropriations," but is not included in the estimates thereunder for 1897. A like sum was included in the Indian appropriation act passed at the last session of the last Congress.

g No river and harbor act was passed during the last session, but the sundry civil act of that session carried $11,287,115 for river and harbor works under contract, while the sundry civil act of this session appropriates only $3,234,597 for such works.

h This does not include $3,000,000 estimated to be necessary under indefinite appropriation made in river and harbor act of this session to purchase property of Monongahela Navigation Company.

i This sum includes $5,238,239.08 to pay sugar bounty under legislation enacted by the Fifty-first Congress.

j This sum includes $1,496,679.56 for objects that are in no sense deficiencies; $3,614,133.77 to pay judgments of the courts and audited accounts certified by the accounting officers for 1893 and prior fiscal years; in all, $5,110,813.33.

k Estimated.

Mr. GROUT. Mr. Speaker, I yield to the gentleman from Missouri [Mr. DOCKERY].

Mr. DOCKERY. Mr. Speaker, this Congress is the most recklessly improvident and riotously extravagant Congress since the establishment of the Government. Assembled at a time when all the varied business interests of this great country were depressed by adverse conditions, it has wholly failed to meet the grave responsibilities imposed upon it by the peculiar situation. Confronted with revenues confessedly inadequate to meet current expenditures, and with a depleted gold reserve, the Republican leaders at the beginning of this session ostentatiously proclaimed a policy of rigid economy. They alleged that the outflow of our gold was due to insufficient income. This was their diagnosis of the Treasury ailment, and economy was the magic remedy they prescribed to replenish the gold reserve, to revive our drooping industries, and to restore prosperity to the people.

It is well to emphasize the fact that this was the policy suggested by the Republican leaders, and that an effort to enforce it was made by the distinguished Speaker of this House, Mr. REED—in my judgment, with entire respect to the other membership, the brainiest leader the Republican party has known on this floor for many years. [Loud applause on the Republican side.] I want you to keep that up, as I hope you will applaud some other things I expect to say.

Mr. PITNEY. If they are good, we will.

Mr. DOCKERY. The eminent Speaker announced the policy for the Republican party, and he had a right to announce it, because he was the accredited leader of that party in this House; he was the official head of that organization. But, alas, that policy was, nevertheless, assassinated, and in the house of its friends.

It seems impossible for the Republican party to maintain an economical administration. It has utterly failed to maintain the parity between profession and practice, and between its theory in

respect to the gold reserve and the remedy of rigid economy prescribed for its restoration.

The appropriation for the Fifty-first (Reed) Congress amounted to $1,035,680,109.94; the appropriations of the Fifty-second Congress aggregated $1,027,104,547.92; while the appropriations of the Fifty-third Congress (Democratic in both branches) amounted to but $989,239,205.69. The direct appropriations of this session of the present Congress reach the enormous total of $515,759,820.49, being $23,529,135.46 more than the appropriations of the first session of the last Congress. It is probable, therefore, that at the close of the next session the entire appropriations of this Congress will be found to exceed $1,080,000,000 if the same ratio of increase is made at the next session over the present that was made between the sessions of the Fifty-first Congress.

In addition to the direct appropriations for the support of the Government, this Congress has also imposed $82,901,480.91 of unusual liabilities for authorized contracts on account of rivers and harbors, increase of the Navy, fortifications, and various other public works. If, therefore, to the direct appropriations we add this sum, it appears that the total appropriations and liabilities of this session amount to $598,661,301.40.

This improvident assault upon the Treasury is the more reprehensible because at the beginning of this Congress the Secretary of the Treasury, in his annual report, showed the existence of a deficiency in current revenues for the last fiscal year amounting to $42,805,223.18, and at the same time estimated a deficiency for the present fiscal year of $17,000,000. This was an inadequate estimate, as it is now conceded that the deficiency at the close of this fiscal year will exceed $25,000,000.

INADEQUATE M'KINLEY REVENUES.

The Republican party have studiously sought to impress the people with the statement that the McKinley law furnished ample revenues to support the Government, and that the existing deficiency and the deficiencies which have preceded it are due to the repeal of that law and the enactment of the Wilson tariff bill.

Now, it happened that the current surplus revenues in the Treasury amounted to $85,040,271.97 at the close of the fiscal year ending June 30, 1890, the year immediately preceding the enactment of the McKinley law, which went into effect October 6, 1890, and I find upon examination of official reports that at the close of the fiscal year ending June 30, 1891, the McKinley law being in operation but eight months of that fiscal year, the current surplus had dropped to $26,838,541.96. The current surplus for the next fiscal year, ending June 30, 1892, was but $9,914,453.66, while the current surplus at the close of the fiscal year ending June 30, 1893, had dwindled to $2,341,674.29!

Indeed, Mr. Speaker, the so-called surplus at the close of the fiscal year 1893 was apparent rather than real. But for the fact that the outgoing Administration of Mr. Harrison "held up" the obligations of the Government, as far as practicable, this phantom surplus would have given place to an actual deficiency.

This policy of deferring payments obtained for some months prior to the close of the late Republican Administration, and the official reports show that at the end of the last fiscal year of that Administration—the fiscal year of 1893—while there was this apparent current surplus of $2,341,674.29, there were also unexpended balances of appropriations, exclusive of sinking fund and Indian trust funds, amounting to $104,074,092.07. These unexpended balances tell the story of deferred payments and insufficient income.

I have heretofore said, and now repeat, that during the last four months of Mr. Harrison's Administration the revenues were insufficient by $4,094,021.38 to meet the current obligations of the Government. It is obvious, therefore, Mr. Speaker, that the McKinley law DID NOT provide sufficient revenue to meet the obligations of the Government, and that fact is fully established by the testimony of ex-Secretary Foster, of date February 25, 1893, before the House Committee on Ways and Means. Upon that occasion he distinctly stated (and I quote his exact language):

I will only say this, that if I was to have the management of the Treasury, I should insist upon an increase of revenue to the extent of $50,000,000.

That was Republican testimony, and it was emphasized by an order to the Bureau of Engraving and Printing for the preparation of plates for an issue of bonds—an order which was subsequently revoked by the incoming Democratic Administration.

Hence it is obvious that under the operations of the McKinley law, while a very large profit inured to the benefit of the manufacturers, an insufficient amount found its way into the Treasury to meet the maturing liabilities of the Government. So much for the Republican statement.

CONTRACTION OF THE CIRCULATION.

In order that the people may fully realize the enormous liabilities imposed by the Republican party, it is only necessary to state that the direct appropriations of this session require for their payment more than one-third of the entire volume of money in circulation. On the 1st of July, 1890, prior to the enactment of the Sherman law, the total stock of money, coined or issued, amounted to $2,068,048,087, and the amount in circulation was $1,429,718,376; the surplus in the Treasury, including the gold reserve, being $245,612,464, and the circulation per capita being $22.82.

On July 1, 1891, the total volume of money was $2,100,130,092; amount in circulation, $1,500,067,555; surplus in the Treasury, including gold reserve, $153,893,809; circulation per capita, $23.41.

On July 1, 1892, the total volume of money was $2,219,719,198; amount in circulation $1,603,073,338; surplus in the Treasury, including gold reserve, $126,692,377; per capita circulation, $24.47.

On July 1, 1893, the entire volume of money was $2,120,281,093; amount in circulation, $1,593,726,411; surplus in the Treasury, including gold reserve, $122,462,290; circulation per capita, $23.80.

On July 1, 1894, the total volume of money was $2,249,325,276; amount in circulation, $1,664,061,232; surplus in the Treasury, including gold reserve, $117,584,437; per capita circulation, $24.33.

On July 1, 1895, the volume of money was $2,217,064,667; amount in circulation, $1,604,131,968; surplus in the Treasury, including gold reserve, $195,240,153; per capita circulation, $22.96.

On June 1, 1896, the volume of money was $2,208,420,613; amount in circulation, $1,521,584,283; surplus in the Treasury, including gold reserve, $267,193,210.70; per capita circulation, $21.35.

Mr. Speaker, the difference in the comparative statement I have just submitted between the total volume of money and the amount in circulation is represented by the amount in the Treasury at the respective dates mentioned. An examination of this exhibit discloses some startling conditions.

On the 1st of November, 1894, the Sherman law, against my protest, was unconditionally repealed, and since that date the only increase of the volume of circulation that has been possible under the existing monetary system must have come from the coinage of gold or the increase of the national-bank circulation.

The Treasury statements show that from July 1, 1894, to June 1, 1896, the actual decrease in the total volume of money coined or issued was $40,904,663; while the actual decrease in the volume of money in active circulation was $142,476,949; the per capita circulation being reduced from $24.33 to $21.35. The reduction of the amount of money in circulation during this period is explained by the increase in the borrowed surplus in the Treasury from $117,584,437 to $267,193,210.70.

This constantly augmenting Treasury surplus and decreasing volume of money in active circulation is due to the vicious monetary system under which bonds have been issued to secure gold to redeem greenbacks and Sherman notes. The bond issues are consequent upon the pernicious construction given the Sherman law on October 14, 1891, by Secretary Foster, and since maintained by the Treasury Department, under which the Secretary of the Treasury has abdicated his functions and given to the holders of greenbacks and Sherman notes the right to demand gold only for their redemption.

The demonetization of silver in 1873 and the surrender, by the Harrison Administration, of the option to redeem Sherman notes in either gold or silver, are the colossal criminal blunders of recent financial legislation.

BOND ISSUES AND SINGLE GOLD STANDARD.

In an interview in opposition to the Dingley bond bill and bond issues by the Treasury, published on January 4 last in some of the papers in this city and in Missouri, I suggested the evils which would follow the continuance of this system. I quote the views then expressed, as they have been fully vindicated by the events which have since transpired:

Indeed, should the present surplus be reenforced by the enactment of the Dingley bill or by the proceeds of additional bond sales, I fear this drain will severely tax the business interests of the country, already intimidated by a stringent money market.

A very large Treasury surplus will inevitably injuriously affect the business situation because the money in active circulation is already inadequate to meet the requirements of trade, and further withdrawals to restore the Treasury reserve will still further contract the volume of active money. It is a vexing problem to restore and maintain the Treasury reserve along the lines of a single gold standard and yet escape the perils of an unnecessary surplus of money other than gold. Reform is necessary in the existing monetary system under which the National Treasury may have a very large surplus available for current liabilities, while at the same time our gold resources may be depleted and exhausted by the "endless chain" of greenbacks and Sherman notes.

Mr. Speaker, since the unconditional repeal of the Sherman law, the single gold standard has had ample opportunity to demonstrate the beneficent results which at the time of the repeal it was claimed would follow that legislation. It was claimed then that prosperity would speedily return to the industrial and commercial interests of the country. That prophecy, like many others of similar import made by the single gold standard advocates, has altogether failed of accomplishment. Instead of prosperity returning, business disasters have multiplied and "followed fast and followed faster" each upon the other, so that the passage of a bankrupt bill has been thought necessary by some to remove the wrecks which hamper and retard commercial revival.

Bonds amounting to $262,315,400 have been issued, for which the Government realized $293,454,272.98, to restore the vanishing gold surplus, while the meager profits of the people have been scraped up and hoarded in the Treasury under a system which thus

mercilessly contracts the volume of our circulating medium. The withdrawal of $142,470,949 of money from the channels of active trade has thrown business into a state of distrust and doubt. On the 25th of August, 1893, in discussing the bill then pending to repeal the Sherman law without conditions, I declared in favor of a double standard and independent action by this country, and said, among other things—

That the adoption of a single gold standard by the United States will result in a lower wage for labor, the depreciation of farm values, farm products, and property of nearly all kinds, even if our population should remain as at present and there should be no expansion in the volume of trade and commerce. That industrial disturbances would follow the adoption of such a policy, becomes more apparent when it is remembered that the average annual increase of our population ranges from one million to one and a half million, and that the enterprise and tireless energy of our people are constantly exploring and discovering new fields for the investment of capital and the employment of labor. The addition to the volume of our circulating medium under the provisions of the Sherman law has been $150,669,459, or about $50,000,000 annually, being less than $1 per capita; and yet it is proposed by the Wilson bill (Sherman repeal bill) to strike down the law authorizing this annual increase, without offering any substitute therefor.

Mr. Speaker, I make no claim to gifts of prophecy, but I submit that the existing business situation completely vindicates that prediction. I have not, therefore, looked with favor upon the departure of the Republican party from its own announced policy of economy.

I will append to my remarks a tabular statement, giving in detail an exhibit of appropriations, and will pass to a succinct review of the river and harbor bill, first stating that the appropriation bills, when they left the House, amounted, together with the permanent appropriations, to $503,051,002.25; when they became laws, they aggregated $515,759,820.49, the Senate having increased them by $12,708,818.24. As I stated at the outset, you have piled up appropriations higher than they were ever piled at the first session of any Congress in the history of this country except during the war period. Our appropriations are now substantially on a war basis in a time of peace.

Mr. MILLIKEN. Did not the gentleman from Missouri, about an hour ago, vote against the policy which he is now declaiming in favor of?

Mr. DOCKERY. I did not. I have uniformly sustained the Republican party in this Congress whenever it has sought to maintain and uphold the policy of judicious economy. I have sustained that policy because I believed it to be the requirement of duty and of sound business judgment.

Mr. WILLIS. I congratulate my friend from Missouri. If he will just walk that path a little farther he will be perfectly safe. [Laughter.]

Mr. DOCKERY. Well, Mr. Speaker, if I should walk in the path of rigid economy a little farther, I should have to journey without the company of the gentleman from Delaware. [Laughter.] I have asked nothing for my State, but I happen to know what is contained in the river and harbor bill—against which I desired to "declaim" a few days ago, but was ruthlessly cut off in the very vigor of my efforts to denounce it—and I am not surprised that the gentleman from Delaware rises to interrupt me on this occasion, since he is doubtless smarting under the pangs of conscience, because that river and harbor bill, as shown by the Chief of Engineers, carries appropriations and authorized contracts to the amount of $5,000,000 for the little State of Delaware, with a territory not much larger than the county of Daviess, in the imperial State of Missouri, from which I hail. [Laughter and applause.] Five millions of dollars! No wonder that the eloquence and splendid ability of the gentleman from Delaware are invoked in behalf of the riotous appropriations made by this Congress. [Laughter.]

Mr. WILLIS. I think the gentleman overestimates materially the amount of the appropriations for my State. It is hardly $5,000,000. Where was it put?

Mr. DOCKERY. I do not know where it was put. I hope it will go to some worthy objects. In a few moments I will endeavor to identify, as far as I can from the official reports, the items of that magnificent total of seventy-five million dollars of the people's money appropriated for river and harbor improvement. Little Delaware gets her share of it, and I have no doubt but that my friend from Delaware [Mr. WILLIS] will come back with a reenforced majority, because it matters not if failure of crops, or drought with blighting effects, or pestilence which walketh at noonday, or sweeping cyclones afflict that little State, her people will still enjoy a handsome income from the river and harbor bill, at the expense of the taxpayers of the United States. [Great laughter and applause.]

Mr. PITNEY. My friend from Missouri and I have served together in framing six of the appropriation bills and the deficiency bills, and I will ask him whether there is a single bill framed by the Committee on Appropriations that has not received from him unqualified approval on this floor and elsewhere?

Mr. DOCKERY. Why, Mr. Speaker, it did afford me pleasure to commend the legislative bill and the District bill, because I believed that both were in the main economical measures; and I think the same can be substantially said of all the other bills reported by my able friend from Illinois [Mr. CANNON], the chairman of the Committee on Appropriations, except, possibly, the fortifications bill. I was not present when that bill was considered. Perhaps every item in it is just and proper. I do not say it is not. But possibly if I had had the framing of it I might have reduced it somewhat. I do not complain of bills reported by the Committee on Appropriations, but of the other measures which swell the mighty aggregate of appropriations to $515,759,820.49.

DIFFER WITH THE PRESIDENT.

Mr. Speaker, I do not agree with the President upon the financial issues involved in this campaign. I am opposed to the retirement of greenbacks. I am opposed to the issue of bonds. I am opposed to the redemption of greenbacks and Sherman notes in gold only, and to the Treasury construction which treats the coin obligations of the Government as gold obligations. I am opposed to the national-bank system. I believe that the mints of the United States should be open to the free and unlimited coinage of both gold and silver. I believe in restoring the equality which existed prior to the act of February 12, 1873, demonetizing silver. Wherever the word "gold" appears in the statutes I would add "and silver," so that both metals may enjoy equal privileges at the mints and perform like functions in our monetary system. This policy will prevent the undue appreciation of gold and the undue depreciation of silver, thus restoring the "parity" which should obtain under a correct bimetallic system. In other words, Mr. Speaker, I am in favor of a double standard and unalterably opposed to a single gold standard. My first vote in support of the free and unlimited coinage of silver was cast in 1884, since which time I have voted six times for the free and unlimited coinage of silver at 16 to 1. I differed with the President in respect to his course relative to the Wilson tariff bill. I thought then and think now that he should have given his approval to that measure, notwithstanding it failed to fully meet all the requirements of a tariff-reform bill. It represented, however, the best result that could be secured at the time, and made a long step in the direction of emancipating the people from the inordinate greed of the protective system. It is obviously preferable to the McKinley bill, which it replaced upon the statute book.

I also believe, Mr. Speaker, that any national Administration should be in the hands of its friends. I have not, therefore, concurred in the policy of the President which has permitted the retention of Republicans in, and their appointment to, political offices which have much to do with contributing to the success or failure of an Administration. I have always insisted that Democrats should be appointed to such offices under a Democratic Administration.

Mr. Speaker, I am not in harmony with the President upon these questions, but I do most cordially approve his position upon many other public questions, notably his vigorous American policy in maintaining the principles of the Monroe doctrine and in protecting the rights of our citizens in all quarters of the globe. His attitude in respect to our foreign policy should commend itself to all patriotic citizens. I also most heartily indorse the views he has recently expressed in respect to the expenditure of public money. The utterances of the President in opposition to the wanton expenditure of the people's money have at all times been consistent and in harmony with the position occupied by the illustrious leaders of the Democratic party since the days of Thomas Jefferson. I especially commend his superb courage in the recent veto of the river and harbor bill, the French spoliation claims, and other Treasury-spoliating schemes. I recall with pleasure that the first veto of a river and harbor bill was made by Andrew Jackson, an eminent Democrat of glorious memory. Old Hickory himself, on December 6, 1832, sent that veto to the House of Representatives, and President Cleveland can point to the precedent then established by a Democrat "fit to stand by the side" of the immortal founder of Democracy. I am advised that river and harbor bills have also been vetoed by Presidents Tyler, Polk, Pierce, Buchanan, and Arthur. The French spoliation claims also were vetoed by Presidents Polk and Pierce.

RIVER AND HARBOR BILL.

I now desire to invite the attention of the House to a cursory analysis of the river and harbor bill, the privilege of debate having been denied at the time the bill passed this body over the veto of the President. The river and harbor bill was reported to the House April 3, and passed under a suspension of the rules April 6. This summary method of consideration limited all debate to forty minutes and prohibited the right of amendment. When the bill left the House it carried $65,148,771.91 of appropriations and authorized contracts, including an indefinite appropriation of not less than $3,000,000 for the purchase of the Monongahela Navigation Company's property. It was considered by the Senate, and on its return to the House was sent to conference by the most expeditious parliamentary method. Debate was limited to less than one hour, wherein the conference report was considered, about thirty minutes being consumed in opposition to the report, which

was agreed to by a vote of 189 to 56. When finally agreed to by both Houses it carried $75,158,956.88 of obligations upon the Treasury. The opponents of the measure were allowed but fifty minutes' debate from the time the bill was reported until it was sent to the President, and at no time during its consideration was there any opportunity to offer amendments. When the bill was returned to the House by the President it was approved, upon reconsideration, by a vote of 219 to 61, debate being arbitrarily denied. I quote from the RECORD of June 2, which fully discloses the proceedings of the House in denying the privilege of debate:

Mr. HOOKER. Mr. Speaker, I move to pass the bill, the objections of the President to the contrary notwithstanding. I desire to say in behalf of the committee that we were of the opinion that the message of the President raised all the possible objections to the bill that could be raised. We have endeavord, in the report which has just been read, to cover every objection which he has raised to the pending measure.

There are a large number of members who have applied to me for time to discuss this measure, and had I yielded to them and allotted to them the time that they have asked, it would consume two, three, or four days. It has been thought best by the committee, under the circumstances, to submit to the House the question whether or not we desire to engage upon a long and exhaustive debate upon this measure, and for the purpose of testing the sense of the House, without in any manner expressing the views of the committee or myself on the subject, I demand the previous question. [Applause.]

Mr. DOCKERY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. DOCKERY. I ask the gentleman to yield to me for a moment.

Mr. HOOKER. Regular order!

Mr. DOCKERY. The gentleman agreed with me yesterday that we should have debate upon this bill, and it is unfair, it is unjust, and it is unmanly to pursue this course. [Great confusion on the floor.]

The SPEAKER. The House will please be in order. Gentlemen will take their seats.

Mr. CATCHINGS. The gentleman from New York——

The SPEAKER. The gentleman from Mississippi is not in order. This is a matter for the House to determine. The gentleman from New York [Mr. HOOKER] asks for the previous question. If the previous question is ordered, the House will proceed immediately to vote on the question of reconsideration.

Mr. DOCKERY. Mr. Speaker, will the Chair allow me to ask the gentleman from New York a question?

The SPEAKER. The gentleman demands the regular order. [Cries of "Regular order!"]

Mr. DOCKERY. I desire to say—— [Cries of "Regular order!"] I desire to state that the gentleman had agreed that we should have debate. [Renewed cries of "Regular order!"]

The SPEAKER. The question is on ordering the previous question.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. RICHARDSON and Mr. DOCKERY. Division.

The House divided; and there were—ayes 178, noes 60.

Mr. DOCKERY. The yeas and nays.

The question was taken on ordering the yeas and nays.

The SPEAKER. Forty-six gentlemen have arisen—not a sufficient number [applause]; the yeas and nays are refused, and the previous question is ordered. The question now is, Will the House upon reconsideration agree to pass the bill; and on this question the yeas and nays, by the Constitution, are to be taken.

Mr. DOCKERY. I desire to know whether there will be any debate under the rules on this question of reconsideration?

The SPEAKER. There will not be.

Mr. DOCKERY. Then, on a proposition to reconsider, as required by the Constitution, no debate is permitted under the policy pursued by the gentleman from New York.

The SPEAKER. Provided the House of Representatives so vote.

Mr. DOCKERY. And they have so voted——

Mr. HENDERSON. Regular order!

Mr. DOCKERY (continuing). To stifle debate.

The SPEAKER. The Clerk will call the roll.

WHAT IT COSTS.

Mr. Speaker, I will now submit a fiscal exhibit relating to the appropriations and liabilities of the Government on account of river and harbor improvements carried in this bill or heretofore authorized.

On the 1st of May the balance of appropriations unexpended under continuing contracts and for works not under contract, together with the balances yet to be appropriated under contracts heretofore authorized, amounted to $16,207,708.16. There is a difference of opinion between the House conferees on the river and harbor bill and the Chief of Engineers as to the appropriations and contracts authorized. According to the analysis of the House conferees the total cash appropriations amount to $12,852,235 and the authorized contracts to $59,649,308.91, or a total, appropriations and contracts, of $72,501,543.91. The Chief of Engineers states the direct appropriations at $10,017,050 and the contracts authorized at $62,141,906.88, or a total of $72,158,956.88. It will be observed that the total is substantially the same, the difference being that in the one case a greater amount of cash and a less amount of contracts are estimated, and in the other a less amount of cash and more of contracts. I have not had the opportunity myself to analyze the bill and reach a judgment in respect to the controversy, but it is immaterial, since it is agreed that the liabilities of the bill exceed $72,000,000, exclusive of the indefinite appropriation, which it is estimated will not be less than $3,000,000, for the purchase of locks and dams on the Monongahela River. If, therefore, to the liabilities outstanding on the 1st of May on account of unexpended balances and authorized contracts we add the new contracts and the definite and indefinite appropriations contained in this bill, it is obvious that the liabilities of the Government on account of river and harbor improvements now reach the stupendous aggregate of $91,366,665.04.

Mr. Speaker, I have propounded to the Chief of Engineers this query:

"*Upon the basis that all contracts will be promptly made, what amounts can be expended under such contracts for the fiscal years—separately stated—ending June 30, 1897, 1898, 1899, 1900, etc.?*"

He answers by the following estimate:

PENDING RIVER AND HARBOR BILL APPROPRIATES—

1897	$13,792,550.00
1898	19,871,054.15
1899	16,854,262.24
1900	13,073,962.24
1901	5,735,878.25
1902	1,586,250.00
1903	745,000.00
1904	400,000.00
1905	100,000.00
	72,158,956.88

Mr. Speaker, in addition to the estimated expenditure of $13,792,550, for the ensuing fiscal year, the sundry civil bill carries $3,284,597.90 to meet outstanding contracts, so that the total river and harbor expenditures for the year may reach $17,077,147.00.

It will be remembered also, that there is in the Treasury $11,561,072.16 of unexpended appropriations for river and harbor improvements heretofore authorized, part of which will be expended during the coming year.

I regret, Mr. Speaker, that I have not had the time to make a thorough analysis of the provisions of this bill, and the criticisms I may offer are directed only to a limited number of those to which my attention has been called.

Including the river and harbor bill, there are 14 general appropriation bills which carry appropriations for the support of the Government. All these bills are usually based upon the estimates submitted by the heads of the various Departments, disclosing the estimated needs of the public service. The river and harbor bill is usually based upon the estimates of the Secretary of War. The local engineers, in the annual budget submitted at the beginning of this session, estimated that $52,252,027 could "be profitably expended" for the improvement of various public works of the country. This estimate was reduced by the Chief of Engineers to $21,016,197, and further limited by the Secretary of War in the final revision to $11,744,597. It is manifest, therefore, that this session's river and harbor bill exceeds the estimates of the engineers by more than twenty-three millions; that it exceeds the estimate of the Chief of Engineers by more than fifty-four millions, and exceeds the estimate of the Secretary of War by more than sixty-three millions. This estimate is peculiarly significant in view of the unfortunate Treasury situation, whereunder, as is known to the country, other appropriation bills for the support of the Government are usually reduced materially below the estimated needs of the various Departments.

HOW DISTRIBUTED.

The bill consists of 417 items of appropriation; 41 States and 2 Territories are direct beneficiaries. Wyoming and Colorado have a contingent interest in the provision authorizing surveys for the establishment of reservoirs, but Utah and Nevada alone are without direct recognition. In response to my request the Chief of Engineers has made a careful scrutiny of the bill and submits an exhibit showing the appropriations and contracts authorized, by States, as follows:

Appropriations and authorized contracts, by States.

State.	Appropriations.	Contracts authorized.	Total.
Maine	$206,000.00	$1,616,000.00	$1,822,000.00
New Hampshire	25,000.00		25,000.00
Vermont	15,000.00		15,000.00
Massachusetts	359,000.00	1,215,000.00	1,574,000.00
Rhode Island	114,300.00	732,000.00	846,300.00
Connecticut	267,000.00		267,000.00
New York	611,000.00	3,895,558.00	4,506,558.00
New Jersey	193,660.00		193,660.00
Pennsylvania	37,500.00	1,269,500.00	1,307,000.00
Delaware	109,160.00	4,890,846.00	5,000,006.00
Maryland	494,800.00		494,800.00
Virginia	334,000.00		334,000.00
West Virginia	7,500.00	1,230,000.00	1,237,500.00
Kentucky	96,000.00	1,399,000.00	1,495,000.00
North Carolina	241,000.00		241,000.00
South Carolina	79,500.00	2,016,250.00	2,095,750.00
Georgia	91,000.00	3,355,000.00	3,446,000.00
Florida	567,000.00		567,000.00
Alabama	110,000.00		110,000.00
Mississippi	119,400.00	860,000.00	979,400.00
Louisiana	249,000.00	1,193,250.00	1,442,250.00
Texas	147,000.00	1,125,000.00	1,272,000.00
Arkansas	153,000.00		153,000.00
Tennessee	87,000.00		87,000.00
Ohio	356,000.00	1,354,000.00	1,710,000.00
Indiana	82,500.00		82,500.00
Illinois	193,000.00	6,455,960.00	6,648,960.00
Michigan	522,150.00	1,115,000.00	1,637,150.00
Wisconsin	324,440.00	188,737.91	513,177.91
Minnesota	157,000.00		157,000.00
Missouri	55,000.00		55,000.00

Appropriations and authorized contracts, by States—Continued.

State.	Appropriations.	Contracts authorized.	Total.
California	$401,750.00	$4,028,000.00	$4,429,750.00
Oregon	205,390.00	2,025,000.00	2,230,390.00
Washington	308,000.00		308,000.00
Idaho	30,000.00		30,000.00
Montana	35,000.00		35,000.00
Alaska	5,000.00		5,000.00
IN TWO OR MORE STATES.			
Channel between Staten Island and New Jersey; New York and New Jersey	13,000.00		13,000.00
Pawcatuck River (Rhode Island and Connecticut)	15,000.00		15,000.00
Delaware River (Pennsylvania and New Jersey)	500,000.00		500,000.00
Waterway, Chincoteague Bay, Virginia, to Delaware Bay, Delaware	25,000.00		25,000.00
Nanticoke River (Maryland and Delaware)	3,000.00		3,000.00
Potomac River	100,000.00		100,000.00
Chattahoochee River (Georgia and Alabama)	25,000.00		25,000.00
Coosa River (Georgia and Alabama)	100,000.00		100,000.00
Choctawhatchee River (Florida and Alabama)	5,000.00		5,000.00
Warrior and Tombigbee rivers (Alabama and Mississippi)	204,000.00		204,000.00
Bayou Bartholomew (Louisiana and Arkansas)	4,000.00		4,000.00
Tensas River and Bayou Macon (Louisiana and Arkansas)	5,000.00		5,000.00
Arkansas River (Arkansas and Indian Territory)	100,000.00		100,000.00
Black River (Arkansas and Missouri)	8,000.00		8,000.00
Ouachita and Black rivers (Louisiana and Arkansas)	70,000.00		70,000.00
Current River (Arkansas and Missouri)	2,000.00		2,000.00
Cumberland River, below Nashville, Tenn	80,000.00		80,000.00
Tennessee River, below Chattanooga	50,000.00		50,000.00
Tennessee River, above Chattanooga	15,000.00		15,000.00
Wabash River (Indiana and Illinois; above and below Vincennes)	21,000.00		21,000.00
Ohio River	250,000.00		250,000.00
Menominee River (Wisconsin and Michigan)	15,000.00		15,000.00
St. Croix River (Wisconsin and Minnesota)	15,000.00		15,000.00
Mississippi River, between St. Paul and Minneapolis	100,000.00		100,000.00
Red and Atchafalaya rivers	40,000.00		40,000.00
Missouri River, between Stubbs Ferry and Sioux City	220,000.00		220,000.00
Upper Missouri River (snagging)	50,000.00		50,000.00
Upper Columbia and Snake rivers	5,000.00		5,000.00
Columbia River at Three Mile Rapids	150,000.00		150,000.00
Lower Willamette and Columbia rivers	100,000.00		100,000.00
Columbia River at Cascades, Oreg	50,000.00		50,000.00
Gauging waters of Columbia River	1,000.00		1,000.00
Columbia River, between Willamette River and Vancouver	67,000.00		67,000.00
Examinations, surveys, and contingencies of rivers and harbors	200,000.00		200,000.00
Cumberland River (Kentucky and Tennessee)	20,000.00		20,000.00
Harbor at Duluth, Minn., and Superior, Wis		3,130,553.00	3,130,553.00
Cumberland River, above Nashville		600,000.00	600,000.00
Falls of the Ohio River and Indiana Chute Falls		527,250.00	527,250.00
Ohio River (dams Nos. 2, 3, 4, and 5)		2,020,000.00	2,020,000.00
Mississippi River, between St. Paul and Missouri River		2,880,002.98	2,880,002.98
Mississippi River, between Missouri River and Ohio River		2,619,999.99	2,619,999.99
Mississippi River, between Head of Passes and Ohio River		8,999,999.00	8,999,999.00
Missouri River, between mouth and Sioux City		1,200,000.00	1,200,000.00
Willamette River, Portland to Eugene and Yamhill River, Oregon		200,000.00	200,000.00
Total	10,017,050.00	62,141,906.88	72,158,956.88

THE COMMITTEE'S SHARE.

Mr. Speaker, a cursory examination of this exhibit furnishes the explanation of the extraordinary activity witnessed in its behalf. The "pork," as it is facetiously termed, is judiciously distributed. There are, however, manifest inequalities apparent in this table, and in the one which I shall submit a moment later; still the distribution is so widespread that the nearly three-fourths vote which the bill received in its favor, rather than a two-thirds vote, should not occasion comment. The appropriations and contracts for some of the States, as shown by the table, will furnish revenue sufficient to maintain a large part of their population.

Mr. Speaker, I now pass from an analysis of the bill by States to a review of the appropriations made to States represented on the House River and Harbor Committee, and to States touching States directly represented on that committee. The committee consists of 17 members, and the States of New York, Oregon, Michigan, Pennsylvania, Wisconsin, Ohio, Massachusetts, Illinois, Minnesota, West Virgina, Missouri, Virginia, Mississippi, Georgia, Alabama, Arkansas, and Kentucky were directly represented thereon. The members of the committee repel the intimation that the bill is improvident. It may be well, however, to suggest that possibly their judgment is unconsciously influenced by the fact that the appropriations and authorized contracts wholly within their States aggregate $31,094,135.91, or nearly one-half the entire bill. Those liabilities, including the indefinite appropriation for the Monongahela Navigation Company, are: New York, $4,506,558; Oregon, $2,230,390; Michigan, $1,637,150; Pennsylvania, $4,307,000; Wisconsin, $513,177.91; Ohio, $1,710,000; Massachusetts, $1,574,000; Illinois, $6,648,960; Minnesota, $157,000; West Virginia, $1,237,500; Missouri, $55,000; Virginia, $334,000; Mississippi, $979,400; Georgia, $3,446,000; Alabama, $110,000; Arkansas, $153,000, and Kentucky, $1,495,000.

Moreover, if to these liabilities we add the $25,176,819 for projects in "one or more States" contiguous to States represented on the committee, exclusive of the Ohio, Mississippi, and Missouri rivers, it is obvious that the States directly and indirectly represented on the committee are beneficiaries at the expense of the taxpayers of the country to the extent of $56,270,954.91. In the presence of this exhibit comment upon the judgment of the committee becomes unnecessary, and an explanation is found for the enormous pressure exerted by members at the beginning of each Congress for assignment to service upon that committee.

UNWORTHY ITEMS.

The Secretary of War, in response to my inquiry, submits a statement of the Chief of Engineers, citing works reported by that office as unworthy of improvement or in other respects not desirable objects of expenditures, as follows:

Great Salt Pond	$40,000
Cape Vincent Harbor	25,000
Yaquina Bay	1,025,000
Rancocas River, Lumberton branch	2,000
Nandua Creek	3,000
Yellowstone River	10,000
Nestuca River	6,000
Yamhill River[1]	150,000
Puget Sound and tributary waters[2]	
Cooper Creek, repairing dikes[3]	2,500
Delaware River, repairing dikes[3]	3,000
Goodyear, Outer Brunswick Bar[4]	150,000
Rock Hall Inner Harbor	7,000
Wolf Lake, Indiana	8,000
Cape Charles	10,000
Lemon Creek	5,000
Academy Creek	7,000
	$1,453,500

Mr. Speaker, in referring to this class of appropriations, the Chief Engineer states, in further response to my inquiry, that "the total for items in the act for works which have been reported by the War Department as unworthy, and for items appearing to be of a personal nature, is about $1,500,000, but in nearly all cases the reports and facts in relation to such items were before the committee when the items were acted on, and in their opinion the items are proper." It seems, therefore, that the Committee on Rivers and Harbors overruled the judgment of the War Department when they favorably reported this class of items to the House.

YAQUINA BAY.

Inasmuch as the committee have assumed this responsibility, I desire to invite especial attention to the largest item on the list, the appropriation for Yaquina Bay, Oregon, inserted by the House committee. I have been unable to locate this bay on the regular map of the United States. But it appears from an examination of the engineer reports that the Government expended upon the improvement of the entrance to this bay, up to and including the appropriation of August 17, 1894, the sum of $676,093.34. This expenditure has resulted in deepening the channel from 7 and 8 feet, at the beginning of the work, to 12 and 15 feet at this time. The Chief of Engineers, in his annual report for 1895, asked for $25,000, which he said would complete the then existing project. Gen. T. L. Casey, then the Chief of Engineers, in a report dated January 18, 1895, stated:

It is the opinion of Captain Symons and of Col. G. H. Mendell, Corps of Engineers, the division engineer, that this locality is not worthy of further improvement by the General Government, and in this opinion I concur.

But notwithstanding the adverse report of this distinguished engineer officer, a board was created by the sundry civil act of March 2, 1895, to consider further improvements of Yaquina Bay. This board, as I am advised, made no recommendation of the project, but, as required by the act, simply reported the estimated

[1] Locks and dams.
[2] Some of them reported not worthy, but others desirable.
[3] Personal.
[4] Excess to be paid Goodyear over what Captain Carter says he can do it for.

cost; and it is to carry out this new scheme that $1,025,000 of liabilities is now incurred.

Commercial statistics show that for the year ending June 30, 1893, the total exports and imports at that point amounted to only 24,482 tons, valued at $964,408. There were five small steamers on the river and bay at that time, and the total number of passengers arriving and departing for the year ending June 30, 1893, was only 955. Two years later, or for the fiscal year ending June 30, 1895, the total exports and imports were 31,872 tons, valued at $712,652, while the number of steamers on the river and bay were but four small craft, and the number of passengers arriving and departing by sea for that year were 851. That is to say, it appears from this statement that, despite the money spent by the Government at that point, the value of the exports and imports decreased in the interval between 1893 and 1895 by $251,756, while there was also a falling off of 104 passengers arriving and departing during the same period, and one less boat operating on the bay and the river. These statistics show the commerce of the place to be inconsiderable. Indeed, the estimates given by the local engineer are furnished by interested parties, and hence are probably greatly magnified.

Mr. Speaker, this large appropriation is notoriously unworthy. I unhesitatingly challenge its propriety. It can serve no public purpose, and if debate had been permitted upon the reconsideration of the bill my intention was to challenge the attention of the House and the country to it. This exhibit also discloses two small items of appropriation for work to be done in repairing dikes which I am advised should be done at the expense of the lessees of public property, who are obligated by existing leases to keep them in good condition at their own expense.

NOT RECOMMENDED.

I come now, Mr. Speaker, to submit a list of appropriations carried in the bill which were made without the customary preliminary examination, no opinion having been expressed by the War Department as to the worthiness of the proposed improvements in their relation to the interests of commerce. It should be said, however, as to many of these items, that the reports of surveys as made by local officers may be accepted as recommendations. The list submitted by the Chief of Engineers is as follows:

Rockland Harbor, Maine	$403,500
Portland Harbor, Maine	766,250
New Bedford Harbor, Massachusetts	10,000
Block Island Harbor, Rhode Island	5,000
Bridgeport Harbor, Connecticut	28,000
Cos Cob Harbor and Miamus River, Connecticut	8,000
Newtown Creek, New York	392,000
Oswego Harbor, New York	60,000
Raritan Bay, New Jersey	75,000
Wilmington Harbor and Christiana River, Delaware	225,846
Baltimore Harbor, Maryland	400,000
Savannah Harbor, Georgia	1,005,000
Brunswick Harbor, Georgia	15,000
Ashtabula Harbor, Ohio	50,000
Cleveland Harbor, Ohio	860,000
Fairport Harbor, Ohio	30,000
Conneaut Harbor, Ohio	40,000
Calumet Harbor, Illinois	75,000
Presque Ile, Michigan	20,000
South Milwaukee Harbor, Wisconsin	5,000
Grays Harbor and Bar, Oregon	1,000,000
Sasanoa River, Maine	19,000
Merrimac River, Massachusetts	5,000
Pawcatuck River, Rhode Island	15,000
Providence River and Narragansett Bay, Rhode Island	25,000
Manokin River, Maryland	4,000
Pocomoke River, Maryland	5,000
Nandua Creek, Virginia	3,000
Manatee River, Florida	4,000
St. Johns River, Florida	200,000
Bayou Courtableau, Louisiana	2,500
Fox River, Wisconsin	37,500
Menominee River, Michigan	15,000
St. Croix River, Wisconsin	15,000
Calumet River, Illinois	50,000
Chicago River, Illinois	700,000
Mississippi River above St. Paul	100,000
Missouri River at Great Falls	15,000
Sacramento and Feather rivers, California	250,000
Lakes Union and Washington, Washington	150,000
Indian River, Negro Cut, Florida	7,500
Brunswick Outer Bar (Goodyear) (first $30,000 not included)	215,000
Yellow Mill Pond	10,000
Santa Monica or San Pedro board	50,000
Brazos board	5,000
Santa Monica and San Pedro work	(?) 2,900,000
Jamestown Island, Virginia	15,000
Levee Flint Creek to Iowa River	75,000
Missouri River (special localities)	310,000
Presque Isle (Lake Superior)	20,000
	10,696,096

Now, Mr. Speaker, section 13 of the act of August 17, 1894, provides:

That no preliminary examination, survey, project, or estimate for new works other than those designated in this act shall be made; and provided further, that after the regular or formal report on any examination, survey, project, or work under way, or proposed, is submitted, no supplemental or additional report or estimate for the same fiscal year shall be made unless ordered by a resolution of Congress.

The Chief of Engineers says, in transmitting this list, that the law above quoted prohibits the presentation of recommendations, plans, or estimates unless called for by joint resolution of Congress. Nevertheless, during the present session a large number of such joint resolutions have been passed, and many plans and estimates have been presented in conformity with such resolutions. He also states that—

It will be noted that while in some cases the local officer may give facts upon which an opinion can be formed as to merit of improvement the Secretary of War in transmitting the reports expresses no opinion. The majority of works in the ten-and-a-half millions list have been reported on in accordance with special resolutions calling for plans and estimates for either new or extended projects.

He further states, in another communication, that—

It seems necessary to say in this connection that nearly one-third of this sum of ten and a half millions is in a single item, which may be expended at a point that has never been officially recommended to Congress.

This single item is the project for a deep-water harbor for commerce either at Santa Monica Bay, California, or at San Pedro. It is hardly necessary to comment upon this scheme, as its purpose and its promoter are both familiar to the country. I may say, however, that I believe the policy of appropriating for projects not recommended by the War Department is wholly vicious and indefensible. I desire to emphasize this suggestion by the following extract from a Washington dispatch to the Philadelphia Inquirer of June 5, which is self-explanatory:

Philadelphians will be surprised to learn that they have really secured much more than they sought. The river and harbor bill as it came from the President and was passed over his veto has not been printed, but the Inquirer correspondent saw proof sheets of the bill to-day. He found therein an amendment to the Philadelphia Harbor item that has not yet been published. On inquiry he found that Senator QUAY had quietly secured the insertion of this amendment by the conference committee, and, with his usual modesty, had never mentioned it to the newspaper men.

The Quay amendment provides for a survey of the Delaware River, with a view to making a channel 600 feet wide by 30 feet deep, extending from a point at or near Philadelphia to the deep water at Delaware Bay. Of course the survey is merely preliminary, but if the report of the engineers of the War Department who will make this survey is favorable there is little doubt that a future Congress will make an appropriation sufficient to make this splendid improvement.

This dispatch shows that by the courtesy of the conference committee another scheme laying the foundation for a large expenditure has found a place in the bill.

Mr. Speaker, it is impracticable for me, as I stated at the outset, to note all the objectionable features that are carried in this bill. I have no expert knowledge in connection with the measure, and could not, without great labor, pursue this inquiry further. I note, however, that the bill recognizes as worthy of Government aid such great navigable streams as Otter Creek, East Chester Creek, Goshen Creek, Cooper Creek, Acquia Creek, Occoquan Creek, Lower Machodoc Creek, and Nandua Creek. It may be that these creeks are worthy of recognition. I do not assert to the contrary, because I have no information upon the question. There are also, as I am advised, appropriations for other streams, some of which never float any steamers and others but rarely, their sole commerce being limited to the business of rafting logs. I am informed that Elk River, Guyandotte River, and Gauley River, West Virginia, and Levisa Fork and Tug Fork of the Big Sandy River, Kentucky, belong to this class. It might therefore be aptly remarked that even in its smallest features this is a "log-rolling" bill.

CAPE CHARLES HARBOR.

I will now refer to perhaps the most objectionable appropriation other than those mentioned by the Chief of Engineers as unworthy of improvement. I refer to the appropriation for Cape Charles Harbor. This is an artificial basin at the southern terminus of the New York, Philadelphia and Norfolk Railroad. Prior to the construction of the railroad, some ten or twelve years since, it was a shallow pond on the farm of the late William L. Scott. The railroad company deepened the pond and connected it with the waters of Chesapeake Bay by a narrow channel. The basin was used to accommodate the barges of the railroad which connected it with Norfolk City. The Fifty-first Congress appropriated $25,000 for the improvement of this private harbor, all of which, with the exception of a small balance, has been expended. When the item was considered by the River and Harbor Committee of the Fifty-second Congress, the fact was brought for the first time to the attention of that committee that this harbor was a private harbor; and it was therefore provided in the river and harbor bill of July 13, 1892, that, before any part of the $10,000 then appropriated should be available, the owners of the basin should execute an instrument in writing satisfactory to the Secretary of War, giving to any and all vessels, upon any and all occasions, for all time to come, the right to enter and remain in said harbor and transact business therein without charge, except legitimate, usual, and reasonable wharf charges, to be determined by the Secretary of War in the event of disagreement. It was also provided that the company should dedicate a public road to the wharves of said harbor.

These requirements have not been complied with by the harbor's

owners—now the heirs of the late William L. Scott and the railroad company—Mr. Scott having, before his death, conveyed one-half of the harbor to the railroad. And the present bill even contains a proviso, inserted by the House committee, repealing the conditions imposed by the act of July 13, 1892, requiring the dedication of a public road and the opening of the harbor to all vessels. This House proviso was very properly stricken out by the Senate Committee on Commerce, but was finally allowed to retain its place in the bill, notwithstanding the sound objections of the Senate thereto.

It is hardly necessary, Mr. Speaker, to comment upon this appropriation. It is the appropriation of public money to improve a private harbor. It is, therefore, indefensible, and I commend the Senate committee for their action in disapproving it.

It may be pertinent in this connection to submit a few comments of the leading newspapers of the country in respect to this bill. I accordingly append to my remarks a very few, which may be taken as fairly indicative of the almost unanimous views of the press in condemnation of this measure.

CONCLUSION.

I only desire to add that, so far as I am able to ascertain, a considerable number of the appropriations and contracts authorized by the river and harbor bill are for worthy objects. I do not deny this proposition. Neither do I desire to be understood as imputing improper motives to the membership of either committee connected with the preparation of the bill, or to any gentleman who has given the measure his support. But I do most earnestly protest against items classed as unworthy by the Chief of Engineers, and also against the policy which enters upon large expenditures for internal improvements without approval in the usual way by the Secretary of War and the Chief of Engineers. I object further to the abuse of the continuing-contract system, which is imposing large obligations upon the revenues of both the present and the future at a time when the Government's current expenses exceed its current income.

The policy of continuing river and harbor contracts was inaugurated by the Fifty-first Congress in 1890, with a liability of but $13,282,979. In 1892 additional contracts of this kind were authorized amounting to $31,760,521, and in the present bill they are increased to $62,141,906.88. At this rate of increase the outstanding obligations of the Government on this account, which are just as sacred as other obligations, will, in the next bill, probably reach $100,000,000. Indeed, in the debate upon the measure when it was first considered by the House, the gentleman from Oregon [Mr. HERMANN], a leading member of the River and Harbor Committee, insisted that this bill ought to have carried $100,000,000 of authorized contracts! In view, therefore, of inadequate revenues and the prostrate condition of business, this bill becomes a wanton, inexcusable, and indefensible assault upon the people's Treasury. It authorizes the largest expenditure of public money ever carried by a single river and harbor bill since the adoption of the Constitution.

REPUBLICANS INDORSE BOND ISSUES.

Mr. Speaker, I desire to say, in conclusion, that some time since I charged the Republican party on this floor with being a do-nothing party. I arraigned the do-nothing policy, announced by the distinguished Speaker of the House, and by his almost equally eminent colleague [Mr. DINGLEY]. The arraignment is subject, however, to limitation as to appropriations of public money. In this respect the Republican party has actively pursued the policy of squandering the borrowed Treasury surplus. In "the good time coming," to which the gentleman from Illinois [Mr. CANNON] referred—if it shall come—I know you will "legislate," and I know we shall have another McKinley bill, twice over. [Loud applause on the Republican side.] I am glad you applaud that idea, but I doubt whether the country will do so. It will be necessary to enact about two McKinley bills to pay the mortgages you are imposing upon the Treasury of the United States, to say nothing of the manufacturers, who, it is alleged by the Republican Senator from New Hampshire [Mr. CHANDLER], are to be reimbursed for contributions made in the interest of the Presidential candidacy of a distinguished citizen of Ohio.

Mr. GROUT. And we shall want another such bill to pay the Cleveland bonds.

Mr. DOCKERY. Oh, Mr. Speaker, it does not lie in the mouth of the gentleman from Vermont to make that suggestion. I could make that suggestive criticism, and make it consistently. But the gentleman belongs to the Republican party, which, in December last, in this House, indorsed the policy of bond issues, and endeavored to give the Administration "additional" authority under the resumption act. Therefore, I say it does not lie in his mouth to arraign the Democratic Administration.

Mr. GROUT. I did not indorse the policy which made the issue of bonds necessary.

Mr. SAYERS. The gentleman on the other side introduced a bill appropriating $100,000,000 for coast defenses; and he almost rent his garments because the Appropriations Committee would not agree to it.

Mr. GROUT. That was to give the gentleman something to talk about.

Mr. DOCKERY. I was for a time at a loss to understand the applause of the gentleman from Vermont when I said the Republican party would be obliged to enact two McKinley bills. I understand it now, because two such bills will be needed to pay the enormous liabilities which the gentleman and the Republican party contemplate by bills such as that to which the gentleman from Texas refers.

Mr. Speaker, whatever I may say as a Democrat against the policy of bond issues—and I do not favor it, I never have favored it, and I do not expect ever to favor it—still it does not become the Republican party, after having indorsed the action of the President under the resumption act, and having sought to give him "additional" authority to issue three per cent bonds—it does not become them to arraign the President for his action in that regard.

And let me say another thing. If you [addressing the Republican side of the House] do not indorse the policy of bond issues, tell me why it is that the distinguished chairman of the Committee on Ways and Means, after having reported adversely the bill recently passed by the Senate prohibiting the issue of bonds without Congressional authority, has made no effort (although it is a privileged question) to call up that bill? [Applause on the Democratic side.]

Let the gentleman from Maine [Mr. DINGLEY] answer to the American people. Why has he not called up the bill to prohibit the further issue of bonds without the consent of the legislative branch of the Government, if he and his party are opposed to the policy of the President?

Mr. MAGUIRE. Why does he not do it now? We have plenty of time; and there is a quorum here.

Mr. DOCKERY. Certainly. As my friend from California suggests, and as gentlemen suggest all around me, why not call up that bill before this Congress adjourns?

Mr. PITNEY. Will the Democrats vote for it?

Mr. DOCKERY. Every Democrat on this floor will remain here to-morrow——

Mr. PITNEY. Will you vote for it or against it?

Mr. DOCKERY. For it, of course.

Mr. PITNEY. And stop the issue of bonds?

Mr. DOCKERY. Certainly, without the consent of the law-making power. I believe that every Democrat, whether he favors the bill or not, will remain here to-morrow and assist in making a quorum, if you will consent to call up the bill for consideration.

Again I challenge the gentleman from Maine, the able Republican leader on this floor, to tell the people why no effort has been made to pass the bill. Did you say lack of time? You have had a surplus of time in the closing days of this session, and you have employed it in reducing the Democratic minority on this floor, which at the outset numbered but 104. You have reduced this meager minority by unseating 11 Representatives. With but limited debate in some cases, and in others by the aid of grossly partisan decisions by temporary occupants of the chair, the people of those districts have been deprived of their chosen Representatives, and yet you will go before the people and say you had not the time in which to call up and consider important matters of legislation affecting millions of people in this country! [Applause.] Why, Mr. Speaker, only yesterday the ironclad provisions of the Tucker rule were invoked to secure a quorum to unseat that distinguished and intrepid young Democrat from Alabama [Mr. Underwood].

Mr. GROUT. Because he was not elected.

Mr. DOCKERY. And only a few days ago a temporary occupant of the chair violated, as it is alleged, the Constitution, the rules of the House, and a long line of precedents, to accomplish the splendid feat of unseating two Democratic Representatives in a single day.

Mr. MAHON. And you unseated JOY in forty minutes.

Mr. DOCKERY. There can therefore be no excuse for lack of time; no excuse for the lack of a quorum, since you have so large a majority that you can easily maintain a quorum if you so desire. Tell the people, if you will, why you evade this responsibility. The facts are, as I stated on a former occasion—and the country knows it—that you did not intend to attempt any economic or financial legislation at this session of Congress, but were coerced by the menacing business situation to present the Dingley tariff and bond bills, which were disapproved by a Republican-Populist Senate. You sought to postpone the disclosure of your own differences until after the November election. That was the policy of the Speaker, declared at the beginning of the session, and you approved it, as also the action of the President in respect to bond issues. Indeed, so emphatic is your approval that you refuse to call up for consideration the Senate bill forbidding the further increase of the bonded debt without the consent of Congress. [Applause.]

COMMENTS OF THE PRESS ON RIVER AND HARBOR BILL.

[From the Chicago Times-Herald.]

RIVER AND HARBOR BILL VETOED.

President Cleveland has returned without his approval the river and harbor bill adding $80,000,000 to projected Government expenditure.

The President declares that many of the objects for which the bill appropriates public money are not related to the public welfare, that many others are for the benefit of limited localities or in aid of individual interests. The veto is made the more necessary, in the judgment of the President, by the fact that the public Treasury is likely to be confronted with other appropriations at the present session of Congress amounting to more than $500,000,000.

The President delivers a hot shot on Congress by pointing out that the contracts provided for in the bill would create obligations of the United States amounting to $62,000,000, no less binding than United States bonds for that sum, "at a time when the issue of bonds to maintain the credit and financial standing of the country is a subject of criticism."

While many of the items in the river and harbor bill are justified by public necessity, the bill is beyond defense as a whole. The Congress that has passed it has been impotent for beneficient legislation and potent only for agitation and extravagance. The receipts of the Government from all sources for nine months ending March, 1896, were $250,609,840.05. The expenditures for the same period were $269,360,542.26. With no help from Congress the gap between the Treasury outgo and income constantly widens.

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[From the St. Louis Post-Dispatch.]

A PROPER VETO.

President Cleveland has vetoed the river and harbor bill. This is a veto which should meet with public commendation.

The river and harbor bill for years past has been a communism of pelf. One section has traded with all others, until these measures, instead of representing a legitimate public demand for necessary improvements, have come to be recognized as great pooling operations for the division of spoil.

The appropriations have been continually growing in size. The Fiftieth Congress appropriated $22,397,000, the Fifty-first $25,136,000. The bill which the President has just vetoed appropriates $76,773,610, and $64,211,760 of this is to be expended in "continuous-contract work," to be continued indefinitely and at increasing public expense. It is to this feature of the bill, more glaring in this bill than in any previous measure of the kind, that the President most strongly objects.

The veto should not be overridden, but there is no assurance that it will not be. The representatives of every section will insist upon having their share of the swag. Such bills become stronger the more objectionable features they contain.

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[From the Kansas City Times.]

RIVERS AND HARBORS STEAL.

No man who is informed as to the inside facts can help acknowledging the justice and honesty of President Cleveland's veto of the rivers and harbors bill. While this section is deeply, vitally, interested in the matter, we are bound to admit that the few meritorious features of the bill have been for years covered over, hidden, and overshadowed by a stupendous superstructure of fraudulent and unworthy schemes.

The custom has grown up of allowing almost every Congressman a slice out of the Treasury to help him in his district, and the way it is done is to make an appropriation for his district—that is, if it can boast a brook or stream big enough to float a chip in a high dew—and put it in the rivers and harbors bill.

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[From the St. Louis Globe-Democrat.]

The river and harbor bill, which authorizes contracts amounting to over $62,000,000, and which has been passed over the veto, is a pretty bad measure, as a whole, though, of course, it has some good provisions. River and harbor bills have caused more trouble to Congresses and Presidents than any three of the other regular money bills of the Government. Many of them have encountered the veto, and a few of them, like the present one, have secured enough votes to override that barrier. The experience with river and harbor bills shows the desirability of giving the President the power which some governors have to veto provisions in appropriation bills without affecting the other items in the measures.

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[From the Kansas City Star.]

A COMMENDABLE VETO.

In vetoing the river and harbor bill President Cleveland performed a plain constitutional and patriotic duty. For this act, involving courage and intelligence, he probably deserves no special praise, for the consciousness of obligations fulfilled is ample recompense to a faithful public servant. But neither does he merit censure for the performance of an obvious duty, however much the consequence may disappoint this man interested or that section concerned. There will be plenty ready to blame, however, and the selfishness of personal interests will find pegs to hang objections on until the country is deluged with the plaints and complaints of log-rolling Congressmen and their friends, and disgusted with the sordidness of modern statesmanship.

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[From the New York Herald.]

A VETO DESERVING OF ALL PRAISE.

For vetoing the river and harbor appropriation bill the President deserves the thanks of the country, not only for the act itself, but for the manner of doing it.

This bill is always the favorite picklock by which selfish and unscrupulous legislators get at the public funds for the benefit of themselves through their constituents. It has been a growing abuse, the bill just vetoed having involved an expenditure of about $80,000,000.

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[From the Chicago Tribune.]

RIVER AND HARBOR BILL VETOED.

President Cleveland has vetoed the river and harbor bill because of its alleged extravagance. The immediate expenditure contemplated by this bill is, he says, nearly fourteen millions, while another bill appropriates over three millions for similar purposes. The one he vetoes also authorizes continuing contracts amounting to more than sixty-two millions.

There seems to be no doubt that the bill will be passed over his veto by both Houses. The heavier the amount a river and harbor bill carries the easier is it generally to force it through, regardless of the condition of the Treasury and the total lack of merit of half the items.

[From the New York World.]

THE RIVER AND HARBOR VETO.

It will be much easier for Congress to pass the river and harbor bill over the President's veto than it will be to controvert any one of the many good reasons he gave for the veto in yesterday's message.

The amount of money appropriated by the bill is unprecedented, and in addition to the expenditures it directly sanctions it provides for surveys and expenditures which contemplate new work and further contracts. It provides for continuing work on improvements where costly work in the past has proved a failure. It includes objects which are not related to the public welfare, and of which many are palpably for the benefit of limited localities or in aid of individual interests. It also includes work not approved by the examining engineers, and even work which private parties have agreed to do in consideration of their occupancy of public property.

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[From the Chicago Record.]

Congress is especially to be criticised for extravagance in appropriations at a time when the Government revenues are small. Attention is called to this point by the President. It looks very much as if the way was being prepared by Congress and an excuse devised for the enactment of another high-tariff law as soon as there shall be a change of Administration.

It has been expected, even in Congress, that the President would veto this bill just as he has done. In anticipation of such action adjournment was delayed long enough to give an opportunity to pass the measure over the veto. The objections of the President are to be overridden, not because they are ill-taken, but simply because there may be votes enough to do so. This will be a sorry spectacle if the programme is carried out. The Presidential veto will receive the sanction of calm-minded men generally.

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[From the Baltimore Sun.]

VETO OF THE RIVER AND HARBOR BILL.

The President gives some cogent reasons for his veto of the river and harbor bill. The amount appropriated for almost immediate expenditure is about $17,000,000, and in addition contracts are authorized for $62,000,000. The latter sum, as is aptly pointed out, would be as binding upon the Government as an issue of bonds, and the President shows that at this time of business depression and resulting disappointment in Government revenue, extravagant appropriations are altogether out of the question. "Individual economy and careful expenditure are sterling virtues," says the President. "Economy and the exaction of clear justification for the appropriation of public moneys by the servants of the people are not only virtues, but solemn obligations." Leaving out the appropriation for rivers and harbors, the present Congress has already authorized expenditures amounting to more than $500,000,000, and has shown a reckless disregard of existing conditions.

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[From the St. Louis Republic.]

OVER THE VETO.

Many millions of dollars of the taxpayers' money are squandered in personal and political jobs by the passage over Mr. Cleveland's veto of the bill that was hatched in REED's Committee on Rivers and Harbors.

Collis P. Huntington's Santa Monica job, instead of being killed outright, as it ought to have been, by the advice of all engineers who have examined the harbors of Santa Monica and San Pedro, is hung up subject to the report of a commission to be appointed hereafter.

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[From the Washington Post.]

THE RIVER AND HARBOR BILL.

We think that the judgment and the conscience of the country will sustain the President in his veto of the river and harbor bill. In a few terse and pregnant sentences he has drawn a vivid picture of the extravagant wastefulness contemplated by that measure, and has shown that not only is the Treasury at this time unable to meet so vast an addition to its liabilities, but that a very considerable proportion of these proposed liabilities can be traced to favoritism, to deliberate prodigality, and to reckless improvidence.

Of course we regard it as a great pity that works of really serious national importance are to be curtailed and in some cases suspended altogether. We fully realize the harm that would be done to our domestic commerce by the neglect of such great highways as the Ohio and the Mississippi rivers, and of various harbors which require constant attention in order to preserve their usefulness as outlets of American trade. We regret very much that the President could not have ordained the continued prosecution of such enterprises and at the same time cut off the objectionable items which everybody knows are inserted for no public end, but simply for the promotion of private aspirations. This, unfortunately, he could not do, and so, as we believe righteously and wisely, he has condemned the whole measure rather than consent to what he regards as an iniquity. As we say, it seems to us Mr. Cleveland has done well. This river and harbor business has long been regarded with suspicion and discontent. In many respects it has become scandalous. Within the past twenty years millions and millions have been wasted upon unknown duck ponds, remote hog wallows, utterly useless and irreparable no-thoroughfares. Appropriations have been made for rivers not down upon any map, and in some cases unknown to the member for the district in which the river was supposed to be located. Everybody knows that the thing has become disreputable. Everybody knows that the legitimate works of the Government, such as we have referred to above, have been made the pretext upon which to draw untold millions from the Treasury for enterprises wholly illegitimate and notoriously futile. Men have kept themselves in Congress by virtue of their supposed success in securing these ridiculous appropriations. The public service and the public conscience have been debauched by these untoward practices.

Now the thing has attained proportions which the President can not bring himself to countenance. He has vetoed the bill, and, in our opinion, the intelligence and the patriotism of the country will sustain him.

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[From the St. Louis Republic.]

NOT CLEVELAND'S VETO.

President Cleveland vetoed the river and harbor bill, but the real authors of the veto were the greedy jobbers who rushed in to get personal and political grabs out of a useful and necessary public measure.

It is disgraceful that the Government can not give money for the ease of commerce and navigation without giving $5 to blackmailing schemes for every dollar legitimately expended.

—

[From the Chicago Times-Herald.]

The New York Evening Post says: "Only one President before Cleveland ever vetoed a river and harbor bill. On the 1st of August, 1882, Mr. Arthur

sent back with his objections a measure calling for an appropriation of $18,743,875, because many of its provisions were 'entirely for the benefit of particular localities,' and not for the promotion of commerce among the States. Congress made short work of the veto, the House repassing the bill by a vote of 122 to 59 and the Senate by 41 to 16, although the Republicans were in control of Congress and the President was Republican."

As this is the second time a prominent newspaper has made this quite erroneous statement, it may be as well to correct it before it spreads any further.

December 6, 1832, President Jackson vetoed a river and harbor bill on the ground

That there is a class of appropriations in the bill for the improvement of streams that are not navigable, that are not channels of commerce, and that do not pertain to the harbors or ports of entry designated by any law, or have any ascertained connection with the usual establishments for the security of commerce, external or internal.

June 11, 1844, President Tyler vetoed "An act making appropriations for the improvement of certain harbors and rivers."

August 3, 1846, President Polk vetoed a river and harbor bill, his reasons being substantially the same as those of President Tyler, that such appropriations are unconstitutional.

December 30, 1854, President Pierce vetoed a river and harbor bill, going into the question of the constitutionality of the measure at great length, and holding that appropriations by the General Government should be confined to works necessary to the execution of its undoubted powers, and of leaving all others to individual enterprise or to the separate States.

President Buchanan also vetoed bills for the improvement of the St. Clair Flats and of the Mississippi River on constitutional grounds.

President Grant in August, 1876, signed a river and harbor bill, but sent to Congress a most extraordinary protest against it, in which he said:

"Many appropriations are made for works of purely private or local interest, in no sense national. I can not give my sanction to these, and will take care that during my term of office no public money shall be expended upon them. * * * Under no circumstances will I allow expenditures upon works not clearly national."

The veto by President Arthur, above mentioned, was the next in order, and was the only one that was overruled by Congress.

TABLE B.—*Appropriations made by the Fifty-first, Fifty-second, and Fifty-third Congresses, and first session of the Fifty-fourth Congress, fiscal years 1891 to 1897, inclusive.*

Title.	Fifty-first Congress.		Fifty-second Congress.		Fifty-third Congress.		Fifty-fourth Congress.
	First session, 1891.	Second session, 1892.	First session, 1893.	Second session, 1894.	Extra and first regular sessions, 1895.	Third session, 1896.	First session, 1897.
Agriculture	$1,799,100.00	$3,028,153.50	$3,232,995.50	$3,323,500.00	$3,223,623.06	$3,303,750.00	$3,255,532.00
Army	24,206,471.79	24,613,529.19	24,308,499.82	24,225,639.78	23,592,884.68	23,252,608.09	23,278,402.73
Diplomatic and consular	1,710,815.00	1,656,925.00	1,604,045.00	1,557,445.00	1,563,918.76	1,574,458.76	1,642,558.76
District of Columbia	5,769,544.15	5,597,125.17	5,317,973.27	5,413,223.91	5,545,678.57	5,745,443.25	5,905,082.48
Fortifications	4,232,935.00	3,774,803.00	2,734,276.00	2,210,055.00	2,427,004.00	1,904,957.50	7,397,888.00
Indian	7,262,016.02	16,386,284.86	7,664,047.84	7,854,240.38	10,659,565.16	8,762,751.24	*f* 7,390,496.79
Legislative, etc	21,090,752.75	22,027,674.75	21,900,132.97	21,865,802.81	21,905,583.29	21,891,718.08	21,518,834.71
Military Academy	435,296.11	402,064.64	428,917.33	432,556.12	406,535.08	464,261.66	449,525.61
Navy	24,136,035.53	31,541,654.78	23,543,385.00	22,104,061.38	25,327,126.72	29,416,245.31	30,562,739.95
Pension, including deficiencies *a*	123,779,368.35	164,550,383.34	154,411,682.00	180,681,074.85	151,581,570.00	141,381,570.00	141,328,580.00
Post-Office	72,226,698.99	77,907,222.61	80,331,276.73	84,004,314.22	87,236,599.55	89,545,997.86	92,571,564.22
River and harbor	25,136,295.00		21,154,218.00		11,643,180.00	(*g*)	*h* 12,621,800.00
Sundry civil	*b* 31,100,341.38	*c* 38,388,552.73	27,665,076.93	41,716,311.15	34,253,775.55	*i* 46,568,160.40	33,031,152.19
Deficiencies, except for pensions	13,295,541.61	9,364,148.62	8,230,859.50	8,127,361.51	11,811,004.06	9,825,374.82	*j* 15,326,503.05
Total	356,121,211.68	399,238,522.19	382,527,385.89	403,515,586.11	390,578,048.48	383,636,896.97	396,280,660.49
Miscellaneous	7,010,905.27	*d* 19,498,531.10	3,208,922.82	520,499.18	577,956.55	297,667.37	*k* 425,000.00
Total regular annual appropriations	363,132,116.95	418,737,053.29	385,736,308.71	404,036,085.29	391,156,005.03	383,934,564.34	396,705,660.49
Permanent annual appropriations	*e* 131,324,131.70	*e* 122,486,808.00	*e* 121,863,880.00	*e* 115,468,273.92	*e* 101,074,680.00	*e* 113,073,956.32	*e* 119,054,160.00
Total	494,456,248.65	541,223,861.29	507,600,188.71	519,504,359.21	492,230,685.03	497,008,520.66	515,759,820.49
Total Fifty-first, Fifty-second, and Fifty-third Congresses	1,035,680,109.94		1,027,104,547.92		989,239,205.69		

a Deficiencies included as follows: 1891, on account of 1890, $25,321,907.25; 1892, on account of 1891, $29,335,598.34; 1893, on account of 1892, $7,674,332; 1894, on account of 1893, $14,149,724.85.

b This amount includes $1,362,059.16 actual expenditures under indefinite appropriations for pay and bounty claims.

c This amount includes $978,188.74 actual expenditures under indefinite appropriations for pay and bounty claims.

d This amount includes $15,227,000 for refund of direct taxes in addition to the specific sum of $500,000 appropriated for that purpose.

e This is the amount originally submitted to Congress by the Secretary of the Treasury as estimated to be necessary under permanent specific and permanent indefinite appropriations, except that to the amount thus submitted for 1891, $101,628,453, there are added expenditures under permanent appropriations made by the Fifty-first Congress subsequent to said estimate, as follows: Salaries diplomatic and consular service, $27,756.79; redemption national-bank notes, $23,553,298.50; expenses of Treasury notes, $218,362.60; coinage of silver bullion, $210,893.14; rebate tobacco tax, $770,082.39; and repayments to importers and for debentures and drawbacks, customs service, $4,915,285.28; in all, $29,695,678.70.

f This sum is exclusive of $1,660,000 for second installment on account of purchase of Cherokee Outlet, which has been paid under "permanent annual appropriations," but is not included in the estimates thereunder for 1897. A like sum was included in the Indian appropriation act passed at the last session of the last Congress.

g No river and harbor act was passed during the last session, but the sundry civil act of that session carried $11,287,115 for river and harbor works under contract, while the sundry civil act of this session appropriates only $3,284,597 for such works.

h This does not include $3,000,000 estimated to be necessary under indefinite appropriation made in river and harbor act of this session to purchase property of Monongahela Navigation Company.

i This sum includes $5,238,289.08 to pay sugar bounty under legislation enacted by the Fifty-first Congress.

j This sum includes $1,496,679.56 for objects that are in no sense deficiencies; $3,614,133.77 to pay judgments of the courts and audited accounts certified by the accounting officers for 1893 and prior fiscal years; in all, $5,110,813.33.

k Estimated.

Mr. DINGLEY. Mr. Speaker, as I listened to the remarks of my friend the gentleman from Missouri [Mr. DOCKERY] in his assault on this Republican House and the Republican party, I was reminded of the quaint saying of Josh Billings, that "it is better to not know so many things, than it is to know so many things that ain't so." [Applause and laughter.]

I have been wondering for some time what the gentlemen who are standing up here to-day to defend the condition of things which we have had during the past three years under complete Democratic control would say on the stump in the coming campaign; and we have just been having some little anticipation of the lame defense they propose to make.

In November, 1892, there was a national election which decreed a revolution from the economic policy which had prevailed in this country for more than thirty years, and that the Democratic party should try its hand in running the Government. In that year, 1892, culminated this period of a protective policy of thirty years. This country was enjoying then such prosperity as even it, with all the prosperity that it had before, had never previously enjoyed. [Applause on the Republican side.] We found at that time every mill in operation, every spindle running in this country, every man, woman, and child that needed work obtaining it at good wages; we found prosperity everywhere. Although in revising the tariff in 1890 on the protective lines which had been maintained since 1861, we had reduced the revenues by removing the duty on sugar, surrendering some sixty millions of revenue on an article as necessary to every family as flour, yet in the fiscal years 1891 and also in 1892 and the first half of 1893 we had revenue enough to meet every dollar of the current expenditures of the Government, to pay the interest on the war debt, and to meet the payment of pensions to the boys in blue, with a surplus each year. [Applause on the Republican side.]

Mr. MAHON. And to pay for a number of bonds at the same time.

Mr. DINGLEY (continuing). And at the same time we were able to reduce the interest-bearing indebtedness of the country.

The reduction of the interest-bearing debt from March 1, 1865, to March 1, 1893, under the Republican policy which prevailed during these twenty-eight years (for even in President Cleveland's first term he was simply executing Republican policy), was over $1,900,000,000—an annual debt reduction of $68,000,000—the reduction in four-year periods having been as follows:

March 1, 1865, to March 1, 1869	$280,430,492
March 1, 1869, to March 1, 1873	403,948,484
March 1, 1873, to March 1, 1877	65,204,017
March 1, 1877, to March 1, 1881	73,646,781
March 1, 1881, to March 1, 1885	480,161,982
March 1, 1885, to March 1, 1889	341,448,449
March 1, 1889, to March 1, 1893	259,071,960
Total reduction in twenty-eight years	1,903,961,167
Average annual reduction	68,000,000

INCREASE OF INTEREST-BEARING DEBT.

March 1, 1893, to March 1, 1896	$262,602,245
Average annual increase	87,534,081

In 1892, after the census statistics of 1890 had exhibited the progress of the United States between 1880 and 1890, Mr. Mulhall, the celebrated English statistician, in his work entitled The Balance Sheet of the World, stated in a single paragraph his conclusions as to the wonderful prosperity of this country. This was just before the election of 1892, an election that decreed that the Democratic party should be given the complete control of this country. Let me read what Mr. Mulhall said:

It would be impossible—

Said he—

to find in history a parallel to the progress of the United States in the last ten years.

[Prolonged applause on the Republican side.]

Every day that the sun rises upon the American people—

He added—

it sees the addition of two and one-half millions of dollars to the accumulation of wealth in the Republic, which is one-third of the daily accumulation of all mankind outside of the United States.

[Applause on the Republican side.]

For thirty years this unparalleled prosperity in this land under Republican rule and a protective policy had been going on, and in the ten years from 1880 to 1890, according to Mr. Mulhall, this prosperity had reached a magnitude unparalleled in the history of the world.

And yet there are those who are trying to make the people believe that some legislation respecting the unlimited coinage of silver in 1873—legislation which operated from 1879 to 1892, during this period of unparalleled prosperity, precisely as it has since 1892—is the cause of the woes of the past three years. But the people will not be deluded by such transparent deception.

Mr. Speaker, there need not be any doubt as to what caused the sudden change from this great prosperity which had continued for so many years up to the close of 1892 and that deep adversity into which the country has been plunged since the beginning of 1893. The elections of 1892 decreed the advent of the Democratic party to power, with the anticipated revolutionary change in the tariff policy. When it became known that that change would take place, the tariff of 1890, which had given us up to that time abundant revenue, began to yield less, because of the fact that business men began to anticipate the revolution that was to come and to prepare for it. The distinguished Senator from Missouri [Mr. VEST] in 1894 said in the Senate that of course every business man in the country began at the opening of 1893 to prepare for the economic change that was coming. Mills began to restrict their output and jobbers their orders, and workingmen were discharged in January and February, 1893. Why? Because the elections had decreed a revolutionary change in our economic system that bade business men prepare for the new basis of competition created by reduced duties on foreign competing goods. So from that time the revenue under the tariff, that had been previously abundant, began to decline, for revenue always rises and falls with business conditions. Revenue under the tariff of 1890 that would have been abundant if it had been understood that the protective economic system was to continue, began to decline. The impending change began to bear its fruits at once.

Early in the autumn of 1892, when it was supposed that there would be no change in our protective system, Secretary of the Treasury Foster, in making his estimates, said that the revenue for the fiscal year 1894, under the tariff then in force, judging from the fact that there had been a continuous increase of revenue up to that time under the tariff of 1890, would be sufficient to meet all expenditures and leave $20,000,000 of surplus. In the latter part of January, 1893, just before the present Democratic Administration came in, Secretary Foster came by request before the Committee on Ways and Means and stated at that time that in view of the threatened change in our economic system he must revise his estimate of the early autumn of 1892; and that was when he said that $50,000,000 more would be necessary, after it had been voted to place the Democratic party in complete power. [Applause on the Republican side.]

And yet the gentleman from Missouri is quoting the statement of Secretary Foster in the winter of 1893, in correction of his estimate made in the autumn of 1892, as if he had asked for an increase of revenue before it was definitely known that the Democratic party had secured all branches of the Government instead of after. He made this change in his estimates because of the result of that election and because of his belief that the advent of the Democratic party to full power with its announced policy of overthrowing protection would impair industries and business and result in a falling off of revenue.

And Secretary Foster was right. In the early part of 1893, as I have said, in anticipation of the overthrow of the economic system of protection, the transfer of industries to Europe, and the near advent of a lower wage basis of competition, mills began to reduce their output, employees were discharged, wages in many cases were reduced, and the demand for goods began to diminish in consequence of the diminished purchasing power of the people. And that is what has been going on ever since that time. What is the trouble in this country? The trouble is that under this new economic system, demanding an adjustment of our industries to a lower wage basis—for wages have been necessarily reduced in consequence of this new adjustment—we have had diminished consumption, and diminished consumption has made gorged markets and diminished prices, as it always does. You would suppose that the consumption of wheat would be substantially the same from year to year per head, yet we find that even the consumption of wheat in the United States last year was 25 per cent less per head than in 1892. Why was that? Because of the diminished purchasing power of the people, and that was caused by the fact that this first anticipated and then partially realized revolution in the tariff act of 1894 resulted not only in diminished opportunities for labor and reduced wages, but caused at the same time an increase of importation of goods which we had formerly made ourselves. This has been going on during the past three years, and the end is not yet.

In 1892, for example, we imported only $36,000,000 of woolen goods, from which the Treasury received $34,000,000 revenue. Under the new tariff, in the calendar year 1895, we imported nearly $60,000,000 of woolen goods (notwithstanding our people were using less of such goods in 1895 than in 1892), from which we received a revenue of only $27,000,000. From wool and woolens together we obtained a revenue of nearly $44,000,000 in 1892, while we received only $27,000,000 from both in 1895. Thus we lost $17,000,000 in revenue from these two articles, and at the same time the manufacture of $30,000,000 of woolen goods was transferred to Europe, and thousands of American workingmen deprived of employment.

And the distrust caused by this paralysis of our industries and business, and the conversion of a surplus into a deficiency, has not only affected the resources and credit of the Government, but also every department of trade. It caused a falling off in the revenue, and the falling off in the revenue produced a deficiency and increased the distrust which economic paralysis had at first produced, and that distrust has gone on strengthening all the time. And the agitation for 16 to 1 free silver (which means a depreciation of the currency) has greatly aided in making the distrust chronic. The inevitable result was a run upon our coin-redemption fund, which has been increased and been made chronic by the failure of the Treasury to promptly replenish the reserve in April, 1893, and the use of the redeemed greenbacks to meet current expenses because of a failure of revenue.

From 1879 to 1893, with a surplus of revenues to replenish the gold reserve, with the coin-redemption fund perfectly maintained, and the knowledge that the Treasury had the power to borrow to maintain this fund in an exigency, with industries flourishing and everyone at work, confidence reigned supreme, and during the fourteen years from 1879 to 1893 less than forty millions of United States legal-tender demand notes—less than three and one-half millions per annum—were presented for redemption, while since the beginning of 1893 over three hundred and seventy millions of greenbacks have been presented for redemption. Confidence was maintained during all that period from 1879 to 1893, and so long as this confidence existed greenbacks were preferred to gold.

Thus from the breaking down of our industries, because of first the anticipated and then the partially realized overthrow of our protective policy, there came all throughout this country a paralysis of business, a lack of revenue, a run upon our coin-redemption fund, and then from lack of revenue the necessity of using the redeemed greenbacks to meet the deficiency; and the moment that the redeemed greenbacks were used for that purpose they were placed in a position to be immediately returned for another redemption, making the endless chain of which Secretary Carlisle complains, but which the Administration declines to break by aiding in securing sufficient revenue to make it unnecessary to use the redeemed greenbacks to meet a deficiency.

Mr. SAYERS. Does not the law require that just as soon as a greenback is redeemed it shall be reissued?

Mr. DINGLEY. It does not. The law prohibits the cancellation and retirement of the greenback, but how long the greenbacks may be held in the Treasury is a matter left to the discretion of the Secretary of the Treasury; and all through these years, from 1878 to 1896, there has not been a year but what there have been constantly in the Treasury of the United States from $30,000,000 to $100,000,000 of greenbacks, notwithstanding the law of 1878.

Mr. SAYERS. Will my friend allow me? Because I am asking him a question in good faith.

Mr. DINGLEY. Certainly.

Mr. SAYERS. Was it not the spirit of the law to require the

reissuance of the greenbacks when presented for redemption? Was not the spirit of that law that the greenbacks should immediately go back to the country?

Mr. DINGLEY. They did not from 1878.

Mr. SAYERS. I am not asking what they did.

Mr. DINGLEY. It was not the spirit of the law, either. The law of 1878 prohibited the retirement and cancellation of the greenbacks—nothing more.

Mr. MARSH. At the time that law was passed the Treasury Department, under the operation of the law, was burning the greenbacks.

Mr. DINGLEY. They were redeemed and canceled as they came into the Treasury from 1875 to 1878——

Mr. MARSH. That law was passed for the purpose of preventing the Treasury from burning and destroying the greenbacks.

Mr. DINGLEY. Certainly, and for no other purpose; and it has never been construed by any Secretary of the Treasury as a prohibition of a temporary holding of greenbacks in the Treasury.

I want to say, in reference to what has already been said, that this distrust in the country will never be stopped until the revenue shall be more than the expenditures and all doubts as to the stability of our currency removed. [Loud applause on the Republican side.]

There are two sources from which the coin redemption fund can be replenished under the resumption act of 1875. It may be replenished from the surplus revenue; and from 1879 to 1893, under Republican management, the surplus revenue was sufficient to keep up the coin redemption fund without issuing a single bond, and pay off a large portion of the public debt [loud applause on the Republican side], and that is the condition to which we propose to return if the people give us a Republican Senate and President to cooperate with a Republican House. [Renewed applause.]

Let me repeat: The remedy is to furnish revenue enough to meet every dollar of the current expenditures and leave a surplus to be added for the use of the coin redemption fund, as a first step; an emphatic verdict of the people against the efforts to degrade our currency; and then, in view of the fact that the present distrust has become chronic, such further measures as will make our currency system responsive to the demands of business. We complain, Mr. Speaker, that as soon as it became known that the tariff act of 1894 would not produce revenue enough, a year and a half ago, with the Democratic party in control of both Houses of Congress and having the President, they have been continually singing the song, "Revenue enough, or will be next week," and refusing to increase the revenue to meet the current expenses of the Government. So when we came here last December, with a Republican House and a Democratic and Populist Senate, what confronted us? The fact that up to the 1st of January last there had been a deficiency of revenue amounting to nearly $130,000,000.

Now, what was our duty in these premises? What did we have to face? To be sure we could not proceed—in view of the fact that there was a Democratic and Populistic Senate and a Democratic President—to revise the tariff on our lines, because we knew it would do no good, it would be a loss of time, and that while valuable time was being lost there would continue to be an increase in the deficiency.

When the Speaker of the House, at the beginning of the session of Congress, spoke of the fact that we should not be able to revise the tariff on our lines, he spoke what everyone knew was true in the matter. But he did not intend—neither did any of his friends understand that he did—to have it inferred that it was not our duty to take hold of the matter and endeavor to provide more revenue; and while there was no possibility of passing a general tariff bill, it was our duty to offer revenue for the purpose of meeting this deficiency. Hence, what did we do? Within five days after the committees of this House were organized we passed through the House, not a bill framed on Republican protective lines, but a bill to continue only two years and a half, so modified that every patriot who wanted to serve his country and furnish forty millions of revenue and stop this deficiency and distrust in the country could support it. [Loud applause on the Republican side.]

Mr. GROUT. And every Democrat voted against it.

Mr. DINGLEY. We supposed we should have the support of all patriots and not a following of party lines; but we saw every Democrat and every Populist in this House vote against that bill, thus practically saying they would not have more revenue. That bill was sent to the Senate; and what was done with it by a combination of Democrats and Populists having a majority of 1 in that body? Having 1 majority of the Senate entirely outside of any other members of that body, they deliberately voted not even to consider that revenue bill, and up to this hour it has not been taken up, either to act on the proposition of the House or to propose something in the nature of a substitute that would furnish revenue. Not a thing has been done with it. Every Democrat and every Populist in this House and in the Senate has been opposing every step that could be taken in that direction.

Mr. SAYERS. Does the gentleman call the Senators from Montana Populists?

Mr. DINGLEY. I say, without any reference to the five so-called silver Republicans, who abandoned their party on that question and cooperated with the opposition, that the Democrats and Populists, known distinctly as such, had control of the Senate by a majority of 1. Gentlemen on the other side understand that very well, and they must not endeavor to shirk their responsibility by seeking to put some of it on the shoulders of other persons. The responsibility belongs with them, and they will have to take it before the people of this country. [Applause on the Republican side.]

What was said on the other side? Gentlemen told us that "next week" or "next month" we should have revenue enough; but, in fact, there has been a deficiency of $10,000,000 in current expenses since the 1st of January last, and a further deficiency of $11,000,000 caused by the necessary payment of maturing Pacific Railroad bonds: making a deficiency of $21,000,000 since the House passed a bill offering $40,000,000 increase of revenue to stop this deficiency.

Mr. HAINER of Nebraska. To that must be added $6,000,000 for the sugar bounties.

Mr. DINGLEY. Yes; and the deficiency is still going on; and our complaint is that they have persisted in refusing to raise more revenue, and thus made necessary the issuance of so many bonds. That is the complaint against them, that their policy has produced the conditions which have brought about this situation, and they refuse to correct those conditions. In the absence of revenue there is nothing to do, unless the Government is to be stopped, but to use the greenbacks redeemed by the proceeds of bond sales to pay so much of the expenditures of the Government as are not met by revenue, and thus place these redeemed greenbacks in a position to be presented again for redemption. But those who refuse to provide revenue are responsible for maintaining conditions that make such use necessary. And the majority of the Senate sent to the House a substitute bill proposing to allow private owners of silver to take their silver in unlimited quantities to our mints and have each 50 cents' worth of that silver coined into a standard dollar and returned to such private owners—a measure of great temporary profit to the private holders of silver, and in the end one which would inevitably drive out gold and leave us nothing but silver as metallic money, and would place this country on the silver basis of Mexico.

The decided vote by which the House refused to concur in this Senate proposition to debase our currency—only 90 members (58 Democrats, 7 Populists, and 25 Republicans) favoring, while 183 Republicans and 32 Democrats opposed it—affords a most instructive object lesson to the people of this country, which will not be lost sight of in the campaign before us.

Mr. Speaker, I need not point out other important and beneficial measures which the House has passed and sent to the Senate—such as the bill requiring that in the future immigrants coming here to become a part of our body politic shall be able to read and write their own language; the bankruptcy bill; the bill abolishing the fee system in paying United States district attorneys and United States marshals; the "filled cheese" bill, so called, to protect the dairy interests of the country; the bill to amend the administrative customs laws so as to prevent, so far as possible, undervaluations; the bill to establish a labor commission to investigate labor questions, etc.; and other bills of importance; but the Senate took up and passed only two of these bills.

Mr. Speaker, the gentleman from Missouri has endeavored to give the impression that the appropriations of this Congress exceed those of other Congresses, particularly those of recent years; but there is not the slightest foundation for this representation. The total appropriations made by this Congress, including the permanent appropriations, will reach not far from $515,000,000. But it should be borne in mind that nearly $15,000,000 of this is simply the increased interest arising from the issue of $262,000,000 of bonds by the present Democratic Administration and the increase of estimate for sinking fund due to the issue of these bonds. This leaves the appropriations at the first session of the Fifty-fourth Congress, compared on the basis of former appropriations, about $500,000,000; and this is substantially the appropriations heretofore.

It should be borne in mind that this appropriation includes an estimate of about $50,000,000 for the sinking fund, which is simply an estimate for a reduction of the interest-bearing debt, and not an item of current expenditure. This leaves the aggregate appropriations for carrying on the Government about $450,000,000, which includes the postal expenditures, more than $80,000,000 of which will be paid by postal revenue, leaving the annual appropriations for carrying on the Government about $370,000,000 to be paid by taxation, which is the average for several years. Indeed, the appropriations always exceed the actual expenditures, because of the fact that balances frequently are left after completing the work appropriated for, which are subsequently covered into the Treasury.

The statement of the annual expenditures of the Government paid by various imposts and duties since 1890 is as follows:

Fiscal year.	Receipts.	Expenditures.
1890	$403,080,982	$297,735,486
1891	392,612,447	355,372,685
1892	354,937,784	345,023,330
1893	385,819,628	383,477,954
	1,536,450,841	1,381,609,455

Surplus under four years of Harrison, $154,841,386.

Fiscal year.	Receipts.	Expenditures.
1894	$297,722,019	$367,525,279
1895	313,390,075	356,195,298
	611,112,094	723,720,577

Deficiency under two years of Cleveland, $112,608,483.

I desire to call attention to the fact that the— Cash in the Treasury March 1, 1893, when the present Administration came into power, was	$124,128,087
Cash borrowed by sale of bonds	293,454,272
Total cash received to June 1, 1896	417,582,359
Cash in Treasury June 1, 1896	267,193,210
Expenditures since March 1, 1893, in excess of receipts	150,389,149

Mr. Speaker, it is such a showing as this in time of peace that can not be justified—a deficiency of $150,389,149 in three years in time of peace, and that deficiency met by borrowing money instead of by increasing the revenue.

The interest-bearing debt has been increased about $262,000,000 and the annual interest over $11,500,000 in time of peace.

And gentlemen now excuse themselves from raising revenue because we have $167,000,000 in the Treasury outside of the coin redemption fund, which ought to consist of redeemed United States notes, and which, if used in meeting deficiencies, will be presented for a second redemption in coin, necessitating an additional issue of bonds to obtain means for such redemption.

Mr. Speaker, recognizing the absolute necessity of maintaining the redemption fund, in order to prevent the depreciation of the greenback notes issued by the Government as currency, as provided by the resumption act of 1875—a measure which in 1879 placed the country on a sound specie basis—and knowing that the authority to issue bonds provided by that act is vital to the maintenance of this resumption fund and business confidence, this Republican House sent to the Senate in December last another bill, which reduced the rate of interest and length of term on such bonds, and which provided that when issued and sold they should be made a popular loan and be offered first to the American people instead of being sold to syndicates. [Applause on the Republican side.]

We went further than this and provided that the proceeds of such bonds should be devoted exclusively to redemption purposes. And then, to make it unnecessary and impossible to use the redeemed greenbacks to meet a deficiency, and thus make it necessary to issue bonds in order to again redeem the greenbacks thus used, our bill authorized the issue of currency certificates of indebtedness to meet any temporary deficiencies.

We sent that measure to the Senate, and the majority of the Senate refused to concur in a single one of these propositions, thus practically sharing in the responsibility of the Executive for the continuation of all these practices of which we and the country complain.

In the face of such a constant deficiency of revenue for three years, in the face of the encroachments on the redemption fund, and the distrust caused by the paralysis of business, the people of the United States determined at the elections of 1894 that they had had enough of it, and elected this Republican House.

The people of this country know a great deal more now than they did in November, 1892. [Applause.]

Mr. GROUT. They have found out the Democratic party.

Mr. DINGLEY. We have had a kindergarten on a large scale. [Laughter.] The tuition came high, but no people ever learned so much in so short a time. [Applause.]

I am aware that here in this House, with our large Republican majority, elected in 1894, we have been powerless to place legislation on the statute book, because of a Democratic and Populistic Senate and a Democratic President. But I warn you, gentlemen of the Democratic party, notwithstanding the attempt to divert attention from the real difficulties in this country—I warn you that in November next the people will complete the work which they set out to accomplish in 1894; and they will give us a Senate and a President that will cooperate with a Republican House. [Applause.] Then we shall reestablish that policy of protection to American industries which for thirty years (four years of which were in the midst of a most destructive war) gave the United States such prosperity and elevated the wages of the people of this country as was never before known in the history of any country in the world. [Loud applause.]

Mr. RICHARDSON. I move that the House adjourn.

Mr. GROUT. Mr. Speaker, many gentlemen desire that I shall yield them time on this subject——

Mr. RICHARDSON. Unless we can have a vote on this conference report, I insist on my motion to adjourn.

Mr. GROUT. I move the previous question upon agreeing to the report.

Mr. WILLIS. I rise to a question of personal privilege. I want to correct a mistake that has been made——

The SPEAKER. That is not a question of personal privilege except under very peculiar circumstances. [Laughter.]

Mr. RICHARDSON. If we can have a vote on the conference report I withdraw the motion to adjourn.

The SPEAKER. The motion to adjourn is withdrawn. The gentleman from Vermont calls for the previous question on agreeing to the conference report.

The previous question was ordered; and under the operation thereof the conference report was agreed to.

On motion of Mr. GROUT, a motion to reconsider the last vote was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the bill (S. 2984) in relation to contempts of court; in which the concurrence of the House was requested.

The message also announced that the Senate had passed with amendment the following resolution; in which the concurrence of the House was requested:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on Monday, the 18th day of May, at 2 o'clock p. m.

The message also announced that the Senate had passed without amendment joint resolution (H. Res. 201) extending the time of payments due from settlers and purchasers on all ceded Indian reservations.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries, who also announced that the President had approved and signed bills of the following titles:

On June 9, 1896:

An act (H. R. 6614) making appropriations for the services of the Post-Office Department for the fiscal year ending June 30, 1897;

An act (H. R. 956) for the relief of Sophia Sparks and Julia C. Sparks, of Annapolis, Md.;

An act (H. R. 1826) granting a pension to Henry Prince;

An act (H. R. 6603) to pension the minor children of Patrick F. Reynolds;

An act (H. R. 6826) granting a pension to Rhoda Augusta Thompson, daughter of the late Thaddeus Thompson, a private in the Revolutionary war; and

Joint resolution (H. Res. 195) to pay the officers and employees of the Senate and House of Representatives on the day following adjournment.

On June 10, 1896:

An act (H. R. 8383) to establish a site for the erection of a penitentiary on the military reservation at Fort Leavenworth, Kans., and for other purposes;

An act (H. R. 9253) to amend an act approved August 19, 1890, entitled "An act to adopt regulations for preventing collisions at sea";

An act (H. R. 2) disposing of two condemned cannon;

An act (H. R. 6249) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes;

An act (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes; and

An act (H. R. 2947) increasing the pension of Daniel D. Jennings, late of Company C, Sixty-fifth Ohio Volunteers.

NOTE.—The following bills having been presented to the President on May 27, 1896, and not having been returned by him to the House of Congress in which they originated within the time

prescribed by the Constitution, have become laws without his approval:

An act (H. R. 5711) granting a pension to Richard P. Pilkington;

An act (H. R. 8184) granting a pension to Jesse McMillan;

An act (H. R. 4910) granting a pension to Cyrus Thomas;

An act (H. R. 138) granting an increase of pension to Mary E. Hazlip; and

An act (H. R. 4753) granting an increase of pension to Lambert L. Mulford.

FINAL ADJOURNMENT.

Mr. CANNON. Let us now dispose of the resolution with reference to final adjournment.

The SPEAKER laid before the House the following resolution of the House, returned from the Senate with an amendment:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on Monday, the 18th day of May, at 2 o'clock p. m.

The amendment of the Senate was read, as follows:

In lines 5 and 6, strike out "Monday, the 18th day of May, at 2 o'clock p. m." and insert "Thursday, the 11th of June, at 4 o'clock p. m."

Mr. DINGLEY. I move that the House concur in the Senate amendment, and on that I move the previous question.

Mr. WHEELER. Will the gentleman allow me——

Mr. DINGLEY. It is now so late——

Mr. WHEELER. This is a most important resolution coming from the Committee on Ways and Means, and there ought to be a few minutes given to the minority for debate. [Cries of "Vote!" "Vote!"]

The SPEAKER. The Chair will submit the question on the demand of the gentleman from Maine for the previous question.

Mr. WHEELER. Mr Speaker, this is a motion to adjourn the House to-morrow at 4 o'clock, and I think the motion is one that certainly ought to have some consideration at the hands of the minority. We ought to have some few moments for debate on this question—the minority of the Committee on Ways and Means.

Mr. CANNON. But the gentleman has unlimited leave to print now.

Mr. WHEELER. I know that, but I ask just five minutes on the part of the minority to discuss this question.

The SPEAKER. The Chair desires to be perfectly fair with the gentleman from Alabama, but this is a matter for the House to decide.

Mr. WHEELER. I understand that, Mr. Speaker; but if the chairman of the Committee on Ways and Means would grant a few minutes' debate for me, I am sure that the House will yield its consent. This is the first time in the history of Congress that this resolution has been presented and acted upon without any discussion.

Mr. DINGLEY. But the gentleman has leave to print now.

Mr. WHEELER. I want five minutes to speak on this question. I only ask five minutes.

Mr. DINGLEY. Well, I will yield to the gentleman for five minutes.

Mr. WHEELER. Mr. Speaker, on the 6th day of last month, just five weeks ago to-day, the distinguished chairman of the Committee on Ways and Means presented a resolution to the House fixing May 18 as the day for final adjournment.

I opposed the resolution with all the power I possessed, insisting that we should enact legislation to relieve the people from the distress which prevails throughout the rural portions of our land, or, rather, that we should repeal laws which all will concede are largely the cause of the present unfortunate condition of our country.

UNIVERSAL DEMAND FOR SILVER LEGISLATION.

During these few weeks the wishes and demands of the people of the United States have been expressed with a force and earnestness very seldom manifested. The people have become convinced that the legislation by Congress which confines the money of ultimate redemption to one metal has enabled a few to so control the gold of the United States as to paralyze industries, depress the value of farm products, cause stagnation in legitimate business, and rapidly divide the people into a few millionaires and multimillionaires on the one side, the struggling masses of the people on the other.

In more than three-fourths of the States the people in convention assembled have in the most emphatic and decided manner denounced the single gold standard as destructive to the best interests of the country and absolutely ruinous to the farmers or producing classes.

In the debate which has taken place this afternoon prominent Republicans have sought to excuse their neglect to legislate for the people by minimizing the achievements of the Democratic party in the last House in relieving the people of the burdens which were imposed on them by what was called the war legislation. These burdens were imposed when the Republican party had full control of all branches of the Government.

THE DEMOCRATS OF THE LAST CONGRESS LEGISLATED FOR THE PEOPLE.

The last Congress was the first in thirty-five years in which the Democratic party had the President and both Houses of Congress. It is true we did not accomplish all that we desired, nor all that we attempted, but I have in my mind some laws that we enacted which have met the approval of all right-thinking people.

1. We repealed the Federal election laws, which will forever prevent any interference in elections by Federal officials.

2. We enacted a law providing for taxing greenback and national-bank money.

3. The House passed the voluntary bankrupt act.

4. We passed a beneficent law restricting and placing safeguards upon immigration.

5. The House passed a law to amend the Constitution, so that Senators might be elected by the people.

6. We passed a law reclaiming 48,000,000 acres of land, worth $1,000,000,000, then illegally held by corporations.

7. We enacted a law admitting Utah to the sisterhood of States.

8. The House passed a law admitting New Mexico and Arizona.

9. We enacted a law extending mail facilities, reducing postal expenditures, and reducing postage upon periodical publications.

10. We enacted laws which removed all tax from the following articles used by farmers, by placing them on the free list, viz:

Agricultural implements.
Iron cotton ties.
Bagging for cotton.
Bags for grain.
Salt.
Many agricultural seeds.
Cotton gins.
Binding twine.

11. We also enacted laws which have reduced the tax on nearly everything bought by farmers from one-half to one-fifth the tax which was imposed by Republicans.

12. We enacted a law reorganizing the Departments by which we were enabled to abolish thousands of offices, so as to reduce the expenses of the Government many million dollars.

13. We enacted a law to place a tax upon incomes which would require the people of wealth to pay their part of the burdens of government, and all this legislation will remove hardships and lift burdens from men who work.

14. In fine, the general provisions of the tariff law which we enacted were such as to accomplish much toward breaking down monopolies and trusts, and is opening foreign markets to the products of American labor. Only last March the London Iron and Trade Review announced the arrival of Alabama pig iron in that market, and said:

England is threatened with an invasion of American pig iron. This is one of the most serious blows to the supremacy of Great Britain as a manufacturing nation.

And about the same time the Cleveland World, published by that eminent protectionist, Mr. Robert P. Porter, announced that an immense order for iron cotton ties for cotton had been received by the iron mills of Youngstown, Ohio. The paper said:

The order is from Bombay, India. An immense amount of cotton ties have already been shipped, but this will form but a small part of the order.

This is a part of the work done by a Democratic Congress, but we enacted much other beneficent legislation which I can not recall at this moment.

The SPEAKER. The gentleman from Alabama should confine himself to the question before the House, which is whether the House and Senate shall adjourn at 4 o'clock to-morrow. [Laughter.]

Mr. WHEELER. Yes, Mr. Speaker, that is the question we are now considering, and I hope that my statements of what the Democratic House did during the last session will induce our Republican friends to vote against adjournment and proceed to enact laws which have been introduced and are now pending, which if enacted would restore the country to prosperity. I want to ask in all seriousness, if you adjourn with your present record, how will you go before the country in November——

A MEMBER. Give it up. [Laughter.]

Mr. WHEELER (continuing). The Republican party will have to give it up unless they pass at least one law for the relief of the people. On what will they base their claims for further support? I appeal to them to stay here and enact laws, which they can enact, to help the producing classes of this country. What have they done?

Mr. OGDEN. They passed the filled-cheese bill. [Laughter.]

Mr. TALBERT. And they stopped prize fighting in the Territories. [Renewed laughter.]

Mr. WHEELER. Yes, they passed the filled-cheese bill, which is an unconstitutional exercise of the taxing power, and they wasted several days in talking about the proposed prize fight between Corbett and Fitzsimmons.

You will also remember that they turned away from their duty and spent several days in making speeches condemnatory of Mr.

Bayard, because he made a speech against the Republican policy of prohibitory protection; and then this immense Republican majority proceeded to cast a vote of censure against the American ambassador, Mr. Bayard. [Laughter and applause.] And every sensible, educated man in the world has cast a vote of censure in his own mind against those who inaugurated this proceeding. This is the record which you have made and upon which you are to ask for votes in November. [Applause.]

The SPEAKER. The time of the gentleman from Alabama has expired. [Laughter.]

Mr. DINGLEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The amendment of the Senate was concurred in.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolutions of the following titles; when the Speaker signed the same:

A bill (S. 2928) to extend the routes of the Eckington and Soldiers' Home Railway Company and of the Belt Railway Company of the District of Columbia, and for other purposes;

A bill (S. 2859) changing the time for holding circuit court of the United States at Hartford, in the district of Connecticut;

A bill (S. 2978) to provide an American register for the steamer *Menemsha;*

A bill (H. R. 9253) to amend an act approved August 19, 1890, entitled "An act to adopt regulations for preventing collisions at sea";

A bill (S. 1306) to authorize and encourage the holding of a transmississippi and international exposition at the city of Omaha, in the State of Nebraska, in the year 1898;

A bill (S. 2412) to make the city of Santa Barbara, county of Santa Barbara, State of California, a subport of entry;

A bill (H. R. 180) to make the city of Erie, Pa., a port of immediate transportation;

A bill (S. 1767) to provide subports of entry and delivery in the State of Florida;

A bill (S. 3206) to grant a right of way through the new Fort Bliss Military Reservation to the El Paso and Northeastern Railroad Company;

Joint resolution (S. R. 161) authorizing the Secretary of the Treasury to place a bronze tablet or inscription on the Government building erected in Detroit, Mich.;

A bill (S. 768) for the relief of James A. Moore;

A bill (S. 2783) to establish a life-saving station on the coast of New Hampshire or Massachusetts, between the Hampton and Merrimac rivers;

Joint resolution (S. R. 27) granting permission for the erection of a monument in Washington, D. C., for the ornamentation of the national capital and in honor of Samuel Hahnemann;

A bill (S. 2490) to authorize the Secretary of War to improve and maintain the public roads within the limits of the national park at Gettysburg, Pa.;

Joint resolution (S. R. 138) for the relief of James P. Veach;

A bill (S. 3170) to authorize the Butler and Pittsburg Railroad Company to construct and maintain a bridge across the Allegheny River;

A bill (S. 2943) to authorize the construction of a bridge across the Warrior River by the Mobile and Ohio Railroad Company;

A bill (S. 261) for the relief of Arthur P. Selby;

A bill (S. 2945) to authorize the construction of a bridge across the Alabama River by the Mobile and Ohio Railroad Company;

Joint resolution (S. R. 149) extending the benefits of sections 1426 and 1573 of the Revised Statutes to all enlisted persons of the Navy;

A bill (S. 1011) for the relief of Capt. James Reagan, United States Army;

A bill (S. 2944) to authorize the construction of a bridge across the Cahaba River, in Bibb County, Ala., by the Mobile and Ohio Railroad Company;

A bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for expenses of the House of Representatives, and for other purposes, for the fiscal year 1896;

A bill (H. R. 7338) for the relief of William H. Scofield, Jacob Brady, James Ketcham, Annie Booth, as administratrix of the goods, chattels, and credits of George W. Booth, deceased; Wilson P. Billar, Ezra L. Waterhouse, Moses C. Bell, George W. Byles, and George A. Scofield;

A bill (H. R. 9226) to change the time and places for the district and circuit courts of the northern district of Texas; and

A bill (S. 1853) for the relief of Edward Rice.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, the following Senate bills and resolutions were taken from the Speaker's table and referred by the Speaker as follows:

A bill (S. 2984) in relation to contempts of court—to the Committee on the Judiciary.

A bill (S. 2555) to authorize the Secretary of the Treasury to issue leases of certain islands in Alaska for the breeding of foxes—to the Committee on the Territories.

A bill (S. 3058) to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Concurrent resolution—

Resolved by the Senate (the House of Representatives concurring), That there be printed 5,000 copies of Senate Miscellaneous Document No. 274, Fifty-third Congress, second session, Proceedings of the Berlin Silver Commission of 1894, with index, 3,000 to be for the use of the House of Representatives and 2,000 for the use of the Senate—

To the Committee on Printing.

Concurrent resolution—

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 60,000 extra copies of the report of the joint Committee on the Dedication of the Chickamauga and Chattanooga National Park; 18,000 copies shall be for the use of the House of Representatives, 6,000 copies for the Senate, 1,000 copies for the National Park Commission to supply the twenty-eight State commissions, and 500 copies for the Secretary of War to supply the governors of the States, and 100 copies for each speaker at the dedication—

To the Committee on Printing.

A bill (S. 525) for the relief of Thomas Guinean, of Oregon—to the Committee on Claims.

A bill (S. 205) for the relief of Rinaldo P. Smith, of Baltimore, Md.—to the Committee on Claims.

A bill (S. 2054) to incorporate the East Washington Heights Traction Railway Company of the District of Columbia—to the Committee on the District of Columbia.

A bill (S. 2840) to incorporate the East Washington Heights Traction Railway Company of the District of Columbia—to the Committee on the District of Columbia.

ORDER OF BUSINESS.

The SPEAKER. The Chair is informed that at half past 9 the important bills will be ready to be signed. The Chair thinks that, after laying before the House a message from the President of the United States, the House should take a recess until half past 9 o'clock this evening, in order that the enrolled bills may be signed.

VETO MESSAGE—FORT OMAHA MILITARY RESERVATION.

The SPEAKER laid before the House the following message from the President of the United States:

To the House of Representatives:

I herewith return without my approval House bill numbered 225, entitled "An act to provide for the lease of Fort Omaha Military Reservation to the State of Nebraska."

This bill authorizes and directs the Secretary of War, when Fort Crook, near the city of Omaha, is ready for occupancy, to lease for a nominal rent to the State of Nebraska the possession of Fort Omaha Military Reservation, containing about 80 acres, with all the buildings, appurtenances, and improvements thereof. It is declared that the lease shall be conditional upon the use of said reservation by the State of Nebraska as a place of rendezvous and school of instruction for the National Guard of said State; that the State of Nebraska shall, while it is in possession of said reservation, keep the buildings and improvements thereon in as good condition and repair as at the date it shall enter into possession thereof, and that at any time when in the judgment of the Secretary of War the interests of the United States shall require such action, he shall take possession of said military reservation for the use of the Government, together with all the buildings, appurtenances, and improvements thereon.

On the 23d day of July, 1888, an act was passed authorizing the Secretary of War to purchase suitable grounds of not less than 640 acres in extent, to be situate within 10 miles of the city of Omaha, and to construct the necessary buildings thereon for a ten-company military post, to be known as Fort Omaha, and a necessary sum not exceeding $200,000 was appropriated to enable the Secretary of War to carry out the provisions of said act.

The said act also authorized the Secretary of War, when the purchase of the new site should be effected, to sell the military reservation known as Fort Omaha, and such of the buildings and improvements thereon as could not be economically removed to the new site, and to cause the said reservation, for the purposes of said sale, to be platted in blocks, streets, and alleys, if in his judgment it would inure to the benefit of the Government in making a sale of such site.

The new site provided for by this act has been purchased, a large sum of money has been spent by the Government in preparing it for use, and I understand it will soon be ready for occupancy. The authority to sell the old site has not been exercised. This may be accounted for by the fact that the Government has not thus far been able to dispense with its use or because the depression in land values at Omaha has rendered it unadvisable.

The authority to sell and to remove any of the buildings from the old reservation to the new site still remains, however, unimpaired. In this condition of affairs it is now proposed to lease this land and these buildings to the State of Nebraska at a nominal rent, allowing the Government to repossess it only "when the interests of the United States shall require such action."

Of course it would be claimed that this language, in view of the statute of 1888, should not be construed as permitting the Government to retake the property for the purpose of selling it, because that is not stipulated in the bill. For that reason it would be plausibly urged that the lease was paramount to the power of sale contained in the law of 1888, and that the omission of any provision that possession might be resumed for the purpose of sale plainly indicated that "the interests of the United States" which allows such resumption contemplates some other and different emergency.

As a practical question we all know that transactions of this character relating to Government property amount to a permanent alienation or certainly pave the way for an absolute grant.

I do not think there should be anything done with this valuable property which will in the least embarrass the Government in its sale, and to that extent reimbursing itself for the cost of the new military post which was plainly contemplated in the law of 1888.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 10, 1896.*

Mr. MERCER. Mr. Speaker, I move that the message and the bill be referred to the Committee on Military Affairs.

There was no objection, and it was so ordered.

Mr. DINGLEY. Mr. Speaker, I move that the House take a recess until half past 9 this evening.

Mr. BAILEY. Will the gentleman from Maine agree now to move that when the House adjourns to-day it adjourn to meet to-morrow at 12 o'clock?

Mr. DINGLEY. I can not say now, until we see whether the bills can be engrossed to-night. It is necessary to have this session this evening in order that the enrolled bills be signed.

The motion was agreed to.

Accordingly (at 7.30 o'clock p. m.) the House took a recess until 9.30 o'clock p. m.

The recess having expired, the House, at 9 o'clock and 30 minutes p. m., was called to order by the Speaker.

Mr. DALZELL. Mr. Speaker, I move that the House take a recess till half past 10 o'clock.

The motion was agreed to.

Accordingly the House was in recess until 10 o'clock and 30 minutes p. m.

The recess having expired, the House, at 10 o'clock and 30 minutes p. m., was called to order by the Speaker.

ENROLLED BILLS SIGNED.

Mr. CROWTHER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles; when the Speaker signed the same:

A joint resolution (H. Res. 201) extending the time of payments due from settlers and purchasers on all ceded Indian reservations;

A bill (H. R. 9447) to amend section 1 of the act to amend an act entitled "An act authorizing the Postmaster-General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty," approved May 9, 1888;

A bill (H. R. 3990) granting a pension to Mrs. Eliza G. Payne; and

A bill (H. R. 4580) to amend section 3449 of the Revised Statutes.

ORDER OF BUSINESS.

Mr. LITTLE. Mr. Speaker, I desire to complete the unfinished business. There was a second on a motion to suspend the rules and pass the bill for the relief of Albert Augustine. I desire now to complete the passage of that bill, if I can.

Mr. DINGLEY. Mr. Speaker, it was understood that no business would be done to-night except to receive the report of the Committee on Enrolled Bills, because the bills must go to the President and be signed. Because of that understanding many members are not present who would have been here if they had expected any other business would be transacted.

Mr. LITTLE. My friend remembers that a motion was made to suspend the rules, with a second.

Mr. DINGLEY. I am aware of that.

Mr. TERRY. I suggest to the gentleman from Maine that that bill is the unfinished business, and it was actually being passed when it was interrupted by a conference report.

Mr. RICHARDSON. And the gentleman kindly yielded.

Mr. TERRY. Yes.

Mr. LITTLE. I think we ought to have a vote on the bill, but I yield again.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills and joint resolution of the following titles; in which the concurrence of the House was requested:

A bill (S. 2775) to authorize the Herndon and Aldie Railroad to construct a bridge over the Potomac River at or near the Great Falls;

A bill (S. 2630) authorizing and directing the Secretary of the Navy to donate condemned cannon to the Londonderry Soldiers' Monument Association, of Londonderry, N. H.;

A bill (S. 2483) donating condemned cannon and cannon balls to the New Hampshire Soldiers' Home;

A bill (S. 810) to amend the act entitled "An act granting pensions to the soldiers and sailors of the Mexican war, and for other purposes," approved January 29, 1887; and

Joint resolution (S. R. 89) authorizing and directing the Secretary of the Navy to appoint a board of three officers of the Navy to proceed to Navassa Island and Swamm Island, in the West Indies, and examine and report upon the practicability and advisability of establishing a coaling station for the United States Government on either of said islands.

ENROLLED BILLS SIGNED.

Mr. CROWTHER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 8321) to authorize the county of St. Louis, in the State of Minnesota, to build or authorize the building of a foot and wagon bridge across the St. Louis River, between Minnesota and Wisconsin, at a point near Fond du Lac, in said State of Minnesota; and

A bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes.

And then, on motion of Mr. DINGLEY (at 10 o'clock and 50 minutes p. m.), the House adjourned until to-morrow at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. LACEY, from the Committee on the Public Lands, to which was referred the veto message of the President of the United States on the bill of the House (H. R. 4804) entitled "An act to amend subdivision 10 of section 2238 of the Revised Statutes of the United States," reported the same with the recommendation that said bill do pass, the objection of the President to the contrary notwithstanding, accompanied by a report (No. 2287); which said veto message, bill, and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, Mr. GRAFF, from the Committee on Claims, to which was referred the bill (S. 3269) entitled "An act to pay the Richmond Locomotive and Machine Works its claim for damages and losses incurred in the construction of the armored battle ship *Texas*," reported the same (Report No. 2286); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. OWENS: A bill (H. R. 9444) to establish a cavalry post in Fayette County, Ky.—to the Committee on Military Affairs.

By Mr. JOY: A bill (H. R. 9445) amending an act to authorize construction of certain bridges—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 9446) amending "An act authorizing the construction of a bridge over the Mississippi River at St. Louis, Mo."—to the Committee on Interstate and Foreign Commerce.

By Mr. KIEFER (by request): A bill (H. R. 9448) to reform the currency of the United States and insure its integrity—to the Committee on Ways and Means.

By Mr. PAYNE (by request): A resolution (House Res. No. 423) to pay James S. Cotton for hauling Congressional seeds from railroad station to House post-office and residences of members—to the Committee on Accounts.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 9440) for the relief of Cyrus Allen; and the same was referred to the Committee on Pensions.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. APSLEY: A bill (H. R. 9449) for the relief of Egbert Stricksma—to the Committee on Claims.

By Mr. BARTLETT of New York: A bill (H. R. 9450) removing the charge of desertion from the naval record of Philip Treacy, or Tracy—to the Committee on Naval Affairs.

By Mr. BERRY: A bill (H. R. 9451) for the relief of R. F. Harrison—to the Committee on Claims.

By Mr. BRODERICK: A bill (H. R. 9452) granting a pension to Mary C. Williams—to the Committee on Invalid Pensions.

By Mr. CATCHINGS: A bill (H. R. 9453) for the relief of Alice Jordan, of Vicksburg, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 9454) for the relief of N. B. and Mrs. E. A. Lanier, of Warren County, Miss.—to the Committee on War Claims.

By Mr. COX: A bill (H. R. 9455) to carry out the findings of the Court of Claims in the case of Lucius Hough—to the Committee on War Claims.

By Mr. CUMMINGS: A bill (H. R. 9456) for the relief of John Fox—to the Committee on Naval Affairs.

By Mr. HURLEY: A bill (H. R. 9457) for the relief of Mrs. Annie F. Wilson—to the Committee on Claims.

By Mr. MAGUIRE: A bill (H. R. 9458) granting a pension to Daniel Connors—to the Committee on Invalid Pensions.

By Mr. McCREARY of Kentucky: A bill (H. R. 9459) for the relief of W. G. Anderson—to the Committee on War Claims.

By Mr. SORG: A bill (H. R. 9460) to remove the charge of desertion from the record of Dennis Cain, Company I, Forty-fourth Ohio Infantry—to the Committee on Military Affairs.

By Mr. SOUTHWICK: A bill (H. R. 9461) to pension Roxanna Early Macfarlane and Robert Macfarlane—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. APSLEY: Petition of Egbert Stricksma, to accompany House bill for his relief—to the Committee on Claims.

By Mr. BARTLETT of New York: Petition of Mary Treacy, to accompany House bill for the removal of the charge of desertion from the naval record of her late husband, Philip Treacy, late landsman, United States Navy, and granting him an honorable discharge—to the Committee on Naval Affairs.

By Mr. CUMMINGS: Paper to accompany House bill for the relief of John Fox—to the Committee on Naval Affairs.

By Mr. FARIS: Affidavits and papers to accompany House bill No. 2368, to correct the military record of John H. Stearns—to the Committee on Military Affairs.

By Mr. KNOX: Papers to accompany House bill No. 2228, to correct the military record of Lawrence Kennedy—to the Committee on Military Affairs.

By Mr. McCREARY of Kentucky: Petition of J. J. McKinney for increase of pension—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: Petition of R. R. Shiel & Co. and 70 other citizens of Indianapolis, Ind., favoring the passage of House bill No. 260, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. SCRANTON: Petition of Electric City Lodge, No. 230, International Association of Machinists, of Scranton, Pa., asking investigation of grievances of workmen at United States navy-yards and arsenals—to the Committee on Naval Affairs.

By Mr. SORG: Paper to accompany House bill to remove the charge of desertion from the record of Dennis Cain—to the Committee on Military Affairs.

SENATE.

THURSDAY, *June 11, 1896.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. MITCHELL of Wisconsin, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

PAY OF LETTER CARRIERS.

Mr. HALE. I wish to withdraw a motion which I entered last night to reconsider the vote by which the bill (S. 3058) to increase the pay of letter carriers was passed.

The VICE-PRESIDENT. The motion is withdrawn.

EMPLOYMENT OF ALIENS IN EXECUTIVE DEPARTMENTS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 9th ultimo, a statement as to the aliens employed in the Department of the Interior; which was ordered to lie on the table and to be printed.

MRS. MARTHA M. GIBSON.

The bill (H. R. 8159) to pension Mrs. Martha M. Gibson was read twice by its title.

Mr. SHERMAN. I ask that the bill be put upon its passage.

Mr. HAWLEY. May I suggest to the Senator from Ohio that this is a House bill, and——

Mr. SHERMAN. It is a House bill, proposing to pension General Gibson's widow.

Mr. HAWLEY. I know; it is all right. It is rather presuming in me to venture a suggestion to a Senator so much more experienced, but the passage of this bill has been secured through the other House, and now does the Senator think there is a good chance to get it signed at this late hour?

Mr. SHERMAN. I think so. No one, I think, was better known than General Gibson. He was a very distinguished officer and a very distinguished lawyer. He left his family dependent. I ask for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Martha M. Gibson, widow of William H. Gibson, late colonel of the Forty-ninth Regiment Ohio Volunteer Infantry and brevet brigadier-general United States Volunteers, and to pay her a pension at the rate of $50 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The VICE-PRESIDENT (after having called through the order of routine business). The morning business is closed. The Calendar under Rule 8 is in order.

Mr. COCKRELL. I suggest that the Senate take a recess, subject to the call of the Vice-President.

Mr. PLATT. I do not think that on the last day of the session, with very few Senators in the Chamber, it is worth while to go to the Calendar.

Mr. FAULKNER. I think it was contemplated that nothing should be done this morning, and therefore very few are present.

Mr. COCKRELL. Let the Senate be in recess, subject to the call of the Vice-President, so that he can come in and sign enrolled bills at any time.

Mr. ALLISON. I suggest that we postpone taking a recess for a few minutes. I think the District of Columbia appropriation bill will be here very soon.

Mr. COCKRELL. A recess could be taken with the Senate constructively in session, so as to enable the presiding officer to come in and sign the bill.

Mr. PLATT. Here it is.

The VICE-PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes; and it was thereupon signed by the Vice-President.

EXECUTIVE SESSION.

Mr. HAWLEY. There is a little executive business to be transacted. It will take only a few minutes, perhaps. I move that the Senate proceed to the consideration of executive business.

Mr. ALLISON. That is a wise motion.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Forest Reservations and the Protection of Game:

A bill (H. R. 119) to protect and administer public forest reservations; and

A bill (H. R. 4058) to set apart a portion of certain lands in the State of Washington, now known as the Pacific Forest Reserve, as a public park, to be known as the Washington National Park.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (H. R. 2663) to amend the laws relating to navigation; and

A bill (H. R. 5482) authorizing the Cleveland Bridge Company to construct a bridge across the Arkansas River between Pawnee County, Okla., and the Osage Indian Reservation.

The following bills were severally read twice by their titles, and referred to the Committee on Claims:

A bill (H. R. 4538) for the relief of John Keefe; and

A bill (H. R. 8250) for the relief of William Gemmill.

The following bills were severally read twice by their titles, and referred to the Committee on Public Lands:

A bill (H. R. 9123) to prevent forest fires on the public domain; and

A bill (H. R. 9345) to enable certain persons in the State of Mississippi to procure title to public lands.

The bill (H. R. 1256) for the relief of Henry A. Webb was read twice by its title, and referred to the Committee on Finance.

The bill (H. R. 7500) to grant a pension to Mrs. Keturah Wilson, widow of James Wilson, deceased, was read twice by its title, and referred to the Committee on Pensions.

The bill (H. R. 8443) to amend section 4878 of the Revised Statutes relating to burials in national cemeteries was read twice by its title, and referred to the Committee on Military Affairs.

The bill (H. R. 8886) for the relief of Hiram T. Corum and Silas W. Davis, of Oregon, was read twice by its title, and referred to the Committee on Indian Affairs.

The bill (H. R. 9149) to regulate the establishment of submarine telegraphic cable lines or systems in the United States was read twice by its title, and referred to the Committee on Foreign Relations.

PROPOSED RESTRICTION OF IMMIGRATION.

Mr. PLATT. Mr. President, the bill (H. R. 7864) to amend the immigration laws of the United States was the unfinished business until the day before yesterday, when it was displaced by a motion to take up the bill to regulate procedure in the matter of contempts of court. I do not think it was the intention of the Senator from Massachusetts [Mr. LODGE], who had the immigration bill in charge, that it should be displaced except temporarily, and therefore I ask unanimous consent that it may be placed on the Calendar to go over until the next session as the unfinished business.

The VICE-PRESIDENT. The Senator from Connecticut asks unanimous consent that the immigration bill be placed on the Calendar as the unfinished business for consideration at the next session. Is there objection? The Chair hears none, and it is so ordered.

ENROLLED BILL SIGNED.

At 12 o'clock and 25 minutes p. m. a message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 8159) to pension Mrs. Martha M. Gibson; and it was thereupon signed by the Vice-President.

DISTRICT CHARITIES AND REFORMATORY INSTITUTIONS.

The VICE-PRESIDENT appointed (in pursuance of authority granted and duly imposed upon the presiding officer of the Senate by the provisions of the act making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes) Mr. HARRIS, Mr. FAULKNER, and Mr. MCMILLAN members on the part of the Senate of the Joint Select Committee to make Investigations of the Charities and Reformatory Institutions of the District of Columbia.

PETITION.

Mr. COCKRELL presented a petition of the board of directors of the Free Public Library of St. Louis, Mo., praying for the passage of the so-called supplementary document bill; which was referred to the Committee on Printing.

PROPOSED RECESS.

Mr. CANNON (at 12 o'clock and 47 minutes p. m.). I move that the Senate take a recess until 2 o'clock.

Mr. HAWLEY. I would rather have the advice of the chairman of the Committee on Appropriations upon the subject. We are perfecting messages and transacting business of that sort all the while.

Mr. SHERMAN. I think we had better stay here.

Mr. HAWLEY. If the Senator will permit me, I suggest that he withdraw his motion, for the present at any rate.

Mr. CANNON. I will withdraw the motion until the appearance of the chairman of the Committee on Appropriations.

The VICE-PRESIDENT. The motion is withdrawn.

At 12 o'clock and 49 minutes p. m. Mr. ALLISON entered the Chamber.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 2415) for the relief of B. J. Van Vleck, administrator of Henry Van Vleck, deceased; in which it requested the concurrence of the Senate.

NOTIFICATION TO THE PRESIDENT.

Mr. SHERMAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That a committee of two Senators be appointed by the Chair, to join a similar committee appointed by the House of Representatives, to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn, unless the President has some other communication to make to them.

The VICE-PRESIDENT appointed Mr. SHERMAN and Mr. SMITH as the committee.

MESSAGE FROM THE HOUSE.

At 1 o'clock and 7 minutes p. m., a message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had appointed Mr. DINGLEY, Mr. CANNON, and Mr. SAYERS a committee on the part of the House to join such committee as had been appointed by the Senate to wait upon the President of the United States and to inform him that Congress, having finished its business, was ready to adjourn.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 2415) for the relief of B. J. Van Vleck, administrator of Henry Van Vleck, deceased; and it was thereupon signed by the Vice-President.

RECESS.

Mr. ALLISON (at 1 o'clock and 20 minutes p. m.). I move that the Senate take a recess until 3 o'clock.

The motion was agreed to; and at the expiration of the recess the Senate reassembled.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. PRUDEN, one of his secretaries, announced that the President had on the 10th instant approved and signed the following acts and joint resolutions:

An act (S. 2490) to authorize the Secretary of War to improve and maintain the public roads within the limits of the national park at Gettysburg, Pa.;

An act (S. 1306) to authorize and encourage the holding of a transmississippi and international exposition at the city of Omaha, in the State of Nebraska, in the year 1898;

An act (S. 2412) to make the city of Santa Barbara, county of Santa Barbara, State of California, a subport of entry;

An act (S. 2783) to establish a life-saving station on the coast of New Hampshire or Massachusetts between the Hampton and the Merrimac rivers;

An act (S. 1767) to provide subports of entry and delivery in the State of Florida;

An act (S. 3206) to grant a right of way through the new Fort Bliss Military Reservation to the El Paso and Northeastern Railroad Company;

An act (S. 768) for the relief of James A. Moore;

A joint resolution (S. R. 138) for the relief of James P. Veach; and

A joint resolution (S. R. 161) authorizing the Secretary of the Treasury to place a bronze tablet or inscription on the Government building now being erected in Detroit, Mich.

The message also announced that the President of the United States had on this day approved and signed the following bills and joint resolution:

An act (S. 2943) to authorize the construction of a bridge across the Warrior River by the Mobile and Ohio Railroad Company;

An act (S. 2944) to authorize the construction of a bridge across the Cahaba River, in Bibb County, Ala., by the Mobile and Ohio Railroad Company;

An act (S. 2945) to authorize the construction of a bridge across the Alabama River by the Mobile and Ohio Railroad Company;

An act (S. 3170) to authorize the Butler and Pittsburg Railroad Company to construct a bridge across the Allegheny River;

An act (S. 1011) for the relief of Capt. James Regan, United States Army;

An act (S. 1853) for the relief of Edward Rice; and

A joint resolution (S. R. 149) extending the benefits of sections 1426 and 1573 of the Revised Statutes to all enlisted persons in the Navy.

EXECUTIVE SESSION.

Mr. HARRIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened.

NOTIFICATION TO THE PRESIDENT.

Mr. SHERMAN, from the committee appointed to wait upon the President of the United States and inform him that unless he may have some further communication to make Congress is ready to adjourn, reported that they had performed the duty assigned them, and that the President had replied that he had nothing further to communicate.

THANKS TO THE PRESIDENT PRO TEMPORE.

Mr. HARRIS. Mr. President, I offer the resolution which I send to the desk, and I ask the unanimous consent of the Senate that it be now considered.

The VICE-PRESIDENT. The resolution submitted by the Senator from Tennessee will be read.

The Secretary read as follows:

Resolved, That the thanks of the Senate are hereby tendered to Hon. WILLIAM P. FRYE, President pro tempore of the Senate, for the courteous, dignified, and able manner with which he has presided over its deliberations during the present session.

The VICE-PRESIDENT. The question is upon agreeing to the resolution.

The resolution was unanimously agreed to.

THE LEWIS RANGE AND POSITION FINDER.

The PRESIDING OFFICER (Mr. MITCHELL of Oregon in the chair) laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 10th instant, a statement of the record of the action of the range-finder board and the Board of Ordnance and Fortification in relation to the Lewis range and position finder, etc.; which, on motion of Mr.

DUBOIS, was, with the accompanying papers, referred to the Committee on Coast Defenses, and ordered to be printed.

THANKS TO THE VICE-PRESIDENT.

Mr. ALLISON. Mr. President, I offer the resolution which I send to the desk, and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The Secretary read the resolution, as follows:

Resolved, That the thanks of the Senate are hereby tendered to Hon. ADLAI E. STEVENSON, Vice-President, for the dignified, impartial, and courteous manner with which he has presided over its deliberations during the present session.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was unanimously agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CHAPELL, one of its clerks, announced that the House had passed a bill (H. R. 5782) granting an increase of pension to Mrs. Anna Wedel; in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED.

The bill (H. R. 5782) granting an increase of pension to Mrs. Anna Wedel was read twice by its title, and referred to the Committee on Pensions.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CHAPELL, one of its clerks, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 94) increasing the pension of Melancthon McCoy, of Company K, One hundred and forty-eighth Illinois Infantry; and

A bill (H. R. 7740) granting an increase of pension to Lewis Keiser.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 94) increasing the pension of Melancthon McCoy, of Company K, One hundred and forty-eighth Illinois Infantry; and

A bill (H. R. 7740) granting an increase of pension to Lewis Keiser.

FINAL ADJOURNMENT.

The hour of 4 o'clock having arrived,

The VICE-PRESIDENT said:

SENATORS: I am deeply touched by the resolutions personal to myself adopted by the Senate. It has been my earnest endeavor impartially to execute the rules prescribed for the guidance of this body. For the aid you have so generously given me in the discharge of the duties that pertain to this office, as well as for the courtesy uniformly shown me, I am profoundly grateful.

And now, wishing each of you a safe return to home and constituents, it only remains for me to declare the first session of the Fifty-fourth Congress adjourned without day.

NOMINATIONS.

Executive nominations received by the Senate June 11, 1896.

PROMOTIONS IN THE ARMY.

Subsistence Department.

Lieut. Col. William Hemphill Bell, assistant commissary-general of subsistence, to be assistant commissary-general of subsistence with the rank of colonel, June 10, 1896, vice Wilsow, retired from active service.

Maj. William Hoit Nash, commissary of subsistence, to be assistant commissary-general of subsistence with the rank of lieutenant-colonel, June 10, 1896, vice Bell, promoted.

Capt. William Leidy Alexander, commissary of subsistence, to be commissary of subsistence with the rank of major, June 10, 1896, vice Nash, promoted.

PROMOTIONS IN THE NAVY.

Capt. George Dewey, to be a commodore in the Navy from the 28th of February, 1896, vice Commodore Thomas O. Selfridge, promoted.

Commander Francis A. Cook, to be a captain in the Navy from the 28th of February, 1896, vice Capt. George Dewey, promoted.

Lieut. Commander Charles T. Hutchins, to be a commander in the Navy from the 28th of February, 1896, vice Commander Francis A. Cook, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 11, 1896.

CONSUL.

Richard M. Bartleman, of Massachusetts, to be consul of the United States at Malaga, Spain.

PROMOTIONS IN THE ARMY.

Lieut. Col. William Hemphill Bell, assistant commissary-general of subsistence, to be assistant commissary-general of subsistence with the rank of colonel.

Maj. William Hoit Nash, commissary of subsistence, to be assistant commissary-general of subsistence with the rank of lieutenant-colonel.

Capt. William Leidy Alexander, commissary of subsistence, to be commissary of subsistence with the rank of major.

PROMOTIONS IN THE NAVY.

Capt. George Dewey, to be a commodore in the Navy, from the 28th of February, 1896, vice Commodore Thomas O. Selfridge, promoted.

Commander Francis A. Cook, to be a captain in the Navy, from the 28th of February, 1896, vice Capt. George Dewey, promoted.

Lieut. Commander Charles T. Hutchins, to be a commander in the Navy, from the 28th of February, 1896, vice Commander Francis A. Cook, promoted.

HOUSE OF REPRESENTATIVES.

THURSDAY, *June 11, 1896.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. HENRY N. COUDEN, offered the following prayer:

O Thou, who hast ever been our refuge and strength, and a very present help in trouble, we approach Thee with renewed confidence and faith, and devoutly pray for the continuation of Thy favors upon us as individuals and as a nation.

And now, O Lord, as the first session of the Fifty-fourth Congress is about to pass into history, let Thy blessing, we beseech Thee, be upon each member of this House, its officers and employees; and bring us together again at the appointed time without the loss of any, and in health and strength. Shed abroad Thy love in our hearts, and enable us to do Thy will, now and evermore, in the spirit of the Lord.

And now, may that peace which passeth understanding keep your hearts and minds; through Jesus Christ. Amen.

The Journal of the proceedings of the last session was read and approved.

ENROLLED BILL SIGNED.

Mr. CROWTHER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill of the following title; when the Speaker signed the same:

A bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 8159) to pension Mrs. Martha M. Gibson.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, the following Senate bills and joint resolutions were taken from the Speaker's table and referred by the Speaker as follows:

A bill (S. 2775) to authorize the Herndon and Aldie Railroad to construct a bridge over the Potomac River at or near the Great Falls—to the Committee on Interstate and Foreign Commerce.

A bill (S. 810) to amend the act entitled "An act granting pensions to the soldiers and sailors of the Mexican war, and for other purposes," approved January 29, 1887—to the Committee on Pensions.

A bill (S. 2483) donating condemned cannon and cannon balls to the New Hampshire Soldiers' Home—to the Committee on Naval Affairs.

A bill (S. 2630) authorizing and directing the Secretary of the Navy to donate condemned cannon to the Londonderry Soldiers' Monument Association of Londonderry, N. H.—to the Committee on Naval Affairs.

Joint resolution (S. R. 89) directing and authorizing the Secretary of the Navy to appoint a board of three officers of the Navy to proceed to Navassa Island, in the West Indies, and examine and report upon the cost of establishing a coaling station for the United States Government on said island—to the Committee on Naval Affairs.

Joint resolution (S. R. 158) to amend an act to authorize the reassessment of water-main taxes in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

CONTESTED ELECTION CASE—HOPKINS VS. KENDALL, TENTH DISTRICT OF KENTUCKY.

Mr. LEONARD. Mr. Speaker, I ask consideration of the privileged resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the time heretofore granted to the parties in the contested election case of Hopkins *vs.* Kendall in which to take additional testimony be extended from August 1 to November 1, 1896.

Mr. RICHARDSON. Mr. Speaker, I should like to ask the gentleman if that is like the resolution that was adopted yesterday?

Mr. LEONARD. The resolution adopted yesterday gave until August 1. Both parties agree that that is too short a time, and this is for an extension of the time.

Mr. RICHARDSON. Is that agreeable to Mr. Kendall?

Mr. LEONARD. I think so.

Mr. RICHARDSON. He does not seem to be on the floor, but I am informed that it is acceptable to the gentleman from Kentucky [Mr. KENDALL]. There will be no objection.

The resolution was agreed to.

NAVASSA AND SWAN ISLANDS.

Mr. HULICK. Mr. Speaker, I wish to present for consideration of the House Senate joint resolution No. 89, that passed the Senate yesterday, and I ask unanimous consent that it be considered at this time. It is necessary to have it amended in the House and sent back to the Senate for passage as amended.

The SPEAKER. The Chair understands it is a matter of investigation.

Mr. HULICK. Yes, sir; it is for the appointment of a commission on the part of the Secretary of the Navy to determine the practicability of establishing a coaling station on the island of Navassa and the island of Swan in the West Indies. The amendment as adopted by the Senate is printed "Swamm," when it ought to be "Swan." I ask now for the present consideration of the resolution.

The SPEAKER. The gentleman will send it up, so that it can be reported to the House.

Mr. HULICK. I have a copy of it here. It is not yet sent from the Senate to the House; but it can be read from the RECORD.

The SPEAKER. It will have to be obtained from the committee.

Mr. DINGLEY. I would suggest that it is hardly possible to pass a Senate resolution unless we have the engrossed copy here.

The SPEAKER. We will have to have the engrossed copy of the joint resolution.

Mr. HULICK. Very well. I will wait until the resolution as engrossed is handed to the Clerk.

COMMITTEE TO NOTIFY THE PRESIDENT.

Mr. DINGLEY. Mr. Speaker, I send to the Clerk a resolution and move its adoption.

The Clerk read as follows:

Resolved, That a committee of three members of the House be appointed, to join a similar committee on the part of the Senate, to wait on the President and inform him that the two Houses of Congress are ready to adjourn, and respectfully to inquire if he has any further communication to make.

Mr. DINGLEY. I ask for a vote on agreeing to the resolution.

The question was taken; and the resolution was agreed to.

The SPEAKER. The Chair will appoint the gentleman from Maine, Mr. DINGLEY, the gentleman from Illinois, Mr. CANNON, and the gentleman from Texas, Mr. SAYERS, as the committee under the resolution just passed.

The Clerk has now the joint resolution presented by the gentleman from Ohio.

NAVASSA AND SWAN ISLANDS.

The Clerk read as follows:

A joint resolution (S. R. 89) directing and authorizing the Secretary of the Navy to appoint a board of three officers of the Navy to proceed to Navassa Island, in the West Indies, and examine and report upon the cost of establishing a coaling station for the United States Government on said island.

Resolved, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to appoint a board of three officers of the Navy and instruct said board to proceed to Navassa Island and Swamm Island, in the West Indies, and examine and report upon the practicability and advisability of establishing a coaling station for the United States Government on either of said islands.

Mr. HULICK. Mr. Speaker, I ask to have the joint resolution just read considered at this time.

Mr. RICHARDSON. Unanimous consent has not been given for its consideration.

The SPEAKER pro tempore (Mr. DINGLEY). The question is on giving uuanimous consent for the consideration of the joint resolution which has just been read. Is there objection?

Mr. RICHARDSON. Before unanimous consent is given I would be glad to have some explanation of what this resolution means.

Mr. HULICK. Mr. Speaker, the resolution has just been put in my hands this moment and I have not had time to give it much consideration, but the object of it is stated in the joint resolution itself. It is to authorize the Secretary of the Navy to appoint a board of three officers of the Navy, with instructions to proceed to the two islands of Navassa and Swan, in the West Indies, for the purpose of determining the practicability of establishing a coaling station on one or the other of those islands, and they are to report to Congress on that subject. The original resolution took into consideration the establishment of a coaling station on the island of Navassa, but an amendment was adopted by the Senate to include the island of Swan, and in the original resolution as it came from the Senate, instead of the words "Swan Island" being used, the word "Swamm" was used. Now, the amendment that I desire to offer is to strike out the word "Swamm" and insert the word "Swan" before the word "Island." I ask for the adoption of the resolution as it would thus be amended.

Mr. RICHARDSON. I would like to ask the gentleman if this measure is indorsed or recommended by the Secretary of the Navy or the Navy Department?

Mr. HULICK. Well, it has not been submitted to the committee for consideration. It was brought over here, and in view of the time being so short for the adoption of the resolution, it was not presented to our committee.

Mr. RICHARDSON. I did not ask if it had been referred to the Committee on Naval Affairs, but whether it had been recommended by the Navy Department or the Secretary of the Navy.

Mr. HULICK. I am not advised as to that. It has passed the Senate. It was favorably reported by the Naval Affairs Committee of the Senate.

Mr. McCREARY of Kentucky. Will the gentleman allow me to ask him a question?

Mr. HULICK. Certainly.

Mr. McCREARY of Kentucky. I desire to ask if any committee has reported this resolution?

Mr. HULICK. It was reported by the Committee on Naval Affairs of the Senate and adopted yesterday by the Senate.

Mr. McCREARY of Kentucky. It has not been considered by the House committee?

Mr. HULICK. It has not been considered by the Naval Committee of this House.

Mr. McCREARY of Kentucky. This Navassa Island is an island where a Baltimore company is operating. Both islands referred to in the bill are owned by private individuals, possibly by corporations.

Mr. HULICK. I am not advised as to that.

Mr. McCREARY of Kentucky. What is the area of the islands?

Mr. HULICK. Here is a map of the islands, if any gentleman wishes to see it. There is Navassa Island—about 3 miles in length.

Mr. McCREARY of Kentucky. I understand there are commercial interests on these islands. But what real necessity is there for a coaling station?

Mr. HULICK. Well, I can only reply in the remarks of the Senator who spoke on the resolution when it was adopted.

Mr. GIBSON stated, while this resolution was under consideration on yesterday:

The joint resolution has been carefully considered by the Committee on Naval Affairs, and it was decided to report it favorably. There was added, however, an amendment which increases the propriety of appointing the commission. The scope and advisability of the joint resolution are greatly enlarged by the amendment to the original joint resolution, including another island besides Navassa. The sole purpose of the inquiry is to determine which one of these two islands it is the more advisable should be selected as a coaling station for the United States.

Both of these islands are the property of citizens of the United States. The absolute necessity of establishing such a coaling station has been passed upon by the Navy Department. The object of the joint resolution is to enable a committee of three naval officers to visit the two islands and later on to report to the Secretary of the Navy their judgment with reference to the advisability of the enterprise.

It seems, therefore, to have been submitted to the Navy Department.

Mr. McCREARY of Kentucky. I desire to ask the gentleman this further question: As these islands are both owned by gentlemen living in Baltimore——

The SPEAKER pro tempore. Is there objection to the present consideration of the Senate joint resolution?

Mr. McCREARY of Kentucky. Mr. Speaker, I was asking a question in order to see whether I would object or not. As these islands are owned by gentlemen residing in Baltimore, and as they are honorable, well-informed gentlemen, one of whom I have known a good many years, we can get all the information we desire about these islands from those gentlemen who own the islands or from their agents, who are passing back and forth every few months, without incurring the expense authorized by the bill.

Mr. HULICK. I suggest to the gentleman that it would certainly be better to have a commission appointed who would not have any personal interest in making a report which, although it might be honest and impartial, nevertheless it would not be accepted by the public or by the Navy Department as coming from a disinterested source. The object of this joint resolution is simply to gain information in regard to the practicability and the

desirableness of establishing a coaling station on one or the other of the two islands named.

Mr. OWENS. May I ask the gentleman whether there is any allegation coming from any respectable source that there is any necessity for a coaling station at those islands?

Mr. HULICK. There seems to be.

Mr. OWENS. What is it? Where does it come from?

Mr. HULICK. The Navy Department has information that the location of a coaling station at these islands is advisable in the interests of our commerce; and the object of the resolution is, before taking any steps to establish such a station, to send out this commission of Government naval officers to make an examination and to report the result to the Department. It will not be an expensive matter, and the commission will undoubtedly be able to advise the Department as to the desirableness and practicability of establishing such a station.

Mr. OWENS. Do I understand the gentleman to state that he has information from the Navy Department that the establishment of such a station is desirable, or that the appointment of this commission is desired by the Department?

Mr. HULICK. Yes, sir. The proposition has been approved by the Navy Department, as I am advised.

Mr. DOCKERY. Has the gentleman a letter from the Secretary of the Navy approving this joint resolution?

Mr. HULICK. There is none appearing in the record. It is stated, however, that the joint resolution comes recommended by the Department.

Mr. DOCKERY. It seems to me that it comes in "questionable shape."

Mr. BOUTELLE. Mr. Speaker, I would like to inquire what is the proposition before the House?

Mr. WELLINGTON. If the gentleman will allow me, I will state that there has come from the Senate a report on this subject which I think gives the information that the House desires.

Mr. HULICK. Yes; there is a report here favoring the adoption of the joint resolution, with a map showing the location of the islands.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. BOUTELLE. I should like to know what the proposition before the House is.

Mr. HULICK. It is due to the honorable chairman of our Committee on Naval Affairs to state that my attention was called this morning to this joint resolution having been adopted on yesterday by the Senate and to the fact that an amendment was necessary. The chairman of the committee being absent at the moment, and the close of the session being so near, and fearing that he might not return to the Hall in time, I thought proper to bring the matter before the House, as requested.

Mr. BOUTELLE. What is the matter?

Mr. HULICK. It is a Senate joint resolution authorizing the Secretary of the Navy to appoint a board of three officers of the Navy to proceed to Navassa Island (there is an amendment including Swan Island) to examine and report upon the practicability of establishing a coaling station for the United States Government on the island. The urgency of the matter is that it is necessary to have the joint resolution amended so as to go back to the Senate and have the amendment acted upon there before adjournment.

Mr. BOUTELLE. Has the matter ever been considered by the House Naval Committee?

Mr. HULICK. It has not. The joint resolution came over here this morning, with the request that it be brought before the House at this time, and in the absence of the chairman I was asked to present it.

Mr. DOCKERY. Do I understand that the Committee on Naval Affairs of the House has not considered this subject?

Mr. HULICK. It has not.

Mr. BOUTELLE. Mr. Speaker, I know nothing about this measure and I do not know that any of my colleagues know anything about it. It seems to me that it is a matter that ought to be considered by the Committee on Naval Affairs, and I hope my colleague will not press it at this time.

Mr. HULICK. I knew nothing about it until it was presented to me this morning.

The SPEAKER pro tempore. Does the gentleman withdraw the resolution?

Mr. HULICK. If there is objection to it I will not press it.

Mr. BOUTELLE. I think it is due to the committee and to the House that the matter should be examined by the Committee on Naval Affairs before any action is taken.

Mr. WELLINGTON. In the Senate the Committee on Commerce considered the matter. The Naval Committee does not appear to have had anything to do with it.

Mr. HULICK. No, sir; the Committee on Commerce did not consider this resolution. That report was concerning the establishment of a light-house and not for a coaling station. However, I withdraw the request for the consideration of the joint resolution at this time.

THANKS TO THE SPEAKER.

Mr. TURNER of Georgia. Mr. Speaker, I offer the resolution which I send to the desk.

The resolution was read, as follows:

Resolved, That the thanks of this House are due, and are hereby tendered, to Hon. THOMAS B. REED, Speaker of the House of Representatives, for the ability, efficiency, and strict impartiality with which he has discharged the arduous duties of his office during the present session of Congress.

[Applause.]

Mr. DOCKERY. Let us have a rising vote, Mr. Speaker.

The SPEAKER pro tempore (Mr. DINGLEY). The question is on the adoption of the resolution presented by the gentleman from Georgia [Mr. TURNER] and just read by the Clerk. Those in favor of the adoption of the resolution will please rise.

All the members present rose.

The SPEAKER pro tempore. The resolution is agreed to by a unanimous vote. [Applause.]

ENROLLED BILL SIGNED.

Mr. CROWTHER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:

A bill (H. R. 8159) to pension Mrs. Martha M. Gibson.

B. J. VAN VLECK.

Mr. JENKINS. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate bill No. 2415, for the relief of B. J. Van Vleck, administrator of Henry Van Vleck, deceased.

The bill was read, as follows:

Be it enacted, etc., That the Treasurer of the United States shall pay, out of any money in his hands not otherwise appropriated, to B. J. Van Vleck, administrator of Henry Van Vleck, deceased, or to his duly authorized attorneys in fact, the sum of $4,520.20, being the amount due said Henry Van Vleck at the time of his death as a balance on account of extra work done on the locks of the St. Marys Falls Canal, Michigan, with interest thereon from October 2, 1882, the date of approval of said claim by the Secretary of War.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. BLUE. Reserving the right to object, I should like to hear something about this case.

The SPEAKER pro tempore. The gentleman from Kansas [Mr. BLUE] reserves, until an explanation has been made, the right to object.

Mr. JENKINS. I wish to say to my friend from Kansas [Mr. BLUE] and any other gentlemen who may feel interested in this case that the bill provides for the payment of the sum mentioned to the administrator of Henry Van Vleck, deceased, on account of a contract that was made between Van Vleck and the United States for some work upon the Soo Canal. Mr. Van Vleck, when his accounts were presented, insisted that there was due him some $24,000; but finally it was arranged between him and the Government that only $4,500—the sum mentioned in the bill—should be paid. Before payment was made, however, Mr. Van Vleck died; and the Government held that payment could not be made to any other person than the administrator of the estate. As appears in the report, the War Department has declared that in law and equity this amount is due and should be paid. The claim has met the unanimous approval of the Committee on Claims of this House, as well as of the similar committee in the Senate; and the bill has been passed by the Senate unanimously. The beneficiary, the widow of the man to whom this money was originally due, is now 70 years of age. The amount has been due since 1876. I hope this statement will satisfy my friend from Kansas.

Mr. LINNEY. Has there been any final settlement of the estate between the administrator and the distributees?

Mr. JENKINS. Yes, sir.

Mr. DOCKERY. Let us hear the report.

Mr. BLUE. Under what Department of the Government was this work done?

Mr. JENKINS. The War Department.

Mr. BLUE. What does that Department say about the claim?

Mr. JENKINS. The Department says that in law and equity it should be paid.

Mr. BLUE. I should like to hear the statement of the War Department.

Mr. JENKINS. It is a part of the report.

The report (by Mr. MINOR of Wisconsin) was read, as follows:

The Committee on Claims, to whom was referred the bill (H. R. 2687) for the relief of B. J. Van Vleck, administrator, having had the same under consideration, beg leave to submit the following report, which was made to the Fifty-first, Fifty-second, and Fifty-third Congresses, which we adopt:

[House Report No. 790, Fifty-second Congress, first session.]

The Committee on Claims, to whom was referred the bill (H. R. 4311) for the relief of B. J. Van Vleck, administrator, having had the same under consideration, beg leave to submit the following report:

This claim was before the Committee on Claims of the Fifty-first Congress and was favorably reported by said committee in said Congress, which report so fully covers the facts in the case that your committee reproduce it entire and adopt it as their report.

[House Report No. 1330, Fifty-first Congress, first session.]

The object of the bill is to pay the claimant the sum of $4,520.20, being a balance alleged to be due for extra work on the locks of the St. Marys Falls Canal, in Michigan. The committee addressed the War Department for information and received in reply information as follows:

"WAR DEPARTMENT, *Washington, March 22, 1890.*

"SIR: I return herewith House bill 4983, for the relief of B. J. Van Vleck, administrator of Henry Van Vleck, deceased, referred to this Department on the 4th instant, and invite your attention to the inclosed letter from the Chief of Engineers, dated the 20th instant, and a report on this subject from Col. O. M. Poe, Corps of Engineers, dated the 17th instant, which contains all the information of record in his office in this claim.

"Very respectfully,

"REDFIELD PROCTOR,
"Secretary of War.

"Hon. W. G. LAIDLAW,
"Chairman Committee on Claims, House of Representatives."

"OFFICE OF THE CHIEF OF ENGINEERS,
"UNITED STATES ARMY,
"Washington, D. C., March 20, 1890.

"SIR: I have the honor to return herewith letter of the 4th instant, from the chairman of the Committee on Claims of the House of Representatives, requesting information touching propriety of passage of House bill 4983, Fifty-first Congress, first session, 'A bill for the relief of B. J. Van Vleck, administrator of Henry Van Vleck, deceased,' and beg to say that the papers were referred to Col. O. M. Poe, Corps of Engineers, the officer at present in charge of the St. Marys Falls Canal. Colonel Poe's report is submitted herewith and contains all the information in his office concerning the matter.

"Very respectfully, your obedient servant,

"THOS. LINCOLN CASEY,
"Brigadier-General, Chief of Engineers.

"Hon. REDFIELD PROCTOR,
"Secretary of War."

"UNITED STATES ENGINEER OFFICE,
"24 West Congress street, Detroit, Mich., March 17, 1890.

"SIR: Concerning House bill 4983, current session, entitled 'A bill for the relief of B. J. Van Vleck, administrator of Henry Van Vleck, deceased,' transmitted to me by indorsement, dated Office Chief of Engineers, March 10, 1890, for report, I have to submit the following, viz:

"From the records of this office it appears that under date of October 2, 1880, Major Weitzel, the representative of the Government in the Van Vleck contract of May 11, 1876, reported to the Chief of Engineers upon a claim for extra compensation for work done and materials furnished for the improvement to which that contract relates. The amount of the claim as presented was $23,280.05, and after a full investigation and consideration of the several items of the claim Major Weitzel expressed the opinion that the claimant was entitled to the sum of $4,520.20.

"Under date of November 23, 1880, the Chief of Engineers transmitted to Major Weitzel, for his information and guidance, a copy of an opinion of the Judge-Advocate-General of the Army on the case, in which this officer stated as his conclusion 'that the amount approved may legally be paid the contractor as a payment within the terms and equity of the contract.' In this conclusion the War Department concurred. Based upon this action of the Judge-Advocate-General and of the Secretary of War the Chief of Engineers instructed Major Weitzel that the sum of $4,520.20 is authorized to be paid to Mr. Van Vleck, and you will please settle with him on the basis of your report. While the claim was still under consideration by Major Weitzel—that is to say, prior to his report of October 2, 1880—certain persons who asserted an interest in the matter appealed to him for information in regard to the progress being made in the settlement of the claim. Among these were Mr. James Bellows and Mr. J. Lord.

"This came to the knowledge of Van Vleck, who, under date of May 24, 1880, informed Major Weitzel that he had not given Mr. Bellows any authority to go to Detroit and settle the matter. At the same time he formally notified Major Weitzel that he would not recognize any settlement or payment of moneys on the claim to anyone but 'myself,' and revoked all powers of attorney theretofore given by him to any person whatsoever to act for or represent him in any manner, or to receive any moneys due him arising out of the execution of his contract for furnishing cut stone for St. Marys Falls Canal improvement. From this and other similar records I infer that there was some controversy as to the person or persons who were to be ultimately benefited by the payment of whatever sum should be found due the contractor on final settlement.

"The immediate effect of this controversy was, doubtless, to put Major Weitzel on his guard, and when the amount which was equitably due upon the claim had been determined, and its payment authorized by the War Department, he sought to obtain Mr. Van Vleck's own signature to proper vouchers. I am informed—but with what degree of accuracy I do not know—that when the matter had reached this stage Mr. Van Vleck was absent from the United States, and it was impracticable to complete the vouchers. Under date of March 25, 1881, Mr. J. Lord, of Pittsford, N. Y., wrote Major Weitzel as follows:

"'I learn there is a balance due on the Van Vleck contract for furnishing the cut stone for St. Marys Falls Canal lock amounting to about $4,520.20. Will you pay the balance to me on the Van Vleck power of attorney which is filed in the War Department?'

"To this question Major Weitzel made reply under March 28, 1881, as follows:

"'I have received your letter of March 25, 1881. I am authorized by a letter from the Chief of Engineers, dated November 23, 1880, to pay Mr. Henry Van Vleck the sum of $4,520.20 for extra work on his contract. You have filed a power of attorney, which I have. He has filed a letter denying that he ever authorized anyone to draw money for him. He has not called for his balance. I do not know how I could safely pay it to you.

"'If the accounting officers of the Treasury will pass the account, and I have an order from the Secretary of War to pay it to you, I suppose I would be safe.'

"I find upon the records here a copy of a communication dated June 4, 1881, from Major Weitzel to the Chief of Engineers, in which he gives a short but clear account of the case, incloses copies of papers (some of which are not on the records of this office), and asks instructions.

"While there is nothing of record to show directly that the matter was then referred to the accounting officers of the Treasury, yet there is found a copy of a decision dated July 21, 1881, by the Third Auditor of the Treasury, in which he expresses the opinion that the work done was not authorized as required by contract, and the claim, therefore, is outside its provisions and for unliquidated damages, and can not be entertained by the accounting officers of the Treasury.

"The claim was therefore disallowed by him, and the papers were referred to the Second Comptroller for his official action. The Second Comptroller concurred with the Third Auditor in disallowing the claim. The foregoing embodies all the information in this office bearing upon the claim and its present status. The whole may be summed up in a few words, viz:

"The War Department has recognized as both legal and equitable a claim to the extent of $4,520.20. The Treasury Department has held that the claim is neither legal nor equitable.

"The papers referred to me are herewith returned.

"All of which is respectfully submitted.

"O. M. POE,
"Colonel of Engineers, Brevet Brigadier-General, U. S. A.

"The CHIEF OF ENGINEERS, U. S. A., *Washington, D. C.*"

The foregoing are substantially the reports submitted to the Fifty-first, Fifty-second, and Fifty-third Congresses, and your Committee on Claims, after a careful and conscientious examination of a complete set of documents and papers in the case, find the facts as above set forth to be clearly established.

A summary of documents filed with the claim shows the following state of facts:

(1) Henry Van Vleck was the Government contractor for finishing stone used in the construction of the locks at St. Marys Falls Canal.

(2) That Major Weitzel was in charge of said work, and was the authorized agent of the United States Government for the prosecution and completion of said work.

(3) That it was found necessary during the progress of the work to change the plans and specifications for work and material.

(4) That Major Weitzel, as the legally constituted agent of the United States Government for the prosecution and completion of said work, did direct the said Henry Van Vleck to do additional and extra work from that contemplated in the original contract, and for such extra and additional work so directed to be done by the said Major Weitzel the said Henry Van Vleck was promised full and fair compensation, with 10 per cent added for superintendence.

(5) Compensation was promised by Major Weitzel, engineer in charge, who was by law and by direction of the War Department authorized to contract for this extra labor and material.

(6) That the said Henry Van Vleck did do and perform all work required of him by Major Weitzel, and to his entire satisfaction, as shown by a personal letter from that officer to the Chief of Engineers of the United States Army.

(7) That said work amounted to $4,520.20, which amount was allowed and by the War Department ordered paid to Henry Van Vleck.

(8) But before said Van Vleck could report to receive his check the auditing officers of the Treasury Department refused to pass the accounts, for the reason that the supplementary contract was not in writing, but was an oral contract made by Major Weitzel, who alone, as engineer in charge, was authorized to incur this additional expense of $4,520.20. The committee recommend the passage of the bill after being amended as follows:

Strike out all after the word "Michigan" in the tenth line of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. WHEELER. Mr. Speaker, in my remarks the other day I called attention to the fact that our appropriations this year run up to $515,984,820.49, and if the Republicans succeed, as they seem to hope, in the election next November, they will control the Government during the last four months of the fiscal year, and in that event they will most probably spend the full amount appropriated and very probably in the next Congress will be asking for large deficiencies. The census of 1890 tells us that the expenditures of our State, county, district, and municipal organizations amounted that year to $569,252,634.

This sum added to the appropriations of this Congress would make the enormous aggregate of $1,085,237,454.49, a sum far exceeding the expenditures of any other Government on earth.

I will read some figures which I have prepared upon this subject:

The greatest amount of Government expenditures, next to those of the United States, are those of Russia, which amounted last year to $885,005,996. The expenses of France during the year 1893 were $690,184,119; of Great Britain in 1895, $469,592,105. Next comes Italy, whose governmental expenses in the year 1895–96 were $337,868,552. Then comes the German Empire, whose expenses in 1895–96 were $297,240,240; Spain, in 1894–95, $154,727,145.20; the Netherlands, 1894. 131,491,882 guilders; Belgium, 1893, $78,905,800; Portugal, 1892–93, $51,854,191; Sweden, 1896, $27,144,180; Denmark, 1895, $16,576,741; Switzerland, $15,918,000.

Mr. OWENS. What does the gentleman say our annual expenses are?

Mr. WHEELER. The annual expenses of our Government, Federal, State, county, and municipal, are now about $1,100,000,000.

Mr. OWENS. Then if this bill should be passed they would amount to $1,100,004,520. [Laughter.]

Mr. JENKINS. And 20 cents! [Renewed laughter.]

Mr. WHEELER. I regret that some of my friends do not seem to appreciate the gravity of the situation.

They do not seem to realize that to maintain our Government, Federal, State, municipal, etc., we are spending nearly $4,000,000 a day, and that the monarchical and imperial nations of Europe, which we have been accustomed to regard as very extravagant, are in fact expending much less than we do. It is true that those governments have some other expenses which do not appear in the figures I have given, in their various local organizations, such as counties, departments, cantons, etc., but with the exception of Germany none of the minor or subordinate governments incur expenditures which have any approximation or similitude to the expenses of the States, cities, and counties of our country. The kingdom of Prussia and other governments included in the German Empire of course expend considerable amounts of money, but every expenditure of the German Empire and all the governments of any character connected with it are very much less than the gross expenditures which are borne by the people of the United States.

In Russia and other governments I have named, the expenditures other than those I have mentioned are comparatively little,

and the figures I have read are substantially the cost of maintaining those governments. My friend, Mr. DINGLEY, the distinguished chairman of the Committee on Ways and Means, made a speech yesterday in which he insisted that the evils under which we are suffering could all be remedied by enacting laws to increase the revenues. That, of course, means an increase of taxation. In other words, the distinguished chairman of the Committee on Ways and Means would relieve the sufferings of an already overtaxed people by immediately proceeding to legislate so as to increase their burdens.

I desire to say with all the emphasis in my power that the evil is not that our revenues are not great enough, but the crushing evil under which we are suffering is the enormous expenditures of our Government. We expend to-day, in our Federal, State, city, and other governmental organizations, a sum greater than the entire value of the cotton crop, and the entire value of the wheat crop, and the entire value of the corn crop, and the entire value of the oat crop, and the entire value of the tobacco crop, all put together.

Bear in mind, this is not the profit on these crops which we spend, but the entire gross value which the farmers of the United States receive for all the cotton, wheat, corn, oats, and tobacco which they produce. If such enormous expenditures continue, bankruptcy and ruin must be the final result.

The SPEAKER pro tempore. The Chair suggests that the gentleman from Alabama [Mr. WHEELER] is proceeding by unanimous consent. There is nothing before the House.

Mr. WHEELER. I do not wish to detain the House longer. I desired before adjourning to admonish my fellow-members upon the matter, which is worthy of the most serious consideration. It is a matter of the most serious importance to all the laboring people of our land.

Mr. JENKINS. I wish to say to my friend from Alabama [Mr. WHEELER] that this is a just claim and is admitted to be such by the Department of the Government having knowledge of the facts. The War Department has said in the report just read that this claim ought to be paid. It does not make any difference what other amounts the Government may be expending or what other amounts it may owe. This Government is big enough to pay its just debts. If any further statement is deemed necessary in support of this bill, I yield to my colleague from Wisconsin [Mr. MINOR] who is a member of the Committee on Claims.

The SPEAKER pro tempore. Is there objection to the consideration of this bill?

Mr. BLUE. It appears that the gentleman from Wisconsin [Mr. MINOR] has given special attention to this case; I hope he will state the matter briefly.

Mr. MINOR of Wisconsin. Mr. Speaker, I made the report on this bill after a very careful examination of all the papers in the case; and I can assure the House they were quite voluminous. The facts, simply stated, are these: Mr. Van Vleck took a contract from the Government in 1876 to prepare and place in position the stone necessary for the locks at the St. Marys Falls Canal. The plans had been prepared by the Government, and the specifications submitted and, for the time being, approved by the engineer in charge of the work. But when they began the work of constructing the locks it was at once seen that the specifications and plans were insufficient, and that it would be advisable to change them and adopt another system. By changing the plans, increasing the size of the stone to be used, and adopting a different method of dressing it, it was ascertained that they could make the work much more satisfactory, more durable, and in every way more desirable to the Government. Major Weitzel, who was the officer in charge of the work, reported to General Poe, whose headquarters were at Detroit, being in charge of that division, as to the necessity for some change in the plans, and General Poe communicated with the Department at Washington, who approved of the change. Major Weitzel made a trip to the St. Marys Falls Canal, and while on board the steamboat stated in a conversation with Mr. Van Vleck that the Government had decided to change the plans of the work, and submitted to him the new plans and specifications. He said to him, "Now, if you will proceed with the work you shall have all that belongs to you as extra pay, and 10 per cent additional for the superintending of the work."

Now, let me say to the members of the House, what I presume most of them are aware of, that the Government reserves the right in such contracts to change the plans and specifications as the work progresses. The only difficulty about this matter was that the contract or change of contract was not in writing, and the law requires that such provision shall be in writing. But, being on a steamboat and no writing material convenient or at hand, it was necessarily a mere verbal contract, but was carried out faithfully and to the letter by the contractor. Major Weitzel recognized the fact that the contract, so far as its moral provisions are concerned, was absolutely binding upon him and binding upon the War Department, which recognized him as its representative.

The work was completed under the new contract, with the approval of General Poe and the Secretary of War, and when it was completed it was conceded by the officers in charge that the contractor had done the work well, that he had done it honestly, and had earned the money to which he was entitled by reason of the changed plans. The check was made out by General Weitzel and sent to him for the full amount of the work done. But in the meantime, Mr. Van Vleck, being a contractor by occupation, had gone down into Mexico to take a contract for the construction of a railroad, and as a consequence did not get possession of the check for several months. Before his return the account had been passed into the Treasury Department, and the Auditor refused to pay it for the reason that the supplemental contract was not in writing, and hence was technically contrary to the law.

Mr. BLUE. Is that all?

Mr. MINOR of Wisconsin. That is the exact condition of the case. [Cries of "Vote!" "Vote!"]

Mr. BLUE. I desired, Mr. Speaker, to understand this matter thoroughly before interposing objection or assenting to its consideration at this time. It seems, so far as the claim is concerned, that all the objection that exists against the payment depends solely upon the technical objection to this supplemental contract, which increased the work, that it was not reduced to writing.

Mr. MINOR of Wisconsin. That is all.

Mr. BLUE. But it is conceded that the Government gained the full benefit of the services of this man, his labor, and the material; and it is also apparent that this bill has come from the Senate, and if it is to be made available as an appropriation at this session of Congress it will have to be passed promptly.

Mr. MINOR of Wisconsin. Let me suggest to the gentleman that in the Fifty-first, Fifty-second, and Fifty-third Congresses this same bill was passed.

Mr. BLUE. So the bill, in the shape in which it is, is presented to Congress now for a final settlement of this claim. This supplemental contract was not in writing, which is alleged to be the only irregularity about it; but that has been condoned by the action of the Government itself, and has been taken out of the statutes of fraud, so to speak, and it appears to me that on the explanation of the gentleman from Wisconsin the claim is a fair one, and I do not care to interpose an objection to its consideration.

But, Mr. Speaker, I wish to say at the same time, as a member of the Appropriations Committee, that I must insist on making objections where bills are sought to be passed at this late hour in the session that carry large appropriations, with nearly all of the members absent. And I refer especially to bills which appear before the House for the first time and which have had no previous consideration in this body, appropriating considerable sums of money. It is not fair to the members who are here, and while withdrawing the objection to this particular bill, which seems to be meritorious on the statement made, I do not want it to be taken as a precedent for what I shall do with reference to other matters of a similar character.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. DOCKERY. It seems to me, Mr. Speaker, that at this late hour bills carrying large demands on the Treasury ought not to be offered, especially with the meager membership of the House that is now present. Although a strong sense of public duty may make it incumbent upon some member to object, under such circumstances it seems "ungracious" to do so. I hope, therefore, while I do not object in the present instance, that no other bills involving appropriations will be presented for consideration.

Mr. DALZELL. I think I can assure the gentleman from Missouri that none others will be presented.

There being no objection, the bill was considered, and ordered to a third reading; and being read the third time, it was passed.

ORDER OF BUSINESS.

Mr. OWENS. Mr. Speaker——

Mr. DALZELL. Mr. Speaker, I move that the House take a recess until 2 o'clock.

The question was submitted; and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. OWENS and Mr. WHEELER demanded a division.

Mr. DALZELL. I hope the gentlemen will not insist upon that.

Mr. OWENS. I simply want recognition for the consideration of a small bill. I have troubled the House but very little.

Mr. DALZELL. With the present membership of the House, I do not think the gentlemen ought to insist upon that.

Mr. OWENS. I have tried but once during this session to get recognition, and I would like to have it on a very small matter. This is a bill which passed through our Pension Committee for the benefit of a bedridden Mexican soldier, helpless, with no estate——

Mr. DOCKERY. I hope the motion for a recess will be withdrawn to allow the gentleman to be recognized. This side of the House has had no recognition. The bill carries no appropriation, as I understand it.

Mr. DALZELL. I want to say to my friend from Kentucky that there are at least half a dozen gentlemen, to my knowledge, who are in precisely the same situation as he is, and who make the same appeal, but in the interest of wise legislation, which is no legislation at all at this time, there ought to be no hesitation about taking the recess.

Mr. McCREARY of Kentucky. I distinctly heard my colleague [Mr. OWENS] address the Chair twice before the gentleman from Pennsylvania was recognized.

The SPEAKER pro tempore. The Chair desires to say that the gentleman from Pennsylvania had notified him, long before the completion of the preceding matter, that he desired to make that motion.

Mr. McCREARY of Kentucky. But still my colleague [Mr. OWENS] had addressed the Speaker twice at the time that the gentleman from Pennsylvania made the motion.

Mr. WILLIS. I have a bill here myself, but I am willing to hold it in abeyance, for the reason stated.

Mr. WHEELER. I also have a bill.

Mr. DALZELL. I appeal to the gentleman from Kentucky to consider the fact that if he is recognized there ought to be half a dozen others recognized in the same way.

Mr. OWENS. There are very few members who have not passed bills. I have not passed one, nor had recognition for a single bill, and I have never objected to any bills being considered.

Mr. DALZELL. I hope the House will sustain this motion, under the circumstances.

The motion was agreed to.

Accordingly (at 12 o'clock and 40 minutes p. m.) the House took a recess until 2 o'clock p. m.

The recess having expired, the House, at 2 o'clock p. m., resumed its session.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced, in pursuance of the authority granted and duty imposed upon the presiding officer of the Senate by the provisions of the act making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes, the presiding officer of the Senate had appointed Senators HARRIS, FAULKNER, and MCMILLAN members of the Joint Select Committee to make Investigations of the Charities and Reformatory Institutions of the District of Columbia.

The message also announced that the Senate had passed the following resolution:

Resolved, That a committee of two Senators be appointed by the Chair, to join a similar committee appointed by the House of Representatives, to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn unless the President has some other communication to make to them.

In compliance with the foregoing the Chair appointed Mr. SHERMAN and Mr. SMITH as said committee.

ENROLLED BILL SIGNED.

Mr. CROWTHER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (S. 2415) for the relief of B. J. Van Vleck, administrator of Henry Van Vleck, deceased; when the Speaker signed the same.

LEAVE TO WITHDRAW PAPERS.

By unanimous consent, on motion of Mr. KERR, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the case of Andrew B. Keith, Fifty-fourth Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. STRAIT, indefinitely, on account of sickness.

To Mr. STEPHENSON, indefinitely, on account of sickness in his family.

To Mr. WARNER, indefinitely, on account of sickness.

To Mr. MCCORMICK, for four days, to attend a funeral.

To Mr. STRODE of Nebraska, for ten days, on account of sickness in his family.

To Mr. AVERY, for the remainder of this session, on account of sickness in his family.

MRS. ANNA WEDEL.

Mr. TAWNEY. Mr. Speaker, I ask unanimous consent for the consideration of the bill (H. R. 5782) granting an increase of pension to Mrs. Anna Wedel.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place upon the pension roll the name of Mrs. Anna Wedel, widow of the late Dr. Henry R. Wedel, assistant surgeon of the Fourth Minnesota Volunteer Infantry, at the rate of $50 a month, and to pay her a pension at that rate, in lieu of the pension she is now receiving, from and after the passage of this act.

The Committee on Invalid Pensions recommended the following amendments:

In line 7 strike out the word "fifty" and insert the word "twenty"; and in line 9 strike out the words "from and after the passage of this act."

Mr. TAWNEY. Mr. Speaker, I ask that the report of the committee, which is very brief, be read to the House.

The SPEAKER. The Clerk will read the report.

The report (by Mr. THOMAS) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5782) granting an increase of pension to $50 per month to Anna Wedel, widow of Dr. Henry R. Wedel, late assistant surgeon, Fourth Minnesota Volunteer Infantry, having carefully examined and considered the facts presented, respectfully report:

Dr. Henry R. Wedel served as assistant surgeon, Fourth Minnesota Volunteer Infantry, from September 11, 1862, to February 9, 1865, when he was mustered in as surgeon of said regiment, and served as such until June 15, 1865, when his resignation was accepted on account of family and business affairs, and he was honorably discharged. He filed a claim for pension April 8, 1887, but died April 24, 1887, before action was taken thereon.

The applicant was married to soldier October 30, 1865, and filed claim for pension June 24, 1887, which was rejected February 9, 1895, on the ground of no record and failure, after special examination, to show that soldier's alleged injury to spine or back was due to military service, or that death cause was due to service.

She filed claim under act of June 27, 1890, which was allowed from October 20, 1890, at $8 per month, and she is pensioned at that rate.

The testimony of six reputable citizens and neighbors filed with the committee shows that she is possessed of no property, real or personal, except her wearing apparel and household furniture and about $300 left her by her husband; that she is sick and requires the constant attendance of some other person, being unable to help herself, and that she has no income except her pension of $8 per month, and will soon be dependent upon public charity, as her means are fast being exhausted.

Dr. Franklin C. Staples and Dr. J. B. McGaughey also testify that Anna Wedel has been an invalid for more than twenty years, and that for more than two years last past, owing to anæmia, nerve exhaustion, dilatation of the stomach, and pulmonary hemorrhage, she has been almost constantly confined to her room—a great portion of the time to her bed—being unable to perform any manual labor and requiring the almost constant care and assistance of another person.

She is now well advanced in her fifty-fifth year, and has no income but her pension, the small sum received from life insurance being almost exhausted, thus rendering her nearly destitute. No reasonable hope of her recovery or improvement in health.

In view of these facts, your committee recommend the passage of the bill with the following amendments:

Strike out the word "fifty," in line 7, and insert "twenty" in place thereof.

Strike out all the printed bill after the word "receiving," in line 8.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The amendments of the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

HENRY F. THORNTON.

Mr. OWENS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 1064) for the relief of Henry F. Thornton.

The bill was read, as follows:

Be it enacted, etc., That the Commissioner of Pensions be, and is hereby, directed to issue to Henry F. Thornton, late of First Virginia Volunteers in Mexican war, a certificate of pension at the rate of $25 per month, in lieu of certificate No. 9623 now held by said Thornton as a survivor of said war.

SEC. 2. That this act take effect from December 25, 1895.

The Committee on Pensions recommended the following amendments:

In line 6 strike out the words "twenty-five" and insert in lieu thereof the word "fifteen."

Strike out all of section 2.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CROWTHER. I should like to have the report read.

The report (by Mr. COLSON) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 1064) entitled "A bill for the relief of Henry F. Thornton," beg leave to submit the following report, and recommend that said bill do pass with amendments:

The claimant was a member of the First Virginia Volunteers, and served from December 2, 1847, to February 29, 1848, in the war with Mexico. He was granted the pension of $8 per month provided by the act of January 29, 1887, and this was subsequently increased to $12 per month under the act of January 5, 1893, upon his proving dependence and total disability.

The papers on file at the Pension Bureau show that Mr. Thornton is 71 years old, a sufferer from rheumatism and paralysis agitans, and generally in such a condition physically as to be wholly incapacitated for earning a support by manual labor. It is further shown that he has absolutely no property or source of income aside from his pension.

There are several precedents for the allowance of an increased rating to the wholly disabled and dependent pensioners of the Mexican war, and your committee believe that such precedents may be followed with propriety and justice in this case.

The following amendments are recommended: Strike out the word "twenty-five," in line 6, and substitute therefor the word "fifteen." Strike out the second section of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. OWENS. Mr. Speaker, I want to call attention to the bill and to the amendment. The bill, as I stated this morning, is for the relief of an old, bedridden Mexican soldier. As the report shows, he is a victim of paralysis and rheumatism, and utterly unable to do any physical labor. He is utterly without means of support, and in addition to himself there is his aged wife, who is also in no condition to perform any labor. He is now drawing a

pension of $12 per month. I introduced this bill, asking for $25 per month. The committee returned the bill with a report showing that he was utterly incapacitated from labor and that he is without means of support for himself or wife, but recommended an increase to $15 instead of $25. Of course I should not have thought of introducing a bill for an increase like that, and I ask the House to pass the bill as it was originally introduced, providing for an allowance of $25 per month. I ask the House to vote down the amendment.

Mr. COOKE of Illinois. What is the age of the soldier?

Mr. OWENS. He is over 70 years old—I think 72 years now. He is on a bed of sickness, from which he will probably never rise. The physicians think so.

Mr. DINGLEY. I hope the gentleman will not ask to raise the amount reported by the committee, but that he will let it stand as reported.

Mr. OWENS. That is only an increase of $3 a month.

Mr. DINGLEY. I think we had better not increase the amount over that reported by the committee. That would be a very unusual thing to do.

Mr. OWENS. The committee, as I understand, just took up the proposition that he was utterly unable to labor, and that he had no means of support for either himself or wife, and yet only increased the amount $3 per month!

Mr. DINGLEY. I presume the committee has reported the amount in accordance with a certain rule that they have established in other cases.

Mr. OWENS. All that there was before the committee were the facts of his service and the fact of his physical condition.

Mr. DINGLEY. While the amount is of no consequence, I dislike to increase it over the amount reported by the committee.

Mr. OWENS. The increase is of no consequence.

Mr. DINGLEY. The principle is one that I think we had better not undertake to modify. We had better simply do what the committee have recommended in the matter, since that is the increased amount they recommend. I hope the gentleman will not press his amendment to increase the amount, unless some reason be given beyond what has been stated.

Mr. THOMAS. Mr. Speaker, I will state that this bill was considered very carefully by the committee, and it was thought that $15 a month was adequate in consideration of the evidence that was presented to the committee, and I hope that the gentleman will not insist on increasing the amount over that reported by the committee.

Mr. OWENS. What rule was followed by the committee, I do not know. I do not think they took evidence as to whether that was enough.

Mr. THOMAS. I did not say that any particular rule was followed. That was the statement made by the gentleman from Maine. But the committee considered the case and came to this conclusion, and I shall be obliged to stand by the action of the committee.

Mr. OWENS. This is an increase of only $3 a month. In view of the peculiar condition in which this old man finds himself—on a bed of sickness from which, according to his physician, he will never rise again, and the condition of his wife—I do not think this House ought to stand on that amount and increase his pension only $3. Better not raise it at all.

The SPEAKER. The question is on agreeing to the amendments of the committee.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. OWENS. Division!

Mr. CROWTHER. That is on the amendments proposed by the committee.

Mr. THOMAS. I withdraw my objection.

Mr. OWENS. Mr. Speaker, I would as soon the House killed the bill as to pass it with an increase of $3.

The House divided on the question of agreeing to the committee amendments.

Mr. OWENS (pending the announcement). Mr. Speaker, I ask consent to withdraw the bill.

The SPEAKER. Without objection, the bill will be withdrawn.

There was no objection, and it was so ordered.

MELANCTHON M'COY.

Mr. HERMANN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 94) increasing the pension of Melancthon McCoy, of Company K, One hundred and forty-eighth Illinois Infantry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place on the pension roll the name of Melancthon McCoy, late of Company K, One hundred and forty-eighth Illinois Volunteer Infantry, and pay him at the rate of $25 per month, in lieu of the pension he is now receiving.

Mr. HERMANN. Mr. Speaker, let the report also be read for the information of the House.

The report (by Mr. PICKLER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 94) granting an increase of pension to Melancthon McCoy, having carefully considered the facts in the case, respectfully report:

Claimant enlisted February 11, 1865, and was honorably discharged September 5, 1865.

It appears that on July 4, 1868, he was seriously injured by the premature explosion of a cannon, one of his eyes being blown out and the sight of the other greatly impaired, since which time he has become blind to such an extent as to require some one to lead him. In addition to this, he lost several fingers and otherwise crippled his hands, one arm being entirely useless.

July 9, 1890, he made application under the act of June 27 of that year, and was allowed the maximum rate thereunder. He has a wife and child depending upon him, and absolutely no property or income except this pension of $12 per month.

The question is, Will the Government allow this soldier to become a public charge and end his days in the poorhouse? There seems to be no alternative for him.

Your committee believe that such an evil should not come to pass, and therefore respectfully recommend the passage of the bill with the following amendments:

In line 3, after the word "hereby," insert "authorized and."

In line 6 strike out the words "at the rate" and insert in lieu thereof the words "a pension."

Mr. HERMANN. Mr. Speaker, I know the old veteran for whose relief the pending bill is intended. He resides in my home county. I meet him frequently on the streets when I return home. He is a moral and temperate man, and a good, responsible citizen. He served his country in its trying hours, and was faithful in his devotion to the cause of freedom and Union. By the accident mentioned in the report just read he has lost the use of his eyesight. This has impaired and destroyed his ability to earn a livelihood, and to this may be added his present reduced condition financially. In fact, it may be said he is really penniless, but with the aid of an industrious, devoted wife and the services of affectionate children he is able to keep the wolf from the door. I ask that the bill may pass in the closing hours.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

LEWIS KEISER.

Mr. HAINER of Nebraska. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7740) granting an increase of pension to Lewis Keiser, of Hubbell, Nebr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Lewis Keiser, of Hubbell, Nebr., late a member of Company B, Ninety-third Regiment Illinois Infantry Volunteers, at the rate of $72 per month, in lieu of the pension he is now receiving.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLUE. Let us hear why this man is to be given $72 a month.

Mr. HAINER of Nebraska. Mr. Speaker, this is the case of a private soldier who served honorably for three years. He received a sunstroke and injury to the back while in the service. He is now 74 years of age, without means to support himself otherwise than a small house, and dependent upon those who are not legally bound for his support. He is a helpless paralytic. His condition is utterly pitiable. He can not even sit up without being propped. He needs assistance for every possible movement of his body. He can say yes and no sometimes in a way that those about him can understand. A stranger could not even understand that. If he had the power of speech he might make good his case before the Pension Office. As it is, his case had several special examinations, and the examiners have made various reports. More than half of the special examiners have reported that in their judgment his disability is due to service origin—part of them that it is due to the sunstroke and part of them to the injury of the back. Yet in spite of these reports the Pension Office has turned him down.

Mr. OWENS. What do you ask for him?

Mr. HAINER of Nebraska. Seventy-two dollars a month.

Mr. RICHARDSON. What is he getting now?

Mr. HAINER of Nebraska. He is now pensioned at the rate of $12 a month, under the act of 1890. The report shows that a special medical examiner sent out by the Pension Office says:

This claimant is afflicted the worst, with paralysis agitans, of any person I have ever seen, * * * requires the constant care and attention of another all of the time, night and day, as much as a babe less than a month old.

A more pitiable case was never presented to the Congress of the United States.

Mr. HERMANN. It should pass.

Mr. HAINER of Nebraska. I ask for a vote, Mr. Speaker, on the amendments recommended by the committee.

The amendments recommended by the committee were agreed to.

Mr. OWENS. I want to say to the gentleman, that just shows the difference between living in Nebraska and living in Kentucky.

In this case $72 is given to the man, while $25 is refused to a man who lives in Kentucky who is suffering just as much.

Mr. ANDREWS. I would like to ask the gentleman from Kentucky a question. Is the disability of the soldier to whom you refer traceable to service origin?

Mr. OWENS. That is what the Pension Department allowed him a pension for.

Mr. ANDREWS. He was pensioned on a service disability contracted in the Mexican war.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. HAINER of Nebraska. I ask that the title be amended to conform to the recommendation of the committee.

The SPEAKER. Without objection, the amendment to the title will be considered as agreed to.

There was no objection, and it was so ordered.

REPORT OF BERLIN SILVER COMMISSION.

Mr. RICHARDSON. Mr. Speaker, I desire to present a report from the Committee on Printing, a Senate concurrent resolution, which would be privileged if properly reported, but which, as it stands, requires unanimous consent. It passed the Senate yesterday, and I have been requested to ask for its consideration by the House.

The concurrent resolution was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 5,000 copies of Senate Document No. 274, Fifty-third Congress, second session, Proceedings of the Berlin Silver Commission of 1894, with index, 3,000 copies to be for the use of the House of Representatives and 2,000 for the use of the Senate.

Mr. BAILEY. Mr. Speaker, upon that I desire to submit some observations, and if I am recognized I will yield ten minutes to the gentleman from California [Mr. MAGUIRE].

Mr. RICHARDSON. I have the floor, Mr. Speaker. I did not know that the gentleman desired to debate this question at all, and having asked for unanimous consent, I feel that I ought not to yield the floor if the gentleman wants to make any protracted observations, but I hope he will have consent for a few minutes.

Mr. BAILEY. I understood that this was a privileged report.

Mr. RICHARDSON. It is.

Mr. BAILEY. Then it did not require unanimous consent.

Mr. RICHARDSON. Not at all.

Mr. BAILEY. My understanding was that the gentleman from Tennessee submitted a privileged report and resumed his seat, whereupon I took the floor. Of course I have no disposition to take the gentleman off the floor, but seeing that he had resumed his seat and that the Speaker was about to submit the question on the adoption of the privileged report, I took the floor.

Mr. RICHARDSON. I have no objection in the world, except that I did not know the gentleman was about to ask recognition.

Mr. BAILEY. Then I did not make myself understood, because I intended to tell the gentleman a few moments ago that I desired to take the floor, and I believe I did ask him to take the floor and yield to the gentleman from California.

Mr. RICHARDSON. I ask unanimous consent, Mr. Speaker, that the gentleman have five minutes.

Mr. DALZELL. Is this a privileged report?

Mr. RICHARDSON. It is. It provides for printing for the two Houses of Congress.

Mr. DALZELL. How much will it cost?

Mr. RICHARDSON. I do not know. It is a report that was submitted in the Senate by the Senator from Maine [Mr. HALE], the chairman of the Committee on Printing, and I do not find any printed report upon it in the RECORD, so that I can not state the cost.

Mr. DALZELL. Has it been considered by the Printing Committee of this House?

Mr. RICHARDSON. Only by myself. That is why I asked unanimous consent for its consideration. I stated that it was a privileged report because it provides for printing for the two Houses.

Mr. McCREARY of Kentucky. What would be the probable cost of this printing?

Mr. RICHARDSON. I do not know. I am not familiar with the document. It is a miscellaneous document which was printed in the last Congress, and this resolution provides for a reprint.

Mr. McCREARY of Kentucky. Is it a lengthy document?

Mr. RICHARDSON. I think not.

Mr. WALKER of Massachusetts. I will ask the gentleman from Tennessee whether this is not an exceedingly bulky document, containing the whole proceedings of that conference? Does the gentleman know whether it has to be set up again or not?

Mr. RICHARDSON. No; it does not. The Printing Office has the plates. I now yield to the gentleman from California.

Mr. DALZELL. Mr. Speaker, has unanimous consent of the House been given for the consideration of this resolution?

The SPEAKER. Unanimous consent has not yet been granted. The Chair has indulged gentlemen in some preliminary remarks.

Mr. RICHARDSON. I wish to say, Mr. Speaker, that the reason I have presented the resolution at this time is that a special messenger came to me from the Senate with a request from several Senators that unanimous consent be asked to have this document reprinted.

Mr. McCREARY of Kentucky. I would like to ask the gentleman who represented the United States in the Berlin conference?

Mr. RICHARDSON. I can not answer that question. I have not seen the document.

Mr. McCREARY of Kentucky. There was no representation of the United States at the Berlin conference. There was at the Brussels conference, but not at the Berlin conference.

Mr. RICHARDSON. The document was printed, as I understand, in the last Congress, and this is simply to reprint a certain number of copies for the use of the Senate and the House.

Mr. DALZELL. Mr. Speaker, I understand that the statement of the gentleman from Kentucky [Mr. McCREARY] is correct, and that we had no representation at this conference.

Mr. McCREARY of Kentucky. It was a local conference, and the United States were not represented.

Mr. DALZELL. Not at all, as I am informed. I think, Mr. Speaker, that under the circumstances I shall have to object.

CHRISTOPHER C. CUMMINS.

Mr. MARSH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk, H. R. 8888, to grant an honorable discharge to Christopher C. Cummins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to correct the military record of Christopher C. Cummins, late a private in Company C of the Eighty-second Regiment of Ohio Volunteer Infantry, and grant him an honorable discharge to date as of the 24th day of July, 1865.

Mr. MARSH. I ask that the report be read.

The SPEAKER. Is there objection to the present consideration of this bill? The Chair hears none.

Mr. BAILEY. Mr. Speaker, I yield five minutes to the gentleman from California, and reserve the remainder of my time.

Mr. MARSH. I believe I have the floor, Mr. Speaker. I have not yielded.

Mr. BAILEY. The gentleman could not retain the floor when the Chair was about to put the question.

Mr. MARSH. The Chair recognized me.

Mr. BAILEY. If the gentleman from Illinois will say that he wanted to address the House on the bill I will yield.

The SPEAKER. The Chair wants to understand this matter. It is true that the gentleman who proposes a bill does not hold the floor while unanimous consent is being asked, but at the same time it is the custom of the House that a gentleman in charge of a bill, if he desires recognition, should first be recognized.

Mr. BAILEY. I recognize that as a proper custom, and if the gentleman from Illinois will say that he intended to address the House on the bill I will yield the point.

Mr. MARSH. I will say that I rose, the Speaker recognized me, and I asked unanimous consent to call up and pass the bill which I sent to the Clerk's desk.

Mr. BAILEY. Which was granted.

Mr. MARSH. Which was granted, as I understood, and the bill was read; and then I called for the reading of the report for the information of the House.

Mr. BAILEY. Was the report read?

The SPEAKER. The report has not yet been read.

Mr. MARSH. I have still been holding the floor.

Mr. BAILEY. I did not hear the demand for the reading of the report.

The SPEAKER. The Clerk will read the report.

Mr. BAILEY. I will say to the House now that I am going to have this time to yield to the gentleman from California, and the gentleman from Illinois will make no progress by trying to keep the floor.

The report (by Mr. MARSH) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 8888) entitled "An act to grant an honorable discharge to Christopher C. Cummins," report the same to the House and recommend its passage.

Said Cummins was enrolled February 15, 1865, and mustered into the service February 18, 1865, to serve one year. He was assigned to service in the Sixty-first Ohio Infantry.

The Sixty-first Ohio Infantry was consolidated with the Eighty-second Ohio Infantry March 31, 1865, and said Cummins served faithfully with Company I, Eighty-second Ohio Infantry, to July 11, 1865, at which date he is reported as a deserter.

After the grand review at Washington City he, with his regiment, was ordered to Louisville, Ky. The soldier remained with his regiment at Louisville, Ky., until the 11th day of July, 1865, when large numbers of his regiment were daily going to their respective homes without leave to visit their families; this soldier, knowing that the war was over and desiring to see his family, and without any thought or intention of deserting, went to his home, intending to return to his regiment in a few days. After being at home about

eight days he started on his way to rejoin his regiment at Louisville, and on arriving at Cincinnati, Ohio, where he met some of his comrades, he was told by them that his regiment had been ordered to Columbus, Ohio, and mustered out of the service, and he therefore returned to his home.

From the evidence before your committee it appears that this soldier had performed honorable and faithful service during his whole enlistment, up to the 11th day of July, 1865, only a few days prior to the muster out of his regiment, and that in going home on the 11th day of July, 1865, to see his family, he did not intend to desert.

The evidence further shows that he is a good citizen, respected by all his neighbors.

Mr. MEREDITH. The ultimate purpose of this bill, as I understand, is to give this man a pension, I believe.

Mr. MARSH. No, sir.

Mr. MEREDITH. That will follow as a matter of course; and I object.

Mr. MARSH. Unanimous consent has already been granted.

Mr. MEREDITH (after a pause). I withdraw my objection.

Mr. MARSH. Mr. Speaker, the objection is withdrawn.

The SPEAKER. What motion does the gentleman from Illinois make?

Mr. MARSH. I move the passage of the bill——

The SPEAKER. The question is——

Mr. BAILEY. Now, Mr. Speaker——

Mr. MARSH. And upon that I demand the previous question.

The SPEAKER. The gentleman from Illinois demands the previous question.

The SPEAKER (having put the question). The ayes seem to have it.

Mr. BAILEY. Division.

INVESTIGATION OF DISTRICT CHARITIES.

The SPEAKER (before announcing the result of the vote). If there be no objection, the Chair will announce the appointment of Mr. PITNEY of New Jersey, Mr. BLUE of Kansas, and Mr. DOCKERY of Missouri as members on the part of the House of the Joint Select Committee to make Investigations of the Charities and Reformatory Institutions of the District of Columbia, notice having been received from the Senate of its concurrence in the proposition.

ORDER OF BUSINESS.

The SPEAKER. On this question the ayes are 60, the noes 6.

Mr. BAILEY. No quorum, Mr. Speaker.

Mr. MEYER addressed the Chair.

The SPEAKER. For what purpose does the gentleman from Louisiana rise?

Mr. MEYER. To ask unanimous consent for the consideration of House bill No. 6634.

The SPEAKER. There is a proposition already before the House.

Mr. OWENS. I move a call of the House.

The SPEAKER (having put the question on ordering a call of the House). The noes seem to have it.

Mr. OWENS. Have I not a right to demand a call of the House without a motion?

The SPEAKER. A motion may be made for a call of the House.

Mr. BAILEY. I submit that when any vote discloses the absence of a quorum the rule is that there shall be a call of the House——

Mr. BARTLETT of Georgia. Or an adjournment.

Mr. OWENS. That rule was followed, I know, the other day, when we had a call of the House simply on the demand of a member.

The SPEAKER. Under clause 4 of Rule XV, applying to a case like the present, a call of the House does not require a motion or suggestion of a member, but arises by force of the rule which declares:

Whenever a quorum fails to vote on any question, and a quorum is not present and objection is made for that cause, unless the House shall adjourn, there shall be a call of the House, and the Sergeant-at-Arms shall forthwith proceed to bring in absent members, and the yeas and nays on the pending question shall at the same time be considered as ordered.

Mr. OWENS. Then the Clerk must call the roll.

The SPEAKER. The Clerk will call the roll; and gentlemen will vote upon the question of ordering the previous question.

The call of the roll was begun and completed, and the Clerk read the list of pairs.

Mr. DALZELL. Mr. Speaker, I ask unanimous consent to dispense with further proceedings under this call.

The SPEAKER. By unanimous consent all further proceedings under the call can be dispensed with. Is there objection?

There was no objection.

Mr. MARSH. Now, Mr. Speaker, I believe my bill is pending before the House.

Mr. BAILEY. I withdraw the point of no quorum on the demand for the previous question, and I understand the gentleman from Illinois will withdraw the demand for the previous question.

Mr. MARSH. I have entered into no such understanding. [Laughter.] But I withdraw the demand for the previous question.

The SPEAKER. The point of no quorum is withdrawn, the demand for the previous question is withdrawn, and the bill is now pending before the House for consideration.

Mr. MARSH. Mr. Speaker, upon that bill, before proceeding, it will afford me a great deal of pleasure to render a kindness to the gentleman from the Lone Star State, and I yield to him for five minutes.

Mr. BAILEY. Mr. Speaker, that will not be sufficient.

Mr. MARSH. How much time does the gentleman want?

Mr. BAILEY. It is now within forty minutes of the hour when the House must adjourn. The gentleman from Illinois is entitled or would be entitled to an hour if the session continued that long. I think an equal division of the time would be fair.

Mr. MARSH. How much time does the gentleman want?

Mr. BAILEY. Twenty minutes.

Mr. MARSH. I yield to the gentleman twenty minutes, and at the conclusion of that time I will resume the floor. But I want him to understand that he is under no obligation. [Laughter.]

REPORT OF COMMITTEE TO WAIT UPON THE PRESIDENT.

The SPEAKER. Before the gentleman from Texas proceeds the gentleman from Maine will submit a privileged report from the committee to wait upon the President.

Mr. DINGLEY. Mr. Speaker, the committee appointed by the House to join the committee appointed by the Senate to wait upon the President of the United States and inform him that the two Houses had completed their labors and await any further communication he may be pleased to make, have attended to the duty assigned to them, and the President was pleased to say that he has no further communication to make to the two Houses, and that he congratulated Congress on the early completion of its labors. [Applause.]

CHRISTOPHER CUMMINS.

The SPEAKER. The House resumes consideration of the bill called up by the gentleman from Illinois [Mr. MARSH].

Mr. BAILEY. Mr. Speaker, I yield ten minutes of the time allotted to me to the gentleman from California [Mr. MAGUIRE], reserving the remainder of my time.

Mr. MAGUIRE. Mr. Speaker, my real purpose in rising is not to discuss the pending bill, but, with the general consent of the House, to reply to certain statements made last evening by the distinguished gentleman from Maine [Mr. DINGLEY], in the course of his very ingenious speech on the causes of the industrial depression through which our country has recently passed. I shall take occasion also to comment upon statements made by other gentlemen on the Republican side during the present session of this Congress, attributing the depression to the ascendency of the Democratic party and the legislation of the Fifty-third Congress. I am forced to the opinion that these gentlemen are sincere in declaring their belief that the election of a Democratic President and the legislation of a Democratic House and Senate did indeed cause the industrial depression, because, while that opinion is justified only by the concession that they are ignorant of a whole series of the most important facts of modern history, yet a contrary opinion would imply an intellectual dishonesty of which they are incapable.

The gentleman from Maine [Mr. DINGLEY] on yesterday declared that the success of the Democratic party in the election of 1892 and the subsequent legislation of that Congress had caused the depression, and upon that false premise he based a very earnest protest against the Democratic party, its principles, and its policy. He illustrated the ease with which a superstructure of denunciation and invective can be reared upon a foundation of falsehood. My purpose is to show again how readily such a superstructure can be shattered by puncturing the falsehood that serves for its foundation. When I have finished I will take pleasure in returning to him the admonition of Artemus Ward, which he quoted yesterday, that "It is better not to know many things than to know so many things that ain't so."

The gentleman told us, with all the assurance of a schoolmaster who knew what he was talking about, that for thirty-two years, from 1861 to 1893, under the Republican economic system of high-tariff taxation, this country had enjoyed uninterrupted prosperity. That is another piece of his knowledge "that ain't so." He told us also, with equal positiveness, that under the beneficent influence of the Republican tariff the wages of labor had steadily increased in this country during that period. That is another piece of his knowledge "that ain't so." These three statements constituted the substance of his speech. All the rest was glorification of the Republican party on account of the good that it had done in these matters and denunciation of the Democratic party because of the assumption that its policy and principles had led to the industrial depression.

What are the facts of authentic history on these three propositions? Let us see.

Until recently little was known of the causes of industrial depressions. Each depression in its turn came like a cyclone, almost

without warning. It produced disaster and intense misery during its prevalence, and after a saturnalia of ruin departed, with no more apparent cause for its going than there was for its coming. Some attributed it to local and temporary causes, some to the evil influence of malignant stars, while others regarded it as a manifestation of divine wrath. It was as mysterious to most people as an eclipse of the sun was to the people who lived before the laws governing the movements of the heavenly bodies had been discovered. All of these conjectures and superstitions were as natural to them as the judgments of our Republican leaders probably are to those who are equally ignorant of the causes of industrial eclipses. I should not be surprised to find such opinions and superstitions prevailing among people who have little time for study, and to whom knowledge is not a duty, but I am surprised to find such opinions and superstitions prevailing among leaders of the American Congress, when I know that a clearer and fuller knowledge of economic laws prevails not only among the leaders but among the rank and-file of organized labor in this country.

A few years ago the laboring people, in their unions and assemblies, commenced the study of political economy. They knew that they were the victims of some mysterious but resistless social pressure which, under high tariffs and under low tariffs, stripped them of the surplus products of their labor for the benefit of a privileged few and subjected them to the horrors of an industrial depression every ten years while the evil system under which they struggled and suffered was being readjusted for another period of activity. They found themselves in that study hampered and handicapped by the absence of reliable official statistics of industry and of the phenomena of its changing conditions. They made a concerted effort in nearly all of the leading States of the Union to secure the establishment of bureaus of labor statistics for the purpose of collecting and classifying such information. They have succeeded in securing the establishment of such bureaus in many of the States, and have also succeeded in establishing a national bureau for that purpose. The very first work of that National Bureau, under the direction of Hon. Carroll D. Wright, the National Commissioner, was to gather statistics concerning industrial depression. These statistics were published in the First Annual Report of the Commissioner of Labor of the United States in 1886, the work being entitled "Industrial depressions." The people who petitioned and urged and clamored for the establishment of that National Bureau and of the State bureaus have been reading and studying their reports, while, unfortunately, it seems that the politicians have been relying upon the old methods of campaign work for rallying the masses of the people to their several standards.

Now, let me tell you what the people, particularly the members of labor organizations, know about industrial depressions. They know that such depressions as that through which we have been passing are never produced by either local or temporary causes; they know that such depressions occur periodically at regular intervals of about ten years; they know that such depressions have occurred for more than one hundred years at intervals of ten years, and have occurred so regularly that they are known to political economists (though not to politicians) as decennial depressions; they know that neither the present depression nor any of the others of which we have historical record was confined to this country or to countries having conditions identical with those of this country with respect to tariff laws or tariff taxes; they know that the severest industrial depression through which this country ever passed—1875 to 1879—occurred during the period of the highest and most exclusive protection ever maintained in this or any other country up to that time. A still higher protective tariff was adopted in 1890, which is popularly known as the McKinley tariff, under the operation of which the present industrial depression commenced.

One of the great sources of the knowledge of which I have spoken among the intelligent and studious laborers of this country is Mr. Wright's report on "Industrial depressions," to which I will now call the attention of the House.

The part of the report to which I refer particularly commences on page 15 and ends on page 79, and should be read by every legislator who would attempt to fathom the causes of industrial depressions. That report shows that not only in the United States of America but throughout the leading nations of the world these industrial depressions have appeared and run their courses and departed in the same manner and with the same symptoms at regular intervals of about ten years. It deals first (with respect to the United States) with the depression of 1837 (page 55); the next (page 56) occurring in 1847; the next (page 56) in 1857; the next (page 60) in 1867; the next (page 60) 1873 to 1878; the next (page 65) 1882 to 1886.

Our country has, as he shows, never been free from an industrial depression for more than ten years consecutively since 1837. From other sources we learn that there were industrial depressions in 1827 and 1817, when changes were advocated in the existing tariff laws for the purpose of meeting the conditions produced by the depressions, but I will not, at this time, go back of the period covered by Mr. Wright's very able report. I repeat, that according to that showing, which is indisputable, our country has never been free from an industrial depression for more than ten years consecutively since 1837. The depression of 1884, which was the immediate occasion of Mr. Wright's investigation of the subject as National Commissioner, commenced in 1882 and passed away in 1886. Guided by the light of experience placed before us in the recorded facts of history, when would you say that another industrial depression would be likely to commence after the one beginning in 1882? Why, considering the regularity of the recurrence of these decennial depressions, you would say that another depression would commence not later than 1892, and it did commence not later than 1892—not later than the beginning of 1892. It commenced, not after the election of that year, as the gentleman from Maine would have us believe, but long before the election, long before it was supposed that the Democratic party had any real chance of succeeding in the election. It was the principal cause of the remarkable and sweeping triumph of the Democratic party in that year. I do not say that the McKinley tariff law then in force caused the depression. I know from the facts of history and from the laws of industry and commerce that it did not cause the depression, but it did not prevent the depression, and it did not retard the depression an hour. My opinion is that it tended to hasten rather than to retard the collapse.

But you charge that Democratic ascendency in 1892 caused the depression. Did Democratic ascendency cause the similar depression in 1867? Did Democratic ascendency produce the similar and more severe depression of 1877? Did Democratic ascendency produce the depression from 1882 to 1886? Did it produce any of these three depressions occurring under the high-tariff régime of the Republican party? No! You can not charge the Democratic party or its tariff policy with the slightest responsibility for any of these regularly occurring depressions. The depression culminating in 1877, already far advanced in 1876, caused the people of the United States by an overwhelming popular vote to condemn the Republican party and by a majority of the electoral vote to select a Democratic President in the person of Samuel J. Tilden, who will go down to history as the de jure President of the United States for the four years commencing March 4, 1877.

The next industrial depression, commencing in 1882 and reaching its greatest severity in 1884, caused the people of the United States again to overwhelm the Republican party with its protective-tariff policy and to install a Democratic President and a Democratic House of Representatives. Again it was the present industrial depression, already far advanced in the summer of 1892, that caused the people of the United States by a most overwhelming and decisive vote to drive the Republican party again from power and to reinstall the Democratic President under whose former Administration good times had been restored after the depression of 1884.

The gentleman from Maine [Mr. DINGLEY] on yesterday made a very lucid explanation of the course of the industrial depression after the Democratic triumph at the election of 1892. The mistake that he makes in that matter is a mistake as to the date at which this course of depression which he so vividly depicted commenced. It did not commence after the election of that year. It commenced before any nominations were made by either of the great national parties. The Homestead strike was a part of that industrial depression. When did that occur? Those strikes and strike riots occurred in May and June, 1892. The Cœur d'Alene labor strikes and strike riots occurred in the summer of 1892. The Knoxville labor riots occurred during the same period and long before the election. The Buffalo strikes also occurred before that election. The depression in the iron trade from northern Ohio to Alabama had thrown tens of thousands of men out of employment long before the election of 1892. In the coal regions of Pennsylvania the protected coal miners had, even as early as August, 1891, been reduced to such a deplorable condition that the Philadelphia Press, a Republican newspaper, had an investigation conducted by expert representatives and published a statement showing the wretched condition of labor at that time in the coal regions of Pennsylvania, concluding its two-column article on the subject with this significant statement:

He who years ago made $3 and $5 a day now works for $1 and $1.50 side by side with men who would be satisfied with half of that.

In view of all these facts, in view of the great central fact of the regular recurrence of industrial depressions at intervals of ten years, in view of the still broader fact that all of these decennial depressions have extended with equal virulence to all the leading countries of the world, that they have occurred where tariffs were high and where tariffs were low, where democracies ruled and where empires swayed, how absurd, how puerile, how unworthy, is the charge that this particular depression was caused by Democratic ascendency or by Democratic changes in the tariff laws! The gentleman from Maine further says that for the thirty-odd years during which the Republican economic policy prevailed

this country enjoyed uninterrupted prosperity. I have shown from the very best and most reliable authority that that is not true. Passing over the depression of 1867, which Mr. Wright calls "a period of hard times," although he thinks it can hardly be called an industrial depression by comparison with that of the period from 1873 to 1878, let us go to the second period of depression under the Republican high-tariff régime. I think it is the general opinion of political economists that Mr. Wright has failed to distinguish between the financial panic running through the years 1873 and 1874 and the industrial depression proper which commenced in 1875 and lasted until 1879. However, we are not concerned about that, nor about Mr. Wright's opinions as to the causes of that or of any of the other depressions. He has furnished us with the facts and they are the important things. Of this depression, after reviewing the financial crisis of 1873, he says (page 60):

The result was an industrial depression lasting until the latter part of 1878, and this industrial depression was far more severe than any that preceded it or that which has followed it. This depression was so great and the disturbances resulting from it of such varied and distressing ramifications that it stimulated the study of panics and depressions to a greater extent than any preceding period.

He tells us that that industrial depression, on account of its severity and long continuance, was made the subject of two Congressional investigations (page 60), one under the chairmanship of the Hon. Hendrick B. Wright, and the other under the chairmanship of the Hon. Abram S. Hewitt, of New York. Later on he tells us that a third investigation was made by the Senate Committee on Education and Labor under the chairmanship of Hon. Henry W. Blair. Yet the gentleman from Maine [Mr. DINGLEY], chairman of the Committee on Ways and Means, the Republican leader on the floor of this House, combining assurance with forgetfulness, ignores that period of depression occurring under the very highest and most oppressive so-called protective tariff that the world ever knew, until the prospective candidate of the Republican party for President of the United States, in combination with the representatives of protected interests who had secured the right to dictate in the matter by enormous contributions previously made to Republican campaign funds, invented a higher and a worse scheme of tariff taxation. Let us turn from that long, dark period in the industrial history of our country to the Republican high tariff depression of 1884, commencing in 1882 and ending in 1886. Carroll D. Wright, in his report (page 66), after making all possible allowances for exaggeration as to the number of persons thrown out of employment by that depression, estimates that in round numbers there were 1,000,000 laborers thrown and kept out of employment by reason of that depression. Then, on the same page, commenting upon that situation, he says:

A million of people out of employment, crippling all depending upon them, means a loss to the consumptive power of the country of at least $1,000,000 per day, or a crippling of the trade of the country of over $300,000,000 per year. The earnings of the people involved in the classes named above would not be far from $600 each per annum, representing total earnings of $7,999,716,600.

This dark and wretched high-tariff period in our country's history is also ignored by the gentleman from Maine when he triumphantly makes the sweeping statement that for thirty-odd years, under the economic system of the Republican party, this country enjoyed uninterrupted prosperity.

Again, the gentleman from Maine tells us that the protective policy of the Republican party had, throughout that period, continued to raise wages in this country. Need I cite more than the case of the laborers employed in the great coal-mining industries, highly protected for the enrichment of the mine owners, wherein it appears that at the beginning of the proud era of protection the laborers engaged in that industry were receiving from $3 to $5 per day, and that in August, 1892, their wages had fallen to from $1 to $1.50 per day, and the laborers had been reduced to conditions of degradation such as were not known in this country prior to the inauguration of the Republican economic policy by which the rich are to be taken care of by the Government at the expense of the masses of the people, in order that the rich, being further enriched by the Government's favor, may take care of the poor. Let me read again the statement of the Philadelphia Press, a Republican paper, bear in mind, which, as early as 1891, speaking of the deplorable condition to which the laborers engaged in the industry of mining the coal of Pennsylvania had been reduced, said:

He who years ago made $3 and $5 a day now works for $1 and $1.50, side by side with men who would be satisfied with half of that.

The gentleman from Maine said that wages had increased under the influence of the protective tariff.

Mr. HURLEY. Will the gentleman allow me to ask him a question?

Mr. MAGUIRE. Yes.

Mr. HURLEY. What was the duty on coal?

Mr. MAGUIRE. Seventy-five cents a ton.

Mr. HURLEY. Pennsylvania anthracite coal was free.

Mr. DALZELL. This has reference to the anthracite regions of Pennsylvania, and there is no duty on anthracite coal.

Mr. MAGUIRE. Do you mean to tell me that the conditions were different in the bituminous regions?

Mr. DALZELL. I do.

Mr. MAGUIRE. Not at all.

The investigation made by the Philadelphia Press may have been confined to the anthracite districts. I do not say that they were and I do not know that they were not. I know that the serious and bloody labor troubles occurring in 1888, shortly before that time, and which were investigated by a committee of Congress, occurred in the anthracite regions. But it is perfectly absurd to say that in two sections of the same State, the same classes of laborers being free to go from one place to another at will, received high wages in the mining of bituminous coal and low wages in the mining of anthracite coal. If the wages were higher and the conditions better in the bituminous regions, the miners would naturally drift to those sections and the competition among the coal miners would speedily equalize the conditions of both classes of coal miners. It would require proof strong as Holy Writ to satisfy any reasonable man that the protected owners of bituminous coal mines paid better wages and maintained better conditions for their coal miners than were enjoyed by the equally expert coal miners who were engaged in mining anthracite coal. The fact is that the laborers in the Pennsylvania coal mines, who were promised protection by tariff taxes thirty years ago, have found that the tariff system enriched the mine owners without helping them and that the inexorable law of supply and demand cut their wages down to the lowest point at which laborers imported under a system of semislavery by the protected coal barons could be employed for, and the whole American and other English-speaking population of the coal mining regions, who at the beginning of the protective era received wages ranging from $3 to $5 per day, have during that era of protection been driven out of the coal regions entirely and scattered throughout the country, the sport and prey of the hundred monopolies created and fostered by the Republican protective-tariff system.

Now, I do not say that wages have fallen in all departments of industry during the protective-tariff era, but what I do say is that where wages have risen or have been maintained at a high standard the tariff has had nothing to do with that happy condition. Wages have risen and fallen in the various departments of industry during that period, wholly regardless of the protection of such industries.

Wages in all industries, protected and unprotected, have been fixed by the relation of supply and demand in the labor market, and not by the increased prices which the tariff has enabled the controllers of industry to get from the people for their commodities. The tendency of the wages of labor during the whole protective period has been downward, not only in the coal fields of Pennsylvania but in all departments of industry. That downward tendency of wages has been partially overcome by two forces, namely, our diversified and unlimited natural resources (notwithstanding the infamous system of monopoly under which they are held) and the mighty and unremitting struggles of trades and labor organizations. The protective tariff had nothing to do with it. Protection was not made for labor, but for the classes that exploit labor, and it has served its real beneficiaries well.

A few days ago the distinguished gentleman from Ohio [Mr. GROSVENOR], in the course of a discussion which was in no way related to industrial depressions, was tempted to stoop from the high plane of statesmanship which he generally occupies in the discussion of public affairs to reiterate the stereotyped political slander which I have been discussing. I thought it not merely fair but even merciful to him to call his attention to the indisputable statistics of industry by which the charge is absolutely disproved. Instead of taking my suggestion in the kindly spirit in which it was offered, and with his accustomed frankness either answering the suggestion or correcting his own statement, he abandoned his own higher moral plane for the unhallowed motto of his party and sought still to favor his party's cause by denying the facts of history. "Claim everything, deny everything" is one of the great mottoes of the Republican party, and denying facts is one of the great faculties of those who speak for it.

But I had expected better things from the distinguished gentleman from Ohio. That I may do him no injustice let me quote the colloquy which occurred between us on this subject. It is to be found on page 5148 of the CONGRESSIONAL RECORD of May 2, 1896, and is as follows:

Mr. GROSVENOR. * * * Periods, cycles, of business depression sweep over the country. I might say, if I wanted to, though I am indisposed to go into that subject, that these cycles are generally an incident to the introduction into power of the Democratic party in this country; and it has been said by one of the wisest financiers of this country that it was necessary, indispensably necessary, to the success of the business of the country that following every Democratic Administration there should be a system of bankruptcy. [Laughter.]

Mr. MAGUIRE. The gentleman certainly knows that one of these cycles

swept over the country in 1866, another in 1877, and another in 1884. Will the gentleman explain if these happened after Democratic ascendency?

Mr. GROSVENOR. There is no such thing. In 1866—going back to that, as it is the first fixed on by the gentleman, unfortunately for his recollection of history—we emerged from the greater depression of 1857, when the property of this country went down 80 per cent in value all through the West. We emerged from that to enter a war. At the end of that war we had not re-established our credit, and the transition from irredeemable paper money and the battle that we had to fight with the Democratic party to restore specie payments did bring upon us the trouble of 1877. What was the trouble of 1875-1877? Does the gentleman know? It was the existence of that upas tree, bad credit, in this country. In 1874 the Democratic party carried State after State in favor of practical repudiation of the obligations of the Government, and undertook to demand that the bonds of the Government should be paid in greenbacks, and that the greenbacks should not be redeemed; and until we turned aside and fought the Democratic party to its death for the time being we could not have any credit in this country. That was the trouble, and that was all the trouble there was; and when the time had come, and victory had perched upon the banner of the Republican party, and a Republican Administration came into power in 1877, and the resumption act was passed in the teeth of the opposition of the Democratic party, and the 1st day of January, 1879, came, and under a Republican Administration every dollar of our promises to pay came up to the level of every dollar in gold—then it was that prosperity came as the victory of honest money and the overthrow of the Democratic party. [Applause on the Republican side.] But, Mr. Chairman, I did not intend to make any such speech as this.

Mr. MAGUIRE. Will the gentleman permit another suggestion?

Mr. GROSVENOR. Yes, sir.

Mr. MAGUIRE. I wish to say to the gentleman that all of those depressions are recorded by the Hon. Carroll D. Wright, Commissioner of Labor, in his report on "Industrial depressions," published in 1886, and he says that they all extended to the seven leading nations of the world.

Mr. GROSVENOR. Well, Mr. Chairman, if the gentleman wants to take his politics from Carroll D. Wright I bid him godspeed, but I do not want him to bother me with them. [Laughter.] I will take some political ideas from a Democrat; I will take a great many from a Republican; but from a Mugwump, God forbid! [Laughter and applause.] A man who has to trim his politics, to pare his common sense, and to engineer his figures so that he can retain office under Administration after Administration shall not be a professor in the political school which I attend. [Laughter and applause.]

What a weak and floundering reply from a great man, from an experienced statesman, from a great statistician, from a man whose national reputation has been made principally as a statistician in furnishing the only accurate and reliable figures available to the American people concerning the relative strength of candidates for the Republican nomination for the Presidency. Finding the facts of history to be destructive of the principal stock in trade of his party for the approaching campaign, he takes refuge in the denial of the facts and in calumniation of the historian. In this matter it is unfortunate for the gentleman from Ohio that the facts are indisputably established by evidences other than the report of our national Commissioner of Labor Statistics, although his report is the only generally accessible compendium of the facts. It is equally unfortunate for the distinguished gentleman from Ohio in this matter that no public officer in this nation is more highly esteemed for the fidelity and veracity of all his public work than Hon. Carroll D. Wright, the author of the report which, in the interest of the Republican party, the distinguished gentleman from Ohio seeks to belittle and deny.

The gentleman derides the National Commissioner of Labor Statistics, who is, I believe, a Republican in politics, as a "Mugwump," basing his charge upon the fact that Mr. Wright has so conducted his office as to be retained in his place under several Administrations, Republican and Democratic. The gentleman forgets that the true statistician is nonpartisan in his work, that the true statistician hews to the line and furnishes the facts of history as they exist concerning the subject which he is considering without for a moment thinking or caring what partisan effect the facts may have. A statistician who basely stoops to serve his party or any party instantly destroys both his usefulness and his influence. Carroll D. Wright, with a clear conception of the true function of a statistician, and a grand, unswerving purpose to perform that function regardless of all collateral considerations, has won the esteem and confidence of honest men of all parties. The masses of the people, who know more about his work than do the time-serving politicians, have recognized his honesty and his fidelity to duty. They would resent and rebuke his removal from office for partisan reasons by any Administration more sternly and severely than they would resent or rebuke any other single partisan act that could be committed. It is by reason of his sterling integrity and fidelity to duty that he has retained his place and not by any cowardly trimming of his work to suit any party.

The gentleman from Ohio [Mr. GROSVENOR] can not go into any community in which labor organizations exist and make the statement concerning Carroll D. Wright's work which he made upon this floor without arousing the indignation of scores of men who know more about the statistics of industry than he does.

The gentleman from Ohio [Mr. GROSVENOR] readily and clearly perceived that if three distinct industrial depressions of the same kind as the one from which we are now emerging occurred and ran their course under the high-tariff régime of the Republican party—one reaching its climax in 1866, another in 1877, and a third in 1884—his charge that the present depression, of the same kind in all respects, and occurring after an interval of comparative prosperity precisely the same as the intervals of comparative prosperity which separated those three industrial depressions, is due to Democratic ascendency, or to Democratic legislation, is shown incontestably to be without foundation and false. Yet these are the facts of history, not made by Carroll D. Wright, but compiled by him from the authentic sources of historical knowledge, through the most perfect and complete system of historical investigation to be found on earth. Mr. Wright's report concerning these industrial depressions is absolutely nonpartisan. It does not attempt to show, nor does it tend to show, that the depressions occurring under and during the Republican régime were caused by Republican legislation, but it does show conclusively that such depressions are not caused by anything that the Democratic party has ever done or proposed to do, nor by anything that the people have ever expected or believed that the Democratic party would do.

Mr. Wright, in the investigation of industrial depressions, went back to the year 1836, as I have stated, and reported the depressions occurring between that time and 1886. Mark the regularity with which these depressions have occurred during the last sixty years—1837, 1847, 1857, 1866, 1877, 1884, 1893. They have all come to us, including the last one, with almost the regularity of changes in the moon's phases. They have come to us as scourges of our civilization under high tariffs and under low tariffs. They have come to us bearing ruin and desolation to the masses of our people when all natural conditions seemed retained with a promise of prosperity and plenty; they have come to us like thunderstorms from clear skies when harvests were bountiful, when the consumption of wealth was making the greatest demands upon the wealth producers, when in the relations between capital and labor there seemed to be no threat or cause of diminishing activity. Suddenly thriving commercial enterprises become unprofitable; the capitalists who conduct them find that when their rents and wages have been paid out of their production they are not getting interest upon the capital which they have invested. They call a halt. They economize. They demand that labor shall share the loss which they are suffering.

A conflict between capital and labor ensues, with its incidents of strikes, boycotts, and lockouts, unhappily sometimes attended with bloodshed and destruction of property. Compromises are from time to time reached, which are in turn broken as new conditions offer advantages to either of the contending parties.

The waste of the conflict takes away whatever return might otherwise come to business. Production is checked in that quarter and the producing laborers are thrown out of employment. The purchasing power of the laborers thrown out of employment is destroyed. Their demand for other commodities is checked by the destruction of their purchasing power, and the production of such other commodities is likewise checked. These effects of the great primary cause speedily communicate their influence through the whole network of the world's productive agencies, diminishing profit by checking demand for productive effort. With the cessation of production in one quarter or in one line comes a corresponding suspension of demand for commodities of other kinds. The merchant can not sell his wares, because his customers have lost their purchasing power. He can not collect the obligations due him for the same reason, and he can not pay his debts to the wholesale merchant because he can not collect his dues from his customers.

The wholesalers have arranged for commercial credit on a basis perfectly safe so long as sales continue and payments are made within the periods of ordinary trade credit, but wholly unsafe when collections from retail merchants fail. The wholesaler is pressed for the payment of his obligations. He in turn presses the retail merchant. The retail merchant presses his customers, but his customers are out of employment, not only unable to make further purchases according to their necessities, but unable to pay their comparatively small debts for past purchases.

Universal stagnation ensues. Merchants and manufacturers continue nominally to carry on business, although profits are gone. They pay rent out of their capital for the sole purpose of saving their locations, which have become an important part of their business. The glimmering taper of hope allures them even to the vortex of general bankruptcy. Financiers become alarmed for the safety of their investments and for the sufficiency of securities. They insist upon the sacrifice of securities for the satisfaction of their claims. The millions of small depositors in savings banks are forced to draw upon their bank savings to meet their obligations and to pay the expense of living, which in good times are paid out of their daily wages.

Those who do not need their deposits for such immediate use begin to feel that the risk of the bank's stability is too great for the interest which the deposits yield. They attempt to withdraw their deposits, panic seizes upon the minds of depositors generally, and run after run is precipitated upon such banks, which, having the bulk of the deposits loaned upon securities on which they can not immediately realize, are forced to the wall. Their suspension

of payment increases the panic and adds to the general distrust. Credit, upon which nine-tenths of our business is done in good times, is entirely withdrawn.

Every firm, corporation, and individual is employed in gathering and hoarding such money as can be obtained to meet the exigencies of his or its own business, for in the best of times our industrial and commercial systems are honeycombed with debt, and a capital of $10,000 floats a credit of at least $30,000. This enormous contraction of the instrument of exchange is fatal to what remains of business. The business of the whole country finally collapes under the strain. Then a new adjustment of rent, interest, and wages is made, and the wheels of industry and commerce revolve again, bringing the blessings of prosperity and peace. This is the history of every industrial depression, and the present depression is not in any respect exceptional.

Russell Sage, a distinguished financier, is reported as saying recently that this depression is exceptional because it has "touched bottom," as he expresses it; that is to say, it has touched the land-owning class, the last class to be affected by such visitations. But every industrial depression of which I speak has "touched bottom." Every industrial depression has ultimately reached the land-owning class and has compelled that class to largely reduce its ground rent in order to give business a chance to pick up again. Then by some process, as mysterious to the general observer as the beginning of the depression, times improve, business gets better, credit grows stronger, and an era of prosperity ensues which gives promise of perpetuity. For four or five years it continues to rise, then the change comes again, and the history of the former depression, through the course of another three or four years, repeats itself with marvelous exactness.

It is idle to attribute these depressions to local or temporary causes. Their cause must be as general as its results. A cause affecting this country alone will not explain an industrial depression existing at the same time in England, France, Germany, Belgium, and in all of the English colonies that girdle the world. Neither is it reasonable to attribute one of these depressions to a cause which manifestly did not contribute to any of the other precisely similar depressions occurring before it.

The great controlling cause of industrial depressions must necessarily involve a disturbance of the fundamental relation between mankind and the superabundant natural resources provided by the Creator as a common heritage for the subsistence and comfort of all, and that disturbance must be the same, or similar, in all of the countries affected.

This is the seventh industrial depression through which we have passed in this country within sixty years, and Mr. Wright, in the report which I have quoted, shows that each of these depressions extended to all of the leading civilized nations of the earth. On page 16 of his "Industrial depressions" Mr. Wright deals with the industrial depression of 1837 in Great Britain; on page 18 with the industrial depression of 1847 in Great Britain; on page 20 with the industrial depression of 1857 in Great Britain; on page 21 with the industrial depression of 1866 in Great Britain; on page 26 with the depression culminating in 1877 in Great Britain; on page 28 with the industrial depression of 1884 in Great Britain.

On page 35 he deals with the depression of 1837 in France; on the same page, and following, with the depression of 1847 in France; on page 36 with the depression of 1856–57 in France; on page 37 with the depression of 1866–67 in France; on page 38 with the depression of 1877 in France; on page 39 with the depression of 1882 to 1886 in France.

On page 44, and following, he deals with the depressions of 1837, 1848, 1856, 1864, 1873 in Belgium; on page 47 he deals with the industrial depression commencing in 1882 in Belgium.

On page 49, and following, he deals with the industrial depressions of 1837, 1847, 1856, 1873 to 1879 in Germany, and on page 51 he deals with the industrial depression of 1882 to 1886 in Germany.

Need I tell you that the present depression commenced in foreign countries before it commenced in this? Need I tell you that its blight had fallen upon the English colonies in Australia before we felt any of its symptoms? These are facts, whether you know them or not.

Now, Mr. Wright has shown, not by argument or deduction, but by the conclusive evidences of history, that the cause of industrial depressions is at least as old as the depression of 1837 and that it has been constantly operating to produce and to reproduce at regular intervals the same results in all the leading countries of the world to which his investigation extended. It shows that all of the industrial depressions were substantially of the same kind, coming in the same way, manifesting the same symptoms, producing the same effects, and going away in the same manner, as mysteriously as they came, and that they all extended to all of the countries named.

Now, in view of these facts it is simply childish to assert that one of these depressions was produced by a cause which manifestly could have had no part in producing any of the other depressions. It is equally childish to attribute any of these depressions to a cause existing in this country and not existing in any of the other countries affected by the depression. It is childish to attribute any one of these depressions to any local or temporary cause which would not in any way account for the existence of any of the preceding or succeeding depressions in this country nor for any of the depressions occurring in the other countries referred to in Mr. Wright's report.

Laying all partisan considerations aside for the time being, it appears that according to the malignant course of industrial depressions the time had come for another decennial depression in 1893. Here let me say that the term "decennial depression" is not mine nor did it originate with Mr. Wright. Long before Mr. Wright had published his work on "Industrial depressions" the political economists of the world had come to recognize these cycles of prosperity and depression in industry as decennial, and had given them the name "decennial depressions" because of the regularity of their recurrence within every decade. The history of industrial depressions not only during the time covered by Mr. Wright's report, but throughout the whole of the present century, shows that the longest period between the culminating points of such depressions has been eleven years and the shortest time between such culminating periods eight years, making the average period about ten years.

The industrial depression of 1893 did not occur at an unusual time, but in the order in which it might have been expected by all who had given thought to the subject. Indeed, it came at the time when it was expected by every thinking man who had closely studied the scientific explanation of industrial depressions published by Mr. Henry George in 1879 and who had read the confirmatory historical evidence presented by Hon. Carroll D. Wright in his report seven years later.

No, gentlemen, the Democratic Administration did not cause nor contribute to produce the industrial depression. The charge that it caused or contributed to the depression is refuted by the facts of history and by the irrefutable logic of the events of a century. The cause of industrial depressions lies deeper than any recent legislation accomplished or proposed by either the Republican or the Democratic party. The masses of the people know this, and know it better than the party leaders, upon whom the masses once relied for political light and for political principles, but upon whom they rely no longer as they did of yore.

But gentlemen may say the overwhelming Republican victories of 1894 show that the people are influenced by the Republican assertion that the industrial depression was caused by the Democratic party. This, again, is a grave mistake concerning the real state of public opinion on this question, and I may add that the oracle hath spoken differently in the more recent Oregon election.

The Democratic party was rebuked in 1894 by the masses of the people, and the Republican party got the benefit of the popular dissatisfaction with the Democratic party; but that popular act was not an indorsement of the monopoly-breeding legislation of the Republican party against which the popular verdict was so unmistakably and overwhelmingly rendered in 1892.

The people condemned the Democratic party, not because it produced the industrial depression, but for failing to discern the causes of the depression and for failing to remove those causes.

The people, too, had understood certain pledges given by the Democratic party in its national platform differently from the way in which they were construed by Democratic officials elected on that platform, and they condemned what they conceived to be an evasion, by construction, of promises made in the platform. Whether popular dissatisfaction with the course of the Democratic party in these matters will carry the people again to repudiate it at the polls, when the result of their action will be the restoration of the party of hypocrisy and monopoly to control all of the departments of this Government, remains to be seen. I do not believe that they will carry their indignation against the party which stands for "equal rights to all, special privileges to none," to the extent of clothing with absolute control of the Government the party whose fundamental principle—if it may be called principle—is to create special privileges for the enrichment of the few upon the false pretense that the best way to promote the interests of the masses is to take care of the rich by legislation so that the rich may be better able to take care of the poor.

I do not believe that the masses of the people are prepared to surrender themselves again to the domination of the tariff barons, under whose régime dummy legislators may be expected to permit the beneficiaries of protective-tariff privileges to draft the schedules of a new protective-tariff law for their enrichment, as they drafted the schedules of the bill of 1890 which bears the name of Mr. McKinley, but with the framing of which Mr. McKinley had so little to do that the distinguished Republican leader, Senator WILLIAM E. CHANDLER, feels called upon to tell the country that it is unjust to give Mr. McKinley credit for drafting the so-called McKinley tariff bill, with the framing of which he had practically nothing to do. But it is well known that Senator CHANDLER gives too much credit to other statesmen for the drafting of that

bill. It is well known throughout the country that the Republican statesmen of the time were relieved of all trouble and responsibility in the matter of drafting the schedules of that bill by the protected monopolists by way of return for their liberal contributions to the Republican campaign fund of 1888, under the fat-frying process, to which Senator CHANDLER so eloquently refers in describing the means by which Mr. McKinley's nomination for the Presidency is now being forced upon the Republican party.

For my part, I have more faith in the intelligence and honesty of the masses of the people of this country than to believe that any sentiment among them in favor of rebuking the Democratic party for its failure to make the best use of its official power will lead them to deliver our country into the hands of the tariff barons and the political brigands who do their bidding for the profit which the unholy and unpatriotic service brings.

Of course I expect the Democratic party through its national convention to place itself squarely and unquestionably upon the fundamental principles of Democracy, and to nominate candidates whose very names are synonymous with those principles. In the platform of 1892 the Democratic national convention declared that never in the history of the Republic was it more necessary to assert and maintain the principles of Democracy promulgated by Thomas Jefferson and defended by Madison than at that time. The platform of 1896 should go further than that. It should set forth in terms and reassert the fundamental principles of Democracy as laid down by Thomas Jefferson, and pledge the Democratic party and its nominees to support and carry out those principles. Such a platform, with candidates whose lives have been devoted to those principles, will sweep the country from Maine to California and from Oregon to Texas. The people will rally to those principles to-day as universally as they always did when the Democratic party unflinchingly proclaimed and upheld them. [Loud applause on the Democratic side.]

Mr. BAILEY. Mr. Speaker, even if the time permitted it would serve no useful purpose to review the work of this Congress, because neither the little which it has done nor the much which it has left undone will greatly influence the decision which the American people are now maturing and which they will pronounce through the ballot box on the 3d of next November. Whether wisely or unwisely I will not undertake to say, but every man who has observed the drift of events must know that many questions which vitally concern the public welfare are for the time to be held in abeyance, and that it is a well-nigh universal determination that during the canvass upon which we are about to enter the discussion of all questions except one shall be pretermitted.

It is not, however, so fully agreed as to what this exceptional question shall be. Everybody outside of the Republican party and many of the most thoughtful men in that party are determined that it shall be the financial question; but the Republican leaders are striving to prevent this, and they have determined that if it is within their power to do so, the tariff shall be the paramount and the only issue in the Presidential election of this year. The courage with which only a short while ago they proclaimed themselves ready to meet and solve the important but perplexing financial problem has, like the courage of Bob Acres, been gradually oozing out at their fingers' ends; and they are now strenuously exerting themselves to avoid even the consideration of a question which three months ago they professed themselves anxious and willing to settle at once and for all time.

If I had entertained any doubt as to the policy of the Republican leaders, all doubt would have been dispelled by the speech which was delivered by the distinguished chairman of the Ways and Means Committee on yesterday. From the beginning to the end of that speech he sought to emphasize the importance of the tariff question and to minify the importance of all other questions, going so far as to contend that the difficulties of the Treasury Department are fiscal and not financial. He asserted, and he repeated the assertion, that the Treasury's embarrassment will immediately disappear whenever the Secretary is provided with sufficient revenue to defray the current expenses of the Government. My great confidence in the integrity of the gentleman from Maine [Mr. DINGLEY] forbids me to think that he would say anything which he does not believe; and yet my respect for his ability renders it difficult for me to understand how he could believe what he said. He knows that there has not been an hour in the last two years when it was inconvenient for the Government to promptly meet its current obligations; for notwithstanding the fact that our disbursements have exceeded our receipts, there has always been a comfortable surplus in the Treasury. The very day on which the majority passed their bill to raise additional revenue there was a surplus in the Treasury, over and above the gold reserve, of more than $100,000,000; and there is to-day a surplus of more than $150,000,000.

I desire to be perfectly frank in this matter, and I do not deny that if the Government had not been called upon to redeem its notes, which, when redeemed, passed into the general fund of the Treasury, and thus became available in the payment of appropriations, Congress would have been compelled to supply a deficiency. But the gentleman from Maine knows, or if he does not he is the only man of like intelligence in this country who does not know, that the demand upon the Treasury for the redemption of the Government's notes in gold had no connection whatever with the question of revenue. Those notes were not presented for redemption because the holders wanted to enable the Treasury to escape a default, nor because their holders doubted the solvency of the Government, but they were presented for redemption in gold simply because the gold was needed in the settlement of trade balances and paying the expenses of those American travelers who spend so much of their time and money in foreign countries.

It is perhaps true that some gold has been withdrawn from the Treasury which was not intended for exportation; but, so far from it being true that such gold was withdrawn on account of any fear of the credit of the Government, the truth is that the real object in withdrawing it was to create an opportunity to buy the credit of the Government in the shape of bonds. The men who have been most clamorous about impairing the credit of the United States are the same men who have been most eager to buy our bonds; and it will not be an easy task to persuade the thinking people of this land that the men who were so anxious to become the creditors of the Government were in the least distrustful of either its honesty or its solvency.

The gentleman from Maine would lead his party into a serious error, and an error, too, fraught with serious consequences to it and to the country, if he could induce his associates to act upon the theory that the depletion of the gold reserve is purely a matter of revenue; for whenever it becomes necessary to export gold, either to pay balances or to meet traveling expenses, no tariff law can prevent a drain upon the Treasury as long as you keep the notes of your Government in circulation and redeem them in gold. It makes no difference how abundant your revenues may be; you may collect an annual surplus of $50,000,000, but in the present state of the gold market but a fraction of your collections would be in gold, and when your notes were presented for redemption you could only obtain the gold to redeem them by selling bonds. Mr. Speaker, we may as well be candid with each other and with the country. All of us realize that we must either increase our revenues or reduce our expenses; but whether we do the one or the other, we will not escape the ever-present and important question of maintaining a gold reserve.

Does the Republican party intend in its national convention to face this question fairly, or will it resort to a cowardly and disgraceful evasion of it? As the time approaches when the question ought to be decided, the Republican leaders manifest a disposition to shrink from its decision; but, sir, unless I mistake the present temper of the American people, it would be better for your party to decide it boldly, although you decide it wrong, than it will be for you to trifle with it. Millions of American voters believe in the single gold standard and will cheerfully support a party which avows its intention to maintain it. Millions of other American voters believe in the bimetallic standard and will enthusiastically support a party which promises to restore it; but there is nowhere a handful of self-respecting American citizens who will cordially sustain any party which fears to tell the world on which side of this great question it stands. A straddle or a makeshift will deceive no intelligent man and will disgust millions of honest men. Parties, like individuals, sometimes find themselves in a situation where it is safer to fight than to run, and this is the situation which confronts the Republican party to-day. The country knows that you believe in the single gold standard, and it expects you to have the courage and the candor to say so. If you fail, you will suffer in comparison with your great adversary, for when the Democratic party assembles in convention at Chicago, whatever else it may do, it will adopt a platform so plain and so unequivocal that no two honest men can construe it in different ways. [Applause.]

Mr. MARSH. Mr. Speaker, after the two very able and patriotic speeches we have heard by the gentleman from California and the gentleman from Texas in favor of the old soldier, I think we ought now to take a vote on this bill. [Laughter.]

Mr. MAGUIRE. I forgot to say, Mr. Speaker, that I am heartily in favor of the gentleman's bill. [Laughter.]

Mr. MARSH. I judged so from the gentleman's remarks. [Laughter.]

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. MARSH, a motion to reconsider the vote by which the bill was passed was laid on the table.

FRANCES M. ROBERTS.

Mr. OTJEN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place the name of said Frances M. Roberts upon the pension roll, and pay to her the sum of $15 per month.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. RICHARDSON. Mr. Speaker, reserving the right to object, I ask to have the report read.

The report (by Mr. COLSON) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 3494) entitled "A bill granting a pension to Frances M. Roberts, beg leave to submit the following report, and recommend that said bill do pass with an amendment:

The claimant, Frances M. Roberts, is the unmarried daughter of Levi M. Roberts, who served as an express rider in the United States Army during the war of 1812, and who, while so serving, received injuries necessitating amputation of a leg. The soldier was a pensioner on account of above-named service and injuries at the time of his death, which occurred April 2, 1874. His wife, the mother of the claimant, died in 1858, and the claimant lived with and cared for him until he died. She is his only surviving child, and is dependent upon friends and acquaintances for support, she having no property or income. She is about 54 years old and in such delicate health as to be too feeble and infirm to earn a maintenance by daily labor.

The above facts are shown by the papers on file at the Pension Bureau and by the testimony of Susan Gale, Elizabeth H. Ingersoll, John F. Burnham, C. M. Towne, and others, who have been intimately acquainted with the claimant for many years and personally know her relationship to the soldier and all the circumstances of her case.

The following amendment is recommended:

In lines 5 and 6 strike out the word "fifteen" and substitute therefor the word "eight"; so as to fix the rate of pension at $8 per month.

The amendment recommended in the last paragraph of the report was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MESSAGE FROM THE PRESIDENT.

A message from the President of the United States, by Mr. PRUDEN, one of his secretaries, announced the action of the President on bills of the following titles:

On June 11, 1896:

An act (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes;

An act (H. R. 9409) making appropriations to supply deficiencies in appropriations for expenses of the House of Representatives, and for other purposes, for the fiscal year 1896;

An act (H. R. 9447) to amend section 1 of the act to amend an act entitled "An act authorizing the Postmaster-General to adjust certain claims of postmasters for loss by burglary," etc., approved May 9, 1888;

An act (H. R. 7338) for the relief of William H. Scofield, Jacob Brady, James Ketcham, Annie Booth, as administratrix of the goods, chattels, and credits of George W. Booth, deceased; Wilson P. Billar, Ezra L. Waterhouse, Moses C. Bell, George W. Byles, and George A. Scofield;

An act (H. R. 9226) to change the time and places for the district and circuit courts of the northern district of Texas;

An act (H. R. 180) to make the city of Erie, Pa., a port of immediate transportation;

An act (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes; and

An act (H. R. 8321) to authorize the county of St. Louis, in the State of Minnesota, to build or authorize the building of a foot and wagon bridge across the St. Louis River, between Minnesota and Wisconsin, at a point near Fond du Lac, in said State of Minnesota.

NOTE.—The following bills having been presented to the President on May 29, 1896, and not having been returned by him to the House of Congress in which they originated within the time prescribed by the Constitution, have become laws without his approval:

An act (H. R. 2054) to correct the military record of Charles W. Rinehardt and to grant him an honorable discharge;

An act (H. R. 6256) authorizing and directing the Secretary of the Navy to furnish to George F. Fuller Post, Grand Army of the Republic, of Manistique, Mich., a condemned cannon; and

An act (H. R. 2777) authorizing and directing the Secretary of the Navy to donate condemned cannon and condemned cannon balls to certain posts of the Grand Army of the Republic.

SARAH M. SPYKER.

Mr. MEYER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The bill (H. R. 6634) was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah M. Spyker, widow of L. P. Spyker, ensign, Capt. W. A. Goodwin's company of Alabama Volunteers, Indian war, 1836.

An amendment recommended by the Committee on Pensions was adopted, as follows:

In lines 4 and 5 strike out the words "subject to the provisions and limitations of the pension laws" and insert "at $8 per month."

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. MEYER, a motion to reconsider the vote by which the bill was passed was laid on the table.

STEAM LAUNCH FOR NEW LONDON COLLECTION DISTRICT.

Mr. RUSSELL of Connecticut. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 8415) to authorize the purchase of a steam launch for use in the customs collection district, New London, Conn.

The bill was read.

Mr. RUSSELL of Connecticut. Mr. Speaker, if I may be allowed a word, this bill was prepared by the Treasury Department and sent to me, as representing the district in which the New London customs district is situated, for introduction some three weeks ago——

Mr. DOCKERY (interposing). Does the bill carry an appropriation?

Mr. RUSSELL of Connecticut. It does. It was sent to me by the Department for introduction. It was introduced and it has been reported unanimously by the committee, and now I call it up for consideration.

Mr. BLUE. Is this a House bill?

Mr. RUSSELL of Connecticut. It is.

Mr. BLUE. Then it has not been to the Senate at all?

Mr. RUSSELL of Connecticut. It has not.

Mr. BLUE. Well, there is no necessity for a bill of that kind, carrying an appropriation of $3,000, being passed at this time, because it can not pass the Senate.

Mr. RUSSELL of Connecticut. I simply desire to fulfill my duty to the Treasury Department in the matter.

Mr. BLUE. Has it been considered by any committee?

Mr. RUSSELL of Connecticut. Yes, sir; it has been unanimously reported by the Committee on Interstate and Foreign Commerce.

Mr. DOCKERY. I suggest to the gentleman that both sides have made up their statements of appropriations for this session and they do not wish to have to add this extra item. [Laughter.]

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BLUE. I object.

CAPT. HENRY A. F. WORTH.

Mr. STEWART of New Jersey. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5787) for the relief of Capt. Henry A. F. Worth.

The bill was read, as follows:

Be it enacted, etc., That the pension heretofore granted to Capt. Henry A. F. Worth, late of the United States Army, be increased so that he shall receive a pension of $72 a month.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. WHEELER. I trust that no one will object to the consideration of this bill for this poor invalid soldier. He was a classmate of mine at West Point forty years ago. He is now a feeble man, whose wife has to wait on him at every moment. I love him, and I trust that this bill will be considered without objection.

Mr. BLUE. How much pension does it carry?

Mr. WHEELER. Seventy-two dollars per month.

Mr. BLUE. Is he helpless?

Mr. WHEELER. Absolutely so. As I have said, he was my classmate. He graduated at West Point and I have known him for forty years. He served bravely in battle. He was wounded at Gaines Mill and again at Malvern Hill. I trust no gentleman will object to the bill. I appeal for a brave, disabled soldier.

The SPEAKER. Is there objection to the consideration of the bill? The Chair hears none.

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading, was accordingly read the third time, and passed.

VALEDICTORY OF THE SPEAKER.

The SPEAKER (at 4 o'clock p. m.). GENTLEMEN OF THE HOUSE OF REPRESENTATIVES: Before pronouncing those words which close the session I desire to offer to the House my grateful recognition of its kindness. It is always a high honor to receive the thanks of the House of Representatives, but especially so at the end of a session where the Speaker has been forced to say "no" more times, perhaps, than in the history of any other Congress.

While thanking you for your kindness to me, I must congratulate the House on its conduct of the public business. Ordinarily a majority of 2½ to 1, a majority of 150, means disorganization, faction, and discord. In this House a hundred and fifty new men of both parties have behaved with the steadiness of veterans, and if our connection with other branches of Government with different ideas has prevented us from serving the country as we might have done, we at least have behaved with dignity, fairness, and credit.

With the kindest personal wishes to you all, I again return thanks. By virtue of the concurrent resolution of both branches I declare this House adjourned without day. [Loud and long-continued applause.]

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the cases of James H. Jenkins, Mary H. Bush, Rebecca B. Williams, and John Morrison against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Catharine B. Brown, Samuel Schoppert, deceased, Mary E. Wood, executrix, H. M. Waugh, and John H. Woodford against The United States—to the Committee on War Claims, and ordered to be printed.

A message from the President of the United States, returning without his approval House bill No. 225, to provide for the transfer of Fort Omaha Military Reservation to the State of Nebraska—to the Committee on Military Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS.

Under clause 2 of Rule XIII, Mr. TERRY, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 4057) in relation to cigarettes, and to limit the effect of the regulation of commerce between the several States and with foreign countries in certain cases, submitted a minority report (No. 2289) recommending that said bill do pass; which said bill and minority report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, Mr. KIRKPATRICK, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 9260) to increase the pension of Adam Johnson, reported the same (Report No. 2288); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, Mr. RICHARDSON (by request) introduced a bill (H. R. 9462) requiring the use of safety fenders on cars operated by cable or electric power within the District of Columbia; which was referred to the Committee on the District of Columbia.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. PRICE: A bill (H. R. 9463) for the relief of Lemuel Tanner, of Lafourche Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 9464) for the relief of the estate of J. W. Tucker, late of Lafourche Parish, La.—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. GROUT: Resolution adopted by Ransom Post, No. 7, Grand Army of the Republic, Department of Vermont, in favor of a service pension of not less than $8 per month to Union soldiers of the late war—to the Committee on Invalid Pensions.

Also, testimony in the matter of granting a pension to Mrs. Mary Chamberlain, of Chelsea, Vt.—to the Committee on Invalid Pensions.

Also, testimony in the matter of granting a pension to Hannah M. Cheney, widow of Josiah M. Greene, late of Company C, Sixth Regiment Vermont Volunteers—to the Committee on Invalid Pensions.

By Mr. PHILLIPS: Petition of citizens of Butler, Pa., opposing the selling of beer on Ellis Island—to the Committee on Immigration and Naturalization.

Also, resolution of the Union Veteran Legion of Rochester, Pa., favoring House bill No. 3727, known as the per diem pension bill—to the Committee on Invalid Pensions.

By Mr. RICHARDSON (by request): Paper to accompany House bill No. 9462, favoring some effective appliance attached to cable and electric cars for the protection of human life in the District of Columbia—to the Committee on the District of Columbia.

By Mr. SOUTHARD: Petition of J. M. Ashley and others, in behalf of House bill No. 6851, in aid of Wilberforce University—to the Committee on Military Affairs.

Also, resolutions of the American Federation Glass Workers' Union, No. 28, of Toledo, Ohio, in favor of Government ownership of telegraph lines—to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES W. STONE: Resolutions of a public meeting at Bradford, Pa., denouncing the outrages and murders in Armenia, and asking that the United States insist on action by the treaty nations to stop the same—to the Committee on Foreign Affairs.

By Mr. JOHNSON of California: Petition of citizens of Sacramento County, Cal., in favor of the passage of House bill No. 2626, for the protection of agricultural staples by an export bounty—to the Committee on Ways and Means.

APPENDIX.

APPENDIX

TO THE

CONGRESSIONAL RECORD.

The Coin Redemption Fund.

REMARKS

OF

HON. LORENZO DANFORD,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Friday, December 27, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. DANFORD said:

Mr. SPEAKER: While there are some good features about the bill under consideration, especially the one requiring the Secretary of the Treasury to advertise the bonds offered for sale, yet I can not support the measure for reasons that to me should control the votes of members on this side of the House. As a party we stand pledged against increasing the interest-bearing debt of the Government in time of peace. We have insisted in the two last political campaigns that we should raise by tariff taxation a sufficient amount of revenue that, added to the internal taxes, would be sufficient to support the Government. On Thursday last we passed in this House a bill that the Ways and Means Committee tell us, if carried into the legislation of the country, will be sufficient for that purpose. Indeed, the Secretary of the Treasury, who ought to know, claimed in his annual report to Congress that we will soon have sufficient revenue to carry on the Government without additional taxation of any character.

This Administration has been in financial straits ever since it took charge of the Government two and a half years ago. Congress was convened in extra session for the purpose of repealing what is known as the Sherman silver-purchasing act, the President claiming that all of the financial troubles of the country grew out of the menace to our credit contained in that act. The law was repealed and there was no preceptible relief. The Republican party then claimed that our financial and business distress grew out of the vicious revenue legislation threatened by the Democratic party, and that relief could be had only by assuring the country that when we were reinstated in power the country would settle down to the policy of protection.

This House meets and we are confronted with a demand from the Executive and his chief financial officer that the country must have relief by retiring from circulation $346,800,000 of legal-tender currency now in use by the people. This is insisted upon by both the President and the Secretary of the Treasury; and while as a direct proposition put to this side of the House, the policy of the Administration could not command one-third of the votes of the Republicans, yet it seems to me that the bill under consideration, if it should become a law, and should be executed in the spirit of the message and the report of the Secretary of the Treasury, hostile as they are to the greenback circulation, it would have the effect of retiring them entirely from circulation.

The bonds authorized by this act are for the redemption of United States legal-tender notes, and for no other purpose. These bonds bear 3 per cent interest, and with the proceeds the legal tenders are to be taken up—redeemed—and with an administration of the Treasury Department hostile to the greenbacks we would substitute by this plan, in a very short time, $346,000,000 of 3 per cent interest-bearing bonds for noninterest-bearing debt, and the greenbacks once redeemed would be held in the Treasury and no longer constitute a part of our monetary circulation.

As I have already said, the Secretary of the Treasury claims that under existing laws he will soon be able to meet all current demands upon the Treasury. We have already, as we are told by the Committee on Ways and Means, by the bill passed on last Thursday, added another forty millions or thereabouts to the revenue, so that there would be no necessity for again putting the greenbacks into circulation and they would be held in the Treasury. But suppose that the Treasurer should redeem them by the sale of the bonds provided for in this act, and again pay them out to meet current demands, or in any way put them in circulation, there would be just as much likelihood of these legal-tender notes being bought up again and again by speculators and the Secretary forced from time to time to sell more bonds in order to redeem them over and over again.

I do not believe, however, that unless some exigency should occur that they would be paid out, but would remain in the Treasury, and we would soon have substituted for this noninterest-bearing debt an interest-bearing bond of the Government. The people do not want to see the greenbacks retired in any way, much less in the covert manner provided for in this bill. I was in Congress in 1875 and 1878, when the discussion about the greenbacks was going on in the country, and there was then no matter about which the plain people of this country were more sensitive than about this same legal-tender paper currency. Our legislation at that time upon this subject gave the Republican party great trouble. It is the favorite money of the people; they are familiar with it; they prefer it to gold; it is convenient, and, as they believe, costs nothing; and if the Republican party in this Congress should be a party to any measure that either directly or indirectly retires this currency and substitutes for it an interest bearing debt we will have to answer for it at the polls.

It is said that even now fifty millions of these legal tenders are in the Treasury awaiting presumably for some legislation that will enable the Secretary of the Treasury to permanently retire them. It seems to me that in this bill we are providing the means by which he can retire in a few months the great bulk of these legal tenders, and I for one will not aid him or this Administration in this purpose.

But we are told that this bill substitutes a 3 per cent for a 4 or 5 per cent bond. My observation is that in the purchase of bonds those who are able to make purchases are able to dictate terms, and that a 3 per cent bond will be in the long run as expensive to the Government as a 4 per cent bond. But be that as it may, I will not be a party to this legislation. The Secretary of the Treasury and the President, after having blundered through almost three years of disastrous financial legislation, undertake to dictate to a Republican Congress the relief that they desire. We said in our platforms in 1894 and 1895, that the trouble with the country was not so much in its finances as in the disastrous revenue legislation of the Fifty-third Congress. Relief will come to this country when we quit buying wool and woolens from abroad with our gold; when we quit buying tin plate and pottery and other articles from abroad that we might as well manufacture at home. Relief will come when the balance is on the right side of the great business ledger, and not until then. We are in a position in this House to say to the other end of the Avenue that we present to them the relief of more revenue, of steadier business, and the financial policy that will save the country from the panics that almost daily affect this Administration.

The people are not demanding the legislation contained in this bill, and in my judgment they will resent it as not in keeping with our pledges and with the policy that they indorsed in our election to this House.

The President's Two Special Messages to Congress on the Venezuelan Boundary and the Condition of the Treasury.

SPEECH

OF

HON. ELIJAH A. MORSE,

OF MASSACHUSETTS.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, December 26, 1895,

On the bill (H. R. 2749) to temporarily increase revenue to meet the expenses of Government and provide against a deficiency—

Mr. MORSE said:

Mr. SPEAKER: I can hardly hope to add anything to the exhaustive argument in support of this bill offered by the distinguished gentleman from Maine [Mr. DINGLEY], chairman of the Committee on Ways and Means, or to the eloquent presentation of the same matter by the distinguished gentleman from Pennsylvania [Mr. DALZELL], or the unanswerable argument of the gentleman from Iowa, my friend, General HENDERSON.

These gentlemen have left nothing to be said in defense or support of this measure. Of course there are a great many amendments to this bill that I would like to offer in the interests of my constituents.

The duty on woolen goods, as proposed, is far too low. The country has been, and I fear will continue to be under the increased duty contemplated by this bill, flooded with cheap European shoddy goods, to the great injury of the woolen manufacturers of my district and the country.

In my district are located the "tack" manufactories of the world; millions are invested in the business. The ad valorem duties of the Gorman-Wilson bill as amended by this bill work a great hardship to these manufacturers. They are crying out for a specific duty that will prevent undervaluation. The fire-brick interest of Taunton, in my district, is greatly injured by the low duty of the Gorman-Wilson tariff bill, which the horizontal increase will not materially assist.

There are numerous other industries which need increased protection, and were opportunity offered I would offer amendments at these points; but it has been explained to us by the gentlemen who have preceded me that this is not a revision of the tariff, but is purely a revenue bill, to meet the existing deficiency in the receipts of the Government and make them equal to its expenses, in response to the message of the President of the United States.

A general revision of the tariff is now impossible on Republican and protection lines. Such a revision of the tariff would pass neither the Senate nor the Democratic President. Such a revision will have to be postponed for 433 days more, when the Republicans will again be in control of every department of this Government.

Then and not until then can we hope to return to the wise economic and financial policy of the Republican party and that universal prosperity which has always attended the Administration of the Republican party, and which has always forsaken the country when the Democrats have been in power.

Under a Republican Administration, from the time of the resumption of specie payment until the Democratic party again came into power, on the 4th of March, 1893, the Government had no trouble in keeping up its gold reserve, and the one hundred millions in gold was never trenched upon.

No amount of juggling with figures or miscalculations and misstatements by the Secretary of the Treasury will deceive the American people in regard to the true cause of the shrinkage of our gold reserve and this constant menace to the financial soundness of the Treasury.

Dissemble or cloak it as the Secretary of the Treasury may, the naked truth is that the gold reserve has been used directly and indirectly to make good the deficiencies in our revenue and to pay the running expenses of the Government. And that condition of things will continue until this deficit in our revenue is corrected by the bill now under consideration or some other bill to increase our revenue.

Incompetency, imbecility, and inefficiency mark this Democratic Administration in every department of the Government. Under the Administration of President Harrison the country not only enjoyed unbounded prosperity, but labor and capital were everywhere employed, times were good, wages were good, and the country was enjoying a development and prosperity beyond any ever known in our history. And besides all this, during the four years of Harrison's Administration we paid off over $200,000,000 of the public debt.

All this has been reversed under the Administration of Grover Cleveland. Property has decreased in value, factories have been closed, labor has been employed at reduced wages or no wages at all; our career of prosperity has been checked, the hand on the dial of progress has been turned backward, and the national debt has been increased more than $163,000,000. And as the result of the two messages recently sent to Congress, a second panic and universal prostration of business was narrowly averted.

But I desire to address myself also, briefly, to the Venezuela message and to explain to my constituents and the country my attitude toward that matter.

Mr. Speaker, when the bill was introduced into this House, December 18, creating a commission for the investigation of the Venezuela boundary dispute, in harmony with the recommendation of the President of the United States—I say, when this resolution was introduced by the distinguished gentleman from Illinois [Mr. HITT], the House was taken by surprise. A single objection by a single member would have prevented its consideration.

I did not offer that objection, but I very much desired then and desire now to explain my vote in favor of the bill The bill simply provides for a commission of inquiry, with a view to learn what are the bottom facts in regard to this boundary dispute between Great Britain and the State or Republic, if it can be called such, of Venezuela.

The controversy over the boundary line is of long standing, extending over a period, I think, of fifty years. This commission, while to some extent an ex parte tribunal, would be an entirely disinterested commission, and would undoubtedly give exhaustive examination to all sides of the question.

And most undoubtedly their finding in the premises would be accepted by the nations of the earth as an equitable and just decision regarding the boundary between the two countries so long in dispute. This commission might discover, what many people believes they would, that there is no violation of the Monroe doctrine in the boundary-line controversy in Venezuela, or after hearing all sides they might decide in favor of the English contention, but be that as it may, if it is proposed to make the finding of the commission, if not consented to by Great Britain, the ground for declaring war against that country, you can count me out. Why, the civilized world revolts with horror from the bare possibility of such a conflict between the two great Anglo-Saxon English-speaking and Christian nations of the earth.

It is not to be entertained or thought of for a single moment; it would be the calamity of the nineteenth century. Ourselves and the English-speaking people have ten thousand thousand interests in common of vastly more moment than the Monroe doctrine. They are bone of our bone and flesh of our flesh. No sane person can contemplate war between these countries.

The destruction of commerce, the bombardment of defenseless cities by modern war vessels that can throw dynamite bombs into a city with the vessel out of sight. Such consequences are too horrible for contemplation and would not be sanctioned by the people of either country, and certainly could find no justification in the Venezuela quarrel.

Three hundred years ago Spaniards conquered these South and Central American countries. They found them docile, peaceable, unwarlike heathen. After having had their civilization for three hundred years some of these countries are peopled by some of the most bloodthirsty people on the face of the earth.

It is not my purpose here to locate the responsibility or explain the causes for the deplorable condition of things existing in many of these Republics, whose normal condition is revolution and anarchy and whose people are superstitious, ignorant, and without sufficient intelligence for a republican form of government.

In confirmation of what I have said, witness the recent war between Chile and Peru, in which every rule of civilized warfare was outraged. Old men, women, and children, noncombatants, were butchered and murdered on both sides.

What, a war between the United States and England over the Venezuela boundary? Why, Mr. Speaker, the whole State isn't worth a week's fighting between these two great nations.

Why, Mr. Speaker and gentlemen of the House of Representatives, what is the Monroe doctrine? Is it understood to mean that we are to establish a protectorate over all these miserable revolutionary governments and countries, and make their quarrels our quarrels, and allow them to say to themselves and each other, no matter what the merit of our case is the great Government of the United States, with its sixty-five millions of people, stands behind us.

I say that a war over such a matter as this would not be sanctioned by the people of either country. At the beginning of this very year I had the honor to present in this House a memorial, borne across the sea by W. Randall Cremer, a member of the English House of Parliament, signed by no less than 354 members of the British House of Commons, praying this Government to join with the Government of Great Britain in a treaty to refer all questions of international dispute to arbitration. That petition, with the signatures printed in full, will be found in the

CONGRESSIONAL RECORD of the Fifty-third Congress, third session, page 2408, of February 19, 1895.

You ask me what would I do in the premises with reference to this and other questions now in dispute between this Government and that of Great Britain. I would do exactly with this as we did in the case of the *Alabama* claims.

We didn't go to war or threaten war over those claims, involving the destruction of American commerce and the loss of untold millions to our countrymen, in which the English Government was clearly at fault.

What did we do? We placed our claim on file and bided our time, and finally adjusted the matter by arbitration and received $15,000,000 from Great Britain for damages to our commerce.

What would I do now? I would not abate one jot or tittle of our demand at present. I would place our demand in regard to the boundary line of Alaska on file. With reference to Nicaragua and Venezuela, I would insist upon our demands, and demand that the questions in controversy be left to arbitration by some international impartial tribunal.

And in time we would accomplish our object and have a peaceable and just settlement of these great international questions, honorable and just to both countries, and without bloodshed and war.

What, war with Great Britain over the boundary of Venezuela or the seals of Alaska? Why, Mr. Speaker, all the seals that ever swam in Bering Sea, all the fish that ever swam in Canadian waters, are not worth a day's war.

Such a war would turn back the hands on the dial of progress and peace, good will, and comity between nations a thousand years. No, Mr. Speaker, I am not in favor of a protectorate over the South and Central American republics.

I would assert the Monroe doctrine, if anybody knows what that is, and continue to assert it. I would say to Great Britain that we looked upon her interference in the affairs of Nicaragua or the Sandwich Islands or of Venezuela as a wrong, as an act unfriendly to this Government, and I would bide our time for a settlement of these disputed questions by arbitration.

I supported the bill authorizing a commission of inquiry solely and entirely that we may give to ourselves and the world accurate and correct information in regard to the pending boundary dispute between Venezuela and Great Britain.

It must be a source of great pleasure and satisfaction to every lover of his race to read the expressions, not only of this country but of prominent Englishmen as well, deprecating and denouncing any resort to arms as a method of settling disputes between these two great Christian and English-speaking peoples.

On Sunday last the clergy of Boston in their pulpits denounced an appeal to war in the most unmeasured terms, and these learned and reverend gentlemen most undoubtedly voiced the well-nigh unanimous sentiment of Massachusetts and New England, and, I believe, the sober second thought of the entire country.

Surely, at this Christmas season, when we are celebrating the birth of Him who left His home in glory, who was rich and for our sakes became poor, that we through His poverty might be made rich; surely while we are celebrating the birth of the lowly Nazarene, who walked beneath the palm trees of Judea nineteen centuries ago, whose birth was heralded by angels with a song of peace on earth and good will toward men; surely this is a fit and proper time for these great Christian nations to dismiss all thought of submitting to the arbitrament of the sword such a comparatively trivial and unimportant matter as a boundary line in Venezuela, 2,500 miles removed from our country.

The following letters from eminent citizens of Massachusetts are specimens of a large number of letters that I have received on the subject of the President's Venezuela message. The first is from Dr. Henry B. Blackwell, a patriotic gentleman, widely and favorably known throughout New England:

BOSTON, MASS., *December 23, 1895.*

DEAR FRIEND: Oblige me by reading my brief inclosed letters cut from Saturday's Herald, also that of Edward Atkinson. President Cleveland is making a most audacious move to compel his renomination and to give the Democratic party four years more of Democratic rule.

He will plunge us into a fratricidal war with the only Protestant nation in Europe allied to us in race, language, and institutions, unless the Republicans refuse to follow his lead. Don't let them fall into his trap.

British Guiana is the only Anglo-Saxon foothold in South America. It is the only free State where elections are anything but nominal. It is governed by a legislature of its own, and is a Republic in all but name, like the provinces of Canada.

Venezuela is a Republic only in name. It is a chaotic, semibarbarous Spanish-Indian military despotism, where neither life nor property is safe, no more to be compared with Guiana than is a Mexican "greaser" to a civilized white man.

This is not a case where the Monroe doctrine applies. Guiana is a part of the status quo of the American Continent, the only country where you and I could enjoy life under a government of law.

Don't let the Republicans be fooled. Cleveland means mischief.

Yours, truly,

HENRY B. BLACKWELL.

Hon. ELIJAH A. MORSE, M. C.,
House of Representatives.

The following quotation is taken from a letter received from a distinguished New York lawyer, whose name I have not permission to use:

NEW YORK CITY, *December 21, 1895.*

MY DEAR MORSE: * * * Regarding the Venezuelan matter, one thing surprises me, which is that Congress, both the Senate and House of Representatives, should have voted unanimously for the appropriation for the commission in accordance with the suggestion contained in the President's message, and that so many of the leading ministers of the country should seem to take a view very different from that taken by Congress. In this city, and especially in Brooklyn, much earnest talk was had upon this subject last Sunday from the pulpits, and the sentiments in favor of peace and the criticisms on the Monroe doctrine, especially its application to the present controversy, were in many cases loudly applauded. * * *

Hon. ELIJAH A. MORSE, M. C.,
House of Representatives.

The following letter is from Henry Wood, esq., a gentleman whose opinion on economic, diplomatic, and moral questions certainly commands the respect of all who know him:

"THE WARREN," *Roxbury, Mass., December 21, 1895.*

MY DEAR MR. MORSE: Since the recent hasty action of the House in the Cleveland commission matter, among the scores of solid Republicans, citizens, business men, and Christian men that I have met there was not one who does not deplore it and regard it as a mistake of the greatest importance.

The sensational jingo press entirely misrepresents the sentiment of the thoughtful people. The Boston Journal has largely lost its influence by its unseemly and unpatriotic frothiness.

Though I have not the honor of your personal acquaintance, I have always been a warm admirer of your patriotism and general uprightness in public and private life. You will therefore pardon me if I make a criticism, for it is done in a friendly spirit. It is that whether, from the standpoint of party, country, economics, morality, or Christianity, you and the other Republicans in Congress have made the gravest mistake of your lives. I can truthfully assure you that nineteen-twentieths of the rank and file of the party would agree with me.

The moral sense of the nation will never sustain any war, especially with England, on any issue less important than that of actual self-defense. In this episode human progress has received a terrible shock and setback.

Very respectfully, yours,

HENRY WOOD.

Hon. ELIJAH A. MORSE, M. C.,
House of Representatives.

The following is from the pen of Edward Atkinson, a gentleman who needs no introduction to the people of New England or of the country:

In this time of distrust and danger it is fit that anyone who has the ear of the public in any way should speak plainly. Little time has yet been given to review President Cleveland's message and the accompanying documents, yet having met in the last two days a great number of prominent and influential men, notably many of the President's most earnest supporters in all that he has previously done, I find but one universal feeling—all are shocked, all are grieved, all concur in condemning utterly the recent action by which such terrible support has been given to the jingo spirit, heretofore arrayed against the President.

If an act of the Executive of this country should be committed which would precipitate war with Great Britain on a petty boundary question in South America, it is held that it would be a crime against humanity. If a position is taken, such as appears to have been taken, promoting violence without the expectation of a resort to war, it is held to be a stupendous and humiliating blunder. If the object should prove to be merely to cater for success in a party sense to the jingo element, then the verdict must be to the degredation and disgrace of everyone sharing in such a base purpose.

So far as men of intelligence who have tried to master the details of this case are concerned, many in number with whom I have conversed in the last two days, men of highest position and influence in this community, without respect to party, notably, as I have said, those who have gone to the fullest extent in the support which they have heretofore given to President Cleveland, all concur in the following summary of the conditions:

First. The admission by the President and Secretary of State that Great Britain and Venezuela may settle this case for the cession of territory, one to the other, either for money consideration or otherwise, proves conclusively that the Monroe doctrine has no application to the existing dispute about the title to the territory which is claimed by both parties.

Second. The suggestion of the President that a commission shall be appointed, by whom the facts in the case shall be established, is a complete admission that the facts are not now established. Therefore, any threat of violence or forceful interference is a threat based upon ignorance of the facts and not upon knowledge of the facts.

Third. The controversy about the title to a certain area of territory is of two parts. Lot No. 1, which Venezuela claims from Great Britain, has been occupied by English subjects for a longer time than the existence of the present State of Venezuela. Lord Salisbury asserts the right and the duty of the British Government to protect British citizens of this lot No. 1 in their rights of property and possession pending an adjudication of the case. Venezuela threatens to occupy this territory by force. An analogous case may be found in the recent demand of this country for the protection of the citizens of the United States in Turkish territory and for indemnity from the Turkish Government for losses incurred by them. If our Government has the right to support such claims on behalf of its own citizens dwelling in a territory over which we claim no jurisdiction whatever, how much greater may be the justification of the English Government in extending the same protection to British citizens occupying territory to the ownership of which the British Government possesses a claim, and to give them all protection of force necessary to repel the proposed forceful occupation of that disputed lot No. 1 by the authorities of Venezuela.

The other parcel of this territory, lot No. 2, has not been occupied by English citizens to any extent calling for the interposition of force. It is claimed by Venezuela, and on that parcel, No. 2, Lord Salisbury expresses entire willingness to submit to arbitration. Under these circumstances a threat of violent interference on the part of this country bears the aspect of a crime committed upon the English-speaking people, both of this country and of the British Islands.

The suggestion has been made by a prominent citizen of this city, whose influence would be very great, which I hope he will urge to the utmost, namely, in view of the fact that the Monroe doctrine, so called, was established either at the instance or with the assent of the British foreign minister, George Canning, and in view of the fact that the proposed application of

this Monroe doctrine by the President is, in the judgment of the highest constitutional lawyers and students, like Professor von Holst, utterly unwarranted in fact, being a perversion of the true Monroe doctrine, therefore it is suggested that the Monroe doctrine itself be submitted to arbitration, in order that its original purpose, shared in by all English-speaking people—by Great Britain and the United States as well—shall be fully defined and carried into effect, and that its perversion to unrighteous ends at the danger of war shall be finally stopped.

EDWARD ATKINSON.

The history of this Administration has been a history of colossal blunders, especially with reference to our foreign relations, from the date the President attempted to reinstate a profligate, bloodthirsty heathen queen on the throne of the Sandwich Islands, after she had threatened to behead all the white men, banish their families, and confiscate their property. Had the President used a message to Congress to threaten the blood-thirsty Turkish Government with the military power of this Government instead of our brethren across the sea, it might have violated precedent and the Farewell Address of George Washington, but it would have met the applause of the civilized world. The following letter is pertinent to this observation. I regret that I am not at liberty to use the writer's name:

NEWTONVILLE, MASS., *December 23, 1895.*

DEAR SIR: Excuse me for the draft upon your time in sending the present communication, but as a Christian and an American citizen, as one who holds dear to heart the principles of Christian civilization, I write to ask if nothing can be done to stem the tide of infatuation which seems to have taken possession of so many of our public men within the last few days, threatening to embroil the two leading nations of the globe in a petty fight. Here we have been watching and praying for weeks past that in the name of humanity and of a higher civilization, something might be done by the Christian nations of the world to put a summary stop to the wholesale slaughter of the thousands of our Christian brethren in Armenia; waiting the slow processes of international courtesy and usage, hampered as they were by mutual jealousies, while the murderous work and pillage kept right on, when, lo, and behold, instead of joining hands in the name of Christ to demand relief for their persecuted brethren of another wing of the Christian family, the two most powerful representatives of Christ's kingdom upon earth start up a quarrel with each other, over a matter of not one hundredth the importance to either of them, and with which one of them has not directly any concern whatever. The religious and financial interests of this country will not recover from the shock if this matter goes on to its culmination for the next ten years.

What nuts this must be to His Majesty the Sultan, and his whole infamous court.

In haste, yours, sincerely,

———.

Hon. ELIJAH A. MORSE, M. C.,
House of Representatives.

The following telegram, which is from an important and influential business man of Boston, is germane to a discussion of the Venezuelan boundary question, and I am sure voices the sober second thought of many true and sincere Americans:

BOSTON, MASS., *December 20, 1895.*

Am satisfied that New England's representative men irrespective of party affiliations emphatically condemn President's course, and the prospect of endorsement by Congress causes grave apprehension here. We urge you to use every effort to kill the bill for Commission.

(Signed) WILLIAM WHITMAN.

Hon. ELIJAH A. MORSE, M. C.,
House of Representatives.

The following letter is from Hon. William H. Osborne, a gentleman of high character and standing in Massachusetts, a member of the Plymouth and Suffolk bar, and was New England pension agent for four years under President Harrison. Mr. Osborne's opinion will carry great weight with all who know that gentleman:

BOSTON, MASS., *December 19, 1895.*

MY DEAR SIR AND COMRADE: I saw you quoted this morning in relation to the present war talk. It may be of no earthly consequence to you or anybody else, but I agree with you fully and I agree with Congressman BOUTELLE of Maine, although the Boston Journal takes exception to his remarks.

I have no patience with this whole business, and I think the Republican Congressmen and the Republican press have made a mistake in their gushing indorsement of the President. I am opposed to war unless it is absolutely necessary to protect the honor or integrity of the nation. I have seen war enough, and am still suffering from its consequences. If Cleveland had entered the Army during the late war, instead of sending a substitute, perhaps he would not be so bloodthirsty as he now is. If we must have a war, let us have a President that knows something about it, and who has not been fighting the old soldiers, cutting off their pensions, etc.

It is all politics, and is resorted to to distract public attention from the errors and shortcomings of the Administration, and, if possible to secure, for him (Cleveland) another term as President. He has been continually giving away American interests ever since he was President, and now he assumes a most war-like attitude over a matter of very little consequence. I do not think the American people upon sober second thought want to go to war over a boundary line between two countries in South America, neither one of which are more than half civilized. I have an idea that this war cry will react upon the President when the people have thought it over carefully, and as much as we effect to despise the opinions of English newspapers touching American affairs, the recent comments of some of these papers will strike the average intelligence as about right. It is a game of politics, as much so as the juggling that is going on over the national finances. I hope the Republicans will brace up and clear the air of its present pollutions.

I am, your sincere friend,

W. H. OSBORNE.

Hon. ELIJAH A. MORSE, M. C.,
House of Representatives.

The following letter is from my distinguished predecessor, ex-Governor John D. Long, who represented for six years the district I have the honor to represent, and was six years governor and lieutenant-governor of Massachusetts prior to that time. It must have great weight with all who know that distinguished gentleman:

BOSTON, *December 27, 1895.*

DEAR MORSE: I am sorry somebody did not stand by BOUTELLE in resisting such sheep-flocking obedience to the crack of the President's whip. Of course, it is easier to think after the opportunity is gone, but if the President could take two weeks' duck shooting while considering the Venezuela business, certainly Congress might have taken twenty-four hours. I take it you would like to know the sentiment of the people here. I have not met a human being who has expressed sympathy with the President's intimation of war. The Monroe doctrine no more applies to the location of the board fence between Venezuela and Great Britain than it does to your division lines in Canton, Mass. When the President suggests that possibly Venezuela and Great Britain may settle the whole thing between themselves, and thus admits that they may do so without our participation in the settlement, he gives away the whole case, for if a voluntary settlement between the parties can be made without us, then it is a matter in which we have no concern, and if we have no concern in it, then what business have we to interfere at all, for instance, to insist on arbitration? The Republicans in Congress, it seems to me, have thrown away the best chance that could have come to them to show up the blundering of the Administration.

Yours, very truly, JOHN D. LONG.

And now comes the joyous tidings from across the ocean, that the Queen of England, Scotland, Ireland, and Wales, and the Empress of India, Queen Victoria herself, has frowned upon the attitude of her ministers, and has expressed her desire that this and other disputes shall be settled with her kinsfolk on this side the sea by arbitration instead of by cruel bloodshed and war; and the same attitude is taken by leading publications of the United Kingdom.

The Coin Redemption Fund.

REMARKS

OF

HON. GEORGE W. PRINCE,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Friday, December 27, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. PRINCE said:

Mr. SPEAKER: As a Republican I am opposed to this pending bill. I do not believe that it is in accordance with the views of the people who sent me here.

It is an indorsement of the President's policy of selling bonds, and it increases the interest-bearing indebtedness of a people now overburdened by debt.

It is in effect only saying, "Mr. President, we favor your policy of debt making, but would suggest that you try and make a little better bargain on the question of interest."

But aside from our fully indorsing Democratic maladministration, which for over two years we have every one of us been condemning on every stump and which every one of our newspapers has also condemned, there are other and higher reasons why I am opposed to this measure.

It retires the greenbacks, and absolutely and unqualifiedly thereby contracts our currency and makes the power of a dollar greater and the value of human toil lower. We were sent here as Republicans (not Cleveland approvers) to inaugurate measures on Republican lines, to raise revenue with which to meet the current expenses of our Government, to pension liberally our soldiers, their widows and orphans, to build public buildings, make internal improvements, and to pay off (not add to) the public debt. This is our mission, and on December 26 this House passed a law which the Committee on Ways and Means said would meet these requirements.

Our revenue bill has gone to the Senate and we have done our duty for the present as best we could under the rules of the House, which forced us to vote for a revenue bill not in accordance with our views, but which the exigencies of the case required.

Mr. Speaker, we went far, very far, on December 26 to approve of Democratic tariff legislation, and we did so at the behest of the party leaders of this House. Are we now to be compelled to fully approve of all the acts of a Democratic President?

While I am loath to go against the wishes of the Ways and Means Committee, I must do so, because I believe the interests of the people are higher and more sacred than mere alleged party expediency.

Therefore, Mr. Speaker, when my name is called I shall vote against the bill.

The Coin Redemption Fund.

REMARKS
OF
HON. GEORGE W. WILSON,
OF OHIO,
IN THE HOUSE OF REPRESENTATIVES,

Friday, December 27, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. WILSON of Ohio said:

Mr. SPEAKER: As much as I should like to vote with the Committee on Ways and Means upon this bill, I am nevertheless disposed to vote against it. Although gentlemen urge upon us a necessity for its passage, I am unable to see any necessity therefor. The existing law authorizes the Secretary of the Treasury to issue bonds to replenish the gold reserve whenever the amount is less than $100,000,000. It is true that the bonds bear a higher rate of interest than 3 per cent, payable semiannually, as provided in this bill.

The law allows the Secretary to issue bonds bearing 5 per cent interest and payable after ten years, and bonds bearing 4 per cent interest, payable after thirty years. There have been sold already under the existing law bonds of the face value of about $162,000,000, upon which there were premiums amounting to $20,000,000, the total aggregating $182,000,000. If all of these bonds had been sold in the open market it is very generally believed the premiums would have been much larger.

It is not very material what the rate of interest in the bond is, because whoever has the capital to invest in bonds will calculate the lowest rate of interest at which he is willing to invest his money and pay as much more than the face of the bonds as the specified rate of interest exceeds what he is willing to receive for the use of his money. If a capitalist is willing to loan his money at 3 per cent, then he would, under existing law, compute the difference between a 4 or 5 per cent bond and a 3 per cent bond, and the difference would represent the premium which he would pay for the bonds bearing the higher rate of interest. The result is that while the rate specified in the bond is higher, the bonds are actually sold at as low a rate of interest as purchasers are willing to take for their investments.

We are now informed by the Secretary of the Treasury that such bonds as are provided for in this bill can not be sold at all. He desires that the bill should provide for payment of principal and interest in gold, in order that he may the better dispose of them. The Secretary also wants to retire the United States Treasury notes (commonly called greenbacks) from circulation, because they are a constant menace to the gold reserve.

GREENBACK.

I am unwilling to give my vote for either gold bonds or the retirement of the Treasury notes. We have no more currency than our business demands. If the greenbacks are taken out of circulation without other paper currency being substituted we shall have a large contraction of the currency, and I believe the result would be damaging and disastrous to the business of the country. The present paper currency is popular with all classes, and to retire it by substituting interest-bearing bonds would not be well received by the people.

THE GOLD RESERVE.

There is much complaint about the greenbacks being used to draw money from the gold reserve. But what use is the gold reserve if not to give the greenbacks a credit which they would not otherwise have? It may be urged that the gold reserve would be exhausted if bonds are not constantly sold to replenish the reserve. There is some ground for this claim under existing affairs. But if the revenues were daily or monthly as large as the expenditures of the Government, this condition might not and probably would not exist. I think that the first duty of Congress is to raise more revenue and make less expenses, and thereby do away with the necessity of borrowing money by the sale of bonds. Whenever we export more than we import the balance of trade will be in our favor, and gold will begin to come our way instead of going from us to pay the balance against us.

EFFECT OF BOND SALES.

The sale of bonds to procure money to redeem greenbacks turns them into the United States Treasury, where they remain until the exigencies of the Government require their reissue. If the revenues are, as Democrats here assert, sufficient to meet the current demands of the Treasury, then the greenbacks will be retained in the Treasury and withdrawn from circulation. This result should be avoided, at least until some other currency is provided to take the place of greenbacks. There are only two ways to avoid it that I can think of—one is to have such a revival of business on this side of the Atlantic as will stop the raids upon the gold reserve, or pay the holders of greenbacks upon presentation in such coin as the law authorizes and the Treasury possesses at the time of presentation.

The Republican party have everywhere denounced the present Democratic Administration for the sale of bonds in time of peace. We have urged that there ought to have been no necessity for it, and that bonds should not be issued in time of peace. By the passage of this bill it is clearly implied that we intend that additional bonds shall be issued to replenish the diminished gold reserve and to redeem United States Treasury notes.

Why should the Republicans assist the Administration to do the very thing which we have opposed and condemned with so much vehemence? With the same authority, under the same laws, the Secretary can sell other bonds if he chooses, and I am unwilling to provide other means.

REPUBLICAN POLICY.

While it is true that there is much cause of complaint and dissatisfaction with Mr. Cleveland's Administration, I do not regard it as wise for the Republicans to surrender their convictions of duty for the sake of temporary relief. If it is a fact that there have been great shrinkages in railroad bonds and other holdings, it is to be much regretted. But at the same time I do not consider it the duty of Congress to attempt to take care of speculators in stocks or grain. Those who deserve our care and protection are they who toil and spin, and those who deal honestly and contribute to the welfare of mankind.

If we shall adhere to our landmarks and steadily advance on the lines of protection—good money and enough of it, maintenance of sufficient revenues to meet the demands of the Government without issuing bonds to raise money in time of peace, the liberal payment of pensions to deserving Union soldiers and their widows and orphans, the maintenance of our national honor at home and abroad, and a determination to resist unjust encroachments of foreign countries upon the soil of the Western Hemisphere—I have no doubt of the approval of our constituents and of the perpetuation of Republican ideas and the preservation of the American Republic so long as time shall last. [Applause.]

The Coin Redemption Fund.

REMARKS
OF
HON. ROBERT W. TAYLER,
OF OHIO,
IN THE HOUSE OF REPRESENTATIVES,

Friday, December 27, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, any to authorize the issue of certificates of indebtedness to meet temporard deficiencies of revenue.

Mr. TAYLER said:

Mr. SPEAKER: The members on this side of the House who oppose the pending measure for the issue of bonds seem to misapprehend the question and their responsibility in connection with it. Their fear that the Republican party will suffer is ungrounded. The record of that party against the issue of bonds in time of peace is too well known to be misapprehended now. Never, except in time of war or for resumption purposes, has the Republican party authorized the issue of bonds for any other than refunding purposes. But to all practical intents and purposes this is a time of war. This great nation is going about with a sword in one hand and a contribution box in the other. For this the Republican party is not responsible. It is one of the fruits of Democratic incompetency, and it is our duty as Republicans to make the best of a situation which exists, but for which we are not responsible. The constituency which I represent is a patriotic constituency. It will go as far as I possibly can go to uphold the credit of the country, even though that credit has been impaired by Democratic folly, and though it be a Democratic Administration which calls for assistance.

If the tariff measure which was passed last Thursday becomes a law, and the estimated revenue from it is realized, I think there will be little need for the issue of bonds under the pending measure. But, none the less, the present emergency points out the way where duty leads, and that way I propose to follow.

No one pretends that either the tariff bill or this measure is drawn on Republican lines. Neither of them is intended to meet a Republican situation. Neither of them is to be presented to a Republican President for signature. They are both emergency measures, and whether history approves or disapproves them, the patriotism of a Republican Congress in passing them will stand out as a shining example of what a great party can do when the sense of a high public duty is upon it.

The Coin Redemption Fund.

REMARKS
OF
HON. STEPHEN R. HARRIS,
OF OHIO,
IN THE HOUSE OF REPRESENTATIVES,

Friday, December 27, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. HARRIS said:

Mr. SPEAKER: I can not conscientiously support this bill.

The Thirteenth Ohio Congressional district in 1892 sent a Democratic member to this House by a plurality of over 7,000.

The voters of my district were injured and dissatisfied by the failure of the Democratic Administration to follow the successful and prosperous method of filling the Treasury with revenues arising under the former tariff law; they were further dissatisfied because under the Democratic Administration the expenditures of the Government were largely exceeding its receipts, and especially were they dissatisfied that the President was selling bonds by millions to defray the running expenses of the Government.

The people of my district were so dissatisfied and indignant that, discarding their former political affiliations, they sent me here as their agent to use my influence for the restoration of the tariff law of 1890, which would fill the Treasury to overflowing once more, as it had done the few years it was in force, and to stop the reckless issue and sale of bonds.

Now, Mr. Speaker, I can not conscientiously support a measure that empowers the President to do the very thing for which he was condemned in my own district. It is said the proposed bonds have shorter time to run and bear a lower rate of interest. That does not change the principle, besides it is not certain that the President would sell the bonds now proposed if they were issued. If he prefers to sell bonds, sua sponte, as he did before, the fact that his favorite bonds have longer time to run and bear a larger rate of interest will command a larger premium, and the same equivalent in money will be realized by their sale.

Be that as it may, Mr. Speaker, I can not consistently vote to authorize and empower the President to do what one year ago my constituents so emphatically condemned.

Bonds.

REMARKS
OF
HON. O. M. KEM,
OF NEBRASKA,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, December 28, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. KEM said:

Mr. SPEAKER: In availing myself of the opportunity given members to print their views relative to the above subject in the RECORD, I desire to say that I do it only because I was denied the privilege of being heard on the floor.

It is indeed humiliating to me to be compelled to resort to the silent medium of the pen to express my views respecting a matter of so great importance as the above bill.

It was my earnest desire to be heard on the floor of the House, and I endeavored to secure time for that purpose, but failed utterly, as did every other Populist member. Before entering upon a discussion of the merits or demerits of the above iniquitous proposition I desire to call attention to the true position of the Populist members in the House, by relating some of the difficulties confronting us. The public generally believes that the lower House of Congress is the representative body of the people, the arena where the representative of every political faith may be heard, and the wrongs of the great common people righted.

These were my views also when I entered this body four years ago, but after an experience of five sessions I am compelled to revise and amend those views to some extent. Candor compels me to say, especially after the experience of the last three days, that it is neither a representative body nor an arena where the rights of the great common people can be defended, especially if their defenders are in the minority.

Under a mighty majority, like that which controls it now, it becomes rather an arbitrary machine for smothering free speech and representing a part of the people only.

I have advocated abolishing the Senate as a useless, nonrepresentative Government appendage that would be better clipped off; but I am led to believe, in the light of experience and observation, that the Senate more nearly represents all of the people than the House, for they will at least give you a hearing before they make you walk the plank.

It is a body where the Senators from each State and of all parties and beliefs may be heard and every citizen's rights defended.

Not so in the House. After four years' experience as a Populist in this body I am compelled to say that at no time during that period has a Populist been recognized to control any time in his own right. Republicans are always recognized in their own right; Democrats are always recognized in their own right, but Populists never. We have never secured any time in the past, as meager as it has been, except as we humiliated ourselves by going and begging it of one or the other of our political enemies, who were sometimes kind enough to grant us a little time in which to oppose them. Their answer to our protest is that there are but two sides to a question, therefore the time must be controlled by the affirmative and the negative.

Not so; there are frequently many sides to a legislative question, and the Populists frequently oppose or support a measure on entirely different grounds from either of their political opponents.

The Populist party is peculiar to itself, possessed of individuality and characteristics as marked and strong as either of the old parties, and differing radically with both in its views on national questions. Therefore we hold that of right we are entitled to control a proportionate part of the time given to all questions on which we desire to be heard.

On yesterday a bill was reported to the House from the Committee on Ways and Means that strikes at one of the vital principles of the Populist party, a question in which the Populists of the entire country are deeply interested; yet they had no voice in its consideration, and these 1,300,000 voters, representing more than 6,000,000 citizens, were unheard.

I asked the Speaker for a little time that I might represent them in the discussion to the best of my ability. He magnanimously promised me ten minutes, but the afternoon wore away without recognition; a recess was taken till 7 o'clock p. m.; three hours of night discussion dragged by and no recognition. This morning I went to him and asked if I was down for a speech. He said no. I called his attention to the fact that he had promised me ten minutes the day before. He said he did not know why I had not been recognized. I then insisted on being recognized this morning. He replied that he would try and do so, but the time was so short he did not think he could do it. It is useless to say I was not recognized

It does not avail for the majority controlling the House to plead short time, for when they fixed the time of discussion at about nine hours they were absolute masters of all the time there was, and could have set apart one week just as well as nine hours, and given all sides an opportunity to be heard, instead of rushing it through under whip and spur as if it was a case of life or death, when in fact it was only a case of the Republicans endeavoring to carry out their do-nothing policy as announced by the Speaker when he assumed his duties as presiding officer.

There is a determination upon the part of the Republicans of the House to prevent all discussion of the money question if possible, and as announced by Chairman Dingley, of the Committee on Ways and Means, that question is shelved for this Congress.

The honorable Mr. SKINNER of North Carolina had a similar experience with the Speaker to that of my own just recited, and it has been the experience of every Populist on the floor, to a greater or less degree.

It is time the Populists of this country were made aware of the fact that, as a great organization, holding views of vital importance to all the people, they have no rights on this floor in the discussion of the same which the powers that be are bound to respect.

I desire that Populists throughout the land, who have been wondering, and are still wondering why the little Populist contingent here have not and do not inaugurate some measures of reform, should know that we not only do not have the power to inaugurate any measure, but we do not even have the power to be heard on measures others inaugurate, except by the grace of some individual member; and it is well to understand once for all that no Populist measures of relief can possibly become law till the people cease to be governed by their prejudices, and elect a Populist Congress, together with a Populist Executive. Then you can have relief, and not till then.

As a further and more elaborate exposition of the manner of doing business in the House of Representatives, I here insert the remarks of Hon. JOHN C. BELL, of Colorado, relative thereto, made

in a ten-minute speech on the floor, by the courtesy of ex-Speaker CRISP, December 26, 1895, as follows:

Because of the fact that the rules of the House only allowed a fraction of a minute for each member to express himself on this all-important question, if each one could have obtained the floor, and I being awarded only ten minutes for the whole Populist party, and received this through the kindness of Judge CRISP, I feel inclined to take advantage of the leave to print and give some reasons why an individual Representative can do so little for his constituents as against the great majority.

The rules of the House by long usage give the Committee on Rules and the chairmen of the different committees practical control of the measures in the House and of the time for debate. This autocratic rule is fully exposed upon a casual examination of the committees.

It will be seen that the little State of Maine, the State of Massachusetts, and the State of Iowa have more power in directing the business of the House of the American Congress than practically all of the other States in the Union. This is an offspring of the rule that members must be advanced according to their seniority on the committees, and the people of these favored States have seen fit to return theirs for a great many years. Under this unrepresentative rule the little State of Maine, with less than 700,000 inhabitants, has Mr. DINGLEY, chairman of the Committee on Ways and Means; Mr. BOUTELLE, chairman of the Committee on Naval Affairs; Mr. MILLIKEN, chairman of the Committee on Public Buildings and Grounds, and the Speaker, who also has the first place on the Committee on Rules. This little State has four Representatives in the House and four chairmanships and the Speakership, being far more than have all of the States from Colorado to California, inclusive, and yet California has nearly twice the population and about four times the area and wealth.

The population of Iowa is about 2,000,000, and she has eleven Representatives. There are seven good places to the credit of the State, as follows: HENDERSON, chairman of the Committee on the Judiciary, who also has the second place on the Committee on Rules, next to the Speaker; HEPBURN, chairman of the Committee on Interstate and Foreign Commerce; HULL, chairman of the Committee on Military Affairs; LACEY, chairman of the Committee on the Public Lands; PERKINS, chairman of the Committee on Printing, and HAGER, chairman of the Committee on Enrolled Bills. New York has ten, Pennsylvania has nine, and Massachusetts has six, and so it runs, while thirty of the States have no chairmanships at all.

Those favorite States not only have the chairmanship of the Ways and Means Committee, but they have the Judiciary, the Banking and Currency, Coinage, Weights, and Measures, and Rivers and Harbors, which control everything of substantial benefit to the people at large. The rule also prevails in the House that the Speaker selects whom he will recognize as entitled to the floor, not according to the person who first rises to his feet and addresses the Speaker, but according to his simple desire. If the member desires to present a measure to the House, he goes and sees the Speaker and has to tell him or show him his proposition, and then the Speaker will inform him as to the probability of recognition for such a measure.

While the House was meeting and adjourning simply, the Populist members agreed in their conference to introduce a resolution in the House and Senate inviting the Finance Committee in the Senate and the Committee on Coinage, Weights, and Measures in the House to investigate and report what effect on the industrial condition of the country, if any, the divergence between gold and silver had. Senator ALLEN promptly introduced the resolution in the Senate, and it passed by a good majority. I was appointed to secure recognition from the Speaker and have him ask the House for unanimous consent for its consideration there. Upon approaching the Speaker, he very thoroughly examined my resolution, and firmly but kindly replied, "I should not care to recognize you for this resolution," though the House was then in idleness. Had it been some little local measure, or something that the Speaker approved of, he doubtless would have extended the courtesy.

I mention this simply to show the complete dependency of individual members on the will of the Speaker and the committees.

All of the committeemen in the House first have the right to the floor, and those holding different chairmanships also rank high with the important committees of which they are not chairmen and get the additional right to the floor, so the individual who is not on an important committee must, by the courtesy of someone else, beg the opportunity to address the House, and can get recognition in no other way. New members or members of a new party are practically ostracised in the House and have no power under the rules to promulgate any of their principles.

Thus it will be seen by the foregoing that the 6,000,000 people of this country who believe as we do respecting principles of government are denied the right of free speech by rules and practices more fitting for a monarchy than a republic.

Now, as to the merits of this bill. In the discussion of the last three days, both on the bond bill and on the bill changing the revenue laws of the land, the Republicans tried to lay the entire responsibility for the distressed condition of the people and Government upon the Democratic party, and the Democrats, with equal zeal, tried to shift it all onto the Republicans. One said, "You did it." The other replied, "It isn't so; you did it." Democrats said it was the result of the McKinley tariff. The Republicans replied, "It is the result of the Wilson bill." Thus the sham battle on the tariff goes on.

Gentlemen, you are both right and both wrong. You are both wrong when you say the tariff law of either sort had anything to do with bringing about the present miserable condition of affairs. You are both right when you say the other is responsible, for you are both equally guilty and equally responsible.

No relief will come to the people of this country until the Republican party is placed by the side of the Democratic party, viz, in a hopeless minority, and the reins of government placed in the hands of the people themselves through their only medium, the Populist party, for both of the dominant parties are owned and controlled soul and body by the gold-gambling money power of Europe and America, as every legislative step they have taken for years confirms.

The effort to throw the responsibility of the present terrible condition of the country upon tariff legislation of any sort will not succeed if we will only look at the facts for a moment.

Under long years of Republican rule we had high tariffs that steadily kept climbing higher and higher till they culminated under the McKinley bill in the highest tariffs the world ever saw; yet all these years the general sea level of prices kept steadily falling and falling till it culminated under the McKinley bill in the greatest distress a civilized government ever experienced. Then the Democrats said to the people, "Behold the work of the McKinley bill! Give us the reins of government that we may show you how quickly we will restore prosperity to your impoverished homes by proper tariff laws."

The people took them at their word and in 1893 the Republicans went out of power, scraping the bottom of the Treasury to get money enough to pay current expenses and with the plates prepared for an issue of interest-bearing bonds.

The Democrats took full control of all branches of the Government, with Mr. Cleveland in the chair. They continued to talk tariff reduction and followed the Republican financial policy to the letter. The only result that such a policy can lead to was reached soon after Mr. Cleveland's inauguration. The crisis to the verge of which the Republican party and policy had led burst upon us in all of its fury—a condition in which gaunt hunger and misery stalked specter like through the land unbridled, from ocean to ocean, and from the Lakes to the Gulf. All this time the Democrats continued to talk reduction of tariffs and the President continued to issue bonds and pile up burdens for the poor. More than a year ago tariffs were lowered and the McKinley bill knocked out, but the general sea level of prices steadily continues to decline, notwithstanding there is a general shortage of crops; the bond issues still go on, the debts of the people are piling up higher and higher, while their ability to pay is continually growing less and less, and the Democrats and Republicans continue to talk tariff.

The Republicans now say to the people: "Ah! what did we tell you? We told you what would happen if you elected the Democrats; now you see what you have done." Sure enough, nothing like saying I told you so. The above cry looks plausible on the surface; many believe the Democrats wholly responsible, and the people seem to be rushing to the other extreme, and have returned the Republicans to power in the House with an overwhelming majority.

True, the Democratic party is terribly, wickedly, to blame, and ought to be wiped off of the political map, but while they are thus guilty the, Republican party is equally guilty, and I insist that the present Administration must be held responsible for that of which it is guilty, and have nothing but condemnation for it; but I want to prevent, if possible, the Republican party, its copartner in this miserable business, from shifting its own sins onto the shoulders of Democracy, which already has more than it can ever atone for.

Before the electors of this country again hand the Government back into the keeping of the Republicans I want them to become acquainted with a few facts that seemingly have escaped the notice of the masses.

We see how we were brought to the verge of disaster with an empty Treasury under high tariff and Republican rule. We see how that disaster overtook us under change of party rule and lower tariffs; how it continues in constantly lowering prices and expanding indebtedness—private, municipal, and corporate—coupled with repeated issues of interest-bearing bonds; therefore we must see at once that the tariff is not responsible, for our condition continues to grow worse and worse under all sorts of tariffs.

With a sufficient amount of full legal-tender money in circulation under Government control to meet the business demands of the country, which will enable every man, woman, and child to secure employment at remunerative wages who desires it, we will have a happy, prosperous, patriotic, and loyal people with a Government free from debt under almost any sort of tariff laws; but without the above monetary system we can not as a people be prosperous under any sort of tariff laws, or, for that matter, under any or all of the many other reforms advocated, many of which I believe in, but I say we may have them all and leave our money system as it now is, and it is only a question of time when this Government will be bankrupt and the people impoverished, therefore we should subordinate everything else to financial reform, concentrate all of our energies upon that; when this is accomplished then we will be able to establish other reforms; but let us take first that upon which all others rest.

All history, all experience of the past, proves the truth of these statements, yet both Republicans and Democrats in the face of this truth, so plain that he who runs may read, are still quarreling over the tariff, and both perpetuating a finance system that is fast sapping the lifeblood of the nation. Nero fiddled while Rome burned, and the Democrats and Republicans are fiddling at cross-purposes on the tariff string, while the people are plundered and the Government robbed.

On Thursday last the Republicans introduced in the House a tariff bill changing the general revenue laws of the country, and with their overwhelming majority passed a gag rule limiting de-

bate to three and one-half hours, at the close of which time the bill was passed under whip and spur, with no member but a favored few having been heard.

They seem to learn nothing by experience. None are so blind as those who will not see, and truth has no foe like prejudice. The title of this bill is (H. R. 2749) to temporarily increase revenue to meet the expenses of Government and provide against a deficiency.

This bill, in order to provide more revenue and meet a supposed deficiency, increases the present tariff taxes and reaches out strongly in the direction of the McKinley bill. In the light of past events this seems like an insult to reason and an outrage on common sense.

Let us throw the search light of truth for a moment upon some facts of very recent history and then see where these gentlemen stand with their proposition to increase revenues by climbing back toward the high tariffs of the McKinley bill.

When the control of this Government passed into the hands of the Republicans under Mr. Harrison there was a surplus in the Treasury over and above the gold reserve of $230,348,916.12. The Republican machine started; the McKinley bill became the law; the surplus began to dwindle and continued to dwindle till the close of the Administration, on the 4th of March, 1893. At that time the $230,348,916.12 had disappeared. Mr. Foster, Secretary of the Treasury, figuratively speaking, was hanging on by the eyebrows and scraping the bottom of the Treasury to get money enough to meet current expenses, and was even driven to the verge of issuing bonds, as Mr. Cleveland has since done, and as Mr. Harrison would have been compelled to do, under the highest tariffs the world ever saw, if he had been reelected.

While it was well known at the time by a few that in the last days of the Administration Secretary of the Treasury Foster had given orders for the preparation of designs for a new issue of bonds, and was so stated by myself in the last campaign, it was denied by some Republicans in my State and disbelieved by many. In order to remove all possibility of dispute in the future, I here insert the above-mentioned official order, as given by Mr. DOCKERY of Missouri in a recent speech on the floor of the House, as follows:

Now, in answer to the challenge of the gentleman from Ohio, I have obtained by special messenger from the Secretary of the Treasury the official order of Secretary Foster, under date of February 20, 1893, in these words:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., February 20, 1893.

SIR: You are hereby authorized and directed to prepare designs for the 3 per cent bonds provided in a Senate amendment to the sundry civil bill now pending. The denominations which should first receive attention are $100 and $1,000 of the coupon bonds and $100, $1,000, and $10,000 of the registered bonds.

This authority is given in advance of the enactment, in view of pressing contingencies, and you are directed to hasten the preparation of the designs and plates in every possible manner.

I inclose a memorandum for your guidance in preparing the script for the body of the bond.

Respectfully, yours, CHARLES FOSTER, *Secretary.*

The CHIEF OF THE BUREAU OF ENGRAVING AND PRINTING.

Not only this, Mr. Speaker, but on page 70 of the Special Report No. 2621, made to the House of Representatives by Mr. Springer, then chairman of the Ways and Means Committee, is this statement by Secretary Foster, of date February 25, 1893, in answer to questions by the gentleman from Georgia, Mr. TURNER. It discloses an unsatisfactory Treasury situation:

"Mr. TURNER. Taking into consideration all these conditions which you anticipate, what in your judgment would be a fair conjecture of the condition of the Treasury at the end of the next fiscal year?

"Secretary FOSTER. I should say the next fiscal year would show a deficit.

"Mr. TURNER. Can you give an approximate estimate according to all the data accessible to you?

"Secretary FOSTER. I will only say this, that if I was to have the management of the Treasury I should insist upon an increase of revenue to the extent of $50,000,000.

"Mr. TURNER. In order to meet those conditions which you anticipate?

"Secretary FOSTER. Not only those conditions, but the gold conditions as well."

This ought to remove all doubt of the proposed issue of bonds under the last Republican Administration, also as to the empty condition of the Treasury, and convince every man who is not a bigot that the McKinley bill as a revenue raiser was a miserable failure; also that the Republicans, in their zeal to protect the great trusts and combines called manufacturers and assure them by arbitrary law a profit on their business, they killed the goose that laid the golden egg by placing a tariff so high upon imported goods they could not enter our ports and compete with prevailing prices. Thus this source of revenue, which is our greatest, was greatly curtailed and a deficiency resulted. A prohibitory tariff is wrong at any time; but when coupled, as this was, with a shrinking volume of currency it becomes a crime against the rights and liberties of man.

This combination of high tariff and shrinking money creates a machine of destruction that cuts both ways:

First. High tariff tends to keep up prices of finished goods to consumer.

Second. Shrinking volume of money lowers prices of raw material to producer of finished goods. Thus as the combined and concentrated wisdom of the Republican and Democratic sages we have a system of Government that raises the price of everything the great majority of the people buy, and lowers the price of everything the great majority have to sell. Is it any wonder revenues fall off and we are now issuing interest-bearing bonds after thirty years of profound peace with all the world?

I desire to say that just here lies the kernel of this whole matter. The people have become so impoverished through currency contraction they are compelled to economize to the greatest extreme, hence can not buy the articles upon which revenue is collected; the citizen is compelled to do without that which he greatly needs, and the Government is compelled to add to his burdens an interest debt, under a miserable policy of robbing Peter to pay Paul.

As an example of the effect the contraction of our currency by the demonetization of silver is having upon our manufacturers and its relation to home markets and foreign trade, I submit an article I sent to the Silver Knight touching this matter; and when it is known that it was published days before the bond action in the House, it will be seen that it is very pertinent along different lines.

DIFFERENCE OF EXCHANGE—WHAT EFFECT HAS IT ON AGRICULTURE BETWEEN GOLD-STANDARD AND SILVER-STANDARD COUNTRIES?

Editor Silver Knight:

The following resolution, as clipped from the Knight of recent issue, together with your very able remarks thereon, remind me of two or three very pertinent facts, to which, with your permission, I desire to call the attention of the Knight readers.

Senator STEWART on the 12th instant introduced the following resolution:

"*Resolved*, That the Committee on Finance be directed to inquire what effect the difference of exchange between gold-standard countries and silver-standard countries has upon the agricultural and manufacturing industries of the United States, and report by bill or otherwise."

He asked that the resolution might lay over until Monday, the 16th instant, at which time he addressed the Senate upon the above resolution.

The above resolution refers to a very grave problem, which has been flashed upon us like a gleam of lightning from a clear sky. It is a phase of the money question which strikes directly at the purse of the manufacturers in a way they can not dodge. The law which destroyed one-half of the money of this country is proving a double back-acting machine, which is cutting both ways. This contraction has had the effect of steadily reducing the price of all farm products till they will scarcely pay cost of production. One result of this is it compels the producer, first, to buy nothing except that which he is absolutely compelled to have; second, this must be purchased at the lowest possible figure, regardless of where or how it is made. It has become a question of self-preservation, and an appeal to patriotic protection to home industries will have no effect, because it will be overshadowed by the more pressing and vital question of how to procure the necessaries of life for the least money possible. When the farmer sells his wheat for 30 cents per bushel, and other things in proportion, he is compelled to buy his manufactured goods from Japan or China if those countries can furnish them cheaper than this country.

So we see the law first strikes the American manufacturer by destroying the ability of his home customer to buy; it again strikes him because of the fact that the Japanese, being on a silver basis, can no longer afford to buy American goods at gold prices; therefore Japan is forced to do its own manufacturing, which not only destroys the foreign market of the American manufacturer but makes Japan a successful competitor in our home market. The Republican party, which is equally responsible with the Democratic party for this state of affairs, will undoubtedly undertake to fool the people and meet the question by advocating a higher protective tariff, but they will surely have an uphill job, for it seems to me that the most superficial must see that no tariff can avail so long as Japan has 50 per cent the advantage in cost of manufacture, as she has now. It would be interesting to know how the gold Democrats propose to meet this question. They can not advocate a tariff, neither can they favor the remonetization of silver.

The signs of the times, Mr. Editor, seem to indicate very strongly that the Republicans in the House do not intend to allow the money question to be discussed if they can prevent it, and as they have absolute control I guess they can do that; and especially do they intend that the Populists shall have nothing to say in the matter.

An effort by the Populists, through Mr. BELL, was made to get a hearing in the House on a similar resolution to the one above quoted, but failed. The Speaker was asked for recognition, but, after looking the resolution over, we were informed that he would not recognize us on a measure of that sort.

Thus you see, Mr. Editor, business in the House is not conducted as it is in the Senate, and this shows clearly how difficult it is for the little contingent of Populists in the House to accomplish anything along reform lines.

O. M. KEM.

The above feature of the situation may be our salvation, by arraying the manufacturers on the side of more money. They will get there quick when it touches their pockets. It is having its effect—they are already beginning to face about.

The root of the evil does not start in tariff laws, but in bad financial laws and policies, for which both parties are responsible. The Republicans are responsible for all of the bad financial laws placed upon the statute books for the last thirty years.

The Democrats are responsible for maintaining these laws and allowing their administration to continue and put into effect the miserable Republican policy of paying coin obligations in gold alone, in direct violation of the spirit and intent of the act under which it is done.

Mr. PAYNE of New York, in his speech on the above bond bill, arraigned the President for past and coming bond sales—as all Republicans have arraigned him, either privately or publicly—and used the following language (RECORD, December 28, page 388):

The President and the Secretary of the Treasury, according to the same report, are now engaged in negotiating a loan with a syndicate representing foreign capitalists to add $100,000,000 to the bonded indebtedness of this country. The only authority of law with which they are invested now to make this loan is contained in the act of 1875, under which they can issue no bonds at a lower rate of interest than 4 per cent, and these 4 per cent bonds to run for thirty years.

What right has Mr. PAYNE, a life-long Republican, to criticise the President for issuing these bonds? Does not Mr. PAYNE know

that the law of 1875 is a Republican law, and that Mr. Cleveland is simply carrying out this law as interpreted by the Republicans—while SHERMAN was Secretary of the Treasury—to the effect that it was the policy of this Government to redeem all of its coin obligations in gold alone? These are facts so plain that every man with intelligence enough to vote knows them to be true, yet Mr. PAYNE and his colleagues on the floor and throughout the country are bellowing like the bulls of Bashan about the President issuing bonds. If he is doing it by law, it is the Republican law which is at fault.

If Mr. PAYNE and his associates are statesmen instead of politicians they ought to condemn the law, bring in a bill repealing the same, and make it impossible for the President to issue bonds of any sort without a special act of Congress. If they will do this, I assure him they will have the hearty support of every Populist on the floor and the patriotic plaudits of every Populist in the country. If Mr. Cleveland is doing this without law, then let Mr. PAYNE'S party institute impeachment proceedings, and he will have our hearty support in this, also. Nay, nay; the blame rests with the terribly faulty, unjust, cruel, and wicked Republican law which allows one man to issue interest-bearing bonds at any time, in unlimited quantities, and play into the hands of the gold gambler and monopolist. The remedy lies in the amendment of the law of 1875, and so long as the Republicans make no effort to amend it they are equally guilty with the present Administration in committing and perpetuating one of the greatest crimes of the nineteenth century.

The sort of jingo legislation the party has been engaged in for the last two or three days will not avail, for sooner or later the people will understand the true situation, and when they do the G. O. P. with the D. M. O. C. will be relegated to where the whangdoodle mourns. The pendulum (public opinion) will cease to swing from one extreme to the other. The Government will be placed in the hands of the Populist party, and a reign of prosperity for all the people will begin.

The Republican party not only committed a great wrong in framing and passing a law so weak as to be susceptible of interpretation to the effect that all coin obligations are redeemable in gold alone, but they are perpetuating that wrong deliberately, as is shown by the following language of Mr. PAYNE, used in the same speech above referred to:

Mr. PAYNE. We propose to see that every legal-tender note issued by the Government of the United States shall be redeemed in gold whenever it is presented to the United States to redeem. [Applause on the Republican side.] And after we get through with that we will take up the other questions as they come along.

By what authority does Mr. PAYNE and his associates propose to see that every legal-tender note shall be redeemed in gold alone? The only authority they have for this declaration is the law declaring them redeemable in coin, passed at a time when no one thought of coin in any other sense than both gold and silver, and when, under the law, it took both gold and silver to constitute the coin of this country.

Since the earliest history of man no government or people has looked upon coin in any other sense than that it meant gold, silver, copper, and all of the coins of the realm of whatsoever metal they were made, but it remained for the astute SHERMAN alone to discover that coin means gold only and declare it to be the policy of this Government to redeem all of its obligations in gold alone.

He did this in defiance of the intent and spirit of the law and usurped the prerogative of the Congress when he did it, and this is the authority upon which Mr. PAYNE makes his declaration. Does anyone suppose for a moment that the people of this country, or even a majority of those voting for the bill, thought for an instant that the word "coin" would be tortured into meaning gold only, and that the time would come when the right to pay these coin obligations in any coin of the realm most convenient would be denied? No; not one. Does anyone suppose for a moment that if that bill had said in plain terms, "redeemable in gold alone"—as it ought to have said if that is what it meant—that it could have passed or would have been sustained by the people? No, it could not possibly have passed at that time, and if it could the people would have destroyed the party guilty of its passage.

The manipulators of the bill were too shrewd to make any breaks like that; they accomplished covertly what they could not accomplish openly by framing a bill which was susceptible of the interpretation placed upon it by Mr. SHERMAN and acquiesced in by Mr. Cleveland.

It looks very much like this had been done in the same manner in which silver was demonetized in 1873, viz, in a manner in which the people would not realize just what had been done until years after.

The fact that the Republicans of to-day are standing by this law and defending the interpretation thereof by Mr. SHERMAN is evidence to my mind that they intended it should read one way and operate in an entirely different manner.

In the light of the financial history of the past, the present bond bill has some very ugly features about it, to which I shall call attention.

One object of the bill as disclosed by its title is to meet temporary deficiencies of revenue. Now, the last report of the Secretary of the Treasury shows there is no deficiency, but, on the contrary, there is a surplus of $70,000,000 of borrowed money secured by the last bond sale. Then, why this unseemly haste of Republicans to increase this surplus by other bond sales? There is but one explanation, and that is to pile up a surplus large enough so the greenbacks can be held in reserve and thus as effectually take them out of circulation as though they were burned. The Secretary is not compelled to pay these notes out now under the present law if he has other money with which to meet current expenses; hence the desire to pile up this great surplus of borrowed money upon which the bondholder draws interest, while the greenbacks, which draw no interest, are held out of circulation.

These notes are in the way of the money mongers, and their object is to get them out of the way in some manner. They have been a hindrance and a menace to the coupon clipper for years, and they are resorting now to the same sort of tactics they have followed all along the line, viz, working under cover. Let us see. The 5-20 bonds were made payable in legal tenders in 1869. By the infamous credit-strengthening act the terms of payment were changed to coin payments. No one supposed this meant gold payments, but the Republican party afterwards so declared. In 1873 a bill passed the House and Senate, under the title of a bill to regulate the mints, and was signed by President Grant. Years after it was too late the people learned for the first time that this bill had demonetized silver, and that we, as a Government, were on a gold basis with the declared policy of the Government to pay all of its obligations in gold alone, and this was all accomplished without the knowledge of the people.

It would seem that this ought to satisfy the greed of monopoly, but not so; there is yet somewhere in existence about $300,000,000 of greenbacks upon which Shylock can not draw interest. Therefore they must be gotten out of the way and something substituted upon which he can draw interest.

These notes are the most troublesome feature of the financial question the money power now has to deal with. They have been racking their brains for some time trying to devise ways and means to retire them, but the people are too wide awake to permit them to be retired openly.

When the Committee on Ways and Means first drafted the present bill they undertook to do this openly by providing for their redemption without reissue, but this raised such a storm about the ears of the committee upon the part of Western members that they were compelled to claim that the original bill was an oversight and to report one seemingly covering the defect of the first; but does it do this? We think not; and after careful consideration of the bill as it passed the House we are led to believe they are at their old tricks again; and for reasons already stated, if the bill becomes law, the Secretary can practically retire the greenbacks and Sherman notes also. In support of this view I submit here the remarks of Hon. Mr. TURNER of Georgia, which is a very clear statement of the facts as they may develop:

I now venture to suggest to my friends on the other side that either they have not been entirely candid or they themselves do not understand this measure. It is said that out of abundant caution a proviso was added to the first section to prevent the retirement of the legal-tender notes. Gentlemen who are the friends of all these notes may find themselves unwittingly entrapped. There is in the first section of the bill a proviso to this effect:

"And the Treasury shall use the proceeds thereof"—

That is, of these bond sales—

"for the redemption of United States legal-tender notes, and for no other purpose."

And to that is added this morning a proviso, which I will now read:

"*Provided*, That nothing in this act shall be construed to repeal or modify the act approved May 31, 1878, entitled 'An act to forbid the further retirement of United States legal-tender notes.'"

Now, in the first place, Mr. Speaker, what is to become of the United States legal-tender notes into which this gold reserve may glide by the process of redemption?

My friend from Maine [Mr. DINGLEY] in the outset of his remarks, which I failed to hear distinctly, seemed to hold that by the operation of this bill the Treasury will have to open two accounts and segregate the proceeds of this redemption into a separate fund and a separate account. I deny it. There is nothing, absolutely nothing, in this bill which would have this effect. It would in no way change the Treasury policy in this respect. The proceeds of these bonds when they reach the Treasury in the form of gold or coin and are converted into legal-tender notes by redemptions will take their place side by side with such legal-tender notes as are already there for any lawful purposes to which the Treasury can devote them. This provision, therefore, is not even a suggestion to the Treasury, as the gentleman has said. "The proceeds thereof" are the gold procured on the bonds, and not the legal-tender notes that may be redeemed with the gold.

But I take a step further. The proviso just quoted, out of abundance of caution, to save the power to reissue legal-tender notes thus accumulated, takes care of that class of these notes which are specified in the act of May 31, 1878, commonly called United States notes, or greenbacks. Let me read it again:

"*Provided*, That nothing in this act shall be construed to repeal or modify the act approved May 31, 1878, entitled 'An act to forbid the further retirement of United States legal-tender notes.'"

What, then, becomes of the Sherman notes under the act of 1890, the power to reissue which depends, not on the act of 1878, but on the provisions of the Sherman Act of 1890? There is no reference whatever to this latter act.

Hence this bill may be construed by the Secretary of the Treasury in accordance with strict law to authorize the retirement of the Sherman notes.

Mr. QUIGG. May I ask the gentleman whether, if the proviso were not in the bill, it would not have the same effect on the United States notes as if the proviso were there?

Mr. TURNER of Georgia. Now, my friend from New York asks me a pertinent question. I am not sure that the proviso was necessary for the professed object. I think that the Treasury without this proviso would have had to reissue all these notes received under the process of redemption under this bill, because both the act of 1878 and the Sherman Act of 1890 would then apply; but when Congress puts in a proviso which saves the reissue of greenbacks and says nothing about the others, the Secretary and the courts would probably enforce the maxim, "The expression of one is the exclusion of the other." Now, what are you gentlemen on the other side going to do with the explanation of my friend, the chairman of the Committee on Ways and Means [Mr. DINGLEY], who has endeavored so adroitly to avoid the factious differences in his party? The pretext of "abundant caution" in this proviso seems to have been inspired by no caution at all. I endeavored to show yesterday that there was a fatal lapsus or omission in the bill then pending. I show to-day that the gentlemen who are railroading this bill through are doing so regardless of the fatal effect it will have on the Sherman notes. Now, I am not in favor of the Sherman notes. I voted against the act authorizing them. I believe that they contributed greatly to our present difficulties. I have shown you that I deeply regret the perpetuation of the greenback notes; but I am in favor of letting every member of this House and every man throughout the country know what is contained in this crude bill which none of us are permitted to touch.

The foregoing shows us one thing very clearly if no other; it shows us that it is a very dangerous measure by giving the Secretary power to place constructions upon the bill the people never intended the law to mean. These decisions of Treasury officials in the past have cost us millions and caused untold misery. That the bill, if it becomes the law, will result in further contraction of the currency there can be no doubt, thus making money still harder to get by every individual who must earn it.

This, too, in face of the fact that the volume of money in circulation among the people in the last year has been contracted to the extent of about $77,700,000. Bradstreet's report, I think, of the date of the 14th instant, an authority which will not be disputed, makes the statement that a contraction of $1.11 per capita has taken place in the last year. This means $1.11 less for every man, woman, and child in the country. Based upon a population of 70,000,000 of people, it makes a grand total of about $77,700,000 less money to meet the constantly growing necessity for currency to supply the increasing demands of a rapidly multiplying population than there was one year ago.

This work has been going on for years, a fact the Populists have earnestly endeavored to show the people, while the Republicans are vehemently denying it. At the same time they are fostering measures to further contract our medium of exchange, increase our indebtedness, and make them payable (under cover) in gold.

If the Republicans mean that all obligations shall be redeemed in gold, why were they not honest enough to bring in a bill here providing for gold bonds instead of coin bonds? Why this subterfuge? Why this juggling with words? If coin means gold alone, why not say so outright? Oh, what perfidy! Still trying to fool the people by fighting Grover Cleveland, who has become unpopular because he, in an open and bold way, carried out the law you enacted even to your own interpretation thereof. The only difference between you and the Administration is, you have been doing and are still seeking to do in a covert manner what Mr. Cleveland has done open and aboveboard.

The above bill gives the President unlimited power to issue bonds at his own sweet will, and authorizes two kinds of bonds. One is a coin bond which, under the interpretation of its fathers, means gold. Worse than Shylock, they mean to take the pound of flesh, but were not honest enough to put it in the bond. These coin (gold) bonds are long-time bonds and are intended for the English capitalist, who will not take them without his pound of flesh. The other bonds are short-time bonds and limited to fifty millions, and are made payable in the lawful money of the United States. These are intended for home consumption. Any sort of money is good enough for our own people, but the Britisher must have that which is worth more on the markets of the world, viz, gold bullion. The pertinent question now is, Why these bonds at all? The issue of bonds of any sort or size at this time is wholly uncalled for, and the act, either with or without the sanction of Congress, is a blow to the best interests of the American people and an insult to their intelligence.

As one reason given for the passage of the above bill, I insert the following further quotation from the remarks of Mr. PAYNE:

Mr. PAYNE. I can not yield to a question now.

Some gentlemen think the bill introduced by Mr. BAKER of New Hampshire, requiring certain importers to pay duties in gold, would cure the difficulty. But this bill is an idle and empty delusion. Suppose this bill were a law, and I owed the Government $1,000 in duties. I provide myself with $1,000 in greenbacks, as now, go to the subtreasury and demand gold for my greenbacks, and then pay the duties with the same gold. The Treasury would then have the same gold and also the $1,000 in greenbacks, precisely as it would have under the present law.

What he says of Mr. BAKER'S proposition is true, but it is equally true of the bill he favors. Suppose this bill becomes the law and $200,000,000 of bonds are sold and the money placed in the Treasury to redeem greenbacks. What is to prevent a syndicate from taking these Treasury notes as fast as they are paid out in current expenses, presenting them at the Treasury at one time, or from time to time, as they may deem best, and depleting the Treasury of its gold, just as they have been doing? Nothing whatever; not only one time, but they can do it continually just as long as they can make money by the operation.

Just so long as this Government maintains the insane policy of redeeming these coin obligations in gold alone, it has got to keep up the equally insane policy of perpetually issuing bonds. President Cleveland insists on the retirement of the greenbacks as the only effectual way in which to protect the gold reserve, and I submit that if this fool's policy of hoarding a hundred million of gold in the Treasury to redeem outstanding Treasury notes is to be kept up the President is right, and the only sensible thing to do is to put them where they can not continually be presented to take gold out. But neither of these propositions is reasonable, honorable, or just. The only sensible thing to do is for Congress to pass a free-coinage bill, and another bill compelling the President to use his prerogative under the present law of paying out either gold or silver, or both. This would stop all bond issues, keep the gold in the Treasury, do exact justice to all, and cost no one a cent.

In order to justify the Republican party advocating an issue of bonds in time of peace, Mr. PAYNE, replying in part to Mr. JOHNSON of California, a Republican who had the courage of his convictions, and, in defiance of machine power and party lash, was honest enough and brave enough to stand in his place and denounce the iniquitous proposition of his own party, used the following language:

My friend from California [Mr. JOHNSON] yesterday, in that speech of his which seemed to evoke so much applause and laughter from our enemy on the other side of the Chamber, says this bill is "un-Republican"; and why? Because he says he stumped his district a year ago last fall and said the Republican party were forever opposed to issuing bonds in time of peace. Did he forget, or did his people forget, that in 1875 the Republican party enacted this law to issue bonds in time of peace; that in 1878 the Republican Administration borrowed $95,000,000, yes, $100,000,000, to create this reserve fund in time of peace, and that we have preserved on the statute book all the time this law of 1875 for the express purpose of borrowing money to make good this gold reserve, whether it is needed in time of peace or in time of war?

Mr. PAYNE seems to forget that one uncalled-for and infamous act of the Republican party does not justify another. The act of 1875 referred to is perhaps the most iniquitous act upon the statute books, because of the long train of evils following in its wake and its not being justified at the time.

I am very glad Mr. PAYNE referred to that act, for it condemns them out of their own mouths and verifies the claim we have made for years, that the Republican party is not a friend of the people, but is continually playing into the hands of the usurer and monopolist.

As further evidence of the perfidy of the Republican party, and that it is a unit with the Democratic Administration on finance, though hiding behind subterfuge and continually condemning Mr. Cleveland, I call attention to the vote on the seigniorage bill in the last Congress. This was a proposition to coin into silver dollars about $55,000,000 of free silver bullion that was then, and is yet, lying idle in the Treasury, covered with dust and cobwebs, while we borrow money of foreigners to pay our debts. When the proposition came up in the House to coin this money and pay our debts the Administration, of course, was against it, but a majority of the Democratic members were for it, and without the help of the Republicans Mr. Cleveland would have been defeated by his own party, but, as is shown by the RECORD, the Republican party came promptly to his rescue and in almost an unbroken line voted against allowing the people to have any money except that for which they pay interest, not even allowing them to use that which they have bought and paid for.

When under the seigniorage bill they were demanding this money through their representatives the present Speaker of the House marshaled his clans on the floor, stood alongside of Mr. Cleveland, and said to the people (figuratively speaking like a parent to children who were wanting cake), "Oh, no, my children; you must not have it; it will hurt you; you must go borrow some money and buy some nice yellow corn bread"; and as the result of this sort of fatherly policy upon the part of the rulers of the nation there are thousands who would be glad to have even plenty of corn bread.

I say boldly and without fear of successful contradiction that the financial policy of this Government has been such that if pursued in the same manner by an individual in the conduct of his private business he would be examined by the board of physicians for the insane.

Suppose, for instance, I owed a debt of $1,000, and I had earned the money and laid it away to pay this debt with when it should fall due, if I, when that note came due, were to deliberately destroy it, or keep it locked up where it could not possibly benefit me or anyone; absolutely refuse to use it; but go and borrow money to pay the debt, my friends would conclude I had lost my reason and would have a guardian appointed over me, and perhaps send me to an insane asylum, and they would be entirely justified in so

doing, because such a policy upon my part could have but one result, that of bankruptcy and ruin.

This is precisely the sort of policy this Government is following to-day, and has followed for years, destroying its own money in the past, and refusing to use that which it now has, while it borrows millions to meet its obligations. In this case, as in the other, but one result can follow, viz, that of disaster and ruin. Under this system it is only a question of time when the people of this country will be divided into the two classes of landlord and tenant, serf and plutocrat. When that time comes let it be recorded in history, "Behold the fruits of blind party prejudice."

There are enough people in this country who see these evils, if united in one body, to secure control of both branches of Congress and the Executive. Then, without fear or favor, we could proceed to wipe out this accursed gold-standard, gold-bond, bank-currency policy of government, which has caused more poverty, crime, and misery than war, pestilence, and famine, and establish in its stead a policy of the bimetallic standard—no bonds and Government currency—a policy of justice, equity, prosperity, and happiness for all the people.

Revenue.

REMARKS
OF
HON. GEORGE W. WILSON,
OF OHIO,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, December 26, 1895,

On the bill (H. R. 2749) to temporarily increase revenue to meet the expenses of Government and provide against a deficiency.

Mr. WILSON of Ohio said:

Mr. SPEAKER: Why this unseemly haste? What is there in the affairs of the American Republic so threatening as to call for an abandonment of principles on the part of a Republican House of Representatives? Is it because the Democratic Administration has been so disastrous to the industries and prosperity of the country? Or is it because the Republicans charged with framing bills providing ways and means for our common welfare have imbibed too much of the "tariff-for-revenue-only" heresy of the Democratic party? Whatever may be the answer, I am firmly of the opinion that the two bills are calculated to place the Republican party in false positions.

THE TARIFF BILL.

The bill for revenue only which we have passed is not in accord with Republican principles or Republican promises; and, although I voted for the bill very reluctantly, I do not expect any great good to result from it. Why did the bill only provide 60 per cent of the duties established by the McKinley bill? Was it because Mr. Cleveland would veto a bill very nearly corresponding with the McKinley bill? If so, pass such a bill as meets the Republican idea of tariff and protection, and leave the matter with the President to either approve or disapprove the measure. I do not believe it is wise for Republicans to abandon principles for what may be conceived by some to be an emergency brought about by Democratic incompetency and failure.

SHORT PROTECTION.

Pretended protection, which falls short of real protection, is worse than no protection. It does not foster industries but increases the cost to consumers. The benefits which the people derive from a protective tariff are: First, it enables our own people to successfully develop the natural resources of this country and put upon the markets of the world products wrought by the hand of American labor; second, it stimulates all kinds of manufacturing to such an extent that competition reduces the prices of manufactured articles to within the reach of all; third, it so revives and sustains our various industries that employment is furnished for all common laborers and skilled workingmen. These are the principal benefits derived from a protective tariff. Whatever of tariff legislation falls short of this is not deserving of the name of protection.

SHEEP AND WOOL.

Under the McKinley law our sheep raisers and woolgrowers were beginning to prosper, and all farmers were deriving benefits from their industries. If all agriculturists were not actually engaged in raising sheep, nevertheless sheep raising diversifies stock raising and leaves a larger field for farmers engaged in raising other kinds of stock. The consumption of grain by sheep increases the demand for farm products, and the labor required in raising sheep and shearing and handling their wool furnishes employment for a large number of men. But notwithstanding all of these great benefits which our people would derive from adequate protection to sheep and wool, the Democratic party struck wool from the dutiable list and placed it upon the free list. And they did this under the pretense that the greater number of our people are benefited thereby.

What a fallacy! Does the importation of foreign goods, manufactured from foreign wool and by foreign capital and labor, benefit the great majority of our people? Does the closing of our mines and shops and factories benefit our people? If it were true, which I do not admit, that foreign goods would be imported and sold cheaper than our home products of the loom, how would the working people be benefited? Would the laborer, who lost his employment because the goods which he ought to manufacture at home are bought in a foreign country and sold here be benefited? What would he have to buy with at any price? Would the sewing woman in the upper story of a tenement house be benefited by having shirts brought from abroad and sold cheaper then she can make them, and thereby deprive her of employment and consequently of the ability to purchase at any price? No, Mr. Speaker, the one great thing to be desired is that our own people shall perform the labor and furnish the materials necessary for the production of articles required for home consumption, besides furnishing what we can to foreign countries. We should be self-sustaining in all that can be advantageously produced and manufactured by American enterprise.

FARM PRODUCTS.

The United States is the greatest grain-raising country in the world. There is no other place where corn can be so abundantly grown.

But there are some special crops produced abroad, especially in Canada, which distinctly compete with the products of the farmers of the United States and for which there are no compensatory benefits.

Probably the most damaging are hay, poultry, and eggs. I think the farmers and housewives of this country ought to be protected against the invasion of our markets by Canadian products.

The people of this country pay the taxes which support their civil institutions, and they fight the battles which protect their liberties and make their flag honored on land and sea to the limits of civilization. Therefore, upon principle and policy, I maintain that it is our duty to protect our own people in all their material interests against the encroachments of foreign products and foreign labor.

Revenue.

REMARKS
OF
HON. STEPHEN R. HARRIS,
OF OHIO,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, December 26, 1895,

On the bill (H. R. 2749) to temporarily increase revenue to meet the expenses of Government and provide against a deficiency—

Mr. HARRIS said:

Mr. SPEAKER: I expect to give my vote to the measure reported by the committee, although it does not come up to what my constituents expect.

The bill I introduced (H. R. 265), and which was referred to the committee, proposed to put a duty on wool which would exceed by about 4 cents per pound that contained in the bill under consideration.

Under the present bill the proposed duty on wool will be nearly 7 cents per pound. I would rather it had been not less than 11 cents.

I support the bill, however, in order to secure immediately sufficient funds that the income of the Government may defray its expenses, and secondly, to get all we can now, and trust to the future to secure for the American farmers and woolgrowers the protection to which, in my opinion, they are entitled.

Mr. Speaker, I represent an agricultural district and I rise to advocate the cause of the farmer. We have no large cities, but the small cities and towns in my district, as elsewhere the country over, depend on the farmers for their prosperity, and too often have the farmers themselves looked in vain to Congress for protection.

It is said that over 90 per cent of the wealth of this nation is in the hands of her farmers. The proportion may be overstated, but much the greater portion of the property of this country is owned by American farmers.

Agriculture is the foundation of our nation's wealth and prosperity. All other pursuits are dependent on the farmers. If the farmer thrives, they prosper; if the business of the farmer languishes, they suffer. That is emphatically shown when there is a general failure of crops in our country. Merchants, mechanics, factories, jobbers, railroad companies, and banks all feel the shock. Business is deranged, laborers can not get employment, and general depression prevails. On the contrary, when crops are abundant and prices of agricultural products good, the farmer thrives, and all classes of business partake of his prosperity. Yet I regret to say that no class of people of the country has been neglected by the nation's legislation as have been the farmers of the United States. Corporations, combinations of capital, and trusts were fostered and protected in the Fifty-third Congress, when the new tariff schedules were adopted, but who raised his voice in favor of the farmer when his interests were stricken down?

Our wool industry was vast. In my own Congressional district nearly every farmer had his flock of sheep, some numbering thousands and others but few. Under the tariff law as it formerly existed they made woolgrowing profitable. The heavy woolgrowers gave employment to numerous laborers, and the small ones did their own work and depended on the market of their wool as much as on their other crops to pay their taxes, meet their liabilities, make their improvements, and add to their well-earned accumulations.

The wool product of the Thirteenth Congressional district of Ohio in 1893 was 1,316,064 pounds. Under free wool the fall in price has been 15 cents. This makes a loss to the district of $197,544 every year, or an average loss of $32,926 every year to each county, the heaviest loser being Wyandot, $51,996, and the least being Sandusky, $12,635, the loss to Crawford County being $34,600 every year. The annual loss by free wool to the State of Ohio is over $2,600,000 by the fall in the price of wool alone under free trade.

It seemed cruel to suddenly repeal the protective duty on wool and destroy an industry that brought prosperity to the farmer and through him to the country at large.

Under the McKinley tariff the duties on wool were producing a revenue of $42,000,000 per annum, and at the same time the property and business of the woolgrower were protected against the competition of cheap wool from Australia, Cape Colony, and China. It is claimed by the author of our present tariff law that a protective tariff is unjust on principle. The science of political economy, he claims, teaches free trade. He forgot that great and sacred principle, however, when he came to the schedules of sugar, rice, and collars and cuffs, while he had it distinctly in view when he struck down the wool markets and so reduced the duty on shoddy as to invite its importation and thus supplant to a great extent the use of American wool.

Let me for a moment discuss the point as to the alleged equity of free trade and the iniquity of protection. It is true that the text-books of political economy used in our colleges teach the students the doctrine of free trade.

That doctrine in theory appears to the reason to be correct. It came down from British authors and has been adopted in the literary institutions of our own country, and many young men leave their alma mater imbued with a firm belief in free trade. Now, while that is true in theory, it will not bear the test of practice. The strides of commerce require new rules that the old text-books will not fit. Don Quixote had profound theories for the various measures he pursued, but they produced ludicrous results when put in practice.

As late as the time when Sir William Blackstone codified the laws of England and produced his matchless Commentaries, which is the first book ordinarily put in the hands of a law student, there was a law against witchcraft, and that eminent writer gravely commented on it. But the modern lawyer does not take much more stock in it than he does in the free trade of those older books which are fading away before the progress of modern business experience.

The experience and judgment of mankind will bear me out when I assert that the first duty of a man is to protect his own business and his own household.

The duty of a municipal corporation is to protect its own traders, and the duty of a nation is to protect the industries of its own people. When wholesome duties will yield revenues to the Treasury and protect the interests of our own people it is hard to say they are wrong in principle.

I will venture to say that the ordinances of Professor Wilson's own city provide, as do other towns and cities, that transient traders and peddlers shall pay license to sell their goods in Charlestown; and why? Because in one sense they are foreigners to that municipality. They are nomads. They pay no taxes to support the city, they pay no rents, they are not identified with the city and its interests, and hence they are required to pay into the city treasury enough to even up with home traders, after which they can not afford to undersell them.

The principle is the same when applied to a nation, and no specious reasoning in the text-books of political economy can gainsay it.

All parties united in the exclusion of the Chinese from the United States. Why? Because the American laborer could not compete with them. They lived on wages that meant starvation to the American laborer and his family.

What is the difference if the Cheap John be sent to his foreign home and afterwards permitted to send the products of his cheap labor into our country free of duty and thus destroy factories that give employment to thousands of American workmen? It strikes a blow at both capital and labor, and especially at labor, because capital can shift its investments, but the laborer is left out in the cold.

Our country is in a bad financial condition. We are good for our debts, it is true, but it is a matter of regret to see its revenues cut off, its gold reserve sinking, its resort to the sale of bonds to raise means to pay the current expenses of its administration, when a wholesome tariff would again put us on the road to prosperity. The chief source of our revenues is duties on imported articles of commerce. Propose direct taxation and the American people would jump to their feet in battle array like the men of Roderick Dhu.

It is a question not of theory, but of practical business judgment. Tariff for revenue, judiciously adjusted to afford incidental protection to American industries, is destined to become the permanent policy of our nation.

The Coin Redemption Fund.

REMARKS
OF
HON. JOHN W. LEWIS,
OF KENTUCKY,
IN THE HOUSE OF REPRESENTATIVES,

Friday, December 27, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. LEWIS said:

Mr. SPEAKER: Opponents of the pending measure seem to regard it as an act authorizing the issuance and sale of bonds, but such is not the fact. That authority exists under the act of 1875, and we are informed already by the Executive that bonds will be issued and sold pursuant to the authority of that law as has been done heretofore. This Congress as constituted will not be able to pass a repeal of that law over the veto of the Executive. Then it is the duty of Congress to use the opportunity and power it has in a practicable manner by enacting the wisest and best measures now obtainable in the interest of the people.

The bonds already sold by this Administration under the authority of the act of 1875 in one issue of $100,000,000 and in another issue of $62,000,000, running for thirty years, at the pleasure of the holder, have added to the obligations of the people $162,000,000 and an interest charge of over $100,000,000. Had the pending act been law and said bonds been negotiated and sold under it the interest charge would only have been something over $24,000,000. It therefore appears plain to my mind that as the issue of bonds and the increase of the public debt is unavoidable in the present emergency it is for the best interest of the people that future issues and sales of bonds should be made and negotiated as provided in the pending bill, thus preventing their negotiation and sale by private contract as heretofore at high rates of interest to domestic or foreign bankers, but affording an opportunity to our own people to purchase them and reducing at the same time the rate of interest.

I believe that sufficient revenue to prevent a deficit in the Treasury will restore confidence and relieve the trouble arising from continual runs on the gold reserve. We have already passed a measure which, it is claimed, will produce the needed revenue, but the gold reserve is already reduced to a point that endangers the credit of the country and its currency and menaces all credits and renders a destructive panic imminent. Delay is impossible; the good effects of the revenue law can not be realized in time; hence the necessity of the enactment of the bill under consideration.

The same conditions confronted the country when the Fifty-third Congress was convened in extraordinary session, the same appeal was made by the President to them as to this Congress in the recent special message. They wasted eighteen months in useless contentions and abortive confusion, winding up by the enactment of a law that has only added to the embarrassment of the

Treasury, the reduction of revenues and increase of deficits, creation of raids on the gold reserve, perpetual alarm as to all business, and great injury to all the vast interests and enterprises of the country, and which was denounced by the President as party perfidy and dishonor.

In what remarkable contrast is the conduct of this House! Responding to the instincts of patriotism and granting his request, it foregoes the usual holiday recess and before the holiday season is over enacts a law that will relieve the Treasury from the dishonor of daily, weekly, monthly, and yearly deficits, and before the close of this day will pass another law to replenish the depleted gold reserve, to preserve the credit and financial integrity of the country upon the best terms for the people. In the two measures immediate relief is offered the people, and a cessation of the consuming and destroying doubt and suspense that has preyed so relentlessly upon all public interests since the advent of this ill-omened Administration. Mr. Speaker, it is not voting authority to issue bonds; if it were, I should vote against it; but as a bond issue is inevitable and unavoidable, I vote to reduce the interest charge and place the loan within the reach of the American people. For these reasons, and to afford prompt relief to the Treasury and the business of the country, I shall vote for the bill.

The Coin Redemption Fund.

REMARKS
OF
HON. WINFIELD S. KERR,
OF OHIO,
IN THE HOUSE OF REPRESENTATIVES,

Friday, December 27, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. KERR said:

Mr. SPEAKER: My conception of duty impelling me to vote against this bill, I desire to state my reasons therefor. As a general principle the Republican party and Republicans are against an extension of the public debt. Only the direst necessity, such as preserving the national honor or the nation's credit, would justify the increase of the interest-bearing debt in time of peace.

The first section of this bill is supposed to furnish the means to maintain the gold reserve and the second section to borrow money to pay the ordinary expenses of the Government.

If there were no other means to keep the gold reserve to the point of safety save the passage of this measure I would vote for it, but a principle can not be sunk or set aside for no other reason than to save 1 per cent of interest. The Cleveland Administration has construed the statutes so as to afford ample power to protect the reserve. The Republican party provided this means as one of the steps to resumption of specie payments, but by reason of its wisdom in the management of our fiscal affairs resort was had to this power of selling bonds but once and that was to gather a portion of the original fund.

Facing this situation, gentlemen who support the first section of this bill are in the attitude of opposing the increase of the public debt on principle, but waive the principle to save a paltry sum in interest. What difference is there between selling bonds under the act of 1875 or the act of 1895, save that the former bear 4 or 5 per cent of interest, according to time, and the latter bear 3 per cent?

In the last two campaigns in Ohio the Republican party denounced the present Administration, not so much for selling bonds and thereby enlarging the public debt as for the manner in which they were sold and because it had created a necessity for such sale. The situation is one created by Democratic mismanagement and lack of business and statesmanlike qualities in the Administration. Let the Democratic party confront this situation, and if there is any agony let that party endure it; if there is any crown of thorns, let its brow wear it. Understand, Mr. Speaker, that I do not see any danger to the Government; if so, duty might point a different course. Gentlemen may get excited, and with outstretched hands clasp an imaginary emergency, but there is no emergency. The Administration is practicing a bit of domestic diplomacy to secure the approval of this Congress of its debt-increasing scheme; to bring upon the Republican party a portion of the obloquy which has fallen upon it. I for one will stand from under—the Government will not die nor the suffering of the people be accentuated till the Republican party can come back to power and dig up the roots of this evil in a Republican way.

It is already announced from authoritative sources that this bill will not receive the Executive approval. Why then attempt to do a thing that is wrong in principle to relieve a supposed emergency when it is prefecty certain that it will all end in the attempt? You are "carrying coals to Newcastle."

Again, what will the Senate do with this bill? Defeat it certainly. It is a proud thing to come to the country's rescue in the hour of peril, but one who ties himself to the cannon's mouth in the time of profound peace gathers no victor's wreath. It is never wise to do a futile thing, and especially a wrong thing, that can not be justified even by good results.

A cry of distress comes from the other end of the Avenue. Why are gentlemen so frantically rushing to the rescue? So swiftly have they moved that they reach the field of battle without their battle armor on. Shorn of its tragic features, it seems to me like a modern instance of that great tragedy which was enacted in the Imperial City nearly two thousand years ago. It is another "Help me, Cassius, or I sink." If to-day or to-morrow the Republican party hears this tired Cæsar from the turbid waters of this Tiber it will only be that next week his blood may stain the Senate house.

To support the second section of this bill there is neither necessity nor request. The President protests that he has plenty of money to pay expenses. His party followers on this floor enforce that declaration. They are now and will be for a brief time responsible for the management of affairs. Why not allow them to go on in the uneven tenor of their way?

Under no circumstances save those of immediate danger to the credit of the nation would I vote for a measure to borrow money and pay interest therefor to run the ordinary affairs and pay the ordinary expenses of the Government. Yesterday we passed a bill which it is announced will raise enough additional revenue to pay expenses. If passed by the Senate and signed by the President it will go into effect immediately. Where, then, is the need of more money? If that bill does not raise enough why did we stop short? If that bill does not provide a sufficient amount of additional revenue it was the duty of the Republican party to enlarge the schedules and raise the tariff duties until it did. Are we to be put in the attitude of refusing to increase tariff rates to the protection point and then supply the deficiency in revenue by borrowing money? This is not my construction of Republicanism. I am sure it does not accord with Republican principles and achievement, and, for one, will not support it.

The Coin Redemption Fund.

REMARKS
OF
HON. L. M. STRONG,
OF OHIO.
IN THE HOUSE OF REPRESENTATIVES,

Friday, December 27, 1895.

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of the revenue.

Mr. STRONG said:

Mr. SPEAKER: I have hesitated to give my support to this bill lest it be taken to imply acquiescence in a practice of issuing bonds to meet requirements which should be provided for in another way.

An examination of this bill, however, discloses the fact that so far as the first section is concerned no new principle is involved. Its provisions relate to matter of detail only.

The present law authorizes the issue of bonds redeemable in ten or thirty years, bearing interest at the rate of 5 and 4 per cent, respectively, and they may be disposed of in secret. The first section of this bill provides for bonds for the same purpose, running for a shorter time, and bearing interest at the rate of 3 per cent or less.

It also provides that these bonds shall be of small denominations and disposed of publicly, so as to give the people of this country an opportunity to take them. Bonds have been issued and disposed of for the purpose mentioned. While the present conditions exist bonds will continue to be issued and disposed of. Shall these bonds bear interest at not over 3 per cent, or shall they bear 4 or 5 per cent? Shall they run for a long or a short time? Shall they be bartered away to syndicates at a great profit to the syndicates, or shall they be offered to the people? To answer these questions in a manner which will be satisfactory to myself compels me to vote for this section.

The second section of the bill proposes to give to the Secretary of the Treasury a power which, in my judgment, he ought always to

have; that is, the power to provide by short-time bonds or Treasury certificates for any temporary deficiency in the funds of the Treasury. This power would seem to be necessary to enable him in case of an emergency to maintain the credit and the honor of the Government.

But, Mr. Speaker, while I shall vote for this measure, I feel that it is a matter of detail only. It does not go to the root of the financial trouble nor to the evil which depletes the gold reserve.

The Treasury statement for to-day shows an available cash balance in the Treasury, including the gold reserve, of $175,470,249.92. The present Secretary of the Treasury has sold bonds, ostensibly to maintain the gold reserve, from which he has realized $182,288,040.33, and were it not for the proceeds of these bonds the Treasury would not only be empty, without a dollar of available funds and without a dollar of reserve, but there would absolutely be a deficit of $6,817,790.41. The Treasury would be bankrupt to that amount. And yet in the face of these facts, and in the face of the fact that the receipts of the Treasury under present laws were constantly less than the expenditures, the Secretary of the Treasury persists in asserting that more revenue is not needed, and, together with the President, undertakes to fix the entire responsibility upon the legal-tender notes, commonly called greenbacks, demanding their destruction.

In his message of December 2, 1895, Mr. Cleveland, having recited the facts concerning the issue and sale of bonds to maintain the gold reserve, says:

> The foregoing statement of events and conditions develops the fact that after increasing our interest-bearing bonded indebtedness more than $162,000,000 to save our gold reserve, we are nearly where we started, having now in such reserve $79,333,966, as against $65,438,377 in February, 1894, when the first bonds were issued.

And further along he says:

> Nearly $327,000,000 of this gold thus withdrawn has been paid out on these United States notes, and yet every one of the $346,000,000 is still uncanceled and ready to do service in future gold depletions.

Such statements are deceptive and misleading. The inference would be that the $162,000,000 had been lost by reason of the greenbacks. If that sum has been paid out for greenbacks, what, let me ask, has become of those greenbacks? Where are they? Have they been given away? Have they not been used to supply a deficiency in the revenue and paid out like other money in the discharge of Government obligations? We have simply been running behind and using the proceeds of the $162,000,000 of bonds to pay current expenses. If the receipts during this same period had been equal to the expenditures, as they should have been, and the same amount of bonds had been issued upon the same terms, the Treasury statement of to-day would show an available balance of $357,758,290.25, instead of the $175,470,249.92 now shown.

If the President and the honorable Secretary of the Treasury would cease their warfare upon the greenbacks and their contention for the gold bonds long enough to examine the facts and figures disclosed in the report of their faithful subordinate, the statistician of the Treasury, they would readily discover that all this charge of larceny against the greenback is unjust and unwarranted, and that the greenback has only been the innocent instrument of effecting the withdrawal of gold to meet demands made inevitable by the policy and laws of the President and his party.

They would find that for the year ending September 30, 1895, we sold to foreign countries $75,505,140 less of our commodities than we did in 1894, while under the McKinley law, and that for the same period in 1895 we purchased from foreign countries $83,185,302 more than in 1894, making a difference in the balance of trade of $158,690,442, and that difference was against us.

It would require $158,690,442 in gold to be taken from this country to make up this difference. Is there any wonder that there is a demand for gold? Can there be any reasonable expectation that such demand will cease so long as we pursue a policy which fosters and encourages the importation and purchase of foreign products in preference to those of our own people? The way to stop the drain of gold from the Treasury is to stop the drain of gold from the country. The way to stop the drain of gold from the country is to discourage the importation of the products which compete with American productions, and thus give preference to our own artisans and laborers. Buy the product of American labor and you need no gold. Buy the product of foreign labor and you must pay gold. Restore the balance of trade as it existed under protection laws and gold will flow to us. You will then have no need to issue bonds to maintain the gold reserve. The greenback need not then be retired or destroyed. It may remain to serve and bless, and, perchance, again save a grateful people.

The Democratic theory of securing the markets of the world by free trade or tariff for revenue only has again been exploded. Instead of securing us the markets of the world they have lost our own markets. A like experiment was tried in 1846, when the markets of the world were to be secured by the Walker free-trade tariff, and the result will be found expressed in the message of President Fillmore, in December, 1851, as follows:

> The value of our exports of breadstuffs and provisions, which it was supposed the incentive of a low tariff and large importations from abroad would have augmented, has fallen from $68,000,000 in 1847 to $21,000,000 in 1851, with almost a certainty of a still further reduction in 1852. The policy which dictated a low rate of duties on foreign merchandise, it was thought by those who established it, would tend to benefit the farming population of this country by increasing the demand and raising the price of our agricultural products in foreign markets. The foregoing facts, however, seem to show incontestably that no such result has followed the adoption of this policy.

The free-trade theory proved false then, just as it has proven false now.

Mr. Speaker, if we could only get away from the din and confusion of those who operate in Wall street long enough to hear the voice of the people who operate on the farms and in the workshops we would soon find out that something is needed besides issuing bonds to maintain the gold reserve. The languishing industries of the country need the life-restoring tonic of a genuine Republican tariff law; a law which will put an end to the importation of rags and shoddy; a law which will protect the woolgrower, the farmer, the manufacturer, and the laborer; a law which will give our own people a fair chance in their own markets and an opportunity to compete for the markets of the world.

I believe this House should pass such a bill. It is what the people want; it is what the people expect. If it shall not become a law, let the responsibility rest where it may belong. But, Mr. Speaker, at this time, when all are inspired with sentiments of patriotic devotion to their country, may we not hope that even a Democratic President would consent that the fires be relighted in the furnaces and workshops of America, sending a ray of light and hope and joy and prosperity to all the people throughout the whole land?

The Coin Redemption Fund.

REMARKS
OF
HON. HARRY SKINNER,
OF NORTH CAROLINA,
IN THE HOUSE OF REPRESENTATIVES,
Friday, December 27, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. SKINNER said:

Mr. SPEAKER: I regret that the representatives of the political organization with which I affiliate and which stands before the people of the country in their name for the protection of their interests have not been accorded time upon the floor for the consideration of this important measure that we might have the opportunity of exposing before the country in detail this false issue and false emergency which the Ways and Means Committee have thought proper to meet in a summary manner, and to exhibit the sham battle which the American Congress has displayed to the public for their entertainment during the Christmas holidays. By the use of the words "false issue" I should not be understood to refer to the spirit of the President's "emergency" Venezuelan message.

I heartily approve of the maintenance of the Monroe doctrine, and my people, true to their tradition and history, will freely give their men and treasure to sustain our flag on land and over sea in maintaining the right and protecting the weak. Still, it seems to me, the President and Congress have acted precipitately in the matter. The President has strained the Monroe doctrine. He doubtless claims that, as American territory is involved, the doctrine applies, since if a part of an American State may be taken the whole could be, and thus its government overthrown. Here, I believe, the President is in error, since boundary disputes are necessary incidents to adjacent States, and are among the most common to arise. The Monroe doctrine was never intended to apply to such ordinary and necessary disputes. The commission authorized can accomplish nothing. It can have no international authority; it can not reach a conclusion; and if it should ever make a report, which is very doubtful, there is no use to which it could be put.

The message coming at this time, when there was no reason for undue haste, and at an hour when the President wanted to force his financial views upon the country, and creating a panic, which he must have known would have followed his message, and then supplementing the same with his financial message calling for the retirement of the people's money and the issuance of gold bonds looks as if there was method in this exhibition of his patriotism,

the method being to popularize himself upon a patriotic issue and then, before the people could recover their second thought and good judgment under the pressure of a panic which he had voluntarily created on the issue of patriotism, to have Congress indorse his financial policy. By far Congress had better permit Great Britain and Venezuela to settle in their own way and time their disputed boundary than to adopt the financial policy of Mr. Cleveland and that contemplated by the measure under consideration, and thereby give legislative assent that gold, and gold alone, shall become the world's money, of final redemption, which would mean the pauperization of our people, the annihilation of their hopes, and in time the destruction of their Government.

It will take something more than the Venezuelan boundary, and repeated panics in Wall street and other commercial centers to divert the minds of the plain, producing people from the issues of civilization and humanity involved in the proper solution of the silver question. The issue can not be avoided. The American people are determined that they shall have the opportunity of passing directly upon the question in which is involved their happiness and prosperity without unnecessary delay and distracting entanglements. The dominant parties may as well realize that the people can not be longer deceived either by the glamour of party prestige, sectional partisanism, or race prejudices, but in the future will act and vote for themselves.

The Democratic party deceived them in 1892—and I say deceived them because they had every reason to know Mr. Cleveland's attitude on the silver question before he was nominated—and for the expediency of temporary party success they ought not to have persuaded their confiding constituents to support the worst enemy of silver in Christendom. The Republican party will doubtless attempt to deceive them in 1896 by repeating the straddling policy adopted by the Democratic party in 1892. The developments in this debate ought to convince Republicans that they can not retain their strength on the Pacific Slope, in the States west of the Mississippi, or maintain a broken South unless they make concessions in their platform to the silver element of the Republican party.

They may retain them in 1896, but when their President, to be elected, breaks faith with the people, then the time of reckoning will be at hand. The people doubtless are laughing at the sham battle that has been played on the boards in the halls of Congress in a so-called emergency; the remedy which they offer they know before it is offered can never pass the Senate, and the Democrats resisting it under the plea that free silver, 16 to 1, is the proper remedy to be applied, when they know that if they could succeed their President would veto such a remedy, and when they further know that they are fighting in the name of a political organization and that after the next Democratic convention they will become the special champions of the single standard gold policy as taught and practiced by Cleveland and Carlisle. What is to become of the silver Democrats?

I will not presume now to prophesy, but I can not, I will not, believe, after hearing the silver sentiment and speeches made on this floor during this discussion, that these gentlemen will remain in the Democratic party after their party has passed under the golden rod. But, Mr. Speaker, I will reserve further remarks in this line for the hustings after I have had the opportunity of judging these gentlemen by their actions. I will only at this time extend to them an invitation to join the only free-silver party in America, the People's Party. It is the natural political home of every free-silver Democrat and Republican, and let me say that you injure the cause of free silver more than your free-silver speeches do good by remaining in gold organizations. If free silver, 16 to 1, is the remedy, I invite you as patriots to come to us and help us furnish this relief to the people.

I wish that the House could approach the discussion and vote upon this measure in an unselfish, nonpartisan, and patriotic spirit, with the interest of the people only at heart. Then we might look for a restoration of peace, confidence, and prosperity throughout the land. The members of the House will appreciate this patriotic declaration when I tell them that I bear the distinction of representing in a nonpartisan manner the ducking territory of our gaming President, to whose broad waters, pure air, historic and patriotic surroundings he had to have recourse to summon the patriotic fire and courage necessary to issue his very manly and courageous message referred to. History is only repeating itself.

In 1862 there was a real emergency to be met before which the present manufactured emergency pales into insignificance. Our Treasury was empty. Gold, coward as it has always proven itself to be since the creation of the world, had hid away or fled to other quarters. Not only the current expenses of the Government had to be met, but an army and navy necessary to suppress a rebellion. In this exigency the Ways and Means Committee were called upon for a summary remedy. The Republican party at this time, like patriots, met the issue, not in the manner that you meet it to-day, but in a bold declaration, in substance expressed in the speech of that great commoner, Thaddeus Stevens:

Cut the country up into one-dollar bills and let the boys fight it out.

You did not attempt at that time to maintain any gold reserve; you did not think at that time it was necessary to have gold to meet the current expenses of the Government or to meet the expense that was then upon you by reason of the war. North Carolinians, in fact the South, know by experience how well you fought it out. The remedy that you gave them saved the flag and saved the Union, and made liberty universal throughout the borders of our common country. When peace came the South had all of her property swept away from her and nothing left but her men and land; she was wrapped in the drapery of mourning and the dewdrops upon the gentle roses seemingly turned into tears of grief.

This remedy brought as a result to the harvest that succeeded the surrender of Lee and Johnston more prosperity and better times to our country and to our governmental affairs than is enjoyed to-day or has been enjoyed since the demonetization of silver in 1873 and the realization of resumption in 1879. You exemplified by this remedy that you furnished that this Government was independent of gold and that you could succeed independently on financial lines without the assistance of any foreign power or syndicate. The remedy that you gave at this time gave the Populists their cardinal truth that what in common everyday life is called money is but a creature of the law; that its office is to measure value, facilitate exchange, and to act as a unit of account in settling the balances between individuals and nations. By law this office, this unit of account, may be attached to any proper material, and when so attached becomes a check upon society, and, like all other checks, must be redeemed.

According to the science of trade, the process of redemption is accomplished when earned by labor, passed from labor to tradesman, to and on and around the circle of human aspirations, desires, wants, and requirements. If made receivable for public taxes, you have demonstated that it will always maintain a parity with the money of other nations, regardless of what material they may use, so long as the interest-bearing bonds maintain par, and this can always be secured by making such currency convertible into interest-bearing securities, and these likewise reconvertible at the option of the holder into the same class of legal-tender notes. It is very clear to my mind that this function, this office, this unit of account, should always be retained by the Government as an inseparable incident to the welfare of state and people, and should never be delegated to individuals or corporations, lest this great power in their hands, as we are daily experiencing, be used to destroy the liberty and government of the people.

To surrender this high prerogative of state, this function, this office of measuring value, this unit of account, to the owners of the gold of the world, and consenting that gold alone shall become the world's money and the measure by which we shall labor, produce, be taxed, the unit by which we shall exchange, buy, sell, and settle, is simply surrendering ourselves into perpetual bondage and losing all control over our labor and products as well as all control over our form of government. This would be an outrage, a crime against humanity, the destruction of our liberty, the robbery of our homes, and the pauperism of our posterity. It is the cowardly surrender of the God-conceived and great human purpose for which this continent was discovered, this Government created, and the Constitution framed as the ark of our country's hope and the hope of our people's prosperity and happiness.

The example of this surrender made by other nations has produced anarchy in France and Spain, nihilists in Russia, agrarian insurrection in India, and socialism in England, and if you love this country, its flag and institutions, if you want to prevent this country from inheriting and contracting these disorders, you should as quickly as possible come to the coinage of the Constitution, for without the money and the coinage thereof the day is not far distant when we will have no Constitution and no Union. Human rights and civil liberty, losing their champion and protector, will take flight, for in the present and future as in the past on the road of gold monometallism can be found neither bud, flower, blossom, or hope. Let us stand firm by the unwritten American doctrine, woven into the warp and woof of our discovery and creation, that the human race will always find a champion and a protector in this country. Let us break the shackles of gold monometallism by sending out no uncertain sound that this country, even in an exigency such as is presented, will not go any further committing itself to a single-standard policy and will become self-reliant and use all its great resources, integrity, and assets to give the world back its silver money.

All admit that international free coinage would serve the best interests of America and humanity. If it were well to be accomplished by international agreement by independent action, we will lead the way, and the struggling masses of all nations will follow and force the agreement. They say independent action would

drive all the gold from this country. They make this mistake, for our purpose is to increase the primary money of the country to the extent of the silver of the world. This being done, there will be no necessity for silver to replace gold, for the reason that by its recognition and restoration by this Government it will become the equivalent of gold the world over.

Admit for argument sake that silver will displace our gold, we have then in that instance increased the stock of European gold six hundred million—this increase of their money, with the demand for gold decreasing everywhere, will make European purchasers of our export crops more thrifty, enterprising, and consuming, while the increase in America in her silver primary money will cause it to flow in trade, invest in manufacture, operate agriculture, employ our labor, and vouchsafe a happy, thrifty, and contented people. But we need not fear or be alarmed at the exportation of our gold.

Gold never hides or flows out of a country that is prosperous. In time of danger, or war, and depression in peace is the time it can not be found for the purposes of money. Our wheat and cotton exports, properly handled and protected, will always command what gold we have any practical use for. In fact, by wise and practical control of our great Southern crop of cotton which stretches its white scepter of power from the Old Dominion border to the Gulf of Mexico, producing eight-tenths of the cotton to clothe the human family, to furnish house comforts, equip the white-winged fleet of commerce, and cover the camping armies of the world, we can in a few years either put all the gold of Europe in our Treasury or transfer the cotton manufacturing of the world to the American shores. I had rather see this be done, even if it be called paternalism, than to submit this great field crop of the South to have its price dictated by gold owners at such a price as to cause these Southern people to lose their home and the labor that produces this staple to become paupers and serfs.

They admit that the free coinage of silver at 16 to 1 would give us higher prices for our land, higher prices for our cotton, wheat, corn, and other produce. They admit that mills would be run on full time, manufacturing increased, mines successfully operated, railroads extended, commerce expanded, and they need not tell us that an increase of price for labor will follow the increased demand therefor. They appeal to our high sense of honor and want to know if our consciences will permit us to pay our obligations, national, State, and individual, in fifty-cent dollars. To discharge a forty-cent obligation in fifty-cent dollars is keeping good faith. I assert that the present indebtedness of the country is but the renewal of obligations that did not cost more than forty cents in gold in which they would exact payment to-day.

The national debt was created when gold was at a heavy premium, incident to the peril of war, and was originally payable in the lawful money of the United States, which at the time of its creation was greenbacks. The nature of this contract was changed in the interest of the bondholder and was made payable in coin. By the act of 1873 silver was demonetized, the gold dollar was made the unit of value, and thereby every 40 cents of contract debt was made by legislation a dollar, while the resultant effect of this legislation was to reduce the people's means of paying for their land, labor, and produce from one-half to two-thirds. To restore coinage to the ratio of 16 to 1 places the contracting parties—the nation representing the people and the bondholder—in the same position they were when the contract was made. The South and the West are the debtors of the nation, not only as related to the nation, but individually and in sections. They have to bear more than their share of the public burden in proportion to their wealth, by reason of the levying and collection of taxes. As a section the South, at the surrender of Lee, had no money, her wasted lands was all that was left. Before she could plant and harvest her first crop she had to turn to the more favored section of the country whose currency was not destroyed, but inflated and made better by the results of the war, and in this condition and under these circumstances she borrowed of this currency to rebuild, to repair her fences and reclaim her lands, to cultivate her crops, and to educate her children. The West turned to the same section of the country and borrowed of the same currency to develop her fertile and promising territory.

Now, all we ask for the South and the West is that justice which is due them—to be permitted to settle under the same conditions under which they contracted their debts—this is yielding to Shylock his ducats, but it is refusing him the pound of flesh next to the heart, because the taking of this is inhuman and death.

Now, Mr. Speaker, conceding that an emergency exists for immediate legislation—which I doubt—the remedy is not in a coin bond bill such as the House is considering, which only invests the Secretary with additional authority to issue bonds, but the plain and unmistakable remedy is to deprive him of any authority to issue bonds except as specifically authorized, and the free and unlimited coinage of silver at the ratio which obtained antecedent to the crime of 1873. This is what the people demand, nothing less will satisfy them.

The Coin Redemption Fund.

SPEECH

OF

HON. JOHN L. McLAURIN,

OF SOUTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, December 27, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of the revenue.

Mr. McLAURIN said:

Mr. SPEAKER: I am opposed to the passage of this bill because its provisions will not only burden an already debt-ridden people, but will legalize a long series of usurpations by different Secretaries of the Treasury. The caption declares this a bill "to protect the coin redemption fund," while at the same time there is not a single line of law upon the statute book authorizing or providing any such fund. Judging from past experience, without doubt this language would be construed by the Secretary for the purpose of sequestering in the Treasury this vast sum of $100,000,000, which should be in the channels of business, giving life and vigor to our commercial transactions. This unauthorized fund has been maintained in absolute idleness for over twenty years, and at simple interest has cost the people more than $80,000,000. This is a covert attempt to legalize an unwarranted assumption, which alone should prevent the passage of the bill. Mr. Speaker, instead of this being a bill to protect the coin redemption fund it is, more properly speaking, in my judgment, an act to provide for a deficiency in our revenues. The President has already issued over $160,000,000 of interest-bearing bonds for the alleged purpose of strengthening this reserve fund. In my opinion we might with profit inquire as to what has become of the proceeds of the sale of these bonds.

Mr. Speaker, is it not true that the one hundred and sixty millions of gold received from the sale of these bonds was drawn out of the Treasury through the redemption of United States notes or greenbacks? Is it not also true that these one hundred and sixty millions of United States notes or greenbacks have been paid out by the Secretary of the Treasury in the ordinary expenses of the Government? I repeat, has it not been the custom of the present Secretary to sell bonds for gold, to exchange the gold for United States notes, and then to use these notes in payment of our governmental expenses? Then why come here with a bill claiming to protect "the coin redemption fund" when in fact and in practice it is a bill to supply a deficiency in the revenue?

I believe in dealing with the people frankly and squarely, and if this bill is really to maintain a redemption fund it should be so stated, plainly and distinctly, and then used for no other purpose whatever. If, on the other hand, as is now secretly practiced, it is to supply a deficiency in the revenue, I maintain that such a declaration should be made, in order that all may clearly understand its import.

Besides, I am decidedly in favor of curtailing rather than extending the discretionary powers of the Secretary of the Treasury in our financial affairs. The act of 1875, mentioned in this bill, provided for the sale of bonds at his discretion, at not less than par in coin, while the last issue of bonds by the Secretary of the Treasury was made for so many ounces of gold bullion. I merely mention this to show the character of the usurpation of power by the Secretary of the Treasury. Mr. Speaker, there is a vast difference between selling bonds for coin, which means both gold and silver, and bartering the obligations of the United States for gold bullion.

I assume that all of our present difficulties would be eliminated and further legislation upon this subject unnecessary if we had a Secretary of the Treasury who would obey the law now upon the statute book of the nation. There is to-day not a bond, coupon, obligation, or debt of any character against the United States which is not payable, principal and interest, in coin; and coin to-day means just what it has since the foundation of the Government—both gold and silver.

Now, Mr. Speaker, with the vaults of the Treasury bursting with silver, with the great plain people struggling beneath a load of debt and distress, I assert that it is unfair, unjust, wholly uncalled for that interest-bearing bonds in time of peace should be sold to further impoverish our people, and through this interest levy tribute upon their hard toil, while there are lying idle in the Treasury one hundred and fifty millions of silver. [Applause.] Let the Secretary of the Treasury obey the law. Let him treat alike all obligations of Government. Let him consider the debt of the humblest American laborer in the same light that he does the debt due the alien money lender. All are payable in coin, and all should alike be paid in coin.

If it could be announced to-morrow that an American policy of finance would be inaugurated and the further domination of alien money lenders resisted, the same enthusiasm and patriotic response would come from the people to the support of the Administration that was witnessed when the President so forcibly reaffirmed the Monroe doctrine and notified England to encroach no further upon American soil. A similar announcement on the financial situation would infuse new life into the Democratic party, from which hope has been crushed by the financial policy of the present Administration.

Let the United States, like France, begin the payment of silver for her paper money when presented for redemption, and the necessity for another bond issue would vanish. Let us also imitate the example of France in refusing to furnish gold for export. In doing this we would simply be putting into practice that grand rule of humane government, "Equal rights to all; special privileges to none."

There is another point, Mr. Speaker, that seems to have been overlooked. It is claimed by the Secretary in his last report that there is in circulation among the people four hundred and seventy-five millions in gold coin. From the report of the Comptroller of the Currency it is learned that not over one hundred and fifty millions is held by the banks, leaving three hundred and twenty-five millions among the people. If the Secretary of the Treasury would expend as much energy in exchanging with the people greenbacks for this gold that he does in exchanging gold for greenbacks with alien financiers, I am of the opinion that the exigencies of the Treasury might be relieved without a further issue of bonds.

The gentleman from Maine [Mr. DINGLEY] advanced the proposition to secure this gold by an issue of interest-bearing certificates of indebtedness. In my judgment the object might be attained at far less expense by exchanging greenbacks which come into the Treasury for this gold coin among the people.

In order to meet the temporary deficiency in the Treasury, instead of interest-bearing obligations to become a burden upon the people, I would suggest certificates be issued against every idle ounce of silver in the Treasury. This would give instantaneous relief and would put into circulation among the people, without the burden of interest, a kind of currency that none would refuse and all be glad to get.

I can see no good reason why the taxpayers, the producers, and toilers of this country should be forced to pay an interest tribute extending to generations yet unborn when the simple application of justice and common sense would obviate the necessity of it all. [Loud applause on the Democratic side.]

Mr. Speaker, for fear my position upon this alleged gold-reserve fund may be misunderstood I desire to say like many other usurpations of the Treasury Department its legality remained unchallenged until somewhat recently. During a debate in the Senate in 1890 the following statement was made by Senator SHERMAN, the originator of this fund:

> It is certain from that day to this every officer charged with the responsibility has treated that as a fund set apart for this purpose, and the man who, in violation of that statute, as Secretary of the Treasury, should reduce the gold balance for the redemption of United States notes below $100,000,000 would be impeachable for high crime and misdemeanor.

The Senator referred to the time when this fund was created, but was very careful not to mention the precise statute which provided for it. Senator COCKRELL refused his consent to Senator SHERMAN'S statements and emphatically declared:

> There is not one particle of law upon the statute books of the United States directing or requiring the Treasury Department to hold $100,000,000 of gold for the redemption of United States notes or, as we call them, legal tenders.

Senator Ingalls also declared at the same time:

> The claim that this $100,000,000 in the Treasury is necessary to maintain the credit of this nation, that it ever was pledged to be deposited there as a matter of faith or of public honor, is a fiction. It is a dream.

This debate was continued at some length and the following facts were established: First, that no authority save the caprice of the Secretary of the Treasury could be found for accumulating this vast idle reserve; and second, no law could be discovered that permitted its being paid out in the manner adopted. From that date until the present no one has been able to find a line of law providing for this reserve. In my opinion it should be covered into the Treasury as a miscellaneous fund and the Secretary of that Department compelled to treat all the obligations of Government alike. That portion of the act of January 14, 1875, referred to in this bill reads as follows:

> SEC. 3. And whenever and so often as circulating notes shall be issued to any such banking association, so increasing its capital or circulating notes, or so newly organized as aforesaid, it shall be the duty of the Secretary of the Treasury to redeem the legal-tender United States notes in excess only of $300,000,000 to the amount of 80 per cent of the sum of national-bank notes so issued to any such banking association as aforesaid, and to continue such redemption as such circulating notes are issued until there shall be outstanding the sum of $300,000,000 of such legal-tender United States notes, and no more.
>
> And on and after the 1st day of January, A.D. 1879, the Secretary of the Treasury shall redeem in coin the United States legal-tender notes then outstanding on their presentation for redemption at the office of the assistant treasurer of the United States, in the city of New York, in sums of not less than $50. And to enable the Secretary of the Treasury to prepare and provide for the redemption in this act authorized or required, he is authorized to use any surplus revenues from time to time in the Treasury not otherwise appropriated, and to issue, sell, and dispose of, at not less than par, in coin, either of the description of the bonds of the United States described in the act of Congress approved July 14, 1870, entitled "An act to authorize the refunding of the national debt," with like qualities, privileges, and exemptions, to the extent necessary to carry this act into full effect, and to use the proceeds thereof for the purposes aforesaid.

Under this act Senator SHERMAN, then Secretary of the Treasury, sold $95,500,000 of 4 and 4½ per cent bonds for gold, and established this so-called reserve fund. The object of this fund was to redeem and retire the United States notes or greenbacks from the amount then outstanding, $375,771,580, down to $300,000,000. This was to be done gradually as additional bank currency was issued to the banks. In 1876 there was retired $5,999,296. In 1877 there was also retired $10,007,952. During 1878, and up to the passage of the bill forbidding their further destruction, there was retired $13,083,316, or a total of $29,090,564.

In the meantime the people grew uneasy over the destruction of these legal tenders and the demonetization of silver, and as a result of this agitation the act of May 31, 1878, was passed. It reads:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the passage of this act it shall not be lawful for the Secretary of the Treasury or other officer under him to cancel or retire any more of the United States legal-tender notes. And when any of said notes may be redeemed or received into the Treasury, under any law, from any source whatever, and shall belong to the United States, they shall not be retired, canceled, or destroyed, but they shall be reissued and paid out again and kept in circulation: *Provided*, That nothing herein shall prohibit the cancellation and destruction of mutilated notes and the issue of other notes of like denomination in their stead, as now provided by law. All acts and parts of acts in conflict herewith are hereby repealed.

By this act the canceling and retiring of greenbacks was stopped, and the books of the Treasury showed at that time $346,681,016 of this kind of currency outstanding, at which figure it has been given since.

This gold-reserve fund is mentioned for the first time in the statutes in the banking act of 1882, in the following words:

> The Secretary of the Treasury shall suspend the issue of such gold certificates whenever the amount of gold coin and gold bullion in the Treasury reserved for the redemption of United States notes falls below $100,000,000.

Mr. Speaker, I have been careful to quote all the acts or parts of acts upon the statute books which in any way relate to the gold reserve or the further issue of interest-bearing bonds, in order to disclose the narrow foundation upon which this idle hoard of gold is held or additional bonds issued to further burden the people. The fact is, Mr. Speaker, there is no authority of law for either, and the time has come when the people of this country should understand the real situation. In my opinion, the country is not suffering from laws which have passed Congress, some of which I admit are wholly bad, but is being destroyed by Department rulings made upon these laws. We may enact laws ever so carefully, but no one can determine their final operation until they have run the gantlet of the Departments. For this reason I am opposed to granting any increase of discretionary powers to any and all public officials.

Mr. Speaker, having mentioned the fact that the last issue of bonds was for gold bullion, I desire to give that portion of the contract between Secretary Carlisle and the alien money lender. It reads as follows:

> Now, therefore, the said parties of the second part hereby agree to sell and deliver to the United States 3,500,000 ounces of standard gold coin of the United States, at the rate of $17.80441 per ounce, payable in United States 4 per cent thirty-year coupon or registered bonds, said bonds to be dated February 1, 1895, and payable at the pleasure of the United States after thirty years from date.

This idea of buying coin at bullion rates is no doubt dictated by some ulterior purpose that will come to the surface some day to plague and plunder the people.

Mr. Speaker, gold bullion is a commodity, and, under any construction of law, Secretary Carlisle could have issued bonds as legally for so many ounces of pork, beef, wheat, or cotton. It is time such flagrant violations of the plain statutes ceased by those whom we trust with important positions, for if they will not obey the law how can obedience to the law be demanded of their subordinates?

Mr. Speaker, the provisions of this bill as first presented would, under the rulings of the Secretary of the Treasury, have retired and canceled every dollar of United States notes or greenbacks. This was no doubt the intention of its originators; but, fearing exposure and defeat, an amendment declaring against such action was added. These greenbacks have been doing service for more than a third of a century, and never, until the present Administration permitted them to be used as the tools of alien money lenders in raiding the National Treasury, have they given rise to any complaint. These greenbacks cost the Government but a trifle, and burden the people with no interest. If the Secretary of the Treasury were to establish an American financial policy, and in doing so obey the plain letter of the laws, all objections to the continued

use of this form of currency would vanish. These United States notes during their long existence have saved the people of the nation more than $700,000,000 in interest, and are at the present time the favorite currency of the people. In my opinion they should not be retired, but permitted to continue their work of facilitating business.

I am opposed to the issue of the proposed certificates of indebtedness, since they bear interest and can not be used in the channels of trade. Instead, let silver certificates against this vast horde of idle silver in the Treasury be issued. Such certificates would bear no interest, become no burden to the people, and would readily become absorbed in the exchanges of the country. They would increase the volume of currency and to that extent assist the people in their almost hopeless struggle against general bankruptcy. The people do not want another bond issue. They know what it means and fear the result. They know it means harder work, less comforts of life, and lower prices for the fruits of their hard toil. They are in financial distress now and ask for relief from their present burdens instead of being loaded down with more.

This relief must come, and in my opinion quickly, or great danger threatens this country.

Mr. Speaker, where is the end? Selling bonds does not replenish the Treasury under its present administration. The jugglery of these financial deals is apparent and the rapacity of those profiting by them seems to have no limit. It is estimated that the total value of all of the property in the United States is about $65,000,000,000. At least forty-five billion of this has already been appropriated through bond dealing and stock watering by the capitalistic class. At the present rate it will not be long before they will have the other twenty billion, and the entire property of this country will be represented by paper securities, upon which interest and dividends must be paid by workers to drone capitalists.

The producer and the man who works with his hands pays for everything. He is the mudsill, and without his toil stocks, bonds, and factories become valueless.

If these bonds are to be continually issued, and the public and private debt of this country increased at the rate that has obtained for the past two years, our entire wealth within ten years will be represented by interest-bearing securities, and the seat of our Government transferred from Washington to Wall and Lombard streets. The people will no longer rule, but will become the mere serfs of a bondholding class, "who toil not, neither do they spin." Wages under such conditions will be the pittance necessary to sustain life, while the wealth created will go to swell the hoard of those already monstrously rich. The picture is not overdrawn, and unless our people are aroused to a comprehension of this iniquitous system no one can foretell the calamities which await us in the future.

The masses believe that finance is the paramount issue, and no amount of deception or sham battles over the tariff is going to deter them from a settlement of this question before all others. For the last thirty years the people have been divided on the question of tariff and marshaled into two hostile camps, while the money owners have fastened upon us a financial policy which has brought the country to the verge of bankruptcy.

I want these bond dealers to push their schemes to the uttermost limit as rapidly as possible, for the sooner then will the end come. When rulers become mad with power, their fall is near.

Napoleon, intoxicated with success, sought to rule the world, but he died on a speck of rock in mid-ocean, far from the scenes of his success and glory.

Had he been satisfied with a reasonable amount of power, Europe would not have been convulsed with carnage and St. Helena never heard the heartbroken sigh of an exiled and dying monarch.

History teaches the lesson that centralization of wealth and power may, like the tower of Babel, stand for a while, but the law of gravitation defies the one as surely as justice decentralizes the other.

The masters of to-day become the servants of to-morrow; the conquerors become the conquered.

Selfish ambition and love of unmeasured power overthrew the Cæsars and Napoleons, and a day of reckoning will come for the Rothschilds, the Shermans, and the Clevelands.

Mr. Speaker, I am opposed to the further issue of interest-bearing bonds, but I am in favor of the free and unlimited coinage of silver at a ratio of 16 to 1. If we may believe the press of the country, bonds will soon be issued in the same clandestine manner as the last issue without either the knowledge or consent of the people or the legislative branch of the Government.

To-day gold is at a premium of 1¼ per cent among the money changers of Wall street. This reduces it absolutely to a commodity instead of a medium of exchange. In this we see that no matter which way we may turn, either toward a war over the boundary line of Venezuela, complications arising from the seal fisheries, or a depletion of the Treasury reserve, we are making progress, whether we wish to or not, toward the use of silver as money.

Mr. Speaker, in my judgment, the people of this country want free coinage of silver. There is not a State in the Union that would not record its vote overwhelmingly for free coinage if its people were permitted to vote on that proposition alone. The wishes of the people may be hindered, but the time is not far distant when the members of this Chamber will be only too glad to register their votes in favor of such a measure.

The money of the Constitution, which since the foundation of the Government has been accepted by the people until it was clandestinely taken from them, must be restored. For one, I shall bend my energies and cast my votes in this direction.

The Coin Redemption Fund.

REMARKS

OF

HON. RICHMOND PEARSON,

OF NORTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, December 27, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. PEARSON said:

Mr. SPEAKER: No man can preach an edifying sermon in a whirlwind, and no man can make a satisfactory argument in five minutes on a question of finance involving indefinite hundreds of millions of untried bonds. The gentleman from Tennessee [Mr. MCMILLIN] compares our distinguished chairman of the Ways and Means Committee to the Indian chief called the "Young Man Afraid of his Horses." I should rather say, that "his driving is like the driving of Jehu, son of Nimshi," for "he driveth furiously." In fact, he is driving at such a virtiginous rate of speed that his horses have not even time to "kick." A decent respect for the opinions of my Republican associates and a proper regard for the wishes of my constituents oblige me to state my reasons for opposing this proposition to issue bonds.

I wish to say that I voted for the revenue bill not as a declaration of Republican principles, but simply as a modus vivendi. It would be called a modus vivendi in diplomacy. It might be styled a "makeshift" in a Democratic platform, not a cowardly one, but a bold and magnanimous offer to meet the President on halfway ground, in the hope that he will display equal patriotism, meet concession with concession, for the public good.

His annual message gives reason to hope that in this emergency he will yield some of his hard-earned views and not blight "the counsels of the brave" in their hour of patriotic inspiration. When a drowning man cries out for help it would be humorous but inhuman to stand on the bank and discuss tariff schedules.

The course of the Democrats on this floor in refusing the revenue proffered in the new tariff bill convinces me that the gentleman from Maine has to administer relief to the Democrats as the Frenchman in Perigord administers food to those interesting birds whose livers are highly prized by epicures, but whose brains are proverbially defective. The nourishment has to be poured into their mouths in liquid form by means of a hose under heavy pressure. The process is painful, but the results are none the less invigorating, fortifying, and comforting.

Now, I oppose this bond bill—

First. For the all-sufficient reason that I am explicitly and irrevocably committed against the policy, and so are all my constituents.

Second. I oppose it for the further reason that I would not do what I have condemned others for doing.

Third. I oppose it for the further reason that it gives increased power to the Secretary of the Treasury, instead of curtailing the power which, in my judgment, he has already abused.

Fourth. I oppose it for the further reason that if it does not retire the legal-tender notes it would enable the Secretary of the Treasury to "corral" them. I can think of no better word.

Fifth. I oppose it for the further reason that its avowed purpose is to redeem the United States legal-tender notes—that is, to buy in the greenbacks and substitute an interest-bearing debt for the best money that ever served our people in war or in peace.

Sixth. I oppose it for the further reason that, if economy be the object, it is cheaper to buy gold at a small premium than to borrow gold by issuing hundreds of millions of bonds. I am informed by an officer of this Administration that France has taken $32,000,000 of our gold within two years at a cost of about one-half of 1 per cent—that is, she has secured $32,000,000 of our gold by paying

$160,000. Why does not our Secretary of the Treasury display this kind of discretion? Our people have no patience with a discretion "which depletes but does not discern." The interest on the bonds which he has already issued at his "discretion" will amount to $120,000,000 at the maturity of the bonds. That is, the interest alone will amount to 3 per cent of all the gold on the globe, and yet to-day he has less gold than when he started on this ruinous policy.

Seventh. I oppose it for the further reason that it can have only one of two objects, economy or contraction. The first it can not attain; the second we can not allow.

Eighth. I oppose it for the further reason that it places all these bonds at the "discretion" of the Secretary of the Treasury, a quality which the present incumbent, in his dealings with bond syndicates, has not demonstrated to the satisfaction of the American people. If nothing but that discretion stands between us and ruin, I for one am not willing to take the risk.

Ninth. I oppose it for the further reason that I can find no warrant for this policy in the Republican creed, and I defy any man here or elsewhere to cite the article of Republican faith which favors the borrowing rather than the earning of money by the Government in time of peace. Every Republican convention, every Republican orator, and every Republican paper has denounced the Democratic Administration for issuing bonds, and pointed to that fact as the humiliating product and signal proof of Democratic incompetency. If it be said that the Republican party stands for the honor of the nation, I am proud to believe it; but that party does not stand for the dishonor of the Democratic party, and ought not to be asked to bear any part of that dishonor, even in this hour of need.

REPUBLICAN STATE CONVENTIONS CONDEMN BOND ISSUES.

[Massachusetts Republican, October 5, 1895.]

The last Congress provided a revenue shamefully inadequate, and by the issue of bonds shifted on to succeeding Administrations the burden of their outlay.

[New York Republican, September 17, 1895.]

We denounce the Democratic Administration for its gross mismanagement of the finances of the nation. It already has added more than $165,000,000 to the national debt and the burdens of the people, and there is every evidence that this increase is to be continued.

[Kentucky Republican League Clubs, May 1, 1895.]

We believe in the doctrine of protection to American labor, American industries, and American homes; and we attribute the unparalleled business depression of the country to the utter failure of the Democratic Administration in its management of both foreign and domestic affairs, which has created national distrust and general paralysis, has driven capital from the factories and labor into the streets, reduced the revenues of the Government, and increased its bonded indebtedness.

[Ohio Republican, May 28, 1895.]

We denounce the present Democratic Administration, whose vicious and vacillating course has brought us distress at home and humiliation abroad. It has inaugurated a policy looking toward ultimate free trade, which has deranged business, crippled our industries, distressed our homes, and dealt labor a serious blow. With deplorable incompetency it has failed to raise revenue enough to run the Government and has had to borrow, in less than two years, $162,000,000 mainly to pay ordinary running expenses, selling in secret to favored foreign syndicates the bonds of the Government at prices far below their actual value.

[Pennsylvania Republican, August 28, 1895.]

Charges upon the Democratic party the fault for a constantly growing deficit in receipts, as compared with expenditures, thus compelling the borrowing of money in large amounts at exorbitant premiums in time of peace to maintain the credit of the Government. For the failure of the Democratic Administration to provide sufficient revenue to meet the wants of the Government "its responsibility is absolute, and it has exhibited to the world such inability and faithlessness in the discharge of the high trust committed to its care that its history continues to excite the contempt and distrust of all thoughtful citizens."

[Utah Republican, 1895.]

The first State Republican convention of Utah was held at Salt Lake City, August 28, 1895. The platform adopted was as follows:

"We condemn the action of the present National Administration for issuing Government bonds in time of peace to meet a deficit caused by unwise and un-American legislation, and for its unprecedented and unpatriotic coalition with a syndicate of foreign money lenders to procure the sale of Government bonds adversely to the interests of the people."

This bill would throw the Republicans in many sections immediately on the defensive, and I would say, with all respect to the distinguished gentleman from Maine [Mr. DINGLEY], that he may do more in two days for the Democratic party than that party could do for itself in forty years; he may lift them out of the mire; but I venture to submit that he ought not to put us in their places. That would be too generous, too hospitable.

Mr. Speaker, the right place for the Democratic party in the fulfillment of their strange mission is on their backs; they can criticise, but they can not execute; they can obstruct, but they can not construct; they can promise, but they can not perform. A magnificent party in the minority—but in the majority, impotent. To epitomize in a homely phrase their record and character, that party fights splendidly on its back, but is not worth a darn on its feet. The gentleman from Pennsylvania [Mr. BROSIUS] tells us that the President appeals to us for succor. He goes out fishing; if he does not catch "suckers" he may at least capture a scapegoat to bear the sins of the Democratic Administration.

Tenth. I oppose this bill finally because I know—in fact every wayfaring man, even though he be a Democrat, knows—that it can not pass the Senate, and the Secretary of the Treasury has taken extraordinary if not indiscreet pains to tell us that it can not pass the White House. Under these circumstances we are now asked to make a voluntary declaration of a policy which I believe to be un-Republican, and which I know to be unavailing; which has been tested and condemned as furiously unpopular and uselessly expensive. I stand ready to vote a thousand millions for the national defense, for the glory of the flag, and for the maintenance of Republican institutions in the Western Hemisphere, but not one cent to cover up, brace up, or patch up, or to indorse, condone, or compound the hopeless incompetency and purblind folly of the Democratic party. I will help the gentleman from Maine to keep them on their backs, but never to lift them to their feet.

The Coin Redemption Fund.

REMARKS

OF

HON. CHARLES A. TOWNE,

OF MINNESOTA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, December 27, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. TOWNE said:

Mr. SPEAKER: I avail myself of a brief space to state shortly the reasons why I must oppose the first section of this bill. I can not indorse it as a matter of principle; I can not indorse it as a matter of party tactics, and I can not indorse it as consistent with the views, the very decided views, of an overwhelming majority of my constituents. The gold reserve, sir, it has constantly been claimed on this side of the House, has been depleted both because of the insufficiency of the Government revenues provided by a Democratic tariff and by the maladministration of the Treasury Department by a Democratic Secretary.

The other day the Republican majority of this House, rising to the demands of an urgency that could not brook the delay necessary for a systematic treatment of the tariff upon well-known Republican lines, passed a bill, not in many respects entirely satisfactory to me or wholly just to some interests of my district, and in my judgment justifiable only as an emergency measure, the object of which was to provide the National Treasury with an income in excess of its expenditures. By the second section of the pending bill, for which I shall vote, we shall furnish the Secretary with a resource up to $50,000,000, in the nature of exchequer bills, to enable him to meet any temporary deficiency for current expenses. Now, sir, I regard these measures as meeting and satisfying the reasons for the depletion of the reserve that have been assigned by the Republican press and the Republican party generally, except as to the alleged mismanagement of the Treasury.

This, sir, is part of the political responsibility of the Cleveland Administration, and my opinion is that it ought to be left upon that Administration until the people of this country shall, as next November they surely will, visit upon the Democratic party their deliberate and crushing reprehension. Either this or a more drastic and complete enactment controlling the Treasury management. It is significant, sir, that when this bill was first laid in printed form upon our desks it plainly contemplated the effectual retirement of the greenbacks, and partly on that account I am not surprised to find that the amendment which is claimed to obviate that objection does not, in my opinion and that of several other members of this House, clearly and certainly accomplish that result.

Sir, the people of the United States will not permit the retirement of the greenbacks, and I can not vote for a measure which, being under the rule not now open to amendment, may carry with it permissive authority to a too-willing Administration to lock up and retire from circulation the best kind of paper currency the world has ever seen. With ample revenues, which the new tariff provisions will supply; with a restored favorable balance of trade created by the same agency, lessening or destroying the demand for gold to export, and so doing away with the chief incitement to the withdrawals of gold from the Treasury; and with an emergency resource of fifty millions under the second section of this bill, to be used solely for defraying current expenses, and thus fencing off the reserve from the desperate resort of a lawless Administration, I contend that we shall have done our duty and that no exigency has yet been shown to exist compelling another issue

of bonds in a time of peace, entailing a new mortgage of the country to the English gold farmers, and needlessly increasing the interest burdens of the people.

Now, sir, is this bill demanded by party policy? I care not by what hair-spun distinctions gentlemen may seek to explain and excuse it, the plain people of this country will see in this bill a surrender to Grover Cleveland's patent system of bond financiering, a virtual indorsement of what we have for two years reprobated with emphasis if not violence of speech, and an explicit authority for further transgressions. We are asked by several gentlemen supporting this bill to rise to high grounds and grant the President the relief he has besought. And yet we are assured from the other side of the House by those who are close enough to the throne to catch the expressions of the executive inner consciousness, as well as by an authorized interview with the Secretary of the Treasury reported in the morning papers, that the Administration is not favorable to this measure, but condemns it and spews it out of mouth. So, sir, we are asked to grant the President's prayer by affording him relief that he rejects.

Sir, the Republican party in this House has rallied round the President in his foreign policy, it has passed a tariff measure which our leaders on the floor have vied with one another in calling not a protective tariff but a tariff for revenue, and if we now surrender to Grover Cleveland's financial policy will not the people wonder where they are to look for the Republican party?

Sir, the President now has authority to dispose of any bonds issued by offering them at public sale in this country. If we fail to pass this section, how can he justify, as we are told he may, a failure so to offer them by citing the neglect of a Republican House to compel him to do what he is already perfectly free to do? And so far as the rate per cent of the bonds is concerned, if they are offered in open competition the rate will regulate itself through the price brought at the sale; a point not difficult to comprehend, either, though I have heard men say here that, while true, the people could not understand it.

Mr. Speaker, I do not lightly vote against a proposition that receives the indorsement of the leaders of my party in this House. It pains me to do so. They are men I honor for their ability and respect for their personal worth and their past service to the country. But, sir, I have never found it possible to compromise a principle, and in the present instance, as I conceive it, both principle and wise party policy are against the passage of the first section of this bill.

Revenue—No Tariff Tinkering Needed.

SPEECH

OF

HON. JAMES G. MAGUIRE,

OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, December 26, 1895,

On the bill (H. R. 2749) to temporarily increase revenue to meet the expenses of Government and provide against a deficiency.

Mr. MAGUIRE said:

Mr. SPEAKER: The bill before the House is strictly a Republican party measure. It is to be railroaded through the House in accordance with a prearranged Republican programme, concerning which perhaps a dozen members of the dominant party were consulted. All other Republicans in the House are expected to swallow it without making faces, because it is decreed by those to whom their obedience is due that it is good for the party, and any question concerning the wisdom of that decree by individual Republicans is to be regarded as treason. The party lash is the answer to any question or protest which they may conceive in their minds but dare not permit to reach their tongues.

> If any there be who would dare to refuse,
> Cry "Traitor!" and then your authority use
> To frighten him into submission.

The Committee on Rules has formulated an edict depriving this Congress of its deliberative character, at least in so far as it is to deal with the tariff question, by far the most important measure of legislation that will come before it, and the great Republican two-thirds majority of the House have, in obedience to the demands of the committee, surrendered their own right of discussion in order to deprive the Democratic minority of its right to suitably discuss the measure.

Gentlemen on the other side have said that this is a measure of hasty legislation, intended only to meet a present emergency. In that, I think, they are entirely right, but their statements as to what the emergency is are entirely misleading. It is not an emergency relating to the public revenues which they are seeking to meet, but an emergency relating to the campaign fund of the Republican party for the approaching election. Republican political methods require enormous campaign funds, and no legislation can be so important to that party as that which puts it in a position to secure such funds. The monopolists, who are the beneficiaries of the special-privilege system which they call protection, are the sources of their campaign funds. Those interests are thoroughly selfish. Their contributions are given only in return for great financial advantages bestowed, or certain to be bestowed, upon them by the party which they support. They have no political principles save those which have their foundation in their own avarice, and this appeal to their cupidity is the only certain means of bringing out their financial support for the party of special privileges in the next campaign.

The pretense that this bill is prompted by a desire to respond to the call of President Cleveland is a very transparent subterfuge. It is not in any sense an answer to that call and will not in the least relieve the distressing situation of the Administration pointed out in the President's message. The legislation called for by that message is of a character making a radical change in our system of finance, such as would relieve the Treasury of the gold drain, inevitable under existing law, or legislation providing a means of securing the gold with which to meet the demands therefor which may be made—which are being made, and which are sure to be made—upon the Treasury as long as the present financial system continues. The party in power in pressing the present measure is seeking, first, to satisfy the monopolists who are enriched by the protective tariff, as I have said, and, second, to deceive the masses of the people, who are robbed by that system, into the belief that this is intended merely as a temporary measure to meet a financial emergency in the affairs of the Government. They will not be permitted to go through the campaign without having their false pretense in this behalf thoroughly exposed. The stifling of debate will not shield them from exposure, but will rather make the public more curious to learn why the Republican majority deemed it necessary to avoid reasonable discussion of this measure.

If the bill should pass the Senate, as it is already programmed to pass the House, the country will learn, at least, that the foreigner does not pay the tariff taxes. The country will learn a lesson in political economy which will never be forgotten, namely, that the tariff paid on foreign goods is added to the price of the goods advanced by the importer, and paid with interest and incidental expenses by the American citizens who ultimately consume the goods; and that domestic producers of the same kinds of commodities are enabled thereby, arbitrarily and without doing or giving anything in return for their increased profit, to correspondingly increase their prices as against all American consumers, the consumers of the foreign goods paying a burdensome tax for the support of the Government, and the consumers of domestic goods paying an equally burdensome tax for the enrichment of their specially privileged fellow-citizens.

"But," say the bolder protectionists, who believe that popular ignorance on the tariff question will still permit their absurd claims to pass as valid, "the labor of this country needs protection." I will not essay to discuss that question at this time. The labor of this country was never protected by tariff legislation, and if our Republican friends imagine that the severe reprimand recently given to the Democratic party is an indication of the returning popularity of the system of special privileges which they call protection they will be rudely awakened from their dream. The people have ceased to worship the fetich of protection. The "tabu" of protection is broken.

> That spell upon the minds of men
> Breaks, never to unite again,
> Which taught men to adore
> That pagod thing of despot sway,
> With front of brass and feet of clay.

The masses of the people are turning their faces in another direction for relief. They realize that they need protection, but not the kind of protection offered by the Republican party. They need protection from monopoly, from the classes whose special privileges have been built up to the ruin and oppression of the masses by the Republican party. They want legislation which will restore to them their natural God-given opportunities. They want legislation that will restore to them their natural heritage—the land from which all wealth is produced by the application of labor. They want legislation that will make them free in their homes and industries and make them masters, as they should be, of the whole field of wealth production. They are beginning to realize that what they really need is not work, but the wealth which work will produce, and that free land will give them more wealth for less work and constant opportunity for productive labor.

They are beginning to realize that land and labor are the primary and only essential factors in wealth production; that the

trouble in the industrial world is, that by the power of monopoly those two factors are kept apart and that those who own the land of the country control the conditions upon which all landless people may produce wealth, and the share of wealth which shall go to the producer. They are beginning to realize that as long as that condition continues labor must continue to be the helpless victim of robbery, and must continue to suffer either for the opportunity to produce things that will satisfy their wants or for the very things that they have produced, but which have been taken to satisfy the wants of nonproducers, who, by a false system of land tenure, are in a position, without producing themselves, to take as toll what the labor of others has produced from the God-given sources of production. The people are rapidly losing interest in the tariff discussion, and they are as rapidly turning their attention to that question which lies deeper than the tariff, which lies deeper than trade—the land question—upon the right settlement of which depends freedom of production and the future comfort and happiness of mankind.

My purpose to-day is not to deal with the merits of the tariff question, but, under the leave to print given by the House, to publish in the RECORD, for the edification of those who seek instruction from its pages, some views which I have prepared upon the single-tax question, and also the following masterly historical paper upon the same subject, prepared with great care and written with an ability worthy of his ripe scholarship and experience, by my friend Mr. Joseph Leggett, of San Francisco. I desire first to insert the following address, delivered by me before the State Grange of California in August last:

EFFECTS OF THE SINGLE TAX ON FARMERS.

[Address of Hon. James G. Maguire before the State Grange of California, in Normal Hall, San Jose, August 14, 1895.]

LADIES AND GENTLEMEN: It affords me uncommon pleasure to appear before you, as the guest of the State Grange of California, to discuss the single-tax question.

As my time is limited to less than an hour, because of the absolute necessity of my returning to San Francisco on the 11.40 train, I will be obliged to avoid details in discussing all but one phase of the single-tax question, namely, the effect upon farming, and upon farmers, of concentrating all taxes upon land values.

I will deal as fully as possible with that branch of the general subject, because I am sure that it is regarded by you as the most immediately practical part of the discussion.

In what I shall say to you to-day my effort will be, above all things, to be plain and clear, sacrificing all other considerations to that purpose and leaving rhetoric and sentimental appeals to their proper occasions in the future.

Let us first understand distinctly what is meant by the single tax. The proposition of the single-tax advocates is to raise all public revenue for national, State, county, and municipal purposes by a single tax upon the value of land, irrespective and exclusive of the improvements thereon, and to abolish all other taxes.

I wish you to remember, for it is important, that the single tax is a tax on land values and not upon land. I think you will at once admit that our proposed reform has at least the merit of singleness and simplicity, but you may not so readily see that no single reform in the history of the world has been so far-reaching in its economic consequences as this one must be. It will necessarily affect, for good or evil, the interests of every human being in the nation, State, or community where it is adopted. Every man, woman, and child in the world is necessarily a user of land, and the single-tax system will very materially affect the conditions on which land may be used.

It is not, as very many suppose, a sentimental plan to give the idle or the unthrifty a share in the results of the industry and thrift of others, but is a well-considered, scientific method of restoring and preserving to all men their equal natural opportunities, sacredly guarding the right of industry and thrift to produce and to accumulate wealth, leaving the willful idler to the natural consequences of his failure to produce a living. Our concern is solely for those who are willing to work and for those who are unable to work. The willful idler has no place either in our sympathies or in our economy. Our doctrine is that every man who is able to support himself by physical or mental labor should be first permitted and then compelled to produce his own living.

We hold that no man is entitled to receive service from his fellow-men except in return for equal service rendered by himself, unless his pyhsical or mental infirmity shall appeal to the instincts of charity and humanity in the individual or the community.

But we hold that every man has an inalienable right of access to the natural opportunities which God has freely provided for the support of all mankind, and from which alone he can produce a living.

It is said that our doctrine is an assault upon the sacredness of private property. That is not true. We do not assail or deny the sacredness of private property. On the contrary, we attach a sacredness to the right of private property, in all wealth produced by labor, such as has never yet been recognized either by law or by custom, but we deny that any such sacredness attaches to the right of private property in the things which are the common heritage of the whole race from the free gift of the Creator.

We hold that the man who produces any utility or value from the natural resources of the earth by his labor has a sacred right of private property in the thing which he so produces, but we deny that any man can have any such right of private property in the natural God-given sources from which all men may by their labor produce such things of value or utility. This is a very important and fundamental distinction which we draw between private property in the products of labor and private property in land, and our reasoning is largely based upon that distinction.

There is a natural connection of right and of property between the man whose voluntary labor produces a thing and the thing which would not have existed in its useful form but for his voluntary labor.

This watch (showing) is the product of the labor of some man, or men. Its elements, lying in the earth, were useless until the voluntary labor of certain men brought them forth and combined them into this useful form. Independently of all law, then, the producers of the watch have manifestly a better right to it than any other persons in the world. It is no hardship upon any other person or persons to be excluded from any right in the watch, because, as it would not have existed but for the voluntary labor of those who produced it, the rest of the world is no worse off than it would have been if the watch had not been produced at all. The producers should, therefore, as a matter of natural right, be entitled, after producing the watch, to keep it and use it, or lend it, or sell it, without any limit or restriction upon their action. If the producer of such wealth exchanges it for what, to him, is an equivalent, all of his rights pass, and ought to pass, to his vendee.

What is true of the watch is equally true of all other wealth produced by human labor. It should be sacredly guarded to its producers and to those who honestly acquire the rights of the producers.

But there is no such natural foundation for private property in land. Property in land has no foundation in nature or in natural right. Indeed, it is directly contrary to the common, natural right of all men, and must be justified, if it is to be justified at all, by considerations of expediency.

No man has any natural right of property in land, either by production or purchase, because no man made the land. It is the common heritage of all mankind from the immediate gift of the Creator. As no man made the land, thereby originating a natural right of ownership, no man was ever in a position to originate a title to land such as attaches to personal property. Title to land is, therefore, purely conventional, and is based solely and at all times on considerations of expediency. That is to say, it is to be supported or overthrown according to its effect upon the general good of the whole people at any given time.

These views did not originate with single-tax men. They are as old as our moral philosophy; as old as our political economy; as old as written treaties on human laws.

John Stuart Mill, in his Political Economy (book 2, chapter 2), says:

When the sacredness of property is talked of it should always be remembered that such sacredness does not belong in the same degree to landed property. No man made the land. It is the original inheritance of the whole species. Its appropriation is wholly a question of general expediency. When private property in land is not expedient it is unjust.

Sir William Blackstone, the greatest of all English law writers, in his Commentaries on the Laws of England (book 2, chapter 1), says:

The earth is the general property of all mankind from the immediate gift of the Creator. Accurately and strictly speaking, there is no foundation in nature or in natural law why a set of words upon parchment should convey the dominion of land.

Herbert Spencer, in his Social Statics (chapter 9), says:

It may by and by be perceived that equity utters dictates to which we have not yet listened, and men may then learn that to deprive others of their right to the use of the earth is to commit a crime inferior only in wickedness to the crime of taking away their lives or personal liberties.

Hon. William E. Gladstone, speaking of proposed restrictions on the vested rights of the landowners, says:

Those persons who possess large portions of the earth's space are not altogether in the same position as the possessors of mere personalty. Personalty does not impose limitations on the action and the industry of man, and on the wellbeing of the community, as possession of land does, and therefore I freely own that compulsory expropriation is admissible and even sound in principle.

James Anthony Froude, the great English historian, says:

Land is not and can not be private property in the sense that movable things are property. Every human being born into this planet must live upon the land, if he live at all. The land in any country is really the property of the nation which occupies it.

Innumerable quotations from the world's greatest thinkers in the various sciences might be quoted to the same effect. It is enough for my purpose, however, to show that the doctrine of the sacredness of private property has never been recognized by the world's great philosophers and scientists as attaching to private property in land; that private property in land rests solely upon the laws and usages of each country, while private property in the wealth produced by labor is based upon a fundamental principle of natural justice as well as upon statutory laws.

Nor is there anything in the single-tax system or its philosophy which interferes with the permanent tenure of land for use, nor with security of improvements, nor with security to the improver and user of land in the fruits of his industry.

The regulation of the use of land in every generation is a proper and highly important function of the State. The best possible use and improvement of land should be encouraged and are essential to the stability of society and its various industries and to the healthy growth of civilization.

Under the single-tax system permanency of tenure, security of improvements, and security in the fruits of labor expended upon the land are all guaranteed more fully and with infinitely greater generality to the whole people than under the present system. It is only against that vicious element in our system of land tenure which encourages the monopoly of land that the single tax is aimed. We would take for public uses the entire unearned increment of land, which political economists call the economic rental value; that is, the present annual value of the use of any given piece of land, exclusive of the improvements thereon, at the time of levying the tax.

If this unearned increment which attaches to land solely as the result of the presence, industry, enterprise, and virtues of the people of each community were taken by taxation for public uses, no man would have any possible incentive or inducement to speculate in land, nor to hinder others in the pursuit of subsistence, happiness, or wealth by monopolizing the land, which is the only source from which subsistence or wealth of any kind can be produced.

The next objection, and the one which is probably of the greatest practical interest to you, is that "the single tax would largely shift the burden of supporting the Government from the owners of great personal wealth in cities to the shoulders of the farmer."

To this objection it is my purpose to devote the principal part of my address.

I shall endeavor to demonstrate to you that that objection is not founded upon truth, but that, on the contrary, the statistics of taxation show the contrary to be true. I am persuaded that a belief in the objection which I have just stated has, upon superficial thought, closed the minds of the farmers of this country very generally against any consideration of the single-tax question.

If, therefore, I shall be able to demonstrate, as I believe I can, that the farmers in every State in this Union do now pay, and have always paid, a larger percentage of the taxes levied upon personal property, in proportion to the taxable value of their lands, than do the residents of cities, I will have opened the way for a more general study of the single-tax question among farmers, and will have accomplished as much as I should hope to accomplish by any single address.

Perhaps Ohio is as good an example as any State in the Union of the relations of the city and agricultural districts to the various subjects of taxation, and its data on that subject are more complete and accessible than that of any other State.

In 1892 the legislature of Ohio authorized the appointment of a tax commission to investigate and report upon taxation in that State. The commission, consisting of two Republicans and two Democrats, appointed by Governor McKinley, made an elaborate and instructive report to the governor of that State on December 23, 1893. That report and the data furnished in it are so tersely and clearly discussed and reviewed by Mr. Thomas G. Shearman in his work on Natural Taxation that I can do no better on this point than to read portions of his chapter drawn principally from that report, and from the statistics of the State of Missouri on "Effects of the personalty tax on farmers."

Let me say here that Mr. Shearman is a distinguished lawyer and law writer, as well as a distinguished political economist and statistician. I read from chapter 6, page 84, of Mr. Shearman's book, and, without designating the subsequent pages, I will read various parts of that chapter down to the bottom of page 100:

Of course there are some forms of personal property which can be seen and appraised by the assessors almost as readily as real estate, though not with so correct an estimate of value. The objection to taxation of chattels is not that none of them can be fully taxed; it is that so many of them can be and are reached, while so many more are not, that the tax is necessarily unequal and unjust. The important question, therefore, is, Upon what class does this tax bear most oppressively? Is that class the more wealthy or the less wealthy? Is it the city population or the farmers? If taxes were levied only upon the value of real estate, would the farmers pay more or less of the whole taxes than they do now?

Farmers in general have been long convinced that the rigid taxation of personal property would relieve their burdens, and it is entirely by their votes that the existing system is maintained. This is all theory on their part. * * *

But let us study the facts before discussing any theory.

Any attempt to separate the community into two distinct classes, one of which is taxable only on real estate and the other of which is taxable only on personal property, is obviously impossible and absurd. No man is ever reached by the taxgatherer who does not occupy some piece of land. If he did not, the taxcollector would never find him. Tramps pay no direct taxes. Neither can any man live without occupying some improvements on real estate and possessing some personal property. Every taxpayer, without exception, is an occupant of land and improvements upon land, and an owner of personal property. The only selfish interest which any taxpayer has in deciding between rival systems of taxation is to know which will produce a sufficient revenue to the State with the smallest possible burden to him. In considering, therefore, the interest of any class, such as farmers, the real question to be answered is not whether they, in fact, own more or less personal property than merchants, bankers, and money lenders. The questions to be answered are:

1. Do farmers own less personal property, in proportion to the value of their land, than do those other classes?

2. Are the particular kinds of personal property which they own less easily reached by the taxgatherer than are the kinds of property owned by the other classes?

The State must raise a certain fixed amount for public purposes. This amount it will assess upon all taxpayers in proportion to the value of their property as reported by the assessors, not in proportion to its real value, which the assessors, of course, are never able exactly to ascertain. If, therefore, experience proves that assessors are able to find twenty times as much land value in the possession of merchants as they can among farmers, but only ten times as much personal property among merchants as they find among farmers, it is a plain result, as simple as the rule of three, that the taxation of personal property will end in making farmers pay a larger proportion of the taxes than they would pay if all taxes were concentrated on the value of real estate.

After discussing at some length the foundation of the farmer's idea—that the exemption of all personal property from taxation would impose a greater proportionate burden upon him than upon the owners of city real estate—Mr. Shearman proceeds:

SEC. 5. *The experience of Ohio.*—In the light of these considerations, let us review some of the statistics furnished from year to year by the official reports of assessors in Ohio, as compiled annually in the auditor's report. For the purpose of such comparison let us set on one side the four counties which include all the largest cities and, on the other side, the five counties which contain the smallest proportion of city population among all the counties of Ohio.

The former, which we will call the city counties, include Hamilton, Cuyahoga, Franklin, and Lucas, with the cities of Cincinnati, Cleveland, Columbus, and Toledo.

The latter, which we will call the rural counties, are Geauga, Noble, Carroll, Medina, and Monroe.

These counties respectively represent the extreme contrasts between the cities and the farms of the State. Thus, in Hamilton and Cuyahoga the assessed value of town lots is about seven times the assessed value of the farms; whereas in the five rural counties the assessed value of farms is nowhere less than ten times that of town lots, while in Geauga County the farms are worth twenty-seven times as much as the town lots. Hamilton County, which includes Cincinnati, is the typical city county of Ohio, while Geauga County, which includes no large town, is the typical rural county.

SEC. 6. *Farmers pay largest share of taxes on personal property.*—Now, the first thing which strikes the eye on looking over the statistics of these counties is the following comparison.

Ohio valuation, 1887.

	Assessed value of real estate.	Assessed value of chattels.
City counties	$317,854,665	$113,340,087
Rural counties	29,733,450	14,307,668

Anyone can see that in the counties which include all the large cities the assessed value of personal property is only about one-fourth of the whole assessment, while in the rural counties personal property constitutes very nearly one-third of their whole assessed value. In more exact figures, the value of assessed personal property in the city counties is 26¼ per cent of the whole, while in the rural counties it is 32½ per cent. If, therefore, all personal property should be exempted from taxation the farmers of these five exclusively rural counties would pay 8 per cent less taxes than they do now.

That this result is not a mere accident, owing to some peculiar condition of these peculiar counties, is easily proved by testing the same question in other ways. Thus, if we set apart the four great city counties and compare them with all the rest of the State, including farming districts and smaller towns, indiscriminately, we find substantially the same result, as follows:

Ohio valuation, 1887.

	Real estate.	Personal property.
City counties	$317,854,665	$113,340,087
Remainder of State	867,155,960	406,832,007

Here in the counties which include all the great cities personal property amounts to 26¼ per cent of the whole valuation, while in the remainder of the State it amounts to 32 per cent.

But if we compare single counties, such as Hamilton, in which town lots compose about 85 per cent of all the real estate, with Medina, in which town lots compose only 10 per cent of the real estate, we find the result as follows:

Ohio valuation, 1887.

	Real estate.	Personal property.
Hamilton	$163,732,580	$53,144,182
Medina	8,304,740	5,012,304

Here we find that the real estate of Hamilton County is assessed at twenty times the value of Medina County, while the personal property of Hamilton is assessed at less than eleven times that of Medina. Personal property constitutes 24½ per cent of the valuation of Hamilton and 37½ per cent of the valuation of Medina. The total exemption of personal property from taxation, therefore, would, if taxes were divided only between the counties of Hamilton and Medina, relieve the farmers of Medina from exactly one-sixth of their present burdens. Invariably farmers are compelled to pay a much larger share of State taxation, as the result of taxing personal property.

SEC. 8. *Taxation of credits heaviest on farmers.*—But let us test this question in still other ways. The chief clamor in favor of taxing personal property has been directed toward the taxation of moneys and credits. The money lender, who is supposed to have vast sums on deposit in bank, and the merchant, who is supposed to have vast outstanding credits due from the poor farmers, are the special objects against whom this method of taxation is aimed—all for the relief of the farmers. Let us see how this works by a comparison of the same typical counties. The Ohio report for 1887 shows that their relative assessments were as follows:

	Real estate.	Money.	Credits, etc.
City counties	$317,854,665	$5,328,050	$13,291,833
Rural counties	29,733,450	907,829	4,384,381

Roughly stated, it thus appears that if taxation were confined to real estate alone the city counties would pay eleven times as much as the rural counties, whereas if taxation were levied on money alone they would pay less than six times as much, and if levied on credits alone a little more than three times as much, while if taxation were levied on both money and credits they would pay about four times as much. Consequently, the burden of taxation in rural counties, as compared with the large cities, is nearly three times as heavy on money and credits as it is on real estate. The only result, therefore, of taxing money, credits, and similar investments is to relieve the burden of the cities and increase the burden of the farms.

Let us test this particular illustration by comparing the county of Hamilton, in which town lots are worth seven times as much as farm lands, with Geauga, in which farm lands are worth twenty-seven times as much as town lots:

1887.	Real estate.	Money.	Credits.
Hamilton	$162,732,580	$1,833,279	$735,945
Geauga	5,555,800	282,118	534,477

Roughly stated, Hamilton County is assessed for nearly thirty times as much real estate, less than seven times as much money, and less than eleven times as much credits as Geauga County. If taxation were levied exclusively upon money on hand, Geauga County would pay between four and five times as much as it would if the taxes were levied exclusively on real estate. If taxes were levied solely upon credits, Geauga would pay nearly three times as much as it would if they were levied solely on real estate.

He then proceeds to show from statistics that the adoption of what is known as the spy system in Ohio, that is, a secret-service system for finding and compelling the assessment of personal property, instead of tending to the relief of the farmer, or to the greater equalization of the burdens of personal property taxes, has really made the burden of the farmer proportionately heavier instead of lighter than before, and has been an utter failure in the great cities.

Further discussing the report of the State Tax Commission, which was filed on December 23, 1893, he says:

That their report confirms all that he has said, and "shows, moreover, that the disproportion between burdens imposed by the tax on personal property upon the cities and upon the farming districts, respectively, has increased considerably since 1887." A few comparisons are here given between the assessments in 1887 and 1892 in Hamilton and Geauga counties, respectively:

Money on hand.

County.	1882.	1887.	1892.
Hamilton	$2,321,502	$1,833,279	$1,535,375
Geauga	352,053	282,118	451,567

Here it will be seen that the amount of taxable money reported in Geauga, which is a purely farming district, has largely increased, owing to the spy system established by the State. But the amount of taxable money reported in Hamilton County, which includes the great city of Cincinnati, has again largely decreased, the spy system having entirely failed there.

We will now compare results in—

Credits.

County.	1882.	1887.	1892.
Hamilton	$6,571,029	$5,735,945	$4,289,901
Geauga	560,693	534,477	507,651

Although there has been a shrinkage of about 5 per cent in the taxable credits of Geauga since 1887, that is nothing compared with the 28 per cent reduction in Cincinnati.

The tax commission report gives many other instructive figures; too many to be repeated here. To mention, however, a few examples, it appears that the county of Lucas, which contains "the flourishing city of Toledo," is rapidly increasing in population, and has more than double the stationary population of Muskingum County, nevertheless returned in 1892 very much less than half as much intangible personal property for taxation, little more than one-third as much in credits, and not nearly one-third as much in money. Thus the rural county is taxed thrice as heavily as the city. The county of Cuyahoga, including the great city of Cleveland, the population of which is rapidly increasing, and is already about twenty-five times as large as that of Geauga County, returned for taxation less than four times as much money and much less than seven times as much credits. Thus Geauga was taxed, upon these values, about five times as heavily as Cuyahoga.

The net result of all the comparisons made by the commissioners between city and farming districts is to prove that the tax upon personal property makes farmers pay from $4 to $7 where it makes city residents pay $1.

The preposterous nature of returns of personal property for taxation is further illustrated in the report of the commission by comparison of the amounts of money on hand or on deposit, thus returned, with the amounts actually held on deposit in banks within the cities making these returns. The following examples will show the general drift:

Deposits (partly estimated).

1892.	Deposits in bank.	Deposits taxed.
Cincinnati	$29,000,000	$1,300,000
Cleveland	63,000,000	1,000,000
Toledo	8,120,000	253,000

Here again the farmers come to the front, to bear their share of taxation with a generous hand; for while five counties, containing all the large cities, held on deposit in banks $120,000,000, and returned for taxation only $5,000,000, the remainder of the State, including all the farming districts, having only $70,000,000 in banks, returned for taxation over $32,000,000. That is, having 40 per cent less, they were taxed 450 per cent more! So the tax on "money" bears upon the farmers about ten times as heavily as upon city residents.

SEC. 13. *Conclusions of the commission*—No wonder that the commission, after giving many more illustrations, concluded by saying: "It is useless to pursue this subject further. * * * While in the country counties * * * taxation of intangible property is perhaps feasible, it is in city counties an utter failure. * * * It is confidently believed that no appreciable part of the intangible property existing in the city counties is reached by our method of taxation. It is the country counties which pay the taxes upon personal property."

The commissioners further say: "It is to be remembered that we have in this State an extremely rigid system." They show that personal property is pursued with more severity and ingenuity in Ohio than in any other State; and notwithstanding all this, they declare that the system is "an utter failure," and that even with the respect to the spy law of Ohio, "this scheme, like all other attempts to reach intangible property, follows the universal law * * * that the large cities escape, and the country counties feel its burden." Again, they say: "The system, as it is actually administered, results in debauching the moral sense. It is a school of perjury. It sends large amounts of property into hiding. It drives capital in large quantities from the State. * * * The moral sense of the community is blunted; its citizens are made familiar with all manner of evasion; they are taught to lie."

SEC. 14. *Experience of Missouri.*—Lest it should be imagined that the experience of Ohio is peculiar, let us inquire into the experience of Missouri, which is even more decidedly than Ohio an agricultural State. In Missouri there are only four cities of over 15,000 population, and only three of over 25,000. Only four counties show a decided preponderance of town-lot values over farm values, and only two more even the smallest difference that way, and those for one year only.

The four counties in which all cities worthy of the name are situated are Buchanan, Greene, Jackson, and St. Louis City. These we will call the city counties and the others the rural counties.

The following are the official and latest figures published:

Missouri valuations, 1893 (in thousands of dollars).

	Farm lands.	Town lots.	Total real estate.	Personal property.
4 city counties	29,572	320,177	349,749	70,161
101 rural counties	277,348	67,524	344,872	159,514
Total	306,920	387,701	694,621	229,675

Here it can be seen at a glance that the four cities, with their adjoining counties, in which farms form much less than one-tenth of the whole value of real estate, pay taxes on more than one-half of all the real estate in Missouri, but on much less than one-third of its personal property. Personal property in the cities amounts to less than 20 per cent of their real estate, while in the rural counties it amounts to 46 per cent of real estate. The farmers of Missouri pay 1¼ per cent less taxes on their land than the cities pay, but 127 per cent more on personal property. Even in the eight poorest counties in Missouri, where farm lands are worth from twenty to one hundred times as much as town lots, personal property is assessed at 40 per cent of real estate; so that the poorest farmers of the State pay 100 per cent more taxes on personal property than do the richest cities, in proportion to their real estate.

Let us compare St. Louis city with the rest of the State:

Missouri assessments, 1893.

	Real estate.	Personalty.	Money, notes, etc.
St. Louis	$259,781,100	$44,341,110	$8,449,790
Rest of State	434,839,557	185,334,285	67,663,576
Total	694,620,657	229,657,395	76,113,366

These figures show that, while St. Louis pays about 40 per cent of the taxes on real estate, it pays less than 20 per cent of the taxes on all personal property, and just 11 per cent of the taxes on money and credits. The rest of the State pays 70 per cent more on land than St. Louis does, but 318 per cent more on personal property in general, and exactly 700 per cent more on money and credits.

Summing up the result of his investigation in these two typical farming States, he says:

Figures like these might be collected, not only from Ohio and Missouri, but from every State and country under the sun, where statistics are kept and personal property is taxed. * * * Farmers can not conceal their sheep and oxen, their plows and implements; and they have enormous difficulty in concealing their wealth in any form, because their affairs are so well known to all their neighbors. If they have any money in bank, all the village knows it. If they have loaned money or sold goods on credit, their debtor is pretty sure to be someone in the immediate neighborhood; and all the circumstances are known to 50 people. The average farmer, when making his returns to the assessor, is afraid to understate his wealth very greatly; because he could hardly look the assessor in the face after doing so, being conscious that if the assessor does not already know the truth he can with very little difficulty find it out for himself. But in large towns and cities scarcely any man knows intimately the affairs of his neighbor; and the assessor knows least of all.

People are reputed to be worth $1,000,000 who in reality are not worth $50,000, and others are reputed to be worth only $100,000 who in reality are worth $2,000,000. Even if the amount of any man's wealth is approximately known, none of his neighbors know how that wealth is invested unless it is put in real estate. City assessors, therefore, have absolutely no means of ascertaining the value of any man's personal property except by returns from that man himself or from the corporations with whom he may happen to invest. If an Ohio man makes his principal investments in corporations outside of the State the assessor is entirely at the mercy of the taxpayer. He can tell any number of lies with impunity. The assessor rarely or never examines his books of account; and if assessors once began to make such an examination many rich men would cease to keep books of account at all, as it is notorious that they did when the income tax was in existence between 1864 and 1872. All things combine to make it easy for the assessor to reach the farmer's personal property and difficult for him to reach that of the merchant, banker, or city capitalist.

Mr. Shearman's chapter on "Taxation of improvements" is not less interesting than his chapter on "Taxation of personal property," and shows that under the present system of taxation taxes on improvements as well as those upon personalty fall heaviest upon the rural districts in proportion to land values. That chapter is numbered VIII, commencing on page 106 and ending on page 114. But time will not permit me to read it or even to refer to it further.

Taxes for the support of the Federal Government now levied upon imported goods and upon certain domestic products manifestly fall most heavily upon the farmer, because he has no relief whatever from the burdens which they impose.

The tariff enables the domestic producer of the kind of commod-

ities on which it is levied to charge and obtain a higher price for his product in this community than he could if the tariff were not levied. But it is not so with the farmer. While he is obliged to pay a higher price for almost every commodity that he purchases, either by way of tariff burden, if he use the foreign commodity, or an increased price made possible by the tariff, if he purchase a domestic article of the same kind, he has not and has never had the slightest advantage in the sale of the commodities which he produces. His grain of all kinds must be sold at prices fixed in the freest markets of the world. This has always been true, and it must ever be true of the farmers of this country, because conditions of soil and climate and area make it certain that this country will always produce a surplus of grains which must be marketed abroad. That surplus must be sold in the world's market at the prices prevailing there, and the home price is fixed by the laws of trade at exactly the price which the surplus brings in the free market of the world less the cost of shipping the grain to that free market.

So that while other producers in this country may have some compensation for the burdens imposed upon them by Federal taxation, the farmer has no such compensation, and as the tariff must, in order to raise sufficient revenue, be levied upon articles of general consumption, the tax falls finally upon the people of this country according to their consumption and not according to their wealth. It therefore falls upon farmers with unequal severity, because, as compared with the city classes, the wealth of the farmer is small.

A single tax upon land values would bear upon city and country districts in proportion to their respective land values. The value of land, speaking economically, is the annual margin which it will yield over the cost of production at any given time.

A large part of what we now call land value is speculative—that is to say, it does not rest upon the present value of the land for use, but partly upon that real or economic value and partly upon the expectation that population will grow, or enterprise and industry increase, and thus give a return to the land owner in the increase of the market price of his land. That is to say, the speculative element would disappear under the single-tax system and the value of land would depend entirely upon the margin which it will at any given time yield over the cost of production, which of course includes the wages of superintendence. Nothing but that margin would be taxed under the single-tax system. Unless the land would yield some margin over and above the cost of cultivating it or otherwise using it, including the wages of superintending the cultivation or use, it would pay no tax whatever under the single-tax system.

Now, this economic value of land is highest at the industrial and commercial centers and shades away to nothing, or comparatively nothing, in the farming districts. We frequently hear farmers say that they are opposed to the single-tax system because they are already taxed too heavily; and sometimes we hear farmers say that they are not able to make a living upon their land and pay the present taxes which are imposed upon them.

If a man is not able to make a living upon land which is sufficient in quantity according to its location to keep its occupier employed throughout the year, or during the seasons of cultivation and harvesting, then, of course, that land has no economic rental value. It has no margin of production to be taxed under the single-tax system, and instead of having his taxes even upon his land value increased he would be relieved of the present tax on his land value, as well as of the tax upon his improvements and personal property.

Let it be borne in mind that no land will be taxed under the single-tax system which will not command a ground rent, irrespective and exclusive of its improvements, if the owner shall choose to discontinue his use of the land and lease it to another. There are thousands of farmers now in isolated districts paying taxes not only upon personal property and improvements, and indirect taxes for the support of the Federal Government, but taxes also upon the speculative value of their farms, who would be relieved of taxes altogether under the single-tax system, because their lands have no present economic value and are not at present capable of yielding any margin of production or ground rent.

Of the incidental advantages of the single tax to the farmer I have not time to speak. I had occasion about three years ago to present my views upon that phase of the question in the Pacific Rural Press. I regard these incidental advantages as vastly more important than the relief of the farmer from tax burdens. They will include to him better roads, better schools, greater social advantages, and better public conveniences of all kinds, with far less outlay and trouble than at present. They will, in short, be the substitution of a natural growth of settlement and industry from the centers to the outer circles of the rural districts, bringing the relations of all who are engaged in industrial and commercial pursuits into a harmony and unity of interest such as has never been known since the monopoly of land was first established as an "industry" in England three hundred and fifty years ago.

It was recently read by Mr. Leggett before the Single Tax Society of that city and also before the Institute of Applied Christianity in the city of Oakland, Cal.:

ORIGIN AND RESULTS OF LANDLORDISM IN ENGLAND.

ADDRESS OF HON. JOSEPH LEGGETT, OF SAN FRANCISCO, CAL.

If we could first know where we are and whither we are tending, we could better judge what to do and how to do it.—*Abraham Lincoln.*

The late Prof. James Edwin Thorold Rogers deserves to be held in grateful veneration by everyone who feels an earnest interest in the well-being of mankind. As an original investigator of the past industrial condition of the English people, Professor Rogers is without a peer. The value of his investigations in that field is incalculable. The importance of his work has never received the recognition it deserves, although the facts brought to light by his labors have a momentous interest for all civilized peoples, and particularly for the people of the United States at this juncture of their history.

Mr. Rogers, after a brilliant career as a student at Oxford, entered the of the established church, but soon abandoned that calling and devoted himself to other pursuits. In 1862, having then acquired a high reputation for classical scholarship and varied knowledge, he was chosen professor of political economy at the University of Oxford. From that time until the close of his life, in 1890, he confined his studies to economics. Immediately upon his appointment as professor he began the investigations which have since made him famous. As he proceeded in his work he published its results in successive volumes of his History of Prices. In 1868 the Tories, guided by their natural instincts, deprived him of his professorship and elected Bonamy Price in his stead. He entered Parliament in 1880, was reelected in 1885, but was defeated in 1886, going down with Gladstone on the home-rule issue. In 1888, upon the death of Bonamy Price, he was reelected to the professorship at Oxford, which he thereafter held up to the time of his death. Goschen, the Tory chancellor of the exchequer, who voted for his reappointment, declared that Rogers was the only man in England who ought to fill the post. That Professor Rogers felt keenly the punishment inflicted upon him by the Tories in 1868 is evident from the following statement, made by him in a lecture to the students at Oxford after his restoration in 1888: "Since I have been restored to an office of which I was unjustly deprived because I traced certain social mischiefs to their origin twenty years ago."

A writer in the Westminster Review (volume 134, page 604), referring to his original appointment in 1862, says: "Never was an appointment more thoroughly justified." The same writer further says of him: "Although his labors had not received the recognition to which they were entitled, his patience and his devotion to his economic work never ceased. * * * We never yet had, before Thorold Rogers's time, anything like a satisfactory account of the condition of the English people. * * * None of them (the historical school of economists) did original work of such magnitude as this. * * * He loved to linger over the details of social and industrial life in former centuries. * * * He had an intense dislike of theory not guaranteed by fact. * * * He was one of the best of men in private life."

From the foregoing quotations the reader may gain some idea of the character of the man and of the nature of his work. In 1884 he published his work entitled Six Centuries of Work and Wages, and in 1888 his work entitled The Economic Interpretation of History. These two books contain in condensed and popular form the results of the investigations to which he devoted the greater part of his life work, and it is to the facts recorded in them that I propose, for the most part, to confine the present discussion.

The conditions and the modes of life of the people of England at different periods of their history and progress can be ascertained with an accuracy and completeness unattainable in the case of any other people. The reason for this fact is thus stated by Professor Rogers: "No other country possesses such a wealth of public records. * * * The information from which the economical history of England and the facts of its material progress can be derived become plentiful, and remain continuously numerous, from about the last ten or twelve years of the reign of Henry III." (Work and Wages, page 18.) The facts contained in the works of Professor Rogers are derived from records made at the time, and are, therefore, absolutely reliable. And it was the facts brought to light by him, and not his deductions from them, "that had affrighted the representatives of wealth" and the privileged classes of England in 1868.

Of all the facts ascertained by Professor Rogers through his indefatigable investigations, the one that most surprised the world and most troubled the privileged class of England was the fact that during the three centuries preceding the middle of the sixteenth century the condition of the masses of the English people—that is, of the laboring and producing classes—was more comfortable and prosperous than it has ever been at any time since. We moderns are inclined to regard skeptically the accounts of ancient golden ages, but he has clearly shown that prior to the reign of Henry VIII there was a veritable golden age for English labor. He says:

"I believe, indeed, that under ordinary circumstances the means of life were more abundant during the Middle Ages than they are under our modern experience. There was, I am convinced, no extreme poverty." (Economic Interpretation of History, page 16.) "The fifteenth century and the first quarter of the sixteenth were the golden age of the English laborers." (W. and W., page 326.) "Men got just as good wages in the fifteenth century whether they were employed for a day or a year; nor, as I have already observed, were the hours long. It is plain that the day was one of eight hours." (Id., page 327.) "As the century goes on the wages of labor tend decidedly upward." (Id., page 327.) "The English laborer for a century or more became virtually free and constantly prosperous." (Id., page 271.)

Speaking of the plenty that marked the first half of the eighteenth century, he says: "But this plenty was as nothing to the golden times of the fifteenth, when the earth brought forth by handfuls, and the yeomanry were planted in England." (Id., page 271.)

Again, he says: "I can assure my hearers that a mason in Oxford four hundred and forty years ago was paid relatively better wages than he is paid in London for fifty-six hours work at present. The fifteenth-century workman worked for only an eight-hour day." (Economic Interpretation of History, page 303.)

And, speaking of the fourteenth century, he says: "The greater part of the handsome churches and conventual buildings of that age were the work of the artisans themselves, who 'could draw their own plot.' It needed no common or brief training to enable the mason to himself design these structures from the foundation to the roof, and then resign his work to an equally skillful carpenter." (Id., page 304.)

And again referring to the centuries which I have mentioned, he says: "During all this time the mass of English laborers, by no means claiming more than the reasonable reward for their services, were thriving under their guilds and trades unions, the peasants gradually acquiring land and becoming the numerous small freeholders of the first half of the seventeenth century, the artisans, the master hands in their craft, contractors in the same period for considerable works, planning the solid and handsome structures in what is known as the perpendicular style, and withal working with their own hands on the buildings which their shrewdness and experience had planned." (Id., page 34.)

These conditions were maintained in spite of the efforts of the privileged classes, who were the only lawmakers of the time, to depress the condition of labor by acts of Parliament. He says: "Now, I have told you how, for two hundred years and more, the representatives of rent tried to depress wages by force of law, in the interests of rent, and failed. So complete was the failure that in 1495 the legislature enacted that scale of wages for which the workmen had contended, and so left them in possession of the situation." (Id., p. 239.) "The laborers had won the day." (Id., page 33.)

During the last half of the reign of Henry VIII an ominous change in the condition of the English masses began. Vagrants and beggars swarmed throughout the land, and the most harsh and cruel statutes were enacted for their punishment and suppression. In the twenty-second of Henry VIII an act was passed providing that any person, being whole and mighty in body and able to labor, found begging or being vagrant, might be arrested by a constable, and a justice might, in his discretion, cause every such idle person to be taken to the nearest town and there tied to the end of a cart, naked, and to be beaten with whips throughout the town "till his body be bloody by reason of such whipping." And this whipping was to be repeated as often as he made default.

In the twenty-seventh of Henry VIII an act was passed providing that if the vagrant persisted in his course after being whipped, he should have the upper part of the gristle of his right ear clean cut off, and if he still persisted he was to be tried and executed as a felon. And a writer narrates "how Henrie the Eight, executing his laws verie severlie against such idle persons * * * did hang up three-score and twelve thousand of them in his time." Similar statutes were enacted and barbarously enforced during the reigns of Edward VI and Elizabeth. In the first Edward VI an act was passed providing that a vagrant "might on conviction be marked with the letter V, and adjudged to be the slave for two years of the person buying him, giving him only bread and water or small drink, and such refuse of meat as the master should think fit."

If he ran away, the justices "on conviction were to have him marked on the forehead or ball of the cheek with a hot iron with the letter S, and adjudge him to be the master's slave for life." If he ran away again he was to be executed as a felon. The vagrant's children between 5 and 14 years of age might be adjudged the servants or apprentices of any person willing to take them until the age of 24 if males, and 20 if females. If they ran away they were to be enslaved for life. The masters of these slaves might put a ring of iron about the neck, arm, or leg of the slave, and any person helping the bondman to take it off was subject to a penalty. The slave who resisted correction was to be executed as a felon. And these slaves might be sold or devised like other property. (Encyclopedia Britannica, Volume XIV, page 168.) An act passed in the fourteenth Elizabeth recites that "all the parts of this realm of England and Wales be presently with rogues, vagabonds, and sturdy beggars exceedingly pestered, by means whereof daily happeneth in the same realm horrible murders, thefts, and other great outrages, to the high displeasure of Almighty God, and to the great annoy of the common weal."

Another portentous sign and proof of the change that had taken place in the condition of the English people was the alarming growth of extreme poverty and destitution. The existence of this evil is also evidenced by the legislation of the time. By the act twenty-seventh Henry VIII it was provided that "every preacher, parson, vicar, and curate, as well in their sermons, collections, bidding of the beads, as in time of confessions, and at the making of the wills and testaments of any persons, at all times of the year shall exhort, move, stir, and provoke people to be liberal." And by the act of first Edward VI it was provided, for the furtherance of the relief of such as were in unfeigned misery, that the curate of every parish should, on every Sunday and holiday, after reading the gospel of the day, make (according to such talent as God hath given him) a godly and brief exhortation to his parishioners, moving and exciting them to remember the poor people and the duty of Christian charity in relieving of them which be their brethren in Christ, born in the same parish and needing their help. (Encyclopedia Britannica, Volume XIX, page 463.)

"Legislation for the relief of the poor, at first by voluntary contributions, began with the year 1541. Between this date and 1601, inclusive, * * * there were twelve acts of Parliament passed with the distinct object of providing relief against destitution." (E. I. of H., page 241.) "It was at first believed that private benevolence would fill up the void in wages. * * * But private benevolence can never grapple with a national calamity. * * * It is possible that Henry and his son's guardians fancied that private charity would fill the void. * * * It is certain that the anticipation was disappointed." (Id., page 242.)

The earlier of these acts claimed only voluntary gifts, and ecclesiastical discipline was relied on to enforce the claim. "Very soon the appeal for voluntary aid was followed by exhortations to the richer folk to give of their abundance. Soon the caitiff who would not give was to be delated to the bishop, who was to exhort him. * * * Very soon compulsion followed. The rich but covetous man who remained obdurate was to be sent to gaol, and an assessment levied on his goods. Finally a general assessment was ordered." (Id., page 242.)

Thus came in the English poor rate, or tax levied for the support of paupers. This system for the legal relief of the poor was inaugurated by the act of 1601, which was substantially the law down to the year 1835. And so rapid was the growth of pauperism that "in the latter part of Charles II's reign it was returned at £665,365, according to Davenant, or more than a third of the whole revenue in the time of peace." (Id., page 486.)

In 1785 the poor rate was £2,004,238. In 1802 it was £4,267,965; in 1813 it amounted to £8,640,842. (Work and Wages, page 410.) The total amount raised by the poor rate between 1601 and 1890 is estimated at £734,000,000 ($3,670,000,000).

The deplorable change in the social condition of the English people, which I have thus briefly sketched, appalled thoughtful men of the time in which it began, and has perplexed and puzzled the thinking men of every succeeding generation from that day to this. I have found no writer who, in my judgment, has assigned any adequate or sufficient cause for the origin and growth of English pauperism and the degradation of English labor.

But a careful study of changes that have taken place in the social condition of the people of our own country within the memory of the present generation will, I think, afford a key to the solution of the question that has so long perplexed and puzzled. American labor has had its golden age, too. Men still living remember well the time when the "tramp" had no existence in this country and "industrial armies" were never dreamed of; when the possibility of millions of men being permanently unemployed in this country seemed inconceivable; when the means of life were more abundant than they had ever before been in any other age or country, and when the standard of living was higher than was ever enjoyed by the workers of the world at any other time or place. Within the present generation we have had the tramps and vagrants and industrial armies, and the innumerable hosts of the unemployed swarm upon us as they swarmed upon the people of England in the reigns of Henry VIII and his immediate successors.

On the statute books of every State in the Union are now to be found laws passed for the punishment and suppression of vagrants, tramps, and beggars, as harsh and cruel for our time as were those of Henry VIII, Edward VI, and Elizabeth for their times. The appeals for charity made by our churches are as general and as strenuous as were those made then by the state church by direction of Parliament. And frantic appeals are being made to us through the schools and through the various agencies of charity, organized and unorganized. Nor is this all. The State is called upon, out of moneys raised by general taxation, to make provision for the support of the poor. American legislators display a natural aversion to the pauperization of their fellow-citizens, and this aversion is creditable to them. But they will not be able much longer to postpone the evil day, and an American poor rate is as inevitable as was the English poor rate.

We shall find out, as Henry VIII and his son's guardians did, that, as Professor Rogers, says: "Private benevolence can never grapple with a national calamity." In fact, we have already found it out. Police stations are, in the theory of our laws, places of temporary detention for persons accused or suspected of crime. We know that all over the United States they are being largely used as poor houses and our hospitals and asylums are to an increasing extent used in the same way. The same cause that made English pauperism inevitable after Henry VIII's time is operative in this country now, and must produce a like effect.

This change in the condition of the English masses was brought about by the introduction of the system of absolute private ownership of land, with its attendant rack-renting. And this was, I am convinced, effected principally through the sale by Henry VIII of the lands of the church, which his Parliament confiscated upon the dissolution of the monasteries. Professor Rogers says these lands "are over and over again said to have been one-third of the whole area of the kingdom." (W. and W., page 297.)

What did Henry do with those lands? It is, I think, very generally supposed that he gave them away to his courtiers. A careful analysis of Henry's character ought to convince anyone that such an assumption is inherently improbable. He was not the kind of a man to give away anything that he could sell, and by the sale of which he could obtain means to gratify his insatiable appetite for display and wanton extravagance. He inherited from his penurious and miserly father, Henry VII, an immense accumulation of wealth, which the latter had acquired by the meanest and cruelest methods.

The son soon scattered what the father had gathered. Professor Rogers says: "He was extravagant to such a degree that he succeeded in ruining the unfortunate people over whom he reigned. * * * The wastefulness of Henry was incredible. The establishments of each of his infant daughters were more costly than the annual expense of his thrifty father. He had fifty palaces, whims of the hour, in which profusion was constantly going on. He was incessantly building, altering, pulling down, by day and night, on Sundays and festivals from year to year." (W. and W., page 321.)

But there is a positive proof that Henry never intended to give away what he took from the church. After squandering what his father left him he appealed to his Parliament to replenish his exhausted exchequer by the levy of taxes upon his people. And these demands grew year by year, until the burden became intolerable. Finally he cast his longing eyes upon the lands and accumulated wealth of the monasteries, and, upon his demand, his obsequious Parliament confiscated these lands and this wealth to the Crown. Professor Rogers says: "It was said that Henry entered into the possession of one-third the area of England. It is certain that he promised, if this grant were made him, that he would ask his people for no further taxes. It is equally certain that he broke his word. It is quite as certain that the whole of what he appropriated disappeared in a marvelously short time, and that before he died he was reduced to the greatest straits and resorted to the most disgraceful frauds in order to extricate himself." (E. I. of H., page 420.) "Henry had spent his own substance and that of his people. The treasures of the religious houses had been squandered in an incredibly short time; hurled away in the wanton waste of his boundless extravagance." (W. and W., page 341.)

If he had intended to give away these lands, how could he promise to ask for no more taxes? If he intended to sell them he might well believe that their sale would supply a fund sufficiently large to meet even his extravagant demands and render further taxes unnecessary.

We have some direct historical testimony to the fact of the sale of the confiscated lands. In Knight's History of England, volume 2, page 465, it is said: "There were abbey lands to be sold or let." Professor Rogers, speaking of Tandridge, a village in Surrey, famed for the completeness of its ancient records, says: "It possessed a hospital, to which charity a good deal of the parish was annexed. This foundation fell at the dissolution into the hands of Mr. Froude's patriot king, as indeed nearly everything else fell, and was, it seems, parcelled out among numerous proprietors, probably to a great extent purchasers of the hospital lands." (E. I. of H., pages 484, 485.)

In 1886 Hubert Hall, of Her Majesty's public record office, published a book entitled Society in the Elizabethan Age, on pages 26 and 27 of which the author, speaking of the sixteenth century "after the final accomplishment of the so-called reformation of the temporal position of the church," says: "Land was no longer regarded as a military or labor fee, but as a serious industry and profitable investment. For half a century a violent land fever raged in town and country. The Crown was a ready seller, and found still more eager buyers. These new men—officials, merchants, lawyers, usurers—jostled the ancient owners, impoverished by mismanagement and extravagance, and each other. Both alike joined in an attempt to wrest from the subtenant his vested interest or fixity of tenure in the land."

And Green, in his History of the English People, Volume II, page 19, says, speaking of this period: "The new wealth of the merchant classes helped on the change. They began to invest largely in land."

The merchants had the money that Henry so much needed to gratify his desire for profusion and extravagance, and he had the lands in which they desired to invest with a view of founding families and of securing admission into the ranks of the privileged classes. Hubert Hall says the mercantile interest was "athirst for those political and social distinctions which a connection with the land alone afforded." (Society in the Elizabethan Age, page 33.) And he says the trader "was ever on the lookout for a profitable investment in land." (Id., page 41.) This is a process that has gone on in England from that day to this. And this was the Genesis of English landlordism. Modern landlordism, as the word is now understood, was a thing unknown in England before the time of Henry VIII. It came into existence as a logical result of the sale of the church lands by that monarch. Professor Rogers says: "From the earliest period of recorded agriculture, by which I mean of such accounts as give us an insight into the occupation of land, till some time after the middle of the sixteenth century—i. e., for fully three centuries—the rent of agricultural lands remains unaltered at from 6 pence to 8 pence per acre. (E. I. of H., page 167.)

The mere statement of this fact is sufficient to convince anyone that there was no landlord of agricultural land, in any modern sense, during those three centuries. A rent of 6 pence to 8 pence per acre was not rent in any sense of the term with which we are familiar.

And Professor Rogers says: "No one who knows anything about economical history can doubt that rent was originally, and for centuries, a tax imposed by the strong on the weak in consideration of a real or pretended pro-

tection of the tenant. The invariable and fixed character of the tax seems to me to prove this; and the fact that no attempt was made to alter the fixed rent, save by open or disguised violence or fraud, is to me conclusive." (E. I. of H., page 172.)

And again he says: "And it is a proof of Adam Smith's sagacity that, without the materials before him from which the facts could be demonstrated, he saw that rent was originally a tax, and that a long interval must have occurred before farmers' rents became real and oppressive." (W. and W., page 58.) And on pages 235-236 of The Economic Interpretation of History, he says: "Undoubtedly, in the earlier stages of this and other societies, rent was a tax, levied by downright force, either with or without the pretense of an equivalent, or as the representative of reciprocal advantage, as defense and payment of administration, or as mere blackmail, the rent receiver, in consideration, refraining from plunder."

Of the thirteenth century he says: "In the thirteenth century there was no rent paid, in the ordinary sense of the word." (W. and W., page 56.) In a lecture delivered in 1888 at Oxford, and printed after his death, he says of the fourteenth century: "Good arable land was let in the fourteenth century at 6d. an acre. I have never found a higher price." (Industrial and Commercial History of England, page 209.) In Work and Wages, page 293, he says: "It is certain that during the fifteenth century the landowner was unable to screw them (his tenants), and that the rack-rent is a product of the early part of the sixteenth century." And at page 296 of the same work he says: "It was not till the sixteenth century that rack-renting began."

Now, as the rack-rent is a "rent nearly equal to the annual value of the property rented," it is clear that its first appearance marks the advent of the modern landlord. When the merchants of Henry VIII's time "began to invest largely in land," they carried into their speculations in land the same business methods that they had acted upon in their commercial dealings. They figured out the cost of an acre of land and fixed its rent at interest on that amount, and as competition raised the price they raised the rent to correspond. It is safe to assume that, when the first purchaser of abbey lands thus set the pace of rack-renting, all the other landowners in England were not slow to follow his example. But we are not left to mere assumption on this point. We have indubitable historical proof. In Volu e II, page 465, of Knight's History of England it is said, speaking of this period: "Rents were everywhere rising." And in Cunningham and McArthur's Outlines of English Industrial History, at page 181, it is said: "Rent comes to have the clear and obvious character of a payment for the use of the soil." Professor Rogers says: "From the middle of the sixteenth to the middle of the seventeenth rack-renting of a very harsh kind occurred and with very disastrous effects." (Ind. and Com. Hist. of Eng., page 208.) And in the Economic Interpretation of History, page 174, he says: "The rents of the seventeenth century, small as they seem to us, began with competition rents, which rapidly slid into famine rents, by which I mean rents which leave the occupyers with a bare maintenance, without the power of either improving or saving." "The earliest writer on husbandry in the seventeenth century admits the fact of competition rents, defends the lord's action in taking what is offered him, and treats the farmer's remonstrances with ill-disguised contempt." (Id.) And this raising of rent went on until by the year 1879 the rent of agricultural land, which had for three centuries prior to the middle of the sixteenth century remained fixed at an average of from 6d. to 8d. an acre, had risen to an average of more than 45s. (Id., pages 179 and 293.)

But the most striking and important historical evidence on this point is to be derived from the sermons of dauntless old Hugh Latimer, who was burned at the stake at Oxford in 1555. Of these sermons a writer in the Encyclopedia Britannica says: "It is possible to learn from them more regarding the social and political condition of the period than perhaps from any other source." On the 7th of March, 1548, the year after the death of Henry VIII, Latimer preached in the King's private garden at Westminster, before the young king and his courtiers, the first of a series of seven sermons in which he says: "You landlords, you rent-raisers, I may say you steplords, you unnatural lords, you have for your possessions yearly too much. For that herebefore went for twenty or forty pound by year (which is an honest portion to be had gratis in one lordship, of another man's sweat and labor) now is let for fifty or a hundred pound by year. Of this too much cometh (that) this monstrous and portentous dearth is made by man, notwithstanding God doth send us plentifully the fruits of the earth, mercifully and contrary to our deserts.

"Notwithstanding too much which these rich men have causeth such dearth that poor men (which live of their labor) can not with the sweat of their face have a living, all kind of victuals is so dear, pigs, geese, capons, chickens, eggs, etc., * * * I will tell you, my lords and masters, this is not for the King's honor. * * * Also it is the King's honor that the commonwealth be advanced, that the dearth of these aforesaid things be provided for, and the commodities of this realm so employed as it may be to the setting his subjects on work and keeping them from idleness. * * * Furthermore, if the King's honor (as some men say) standeth in the great multitude of people, then these graziers, inclosers, and rent rearers are hinderers of the King's honor, for where as have been a great many householders and inhabitants there is now but a shepherd and his dog. So they hinder the King's honor most of all. * * * I know where is a great market town, with divers hamlets and inhabitants, * * * and the vicar that serveth (being so great a cure) hath but 12 or 14 marks by year, so that of this pension he is not able to buy him books nor give his neighbor drink.

"All the great gain goeth another way. My father was a yeoman, and had no lands of his own, only he had a farm of three or four pound by year at the uttermost, and hereupon he tilled so much as kept half a dozen men. He had walk for a hundred sheep, and my mother milked 30 kine. He was able and did find the King a harness, with himself and his horse, while he came to the place that he should receive the King's wages. I can remember that I buckled his harness when he went unto Blackheath Field. He kept me to school, or else I had not been able to have preached before the King's majesty now. He married my sisters with 5 pound or 20 nobles apiece, so that he brought them up in godliness and fear of God. He kept hospitality for his poor neighbors, and some alms he gave to the poor. And all this he did of the said farm. Where he that now hath it, payeth 16 pound by year and more, and is not able to do anything for his prince, for himself nor for his children, or give a cup of drink to the poor. Thus all the enhancing and rearing goeth to your private commodity and wealth. So that where you had a single too much, you have that, and since the same, ye have enhanced the rent, and so have increased another too much. So now ye have double too much which is too too much. But let the preacher preach till his tongue be worn to the stumps, nothing is amended. We have good statutes made for the commonwealth as touching commoners, enclosers, many meeting and sessions, but in the end of the matter there cometh nothing forth.

"Well, well, this is one thing I will say unto you, from whence it cometh I know, even from the devil. I know his intent in it. For if ye bring it to pass that the yeomanry be not able to put their sons to school (as indeed universities do wonderfully decay already) and that they be not able to marry their daughters to the avoiding of whoredom, I say ye pluck salvation from the people and utterly destroy the realm. For by yoemen's sons the faith of Christ is and hath been maintained chiefly. * * * But verily they that should look to the redress of these things be the greatest against them. In this realm are a great many of folks, and amongst many I know but one of tender zeal, at the motion of his poor tenants hath let down his lands to the old rents for their relief. For God's love let him not be a Phœnix: let him not be alone; let him not be a hermit closed in a wall: some good man follow him and do as he giveth example. Surveyors there be, * * * but the commons be utterly undone by them. Whose bitter cry ascending up to the ears of the God of Sabbaoth, the greedy pit of hell burning fire (without great repentance) do tarry and look for them. A redress God grant. For surely, surely, but that two things do comfort me, I would despair of the redress in these matters. One is that the King's majesty when he cometh to age, will see a redress of these things so out of frame. Giving example by letting down his own lands first, and then enjoin his subjects to follow him. The second hope I have is, I believe, that the general accounting day is at hand, the dreadful day of judgment I mean, which shall make an end of all these calamities and miseries."

There was in England, during the period in which the awful transformation I have heretofore sketched took place, at least one clear, strong, logical, and observant mind that fully grasped its meaning and clearly perceived its efficient cause. No question of money, of transportation, or of machinery could obscure or hide from Latimer's clear and earnest mind the real cause of the calamities and miseries that had fallen upon his country. He knew, and knowing, dared declare, that they were the work of the landlord, the rent raiser and the incloser, who had shut men out from the land which the Creator had freely given to all his creatures, and robbed them of the product of their sweat and labor. To the thoughtful American mind of to-day it ought to be equally apparent that the calamities and miseries that have come upon this once prosperous and happy people, having for their heritage the most goodly land the sun ever shone upon, are due to the same cause that has blighted and pauperized the once prosperous and happy land across the sea. For nearly a century, from the first organization of this Government, the American people enjoyed a prosperity such as no other people had ever enjoyed before, because they had an abundance of good land open to American labor on even easier and better terms than the English people had for the three centuries preceding the middle of the sixteenth century. English land was open to English labor during these three centuries at 6d. an acre rent. During the first century of the existence of this Government, American land of the best quality was open to American labor at an annual rent of a little over 6 cents an acre (the Government price of $1.25 an acre, divided by 20). So long as that condition of things lasted American labor was prosperous But as soon as the supply of Government land became exhausted, the same phenomena that followed the sale of the church lands in England began to appear in this country. The scrambles for Government land at Oklahoma, at the Sisseton Reservation, at the Cherokee Strip, and at the Kickapoo Reservation have merely served to make patent to the general public a fact that has been fully known to thoughtful observers of passing events—that is, that the supply of Government land fit for occupation and use had given out. No one who will give the matter consideration can fail to observe how close is the parallel between the social and industrial conditions that developed in England about the middle of the reign of Henry VIII, and the social and industrial conditions that have developed in this country during the last twelve or fifteen years, since the supply of public land has become practically exhausted.

A few years after Henry VIII began to sell the confiscated lands of the church, England swarmed with vagrants and sturdy beggars, and Green tells us that "England for the first time saw a distinct criminal class in the organized gangs of robbers which began to infest the roads and were always ready to gather round the standard of revolt. The gallows did their work in vain. * * * The social disorder, in fact, baffled the sagacity of English statesmen." (History of the English People, Volume II, page 20.) A few years before the mad rush for land in Oklahoma sounded the alarm that our public lands were practically exhausted, the tramp made his first appearance and the unemployed became a permanent class with us. Like causes must produce like effects. And men denied access to the land from which and on which alone they can live, whether in the sixteenth or in the nineteenth century, whether in England or in the United States of America, could have or can have but one alternative, to die or to take to the roads as tramps and vagrants or as highwaymen. The English Parliaments of the sixteenth century attempted to suppress and exterminate the landless tramps and vagrants of that time by harsh and cruel laws, which were executed with barbarous severity. American legislators, in the last quarter of the nineteenth century, have attempted to attain the same end by the same means. The experience of the race during the intervening centuries has taught us no better method of dealing with our landless tramps, our submerged and disinherited ones. The prevalent altruism of our times will not permit our legislators to ordain that the unfortunate tramp shall have his ears cut off or that he shall be executed as a felon, and in most of our States it will not permit him to be whipped. The Commonwealth of Kentucky did, however, by an act approved May 6, 1890, provide that any male person over 16 years of age should, upon conviction of vagrancy, be "punished by a whipping of not less than five nor more than fifty lashes with a leathern whip, well laid on his bare back." (Session laws of 1889-90, chapter 1303, page 259.) The spirit of our legislation on this subject is essentially the same as that of the legislation of Henry VIII's time. And, indeed, it may well be doubted if our method of dealing with the victims of landlordism is any improvement on that of the Tudor sovereigns of England 350 years ago. The Tudors mercifully put them out of the way by hanging them. We slowly torture them to death by starvation or drive them to suicide.

In another respect the parallel between England in the sixteenth century and our country at the present time is striking. In the first year of the reign of Edward VI, who succeeded Henry VIII, a law was passed authorizing the sale into slavery of vagrants. On the 19th of June, 1893, the supreme court of the State of Missouri, in the case In Re Thompson (117 Mo., 83), declared section 8849 of the Revised Statutes of 1889, authorizing a vagrant not accused or convicted of any crime to be hired for six months to the highest bidder after the determination of the fact of such vagrancy by a jury before a justice of the peace, to be violative of both the State and Federal constitutions which prohibit slavery or involuntary servitude except in punishment of crime, whereof the party accused shall have been duly convicted. But in States that farm out convicts to contractors the same end is accomplished in another way. Vagrancy is made a crime, and the tramp, upon conviction, is let out to the contractor. In a considerable number of towns and cities in this country the tramp, upon conviction, is sentenced to work in the chain gang upon the public streets. Thus it appears that our modern American lawmakers have taken more than one leaf from the statute books of the time of the Tudors. I have already directed attention to the parallel between Henry VIII's time and our own time in the matter of appeals for charity. In dealing with the destitute, as in dealing with the vagrants, we are but blind and helpless imitators of our ancestors of three and a half centuries ago. We still "exhort, move, stir, and provoke people to be liberal" in giving alms. We know how utterly futile is the attempt to eliminate destitution in that way, but we seem to be incapable of studying out any other way, and so we keep up our frantic appeals for charity.

The Englisl poor law, inaugurated by the act of 27th Elizabeth and continued to the present day, is far from being a monument of human wisdom in the field of legislation. But American lawmakers have not improved upon it very much. Our county poorhouses are mostly modeled on the English workhouses, and our plan of supplementing them with the police station is certainly anything but an improvement. And yet it seems to me that, notwithstanding the inability of our modern legislators to find it, there is a rational remedy for vagrancy and pauperism, a sure preventive of both. If I have succeeded, as I believe I have, in proving that the efficient cause of these evils was and is the exclusion of men from the land, is it not clear that the only effective remedy or preventive must be to restore them again to that essential element from which they have been excluded? If a gardener, on his early round some morning, should discover that some malicious intruder had, during the previous night, pulled up his plants and left them lying on the ground to die, would he not at once set to work to restore them to the ground before they wilted and died? Vagrants and paupers are but human beings divorced from the land. Professor Rogers perceived this fact, for he says: "The growth of the poor rate * * * was due to the inclosures, the consequent exclusion of the poor from small agriculture. * * * The poor became more and more straitened, even when prices had not seriously risen, because they were more and more divorced from the soil." (E. I. of H., page 246.) The only way in which vagrancy and pauperism can be cured and prevented is to restore the vagrant and pauper to the land. And this the single tax will do without jar or disturbance. Adopt the single tax unlimited, and vagrancy and pauperism will soon become but the hideous goblins of a night forever past.

I have said that I have been unable to find any modern writer who has assigned any adequate or sufficient cause for the origin and growth of English pauperism. Professor Rogers has assigned four causes, and they are as valid, I think, as any I have come across elsewhere. They are: (1) Deluge of base money; (2) confiscation of the guild lands and the loss of the benefit societies' funds; (3) rise in prices, and (4) the enactment of the statute of fifth Elizabeth, chapter 4, known as the statute of laborers of that year. The first was due to the debasement of the coin in the latter years of the reign of Henry VIII, which was carried to such an extent that when Elizabeth called in the coin with a view to undoing the mischief which her father had done she found that about 60 per cent of the coins was base metal. The confiscation of the guild lands took place under Edward VI. During the golden age of English labor which preceded Henry VIII's reign the trade guilds and labor unions had acquired extensive holdings of land all over the kingdom, the revenues from which supplied a benefit fund for their members. The guardians of Edward VI confiscated these lands, as Henry had confiscated the lands of the church, and under the same pretense, viz, that they were being applied to superstitious uses. The land boom that followed the sale of the church lands naturally raised the price of all commodities. Of the statute of Elizabeth, Professor Rogers says: "This famous act, which consummated the degradation of the poor, made pauperism inevitable and misery universal, was really no new legislation. The acts repealed all the old statutes of laborers and reenacted all the provisions of those acts. It did not provide any new machinery, for the administration of the old laws had been in the hands of the justices for nearly the whole two hundred years, and sometimes the right of making the assessments. What it did was to seize the opportunity when the workmen were helpless to consolidate all the old statutes, to draw up rigid rules of apprenticeship so as to make agriculture the residuum of all labor, to enact exhaustive penalties, and to leave no loophole through which workmen could escape, so as to better themselves in the struggle with their employers. The English statute book contains many atrocious acts, most of them with hypocritical preambles. This act of Elizabeth is, in my judgment, the most infamous of them, for it was leveled against every right of the poor to live and entirely in the interest of rent." (E. I. of H. pages 240-241.)

Now, let us test these assumed causes by the experience of our own time and country within the last twenty-five years. I have shown that the same change has within that time taken place in this country that took place in England in the sixteenth century. But we have had no deluge of base money. On the contrary, we have had what the gold men call "sound" money during all the time that the dread change has been going on. As to the second cause, our trade unions have had no land to be confiscated, and their benefit funds, such as they have, have not been interfered with by the Government. As to the rise in prices, our calamities have fallen upon us at a time when prices are lower than they ever have been known to be in the history of civilization. And finally, we have had no legislation like the statute of Elizabeth. Now, it is apparent that, if an effect follows when an assumed cause is absent and when it is present, the assumed cause can not be the real cause. The real cause that consummated the degradation of English labor, made pauperism inevitable and misery universal in England, was the exclusion of English labor from English land. The real cause that has brought the tramp and the vagrant in this country, that has filled our streets with unemployed and our roads with industrial armies, that is degrading and pauperizing once free and independent American citizens, is the exclusion of American labor from American land.

Now, in conclusion, let me ask my thoughtful reader to consider the question, Where are we, and whither are we tending? If I am correct in the inference I draw from the facts I have presented in the foregoing pages we are entering upon the descent to an abyss of misery and degradation, poverty and pauperism, in many respects more dire than that down which the English people passed after the middle of the sixteenth century; a descent into conditions that will be the more intolerable by reason of the memories of our past prosperity and happiness and of the superior intelligence and greater refinement of the masses of our people.

And the worst of it is that this downward movement is the necessary result of the operation of natural laws; that is, of the law that impels the landlord to take all he can get as a condition precedent to his permitting labor to have access to his land, and of the law that compels laborers to bid against each other in their efforts to gain access to the landlord's land, without which they must perish.

And is this awful fate inevitable? Must we and our posterity drink to the dregs the bitter cup of misery that has been held to the lips of the English people for the last three and a half centuries? Must poorhouses rise in every township of this broad Republic as they have risen in every parish of England? Must our children and children's children be driven into exile from the land of their birth as millions upon millions of the people of England, Ireland, and Scotland have been during the past three centuries? Shall the plowers forever plow the backs of a class condemned to toil, in this once free and happy land? The single taxers answer no. They say these things must and shall not be. They are setting the ax to the root of the deadly tree which produces these evil fruits, and their brave and sturdy blows are beginning to tell. With a hope that inspires to high endeavor and a faith that falters not they are pressing forward in ever increasing numbers to the goal where equal opportunity shall be secured to all, where all men shall be not nominally but really free—

"And the truth shall ever come uppermost,
And justice shall be done."

The Coin Redemption Fund.

REMARKS

OF

HON. HENRY ALLEN COOPER,

OF WISCONSIN,

IN THE HOUSE OF REPRESENTATIVES,

Friday, December 27, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. COOPER of Wisconsin said:

Mr. SPEAKER: The one great objection urged here by gentlemen in opposition to the pending bill is that if enacted into law it would result in the final retirement and practical destruction of the greenbacks. This argument seems to me to be based upon an entire misapprehension of the facts; for, sir, the question is really one of fact. It is admitted on every hand that under the law as it now exists the greenbacks can not be retired, but that when they are taken into the Treasury the Government is compelled to reissue them and to keep them in circulation. The President in his message and the Secretary of the Treasury in his report both denounce this law which compels the reissuing of the greenbacks, and they urge upon Congress in vigorous terms its immediate repeal. This law, which thus makes compulsory the keeping in circulation of the greenbacks is the statute of May 31, 1878, entitled "An act to forbid the further retirement of United States legal-tender notes," and reads as follows:

And whenever any of said notes [greenbacks] may be redeemed, or be received into the Treasury, under any law, from any source whatever, and shall belong to the United States, they shall not be retired, canceled, or destroyed, but they shall be issued and paid out again and kept in circulation.

This is the statute about which the President and the Secretary of the Treasury complain, and the repeal of which they assert is absolutely necessary.

Now the opponents of the pending bill unite in declaring that, in some way which I have been unable to discern, it essentially complies with this demand of the President and of the Secretary of the Treasury, and that if made a law it would result in the withdrawal of the greenbacks from the currency of the country. I am at a loss to know upon what any such argument is predicated, it seems to me so palpably untrue, so entirely baseless in fact. The pending bill either does or does not propose to repeal or change the law of 1878, which I have quoted. This question can be at once determined by a reading of the bill itself. The first section contains the following proviso:

Provided, That nothing in this act shall be construed to repeal or modify an act approved May 31, 1878, entitled "An act to forbid the further retirement of United States legal-tender notes."

The matter is too plain for argument. The proviso which I have just quoted explicitly declares that the pending bill, if made a law, shall not in any wise be held to repeal or to modify the statute of 1878. In other words, the statute of 1878 is to be continued in full force and effect, without change or modification, and therefore under no circumstances could the Administration finally retire the greenbacks or withdraw them from circulation without a deliberate violation of express law. In my opinion, as I have said, there is no room for argument upon this point. There is no occasion for invoking any rule of statutory construction, because there is here nothing contradictory, nothing ambiguous, nothing to construe. The language of the proviso is plain, unequivocal, and susceptible of but one meaning. It declares that the act of 1878 shall not only be continued in force, but that it shall be so continued without any modification whatever. This proviso is in the first section of the bill. The second and last section confessedly has nothing to do with the matter. How, then, can it be seriously claimed that this bill would result in the destruction of the greenbacks? What foundation is there for that statement? Where is the fact, or the semblance of a fact, to warrant the putting forth here of any such argument? If under the statute of 1878 the Secretary of the Treasury is compelled, as we all know he is compelled, to reissue the greenbacks and to keep them in circulation, then he would still be forced to reissue them if this bill were to become a law, for in this regard the law is to remain wholly unchanged. But, sir, there is no occasion for further elaboration of this point.

Mr. Speaker, there is another misapprehension concerning the purpose of this bill to which I wish briefly to refer. It seems to be assumed, by some of those who oppose it, that if made a law the bill would compel the Secretary of the Treasury forthwith to issue bonds. This is not true. The bill would not force the sale

of bonds, it would simply and wisely regulate the manner of their sale when necessary, and compel the Secretary of the Treasury on every such sale to first offer them to the American people in the open market, after due advertisement. It would give to the American people the first opportunity to purchase their own securities, and would make the sale open and public at the Treasury Department and at the subtreasuries and designated depositories of the United States. Until the Secretary of the Treasury had so publicly advertised and offered the securities for sale, it would prohibit him from negotiating any more issues by private contract.

Mr. Speaker, the sale of bonds by which the public debt is increased is always a misfortune; and I desire to say that nothing but an emergency of the most serious character could ever induce me to consent to such a transaction in a time of peace. But, sir, such an emergency now confronts the Government. The godl reserve established at a hundred millions by the resumption act of 1875, and kept intact at that sum from the 1st of January, 1879, until after the commencement of the present Administration, has been encroached upon until to-day nearly forty millions of it have been paid out, and there remain but a little over $60,000,000 with which to redeem more than three hundred and forty-six millions of greenbacks. Besides this, it appears from the last report of the Secretary of the Treasury that from the 1st day of July, 1893, until the 1st day of December, 1895, the receipts of the Government have fallen below its expenditures to the amount of $130,221,023, an average of about fifty millions a year of deficit during that period.

In this connection it must be borne in mind that the one hundred million of reserve is not kept separate and apart, but is mingled with the other funds in the Treasury; and, sir, notwithstanding what was said, and left unsaid, on the subject by the President and the Secretary of the Treasury in their communications to Congress, there is, I think, little doubt in the mind of any person who has carefully investigated the matter that the proceeds of the bonds issued to the amount of $162,000,000, and sold ostensibly to replenish the gold reserve, have in fact been used to defray the current expenses of the Government. The President in his message wholly fails to mention the fact of the great deficit in the revenues—an omission so remarkable that nobody would presume to attempt to explain it. He does, however, elaborate upon the danger growing out of the rapid depletion of the gold reserve, and he loudly calls upon Congress for legislation to avert threatened disaster. It is a matter of common knowledge that another bond issue is imminent. For many days the air has been filled with bonds and rumors of bonds. Under such circumstances it is that the pending bill is brought into the House. The bill proposes that if the threatened issue be made there shall first be an offer of the bonds, upon public advertisement, to the American people. It provides that until the people of this country have had a chance to buy their securities in the open market no syndicate, foreign or domestic, shall obtain them by private contract. This bill seeks to avoid, if possible, the scandal of another secret contract like that of last February, by which bonds worth 118 were sold for 104½—a contract which, when compelled to be made public, was thus described in that great Democratic newspaper, the New York World, in its issue of February 21, 1895:

BUNCOED OUT OF MILLIONS AND MILLIONS—THE BIDDING FOR THE BONDS PROVES THAT THE ADMINISTRATION LET SLIP A SUM EQUAL TO NEARLY HALF ITS LOAN—GENERAL SCRAMBLE FOR THE ISSUE—IN TWENTY-TWO MINUTES THE AMERICAN SHARE WAS BID FOR MANY TIMES OVER AT 116 TO 118, AND SLOW LONDON BID FOR $600,000,000 AT 116½—INTO THE JOBBERS' POCKETS WILL GO $8,418,757, WHICH, IN A SAVINGS BANK, WOULD GROW TO $27,628,676 IN THE LIFE OF THE BONDS—THAT IS WHAT THE PEOPLE PAY FOR STAR-CHAMBER VERDANCY.

Every day adds to the infamy of the transaction. * * * The more the bond deal is studied the more incompetent appear the Government officials who could sit by and listen to the argument of the bankers and then in all simplicity attach their binding signatures to any such contract as that of February 8. It would be more than interesting to have the whole story of that deal laid bare, as a warning, if nothing more. It is the duty of Messrs. Cleveland, Carlisle, and Curtis to say to the taxpayers who have been mulcted to the tune of millions just why such a one-sided contract was made. Mr. Cleveland has been a Wall street lawyer. He was in a position to know, by inquiry of honest, responsible men, just what a United States bond of the sort he proposed to issue was worth here and abroad. It was his sworn duty to get this information if, as an American citizen of ordinary intelligence, he didn't already possess it. He evidently did not post himself or, if he did, he cravenly surrendered the good name and credit of his country to a freebooter in finance, a man who is in his business for all there is in it, and whose policy has been for years to find a weak spot in a corporation and then squeeze it for all it is worth.

HOW THE ACCOUNT STANDS.

Face of loan	$62,315,000
Snydicate premium at 104.49	2,797,943
United States gets	65,112,943
Syndicate profit to 112½	4,835,644
What inside jobbers pay	69,948,587
Inside jobbers' profit to 118	3,583,113
The public pay and the United States should have received	73,531,700
United States has lost	8,418,757
Compounded as a sinking fund, at 4 per cent, for thirty years this lost profit would be	27,628,676

Or nearly one-half the original loan.

PROFIT AND LOSS.

Belmont and Morgan buy $62,315,000 at 104.49	$65,112,943
Belmont and Morgan sell $62,315,000 at 112.25	69,948,587
Belmont and Morgan profit	4,835,644
Inside jobbers buy $62,315,000 at 112.25	69,948,587
Inside jobbers sell $62,315,000 at 118	73,531,700
Inside jobbers' profit	3,583,113
General public buy $62,315,000 at 118	73,531,700
Loss by United States to the jobbers	8,418,757

Mr. Speaker, this is what this great Democratic journal said, in February, 1895, of that contract—a contract made in secret, and the provisions of which the Secretary of the Treasury earnestly sought to have kept secret until the Administration was practically forced to make it public.

Let it be remembered, sir, that that contract was negotiated with men some of whom, at least, were the close personal friends of the President, one of them being his business partner at the time of, or very shortly prior to, his inauguration.

Let it be further remembered that in 1862 more than five hundred millions of five-twenties, and in 1864 and 1865 more than eight hundred and twenty-nine millions of seven-thirties were sold to the people at par in currency, and that during all the war period the highest price paid by the Government to any agent for floating its loans was 1½ per cent, and this included all expenses connected with the issues.

After the war, while gold was still at a premium, the Government began to refund the national debt. It carried through all its gigantic refunding operations successfully, and, as I find upon investigation, never paid a higher commission than one-half of 1 per cent, which was the maximum rate fixed by the statute of 1865.

Beginning with the administration of Secretary Windom, in 1881, the Government refunded more than $700,000,000 of bonded indebtedness without paying one penny of commission. Yet, according to this great Democratic newspaper, the profits realized by the Morgan-Belmont syndicate and by the inside jobbers from the contract of last February were more than $8,000,000 in six months on an investment of sixty-five millions; but this statement of the World was made in February, 1895, and was therefore in the nature of a prophecy. However, the transaction under that private bond contract has been completed, and we are now prepared to give its history.

This history I have seen in several prominent newspapers, East and West, there being substantial agreement as to all details, but I think the most succinct statement of the matter which I have met with is that given recently by the distinguished journalist, Mr. W. E. Curtis, in the Chicago Record. From this it appears that the bonds, amounting in value to $65,117,500, were sold by the Government at a premium of 4.48 to Messrs. Morgan and Belmont, for themselves and the Rothschilds. These gentlemen disposed of them to their own syndicate at an advance of 9.75 on each bond of $100. This gave to Morgan and Belmont a profit of $4,831,575.

They kept only three-fourths of 1 per cent of this sum, however, as their commission, i. e., $488,372. The remainder was divided among the members of the syndicate, yielding a profit of 6.72 per cent on their investment, which, with 1¾ per cent interest accrued on the bonds, made a profit of 8.422 per cent. As their money was tied up only about six months, the transaction netted 16.844 per cent a year; but it will be remembered that these bonds, which they bought at 4.48 above par, in a little while rose to a premium of from 22 to 23 cents, or an increase of nearly $17 on every $100, so that the syndicate, if they have sold the bonds, have made a profit of $12,494,384, or, if they kept a part of them, can, when they sell, realize that sum. A profit of about 18 per cent in one year!

Is it any wonder, Mr. Speaker, that this extraordinary transaction has attracted the earnest, if not indignant, attention of the "plain people," of whom the President so often speaks?

Now, sir, it is in some measure to prevent a repetition of secret negotiations of this kind, at least until after a public offer of their securities has been made to the American people, that this bill is brought into the House.

Realizing that a bond issue by the Administration is inevitable, it seeks to make the best of adverse circumstances.

It may or may not pass the Senate and become a law. It seeks to remedy two or three patent defects in existing law, and I shall vote for it, though it is not all that I would desire. If I could have my way no bonds should ever be issued in time of peace by the Secretary of the Treasury except with the direct consent of Congress first obtained.

The piling up in a time of profound peace of the debt of the United States, a nation the richest in natural resources of any which the world has ever known, is nothing short of an outrage upon the taxpayers of the country, but at present there seems to be no possible way to prevent it.

The Coin Redemption Fund.

REMARKS

OF

HON. JOHN J. GARDNER,

OF NEW JERSEY,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 6, 1896,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of the revenue.

Mr. GARDNER said:

Mr. SPEAKER: The position of the Democratic members of the Ways and Means Committee and the position of the party on the floor, on this measure, would put an ordinary paradox to blush. They insist, as the President does, upon the absolute retirement of the greenback. They assert that the greenbacks constitute an endless chain arrangement, crank, wheel, axle, and all, for drawing gold out of the Treasury, and that there is no financial safety until they are destroyed. To their view, an amplitude of revenue gives no relief from this danger, because they assert we have that now. They see no escape from ultimate bankruptcy but in ceasing to pay out the greenback, for as often as it is paid out it comes back knocking at the doors of the Treasury and imperiously demanding its equivalent in gold. When they talk about this bill, however, they find a comfortable surplus, sufficient to meet any temporary deficiency in revenue for years to come. This "comfortable surplus" is made up largely of redeemed greenbacks. If they are going to meet temporary deficiencies with them, they contemplate paying them out. They propose to do what they insist shall not be done. They find safety in what they declare is our only financial danger. They are going to save the credit of the Government by doing the only thing which they assert endangers it. They are going to restore confidence by resorting to the methods which they say has destroyed it.

It has often been suggested that there is very little, if there is anything, in all this talk about an "endless chain;" that the Government never pays out a dollar unless it owes one, and if the greenback was not paid a gold dollar would be paid. It takes no more gold to pay the greenback than was required to pay the debt. The only answer that I have heard is, "You confound the debt-paying power with the maintaining of specie payments." Well, it was to pay a debt that every dollar in greenbacks was ever issued. This is equally true of the reissue of them after redemption. One hundred and sixty millions of gold has been recently borrowed, ostensibly to redeem greenbacks. The redeemed greenbacks are in the Treasury or they have been used to pay debts. If they are in the Treasury, they are not in motion as a part of that fabled chain. If they are not in the Treasury, they have gone where just an equal amount of gold would have gone if the greenback had not been used. It will take no more nor other gold to redeem them than would have gone out to pay the debts which the greenbacks have satisfied. When they come in for redemption the Treasury, after redeeming them, will be in the same condition it would have been in when the greenbacks were paid out, if it had then paid gold.

If the Treasury reissues the greenbacks to pay debts, and again redeems them, they will not have drained it of a dollar. The greenback each time pays a debt that would otherwise have drawn the gold. This "endless chain" does not carry an ounce of gold out of the Treasury that would not have gone earlier if the chain had not been put in motion. It is trivial to answer that the law requires them to be paid out. The law does not require them to be given away. They go out to meet the obligations of the Government. If the greenback did not go gold must, as has been shown. They take the place of gold, which remains in the Treasury for their redemption.

The greenback only became troublesome when the revenues of the Government fell below the current expenses. The greenback became a troublesome factor when the public knew that the Secretary who paid it out had not received it as a part of the dues of the Government, but had bought it with borrowed gold. The difficulty is in the deficiency in revenue. To retire the greenback will not augment the revenue; it would not, therefore, furnish the necessary relief. If the Administration had borrowed $550,000,000 and retired all the greenbacks and Treasury notes, the Government would have been compelled to go into bankruptcy. It would have been unable to pay its daily expenses. It has lived, so to speak, on the redeemed greenbacks. The methods of the Administration precisely resemble those of an individual who should borrow money to take up his note, and immediately repledge his note and use the proceeds for family expenses.

His action would not indicate a sufficiency of revenue. It would suggest approaching bankruptcy and destroy his credit. The parallel suggestion in the administration of our national finances is what made the greenback troublesome. There was no "endless chain" until the present Administration forged it. To vociferate with admirable persistence that the greenback should be retired may aid in shifting discussion to currency measures, but it will never demonstrate that the present national currency is responsible for the late bond issues, nor for the issue contemplated. The causes for the increase of the interest-bearing national debt are to be found in the Wilson bill. They lie at the door of those who inspired that legislation and administered the Government under it.

The Coin Redemption Fund.

REMARKS

OF

HON. CHARLES S. HARTMAN,

OF MONTANA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 6, 1896,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. HARTMAN said:

Mr. SPEAKER: As one of the forty-seven Republicans who registered their votes against the bond bill reported by the Ways and Means Committee, it seems only right and proper that some of the reasons which impelled me to oppose that bill should be given.

Not having addressed the House on this bill, I have seen fit to avail myself of the privilege extended to all members to insert in the RECORD remarks upon the same.

In view of the fact that my objections to the merits of the bill have been so thoroughly expressed in detail by others who entertain like views upon the policy of bond issues I shall content myself by summarizing those objections as follows:

First. In my judgment, the effect of the bill, in spite of the Hopkins amendment, will be virtually a retirement from circulation of the greenbacks.

Second. While it is but fair to admit that the framers of the bill intended to throw around the Treasury Department such safeguards and restrictions as would prevent the secret negotiation of bond deals, yet in my judgment the bill does not accomplish the desired end, and while it was in no sense intended by those who supported the bill to be an approval of the disgraceful syndicate bond deal with the Administration of last winter, it will be treated by the public at large as a legislative ratification of that scandalous transaction.

Third. I am a Republican, and believe that this Government should raise its revenue for the expenses of the Government through tariff duties levied upon imports, and not by borrowing money. The Republican policy is, and always has been, to make the Government self-sustaining by levying adequate tariff duties to produce sufficient revenue, and at the same time to protect American industries and American labor. If the Administration had done this instead of devoting its energies to producing a tariff for deficit only, and in the further endeavor to forever clinch the gold standard upon this country, the President would not now find himself in the humiliating attitude of begging his British friends on both sides of the water for a loan of $200,000,000 of gold to preserve the nation's credit. I firmly believe that a very large majority of the American people, irrespective of their place of habitation, are irrevocably opposed to any policy which makes it necessary for the Government to borrow money in times of peace.

Fourth. On the 26th day of December, 1895, we passed a revenue bill which we were assured by the Ways and Means Committee would produce $40,000,000 per year additional revenue. I presume the Ways and Means Committee, composed of able, well-informed and honorable members, are reasonably accurate in that estimate. If that estimate be correct, then there is no need of giving the Secretary of the Treasury additional or any authority to borrow money, for it will give us a surplus, instead of a deficiency. I voted for the revenue bill as an emergency measure, not as expressing the Republican idea of protection.

Fifth. In my judgment the policy involved in the bond bill is not a Republican policy and never has been. No national Republican platform ever contained a declaration which could be construed or distorted into an approval of the principles contained in that bill. I do not believe that any Republican convention in any State or Congressional district within the limits of the United States ever made a declaration which could be construed as authority for

the framing of this bill and its presentation as a Republican measure by the Ways and Means Committee. The bill was not even submitted to a caucus of the Republicans of this House. It therefore came into the House, not as a Republican measure, but as the individual opinion of the individual members of the Ways and Means Committee who voted for it. There was, therefore, no political obligation on any Republican to support the bill.

Sixth. We were asked to support the bill by its advocates not only as a party measure, but we were appealed to in the name of patriotism to respond to the call of the President for aid, and yet before the vote was taken on the bill the President's Secretary of the Treasury announced that he did not want the bill. He wanted gold bonds or none. We were told that there was a crisis; that the credit of the nation was menaced; that the prompt passage of this bill was essential to maintain it, and this plea was made in the name of patriotism.

It seems to me that, under the circumstances, with which every man in this House was familiar, that plea was, to say the least of it, decidedly absurd, for this reason: Let it be admitted, for argument's sake alone, that this fearful crisis was staring us in the face, and that the bond bill was the perfection of human wisdom and the only possible solution of the difficulty. What could be accomplished by the passage of the bill through the House? Everyone knew that the bill would go to its defeat in the Senate, and therefore this wonderful panacea for all ills which the Ways and Means Committee had evolved would fail to perform the wonderful cure it was intended to perform. We were therefore invited, in the name of patriotism, to do a vain and useless thing; to vote for a measure that both we and our constituents were opposed to, and which could not, under any circumstances, become a law. In short, in the name of patriotism we were invited to butt our heads against a stone wall for the dear privilege of learning how many of us could possibly survive the shock. The bill ought never to have been presented to the House, and it is a matter for general congratulation that when it reaches the Senate it will certainly go to its death.

The Coin Redemption Fund.

REMARKS
OF
HON. CHARLES H. YOAKUM,
OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Friday, December 27, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of the revenue.

Mr. YOAKUM said:

Mr. SPEAKER: We need no more bonds. They mean burden and poverty. The power to issue bonds exists in law, to the sorrow of our people. The proposition to reduce the rate of interest is not calculated to deceive anyone with a memory.

In the Fifty-third Congress the great syndicate proposed to accept bonds at 3 per cent interest if Congress would insert "gold" where "coin" occurred.

When the Republican party say coin, it means gold. Its great leader in the Senate from Ohio, while Secretary of the Treasury, declared our obligations payable in coin should be paid in gold, and even declared any other payment would be dishonest.

Mr. PAYNE of New York, a member of the Ways and Means Committee, says the Administration is opposed to this bill, that they want to retire the greenbacks, and yet in the next breath he says this bill is in response to the appeal for relief by the President. Thus the good faith of the authors is impeached by a member of the Committee on Ways and Means, and thus they snub the President and consume the time of this expensive body in discussing a measure that they know can not and will not become a law.

Instead of the Department demanding this character of legislation they are actually protesting against it. Furthermore, no reasonable man can seriously insist that the President in his special message wanted any power to issue bonds—that power has existed by express statute for twenty years, and has been exercised during that period.

This bill does not repeal or in any manner affect the acts of 1870 and 1875, under which all our outstanding bonds were issued; in fact, it recites that "in addition to the authority now conferred on the Secretary of the Treasury under the act of 1875." Thus we are to have two laws to facilitate the issuance of our interest-bearing obligations. Under the act of 1875 bonds could be negotiated at 4, 4½, or 5 per cent, at such a premium that would reduce the actual interest to 3 per cent. Therefore the proposed reduction of the rate of interest in the first section of this bill can not confer any benefit to the people and has nothing new in it that confers any additional power upon the Department that calls for help. Sir, it is a mere mockery, that will be understood by those who sent us here to protect their interests financially and commercially.

An analysis of the message will show that if we can not agree to overhaul and remodel our entire financial system that the only help now expected from this body by the President is simply a declaration by us in this panicky and feverish condition of the country that the dignity of the Government will be maintained, and all its obligations now in existence or to be contracted shall be paid in the best money "current at the world's counter," which he contends is gold. After deploring the evils in the present system of finance in his message, he says:

The real and sensible cure for our recurring troubles can only be effected by a complete change in our financial scheme.

Is a law conferring power to issue bonds or the mere reducing the rate of interest on the issue a complete change in our financial scheme, or is the provision for the sale of bonds in our own country a complete change in our financial system? If so, we must admit that the bill presented here and urged by the Republicans is in response to the demand of the President; otherwise it is a mockery, and its authors know it.

The second section of this bill provides for the issuance of a class of bonds heretofore unknown in the history of our country, that is, to pay deficiencies. They have measurably relieved it of its repugnant sound by calling them certificates of indebtedness instead of bonds, but, mind you, they draw interest at the same rate as the bonds provided for in the first section, and are only "to be issued for temporary deficiency now existing or which may hereafter occur." Now, by reference to page 52 of the report of the Secretary of the Treasury it will be seen that from July 1, 1893, to December 1, 1895, there is a deficiency of $130,000,000.

Thus the issue of these harmless certificates will only reach that small amount which is very little short of the entire bond issue of the present Administration, which has been deprecated by the Republicans to-day with so much eloquence and patriotic fervor. Therefore, sir, we are being pulled over the hill and are just heaving in sight sufficiently that we can see the future of this country and make a reasonable estimate of the proposed legislation of the Republican party added to the recommendation of our President; that is to say, that the bonds which we now owe are simply $650,000,000, and to retire paper money $500,000,000, and under this bill $150,000,000. We will be blessed with a bonded debt of $1,300,000,000. At an average rate of 4 per cent interest, which will be more burdensome than that imposed by the Fifty-first Congress, and for which the people indignantly smote the Republican party, sir, the President is not alone in the belief that the present monetary system has to be overhauled and a complete change had, but if no other change is to be made than that embodied in this bill, then the change is not radical enough to satisfy the people.

I reflect the sentiments of my district, and I believe of the whole State of Texas, when I say that we are opposed to the issue of national bonds of any size, of any kind or character, or of any rate of interest, or under any circumstances in time of peace.

And, further, that as long as we have gold or silver to pay our interest-bearing obligations and redeem our paper money there is no law authorizing the issuance of a bond. To-day, sir, we are confronted with a deficiency, while there lie idle in the Treasury $349,000,000 in standard silver dollars, and a negotiation pending to borrow $100,000,000 in gold. Why should we borrow when we have such a quantity of coin at hand? The resumption act passed January 14, 1875, provided that—

On and after January 1, 1879, the Secretary of the Treasury shall redeem in coin the United States legal-tender notes then outstanding * * * and to enable the Secretary to prepare and provide for the redemption in this act authorized or required, he is authorized to use any surplus revenues from time to time in the Treasury, not otherwise appropriated, and to issue, sell, and dispose of, at not less than par, in coin, any bonds authorized by the act of July 14, 1870.

This act in no way authorizes the Secretary of the Treasury to sell bonds for gold while there is in the vaults of the Treasury such a large quantity of silver. This act was passed two years after the demonetization of silver, and it occurred to the Secretary of the Treasury (Sherman) that a bond under the act of 1875 could not be payable in anything but coin, and since silver had been demonetized the gold bond was more desirable; therefore, on April 21, 1877, he wrote to the Attorney-General, in which he said:

It may become important to the public interests to make the new bonds payable in gold coin. Can I stipulate in the body of the 4 per cent bonds about to be issued that they shall be redeemable in coin of the present standard value (under the act of February 12, 1873, demonetizing silver, gold was then alone coin of standard value, and so remained to the passage of the Bland Act in 1878), that is, the standard value at the date of their issue, or must it be at the date of the law?

To which the Attorney-General replied:

It must be the date of the act. It was not intended that this should be varied according to the changes which might be made in the coinage, because a definite rule was given by reference to the coin of a particular date. That

which will pay the bonds heretofore issued under this act will pay the bonds which you may hereafter issue.

Thus the head of the legal department of the nation decides that bonds hereafter issued, like those heretofore, can be paid off in silver as well as gold. But Mr. Sherman was satisfied that the construction of the Attorney-General was correct and the law would have to be amended before a bond payable in gold could be issued; hence in December, 1877, he recommended to Congress—

That an express exception shall be made requiring that gold coin alone shall be paid for principal and interest on bonds issued to the public creditor since February 12, 1873, the amount of which is $592,990,700.

To this recommendation the Senate of the United States replied by a resolution, as follows:

Resolved, That all the bonds of the United States issued or authorized to be issued under the said acts of Congress hereinbefore recited are payable, principal and interest, at the option of the United States, in silver dollars of the coinage of the United States, containing 412½ grains each of standard silver, and that to restore to its coinage such silver coins as a legal tender in payment of such bonds is not in violation of the public faith nor in derogation of the rights of the public creditors.

Pending this resolution, Senator Edmunds offered an amendment substituting "payable in gold or its equivalent, and that any other payment, without the consent of the creditor, would be in violation of the public faith and in derogation of his rights." This amendment was voted down by a vote of 48 to 18.

The resolution then passed the lower House by a vote of 189 to 79.

We believe that if the spirit and the letter of the resumption act of 1875 had been adhered to by our Government, and the interpretation thereof by the Attorney-General and the resolution adopted by both Houses of Congress in 1878 had been duly observed, congestion, stagnation, and prostration would not confront us to-day; and we steadfastly believe that a return to that policy that recognizes the equality of both metals in the payment of all debts, public and private, will restore not only contentment but actual and permanent prosperity to the people.

We believe that this change of policy, or, properly, returning to our former policy, should be gradual and not too abrupt. Begin by providing that all paper money hereafter redeemed and reissued shall be paid in equal amounts of gold and silver, as embodied in section 1 of a bill introduced by myself on a former day of this session, to wit:

That all paper money, either greenbacks or Treasury notes, that may be reissued under present laws shall be stamped thus: "This note is redeemable in equal sums of gold and silver, or in United States Treasury notes thus redeemable."

This would recognize 349,000,000 standard silver dollars as real money, and we could pay off at this moment one-half of our interest-bearing debt, which must be refunded, principal and interest, so often as it matures, if it has to be paid in gold, because of our inability to obtain sufficient gold to pay it.

But, sir, I undertake to say that this body will give no relief to the situation. The contrariety of opinion here renders it absolutely impossible for us to agree, and, in fact, no intelligent citizen is looking to the Fifty-fourth Congress for relief. The whole matter is thrown back to the people, and they must settle it in 1896; and if they, by schisms and divisions among themselves, destroy this opportunity, it will only prolong the struggle for freedom from the evils of a bonded debt and a single gold standard.

The Coin Redemption Fund.

REMARKS
OF
HON. WALTER EVANS,
OF KENTUCKY,
IN THE HOUSE OF REPRESENTATIVES,

Friday, December 27, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of the revenue.

Mr. EVANS said:

Mr. SPEAKER: Nothing could overcome my extreme reluctance to offer to this House any observations at this early period after my advent into it except an urgent desire to support the action of the majority of the Ways and Means Committee upon this bill. That committee, composed of 11 Republicans and 6 Democrats, has been divided upon this measure by strictly party lines, every Republican upon it favoring the bill and every Democrat upon it opposing it. The Democratic opposition to this measure in this House, as far as I know, is likewise unanimous, and yet I have been astonished, in the progress of this debate, to hear the action of the majority of the Ways and Means Committee stigmatized as Democratic, and my astonishment at this species of opposition to this measure has been all the more marked as we have heard the character of argument urged against it. In order that we may clearly understand what the bill proposes, it may be necessary to advert to certain provisions of the financial laws of the Government in relation to its bonded indebtedness, which, while they are well known to the public, seem to have been forgotten in the discussion of this measure.

The greenback currency, which has received much sentimental laudation in the course of this debate, and for which, indeed, I cherish the highest and most grateful appreciation, because of the great service it rendered the country in time of war as well as peace, had its origin in a condition of affairs which the Supreme Court has adjudged could alone constitutionally excuse its creation. During the war of the rebellion so much was it depreciated in value that a greenback dollar sunk far below par, being at one time worth only 30 or 40 cents on the dollar. The reviving prosperity of the country after the war had closed rapidly appreciated the value of the greenback dollar, and farseeing financiers among the great Republicans of that day knew it was necessary that that currency should be brought to par if our financial condition was to be either sound or stable. The only way to do this was to provide authoritatively for its redemption in coin upon presentation at the Treasury. Pursuant to this wise policy, and to carry it into effect, the Congress of the United States, in spite of a Democratic opposition as unreasonable as that which is offered to the pending bill, and with the approval of President Grant, enacted the law of January 14, 1875, providing for the resumption of specie payments four years later. By the third section thereof it was provided that—

On and after the 1st day of January, A. D. 1879, the Secretary of the Treasury shall redeem in coin the United States legal-tender notes then outstanding on their presentation for redemption, at New York, in sums of not less than $50. And to enable the Secretary of the Treasury to prepare and provide for the redemption in this act authorized or required, he is authorized to use any surplus of revenues, from time to time, in the Treasury not otherwise appropriated, and to issue, sell, and dispose of, at not less than par, in coin, either of the descriptions of bonds of the United States described in the act of Congress approved July 14, 1870, entitled "An act to authorize the refunding of the national debt," with like qualities, privileges, and exemptions to the extent necessary to carry this act into full effect, and to use the proceeds thereof for the purpose aforesaid.

By the act of July 14, 1870, referred to in the resumption act the Secretary of the Treasury was authorized to issue two hundred millions of 5 per cent ten-year bonds, three hundred millions of fifteen-year 4½ per cent bonds, and one thousand million thirty-year 4 per cent bonds, one thousand five hundred millions in all, and all expressly payable "in coin," and all for the sole purpose of redeeming some five hundred million greenbacks.

After the passage of the resumption act the contraction of the currency, by reason of the coming into the Treasury of large amounts of the greenback circulation which were retained and not paid out, was very great (bringing them down to some $346,000,000), so much so indeed as to alarm some of the timid financiers of the country, and the result was the passage of the act of May 31, 1878, to prevent the further retirement or cancellation of the greenbacks. The terms of that act were—

That from and after the passage of this act it shall not be lawful for the Secretary of the Treasury, or other officer under him, to cancel or retire any more of the United States legal-tender notes. And when any of said notes may be redeemed or be received into the Treasury under any law from any source whatever, and shall belong to the United States, they shall not be retired, canceled, or destroyed, but they shall be reissued and paid out again, and kept in circulation: *Provided*, That nothing herein shall prohibit the cancellation and destruction of mutilated notes and the issue of other notes of like denomination in their stead, as now provided by law.

These statutory enactments have continued to be the law of the country from those times until now, and they are yet the sole and only statutory laws in force upon the subject. From 1875 until 1893, while the Republicans had entire or partial control of the Government, in no single instance was it found necessary or was it even contemplated by the Secretary of the Treasury to issue any of the bonds provided for by the resumption act for the purpose of taking care of the redemption of the greenback currency. Republicans believe to-day, as they have always believed, and as fifteen years of good management demonstrated, that if the revenues of the Treasury were sufficient to meet the expenditures of the Government there would be no reason for solicitude about the gold redemption fund; that there would be no occasion to so doubt the credit of the Government as that anybody would desire (unless for very special purposes of an occasional nature) to withdraw any gold from the Treasury. But since 1893 the report of the Secretary of the Treasury shows that great deficiencies have resulted annually. To say nothing of the deficiency accruing between March 4, 1893, and the 1st day of July, 1893, the last annual report of the Secretary of the Treasury shows that the deficit for the fiscal year ended July 1, 1894, was $69,803,260.58, and the deficiency for the year which ended July 1, 1895, was $42,805,233.18. The daily statement of the condition of the Treasury shows that the deficit since the 1st day of July, 1895, is in the neighborhood of $18,000,000, or at the rate of over thirty millions for this year, even should there be an improvement between now and the 1st of July, 1896. This deficit has largely resulted from the changes in the tariff laws, which so greatly decreased the income of the Government, and the bill that we passed

on the 26th instant it is hoped (if it shall become a law) will prevent the recurring of any deficit from this time on. Coincident with this deficit came the drainage upon the redemption fund.

Mr. Speaker, it was never contemplated that the Government should sell bonds, without special legislative authority, for the purpose of paying current expenses; but it is clear to everybody that the proceeds of the one hundred and sixty-odd millions of dollars of bonds which the Secretary of the Treasury has issued during the present Administration have been for the most part devoted to the payment of the current expenses of the Government, represented by this large deficit of one hundred and thirty-odd millions of dollars, and which expenses otherwise would not have been paid. This reduction in revenues, and its concomitant evil, the immense increase of the bonded debt, are to be attributed solely to that bad financial management which under the present Administration has brought about that unfortunate condition of things which led the people to overthrow the last Congress. The consequence is that the President, while now threatening to issue bonds for another hundred millions of dollars, has urged Congress to remain in session, to forego its usual holiday recess, and to speedily and promptly provide some relief for the Treasury. Congress, pursuant to the suggestion, has remained in session, and while the measures that have been proposed by the Republicans of the Ways and Means Committee have not been precisely such as the President desired, nor by any means such as meet the best views or wishes of the Republicans themselves, they are the only ones which seem likely to pass both Houses.

The first measure, already passed, will raise the revenue necessary to prevent future deficits, while the pending bill has only four objects in view. They are: First, to authorize the issuing of a bond which will bear less than 4 per cent interest per annum; second, to make clear that there is no intention at present to retire the greenback currency, as otherwise it would have no chance to pass this House; third, to prevent the continuance of those profitable syndicate purchases of bonds, which have created much scandal, and, by requiring the Secretary of the Treasury to advertise all sales of bonds, to give the people and the public everywhere a chance to invest as highest bidders, instead of closing them out in secret deals to syndicate bankers, so much to their profit and so greatly to the injury of the Treasury; and, fourth, to provide for the issue of certificates of indebtedness where the Government, by reason of a deficiency of revenues, is temporarily unable to pay an acknowledged liability. Opposition to a measure which has only these objects in view is most remarkable and inexplicable to as inexperienced a member of this House as I am. Much of that opposition seems to be based upon the notion (how derived it is impossible for me to imagine) that the provisions of the first section of the proposed legislation require and command the Secretary of the Treasury to issue in time of peace additional bonds bearing 3 per cent. But the most casual reading of the bill will demonstrate that there is not the slightest occasion for any notion of that kind.

The Secretary of the Treasury has the power, under the resumption act, to issue one thousand five hundred millions of bonds of the United States, all payable in coin, to maintain the redemption fund in the Treasury, subject to credit by the number of bonds that have been issued during Mr. Cleveland's Administration. It requires no additional legislation to enable him to do this. The whole object of this phase of the bill is to add to former laws so as to provide that when, in the exercise of previously given powers, he does issue bonds, he shall have the power to issue 3 per cent bonds instead of bonds bearing a higher rate of interest. Gentlemen seem to forget that the issuing of bonds is but another form of borrowing money for the purposes of the Government, and strange as it may seem, opposition is manifested to a proposition to authorize the Secretary of the Treasury to borrow that money at 3 per cent if he can get it, instead of at a higher rate.

Inquiry is made as to why we should not substitute this act for the previous laws, and thus to limit the power of the Secretary in borrowing money to 3 per cent interest. But gentlemen forget that it might be impossible, when the Government most needed money, and especially gold coin for redemption purposes, to borrow at that figure, although the law requires that the bonds shall be sold at not less than par, and the result would be if money was not obtainable for the purposes specified in the act at 3 per cent (and by money in this connection I mean gold coin for the purposes alone of the redemption fund, which is all this section deals with), then we could not borrow the money at all, unless existing laws remain in force, which enable the Secretary to go into the market as a borrower, and if he can not get the money at 3 per cent, to get it at 4, or 4½, or 5 per cent interest; so that practical business judgment demands that we shall leave to the Secretary of the Treasury that much discretion, that much power, to borrow gold-redemption-fund money if he can at low rates but if the Government must have it and he can not get it at low rates, then to leave with him the authority to get it at the market or higher rate, not exceeding 5 per cent.

True the Secretary now can sell the bonds at a premium, and in this way to some extent reduce the rate of interest, but if we are to continue year by year to have a large deficit in our revenues it will not be long until we can not sell 4 per cent bonds of the United States at a premium. I have too much respect for anyone who shall become the incumbent of the great office of Secretary of the Treasury to believe that he will so far differ from all of his predecessors, whether of one party or another, in honesty, in patriotism, and in an earnest desire to creditably fill the great office he holds, that if he can borrow money at 3 per cent he will decline to do so and pay a higher rate of interest. No man who has ever held that office has been of such a mold as to yield to any temptation to pay the highest interest when he can borrow at a lower, no matter whether he belonged to one party or the other, and I believe he should be invested with the discretion given by law.

Objection is made upon the part of some, and especially of those speaking for the Administration, that the law now proposed does not make the bonds payable specifically in gold coin. The gentlemen will remember, or ought to remember, that every statute of the United States upon the subject of issuing bonds, as well as the resumption act itself, is worded precisely as this proposed bill is worded in that respect, and provides that the bonds should be payable "in coin," and that the greenbacks shall be redeemed "in coin." I, for one, believe that this means gold coin. It has always been so construed by the Government, and could have meant nothing else at the time. I believe that the Government will ultimately pay and should pay every one of these bonds in gold coin or its full and accepted equivalent, and not in depreciated silver, but it might discredit (and the argument is used with much force that it would discredit) all previous issues of bonds of the United States issued under the resumption act to make new ones payable in gold coin. Should we now, for the first time, discriminate against them in the language used, and say that the bonds provided for by this act should be payable in gold coin, while the language of the other, to which it is an amendment, remained as before?

Mr. Speaker, it is exactly right in my judgment, in view of the previous legislation, which we are amending, in view of the honorable obligations of the Government, in view of the certainty that the utmost good faith will be preserved by the Government toward all of its creditors, and because previous bonds issued for redemption purposes are so worded, that this bill should be worded in this respect precisely as it is. It will not do to say the other bonds are sold and we have no interest in them. That would not be the language of an honorable Government.

Apprehension has been manifested, and most unnecessarily and without any sort of ground for it, that this bill would result in the retirement of the greenbacks, but the least attention to the real legislation proposed will show that it leaves untouched the act of May 31, 1878, which has been read, and which absolutely forbids the retirement of a single one of the greenback notes. The pending legislation not only does not propose to retire them, but in language as explicit as it is possible to use forbids their retirement. This is the purpose of the bill, although the time will, in my judgment, soon approach, especially if we continue to have a deficit and continue to issue bonds to keep up a consequent depletion of the redemption fund, when it will be absolutely necessary to consider whether the greenbacks should not be gradually retired in a period of say five or ten years, but whatever may be our individual views upon that subject this bill contains no sort of suggestion or requirement in that direction.

If this bill contained no other provision than the one which requires that the Secretary of the Treasury shall hereafter advertise any proposed sale of bonds, that alone ought to entitle it to the support alike of every Republican and every Democratic member of this House.

It is somewhat astonishing that more public scandal has not resulted from the syndicate operations, by which certain private individuals profited so much at the expense of the Government. It may be that the first syndicate operation was somewhat excusable under the then existing circumstances into which the Administration and the Democratic party, by their lack of wisdom, had brought the finances of the country, but surely such operations should be discountenanced by the law-making power, and as the people of this country have always shown themselves to be ready, able, and willing to maintain its credit, they ought, in common with the moneyed powers of the world, be given an opportunity to make bids for any bonds that the Government may sell. This feature of the bill surely is most commendable.

But one other subject requires to be noticed, namely, the second section of the bill. Some provision like it should always have been in the laws of the country. It is a business measure that should never have been overlooked, though probably no other occasion than the present has ever arisen when it was so much needed. In a nutshell, it gives the Secretary of the Treasury an opportunity either to issue to an acknowledged but unsatisfied creditor of the United States not otherwise provided for a certificate of indebtedness bearing 3 per cent interest, by which means the creditor can be treated justly and his claim bear an interest that ought to be paid upon it, or else, if he does not care to take

the certificate himself, in order to pay him the Secretary of the Treasury is authorized to sell the certificates and thus provide the cash means of doing so. This is the manifest effect and object of the second section. These certificates of indebtedness are not authorized, except when there is a deficiency of the revenue to pay current expenses of the United States. It is a just, reasonable, and wise measure, to which no one ought in seriousness to object.

Mr. Speaker, this bill, as I have read it and analyzed it, has no politics in it. It is founded in its entirety upon plain common sense business principles. It takes sharper eyes than mine to discover any politics in the bill, however much of the play of politics there may be around the opposition to its passage. But because it is a business proposition, because it provides, in my judgment, a wise enactment, because I believe the officers of the Government ought to be allowed, if they can, to borrow money at 3 per cent instead of a higher rate, because I believe that secret syndicate transactions in bonds ought to be discountenanced, as tending too much to bring the officers of the Government into great stock-jobbing operations, and because I believe that long before the Government has issued as large an amount of bonds as is authorized by the resumption act, the necessity for taking care of, or indeed for having a gold redemption fund, will be past or removed by wiser financial legislation, I most cheerfully support this bill, and upon these grounds offer a word in vindication of the action of the Republican majority of the Ways and Means Committee, although myself wishing that the resumption act itself had required all bonds to be payable in gold coin, and have thus saved a great deal of unforeseen trouble. But as the other bonds issued for the same purpose are payable in coin, these should read the same way; otherwise, if a 4 per cent redemption fund bond is issued it will be payable "in coin," while the 3 per cents issued for the same purpose would be payable "in gold coin." While this might please some, the practical judgment, indeed knowledge, of the committee was that it was impossible for it to pass into law in that shape, and that it was better not to attempt it, and thus sacrifice to the impracticable the other valuable features embraced in the proposed act.

The Coin Redemption Fund.

REMARKS

OF

HON. GEORGE W. HULICK,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Friday, December 27, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. HULICK said:

Mr. SPEAKER: I shall vote for the bill now under consideration, not because it commends itself to my judgment as being the very best measure of relief possible, but because it is a step in the right direction, and under the circumstances, in view of the deplorable condition of our national finances, possibly all that can be done at this time. On principle I am opposed to issuing the bonds of the Government in times of peace. There would be no necessity for it if the party in power would in good faith carry out even the Democratic principle of a tariff "for revenue only"; but to raise revenue sufficient to pay the current expenses of the Government, the interest on the public debt, pensions, etc., a tariff sufficiently high would have to be levied on imports which would result incidentally in protection to American labor and encouragement to American industries. This the Democratic party will never permit, so prejudiced are they against anything and everything that savors of protection. They had full control of the Government in the Fifty-third Congress, and placed upon the statute book a law that has utterly failed to produce sufficient revenue, so that President Cleveland, under the act of 1875, to provide for the resumption of specie payments, has issued bonds of the Government for $162,000,000, paying 4 and 5 per cent interest thereon, and on which was realized the sum of over $182,000,000.

Notwithstanding this vast sum has been poured into the Treasury, the gold reserve fund of $100,000,000 has melted away so that to-day there remains less than $65,000,000 to the credit of that fund. The statement of the Secretary of the Treasury this morning shows an excess of expenditures over receipts for the fiscal year of over $15,000,000. This, Mr. Speaker, is the unfortunate condition in which we find our finances to-day. What ought to be done? Aye, what can be done? is perhaps the better way to put the question, because the Republican party, as represented on this floor, can not get what we would like to have; we can not legislate as the best interests of the people demand.

The adoption of the bill now under consideration is, therefore, in my judgment, the best that can be done under the circumstances.

Now, what is the purport of this bill? It has two objects in view: First, to maintain and protect the coin redemption fund; and second, to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Under the resumption act of 1875 the Secretary of the Treasury is authorized to issue bonds of the Government at 4 and 5 per cent and to run from ten to thirty years. Under this bill interest must not exceed 3 per cent per annum, payable semiannually, and the bonds to be "redeemable at the pleasure of the United States in coin after five years from their date, and payable in fifteen years from their date"; thus placing on the market a bond at a lower rate of interest and upon a shorter time to run. In this same section there is another very important provision, in view of what the President and Secretary of the Treasury did last February in negotiating the secret sale of the sixty-two millions of bonds to a foreign syndicate. Under this bill such a reprehensible sale can not be made, and it also prohibits such a contract under the act of 1875. It provides that under this act and under the act of 1875 the Secretary "shall advertise the same and authorize subscriptions therefor to be made at the Treasury Department and at the subtreasuries and designated depositories of the United States"; thus affording to the American people an opportunity to invest American capital in American securities. Do we hear anybody object to this? Yes, I regret to say. We hear it on the floor of this House of Representatives, and the same sentiment is echoed from the White House. Let us pass this bill and forever prohibit by law the secret sale of our bonds to foreign syndicates reaping millions of profits to the exclusion of American capitalists.

The second section of the bill provides for issuing $50,000,000, payable in three years, at 3 per cent per annum, of the denomination of $20 or multiples thereof, payable at the Treasury of the United States and at such post-offices as the Secretary may select. This, Mr. Speaker, is getting near the people—within their reach. Twenty-dollar Government bonds for sale at your post-offices. Scattered all over the United States are many thousands of people who would gladly invest their small earnings in these securities. There are trust funds, guardian funds, corporation funds, individual funds—every description of funds in every bank and depository in this country, amounting to millions, that are now idle, drawing no interest, that would flow into the United States Treasury, and these bonds would be taken up and held by all classes of our people.

Mr. Speaker, I hear it said by those who oppose this bill—notably, the learned gentleman from Georgia [Mr. CRISP], the leader of the minority—that this bill proposes to retire the greenbacks and thereby contract the currency. Certainly no graver error could be indulged in by the opponents of this measure. If I could be convinced that the greenbacks would be permanently retired if this bill were to become a law I should vote against it. I don't think the Treasury notes should be withdrawn from circulation. The eminent chairman of the Ways and Means Committee, who drafted this bill, said in his speech on yesterday that the greenbacks would not be retired, that the currency would not be contracted, if this measure is adopted. In fact, Mr. Speaker, the language of the bill is so explicit on this point that there can be no mistake about it.

It is true that this bill provides that "the Secretary of the Treasury shall use the proceeds thereof for the redemption of United States legal-tender notes and for no other purpose," but it further provides that "nothing in this act shall be construed to repeal or modify" an act to forbid the further retirement of the United States legal-tender notes, passed May 31, 1878. Let me call the attention of the House to the language of that act of 1878, which is plain and unequivocal:

That from and after the passage of this act it shall not be lawful for the Secretary of the Treasury or other officer under him to cancel or retire any more of the United States legal-tender notes.

Now, I want to emphasize the following express language of the law and call the attention of those who oppose this bill to this provision:

And when any of said notes may be redeemed or be received into the Treasury under any law from any source whatever and shall belong to the United States they shall not be retired, canceled, or destroyed, but they shall be reissued and paid out again and kept in circulation.

Could language be more explicit than this? They (the greenbacks) shall not be canceled or destroyed, but shall be reissued and kept in circulation.

Mr. Speaker, there is no tenable argument against this bill. Is it not true that our Democratic friends oppose it because the Republicans favor it? They are keeping up their reputation for opposing every measure advocated by the Republican party for the last thirty years—opposing, discouraging, tearing down, destroying, and protesting against everything that was for the benefit of the people—a policy of antagonisms, and, when for some unaccountable reason, which no man can understand, the Democratic party was placed in full control of the Government, it most sig-

nally failed to do one single thing for the good of the people, but on the contrary has emptied the Treasury, run in debt over $162,000,000, and had to call on a foreign syndicate of capitalists for a valuable consideration to act as a protectorate over our Treasury and to assist that party in trying to maintain the national credit.

And at this very hour the Secretary of the Treasury and the President are negotiating another loan of one or two hundred millions from these foreign protectors (?) of our national credit. Pass this bill and thereby say to the President and Secretary of the Treasury, We have in our country, in the hands of our own people, money enough to take up every bond issued or to be issued—only give them a chance. Send your bonds out to the post-offices all over this country and see whether or not the people haven't money and patriotism enough to meet the emergency.

On day before yesterday we passed a bill in this House that will yield about forty millions of revenue. It is not what the Republicans wanted, it is quite as much as we can faintly hope the Senate and President will give us, but as far as it goes it will protect the woolgrowers' interests and other industries.

In the fullness of time, however, such legislation will be placed on the statute book that will yield sufficient revenue to pay all the current expenses of the Government, pay all pensions to the soldiers without disallowing or cutting them down, pay interest on Democratic bonds, reduce the public debt, maintain the gold reserve fund, and at the same time will afford protection to American labor, encourage and foster American industries, and again place our country on the highway of prosperity, as it was when the Republican party turned it over to the present Administration.

The Coin Redemption Fund.

REMARKS
OF
HON. DAVID G. COLSON,
OF KENTUCKY,
IN THE HOUSE OF REPRESENTATIVES,

Monday, January 6, 1896,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. COLSON said:

Mr. SPEAKER: The President in his message of emergency to the Congress, says:

I ask at the hands of the Congress such prompt aid as it alone has the power to give to prevent in a time of fear and apprehension any sacrifice of the people's interest and the public funds or the impairment of our public credit in an effort by executive action to relieve the dangers of the present emergency.

The bill just reported by the Committee on Ways and Means and now before the House for consideration, if intended as a response to the President's request, in my opinion, is not such a response as should be given.

I not only have no objection to but favor section 2 of the bill, which authorizes the Secretary of the Treasury, at his discretion, to issue certificates of indebtedness of the United States to an amount not exceeding $50,000,000, payable in three years after their date to the bearer in lawful money of the United States of the denomination of $20 or multiples thereof, with annual coupons for interest at the rate of 3 per cent per annum, and to sell and dispose of the same for not less than an equal amount of lawful money of the United States at the Treasury Department, at the subtreasuries and designated depositories of the United States, and at such post-offices as he may select, for the purpose of providing for any temporary deficiency now existing or which may hereafter occur in the current revenues of the Government. The certificates of indebtedness provided for in this section of the bill, being of small denominations and distributed through the post-offices of the country, would afford a safe investment to our own people, especially to that class of our own people who are unable to buy the bonds of the Government of larger denominations and who desire to invest without delay for a short time any funds they may have idle. These certificates will also invite from its hiding place much of the yellow metal now in demand and so much needed by the Government and which for years has been hidden away in private places of deposit because of lack of confidence on the part of the owners in the banking institutions of the country. I believe that the power which this section confers upon the Secretary of the Treasury is such as he should have, because it is not always possible to anticipate and provide for every expense of the Government, and deficiencies are liable to occur, to provide for which this section of the bill gives the power by selling a form of certificates of indebtedness which the great mass of the people can readily absorb at any time the Government may desire to secure the loan.

The people of this country have confidence in the ability of the Government to redeem or make good its obligations, and I believe that not only the confidence of the people but their patriotic impulses would cause them to come to the support of the Government by absorbing these certificates of indebtedness at any time the Government might be required to issue them to provide for any temporary deficiency in its revenues. I believe that every act authorizing the issue by the Government of certificates of indebtedness or bonds for any purpose should require that such certificates or bonds should be issued in sums of $20 or multiples thereof, so that a larger number of our citizens could share in the benefits resulting from the investment of funds in the Government securities. Only a small per cent of our people can purchase Government securities of the denominations of a thousand dollars or more; a much larger per cent of our people can purchase Government securities of the denomination of $20 or small multiples thereof. It should be as easy for any citizen who has $20, $40, $100, or $200 to invest it in a Government security as it is for a citizen who has $1,000 or $50,000 to do so. Section 2 of the bill is a recognition of this principle, and this is one of the facts that commend it to the favor of this House. The purpose for which this section is intended is clear and explicit, and there can be no misapprehension of its purpose, and that purpose being right and proper, I give this section of the bill my hearty support.

Now, Mr. Speaker, as to the first section of this bill. What are the conditions which make it necessary for the Government to issue bonds to maintain and protect the coin redemption fund, and who is responsible for the existence of these conditions? Why is it that a "time of fear and apprehension" not only exists to-day but has existed during the last three years? It was not necessary in time of peace under any Administration before the present Democratic Administration or prior to March 4, 1893, for the Government of the United States to issue its bonds to maintain and protect the coin redemption fund of the Treasury. The conditions that have, since the 4th of March, 1893, rendered such action necessary are most remarkable, and the party responsible for their existence should be, as it already has been, condemned by the people.

We have here present the living evidence of such condemnation in the shape of an unprecedented Republican majority in this House. Under the Administration of Benjamin Harrison and the laws enacted during that Administration and prior thereto by the Republican party the revenues of the Government were amply sufficient to meet its expenses, and the $100,000,000 of gold kept as a sacred reserve in the Treasury for the redemption of the greenbacks and Treasury notes was not encroached upon. Labor was employed, capital sought investment in every branch of creative industry, and our people were more prosperous than they knew. At the election of 1892, the Democratic party, having beguiled the people with the cry of tariff reform and having insisted that the masses were being robbed to enrich the few by tariff taxation, was put in control of both branches of the legislative department of the Government and the Chief Magistracy of the nation, an event which carried with it a responsibility which the Democratic party was ill prepared to assume.

It was the first time in more than thirty years that the Democratic party had the power to enact a law affecting national affairs. Swift upon its accession to power it proceeded to inaugurate its tariff reform by repealing the McKinley tariff law, which afforded ample revenues to the Government and gave protection to American interests and American labor, by enacting what in the House was called the "Wilson bill," and which as amended in the Senate was called the "Brice-Gorman-Wilson tariff bill," and which by Mr. Cleveland, the occupant of the White House, because of the incidental protection given by its Senate amendments to a very few industries, was denounced as an act of "party perfidy and party dishonor," and which, considered in the light of results, had more appropriately been called "An act to create a deficiency in the public revenue and make it necessary for the Secretary of the Treasury to sell the bonds of the Government worth $1.18 in the open market for $1.04 in a private deal with a bond syndicate."

The report of the Secretary of the Treasury shows that during the first fiscal year of Mr. Cleveland's Administration, ended June 30, 1894, the expenditures of the Government exceeded its revenues by $69,803,260.58, and for the fiscal year ended June 30, 1895, by $42,805,223.18, making a deficit of more than $112,608,483.76 for the two years. The Wilson tariff law failing to provide a sufficient amount of revenue to meet the expenses of the Government, the hundred million dollars of gold held in the Treasury as a fund for the redemption of the greenbacks and Treasury notes was diverted from its intended purpose and used to meet the ordinary expenses of the Government. This raid upon the gold reserve had the effect of intensifying the distrust in the business world that began with the election of Mr. Cleveland as President of the United States and a Democratic Congress in 1892, with the result that the banking institutions of the country, in order to fortify themselves

against the extraordinary demands that accompany business panics, declined to make further loans, increased their gold reserve by converting their greenbacks and Treasury notes which they received in settlement of their claims against their debtors into gold by having them exchanged for gold at the Treasury of the Government.

To meet this demand for gold upon the Treasury the Secretary of the Treasury has issued and sold bonds of the Government to the extent of $162,000,000 since the 4th of March, 1893, and bonds worth $1.18 have been sold at $1.04. The deficit of more than $112,000,000 which existed on the 30th of June, 1895, has increased enormously, and is at present increasing at the rate of four or five million dollars a month, and the consequent stream of gold which has been kept flowing into the Treasury and credited to the fund maintained to redeem the greenbacks and Treasury notes has steadily been withdrawn from that fund to meet the current expenses of the Government. This condition is intensified by the fact that the greenbacks and Treasury notes which the Government is pledged to redeem in coin and which it is the Government's policy to redeem in gold if the holder so demands, which policy meets with my approval, as soon as so redeemed have to be reissued under the existing law, and as soon as so reissued are again used to withdraw the gold from the Treasury. It is to meet this condition that the President asks Congress to take some action. I do not believe that section 1 of the bill now under consideration meets the condition.

The Secretary of the Treasury, under his construction of the act of January 14, 1875, now has the power to sell 4 per cent or 5 per cent bonds to replenish the gold reserve. It is claimed by gentlemen who have spoken in advocacy of section 1 of the bill before the House that as it authorizes the Secretary of the Treasury to sell 3 per cent bonds to replenish the gold reserve, its passage would result in a saving to the Government. In this they are mistaken, because if, when bonds are sold, money can be had for 3 per cent, a 4 or a 5 per cent bond can be sold on a 3 per cent basis, and net as much to the Government as a 3 per cent bond sold at par. This section provides no solution of the financial difficulty confronting the nation. It does not go to the root of the evil, as the bill we pass should do. It contemplates a continuation of the disastrous policy pursued by the present Administration, and if it had been submitted to a caucus of the Republicans of this House would not have been approved by it in its present shape.

We have in this country a circulation which is barely ample to meet the requirements of trade, and I am opposed to any form of legislation that looks to a contraction of the currency. I would prefer to see some legislation that would provide for a gradual increase in the money of the country, providing always that every dollar of our currency is kept as good as any other dollar. I had hoped that the Committee on Ways and Means would report a bill that would put an end to the embarrassment now being caused by the constant presentation of our greenbacks and Treasury notes at the Treasury for redemption in gold. I am opposed, however, to the retirement of the greenbacks and Treasury notes unless some other form of currency is provided to take their place, because such contraction of the currency would result in additional distress to the people. If the responsibility of maintaining a current redemption could be obviated, I would be glad to see all currency issued by the Government itself, but as no provision has ever been suggested for this, as it seems necessary for currency to be based upon some form of bond payable in future I would favor any legislation that would retire the greenbacks and supply their places with some form of national currency.

It is my opinion that the bonded debt of the Government should not be increased in time of peace, but that, on the contrary, the bonded debt created in time of war should be paid as rapidly as possible. Such has been the policy of the Government as administered by the Republican party. From the close of the late civil war to the beginning of the present Democratic Administration the bonded debt of the Government was constantly reduced, the total reduction being about $2,400,000,000. The Democratic party, reversing this policy, has, since the 4th of March, 1893, increased the bonded debt of the Government more than $162,000,000. Which policy is right? The people of this country have answered this question. What the country now needs is a tariff law which will insure an amount of revenue which, supplemented by the internal revenue, will amply meet the expenses of the Government. This House has passed a tariff bill which, while not such as it would have passed had the committee not been called upon to act with great haste, will, we believe, if it becomes a law, provide ample revenues to meet the expenses of the Government. Having done this, I doubt that we should pass section 1 of this bill, because such action will be regarded by the country as a quasi indorsement by the Republican party of the Democratic policy of increasing the public debt in time of peace, and also, by implication, of the Democratic legislation which caused the deficit I have mentioned, from which our embarrassing condition has arisen. I can not, for this reason, and for the further reason that it provides no solution of the financial difficulties present or impending, give my support to section 1 of the bill.

I believe this House should pass a bill providing for the issue of five hundred millions, or as great a sum as might be necessary, of 2½ per cent fifty-year coin bonds, for the purpose of retiring the $346,000,000 of the greenbacks and $147,000,000 of Treasury notes issued under the act of 1890, the bonds to serve as a basis for a national currency to take the place of the greenbacks and Treasury notes so retired. Such a law would at once relieve the Treasury of the burden of maintaining current redemption, restore confidence in the business world, and go far toward ending distress among the people. The country expects the House to pass such measures as will deal thoroughly with the evils of our financial system, and it should do so, and put the responsibility of their failure to become laws upon the Senate or the Chief Magistrate of the nation.

The Coin Redemption Fund.

REMARKS
OF
HON. JOHN A. BARHAM,
OF CALIFORNIA,
IN THE HOUSE OF REPRESENTATIVES,

Friday, December 27, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. BARHAM said:

Mr. SPEAKER: I am an American first and a Republican afterwards. The bill which is under discussion is neither an American nor a Republican measure. The first section of the bill is a legislative ratification of all the secret manipulations of Mr. Cleveland and his Secretary of the Treasury with the foreign syndicate, out of which the people lost more than $8,000,000. If it is intended to deal fairly with the people, why, in heaven's name, was not a plain, ordinary amendment made to the act of 1875 making it necessary to advertise for bids on a sale of bonds and reducing the rate of interest to 3 per cent? Then the American people would be placed upon equal terms with Wall street and Rothschild & Co.

It is perfectly apparent that this section is in the interest of these institutions and people who can control large sums of money and who are seeking long-time loans. Now, look at the second section of the bill. It provides for a low rate of interest—3 per cent—and short-time bonds, made payable in lawful money. It is expected that the people, from patriotic motives, in the case of an emergency will take these bonds. Why should this discrimination be made against our people? Why require the people to take low-rate bonds and make them accept in payment lawful money, when the bonds which it is expected the banks, Wall street, and the Rothschilds to take are made payable in coin (which means gold, as construed by Carlisle), and are long-time obligations? No Republican convention ever indorsed such a measure; no Republican caucus of this House ever indorsed such a measure. This bill is the creation of Grover Cleveland. I am not a cold, clammy, Republican Cleveland cuckoo. I am now and always have been opposed to bond issues in time of peace, and if Mr. Cleveland will approve the bill which was passed by the House on yesterday no further emergency legislation will be necessary by this Congress. The revenues will be amply sufficient for all the purposes of this Government; and if he sees proper to veto yesterday's action by this House let him and his party, if he has any left, account to the people.

This bill is one which is susceptible of more than one construction even by lawyers. Now, why should we place such a bill in the hands of Secretary Carlisle for construction when all know who have read what he says that he does not know what money is?

Before the Chamber of Commerce of New York, in the course of his remarks upon the financial question a few days since, he said:

> The proposition that a promise of the Government to pay money is money is just as absurd as the proposition to deliver a horse is a horse. Yet there are eminent men in public councils who believe that the United States promisory note is actual money.

A greenback is the promissory note of this Government and is a legal tender for debt.

The term "money" is used to designate the whole volume of the medium of exchange recognized by the custom of merchants and the laws of the country. It includes coin, but is not confined to it. Whatever is lawfully current in buying and selling is money.

By universal consent, under the sanction of all courts, the lawful currency of a country, that which may be tendered and must

be received in discharge of a debt, is money. The Supreme Court of the United States and nearly every State supreme court in the Union have so held. From which it follows that anything which this Government makes a legal tender for debt is money, notwithstanding the declaration of our distinguished Secretary to the contrary. Under the Revised Statutes of the United States gold coins, silver dollars to any amount, silver halves and quarters to the amount of $5 in one payment, minor coins to an amount not exceeding 25 cents, and United States notes are all legal tenders for debt, and under the decisions of our courts are each and all money. A very elaborate discussion and full citation of authorities may be found in Klauber *vs.* Biggerstaff, 47 Wisconsin, 557.

The Legal-Tender cases reported in 12 Wallace would be fine reading upon the question of what is money for Mr. Carlisle, who thinks greenbacks are not money. Now, if he does not know what money is, why place in his hands for construction an act the meaning of which is doubtful in the judgment of men who know what words in the English language mean? We all know how he has construed the word "coin." He says it means gold. Anyone who ever looked at the definition of the word "coin" knows that it means a metal stamped and made a legal tender. It means gold to any amount. It means silver dollars to any amount. It means half and quarter dollars to the amount of $5, and nickels to the amount of 25 cents.

Conditions are bad enough now without placing further and more doubtful and dangerous legislation in the hands of this Administration.

The advertisement clause in the bill will not prevent Mr. Cleveland and his Secretary from violating the statute. You can not prevent larceny by providing in a statute that it is a felony. You may convict and punish the guilty under a statute, but you can not prevent crime by making a law. It was as much a violation of the act of 1875, and no more, to make a secret contract with a foreign syndicate, without advertisement, for the sale of $163,000,000 of bonds, as it would be to disregard the provisions of this bill; and the sale will be to a foreign combine even though the bill becomes a law. A sale, when made, will be for $100,000,000 of bonds, and no one but Rothschilds, Belmont, Morgan & Co. will be able to take the bonds. The sale will not be parceled out, but to one syndicate.

The second section discriminates against our people. The bonds are payable in lawful money, while bonds for millions, which will be sold to a foreign syndicate, are made payable in coin. Why discriminate against our people in this manner and expect thereby to arouse patriotic feelings?

Suppose I take a hundred thousand dollars of these certificates. Can I compel the Treasury to take silver for them? Anybody knows that Mr. Carlisle would not accept such a bid. Yet they are payable in silver. I will never support a measure which addresses itself to a patriotic people on such unequal terms.

The Coin Redemption Fund.

REMARKS

OF

HON. WILLIAM F. STROWD,

OF NORTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, December 28, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. STROWD of North Carolina said:

Mr. SPEAKER: I apprehend that the excuse for the introduction of this bill grows out of the fact that the Secretary of the Treasury, in construing the second section of the law known as the Sherman Act, persists in using his discretion in favor of gold, when the law expressly says he shall redeem these obligations in either silver or gold. And in order to maintain the parity between the two metals he should have treated both as equal in discharging these obligations. Then there would be as great a necessity for a silver reserve as for a gold reserve.

Let him use the discretion the law gives him and coin the silver and pay in whichever metal is most convenient, and the problem is solved. The Treasury will not be looted by gamblers and money sharks.

The trouble is not in the law but in his strained construction of the law. There is no law to keep one hundred millions in gold in the Treasury. If the Secretary would take away this temptation from the money manipulators by redeeming the greenbacks and Treasury notes in silver or gold, whichever is most convenient, and let that be the American policy, he would at once solve these fiscal problems. Why issue interest-bearing bonds in time of peace? Why not issue legal-tender notes based on the same security as the proposed bonds? Speaking of such notes, one of the wisest men that ever occupied a seat on this floor said, in reference to these same notes:

Mr. Speaker, I hold in my hand a legal-tender Treasury note. It is good money. Good for the farmer, good for the merchant, good for the banker, good for the manufacturer, good for the great plain people. Why is it good? Because every dollar's worth of property and every drop of loyal blood in the patriotic heart of every citizen of this country is behind them.

Then why issue bonds—gold compound interest-bearing bonds—and put a debt upon the country which our children's children will not see paid? Day before yesterday you passed a bill largely increasing the tariff, which is now a tariff for protection. There is no such thing as protection without a protector, and who, let me ask, are the protectors? Some say the consumer, but I say, in its final analysis, it comes out of the farmer. When you speak of business you do not mean farmers or farming. You mean commerce, finance, manufacturing, etc. The great toiling masses are not in it, except about election times.

This bill is altogether in the interest of the bankers and money classes of this country and England. This and all other laws that have been passed for the last thirty years and more have been in the interest of the wealthy classes, and to the detriment of the laboring classes of this country. It is paternalism of the worst kind. As a Populist, I protest against creating an army of beneficiaries who think that inasmuch as the Government has so shaped its financial policy as to give nearly all the wealth of the nation into their hands, they ought of right to rule it. That their protectors and benefactors have no rights they are bound to respect. The object of this bond bill is to retire the greenbacks and Treasury notes—to still further contract the currency by hundreds of millions and thereby enriching the few to the utter ruin of that great upper middle class of society which is, and has been in all times, the saving strength of the nation.

They could coin the seigniorage and get the amount of money needed by the Treasury, but they will not do that. They will reject every proposition to raise money that can be suggested or submitted. Nothing will satisfy them but gold bonds. Switzerland is the model Republic of the world. Fifty years ago she faced the problems confronting the poor of the United States to-day. Her patriots were equal to the emergency and established a Government bank. The public credit was printed on notes, and these notes were loaned to the farmers on mortgages, running for thirty years, at 3½ per cent interest, the borrower to pay one-thirtieth of the principal back annually. The old mortgages were taken up; prosperity smiled upon the people; Shylock was banished; usury was impossible, and the little nation went upward and onward to its happy destiny.

To debase silver and exalt gold, and then cry out dishonest dollar, 50-cent dollar, is about on a parity with overproduction and laziness. It is the argument that the highway robber makes to his victim. It is the argument that the wolf makes to the lamb. It is the argument that Amnon made to his sister Tamar when he despoiled her of her virtue and then kicked her out of the door.

Suppose gold should receive the same treatment at the hands of the legislative bodies of all civilized nations, what would be the result? Why, a child would know the answer. If the same treatment had been accorded to silver as has been accorded to gold, does not every man in this House know they would be as near on a parity as they were prior to 1873?

Whenever silver receives proper legislation at the hands of this Congress it will be upon a parity with gold at any ratio Congress may establish, whether 16 to 1, or more, or less. If the price of gold and silver and the parity between them is maintained by the quantity of each produced, or by intrinsic value, why was it that England's demonetizing silver in 1816 did not degrade it below the price of gold? Why was it that France by having a ratio of 15½ to 1, notwithstanding the fact that England had demonetized it, kept silver at a premium of 3 per cent throughout the civilized world for more than fifty years? All these arguments about parity, cheap money, and dishonest dollars border on the "vulgar confines of sophistry." It is the only argument they have (and that is no argument) to cover the most vicious system of financial laws ever enacted in the civilized world. That system is to exalt the dollar and debase the man; it is a system that enhances the value of money and depresses the prices of property and products; a system that has inaugurated a slavery in the rural districts of this nation among the farmers and laborers, more galling, more cruel, more oppressive than any African slavery that this country ever saw.

If the demonetization of silver has the same effect in this nation as it has produced in England it will cause the farmers to lose their homes and make them slaves where they were heretofore masters. When silver was demonetized in England in 1816 she had 180,000 landowners. In less than fifty years four-fifths of them had lost their homes. England to-day has a peasantry too poor and

ignorant to rise to the dignity of patriotism, instead of a yeomanry whose manhood and prowess made her the mistress of the world. In an evil hour for old England she yielded to the cry of the money shark, she contracted her currency, making her money too dear for the plain, honest man, and degraded and debased the manhood of her own people so that she never can again reproduce the armies that conquered Napoleon. In an evil hour our own country followed her example; and this bill crowns the climax of a conspiracy which began with placing the exception clause on the greenbacks when the gold gamblers got control of the finances of this country; and I say here and now that every act of Congress passed from that day to this day, namely, the banking act, the act contracting the currency, the public-credit-strengthening act, the act demonetizing silver, the act resuming specie payments, and this present bond bill, which retires all the greenbacks and Treasury notes and increases the public debt hundreds of millions and brings the country to a solid gold basis, means endless poverty and never-ceasing toil for the laborer and the poor man—a struggle for existence to keep the wolf of hunger and want from his door.

It is estimated that the indebtedness of this country of all kinds, public and private, municipal and corporate, amounts to the enormous sum of $30,000,000,000, the average interest on which is 6 per cent per annum, which amounts to $1,800,000,000. When we consider that all the corn, wheat, oats, and cotton produced by the farmers and all the gold and silver mined in the United States amounts to only about fourteen hundred millions, the appalling fact remains that after taking nearly everything the farmer and miner produces in this country, leaving nothing for the support of their families, we then fall short of meeting the interest on this indebtedness nearly $400,000,000 annually.

It is plain that this debt can never be paid. When we take into consideration the further fact that out of the 14,000,000 of homes in this country, 9,000,000 of them are under mortgage, is it not time that this Congress should be considering something else rather than increasing the debt of the nation? It is not the business of Congress to enact laws to enable a few men to live in wealth and luxury and consign the toiling millions to serfdom, but to enact such laws as will give every man and every woman and every boy and every girl an open field and a fair chance in the race of life.

The Tariff.

REMARKS

OF

HON. JOHN A. BARHAM,

OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, December 26, 1895,

On the bill (H. R. 2749) to temporarily increase revenue to meet the expenses of Government and provide against a deficiency.

Mr. BARHAM said:

Mr. SPEAKER: It is not my purpose to discuss at length the measure before the House. While it is not all that I desire to advocate and not all that our interests and industries demand, yet it is all that we may expect the President to approve, or, by not approving, allow to become a law. My section of the country and its industries require for successful competition the full restoration of the McKinley tariff on lumber, wool, fruits, butter, and agricultural products. The increase of duty on these articles, as provided in this bill, will, however, place these industries beyond the point of bankruptcy and will enable the people so engaged at least to live until the restoration of the Republican party to power, the inauguration of a Republican President, and the convening of the Fifty-fifth Congress, when, as the country may be well assured, a protective tariff will be fully restored.

The passage of this bill, which is an assured fact, in the speedy manner proposed by the rule which has just been adopted, will reassure the people and inspire them with confidence that the Fifty-fourth Congress means to transact business and not build up politics. The President, in his message, in response to which this measure is introduced, substantially concedes that the revenue raised by the hyphened tariff bill for revenue only passed by the last Congress is wholly and entirely inadequate to suit conditions with which the country is confronted. In fact, we are face to face with a condition, and not a theory. It is true a theory has produced this condition, and the President's message can in no way be construed other than admitting that the theories of the Democratic party, found announced in the Gorman-Wilson bill, are colossal failures which have brought the richest, best, and most productive country on God's green earth to the very verge of financial bankruptcy while having the most wonderful resources and integrity beyond question.

It seems to me that the other side of the Chamber can ill afford to taunt this side with haste and want of due consideration of this measure. The people fully understand the question of tariff and have in the most emphatic manner passed upon that question through the ballot box. Besides being fully advised, those of them who doubted, in fact denied, the correctness of the doctrine of Republican protection have been educated in the school of experience until they no longer desire discussion. What the people most desire at the hands of Congress is action; and beyond this the request of the President in his message is so urgent for immediate and speedy relief, he asks us to forego our usual Christmas holiday, to waive our Christmas turkey, that the country may be relieved. In the face of such urgency by a Democratic President it is difficult for a reasonable person to see how the Democrats upon this floor can cry haste upon the part of the Republicans.

The people do not desire further discussion; your side ought to have discovered your error; if not, time and argument will not remove your want of capacity to discover. Yet you argue that if a tariff measure is to be enacted we should enact the McKinley bill. We certainly most sincerely thank you for your kind solicitude for what Republicans ought to do. But in so far as I am concerned I reject your advice for a great number of reasons. It is perfectly apparent from your past record and history that your party is a party of errors. It is not advisable to consult error with the hope of getting right. No, the Republican party has always been big enough, broad enough, and had brains enough to meet any emergency. None has ever arisen which was too great for it to overcome, or for which it failed to adopt a full, fair, adequate, and complete remedy. No, we will not follow your advice, for it would be a mistake, of course.

The Secretary of the Treasury has, in the last two and a half years, sold bonds to the amount of $162,000,000, from the proceeds of which he has paid out for the current expenses of this Government $133,000,000. Just so long as there is a deficiency in the revenues which comes to this Government to pay current expenses the "endless chain" will run on, and bond issue after bond issue will be the result. The revenue which will come from this measure will be about $44,000,000, and thereby the income of the Government will equal its expenditures, and there will be no deficit, and the bond issue will cease. It is useless and idle work at this time to discuss a general protective tariff measure; the people do not desire it, and this Congress will pass this measure, which will meet the present urgent emergency, and delay the consideration of a protective measure until after there is a change of administration.

Bonds, High Tariffs, and Certificates of Indebtedness.

REMARKS

OF

HON. A. M. DOCKERY,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Friday, December 27, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. DOCKERY said:

Mr. SPEAKER: I shall avail myself of the courtesy of the House to state succinctly some of the reasons which impel me to oppose the propositions submitted by the Republican party to meet the exigencies of our Treasury situation. They provide not only for a "horizontal" annual increase of tariff taxation amounting to about $40,000,000, but also for the issue of 3 per cent coin bonds, without limit, to replenish the gold reserve, together with the authorization of 3 per cent certificates of indebtedness not to exceed $50,000,000 to meet temporary deficiencies in our national income.

It may be well to state that the existing tariff law would probably have met all the requirements of the Treasury but for the unexpected decision of the Supreme Court depriving the Government annually of not less than $30,000,000 of income tax revenue.

In view of this decision, however, declaring the unconstitutionality of the income tax, the Secretary of the Treasury estimates that the deficiency on account of revenues and expenditures for this fiscal year will amount to about $17,000,000, and at the close of the fiscal year 1897 the surplus in the Treasury on the basis of current revenues and liabilities will be about $7,000,000.

It may be well to state in passing that the deficiency is in no wise due to wanton expenditures on the part of the present Administration. During the fiscal year 1895 receipts were greater by $15,668,055.86 than during the prior fiscal year; yet the expendi-

tures were reduced by an economical Administration below the previous year in the sum of $11,329,981.54. Indeed, during the fiscal years 1894 and 1895, as stated by the Secretary of the Treasury, the ordinary expenditures of the Government were decreased by $27,282,656.20, as compared with the fiscal year 1893. It must also be remembered in this connection that receipts from customs revenue were greatly diminished by the McKinley Act, while expenditures have been greatly increased, largely on account of the legislation of the Fifty-first Congress, commonly known as the Reed Congress.

The results of dwindling revenues and increasing expenditures were becoming apparent even under the Administration of Mr. Harrison, for during the last four months of his term the expenditures exceeded the receipts by $4,094,021.38.

This deficiency, with others that have followed, was almost solely due to the riotous appropriations of the Republican party. From March 1, 1885, to March 1, 1889, a period covering the four years of Mr. Cleveland's first Administration, the entire income of the Government amounted to $1,451,660,246.74, while the total receipts from March 1, 1889, to March 1, 1893, under Mr. Harrison, aggregated $1,539,723,590.58. The entire expenditures for the same periods, exclusive of bond purchases and premiums thereon, were $1,063,223,202.93 under Mr. Cleveland and $1,330,394,780.55 under Mr. Harrison. In other words, while the receipts of Mr. Harrison's Administration exceeded those of President Cleveland's by $88,063,343.84, the expenditures of Mr. Harrison were $267,171,577.62 greater than those of his Democratic predecessor. The expenditures of the Government leaped from $318,040,710.66 during the fiscal year 1890 to $383,477,954.49 in 1893.

It is impossible to state with accuracy what proportion of this increased outlay was due to the legislation of the Fifty-first Congress, but it is known that of the appropriations of the Fifty-second Congress about $154,000,000 were consequent upon the legislation of the Fifty-first Congress. Moreover, at the close of Mr. Cleveland's first Administration the Democratic party turned over to the Administration of Mr. Harrison, upon the present basis of stating the Treasury account, $83,827,190.29 of available cash assets in excess of the $100,000,000 gold reserve. After four years of Republican rule the Democratic party resumed control of national affairs, and found in the Treasury at the beginning of March, 1893, an apparent surplus of but $24,128,087.88, exclusive of the gold reserve. This meager surplus, consisting in great part of unavailable subsidiary and minor coin, was all that remained, notwithstanding, as has already been stated in this debate, the Republican party had extended $25,364,500 of bonds maturing September 1, 1891, and had also covered into the Treasury and used for general expenditures $54,207,975.75 of trust funds belonging to the holders of national-bank notes.

The Republican Administration had also defaulted during the fiscal years 1892 and 1893 in the requirements of the sinking fund by an amount exceeding $40,000,000, and had reduced the disbursing officers' balances available for current expenses from $47,905,423.30 to $23,515,033.70 during the four-year term beginning March 1, 1889.

It can not be claimed that the diminishing surplus was due to the purchase of Government bonds, for during President Cleveland's first Administration bonds were retired at a cost of $360,419,953.11, as against but $292,963,486.67 used by President Harrison for like purposes. There were also inherited at the time Mr. Cleveland was inaugurated President, on the 4th of March, 1893, outstanding liabilities authorized by prior Congresses amounting to $96,051,325.96. These liabilities were to be met by appropriations or expenditures after the close of the fiscal year 1894, the items being as follows:

River and harbor contract liabilities	$28,112,147.00
River and harbor appropriations not to be expended until after close of fiscal year 1894	2,500,288.00
Balance under contracts authorized for Army Gun Factory and heavy ordnance	5,526,000.00
Balance to be appropriated for the Library of Congress under contracts authorized	2,150,000.00
Amount to be appropriated under authorized limit of cost for public buildings	$9,989,265.71
Amount to be appropriated for light-houses	725,600.00
Increase of the Navy	16,325,000.00
National-bank redemption account, July 1, 1894	15,263,473.25
Cherokee Outlet lands	8,300,000.00
Additional amount to be expended on public works under continuing appropriations heretofore made	7,159,552.00
Total fixed liabilities to be met after the fiscal year 1894	96,051,325.96

Mr. Speaker, I have felt constrained to make this hurried summary of fiscal affairs, inasmuch as the leaders of the Republican party in the course of this debate have persistently sought to fix the responsibility of the Treasury deficiency upon the legislation of the Democratic party and its national Administration. In the presence of this fiscal exhibit, however, it becomes obvious that the Democratic party is acquitted of responsibility, except in so far as the deficiency results from income-tax legislation, and we have no apologies to offer for our efforts to require the accumulated capital of the country to bear its just proportion of the burdens of Government.

PROPOSED LEGISLATION.

Mr. Speaker, I come now to a very brief review of the so-called remedial propositions submitted by the Republican party. It will not be denied that the Treasury situation, both in respect to current income and the gold reserve, is far from satisfactory, but in order to make an intelligent application of a remedy we must first determine the causes which have depleted this reserve and reduced the revenues. I do not concur in the view that the Secretary of the Treasury should be clothed with power to issue three-year 3 per cent certificates of indebtedness to an amount not exceeding $50,000,000 to meet temporary deficiencies "now existing or which may hereafter occur." I know that this proposition comes to the House not only with the approval of the majority of the Committee on Ways and Means, but also with the indorsement of the Secretary of the Treasury. That is to say, the Secretary thinks there should be authority to issue temporary deficiency certificates, although there is no existing necessity for such an issue.

My opposition to this proposed legislation rests on the conviction that it will ultimately lead to extravagant appropriations. I think it altogether likely that this authority would be wisely employed not only by the present Secretary but by his successors in office, and my apprehension is not therefore based so much upon a fear that the trust may not be judiciously exercised by the Secretaries of the Treasury, but that it will prove to be a constant menace to the Treasury and lead to deficiencies that would not otherwise exist. There is no influence so restraining upon Congress and more certain to assure economical appropriations than revenues which, while ample for the needs of the Government, are yet not in excess of those requirements. Therefore, it seems to me that the lodgment of this power with the Secretary of the Treasury would likely operate as an invitation to Congress to profligate appropriations in many instances, for should such appropriations result in Treasury deficiencies, the deficiencies can be easily supplied by the issue of temporary 3 per cent certificates as authorized by the pending bill. The legislation would therefore be unwise, and if deficiencies occur in the future they should be met from time to time as they occur.

TARIFF TAXATION.

The proposition to increase the burdens of tariff taxation to the extent of about $40,000,000 annually is wholly indefensible, inconsistent with the public interests, and not demanded at this time by the condition of the Treasury. This bill evidently rests upon the theory that because ordinary current revenues are not sufficient to meet current liabilities additional taxation should therefore be invoked to supply this deficiency, notwithstanding the Government has availed itself of other sources of revenue. It is not demanded by the Administration, but, on the contrary, the able Secretary of the Treasury, in his annual report, clearly shows that there is, and will be, abundant revenues to meet all the obligations of the present and ensuing fiscal years.

The revenues of the Treasury are derived from customs, internal taxes, postal receipts, and certain miscellaneous sources, which the Secretary of the Treasury estimates for the current fiscal year will yield about $432,000,000, while at the same time he estimates the expenditures at about $449,000,000, thus leaving a deficit, as heretofore stated, in round numbers of about $17,000,000.

These are the ordinary resources of the Government, and if this were a complete exhibit of the existing financial situation some additional revenue would undoubtedly be required. But this bill wholly ignores the fact that the Administration has already sold $162,315,400 of bonds, for which the Treasury realized in cash $182,288,040.33. These bonds were issued to maintain the gold reserve. The gold realized from their sale has been used to redeem what are commonly known as greenbacks and Sherman notes; but, under the act of May 31, 1878, greenbacks can not be "retired, canceled, or destroyed, but they shall be reissued and paid out again and kept in circulation." The act of July 14, 1890, also provides that the Sherman notes "may be reissued."

Under the practice of the Treasury Department, when these notes are once redeemed they become available for current expenditures, and are paid out, as other moneys of the Treasury, to meet the current obligations of the Government. Under this practice, therefore, there is in the Treasury this day an available cash balance, including gold reserve, of $175,470,249.92. Of this amount, $66,286,320.53 constitute the gold reserve, thus leaving cash available for current expenses aggregating $109,183,929.39. In other words, Mr. Speaker, there is now $75,470,249.92 available in the Treasury for current expenses, after fully meeting the requirements of the gold reserve.

Whatever may be said as to the policy of issuing these bonds, it will not be denied that the issue is an accomplished fact, and that the people will be taxed not only to pay the bonds, but to meet the amount of interest thereon. Now, then, the Government having, in addition to its ordinary revenues, secured this income from bonds, it becomes an unwarranted exaction upon the people to impose the additional burden carried by the proposed horizontal tariff bill. If the Republican party is simply seeking to make good a temporary deficiency in current revenues, then it would

seem that the provision to authorize the issue of 3 per cent temporary certificates would meet all the possible demands of the situation, without the levying of protective tariff duties. Yet this bill not only levies an annual tribute of $40,000,000 not now needed by the Treasury, but it enables the manufacturers of this country to exact increased prices upon everything they produce, except, perhaps, the one article of sugar, which I believe is undisturbed by this so-called "emergency revenue bill."

BOND ISSUE.

I come now to consider, very briefly, the proposition to authorize the Secretary of the Treasury to sell 3 per cent coin bonds for the purpose of redeeming United States legal-tender notes commonly known as greenbacks. The resumption act of January 14, 1875, authorized the sale of ten-year 5 per cent bonds, fifteen-year 4½ per cent bonds, and thirty-year 4 per cent bonds, for the purpose of maintaining resumption. This bill gives to the Secretary of the Treasury the right to issue a 3 per cent fifteen-year coin bond, redeemable by the United States at its pleasure after five years. It in no wise disturbs the resumption act of 1875, but is, to quote the language of the bill, "in addition" to that already provided by statute.

Mr. Speaker, I do not and have not favored an increase in the interest-bearing bonded debt of the United States. I do not hesitate to say, however, that if in my judgment such issue were required to maintain the credit, the honor, and the safety of this Government, I would most cheerfully support the proposition. This bill is not necessary to maintain either the honor, the integrity, or the safety of our institutions. It does not relate to certain grave questions which have recently challenged the attention of the country in connection with foreign affairs. I am in hearty accord with the President in his recent masterly exposition of the principles of the Monroe doctrine. If bonds should become necessary in the future to maintain the supremacy of that doctrine, I should unhesitatingly vote for their issue, for I agree with the President that—

> While it is a grievous thing to contemplate the two great English-speaking peoples of the world as being otherwise than friendly competitors in the onward march of civilization, and strenuous and worthy rivals in all the arts of peace, there is no calamity which a great nation can invite which equals that which follows a supine submission to wrong and injustice, and the consequent loss of national self-respect and honor, beneath which are shielded and defended a people's safety and greatness.

Let us not, however, confuse the issue. These bills are not war measures, neither do they relate to any future policy of the Government in respect to the free coinage of silver. These measures simply raise the question as to the proper action to be taken with reference to the existing volume of gold, silver, and paper money. The provision for a new form of bond seems unnecessary and is an additional power given the Secretary of the Treasury, supplementing the resumption act.

Now, then, the question becomes material whether or not it should be granted. The Administration has called upon Congress for relief in the exigency which confronts the Treasury in reference to the gold reserve. This is the issue raised by the President's message and emphasized by the recent interview of the Secretary of the Treasury, in which he asks Congress to authorize the issue of gold bonds. I can not consent that any obligation of the United States should be written in such terms as would exclude silver from an equal responsibility in the discharge of such obligation. I believe in the use of both gold and silver upon equal terms, but I do not intend to discuss that issue here. The questions for impartial consideration at this moment are the causes which have led to the invasion of the gold reserve, and the remedies necessary to restore and maintain it.

If trade conditions were favorable, I think apprehensions as to the Treasury reserve would quickly dissipate; but the unfavorable business situation prevailing in this country during the last three or four years has resulted in an adverse balance of foreign trade, thus creating an unusual demand for our gold, to settle balances due other countries. This gold has heretofore been supplied in large part by banks and individuals, but under the operations of the Sherman law and the act of May 31, 1878, the Government has been compelled to furnish a large part of the gold required for export. That is to say, these obligations, which under the construction of the Treasury Department are redeemable in gold if demanded by the holder, have been used as vehicles to raid the Treasury. They have constituted the "endless chain" which has despoiled our gold resources. It seems to me very clear, Mr. Speaker, that the difficulty arises from the large amount of uncovered paper which is redeemable by Treasury construction in gold alone. That is to say, we have issued a volume of paper money entirely out of proportion to the primary money held for its redemption.

SHERMAN ACT.

So long as the greenbacks only were in circulation there was no disturbance on this score, and the Treasury reserve was not under the constant menace of invasion. From January 1, 1879, the date of resumption, until the passage of the Sherman Act, July 14, 1890, a period of nearly twelve years, the total withdrawals of gold from the Treasury amounted to but $28,250,000. Then the greenback circulation was $346,681,016, while the gold in reserve for its redemption was $100,000,000. That is to say, there were about $3 of paper outstanding for every dollar held for its redemption. This was a safe limit, and conclusively established to be such by the limited gold withdrawals to which I have adverted. In an evil hour the Republican party, against the protest of the united voice of the Democratic party, enacted the Sherman law. It was indeed a "cowardly makeshift," and recognized for the first time in our fiscal policy the vicious principles of the sub-Treasury scheme. It was the deadliest assault made in this century by the enemies of silver under the guise of friendship.

It dishonored silver by storing it away in the Treasury as merchandise, and issued in payment therefor Treasury notes redeemable on demand in coin; and it conferred upon the Secretary the discretion to pay these notes either in gold or silver, while its author secured the declaration that it was the established policy of the United States to "maintain the parity" between the two metals. This declaration as to "parity" would seem to be somewhat ironical in the light of subsequent events, inasmuch as the maintenance of "parity" under this law requires and permits gold payments only. Under this statute $139,583,280 of Sherman notes were outstanding December 1, 1895, and treated by the Treasury Department substantially as gold certificates, without any provision having been made by the Republican party to redeem such certificates by an increase of the gold reserve. This Treasury construction was originally made by President Harrison's Administration, and the notes, although issued in payment for silver bullion, are, as I have just stated, treated as gold obligations, resting in mid-air, without any sufficient reserve for their redemption. The greenbacks and Sherman notes outstanding now amount to about $485,000,000.

While the Government can easily float $3 of paper on the basis of $1 of redemption money, it is unsafe in times of financial peril, such as these through which we are passing, to issue paper currency on the basis of $5 for every dollar of redemption money. This statement is conclusively demonstrated by the fact that from the passage of the Sherman Act until the first of the present month (a little more than five years) the Treasury has been drained of more than $375,000,000 of gold for redemption purposes. The "endless chain" continues its circle, and something should be done for the relief of the Treasury. To retire the greenbacks, as suggested by the President, seems to be unwarranted, as shown by the official statement of the Secretary of the Treasury, disclosing the meager withdrawals of gold during the long period of years when the greenbacks alone were the only charge against the gold reserve. The cloud upon the financial sky, not perhaps "larger than a man's hand," first made its appearance in October, 1891, after the enactment of the Sherman law. In that month a firm of bankers and brokers in New York, whose names I do not now recall, secured a supply of Sherman notes and presented them to the Treasury Department for redemption, demanding payment in gold. Their demand was complied with, and from that hour, and under that pernicious construction, the habit of raiding the Treasury has grown, until it has become a serious menace to all our material interests.

Shall it be met by a further issue of bonds? To this suggestion I most earnestly dissent. It seems to me that the way is clear. Remove the cause, and the effect will inevitably cease. The cause of existing troubles is in great measure found in the exercise of the discretion by the Secretary of the Treasury in favor of gold to redeem Sherman notes. They were issued in payment of silver bullion. The silver bullion lies stored in our Treasury vaults, and if the Secretary of the Treasury will, pursuant to the authority of section 3 of the Sherman act, "coin of the silver bullion purchased under the provisions of this act as much as may be necessary to provide for the redemption of the Treasury notes herein provided for," the situation will be greatly relieved. I am sure that the present Secretary of the Treasury would reverse the existing construction, if the matter were presented to him as an original proposition. This opinion rests upon his testimony given before the House Committee on Appropriations January 21, 1895, in which the following colloquy appears:

> Mr. SIBLEY. I would like to ask you (perhaps not entirely connected with the matter under discussion) what objection there could be to having the option of redeeming either in silver or gold lie with the Treasury, instead of with the note holder?
>
> Secretary CARLISLE. If that policy had been adopted at the beginning of resumption—and I am not saying this for the purpose of criticising the action of any of my predecessors or anybody else—but if the policy of reserving to the Government at the beginning of resumption the option of redeeming in gold or silver all its paper presented I believe it would have worked beneficially and there would have been no trouble growing out of it; but the Secretaries of the Treasury from the beginning of resumption have pursued a policy of redeeming in gold or silver at the option of the holder of the paper, and if any Secretary had afterwards attempted to change that policy, and forced silver upon a man who wanted gold, or gold upon a man who wanted silver, and especially if he had made that attempt at such a critical period as

we have had in the last two years, my judgment is it would have been very disastrous. There is a vast difference between establishing a policy at the beginning and reversing a policy after it has been a long time established, and especially after the situation has been changed.

Mr. Speaker, the apprehensions of Secretary Carlisle as to a change of policy may to some extent, in view of existing conditions, be well founded. It is possible that some financial disturbance might result from the proposed reversal of policy in respect to the Sherman notes. The Secretary admits, however, that if this policy had been adopted at the outset it would have "worked beneficially." Upon this question there seems to be no difference of opinion between the Secretary and myself. But the issue for present determination is whether the existing construction shall be maintained. The proposed change might not operate "beneficially." It is impossible to speak definitely in advance of a trial of the policy. I am prepared to say, however, that the existing construction has resulted most disastrously, and should give place to some modification that will permit the use of both the gold and silver of the Treasury to meet the coin obligations of the Government. The law under which the Sherman notes were issued gives to the Secretary of the Treasury, in express terms, the right to pay them either in gold or silver. This discretion must, however, be exercised by the Secretary, and I challenge reference to one line of that law which permits him to abdicate his high duties and divest himself of responsibility by giving to the holder of the Sherman notes the right to elect that payment shall be made in gold alone.

Such a policy obviously gives to the holder of these notes an unfair advantage. I desire to press this view somewhat earnestly upon the attention of the Secretary of the Treasury, because under the extraordinary special rule under which this bill is now being considered it is impossible to offer any amendment that will require the Treasury Department to deal with gold and silver upon equal terms in meeting the obligations of the Sherman law. The Committee on Rules of the House have reported a rule, without precedent, for the consideration of the tariff bill and of the bond bill. which permits no amendment and requires the House either to accept the propositions as a whole or reject them as a whole. The House is therefore powerless under this new departure of the Republican Committee on Rules to do more than either accept or reject the measures as a whole.

Again, Mr. Speaker, should the Secretary of the Treasury hesitate to make so pronounced a change in the existing policy respecting the Sherman notes, why would it not be wise at least to follow in the lead of France, where the discretion of the finance minister is exercised by making equal payments of gold and silver in meeting the obligations of the Government?

The law insists that the "parity" between the two metals should be maintained. How can such "parity" be more certainly upheld than by dealing with both metals upon equal terms? They are both clothed with full legal-tender powers, and should under that authority be charged by the Secretary of the Treasury with equal duties and equal responsibilities. I know, Mr. Speaker, of no other way to properly "maintain the parity" than by affording each metal an equal opportunity to discharge the coin obligations imposed upon the Treasury of the United States. I am utterly at a loss to understand that policy which proclaims a "parity" and yet denies to one of the two metals the privilege of exercising its full legal-tender qualifications. This discrimination necessarily operates to make one metal virtually redeemable in the other, and to unduly enhance the value of the metal in whose favor the discrimination is exercised. The effect of this policy is to devolve upon gold alone the duty of performing monetary functions, and this added duty necessarily operates to enhance its value, and thereby discriminates against silver and depreciates its value.

Now, Mr. Speaker, the situation is so plain that a "wayfaring man can not err therein." "He that runs may read." The deficiency in current revenues is not properly chargeable with any responsibility for the raid upon the gold reserve. This reserve is being reduced, and has been heretofore depleted, because of unfavorable business conditions, and because it is inadequate in amount to meet the liabilities imposed by the $485,000,000 of outstanding Sherman notes and greenbacks, with the right of indefinite and perpetual redemption accorded by law to each.

CONCLUSION.

And now, Mr. Speaker, having stated my own views in reference to the Treasury situation, I may say that, in the face of the present exigency, I will support any honorable, just proposition that will afford relief to the suffering Treasury. In conclusion, I desire to summarize very briefly the situation in respect to the legislation pending. The Republican party have proceeded on the theory, as announced by their speakers in this debate, that the gold reserve has been depleted because of inadequate revenues. This "theory" (properly characterized as such, because it has no foundation in fact) is thoroughly discredited by the official statement of Secretary Carlisle, showing that during the fiscal years 1891, 1892, and 1893, beginning July 1, 1890, and terminating June 30, 1893, the receipts of the Government surpassed its expenditures more than $39,000,000; and yet the gold withdrawals during this period amounted $117,212,258. He further shows that of the latter sum, $58,746,008 were withdrawn during the last nine months of the Administration of President Harrison.

If, however, the Republican contention is correct, that the deficiency alone is responsible for the assault upon the gold reserve, why did they not content themselves with the passage of a measure designed to make good the deficiency and rest their "exigent" remedial legislation at that point?

The deficiency for the fiscal year ending June 30, 1895, amounted to but $42,805,223.18. If that deficiency, with the one existing at the close of the prior fiscal year, be responsible for the depleted gold funds, why the necessity for the three so-called remedial propositions which have been offered? With an annual deficiency of about $40,000,000, they present a bill authorizing the issue of $50,000,000 of 3 per cent 3-year certificates; a "horizontal" tariff bill imposing more than $40,000,000 of annual taxation for the benefit of the Treasury, and untold millions for the benefit of manufacturers; and a bill to authorize the issue of 3 per cent 15-year bonds without limit.

Mr. Speaker, let me say finally, if the Republican party had been sincere in their diagnosis of the economic ailment which has wasted the resources of the gold reserve, they would have contented themselves with the passage of a measure designed to meet a temporary Treasury deficiency. But the ruling passion, strong even in death, is stronger still in the hour of victory. Not satisfied with meeting the temporary Treasury deficiency, they seized the first opportunity to attempt to restore to the statutes the protective system of taxation to which the Republican party is committed. The plea that the $40,000,000 of revenue is needed at this time by the Treasury is shown by Secretary Carlisle to be utterly fallacious, and is only a flimsy subterfuge behind which is ambushed the organized avarice of protected monopolies.

Furthermore, Mr. Speaker, if the Republican party had been candid in their position respecting the coin obligations of the Government, they would have responded to the President's message by the passage of a bill authorizing the issue of a gold bond, because they are committed by practice, if not by platform, to a single gold standard. The controlling forces of that party believe that the coin obligations of the Government should be paid in gold, if so demanded. Standing, however, upon the threshold of a Presidential contest, the Republican leaders in this House fail to exhibit the courage of their convictions, and adroitly evade the real issue by the passage of a 3 per cent coin bond. Still, Mr. Speaker, I congratulate the Republican party, after having indulged in vituperative denunciation of the President because of bond issues heretofore made, upon coming now, at this late hour, to give their sanction to the action already taken by the President, and upon bidding him Godspeed for the future by enlarging his powers and responsibilities under the resumption act.

The Coin Redemption Fund.

SPEECH

OF

HON. ROBERT J. GAMBLE,

OF SOUTH DAKOTA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, December 27, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. GAMBLE said:

Mr. SPEAKER, I have endeavored to carefully consider the provisions of the pending bill, and am unable to discover any valid reasons why it should not receive my support. It makes no difference that the appeal comes to this House from an Executive representing an opposite political faith. Our response must be measured by our own sense of patriotic duty and obligations to our country under existing conditions—conditions, sir, that have been brought about by policies of administration, it seems to me, wantonly and persistently followed out by the Democratic party against the repeated warning, protest, and prophecy of the Republican organization. Higher motives than mere party advantage or resentment should actuate us as individuals, and we should answer this appeal from the nation's Executive, whether made in good faith or otherwise.

The spectacle here presented appears to me anomalous. The Republican party meets the crisis promptly and with courage. By them a revenue bill was passed with great expedition to meet the demonstrated deficiencies in the Government's income, and it met the persistent opposition of the President's own party on this floor. The same opposition is made to the pending measure, both here and from the executive department. All the power of the Administration is exercised for some occult purpose to nullify the

efforts of the majority of this House to grant the relief for which so strong an appeal was made. From the evidence at hand good faith seems wholly lacking in the Administration and its supporters on this floor.

The Administration proposes, independent of any further legislation upon the subject, or any action taken by Congress in the premises as indicated in the message of the President, to issue bonds for the purpose stated in the first section of the bill. Shall we, by the passage of the pending measure, make the interest lower, the time for which they are to run much shorter, and their sale public? Surely, if bonds are to be issued these provisions are to the advantage of the Government. The power is already vested in the Secretary of the Treasury by existing law to issue bonds. It is not contemplated by this bill to give any new power to that officer. The only manner in which the proposed issue can be defeated is to repeal the law which authorizes it. As both branches of Congress are now constituted would such a proposal receive favorable consideration? You may answer for yourself.

Even if a bill were passed repealing the statute of 1875 it is well known it would receive the Executive veto. With practical certainty it can be asserted the law will remain in force at least during the balance of the term of the present Executive.

The legislative branch of the Government is powerless to repeal it if it were so disposed in the face of Executive opposition. If this, then, is the position by which we are confronted shall we not modify the provisions of the existing statutes in the interest of the people rather than have the Government again subjected to the exactions of the sale of last year. If I err, either in my conclusions or sense of duty as regards the pending measure, it has not been without an earnest effort on my part to see clearly the issue and responsibility before me.

We will not accuse Mr. Cleveland with such obtuseness that he believes the present Congress will carry out the recommendations of his message to authorize the issue of bonds payable in gold under any circumstances, or that the legal-tender notes under present conditions will be retired and withdrawn from circulation. Does he expect, at his call, the Republican party will renounce the policy of bimetallism for which it has uniformly declared? It has too long been the doctrine of the party that it now can, or should, abandon this vital principle, fraught with such vast interests to the people of the country. From my understanding, I can not conceive, whatever views individuals may have upon the silver question, how an issue upon that subject can be logically injected into this discussion, or in what manner it is involved in the pending measure.

The greenback was born in the necessities of war. The Republican party brought it into being, and is responsible for its creation. Its mission has been one of lasting honor to its authors, and it sustained itself as long as Republican legislation remained upon the national statute books. It has only recently been brought into disrepute by the suicidal enactments and hopeless incompetence of the present Administration. For more than thirteen years, from the date of resumption of specie payments to the accession of Grover Cleveland as President in 1893, the gold reserve stood unimpaired, under legislation inaugurated by the Republican party. No blight during that golden era fell upon or stifled the energies of the nation. Unexampled development marked every avenue of industrial and commercial life, the like of which no people ever witnessed. Great enterprises developed, industries extended, labor always found remunerative employment, with constantly increasing wages. In 1892 our industrial and commercial development had reached a point of prosperity that no people under any government had theretofore enjoyed. Peace and contentment reigned supreme within our borders, and we were the envy in material and domestic development of the nations of the world. The great national debt had been reduced with amazing rapidity under Republican legislation. The annual interest charge thereon had in like manner been diminished. Internal improvements had been extended and developed, and a great pension list had been unfailingly provided for the veterans of the war. No niggardly parsimoniousness in appropriations, or covert attack in construction of pension laws, was made by any Republican Administration to save depleted revenues, like the present, but always and at all times good faith was kept with the defenders of the nation.

By businesslike administration of the great fiscal affairs of the Government its obligations were always met, and no deficiency was ever apparent. No issue of bonds under the act of 1875, which was passed by a Republican Congress, was found necessary, except in the first instance, when specie payments were resumed. It remained for the present Administration to invoke the power reposed in its provisions. Since the date of resumption under the economic policy of the Republican party no statement from the Government records can be produced showing a deficit in income over the ordinary expenses of the Government until after the election of Grover Cleveland in 1892. Some months there were small deficiencies, but there was produced during the time of its operation an average monthly surplus exceeding $1,000,000. There has not been a month, with two exceptions, during the existence of the present tariff law but what there has been a deficiency in meeting the necessary expenses of the Government. Instead of a surplus its average monthly deficit has been $4,694,044. This fact alone is sufficient to condemn the policy upon which the last Presidential election was carried. The people now understand it, and their judgment has been most vigorously expressed in the succeeding elections.

In addition to this, although the gold reserve was intact when Mr. Cleveland was inaugurated, under his benignant reign of tariff reform it has gradually vanished, and it became necessary to replenish this to the amount of $182,000,000 by bond issues. And again, the danger line has long since been passed, and the reserve is now nearly $40,000,000 below the line of safety. But notwithstanding these temporary inconveniences of the Administration, it is still possessed of heroic courage, and is ready for war, even if within four days of its Venezuela declaration we are favored with a communication from the Executive of its threatened bankruptcy.

It is not difficult to find an explanation for the present condition of the Treasury. It is the direct result of the operation of the Wilson bill, so called. The solution is made manifest from a comparison of the effect of this act upon the Government revenues with that of the McKinley law. I quote from the last number of the American Economist, which shows the result, as taken from the official records of the Government, covering periods of the first fifteen months of the operation of each of these two acts:

Exports of domestic goods.

M'KINLEY TARIFF.		GORMAN TARIFF.	
1890—		1894—	
October	$97,061,454	September	$57,820,737
November	88,047,697	October	89,482,422
December	97,421,907	November	78,877,384
1891—		December	83,664,053
January	81,466,685	1895—	
February	74,111,079	January	80,330,490
March	74,433,101	February	54,999,944
April	69,780,077	March	63,623,752
May	56,784,984	April	63,958,041
June	56,058,692	May	62,732,194
July	61,770,509	June	53,738,093
August	71,424,973	July	55,156,878
September	81,845,005	August	54,821,159
October	101,912,906	September	57,062,482
November	109,169,414	October	85,092,393
December	118,576,126	November	85,151,267
Total, 15 months	1,239,864,599	Total, 15 months	1,019,511,279
Decrease under Gorman tariff to date			220,353,320

Imports of foreign goods.

M'KINLEY TARIFF.		GORMAN TARIFF.	
1890—		1894—	
October	$72,550,279	September	$50,647,698
November	64,218,078	October	60,019,986
December	60,802,331	November	50,567,482
1891—		December	62,135,431
January	62,300,663	1895—	
February	65,979,569	January	67,547,900
March	77,634,836	February	58,315,981
April	81,275,106	March	69,295,493
May	71,993,623	April	68,749,958
June	73,462,225	May	66,028,854
July	67,042,035	June	61,662,044
August	65,953,360	July	73,034,826
September	61,504,737	August	71,111,943
October	66,836,259	September	65,234,989
November	64,890,507	October	75,056,312
December	69,448,023	November	63,343,759
Total, 15 months	1,025,891,631	Total, 15 months	962,752,656
Decrease under Gorman tariff to date			63,138,975

Exports of gold coin and bullion.

M'KINLEY TARIFF.		GORMAN TARIFF.	
1890—		1894—	
October	$425,235	September	$237,477
November	567,152	October	1,082,814
December	632,354	November	428,213
1891—		December	9,802,389
January	728,246	1895—	
February	4,010,146	January	25,929,828
March	5,155,736	February	1,565,194
April	14,163,116	March	3,126,094
May	30,580,760	April	2,893,610
June	15,822,400	May	1,585,071
July	6,662,674	June	131,641
August	172,168	July	3,867,518
September	345,290	August	16,667,261
October	809,595	September	17,424,065
November	381,949	October	1,873,897
December	254,501	November	14,066,460
Total, 15 months	80,711,322	Total, 15 months	100,721,532
Increase under Gorman tariff to date			20,010,210

Imports of gold coin and bullion

M'KINLEY TARIFF.		GORMAN TARIFF.	
1890—		1894—	
October	$2,621,638	September	$655,595
November	1,926,401	October	1,602,665
December	6,033,013	November	1,935,601
1891—		December	377,950
January	1,397,918	1895—	
February	565,304	January	1,231,339
March	614,170	February	5,632,197
April	233,318	March	7,246,384
May	212,648	April	4,923,371
June	282,906	May	4,856,264
July	1,029,148	June	2,095,391
August	1,394,755	July	571,451
September	7,451,428	August	1,534,086
October	16,897,947	September	749,456
November	8,871,717	October	1,787,776
December	6,018,851	November	592,584
Total, 15 months	55,551,162	Total, 15 months	35,792,110
Decrease under Gorman tariff to date			19,759,052

Results of fifteen months' operations.

Merchandise.	McKinley tariff, October, 1890, to December, 1891.	Gorman tariff, September, 1894, to November, 1895.
Exports	$1,239,864,599	$1,019,511,279
Imports	1,025,891,631	962,752,656
Excess of exports	213,972,968	56,758,623
Excess of gold exports	25,160,160	64,929,422

	Favorable.	Unfavorable.
Trade balance	$188,812,808	$8,170,799
Net loss under Gorman tariff in 15 months		196,983,607

FACTS.

The decrease in our exports of American products and manufactures during the first fifteen months of the Gorman tariff, as compared with the first fifteen months of the McKinley tariff, was $220,353,320.

The decrease in our imports under the Gorman tariff, comparing the same periods, was $63,138,975.

The excess of exports over imports in the McKinley period was $213,972,968, but only $56,758,623 under the Gorman period, a loss, under the latter, of $157,214,345.

Under the Gorman tariff we exported $20,010,210 more gold and imported $19,759,052 less gold than during the McKinley period.

The net loss in the trade balance of the United States has been $196,983,607 during the first fifteen months' operation of the Gorman tariff as compared with the first fifteen months of the McKinley tariff. This loss is at the rate of $13,130,000 a month, or $500,000 for every business day in the month.

The operation of the Wilson law has in every way been a direct menace to the agricultural interests of the entire country. Instead of opening up the markets of the world, as it was claimed it would, and increase our exports of the leading productions of the farm, its actual effect has demonstrated the reverse. The official publication of the Treasury shows, as regards the productions referred to, by comparing the result of the first year of the operation of this act with that of the McKinley law, that there was a decrease in the export of agricultural products amounting to $69,546,414. It also shows a like loss to our agriculturalists in the importation of articles that could have been produced by our own farmers to supply our own market rather than transfer it, as has been the case under this new régime, to foreign competitors. The importations during the time referred to under the Wilson law exceeded that under the McKinley law by $55,927,678. Another item of vast interest to the whole country, and a matter of especial interest to the people of my own State is, wool. Comparing the operation of the two acts as affecting this industry for the same time, it shows that under the Wilson law $26,289,857 worth was imported more than under the McKinley law. No account is here taken of the great loss in the value of the flocks or the product during the same time, in addition to the direct loss to our farmers in being robbed of a market that is justly their own.

With this immense loss to the Government in trade, and the balance always against us under the operation of the present law, is it at all strange that we have trouble with the gold reserve? Gold sufficient to make good this difference in our foreign trade is taken from the country. It must be supplied from some source, and the Treasury of the United States seems to be the most accessible. So long as the economic policy of the Democratic party is adhered to which brings about such a condition in our trade relations just so long will the raids continue on the gold funds of the Treasury. Restore again the policy of the Republican party and reverse the balance of trade in our favor, and the effect will be, as it always has been heretofore, to stop the outflow of gold from our shores and bring to us instead the yellow metal sufficient to make good the balance of trade in our favor. The real seat of the present trouble is largely, if not wholly, due to a false economic policy, insisted upon by the opposition in the face of overwhelming facts as well as the logic of the present unfortunate condition of our national well-being.

The statement of the Treasury Department which we received this morning shows, including the gold reserve, the available cash balance on hand a little upward of $175,000,000. But the Administration, in order to save itself from bankruptcy, has replenished the Treasury with upward of $182,000,000 by the sale of bonds to maintain the gold reserve. Had this course not been resorted to and reliance alone placed on the Government revenues, the gold reserve long since would have been swept away, a deficiency would exist, and the people would then have had even a more practical demonstration of the logical effect of the Wilson bill and Democratic policies than they have already, crushing though the weight has been upon every avenue of our commercial and industrial life.

For thirteen years succeeding July 1, 1879, the total withdrawal of gold from the Treasury only amounted to $43,310,896, while the country was enjoying the security and confidence of Republican Administrations, and under its legislation undisturbed by the prospect of a reversal of its tariff legislation by the Democratic party. But from July 1, 1892, up to December 1, 1895, the withdrawals of gold amounted to upward of $360,000,000, and of this vast sum over $305,000,000 during that time was exported—found lodgment in foreign countries. It can thus be understood that the demand for gold is not from the American people, but it is necessary to supply the deficiency in our trade relations consequent upon tariff agitation by the Democratic party, commencing with its threat of the enactment of free trade in 1892, and afterwards by its legislation upon the subject.

It is well understood that the balances in our foreign trade must be paid in gold. And when we add to this amount, under our present conditions, the vast interest charge annually paid to the holders of our securities abroad, aggregating substantially $75,000,000, and probably more than that, and also the amount spent by that large and increasing number of our population in foreign travel, ranging high into the millions, it is not surprising that gold shipments are necessary to keep our accounts balanced with the nations of the world. A policy that allows the shipment of gold to foreign countries to go on unchecked is unwise, unphilosophical, and suicidal. The reversal of the tariff policy of the Government has brought about this unfortunate condition in our financial operations. It occurs to me it would be the policy of wisdom to again inaugurate that system which gave us a balance in our foreign exchanges sufficient to liquidate the vast amount we must at any rate pay to our foreign creditors, rather than add to it, as we are now doing under present legislation. Other expedients will be but temporary, but this course will give us the permanent relief.

With a depleted Treasury as the result of its un-American policy, with a vanishing and constant fading gold reserve as a resultant from the same cause, with blind adherence to mistaken theories, the Administration is finally overwhelmed. After having by dark-lantern tactics contracted with foreign syndicates and imposed bond obligations on the Government aggregating $162,315,400, at long time and at usurious rates of interest, the representative of this ignoble business now appeals to the majority of this House, representing the only party that has shown capacity for government for the past thirty-five years. However humiliating the spectacle, or however much resentment we may feel, obedience to patriotism and to duty commands this response in the enactment of the measure proposed. We have already provided revenue, but the present exigencies plainly demand even more for the immediate needs of the Government.

As Republicans, we do not believe in, and never have put in practice, policies necessitating the issue of bonds in time of peace.

The law of 1875, however, is still in force, and authorizes the issue.

The Administration proposes to exercise the power, whether action is had by Congress or not. Already it is asserted, with an assurance of fact, that negotiations are practically completed with the same representatives whose cunning and avarice cost the Government so dearly in the last issue, to say nothing of our national self-respect. Shall we refuse to pass this bill, when by its terms it makes such contracts impossible? If we fail to pass it, it is practically a justification and indorsement of the acts of the Administration. Is this not one of the motives for the opposition? If it be true, as is charged, that secret negotiations are already being conducted by the Administration for the sale of $100,000,000 to $200,000,000, and a contract has been or is about to be entered into with the representative of the same or like syndicate to which the last sale was made, it occurs to me the proceeding can not be too

strongly denounced on this floor or by the American people. If such methods are being pursued, they appear to me iniquitous. The Administration can afford to wait for the action of Congress, and not be in too unseemly haste. The saving to the Government in the low rate of interest, as well as in the time the bonds would run under this bill, rather than proceeding under existing law, would be enormous. After having appealed to Congress, it would be a grave act of official discourtesy to negotiate a sale of bonds before both Houses have a full and fair opportunity to make answer to the President's appeal.

Under the law of 1875 bonds can only be issued for ten years at 5 per cent, or for thirty years at 4 per cent. It is proposed by this bill to also authorize the issue of bonds bearing interest not to exceed 3 per cent, and redeemable at the pleasure of the United States in coin after five years from date, and payable in fifteen years. Whenever bonds are to be issued, the Secretary of the Treasury must advertise the same. The proceeds must be used for the purpose of redemption, and for no other purpose.

It appears to me that these provisions are all in favor of the Government. It gives a lower rate of interest, and limits the time in which the bonds are to run, and places the redemption at the option of the Government. It also prevents the repetition of an iniquitous and disgraceful contract, unjust to the Government and humiliating to our people. It allows our own people to be open competitors for our nation's securities, and I believe their patriotic sentiment and ability will at all times be equal to the emergency or the necessities of the Government, especially with returning prosperity in the assurance of a Republican victory in 1896.

With the Republican party in possession of all the departments of the Government, as it surely will be in 1897, there will be no necessity for the exercise of the authority conferred by the proposed measure. A new era will again be upon us as a people, energized and quickened by the pulse beat of Republican courage and hope.

Under this bill there could be no retirement of the greenbacks, any more than under existing law. The proviso of the bill clearly negatives any such construction. The law of 1878 still remains in force, and is specifically referred to in the bill. That law provides as follows:

> And whenever any of said notes may be received into the Treasury, under any law, from any source whatever, and shall belong to the United States, they shall not be retired, canceled, or destroyed, but shall be issued and paid out again and kept in circulation.

Under this bill I can see no way in which the circulation of the currency can be contracted. It is made the duty of the Secretary of the Treasury to reissue, pay out again, and keep them in circulation.

I have heard no serious objection made to the second section of the bill. Its provisions are so plainly requisite, usual, and necessary, it would seem idle to argue the necessity of its enactment.

I would, therefore, summarize my conclusions upon the pending measure as follows:

1. The bill is not a departure from Republican doctrine, but simply supplements the present statute, leaving all existing provisions in full force upon the subject.

2. The power to borrow for the purposes indicated in the first section now exists, and it is the granting of no new authority to the Secretary of the Treasury, and is a matter of detail only.

3. The provisions are all in favor of the Government making the rate of interest lower and the time for which the bonds are to run much shorter.

4. It prevents any secret contract in the future with a foreign syndicate and gives our own citizens an opportunity of purchasing the securities of the Government in the open market and upon fair competition.

5. It will give greater national self-respect, by having our own citizens hold our securities, rather than appealing to foreign representatives.

6. It meets the present emergency promptly, and saves the nation's credit and the integrity of the Treasury.

7. It will preserve the gold reserve for the use which the original law contemplated and prevent it from being wantonly diverted to replace the deficiencies in the revenues.

8. It condemns the methods of the Administration in prior sales of bonds, and to defeat this measure would be construed by it as a justification of its proceedings.

9. It in no sense can be used to retire the greenbacks or to contract the circulation.

10. To oppose it drives me into cooperation with Democracy, whose wisdom in legislation or administration has never yet developed in me, by practical example, the profoundest faith.

Revenue.

REMARKS

OF

HON. JOEL P. HEATWOLE,

OF MINNESOTA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, December 26, 1895,

On the bill (H. R. 2749) to temporarily increase revenue to meet the expenses of Government and provide against a deficiency.

Mr. HEATWOLE said:

Mr. SPEAKER: The first necessity of the Government is revenue sufficient to pay all its obligations as they mature. This bill aims to secure revenue which the last Democratic Congress failed to provide. No man on the Republican side pretends to say that it is all that he desires as a revenue bill, and it is brought forward and supported by Republicans at this time to meet an emergency. Under Republican control no such emergency would have arisen, as it has always been the policy of the Republican party, as it is to-day, to provide sufficient revenue to properly carry on the Government.

This emergency began when the people after thirty years—a period in which many forgot the disasters of the last time the Democratic party was in control—trusted that party with full power in both legislative branches of the Government and the executive branch as well. Up to that time there had been no question about maintaining the gold reserve. Up to that time the gold reserve had never been attacked. Up to that time it had never been necessary to draw upon the gold reserve, in a roundabout manner, to pay the running expenses of the Government.

In November, 1892, when the returns had all been counted and it was known that the Democrats had not only carried the Presidency, but the House and Senate as well, there began that depression which the country has suffered from ever since, and from which it will not recover, in my judgment, until the Republicans are restored to power in every branch of the Government and can undo what the Democratic party has done and do what the Democratic party has left undone. The result of that election caused the business interests of the country to suspend. Every industry was threatened by free trade. Capital was withdrawn from business enterprises. Money was held in strong boxes, and did not seek investment in the usual channels because no one could tell what mischief the party now in full control would do. The threatened attack upon the protected industries of the country proclaimed in the Democratic national platform was nearly as efficacious in causing a stagnation in business as was the fulfillment.

A natural result of Democratic success was a decrease of revenues of the Government. Importers bought as small stocks as possible, waiting until they could reap the harvest of Democratic pledges and bring their goods in at reduced tariff rates. There was a decreased demand for all goods on account of the hard times and the industrial stagnation following the election. Revenues fell off even before the present tariff law was prepared. The passage of the bill did not aid business nor secure an increased revenue. Instead there has been a constant growing deficiency ever since. More revenue was promised by the Democrats as a result of increased importation. But now we have had an increased importation, and still the deficit grows larger. The rates of duty are not high enough to provide sufficient revenue, yet the imports far exceed the exports.

It is this latter fact to which may be attributed the raid upon the gold reserve. With a balance of $160,000,000 against us it is natural that gold must be drawn out of this country to pay the difference. Should the balance be in favor of this country there is little doubt that the gold reserve could be easily protected, as there would be no demand upon it to pay foreign exchange. It has been demonstrated that the demand for gold was for commercial transactions, and what has been called a "raid" was nothing more than a demand created by business conditions. If the present bill should check foreign importations, create a demand for goods produced at home, and turn the tide of trade into domestic channels, I believe we would not be troubled with the so-called "raids" unless they should be made by the officers of the Treasury to pay the running expenses of the Government.

If this bill should check the tide of importation, and at the same time raise the revenue necessary to meet the deficit, then it will accomplish what it is intended to do. It may not be adequate for both of these purposes, and for that reason I will support a bill authorizing the issue of short-time, low-interest bonds of small denomination to meet emergencies until the Republicans are in

full control again and a safe and equitable tariff measure can be framed upon Republican principles, which will not only produce sufficient revenue, but will turn the balance of trade in favor of this country and do away with the necessity of protecting the gold reserve, which is now drawn upon so heavily to meet foreign balances.

No one on this side of the Chamber can be wholly satisfied with the present law, nor as it will be after this bill amends it. It will take weeks to prepare a measure to meet the wishes of the Republicans of this House, and it is well known that when such a measure is prepared it will not meet the approval of the Democratic Executive. When such a bill is prepared it will be found that more hearty support will be accorded it than is now given a measure which is temporary only, and which is intended for an emergency, and that alone.

I have the honor to represent an agricultural district. My constituents have had a few years of Democratic tariff, and they do not approve of it. They know that protection for agricultural interests is as important as protection for manufacturing interests. And, in fact, even more so. When the receipts of the manufacturer are reduced below his expenditures he can reduce wages to the European scale, or can close his factory and await better times. The farmer must sow and reap, and accept the prices which are offered for his products, no matter how low they may be made by competition with foreign products. When the workingman is thrown out of employment and his wages reduced, he is not so large a purchaser of the products of the farm. There is a surplus of products, and then the laws of supply and demand work to the detriment of the farmer. Indirectly the home market is one of the great dependencies of the farmer to keep up the prices of his products.

But it is where the foreign importations come in direct competition with the products of our fields that the farmer finds he has sustained the greatest loss by Democratic ascendancy. The importation of Russian and Canadian barley has caused a decline in the price of that cereal which has been marked in every farming district in the United States, and more especially in Minnesota and the States on the Canadian frontier and which by lake transportation are compelled to compete with the Russian article. The tariff act of 1890 advanced the duty on barley from 10 to 30 cents per bushel and the imports of barley fell off from 10,000,000 bushels to less than 2,000,000. During the time this law was in operation the farmers of the United States increased their barley product 15,000,000 bushels over the average for eight years. The increase in one year was worth to the farmers over $6,000,000, which is one of the items that has gone to swell the balance of trade against the United States in the past year and a half of Democratic tariff. In the past twenty years, from 1873 to 1893, the production of barley has increased nearly 118 per cent, from 32,000,000 in 1873 to 69,869,000 in 1893.

The farmers of Minnesota, Wisconsin, and the Dakotas have had the experience of seeing Russian barley sold in competition with their own products in the great markets of the West, Chicago and Milwaukee. These cities as a market are best described in a communication of the Milwaukee Malt and Grain Company in January, 1894, when the Democratic bill was before the House of Representatives.

They said under above date:

"In these cities is marketed a large proportion of the barley grown in Wisconsin, Minnesota, and Iowa, which three States, together with California, furnish more than one-half of the barley crop of the United States. In six years, from 1884 to 1889 inclusive, the combined receipts of barley at Milwaukee and Chicago averaged 17,300,564 bushels per annum. Then came the increased duty, and in line with it the receipts during the subsequent years promptly ran up to an annual average of 25,706,923 bushels, an increase of 8,406,359 bushels per annum.

"In support of this statement we herewith append in detail the official figures of the secretaries of, respectively, the Chamber of Commerce of Milwaukee and the Board of Trade of Chicago:

Year.	Chicago receipts.	Milwaukee receipts.
	Bushels.	*Bushels.*
1884	7,849,829	4,702,666
1885	10,700,127	5,302,106
1886	12,740,953	6,019,424
1887	12,476,547	5,778,663
1888	12,387,526	6,465,471
1889	12,524,538	6,765,537
1890	15,133,971	10,825,391
1891	12,228,480	10,001,293
1892	16,989,278	11,788,298
1893	13,375,845	12,495,136

"Is not the aforementioned phenomenal increase of 8,406,359 bushels per annum in the receipts of American barley at but two points proof positive that the duty of 30 cents per bushel has resulted in a great benefit to the American farmer? It can not be denied that the higher duty has stimulated to a degree hitherto unparalleled the cultivation of barley in the States of Wisconsin, Minnesota, Iowa, North Dakota, and Nebraska, and that, as a further result, thousands of acres of land that stood in danger of being impoverished through the long-continued cultivation of wheat are now being strengthened and reclaimed to usefulness by the change from wheat to barley.

"The full effect and benefits of the 30-cent duty are now but just beginning to make themselves manifest. The excellent quality of the barley raised in the States above referred to is rapidly making friends for it everywhere, and more particularly in those sections of the country where formerly Canadian barley was in general use. It can not be claimed that the American cereal is inferior to its foreign rival, as witness the unexcelled reputation of Milwaukee beer, in the manufacture of which our own barley is almost exclusively employed. We firmly believe that if the present duty is not disturbed Canadian barley will eventually be driven entirely from the United States.

"On the other hand, if the Wilson bill becomes a law and the duty be reduced to an ad valorem duty of 20 per cent, the floodgates on the other side will promptly discharge such an enormous load of barley into our land as can not but prove disastrous to the interests of the American farmer. He has spent money, time, and brains in the laudable enterprise of furnishing the brewers and distillers of our land with a grade of barley that shall answer all the requirements as to quality. The question is, shall we encourage him herein by retaining the present duty, or shall we expose him to ruinous competition? Ruinous it certainly will be, for Canada is in position to send us with ease from 15,000,000 to 25,000,000 bushels of barley per annum, and far more if necessary. If she could unload on us more than 11,000,000 bushels per annum when the specific duty was 10 cents per bushel, then how much more will she dump on these shores under an ad valorem duty of but 20 per cent, which will in reality not amount to more than from 6 to 8 cents per bushel? Fix the duty as the bill proposes, and we prophesy that in the very first year thereafter not less than 15,000,000 bushels of Canadian barley will come across the line, thus crowding out an equal quantity of American grain.

"It must not be forgotten that geographically Canada enjoys a great advantage over the barley-producing States of the Northwest in that she is closer than they are to the great brewing centers of the East, notably Buffalo, Rochester, New York City and vicinity, Philadelphia, and Boston and vicinity. The bulk of the barley she exports to our country is raised almost at the water's edge of Lake Ontario. Its north shore, from Kingston to Hamilton, is the dumping ground of her barley farms. So close, indeed, are the farmers to the lake ports that it costs them virtually nothing to market their barley, for they haul it there themselves by teams, thus avoiding the payment of any and all railway freights. Here it is quickly absorbed by conveniently located marine elevators, where vessels and boats of every description lie in waiting to carry it to Buffalo and Oswego for a consideration of half a cent to 1 cent per bushel. And what does it cost the farmers of Wisconsin, Minnesota, Iowa, the Dakotas, and Nebraska to lay their barley down in the aforementioned American markets, Buffalo and Oswego? From 10 to 15 cents per bushel."

Every farmer who has received a low price for his products now realizes that the predictions made in the above letter were based on sound principles and that the man who wrote it was fully alive to the importance of protecting the products of the farm.

It is also interesting to note how the imports of barley fell off under the protective duty of 30 cents per bushel of the Republican tariff and increased again when the Democratic tariff went into effect. The figures given are for the past six years ended June 30, which include the year just before the new Republican tariff went into effect and the years subsequent:

Year.	Bushels.	Value.
1890	11,332,545	$5,629,849
1891	5,078,733	3,222,593
1892	3,146,328	1,592,040
1893	1,970,729	921,605
1894	791,061	358,744
1895	2,116,816	867,742

Heretofore Canada has been our greatest competitor in the barley market, but since the Democratic tariff went into operation the Russians have begun exporting barley to this country, and unless the duty is restored she will prove a formidable competitor. For a period of seven years, from 1881 to 1887, the average export value of Russian barley was 35 cents per bushel at the port of shipment. At the above price the Democratic tariff would add 10½ cents, and about 4 cents a bushel for freight would make the price at New York 49½ or 50 cents per bushel. It is known that Russia is ready to produce barley much cheaper than this, and unless the duty is restored the Western farmer will find his former well-established and compensatory prices reduced to a figure that will make the raising of barley far from profitable.

But the farmers of Minnesota, Wisconsin, Iowa, and the Dakotas have still a greater rival to fear than Old Canada and Russia, if the present duty on barley is to remain.

In the far northwest, on the other side of the British boundary line, lies a stretch of country 1,500 miles wide, where the Dominion Government is offering every inducement to settlers.

The season is so short that only crops grown in least possible time will ripen before the fall frosts.

Barley is one of these crops.

The possibilities of production is unlimited.

Since the Democratic tariff law was passed thousands of acres of this country have been devoted to barley, and millions of acres will follow if it is to remain.

Barley is one of the crops which the farmers of my district have heretofore found profitable to diversify with their other products. If they are granted a reasonable protection they can make it profitable. They are also interested in many other agricultural

products which the Republican tariff protects and which the Democratic tariff places upon the free list, or only grants a small duty which is far from adequate. If the present bill were not an emergency measure, I should like to have offered amendments to the agricultural schedule which would have furnished sufficient protection to the farmers of the whole country. I apprehend when the time comes to frame a bill on Republican lines that the men charged with that duty will give due care to all the vast interests of the United States, and that the agricultural interests will share the beneficent care to which they are entitled and which they can only expect in Republican legislation.

So much has been said in the past by Democratic orators on the stump and in the Halls of Congress concerning the great results that would accrue to American agriculturists by free trade or a reduction of duties by reason of an increased demand for American products, that some figures on this line are pertinent. "Throw open your ports to the world and you will capture the markets of the world," they have asserted time and again. We have tried that long enough to see how it works. The following table shows what has been the result, so far as the exports of many agricultural products are concerned. The figures given are for the year ended June 30, 1894, under a Republican tariff, and the year ended June 30, 1895, under the Democratic tariff:

	1894.	1895.
Barley.....bushels..	4,740,586	1,556,715
Corn.....do....	63,425,655	25,507,753
Butter.....pounds..	11,658,313	5,462,563
Cheese.....do....	72,102,644	58,446,036
Eggs.....dozen..	2,159,047	1,698,366
Flour.....barrels..	16,536,991	14,942,647
Oats.....bushels..	5,671,352	540,975
Tallow.....pounds..	53,588,800	25,030,339
Wheat.....bushels..	87,958,280	75,831,639

It will be seen by these figures that the farmers of the United States are not capturing the markets of the world very fast under the Democratic tariff law. I append hereto principal agricultural products, showing the tariff rates of 1890 and the reductions made by the act of 1894. The rates of 1883 are also given. Many of the rates were changed in the Democratic bill from a specific to an ad valorem rate, which allows undervaluations, working a greater injustice to the farmer.

Comparative tariff on agricultural products.

Articles.	Law of 1883.	Republican tariff of 1890.	Democratic tariff of 1894.
Barley	10 cents per bushel.	30 cents per bushel.	30 per cent ad valorem.
Buckwheat	10 per cent..	15 cents per bushel.	20 per cent ad valorem.
Corn	10 cents per bushel.	15 cents per bushel.	20 per cent ad valorem.
Oats	10 cents per bushel.	15 cents per bushel.	20 per cent ad valorem.
Wheat	20 cents per bushel.	25 cents per bushel.	20 per cent ad valorem.
Butter	4 cents per pound.	6 cents per pound.	4 cents per pound.
Cheese	4 cents per pound.	6 cents per pound.	4 cents per pound.
Beans	10 per cent..	40 cents per bushel.	20 per cent ad valorem.
Eggs	Free.....	5 cents per dozen.	3 cents per dozen.
Hay	$2 per ton..	$4 per ton...	$2 per ton.
Hops	8 cents per pound.	15 cents per pound.	8 cents per pound.
Potatoes	15 cents per bushel.	25 cents per bushel.	15 cents per bushel.
Flaxseed, etc	20 cents per bushel.	30 cents per bushel.	20 cents per bushel.
Garden seeds	20 per cent..	20 per cent..	10 per cent ad valorem.
Bacon and hams	2 cents per pound.	5 cents per pound.	20 per cent ad valorem.
Beef, mutton, etc	1 cent per pound.	2 cents per pound.	20 per cent ad valorem.
Wool:			
First class	10 cents per pound.	11 cents per pound.	Free.
Second class	12 cents per pound.	12 cents per pound.	Free.
Third class	2½ cents per pound.	32 per cent..	Free.
Third class	5 cents per pound.	50 per cent..	Free.
Leaf tobacco:			
Stemmed	$1 per pound	$2.75 per pound.	$2.25 per pound.
Not stemmed	75 cents per pound.	$2 per pound	$1.50 per pound.
All other stemmed	40 cents per pound.	50 cents per pound.	50 cents per pound.

I also give the rates imposed by Canada upon American farm products, which show the opposition that would be met with in the Dominion if American farmers should undertake tc capture that market for their surplus products:

Canadian tariff on agricultural products.

Animals, living, not elsewhere specified, 20 per cent ad valorem.
Live hogs, 1½ cents per pound.
Meats, 2 cents per pound, when in barrel, the barrel to be free.
Meats, fresh, 3 cents per pound.
Canned meats and canned poultry and game, extracts of meats and fluid beef not medicated, and soups, 25 per cent ad valorem.
Mutton and lamb, fresh, 35 per cent ad valorem.
Poultry and game, 20 per cent ad valorem.
Lard, lard compound and similar substances, cottolene, and animal sterine of all kinds, 2 cents per pound.
Tallow and stearic acid, 20 per cent ad valorem.
Beeswax, 10 per cent ad valorem.
Candles, 25 per cent ad valorem.
Soap, pearline and other soap powders, pumice, silver and mineral soaps, sapolio, and like articles, 35 per cent ad valorem.
Soap, common or laundry, not perfumed, 1 cent per pound.
Castile soap, mottled or white, 2 cents per pound.
Glue and mucilage, 25 per cent ad valorem.
Feathers, undressed, 20 per cent ad valorem.
Feathers, 30 per cent ad valorem.
Eggs, 5 cents per dozen.
Butter, 4 cents per pound.
Cheese, 3 cents per pound.
Condensed milk, 3 cents per pound.
Condensed coffee, condensed coffee with milk, milk foods and all similar preparations, 30 per cent ad valorem.
Apples, 40 cents per barrel, including the duty on the barrel.
Beans, 15 cents per bushel.
Buckwheat, 10 cents per bushel.
Pease, 10 cents per bushel.
Potatoes, 15 cents per bushel.
Rye, 10 cents per bushel.
Rye flour, 50 cents per barrel.
Hay, $2 per ton.
Vegetables, when fresh or dry-salted, n. e. s., 25 per cent ad valorem.
Barley, 30 per cent ad valorem.
Indian corn, 7½ cents per bushel.
Dutiable breadstuffs, grain and flour and meal of all kinds, when damaged by water in transitu, 20 per cent ad valorem upon the appraised value, such appraised value to be ascertained as provided by sections 58, 70, 71, 72, 73, 74, 75, and 76 of the customs act.
Buckwheat meal or flour, one-fourth of 1 cent per pound.
Corn meal, 40 cents per barrel.
Oats, 10 cents per bushel.
Oatmeal, 20 per cent ad valorem.
Rice, uncleaned, unhulled or paddy, three-tenths of 1 cent per pound, but not to be less than 30 per cent ad valorem.
Rice, cleaned, 1½ cents per pound.
Rice and sago flour and sago, 25 per cent ad valorem.
Rice, when imported by makers of rice starch for use in their factories making starch, three-fourths of 1 cent per pound.
Wheat, 15 cents per bushel.
Wheat flour, 75 cents per barrel.
Biscuits of all kinds, 25 per cent ad valorem.
Macaroni and vermicelli, 25 per cent ad valorem.
Starch, including farina, corn starch or flour, and all preparations having the qualities of starch, 1½ cents per pound; the weight of the package to be in all cases included in the weight for duty.
Seeds, viz., garden, field, and other seeds for agricultural and other purposes, when in bulk or in large parcels, 10 per cent ad valorem; when put up in small papers or parcels, 25 per cent ad valorem.
Mustard, ground, 25 per cent ad valorem.
Mustard, cake, 15 per cent ad valorem.
Sweet potatoes and yams, 10 cents per bushel.
Tomatoes, fresh, 20 cents per bushel and 10 per cent ad valorem.
Tomatoes, and other vegetables, including corn and baked beans in cans or other packages, 1½ cents per pound; the weight of the cans or other packages to be included in the weight for duty.
Pickles, sauces, and catsups, including soy, 35 per cent ad valorem.
Malt, 15 cents per bushel, upon entry for warehouse, subject to excise regulations.
Extract of malt (nonalcoholic), for medicinal purposes, 25 per cent ad valorem.
Hops, 6 cents per pound.
Compressed yeast, in bulk or mass of not less than 50 pounds, 3 cents per pound; in packages weighing less than 50 pounds, 6 cents per pound, the weight of the package in the latter case to be included in the weight for duty.
Yeast cakes and baking powders, 6 cents per pound, the weight of the package to be included in the weight for duty.
Trees, viz, apple, cherry, peach, pear, plum, and quince of all kinds, 3 cents each.
Grapevines, and gooseberry, raspberry, currant, and rose bushes; also, fruit plants, n. e. s., and shade, lawn, and ornamental trees, shrubs, and plants, 20 per cent ad valorem.
Blackberries, gooseberries, raspberries, strawberries, cherries, and currants, n. e. s., 2 cents per pound, the weight of the package to be included in the weight for duty.
Cranberries, plums, and quinces, 25 per cent ad valorem.
Prunes, 1 cent per pound, including raisins and dried currants.
Apples, dried, desiccated, or evaporated; dates, figs, and other dried, desiccated, or evaporated fruits, n. e. s., 25 per cent ad valorem.
Grapes, 2 cents per pound.
Oranges, lemons, and limes, in boxes of capacity not exceeding 2½ cubic feet, 25 cents per box; in one-half boxes, capacity not exceeding 1¼ cubic feet, 13 cents per half box; in cases and all other packages, 10 cents per cubic foot holding capacity; in bulk, $1.50 per 1,000 oranges, lemons, or limes; in barrels not exceeding in capacity that of the 196-pound flour barrel, 55 cents per barrel.
Peaches, 1 cent per pound, the weight of the package to be included in the weight for duty.
Fruits, in airtight cans or other packages, 2 cents per pound, the weight on which duty shall be payable to include the weight of the cans or other packages.
Fruits, preserved in brandy, or preserved in other spirits, $1.90 per gallon.
Jellies, jams, and preserves, 3 cents per pound.
Honey, in the comb or otherwise, and imitations and adulterations thereof, 3 cents per pound.

Revenue.

REMARKS

on

HON. BINGER HERMANN.

OF OREGON,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, December 26, 1895,

On the bill (H. R. 2749) to temporarily increase revenue to meet the expenses of Government and provide against a deficiency.

Mr. HERMANN said:

Mr. SPEAKER: I avail myself of the opportunity given to express my views and those entertained by a large majority of the people whom I have the honor to represent in this the great council chamber of the nation.

We have assembled, sir, under remarkable conditions. The annual message of the President notifies us of what we are already painfully aware, that our domestic concerns are "in such a perplexing and delicate predicament as to require prompt and wise treatment." These are his words. Before this House was organized under the rules, and within eighteen days from the first, another message comes to us from the Executive in which he reminds Congress of his previous comments on the country's unhappy situation, and then he says:

This condition is intensified by the prevalence in certain quarters of sudden and unusual apprehension and timidity in business circles.

Still further on he says:

We are in the midst of the season of perplexity caused by our dangerous and fatuitous operations.

Since this second message we have also had a third in reference to the perils which threaten us from abroad.

NEVER SO MANY MESSAGES IN THE SAME TIME.

Never before since the beginning of our Government have we had so many messages in the same brief interval from any President, and all breathing such despondent spirit and predicting such calamitous results. From the day this Administration first went into power not one encouraging message has yet come from the Chief Magistrate to the people's representatives, and not one cheerful ray has that Administration contributed to inspire hope. We recall the very outset, when we were summoned to this Capitol in the heat of the summer, in extraordinary session, when we listened to a doleful message, in which it was proclaimed to all the world that there existed "an alarming and extraordinary business situation, involving the welfare and prosperity of all our people." This situation was attributed to the continuance of the Sherman law, and we were assured if this obstacle to prosperity were repealed all would be well, because, as we were reminded, the ills which had in a few months befallen us were "chargeable to Congressional legislation touching the purchase and coinage of silver by the General Government." The very message, with the extraordinary meeting of the nation's Congress, as if in war time, did much to intensify the prevailing timidity which everywhere had already bred distrust, evil forebodings, and alarm; and yet these were not occasioned by the operations of the so-called Sherman law. But the law was hurriedly repealed. The continued and greatly increased depression, panics, business failures, and commercial ruin everywhere which followed afford the best proof that the President's diagnosis of the nation's condition was incorrect.

FREE-TRADE PRESIDENTS ALL REPORT EMPTY TREASURIES.

The alarming messages of Grover Cleveland recall to our minds the historic parallel with every message from a free-trade President. We remember the wretched failure of James Buchanan, the financial distress, bankruptcies, and universal hard times which befell the country under his Administration. Just as we see it now; there was then an empty Treasury, bonds were issued, moneys borrowed to pay the current expenses of the Government, high rates of interest paid, the imports exceeded the exports, we were buying more than we were selling, there was a distrust in foreign countries as to our securities, and a lack of confidence at home. And yet, with all this, there was an abundance of that which the soil produces and a rich store of resources which only wanted the quickening spirit of an American policy to produce a generous activity, remunerative capital, profitable markets, good prices, and industrial prosperity. Let us reproduce that well-remembered portion of Buchanan's message in 1857. Read what he there says:

In the midst of unsurpassed plenty, in all the elements of national wealth, we find our manufactories suspended, labor of different kinds abandoned, and thousands of useful laborers thrown out of employment and reduced to want.

If this gloomy message were read to most people to-day and the author's name withheld, it would be said to be the production of President Grover Cleveland. The same policies produce the same results. They can all be described in the same language. When the sickened nation reaches that condition, history teaches us that there is but one medicine which will restore the patient, and that remedy is a protective tariff.

REPUBLICAN PRESIDENTS REPORT PROSPERITY.

We have read the gloomy portrayal of national affairs when free-trade Presidents describe the close of their unhappy Administrations. Let us now read the contrast of a Republican or protective tariff Administration in the last message of President Harrison. He said:

In submitting my annual message to Congress I have great satisfaction in being able to say that the general conditions affecting the commercial and industrial interests of the United States are in the highest degree favorable. A comparison of the existing conditions with those of the most varied period in the history of the country will, I believe, show that so high a degree of prosperity and so general a diffusion of the comforts of life were never before enjoyed by our people.

The student of history would at once say, in reading that message, that it described the splendid results of a Republican Administration.

HARD TIMES FOLLOWED CLEVELAND'S INAUGURATION.

Within ninety days after that cheering message was read to the American people Grover Cleveland was inaugurated, and immediately a chill came over the country. Capital fled in terror from the busy haunts, enterprises withered, factories suspended, business houses failed or reduced their trade, the mines closed or worked on diminished wages, laborers were without work, the mills and the farms suffered all alike. Why this immediate change in our conditions? The answer is self-evident. The profitable American market opened its capacious gates to the products of a foreign soil and a foreign labor, and the energetic home toiler found himself unequal to the cheap competition which displaced him in the market. The tide quickly turned. It is easy to destroy confidence, as it is difficult to restore it. With our own factories and forges, and farms and mines, and mills deprived of their accustomed traffic, and that traffic largely supplied by the foreign competitor, what else could be expected than that which we now experience? The first effects of the Cleveland Administration are seen in our foreign trade relations. The repeal of the McKinley law threw down the bars. We at once increased our purchases from abroad, and soon we were buying more than we were selling. Our imports exceeded our exports. The balance of trade was against us. The American gold went to Europe. It was used in foreign factories, foreign farms, and mines, and it was paid to foreign wages. Under the Republican Administration the balance of trade was in our favor and the European gold came to America. It found its way into the Treasury and among the people. We not only had abundant money, but we had abundant circulation. There was no alarm from the so-called Sherman law. Nobody called for its repeal, and nobody said then, as Mr. Cleveland declares now, that "we are in the midst of the season of perplexity caused by our dangerous and fatuitous operations."

FREE TRADE INCREASES IMPORTS AND DECREASES EXPORTS.

It is a well-established fact that whenever in this country we have a free-trade or tariff-for-revenue Administration we at once increase our imports and decrease our exports. A few facts will illustrate.

For woolens the Wilson bill took effect January 1, 1895. The first six months after this we imported from abroad 19,418,029 pounds of woolens and worsted goods, valued at $12,723,032, while for the first six months of 1894, under the McKinley bill, the like imports were only 2,716,710 pounds, valued at $2,529,694, a difference in value of over $10,000,000 against our own country. During the same six months of 1895 American manufacturers imported 100,628,257 pounds of foreign wool, as against 42,438,461 pounds in 1893 and 44,062,211 pounds in 1892. In 1832, under protection, our general imports were then $101,029,266, while in 1834, two years later and under free trade, our imports had increased to $126,521,000.

WE HAVE NOT THE WORLD FOR OUR MARKETS.

In Mr. Cleveland's last campaign it was freely asserted that if his cause should triumph we should have the world for our markets and that our exports would increase marvelously, and the free traders' favorite maxim was that if we would not buy abroad we could not sell abroad, and it was explained that if the foreigner could freely sell to us he would more freely buy from us. Many believed this, not reflecting that it is with nations as it is with individuals, that they buy only in that market where they can derive the best advantage. The statistics show that we not only did not sell more to the foreigner under the Wilson bill, but that, as a matter of fact, we sold less, and our sales are still decreasing. Our exports to Europe in 1894 were $700,870,822, and in 1895 they were $627,975,133, or a decrease in one year's time of $72,895,689. In contrast to this, under the McKinley bill, our exports in 1891 increased $134,276,000, while at the same time Britain's

exports decreased $82,291,000. It might be thought to follow that if we should sell so much less than before we naturally would buy less than before. A prudent business man would at least pursue such course. But not so with a Government doing business under free-trade ideas and practices, as the figures show. In 1894 our imports from Europe were $295,071,865, while in 1895, one year later, under the Wilson bill, the imports from Europe had increased to $383,686,842. It will thus be seen that we spent $88,600,000 more money for European goods, and the European spent nearly $73,000,000 less money for American goods. This represents a difference which had to be met by sending away our gold. It is thus proven that under a lower tariff we do not increase our exports and that we do not "conquer the markets of the world," as the free trader so loudly boasted. Indeed, it looks as though the markets of the world had conquered us. In trying to capture them we have lost our own.

FREE TRADE DIMINISHES CONSUMPTION.

But it is replied that these increased imports are occasioned by our greatly increased consumption, and not to the decrease or removal of tariff duties. The painful fact, however, remains that the American nation consumes at least 20 per cent less to-day than it did two years ago, and yet our population is greater. The earning capacity and ability of our people to purchase has been impaired from 20 to 50 per cent by these Cleveland times. Four hundred and fifty-six employers have made reports stating the number of their employees and the rate of wages paid them for six months' time in each year from 1890 to 1895. In 1892 the number employed in these 456 establishments was 94,560, while in 1895 the number was reduced to 80,196. From the same reports, which are published in the American Economist, it is also shown that for 1894 there was a reduction of 21 per cent as compared with 1892 in the wages of these people. The lessening of wages always means the lessening of consumption. When it is estimated on the basis of the census of 1890 and on recent investigations that the wage disbursements in 1895 will be $300,000,000 less than in 1890, it can be seen how fearfully has consumption been decreased. The number of people unemployed to-day who were profitably employed during the existence of the McKinley law would constitute a vast army of people. It would be interesting to know how many thousands more are employed on European farms and in European factories this year, who were idle in 1890. With present conditions in our country it is extravagant to claim that there is greater consumption among the masses.

Nor can it be said that consumers are benefited substantially by cheaper prices. Meats and breadstuffs and fuel are about the same. Clothing has shown but little reduction in price, and where it is much cheaper it will be found to contain such quantity of shoddy and waste as to diminish the value of the product, so that in the end there is no real advantage to the consumer, and in proof of this is the statement from Mr. Justice Bateman, a well-known authority on foreign and domestic wools and woolens, that the wool adulterants imported in one year under the free trade Wilson bill amounted to the enormous quantity of 17,600,000 pounds, while under the entire period of the protective McKinley law there were only 1,300,000 pounds purchased from abroad.

The fact can not be denied that increased imports represent the displacement of home-made goods for foreign-made goods. The more we buy abroad the less we buy at home. The more the foreigner manufactures for us the less the American will manufacture. The more the foreign farmer produces for us the less we buy from the American farmer. Increased imports represent in proportion the closed American factory, mine, and mill, and the abandoned farm, fruit orchard, and sheep ranch. They represent diminished production, reduced wages, scarcity of money, increased indebtedness, and hard times on our side of the water. No nation can long remain prosperous with farms on one side of the ocean and workshops on the other. The money which under the McKinley law circulated at home now circulates in Europe. The wages once paid American labor are now paid European labor. Every day's labor by an Englishman on goods consumed here is one day's labor less for an American. How long can we remain out of the hands of a foreign receiver if this condition remains? What is true of individuals is no less true of nations. The same economic law applies to both. An individual long buying and seldom selling will soon come to want. The best proof of these remarks is found recently in an editorial from the great London journal, the Financial News, which is as follows:

Practically every penny that was subscribed in London toward the recent American loan has been got back through the expansion in the export of woolens and worsteds. During the last month America bought less raw wool than in September, 1894, but had to pay more for it. The total export value of worsted tissues for the nine months ended September 30, 1895, has been over $13,000,000 greater than for the same nine months of 1894, and the lowering of the American tariff has been the British manufacturers' salvation.

It was believed by some of our own manufacturers that free wool would benefit them, as it would aid them to enter the foreign markets to compete with manufactured woolens there. But this hope has not been realized. It has been a severe struggle with many American woolen mills to maintain themselves, and such manufacturers freely and publicly proclaim their regret that foreign wools were placed on the free list. They have learned that free wools produce free woolens to Americans, and this produces bankrupt American woolen factories as well as deserted sheepfolds. The protective tariff is reciprocal. Contrary to the belief of American manufacturers and tariff reformers, our exports of all kinds of woolen fabrics have decreased. For the first three months of 1894 the exports were $196,173, while for the same period in 1895, under the Wilson law, they were but $180,223. For the advantage that was pretended to accrue to the manufacturers a costly sacrifice has fallen upon the American woolgrower. It is estimated that his loss amounts to $40,000,000 a year. The price of wool to him has declined 50 per cent in the last two years, while his production has decreased from 364,000,000 pounds in 1893 to 264,000,000 pounds in 1895, and the number of sheep has diminished from 49,000,000 head in 1893 to 39,000,000 head in 1895. Take the loss in the value of sheep, and it represents a decline in three years from $125,909,264 to $66,685,767, as at present. Our country was the third largest of woolgrowing nations and would soon have been the second largest had the American policy continued. It is estimated that the annual loss to the woolgrowers of the State of Oregon and her two neighbors, Idaho and Washington, in the reduced price on wool will equal $1,800,000 a year.

THE CHANGE HAS BEEN A COSTLY ONE.

This is the price they pay in the insane attempt to "conquer the markets of the world." Had the McKinley law continued, the American woolgrowers would soon have supplied all the wool consumed in this country, as they had already reached within 55,000,000 pounds of the entire consumption. What, then, have we gained? Woolen manufactures are but little, if any, cheaper; the raw wool, to the producer, is reduced one-half in value; the American manufacturer is no better off, while a great American industry is rapidly going to destruction. When this is completed and the wool supply of the world correspondingly diminished prices will then advance, but the American woolgrower will have disappeared and the foreigner will fix the price. As it has been with wool so also has it been as to the many other products of American growth and industrial development which were removed from protection and placed under the sharp edge of European competition. Lumber is one of the greatest of American industries. In 1890 the capital invested amounted to the enormous aggregate of nearly $500,000,000. The lumber product was valued at $390,000,000 and exceeded the value of the iron, cotton, and woolen products, and it employed nearly 800,000 people. Even under the McKinley law the foreigner was enabled to pay $1,139,000 in tariff duties to enter our market with his lumber. In three Pacific Coast States—Oregon, California, and Washington—the wages paid in 1890 amounted to $7,715,000. There was not $3,000,000 paid in lumber wages in those States in 1895 under the Wilson bill. It was predicted that lumber would be cheaper to the consumer under the Wilson bill. This, however, has not resulted. Lumber is no cheaper than it was under the McKinley bill. The mill owners have suffered, the whole country has been punished, and the consumer is not benefited by cheap prices. We lose the revenue to the Treasury and the foreigner alone is benefited.

THE FARMER HAS SUFFERED MORE THAN ALL.

Looking to the agricultural list, we find that the farmer has, perhaps, suffered more than any industrial class. To him no market is so profitable as that which brings in close proximity the farm and the factory—the consumer and the producer. Our observation teaches us that farm lands which are nearer to manufacturing centers are higher in value, and the profits are greater than from the farm lands more remote. It is to our interest to encourage the home market rather than the foreign market, and as a result only the surplus of our productions would find their way across the oceans. Only the single inducement found in cheap labor abroad could justify the foreigner to transport from across the Atlantic Ocean to our markets so many of the common farm products the like of which are so abundantly grown in our own country. Within the last ten years the statistics show we have sent ten millions of American gold abroad to buy the one product, such as potatoes. We buy them from such remote countries as Scotland and the British North American provinces, from Germany, Belgium, and from the Bermuda Islands. A farm product so common with us, it would seem, should be produced sufficient for our entire demand, to the exclusion of the foreign product. It would be if the American product was sufficiently protected. Take another item, such as eggs, for instance. The egg product of the American farm amounts in value to $100,000,000, and it is estimated that if to this we add the poultry product of the farm we shall have $300,000,000 as the annual output for these items. In 1893 the entire wheat yield of our country amounted to 396,000,000 bushels, and was valued at less than $300,000,000, so that the egg and poultry sales of the American farmer actually exceed the value of his entire wheat crop. Since the repeal of the McKinley law

immense shipments of eggs and poultry are daily entering our markets from the most remote countries.

Take, again, the item of hay. Over $20,000,000 of this product has been imported from Canada and adjoining countries in the short period since the repeal of the McKinley law. Another great product which suffers is that of the hop. Under the McKinley law the duty was 15 cents, while under the Wilson bill it was but 8 cents, per pound. We bought fewer hops under the McKinley bill than ever before, because our market was restricted more to the home supply, and prices were higher under the McKinley law than they were before. While it is true that we ship largely to the foreign markets, it must not be forgotten that we sell more to our own market than to any foreign nation, or to all combined.

Another product which has seriously suffered is that of the prune. California, Oregon, and Washington are now producing extensively of this fruit, and much labor and capital are annually being invested in this enterprise. The reduction of the McKinley duty on prunes invited a large importation of the foreign fruit to America. Under the McKinley law this importation was reduced to 23,225,821 pounds from 67,000,000 pounds under previous laws. Here was a demand in our own market for nearly 44,000,000 pounds previously supplied by the foreigner, which under the McKinley law was supplied by the American. The injury done the home producer is not so much in the foreign supply to this market as it is in the lowering of the home market price to meet the competing price of the foreign rival. The American grower suffers a loss of market and a loss of price. European cheap laborers and American free traders unite to inflict the blow. One is as dangerous to American labor as the other.

Another great product of the American farm is wheat, and it, too, is affected by the influence of the tariff. Our nation in 1893 had a surplus of about 120,000,000 bushels for export. It came in contact in the European market with a surplus of 230,000,000 bushels from Argentina, India, Australia, Chile, and Canada. The American surplus in the foreign market is sold at whatever price is fixed by that market. The only relief to our people is in less production or in increased home demand; and increased home demand must come from a judicious tariff which will encourage diversified farming and increased consumption by enlarging the manufacturing industries among our own people. A free-trade policy tends to discourage home manufactures and drives that labor from the factory to the farm, and this increases the farm products and adds to our wheat surplus in the already overstocked markets of Europe. While our home market was more than ever supplied by American farmers, under the McKinley bill our sales to the foreign market were greatly increased. The farm products exported in one year under that bill amounted to $793,717,000—indeed 78 per cent of our $1,030,723,000 of foreign exports was from the farm. The McKinley bill increased our sales abroad $200,000,000. Then the money of Europe came to America, now the money of America goes to Europe. Is it not easy to see why money is scarce now in our nation?

A BANKRUPT TREASURY THE LEGACY OF FREE-TRADE POLICY.

We find the condition of the Treasury as bad as we find the material interests of the country. Under the last year of the Harrison Administration the receipts were $385,819,629, while the receipts of the first year of the Cleveland Administration following were $296,960,336, or a falling off to the enormous extent of $88,857,293. Under Harrison there was a surplus in the Treasury, and the national debt was reduced $259,000,000. Under the Cleveland Administration there is no surplus and no debts paid, but, worse than all, there is a deficit and the national debt increased $162,000,000. In fifteen months' time the revenues under the Cleveland tariff left us a deficit of $70,000,000. There is now not a single month that the expenditures do not exceed the receipts; indeed, we are going behind at the rate of four million a month. As it was under the free-trade Buchanan Administration, so it is now. We are spending more than we are earning. We are appealing to the bankers of the world to come to our rescue. Three bond issues have already been made, and the Rothschilds and Belmonts are preparing to negotiate a fourth.

The whole difficulty, disguise it as they may, is that the revenues of the Government under Democratic policies are insufficient to meet the necessary expenses. The expenses are greater than the receipts. Articles which under the McKinley bill produced large revenues on foreign importations are now placed on the free list, and we lose those revenues. The result is that the Government, in order to maintain the reserve fund, must obtain money by other means, and it resorts to borrowing. The President asks Congress to approve of his alternative. I can not for one see my way clear to approve of further increasing the national indebtedness by bond issues and can not vote for such relief. President Harrison had no difficulty in maintaining the public credit and providing for the reserve fund and defraying all the expenditures of the Government, and even reducing the national debt, and there is no reason why the same means under Harrison will not now under Cleveland produce the same relief. The Republican party has severely arraigned this Administration for its ready resort to auctioning off the credit of the country, through bond issues, to every sordid syndicate, and now, sir, it is late in the day and comes with poor grace to solicit the approval of a Republican Congress, in time of profound peace, to the resort of further adding to the enormous bonded indebtedness. The bill now before us will give the President $40,000,000 by Republican protection. I would gladly go still further on this line, if I thought it would not meet an Executive veto; but to add to this relief an authority for bond loans will not, in my judgment, be approved by the people. Already intense disgust and indignation are expressed as to the advantage taken of our necessities through the imbecility of those who represented the Government in its deal with the shylock syndicate for sixty-odd millions of dollars in which bonds worth 120 were sold for 104½. This wanton and unjustifiable loss of $10,000,000 into the hands of a mercenary band of European and American money speculators is without a parallel in any country.

If the Administration had no other way to avoid national bankruptcy than by bond issues, an appeal to the American people alone would have negotiated the entire loan at home, and the legitimate price of the bonds would have been realized, as they would have been taken eagerly in the open market and $10,000,000 of the nation's treasure saved.

However we may view the subject, it is still a most painful one. Everywhere we behold incompetency, financial embarrassment, and losses which the country has been compelled to suffer by repudiating the wholesome doctrine of protection. It is not an overestimate, sir, to say that the two first years of Mr. Cleveland's administration have cost this country more than the entire indebtedness incurred by the late war. As a person in robust health exhibits the effects of sickness less than one already enfeebled, so it may be said of our unhappy nation—that had not the previous thirty years of prosperous Republican rule made us strong, rich, self-reliant, and resourceful, we should ere now have been in far greater peril, bankruptcy, and discredit.

A nation can ill afford to risk few such costly changes in a hundred years. The time has surely come, sir, when we should be less European and more American in our business, our policies, and our principles. But that wisdom, patriotism, and patience which at all times sustains the American people has at last come to the rescue. In the last Congressional elections public sentiment found expression for the first time, after a full trial of so-called tariff reform in this country in later years, and there was witnessed such an uprising and such a popular revolt as has never before occurred, even in war times. States which for thirty years had stood solidly in the Democratic column wheeled into line for protection, and as I look over this Chamber I see twenty-four States with not a single Democratic Representative. In the last Congress there was a Democratic House with a majority of 90, while in this House there is a Republican majority of 140.

THE REPUBLICAN PARTY EQUAL TO THE EMERGENCY.

Barely a week has elapsed since the President, in a special message to us, proclaimed the credit of the nation to be in danger and urged upon us immediate passage of relief measures. Every member of this House was at once notified of the pressing emergency, and before this day ends we shall pass such a revenue bill as will protect the public credit and prevent the deficiencies in the current business. The condition is a grave one, but the Republican party is equal to the emergency and will bring to it prompt and businesslike methods.

The bill before us does not attempt generally to revise the tariff. Its object is, rather, to increase the revenue by increasing some duties and restoring others, until the complete restoration of the Republican party to power, when, with a Republican Senate and a Republican President to cooperate with this body, there will be such a restoration of duties as will once again guarantee protection of American interests all along the line. This measure is based on protection doctrine, and it will provide $40,000,000 by duties on foreign imports. There will be no surrender of Republican policy; and if President Cleveland should decline this aid we shall still feel that we have performed our duty to our country without the sacrifice of those principles of revenue taxation which we believe most conducive to the prosperity and happiness of a free people.

AMERICAN POLICIES FOR AMERICAN PEOPLE.

It is a relief, sir, to know that the day has already dawned for a return to American policies and American institutions.

The first act of the Republican majority in this Congress was to rebuke the American ambassador to England, Thomas F. Bayard, for a speech delivered last month to the English people, in which he belittled his nation and scoffed at and abused the political policy entertained by a majority of our people. It was thought by many in this Chamber that an American official, whatever be his station, who would so far forget his country as to denounce a large body of the people whom he represents, should not only receive a stern rebuke from that country, but that he should be impeached.

There is already too much toadying by private American citizens who go to Europe and who at once become so affected with anglomania and with monarchial forms and society blandishments that they deem it the proper thing to ridicule and then to apologize for their native land and its institutions. Such people should be expatriated; but in the case of an American officer guilty of like offense, he should be impeached and driven into solitary exile by the sentence of a drumhead court-martial. The President should not have waited for Congress to notice and punish this unpardonable offense. He should himself have recalled his recreant ambassador and reminded him that only Americans were wanted to represent this nation at foreign courts.

THE MONROE DOCTRINE AN AMERICAN DOCTRINE.

Then again the majority in this Chamber were quick to resent the indignity attempted by England upon the Republic of Venezuela. We voted the President $100,000 to investigate the issue between the two countries and to determine whether the facts would warrant us in deciding that the cherished American Monroe doctrine had been violated by extending any foreign territorial possession upon the soil of that Republic. We love our country and revere its institutions, and we worship the old Stars and Stripes, the emblem of its liberty, its union, and its glory, and if there is any issue which our people regard paramount to another it is that the integrity of this nation shall be maintained; and whether the menace approaches us from without or from within the combined power of our mighty nationality will respond quickly to defend against the aggression.

We have no concern with foreign alliances or usurpations in the Eastern world, but we do declare that as to American Governments they shall not be subject to the domination of European powers. It is characteristic of England to extend her possessions in all directions, and among the weaker powers her lines are extended from one point to another until she occupies an entire empire of the rightful claimant. The early settlers of my own State once learned to experience the grasping and imperious exactions of that power in the dispute over the Pacific Northwest. The British claimed the Columbia River Valley and the vast regions north of it. They extended their trading ports and fortified as they advanced, and continued to dispute the peaceful set tlement of Americans within the country claimed. The Americans insisted on their right to all the country up to latitude 54° 40'. President Polk's Administration brought the controversy to an issue. The eloquent old Thomas H. Benton announced in the United States Senate that the best means of establishing our right of possession was by occupancy and the planting of 30,000 rifles in the Valley of the Columbia. The war cry of "Fifty-four forty or fight," which resounded throughout the nation, was the most effective assurance to Great Britain that we would assert our rights, and then, and only then, was a peaceful compromise effected. It has, however, always been regretted that we finally yielded so far as to accept to the forty-ninth degree. Looking still farther to the north of us we behold the lion's claw slowly and stealthily advancing over the distant Territory of Alaska. The usual pretext of boundary line is asserted as the basis of a claim, as it is in Venezuela.

We also recognize the possible conflict which may yet arise over the occupation by Americans of the proposed route of the Nicaragua Canal. There Britain likewise interposes an objection and asserts a joint right accruing to her under the terms of an obsolete and much misunderstood treaty made fifty years ago, and known as the Clayton-Bulwer treaty. That treaty has long since become inoperative and void. The construction of the Nicaragua Canal—now since the progressive Republican party is soon to be restored to power—is an assured fact. For commercial benefit, as well as for military defense, its construction is deemed to be one of the indispensable undertakings for the United States, and a general understanding seems to pervade the public mind that this great work shall go on, and that it shall be built by Americans and by American capital and under governmental control. We shall build the canal first and interpret the treaty afterwards, and neither the item of cost nor British intervention will stand in the way when the procession is ready to move toward active operations.

THE ANNEXATION OF THE HAWAIIAN ISLANDS.

The annexation of the Hawaiian Islands will be another great achievement for a patriotic Republican Administration to undertake. The responsible and energetic class of those people are American in heart, and many in nativity, and, above all, they are lovers of a republican form of government, and longingly hope that they may become a part of our great nation, to live under the Stars and Stripes, and to acknowledge their allegiance forever to its authority. The first flag they hoisted when independence crowned their efforts was that flag, and when it was hauled down by the direction of Grover Cleveland they continued to hope that in some day it would be restored to its place to float over their entire possessions by the authority of another President of the American Republic. There stands, however, the American sentinel, armed with the Monroe doctrine, and, watching foreign designs upon those islands, solemnly declares to the nations of Europe that their institutions must not find new sway in the Western Hemisphere, or in the language of President Monroe himself:

We should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety.

This is the doctrine of America for Americans.

IMMIGRATION MUST BE RESTRICTED.

The Washington maxim, "In time of peace prepare for war," while it admonishes us now more than ever to place our coasts in a position of defense by the erection of fortifications and the best approved armament, as well as for the construction and maintenance of an efficient and powerful navy, the same maxim also reminds us to guard against other dangers which menace the integrity and perpetuity of republican institutions.

Complaint is justly made that the gates of Castle Garden swing too far inward. The immigration to our shores in recent years of the criminal, the vagrant, the anarchist, and the irresponsible dregs which incite and foment disturbances, social disorders, riots, and destruction of valuable property, and even life, while they indulge in incendiary harangues and contemptuous and insulting threats against the authority of our laws and the peace and good order of our communities, should cease, and these enemies to all organized government should find no admission to our shores. They pollute and desecrate the temple of liberty. A sound protective policy must exclude these people as it excludes Europe's other cheap products. They do not come, as our fathers did, and as so many others still come, for bona fide citizenship and for the liberty it confers—constitutional liberty to them is tyranny. Their mission is to destroy, not to build. Let them understand that the mere oath of allegiance does not make the citizen of this Republic. If aliens are not attached to the principles of the Constitution they can not be made true citizens, and no oath can make them such. Until they can come up to this high standard they should find no refuge in this country. Some of the best blood of our nation is of foreign birth, but it is loyally American, and will be the first to resent an insult to the flag of the Republic. These citizens are not sympathizers of anarchy and misrule.

THE COMMON SCHOOL IS THE HOPE OF THE REPUBLIC.

In the education of their children let these doubtful citizens understand that the common schools of America are the nurseries for future citizenship; that there the young are inspired with a love of liberty and good government; that they are taught the lessons of the Revolution and learn the meaning of the conflicts of Lexington, of Bunker Hill, and of Yorktown, and there, too, they are taught to revere the memory of the immortal Washington, of Patrick Henry, of Hamilton, and Jefferson. There they will also learn that the illustrious Lafayette, De Kalb, Pulaski, and Kosciusko came to this country from their foreign homes not to tear down liberty but to offer their lives for its establishment, its maintenance, and its perpetuity. There they will behold in the splendid public-school edifices of the great cities, and even in the humble common-school log houses in the forests and on the frontiers of the remote West, the starry flag of our Union, itself teaching an object lesson of the dearly bought and precious legacy which it symbolizes.

ANARCHISTS, CRIMINALS, AND VAGRANTS MUST BE DENIED NATURALIZATION.

That better safeguards may be provided against the dangerous elements which so seriously threaten the stability and permanency of our Republic, I should be glad to unite in such legislation as will restrict citizenship so far as to exclude entirely the persons I have mentioned, and also for such further legislation as will require our courts to exercise greater care in the naturalization of aliens. The law provides that it shall be made to appear to the satisfaction of the court that during the time the alien has resided within the State or Territory "he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same." In the face of this requirement, however, the courts in our great cities, just before election especially, manifest such indifference and disregard of duty as to make the admission to citizenship a burlesque and a scandal. Vast numbers of the most obnoxious persons, who can neither read nor write and have no conception of our Constitution or the obligations which it imposes, take the solemn oath of allegiance with uplifted hand, ignorant and indifferent as to the high qualifications which it confers. Men of notoriously bad character, bribed voters, anarchists, bomb throwers, and red-handed ruffians deliberately violate the law of naturalization, as if it were intended for outlaws and not for honest men. The time has come, sir, when it should be understood that our free institutions are for those who appreciate and observe them, and, while the fruits of the tree of liberty are within the reach of all citizens, that in enjoying those fruits they must not and they shall not girdle the tree.

REPUBLICANS WILL PROTECT THE OLD VETERANS OF THE WAR.

As we are discussing in this revenue or tariff bill the great question of protection, I have not deemed it inappropriate to refer

as I have also to that protection which shall go to our social and political institutions. One is for safety, and the other for revenue; both necessary for national preservation.

In conclusion, I may be excused for referring to another protection, which, it is expected, the Republican party when in full power will not overlook, and that is in a generous regard for the care and veneration of the old soldiers of the war for the Republic. Day by day their numbers are diminishing, and soon the places that now know them will know them no more. The magnificent Republic which they preserved, the vast wealth and prosperity which followed, and the liberty and happiness which are ours to transmit to our posterity are blessings for which every day in our lives we should feel grateful to these old veterans of the greatest war of record.

Thirty years have passed away since these patriotic men responded to their country's call. Many were then in the flush of young manhood. The exposures which thousands of them endured no mortal tongue can tell. Official reports show that of deaths during the past year 63 per cent was from disease of service origin, and in other cases life was shortened by the hardships incident to the ordinary service. No man ever entered that service and was discharged from it with such health and bodily vigor as when he was first mustered in.

Much of the past generous legislation by the Republican party has been rendered ineffective by unfriendly interpretation since then. The old soldier justly insists that after he has furnished his proofs and been granted a pension, he can not be deprived of it without due process of law. It is an injustice that pensions granted years ago on proper evidence then obtainable should now be reduced on no showing. Every day notices are going out as to reductions from $12 to $8 and still lower, and many entirely cut off. Rejections of applications are made after years of accumulation of evidence, and when a second application is filed for the same disability and granted largely on the evidence at first submitted, no allowance is made for the interval of time. Much delay is caused, as well as vexation and expense, in establishing nonessential details after the disability applied for is fully proven. The men who fought under Grant, Sherman, Sheridan, Logan, Thomas, Hancock, and Sedgwick, and those other brave men who bore the brunt of the naval battles on the high seas, are entitled to greater consideration and generosity on the part of the great Republic saved by their heroic deeds, their matchless valor, and their sublime endurance.

The Bond Bill.

SPEECH

OF

HON. RICHARD BARTHOLDT,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, December 28, 1895,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. BARTHOLDT said:

Mr. SPEAKER: While this question is being discussed in the House, the Bureau of Engraving and Printing is preparing, under an order of the Secretary of the Treasury, the plates for a new bond issue. This fact simplifies the situation very materially. It means that bonds will and must be issued, no matter what the Congress will do. It means that the spirit of insolvency conjured up by Democratic misrule threatens Uncle Sam, and, leveling a pistol at his head, asks him for "your bonds or your life!" and it means that the Administration, in order to avoid bankruptcy, has already decided to issue bonds, the same as has been done twice before, namely, under the law of 1875, which authorizes two kinds, 5 per cent ten-year and 4 per cent thirty-year bonds. The Administration was ready to issue such bonds when it sent forth its alarming messages, and the financial situation, accentuated as it was by these messages, now compel it to speedily carry out its plans.

This demonstrates clearly that the arguments of such of my colleagues as oppose the issuance of bonds as a matter of principle are not applicable now. The question confronting us is not whether bonds shall be issued at all, but whether, such issue being inevitable, Congress can not enable the Administration to float them under terms more favorable to the people than are specified in the law just quoted. The vast majority of the Republicans on this floor, among them all the distinguished leaders, are answering this question affirmatively by the advocacy of a bill which not only reduces the rate of interest and time of duration, but also provides that the bonds to be issued shall be first offered to the people of the United States by advertisement, so that our own people shall have an opportunity to purchase them if they so desire. I am willing and ready to support this bill as the best we can hope to get through the Senate and as a very material improvement on the statute under which bonds will be issued should this bill be defeated. The 3 per cent bonds authorized by this measure will on a ten-year loan save the people interest to the amount of $10,000,000, and will besides remain in the hands of our own people.

In the light of American history Republicanism means the redemption, not the issuance of bonds, and if the Republican party had remained in power Congress, it is safe to say, would not to-day be called upon to strike a bargain with capitalists and creditors. This is, let me say to my friends on the other side, not the claim of "pernicious partisanship," but the now commonly accepted theory of the country and the people, based as it is upon the history of a generation. While the revenues exceeded or equaled the expenditures the greenbacks were no source of trouble whatever to the Government; and we therefore claim to-day that they will be rendered harmless as a gold-withdrawing factor as soon as we succeed in again making both ends meet in the national household. This is the principal reason why this Republican House does not believe in the immediate retirement of the greenbacks and why the President's attempt to force the hands of Congress in this respect will be a failure. With the increased revenues resulting from the emergency tariff bill passed a few days ago, the needs of the Government will be amply provided for, and consequently the retirement of the greenbacks is deemed unnecessary. So strong is this conviction that quite a number of my colleagues on the Republican side of the Chamber are determined to vote against this new bond bill for the sole reason that it may indirectly and partly effect such retirement.

It is a mistake, of course, because the bill prohibits it in specific terms; but the vote will show, nevertheless, how little real sentiment and sympathy the President's proposition finds in the ranks of both political parties at this time. The popularity of paper money, as manifested during the last few weeks, is perhaps an indication of the world's advancement in the direction of the ideal money of the future. It is a constant process of evolution, from shells and hides to iron, from iron to brass, from brass to copper, from copper to silver, from silver to gold; and now the time is probably not far distant when the circulating medium, with the exception of small change, will be nothing but paper—paper backed and secured, of course, by the precious metals stored in the Treasury or in the banks.

But, Mr. Speaker, this is not the time to enter into any general discussion of the financial question. We are confronted with two dangers, an unfavorable balance of trade, and, as a consequence, a rapidly vanishing gold reserve, on the one hand, and a monthly excess of expenditures over revenues on the other. It is "a condition, not a theory"; it is a grave emergency, which may be denounced by the partisan and deplored by the patriot, but one that must be met in a patriotic spirit, and must be met at once. It is unnecessary at this time to remind the people that the Republican party is not responsible for this state of affairs, or to point out the malefactors, for the people have already begun chastising them, and it is also useless to assert that the Republicans, had they full control of all branches of the Government, would find a prompt and lasting remedy for the evils resulting from Democratic rule, because the record of our party speaks louder on this point than we, in the few hours of this debate, could hope to do. No; in the face of a grave emergency the duty of the hour is for all parties to join hands, for all to drop their differences of race, religion, and politics, and to stand up, one and all, heart and soul, for the credit of the Government and the honor of the nation. It is like in a case of war when we cease to be Protestants and Catholics, Republicans and Democrats, English, German, Irish, and are nothing if not parts of one great unit of patriotic American citizenship.

The two bills offered as a remedy for our temporary difficulties—one to increase the revenue and the other to maintain the gold reserve and to eventually meet deficits in the monthly balance sheets—these two bills are not exactly what our party would propose if it controlled all branches of the Government. Concessions had to be made to the peculiar complexion of the Senate and to the views and politics of the Executive; but it should be stated here, in the interest of our own party and for the information of the country, that never before in our history was it rendered so difficult to live up to the old maxim that all legislation is more or less the result of compromise.

A veritable volley of conflicting ideas and objections came from the Democratic camp as soon as this side had made the first step, and Democratic sentiment seemed more at variance on this question than Republican sentiment was with either of the many Democratic views. While the President and the Secretary of the Treasury insisted on the retirement of the greenbacks as the only remedy, the distinguished gentleman from Georgia, the leader of their party on this floor, declared openly, contrary to the Presi-

dent's views, against such retirement; and while one good Democrat reiterates, amidst Democratic applause, the arguments in favor of the free and unlimited coinage of silver, the other good Democrat predicts, amid the applause of his party, such a measure to become the calamity of the age. But when it comes to a vote, I believe all the Democrats, the gold men and the silver men, the greenbackers, the "cuckoos," the bond-syndicate men, the Democratic friends and the Democratic foes of the Administration, all will vote as a unit against the Republican measures of relief; nearly every one of them for a different reason. The main reason, of course, is the Republican authorship of these propositions, the same as always controls Democratic action when that party is in the minority. Thus our friends on the other side have returned unchanged from the November funeral of their party, divided when in power, unterrified when out of it. This is the lesson of our proceedings here. It will help to guide the people next November.

To this side of the House, however, this teaches the lesson that neither by concessions nor arguments can we succeed in persuading our Democratic friends, in view of the necessities of the situation and the dangers threatening the country, to momentarily lay aside all partisanship and join hands with us in any honest attempt to formulate measures of relief in emergency cases. This being the case, the Republican majority should, without looking right or left, adopt the motto "Be sure you are right and then go ahead."

The Tariff.

SPEECH
OF
HON. BENTON McMILLIN,
OF TENNESSEE,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, December 26, 1895.

The House having under consideration the bill (H. R. 2749) to temporarily increase revenue to meet the expenses of Government and provide against a deficiency—

Mr. McMILLIN said:

Mr. SPEAKER: I want to call the attention of the gentleman who has just taken his seat, the attention of his colleagues on the Ways and Means Committee and of the majority in this House, to a very wise warning that was given them early in the action, which I think they would do well to heed now. On the evening on which the present Speaker was chosen in the Republican caucus to be presented as their candidate for the high office he now holds he is credited, in the report of his speech, with uttering this warning to his party:

History will accord us praise for what we did in the Fifty-first Congress, and it may accord us praise in this for what we do not do.

[Laughter.]

Now, gentlemen, this that you are doing to-day is one of the things to which that suggestion would very appropriately apply, for the country will give you more praise for abstinence than for continuance on these lines.

To-day, Mr. Speaker, we are confronted by an extraordinary situation. There is upon the statute books an old law, passed many years ago, to provide for the sustenance of the public credit and the maintenance of specie payments. That law was passed at a time when it was impossible to float a bond bearing only 3 per cent interest, or a rate much less than that provided for in the statute. As the holders of money at that time knew the probable exigencies of the Treasury for years to come, it was also impossible to obtain money on a short-time, low-rate bond, such as we can get money upon to-day. But the situation having changed with our great national growth and prosperity, it turns out now that whereas the bond provided for in the old statute is the only bond that the President of the United States and his Administration have legal authority to sell, we can get money on shorter time and at a lower rate of interest; and the President has suggested that view to Congress and asked that authority be given him to take advantage of it.

In the next place, just before that suggestion was made the President, in his advocacy of that national policy which was first advocated by Jefferson, first promulgated by Monroe, sent to this House a message proclaiming the ancient doctrine of the Democratic party, which I am glad to say has become the doctrine of this whole country—"the Monroe doctrine." Taking advantage of that promulgation, the English holders of our securities thrust them back upon us in an attempt to break our markets. England did what she always does in such cases—attempted to attack her adversary not at first with bullets, but through his financial weakness. To a certain extent they did break the market for our securities, and in the opinion of the President it became immediately important that there should be such a change made in the law as would authorize the sale of a bond at a low rate of interest, if bonds were to be issued, in order that we might not be compelled to pay the high rates provided for in the old statute. Thus far I do not think there can be any dissent from my statement of the case.

When that message, reaffirming the Monroe doctrine, came here, I say candidly that in the seventeen years of my service I have never beheld such a scene in this Capitol, and I never expect to see another like it. Throughout these halls and corridors, throughout this great building, from crypt to dome, the patriotic voice of the people's representatives resounded, proclaiming that the President was right and that the people of the United States would stand by him in upholding the Monroe doctrine. Then, taking advantage of the necessities of the Government, gentlemen on the other side of the Chamber—I say it with all candor and without any disposition to hypercriticism—have come and proposed a condition precedent to any relief.

There is no complaint that there is not money enough in the Treasury. There is money enough to supply any possible deficiency for three years to come. But these gentlemen say, "We will provide for bonds bearing lower interest instead of high interest, but before doing that we will impose upon you a bill creating additional taxes or increasing existing taxes. That is, they proclaim to the world in the hour of the country's extremity that they will allow the Administration to sustain the public credit if we will permit them to engage in some more public plundering. That is this proposition, unmixed, unmitigated, extenuating naught and naught setting down in malice concerning it. Now, are we going to sit here and submit to such terms? Are we going to say that patriotism and plunder go hand in hand and that patriotism can not advance a step unless we allow the increase of taxation to go with it? I am not in favor of running the Government by bond issues. But, sir, if you are going to authorize the issue of other forms of bonds instead of those now authorized, don't seize upon that as an excuse for pillaging the people by useless taxes. Doing so, the majority of the Ways and Means Committee of this House thereby put themselves in a very awkward light before the country, and the country in an awkward light before the world.

But that is not all that is embraced in this extraordinary proposition. They propose not only to do this, but to do it by a method that is almost as reprehensible as the thing to be done. It is known that there are men upon that side of the House and men upon this—men of all parties—who are not willing to return to the protection camp from which you gentlemen of the majority were driven in 1890; but it has been artfully provided here by a special rule for the consideration of this measure that those men can not utter any complaint, or, if they do complain, they can not make their complaints effective by offering amendments to or a substitute for this high-tax measure.

They say you must take the bill in toto, gentlemen, whether you like it or not, and for the first time in the history of our Government there is to be a general revision of the tariff law, affecting thousands of articles, affecting everything that enters into the commerce of this country except what is on the free list and sugar—I say there is to be a general revision of the tariff law in this summary way, yet not allowing any one of the 356 representatives of the people sitting here to have any power to amend the bill if wrong or say that the rates shall be reduced on any article or increased on any other. They are not even allowed to raise their voice in protest, the rule is so stringent. I submit, Mr. Speaker, that this is an unheard of proceeding and that such a measure ought not to be put through the House in this fashion.

Now, sir, as I stated before, this bill provides that it shall run for only two years, but there is not a man on that side of the House who will claim in candor that we can not, out of the seventy-seven millions of surplus money that we now hold in excess of the one hundred millions held for redemption, meet every deficiency that can possibly arise in those two years. Then why all this hot haste to go on and reimpose taxes? Unfortunately this Congress will meet a year hence, and, again, there will be other Congresses after this has gone. No exigency is upon you demanding any such hasty action or excessive taxes. Ah, Mr. Speaker, that poor fellow Foster who was so much lampooned a few years ago by his Republican brethren for speaking the truth concerning his party's methods—"frying fat out of the manufacturers for campaign purposes"—was, after all, telling what he knew.

I shrewdly suspect that the old game is to be worked again. A great campaign is coming on, funds must be raised, and in order to get them, the manufacturers must be convinced that their interests are to be taken care of, and the object of this legislation is to give them that impression, so that they may be put on the fire and have the "fat fried" out of them again. [Laughter and applause on the Democratic side.]

That is the secret of this proceeding. No man here is foolish

enough to believe this can become a law. Few are unpatriotic enough to want it enacted.

TAX LUXURIES.

If we are to impose taxes, why do you not select something less burdensome in its nature? We had taxes on what are known as luxuries—on those things which are not necessaries of life. Let me enumerate a few of them to show where the Republican party has given relief, and to point out a line where they might lay taxes without that oppression which would characterize the levying of them in the manner here proposed.

When the war had closed and a few succeeding years had rolled by there was on the statute books a tax on circuses. The Republican party repealed that. They relieved circuses and increased the tax on woolen goods. There was a tax on gift enterprises. The Republican party repealed that. Why untax them? There was a tax on jugglers—jugglers! And the Republican party repealed that. [Laughter.] They did not want to tax themselves! There was a tax on lotteries, and they repealed that. These broad-phylacteried gentlemen, who thank the Lord that they are not as these poor Democrats, came forward in hot haste to repeal the tax on jugglers and lotteries, and they are proposing to impose additional taxes to-day on clothing instead. There was a tax on the selling of lottery tickets. They repealed that, but left the tax on books. There was a tax on manufactures, a tax which had been imposed to counteract this very specific duty on wool which you are imposing to-day. They repealed that; and they did not take off the corresponding tax on woolen goods. They do not propose to reimpose that to-day, because if they did the "fat" would not come to the frying pan.

There was a tax on incomes, yielding from forty to seventy millions a year. It was paid by those able to bear it, and they repealed that in hot haste, and left high taxes on food and clothing. There was a tax on billiard rooms. Would you not suppose that billiard rooms could be taxed without any great difficulty or hardship? I know of no particular exigency that should free them from the hands of the taxgatherer. Yet these gentlemen rushed in in hot haste to free the billiard room, while taxing the very clothes of the man standing at his anvil getting his daily bread by his toil. There was a tax on pleasure yachts. They repealed that. Was it not a just tax? There was a tax on bank checks which yielded a large revenue. They repealed that. Where was the injustice of such a tax? Gentlemen, if you must impose more taxation—if you need more money—why do you not turn your patriotic attention to some of these things instead of going to shivering men and reimposing a tax of 144 per cent on their overcoats, or to freezing women and putting a tax of from 90 to 120 per cent on their dress goods?

HORIZONTAL RAISE OF TAXES.

Mr. Speaker, I am very glad that we live in a period of evolution, because by evolution (if there is anything in the doctrine) we may hope that ultimately these gentlemen will come out patriotic statesmen should they continue to progress. Only a few years ago the gentlemen on the other side said it was unwise and unpatriotic to change tariffs horizontally. Only a few years ago a bill was introduced here proposing to reduce taxation horizontally—to take off some burdens horizontally, to make men's lot a little easier horizontally. That movement was led by one of the greatest patriots of any country, a man whose name has only to be mentioned to be recognized as that of a patriot and statesman, William R. Morrison. [Applause on the Democratic side.] Yet when he came on this floor from the same committee to reduce taxes in that way you lampooned him from one end of the country to the other, and you cut the head off his bill. I am glad evolution has brought you up to the point where you can at least see that some wisdom may lie in that direction.

Again, Mr. Speaker, this party came in here with a flourish of trumpets in 1890 and passed what is known as the McKinley law. If they were right in passing it, why do not they have the courage to reenact it? If wrong, why not have the manliness to say so? This bill they bring in now is the most nondescript measure I have ever seen. It condemns all the rates in the McKinley bill, and it condemns all of the schedules except the wool schedule, in which it admits there was 40 per cent excess of taxation—40 per cent blunder. Yet the gentleman from New York [Mr. PAYNE] who has just taken his seat has had the unblushing effrontery to rise here and threaten the country with what his party will do two years hence. I will tell you what you will do two years hence. You will work the "fat-frying" game for all it is worth again; but those who are not ready to rob will come in your places. Ah, sir, you came here after the election of Mr. Harrison with just such a boast. You said, "We are in power; we have authority; we are going to run this thing upon our own schedule." You had the President, you had this House, you had the Senate. You passed your bill. You robbed the people, you squandered their money, you went home with a flourish of trumpets, and on election day you were beaten well-nigh to death and "taken out on a shutter." [Laughter on the Democratic side.]

Your President had to pick up his bed and walk from the White House. The author of the bill was beaten for reelection. A Republican majority in this House was converted to an overwhelming Democratic majority. The Senate was made Democratic. You lost the whole Government. And even now you are too cowardly to come forward with the measures you say ought to be adopted. What has become of your courage? Where are your alleged convictions? You have over two-thirds majority in this House; and I ask the gentleman from New York, Why have you not the courage of your convictions? Why do you not bring forward and adopt the measure which you say ought to be adopted? Has past experience made you timorous? Do future canvasses make you fearful?

I am very glad, Mr. Speaker, that one person who has generally figured very greatly in the mouths of gentlemen on the other side for campaign purposes is left out of this controversy and no longer used as a subterfuge. This is the first time that I have ever seen a tariff bill brought up here when these gentlemen were not folding their arms and walling their eyes and saying that all they were doing was "for the poor laboring man." Now they say that the laboring man is not in it. He is not in demand. He is not in evidence in this bill at all. They say this is a revenue measure; and, Mr. Speaker, I want to congratulate the country that they have at last come to the Democratic doctrine of a tariff for revenue only. [Laughter and applause on the Democratic side.] I congratulate the Republican party on its conversion to that principle.

TAX IN THE NAME OF THE FARMER.

But, sir, I want to point out to the House now a few more facts in connection with this extraordinary bill. Here is a class to which they call special attention in connection with the matter, the farmers. The solicitude, too, of the gentleman from New York [Mr. PAYNE] has just been amply exhibited in behalf of the great agricultural class of the country. Now, this bill proposes, according to the statement of the chairman, to raise $44,000,000 of revenue—to add forty-four millions to our taxes. I want to show you the hollowness and the hypocrisy of the claim that this is in any respect a bill for the benefit of the farming community. They say that they have done very much for agriculture. Let us see. They put 15 per cent additional tax on breadstuffs. How much does the poor agriculturist get?

On barley—and I call your especial attention to this—he will get the munificent increase of $38,300. On buckwheat he will get $1,194 increase, all told, throughout the whole country. [Laughter on the Democratic side.] On corn, that great cereal, that is bursting every barn in the country now, he is to get the magnificent sum of $213, all told. [Laughter and applause on the Democratic side.] And the millers of the country! They are given the consoling assurance that on corn meal something grand and glorious is to be done for them. Yet the increase in this bill on corn meal amounts to—now listen—just $5.70. How can the miller and corn grower refuse to vote the Republican ticket after they get this glorious treatment at the hands of the Republican party! [Great laughter on Democratic side.] On oats they do a little bit better, but not much. For all of the producers of oats in the United States they propose to make a donation in the shape of taxation of $2,384.60. On rye the amount is just $10.05; and on wheat—now listen, you wheat growers of this country, you who have your tax on clothing doubled or trebled by this bill, you upon whom a large proportion of the taxes making up this $44,000,000 is to be imposed—what is done for you to-day? What do they give you in this bill? They give you the grand tax premium of $394.65. [Great laughter on the Democratic side.] And you are to be regarded as rascals if you do not vote the Republican ticket in consequence at the next election. [Renewed laughter on the Democratic side.]

Sir, how do you suppose the exultant farmer will ever suppress his exuberant joy at this magnificent concession to his material prosperity? How can he refuse to be comforted when this legislative munificence is showered upon him? How can he refuse to vote the Republican ticket when thus benefited by the Republican party?

I imagine I can see the gentlemen of the Committee on Ways and Means as they return homeward singing pæans of protection; assembling their constituents around them and extolling and expatiating on the goodness of the Republican party in having contributed this magnificent sum to the farmers of this country. I happen to have in front of me a representative of the agricultural interests of this country—my distinguished friend from Indiana [Mr. STEELE] who helped to report this bill. When he assembles around him the grain growers of the Wabash region, I can imagine the applause that will greet the announcement that he has helped them to the extent of $5.70 on corn meal, and when my good friend from Iowa [Mr. DOLLIVER], who sits opposite to me and who

may even now be telling his colleague near him how he is going to bamboozle the people by describing what he has done when he returns home, I hope he will not forget to tell the great wheat producers of the Northwest that he has succeeded in getting for them the relief the country wants to the extent of just $394. [Laughter.] But, Mr. Speaker, I fear this little emergency raft will not suffice to carry this load of taxation of $44,000,000.

If you are to impose taxation at all, then do it in a manner that will be as little harmful as possible to the people. Impose your taxes where they will do least injury or detriment to the masses of the people. You speak of providing for a deficiency, when the Secretary of the Treasury says that there will be none two years hence, and but $17,000,000 next year with $77,000,000 surplus to meet it.

THE TEARING DOWN OF THE INCOME TAX.

Mr. Speaker, the Democratic party did not cause a deficiency. To prevent any deficiency, it provided that most just of all taxes, an income tax on the wealth of the country, but, through means I will not mention, through a decision that was never a law until promulgated, through the overriding of the Constitution and tearing down of law, after the collection of $346,000,000 under a similar provision of law, that great revenue measure was destroyed by the same court that upheld the other.

I am utterly unable to comprehend this decision. For ninety-nine years the power of the Government to impose such a tax had been sustained by the Supreme Court. During the war an income tax much more searching in its provisions and requiring more rigorous inspection than this was passed by Congress. Time and again its constitutionality was upheld by the Supreme Court. Under it $346,000,000 of taxes were successfully collected. Under it the wealthy of the country had to help support the Government. I believe one member of the present court was then a member. He did not rush forward then as a defender of the Constitution. He did not then regard it as an outrage to tax values. After a most thorough argument the constitutionality of that law was upheld. But time seems to have wrought changes—changes in the opinions of courts, as well as everything else. It has even wrought a change in the Constitution through the court.

Sir, the law of the last Congress imposing an income tax was thoroughly argued before the Supreme Court. A majority of the court held it constitutional, but in a few days one of the judges changed. He held that that which he declared a short time before was law was not law. That which he declared was constitutional was not constitutional, and in the twinkling of an eye the decisions of a hundred years were torn down. A deficiency was created and the power of the Government to perpetuate itself by taxation impaired. The distinguished jurist from whose eyes the scales so rapidly fell can congratulate himself that he has never had a superior in tearing down adjudicated decisions or well-founded constitutional law.

INCREASED TAX ON WOOLEN GOODS.

But, sir, lest it should be supposed there is any benefit to come to the people from this bill, I want to call your attention briefly to the fact that when this bill shall have passed the House—for it will never become a law—when it shall have passed the House, it will have fixed on certain classes of woolen goods from 90 per cent to 144 per cent; on a very large portion of them from 75 to 100 per cent; and all this done under the pretext of the exigencies of the Treasury.

Mr. Speaker, I will ask the House to go with me for a few moments into an examination of details of the high taxes again imposed on woolen goods by this bill. I have before me samples of woolen goods out of which our clothes are made, and will give the rates on some of them. These and their cost are furnished by a merchant of intelligence, integrity, and experience, the correctness of whose statements can not be questioned.

No. 1. Sample of English beaver for overcoating, weighing 26 ounces to the running yard, on which the present duty is 40 per cent, is increased by the proposed addition of 60 per cent of the McKinley specific rate to 144 per cent duty.

No. 2. Another sample of cloth for overcoating, weighing 27 ounces to the running yard, which now pays 40 per cent, must under this bill pay 119 per cent.

No. 3. Sample of English clay worsted, weighing 16 ounces to the running yard, which now pays 50 per cent duty, will, when it has passed under the fostering hands of this body, pay a duty of 94 per cent.

No. 4 is a sample of English clay worsted, weighing 18 ounces to the running yard. The present duty is 50 per cent, yet this reckless majority proposes to almost double this duty by making it 95 per cent.

No. 5 is a sample of 32-inch serge coat lining made of cotton warp and worsted weft—one-third of the value and weight in the cotton, weighing $4\frac{1}{10}$ ounces to the yard. The present duty, 40 per cent, is under this bill increased to 96, which is absolutely prohibitory.

No. 6. A sample of 32-inch black Italian cloth for coat linings made of cotton warp and worsted weft. The present duty of 40 per cent is also increased to 96 per cent by this bill.

No. 7 is a sample of 54-inch black Italian coat lining, cotton and worsted. Its present duty, 50 per cent, is made more than 101 per cent by this bill, which will exclude the goods.

No. 8. A sample of English chinchilla for overcoats. The present duty of 40 per cent is made 128, and the farmer who wears it is to console himself with the thought that while more than 200 per cent has been added to his coat, which he must pay, 15 per cent has been added to his corn and wheat, which he can never get.

Knit goods under 30 cents a pound, which are 35 per cent under the present law, will be increased to 119 per cent by this bill.

Unenumerated manufactures not above 30 cents a pound in value, which are now 40 per cent, will be raised to 116 per cent, or nearly trebled.

Other woolen goods unenumerated, worth from 30 to 40 cents, will be increased from 40 per cent to 104.

Cloths not over 30 cents a pound in value, which are under the present law taxed only 40 per cent, will be taxed 116 per cent by this measure.

Those from 30 to 40 cents per pound in value will be increased from 40 per cent to 108 per cent.

These are only samples, and not the most flagrant ones. Where the goods are less valuable, in many instances the rates are even higher than these. The old rule, so dear to the other side of the House—that the coarse goods used by the poor and humble should be taxed higher than the finer goods—has been most sedulously observed by them. All are taxed too much, but coarse goods are taxed most.

Sir, I do not wish to be tedious in these details, but at the risk of being so I must dwell upon this long enough to show at least some of the monstrosities of this outrageous and uncalled-for tax on clothing. From investigation I find that a large part of our importations of woolen goods—nearly $24,000,000 worth of the better kinds—will have the duty or tax advanced beyond 80 per cent, while the cheaper goods will go far above 100. This, too, when the processes of manufacture are constantly cheapening and when a surplus is already in the Treasury.

Now, what is the result of these great increases in practical affairs?

The man who buys a suit of clothes bearing this 100 per cent rate would, if he paid for it with labor, have to work ten hours for the manufacturer or to pay the import duty for every ten hours it took him to work out the intrinsic value of the goods.

The woman who buys a shawl bearing the 90 per cent rate would, if paying for it by sewing with a machine, have to work ten hours for the goods and then work nine hours to pay this legislative bonus to the manufacturer of the goods or to pay the duty at the custom-house, if imported.

We say and the Democratic party says no American citizen should pay 100, 90, or 80 per cent import duty or protection on any necessary of life and that no citizen of this country shall pay that rate.

TIN-PLATE INDUSTRY IMPROVED.

Mr. Speaker, the gentlemen on the other side predicted the "utter wiping out of the tin-plate industry" if we dared reduce the rates of duty on tin plate imposed by the McKinley bill. We reduced the duty about one-half, at the same time reducing the cost of materials entering into it, and behold the result. I quote from the report of Mr. Ira Ayer, special agent of the Treasury Department, made October last to Secretary Carlisle, viz:

OFFICE OF SPECIAL AGENT, TREASURY DEPARTMENT,
Custom-House, New York, October 18, 1895.

SIR: I have the honor to report that during the fiscal year ended June 30, 1895, the production in the United States of commercial tin and terne plates was 193,801,073 pounds, against 139,223,467 pounds produced during the previous fiscal year, showing thereby an increased production of 39 per cent.

Of the production for the year, 160,576,934 pounds, or about 83 per cent, were made from sheets rolled in the United States, against about 62 per cent made from such sheets during the fiscal year ended June 30, 1894.

The production for the year, distributed according to weight and kind of plates, was as follows:

	Lighter than 63 pounds per 100 square feet.	63 pounds per 100 square feet and heavier.	Total.
	Pounds.	*Pounds.*	*Pounds.*
Tin plates	103,256,143	17,071,806	120,327,949
Terne plates	62,934,216	10,538,908	73,473,124
Total	166,190,359	27,610,714	193,801,073

These figures show that about 86 per cent of the production belonged to the class weighing lighter than 63 pounds per 100 square feet, the proportion of the previous fiscal year having been about 95 per cent of the production for that year.

Forty-eight firms were producing during the quarter ended June 30, 1895, as against forty during the corresponding quarter of the previous fiscal year.

Sir, the following is his statement concerning—

BLACK PLATE PRODUCTION.

The production of black plates in the United States during the fiscal year, stated by quarters, is as shown below:

	Lighter than 63 pounds per 100 square feet.	63 pounds per 100 square feet and heavier.	Total.
Quarter ended—	*Pounds.*	*Pounds.*	*Pounds.*
September 30, 1894	26,681,855	5,570,511	32,252,366
December 31, 1894	16,801,660	8,805,543	25,607,203
March 31, 1895	37,751,102	11,388,665	49,139,767
June 30, 1895	67,229,153	11,342,990	78,572,143
Total	148,463,770	37,107,709	185,571,479

	Pounds.
Total production for the fiscal year ended June 30, 1895	185,571,479
Same, fiscal year ended June 30, 1894	98,970,880
The difference is	86,600,599

Showing an increased production of 87½ per cent.

The proportion of such plates lighter than 63 pounds per 100 square feet was 80 per cent, as compared with 82 per cent during the preceding year.

Twenty-eight rolling mills were producing black plates during the quarter ended June 30, 1895, against 20 that were producing during the quarter ended June 30, 1894.

Mr. Speaker, with all this record before them, the majority favor increasing the duty on tin plates and black plates. The roof, the fruit can, and the bucket are all to have their cost increased. I earnestly protest against it. Were the mills shut up? On the contrary, more new ones were built than ever before. The output increased to 193,801,073 pounds from 139,223,467 pounds, or 54,577,606 pounds net increase. Twenty-seven new firms started in the business in the years of the Wilson bill. No mill in the country but that used American black plate, and there were more black-plate mills started than were in existence after four years of the McKinley bill, and, besides all this, the special agent of the Treasury Department, who has followed the tin-plate industry since the McKinley bill became a law, now says that under present conditions there are enough new mills started to make within 10,000,000 pounds of our total consumption in the United States.

When the Wilson bill was under consideration, and everybody who desired in the United States was accorded a hearing, the committee were told—and it was loudly asserted on this floor and elsewhere—that a reduction of the duty on tin plate would close the mills of an infant industry. Yet nearly half that duty was taken off, and with what result? Were wages reduced? No; on the contrary, they were increased, and another lot of lugubrious prophets are discounted.

Sir, I am rejoiced to see that one specious plea which has always been made in season and out of season, especially out, is now abandoned by our adversaries, i. e., that the imposition of high rates of duty is made on behalf of labor. There was never any foundation for it. Under the present law, passed last Congress, thousands and multiplied thousands of those who had their wages reduced under the McKinley law have had them restored. Hundreds of industries closed under that have resumed operations under this. Will gentlemen on the other side wantonly or recklessly put an end to this returning prosperity by reimposing taxes not needed? There is not an important schedule in this whole list where the rate of duty does not exceed the entire labor cost in the article under the present law.

But, Mr. Speaker, time would fail were I to attempt to give all of the increases proposed by this bill. I shall have to content myself with giving samples, that you may form some idea of the enormities of the bill considered as a whole. I know that what we can say in opposition to it on this side of the House will be unavailing. We have already been told that it is only a tithe of what gentlemen would do if they dared and what they will do if they get full power. We can only say to those on the other side, and do say to them, Go on, gentlemen, in your wild career. Put your madness and folly into statutory form again. You have the majority. Wield it as you have before. Impose these taxes, and then go and give an account to a tax-ridden constituency. With the people we are willing to rest this controversy of high taxes or low taxes, of tariff for revenue or tariff for protection, of taxation or robbery, and we will abide the result. [Applause on the Democratic side.]

Silver Coinage and Coin Redemption.

SPEECH

OF

HON. WILLIAM A. PEFFER,

OF KANSAS,

IN THE SENATE OF THE UNITED STATES,

Wednesday and Thursday, January 15 and 16, 1896.

The Senate having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. PEFFER said:

Mr. PRESIDENT: At last the Populist is justified. What he predicted is coming to pass. The people of the United States are coming to see that they are face to face with the strongest, the most powerful combination of men on earth. While our political organization has believed, and still does believe, that among all the great monopolies of the world that which has possession of our land and is fast getting possession of our homes is the greatest; and while we have believed, and still believe, that the growing power of the railway corporations is a standing and a growing menace to the advances of civilization and to popular government, still we believe that the power which is now strongest, that which is pressing hardest and most oppressively upon the people, is the power which we designate the money power. Now, happily, we find that the two old parties out of which we sprang are discussing the various phases of the money question, something that ought to have begun with the infancy of the Republic.

The speech to which we have listened this morning is one of a multitude of evidences showing the trend of public thought. A distinguished member of the oldest, and I do not know but I might say the earliest, certainly one of the earliest, political parties of the country, is now denouncing in his zealous manner the action of a President which his own party placed in power.

Before entering upon the subject under consideration by the Senate, I desire to call attention to the parliamentary situation before us.

A few weeks ago the President in a special message called the attention of Congress to the unfortunate condition of the country's finances, and asked early remedial legislation. By way of information that might serve to guide our conduct somewhat, the President stated that the public revenues are, or soon will be, ample for all the Government's ordinary expenses, and that therefore our troubles do not come from lack of revenue. But the President urges upon our attention that the existence of about $500,000,000 worth of coin notes, that are to be reissued as often as they are redeemed, has proven to be a standing menace to our financial security; and he expressed the belief that the only safe way out of the trying situation is through the permanent retirement and cancellation of these notes.

GREENBACKS PAYABLE IN DOLLARS.

Mr. PLATT. Will the Senator allow me to interrupt him?

Mr. PEFFER. Certainly.

Mr. PLATT. The President speaks of the greenback as a coin note. The Senator himself speaks of it as such. Is it by law upon its face to be paid in coin?

Mr. PEFFER. I speak of them as coin notes, and so does the President of the United States; but the difference between us is that the President regards them, under modern construction, as coin notes which are payable in gold coin only. The Senator from Connecticut understands very well that the greenbacks are payable in dollars.

Mr. PLATT. That is what I was speaking of—greenbacks.

Mr. PEFFER. They are not payable in coin at all, and it is only by reason of the credit strengthening act of 1869 that we promised to pay them in coin at some future time, and in 1875 we made arrangements for doing so.

In response to the President's appeal two bills have been sent to the Senate; one a bill "to temporarily increase revenue to meet the expenses of Government and provide against a deficiency"; the other a bill "to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue."

The first bill was drawn on the theory that the Treasury is in need of more available funds for ordinary expenditures, and that from that fact has arisen our present misfortune.

The second bill is based on the belief that there is no harm to come from the circulation, redemption, and reissue of our Government notes, provided there be coin enough always in the Treas-

ury to make the redemption easy and certain. And to procure the coin so thought to be necessary the bill provides—

That in addition to the authority given to the Secretary of the Treasury by the act approved January 14, 1875, entitled "An act to provide for the resumption of specie payments," he is authorized from time to time, at his discretion, to issue, sell, and dispose of, at not less than par in coin, coupon or registered bonds of the United States, to an amount sufficient for the object stated in this section, bearing not to exceed 3 per cent interest per annum, payable semiannually, and redeemable at the pleasure of the United States in coin, after five years from their date, and payable in fifteen years after their date, with like qualities, privileges, and exemptions provided in said act for the bonds therein authorized. And the Secretary of the Treasury shall use the proceeds thereof for the redemption of United States legal-tender notes, and for no other purpose: *Provided*, That nothing in this act shall be construed to repeal or modify an act approved May 31, 1878, entitled "An act to forbid the further retirement of United States legal-tender notes."

In order to be prepared for "temporary deficiencies," this bill further provides for the issue of $50,000,000 in "certificates of indebtedness" to run three years.

The first mentioned of these bills is now before the Finance Committee of the Senate; and the other is before us, with an amendment proposing to strike out all that relates to bonds and certificates of indebtedness and insert four new sections, as follows:

That from and after the passage of this act the mints of the United States shall be open to the coinage of silver, and there shall be coined dollars of the weight of 412½ grains troy, of standard silver, nine-tenths fine, as provided by the act of January 18, 1837, and upon the same terms and subject to the limitations and provisions of law regulating the coinage and legal-tender quality of gold; and whenever the said coins herein provided for shall be received into the Treasury certificates may be issued therefor in the manner now provided by law.

SEC. 2. That the Secretary of the Treasury shall coin into standard silver dollars, as soon as practicable, according to the provisions of section 1 of this act, from the silver bullion purchased under authority of the act of July 14, 1890, entitled "An act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes," that portion of said silver bullion which represents the seigniorage or profit to the Government, to wit, the difference between the cost of the silver purchased under said act and its coinage value, and said silver dollars so coined shall be used in the payment of the current expenses of the Government; and for the purpose of making the said seigniorage immediately available for use as money the Secretary of the Treasury is hereby authorized and directed to issue silver certificates against it, as if it was already coined and in the Treasury.

SEC. 3. That no national-bank note shall be hereafter issued of a denomination less than $10, and all notes of such banks now outstanding of denominations less than that sum shall be, as rapidly as practicable, taken up, redeemed, and canceled, and notes of $10 and larger denominations shall be issued in their stead, under the direction of the Comptroller of the Currency.

SEC. 4. That the Secretary of the Treasury shall redeem the United States notes, commonly called "greenbacks," and also the Treasury notes issued under the provisions of the act of July 14, 1890, when presented for redemption, in standard silver dollars or in gold coin, using for redemption of said notes either gold or silver coins, or both, not at the option of the holder, but exclusively at the option of the Treasury Department, and said notes, commonly called "greenbacks," when so redeemed, shall be reissued as provided by the act of May 31, 1878.

A week ago I submitted an amendment to be proposed to the committee's amendment in these words:

SEC. —. That all laws and parts of laws authorizing the issuance and sale of bonds of the United States are hereby repealed.

The first sentence of the amendment proposed yesterday by the senior Senator from North Carolina [Mr. BUTLER] covers the same ground that I had in mind. The Butler amendment provides, first, that no more bonds shall be issued without express authority of Congress; and, second, that silver coin and gold coin shall be kept at parity by paying out whichever of the metals is below the legal ratio when they are not both at par. I read the amendment in full:

SEC. 4. That the issuance of interest-bearing bonds of the United States for any purpose whatever, without further authority of Congress, is hereby prohibited; and that the Secretary of the Treasury, when redeeming United States notes, commonly called "greenbacks," and Treasury notes issued under the provisions of the act of July 14, 1890, and when liquidating either the interest or principal of any of the Government's coin obligations, is hereby directed to make such payment in gold coin whenever the market value of 25.8 grains of standard gold is less than the market value of 412½ grains of standard silver, and to continue to pay in such gold coin until the market value of 25.8 grains of standard gold shall be equal to the market value of 412½ grains of standard silver; but when the market value of 25.8 grains of standard gold shall be greater than the market value of 412½ grains of standard silver, he shall pay the interest and the principal of said coin obligations as they become due in silver coin, and continue to pay the same in silver coin until the market value of 412½ grains of standard silver shall be equal to the market value of 25.8 grains of standard gold; and said notes, commonly called "greenbacks," when so redeemed, shall be reissued, as provided by the act of May 31, 1878.

The parliamentary situation, then, is this: We have before us—

First. The Butler amendment, prohibiting further bond issues without express authority of Congress and providing for the maintenance of parity between the metals, using the market price of bullion as a regulator.

Second. A silver-coinage proposition, with provisions to promote the circulation of silver coin, and a provision for coining silver now belonging to the Government for immediate use.

Third. A proposition to issue and sell bonds to provide a fund for use exclusively in redeeming Government notes.

POPULIST DOCTRINE—OPPOSED TO THE PRESIDENT.

As Populists we appreciate the force of what the President has communicated to us, and we are ready as other Senators to perform our whole duty in providing appropriate relief. We see plainly enough that if the President takes a correct view of what ails the country and sees clearly what will cure the malady, then we need look no further and ought to respond by doing just what he asks us to do. If the President's premises are well grounded, his conclusion is a logical sequence.

But we differ at the start; we separate at the threshold. And in this respect we do as a majority of the President's political friends have done, and as a large minority of Republicans are doing—earnestly striving for that which is best and opposing that which is worst as things are seen from our point of view. We are opposed to the sale of Government bonds for any purpose. I doubt whether there is one Populist in a thousand who would now favor a bond sale even in time of war.

Had we resolutely fought the gold speculators in the years 1861 to 1865 as we fought armed enemies on the field of battle, we should now be the happiest and the richest people on earth—out of debt, every citizen owning his home, and the Government reflecting the popular will.

While, as an original proposition, if we were about to establish a monetary system, we would not probably favor the use of metal to represent values of all other kinds of property, we take things as we find them and make the most we can out of existing conditions. We find that from early times the precious metals have been used for monetary purposes, and we see that the people of every civilized nation do now so use silver and gold and copper. We take note of present financial methods, and we know full well that the only present practical thing to do in our fiscal policy is to first restore our old coinage laws, so as to increase the volume of circulating money, and provide coin for the payment of our coin debts, and then require officers to obey and execute the laws.

OPPOSED TO BONDS FOR ANY PURPOSE.

Mr. President, I shall first consider the first part of the Butler amendment—the bond question.

I am not only opposed to any further issue and sale of bonds, but am of opinion that there was no warrant in law, and no justification even if there had been such warrant, for either of the late sales. When I consider the havoc wrought by prior bond sales I dread the very thought of what must surely follow in the wake of this destructive operation. And believing that there is neither need nor lawful authority for further issues, I can not but regard further transactions of that character as equal to great public crimes.

Bonding a people is a perilous proceeding.

We have paid nearly 75 per cent of our debt as it was computed to be at the close of the great war of 1861–1865. We have paid more in the way of interest than of principal. Of principal and interest the total paid up to June 30, 1893, was—

On principal	$1,914,462,095.68
In interest	2,854,612,870.50
Total	4,769,074,966.18
Pensions, same period	1,823,240,560.09
Public debt August 31, 1865	2,756,431,571.43
Public debt June 30, 1893	838,969,475.75
Paid	1,914,462,095.68
Interest paid on public debt, 1866 to 1893	2,854,612,870.50
Pensions paid same period	1,823,240,560.09
Difference	1,031,372,310.41

But our business has been so done that our means of payment have been impaired fully 50 per cent since the debt was incurred. This impairment is shown in the fact that, taking a large number of articles produced by the farmers, tradesmen, and manufacturers of the country—articles from the profits on the production of which come the means for payment—it would require as much property in bushels, in number, in pounds, and yards to pay what is yet unpaid of our public debt, as would have been required to pay the whole debt in the beginning at the prices then ruling.

In passing, I will mention a matter which just comes into my mind. From reports made by the Secretary of Agriculture it appears that the acreage of wheat, corn, oats, rye, barley, and buckwheat in 1887 was about $80,000,000 less than the aggregate value of the same crops in 1867, twenty years before, though the acreage and production were twice as great. The figures are:

	Production.	Area.	Value.
	Bushels.	*Acres.*	
1867	1,329,729,400	65,636,444	$1,284,037,300
1887	2,660,457,000	141,829,315	1,204,289,370

Twice as many bushels in 1887 as in 1867; more than twice as many acres cultivated, but the value of the crop is nearly $80,000,000 less.

The figures for the same crops in 1894 are: 2,435,920,676 bushels, 130,392,872 acres; value, $1,043,006,948. Production and acreage nearly twice as much as in 1867, but the value is less by $241,030,552.

If it be objected that paper money was greatly depreciated in 1867, thus making prices abnormal, I give the crop figures for 1879, when specie payments had been resumed. Production in 1879 was: Bushels, 2,437,482,300; acres, 102,260,950; value, $1,245,127,719. It will be seen that while the number of bushels was about the same in both years, and the area was 28,000,000 acres more in 1894 than in 1879, the value was $202,000,000 less.

WHAT THE BONDS WERE SOLD FOR, AND WHAT THEY HAVE COST THE PEOPLE.

Banks suspended specie payment December, 1861. That of course forced the Government to suspend, and early in 1862 Congress authorized the issue of notes to circulate as money. Repeated issues were made from time to time, and when the war ended the notes of different classes which had been issued specially for currency and as a sort of security-currency, all of which had to some extent been actually used and reported as currency, amounted to about $1,900,000,000.

All of this, except the greenbacks, besides some $625,000,000 funded during the war period, was put into bonds bearing interest at from 5 to 7 per cent. The bonded debt June 30, 1869, included nearly all the notes that had been issued, except the greenbacks. And these bonds were purchased at an average of about 60 cents on the dollar. By the refunding act of 1870 Congress authorized the funding of the national debt into bonds of three classes: The first class to run ten years, at 5 per cent; the second class to run fifteen years, at 4½ per cent; the third class to run thirty years, at 4 per cent. These new bonds were all to be coin bonds. Up to that time more than two thousand million dollars' worth of our bonds had been purchased for about twelve hundred million dollars in paper money. They were exchanged for their face value in coin bonds. In the meantime the paper dollar had advanced rapidly toward par with gold.

Besides the profit of $800,000,000 in the purchase of the bonds and the additional profit coming from the advance in the coin value of paper money, in 1873 Congress changed the basis of our money from silver to gold and stopped the coinage of full lawful-tender silver coin. From that time forward, the officers of the Treasury Department construed the word "coin" to mean gold coin in all cases where the Government had to pay out money, except only when silver was demanded. Two years later, by the resumption act of 1875, Congress made provision for resuming specie payment on the 1st day of January, 1879, and authorized the Secretary of the Treasury to sell bonds for coin enough to redeem the United States notes—greenbacks.

Before the day of resumption was reached our paper money was at par and was received the same as coin in payment of interest on the public debt and for customs dues. These proceedings so greatly enhanced the market value of the bonds we had sold that the national banks found it more profitable to sell their bonds for the premium offered than to keep them as a basis of bank-note circulation. From 1882 to 1890 the bank notes retired and canceled amounted to upward of $230,000,000, which released about $255,000,000 in bonds. And from 1879 to 1891 the amount of premium paid by the Government on bonds which were not due amounted to a little over $60,000,000, while during the same period a yearly average of upward of $18,000,000 of public moneys was allowed to be used by national banks without interest. Besides all this, during the same years interest on bonds not due was advanced, ranging from one month to nine months and more, amounting in the aggregate to something more than $66,000,000.

And this is not all. By the practical demonetization of silver the value—that is to say, the purchasing power—of gold has steadily and rapidly increased to such an extent that that alone has had the effect to increase the value of all securities payable in coin, at the same time depreciating the selling price of property, out of the proceeds of which all the people's debts must be paid. The bondholder, the owner of permanent annuities, the mortgage holder, the great banker, and the speculator have gathered to themselves all these vast profits and gains, while the producing masses have lost accordingly; and these losses have cost the people millions of homes. Within the twenty-five years last past 52 per cent of the people of the entire country have become renters. Seventy-seven per cent is the average in our large cities, and in the great city of New York the average is 94 per cent.

I repeat, Mr. President, the bonding of a people is a perilous proceeding.

MARKET VALUE OF PUBLIC DEBT NOW GREATER THAN IT WAS IN 1865, WHEN MEASURED BY THE PEOPLE'S PROPERTY.

I found recently a very interesting article on this subject in The Arena magazine by the historian, Dr. John Clark Ridpath, an article beginning on page 266 of The Arena for January, 1896, in which the author goes somewhat into detail concerning the history of our bonded indebtedness, and after having written at length comes to the point which I have just been making in my argument, that the value of the present public debt of the United States is greater in the property out of which the people will have to pay this indebtedness than the total debt was at the close of our great war. The author says in a footnote:

The American people have never realized the incalculable sums which have been paid out of their Treasury in the ostensible work of discharging the interest and principal of the war debt of the nation. Sometimes, perhaps, the final aggregate may be made up and historically recorded. Within the first ten years after the conclusion of the war, that is, at the close of the fiscal year 1874-75, the Government had already paid in interest only on the public debt $1,442,057,577. And this was but the beginning. At the close of the year 1895 the interest account has reached the prodigious total of more than $2,635,000,000.

The verification of this astounding truth is as plain and irrefragable as any other arithmetical result.

On the 1st of March, 1866, the national debt was (in exact figures)	$2,827,868,959.46
For the sake of easy computation the same may be stated in round numbers at	2,825,000,000.00
The debt at the close of the year 1895 (statement for November) is	1,126,379,106.00
For convenience of counting the same may be given in round numbers as	1,125,000,000.00
To this add 10 per cent (a very low estimate) for the present average premium on the debt (interest-bearing and non-interest-bearing) above the par of gold	112,500,000.00
Total present gold value of the debt	1,237,500,000.00

On the 1st of March, 1866, the prices current of nine leading staples of the American market, selected broadly from the whole, were as follows:

Wheat, per bushel (from $1.78 to $2); average	$1.90
Flour, per barrel ($10.50 to $11); average	10.75
Cotton, per pound	.48
Mess pork, per barrel	28.37
Sugar, per pound	.11125
Wool, per pound (50 cents to 56 cents); average	.53
Beef, per hundredweight ($12 to $18.50); average	15.25
Bar iron, per pound (6 cents to 7½ cents); average	.0675
Superior farming lands in Ohio and Mississippi Valleys (approximately per acre	75.00

At the close of 1895 (figures for November 10) the prices current for the same staples were as follows:

Wheat, per bushel	$0.58
Flour, per barrel	3.50
Cotton, per pound	.085
Mess pork, per barrel	8.20
Sugar, per pound (4½ cents to 5½ cents); average	.05
Wool, per pound (20 to 23 cents); average	.215
Beef, per hundredweight ($8.50 to $10.50); average	9.50
Bar iron, per pound (1.6 to 3½ cents); average	.0267
Superior farming lands, same as above, in Ohio and Mississippi Valleys (approximately), per acre	35.00

The national debt on the 1st of March, 1866, would therefore purchase of the above staples as follows:

Wheat	bushels	1,486,842,105
Flour	barrels	262,790,697
Cotton	pounds	5,885,416,666
Mess pork	barrels	99,576,313
Sugar	pounds	25,393,348,314
Wool	do	5,330,188,679
Beef	hundredweight	181,967,213
Bar iron	pounds	41,851,851,851
Superior farming lands as above (approximately)	acres	37,666,666

The national debt at the close of the year 1895 will purchase of the above staples as follows:

Wheat	bushels	2,133,620,689
Flour	barrels	353,571,428
Cotton	pounds	14,558,823,529
Mess pork	barrels	150,915,853
Sugar	pounds	24,750,000,000
Wool	do	5,755,813,953
Beef	hundredweight	130,263,136
Bar iron	pounds	46,348,314,606
Superior farming lands as above (approximately)	acres	35,357,142

The purchasing power of the national debt at the close of 1895 is, therefore, greater than was that of the national debt on March 1, 1866, as follows:

In the case of—

Wheat by	bushels	646,778,584
Flour by	barrels	90,780,731
Cotton by	pounds	8,673,406,863
Mess pork by	barrels	51,339,540
Wool by	pounds	425,625,274
Bar iron by	do	4,496,462,755

The purchasing power of the national debt at the close of 1895 is, by like deduction, less than was that of the national debt on March 1, 1866, as follows:

In the case of—

Sugar by	pounds	643,348,314
Beef by	hundredweight	51,704,076
Farming lands as above by (approximately)	acres	2,309,523

From this calculation it is seen that the purchasing power of the debt at the close of 1895 is far greater than it was on March 1, 1866, on six of the nine great staples enumerated, and that it is less by a comparatively small per cent on only three of the articles enumerated. There is an overwhelming preponderance on the average of the whole list in favor of the debt as it stands at the close of the current year. That debt, in a word, is worth more to the holders than it was at its nominal maximum nearly thirty years ago! There is no kind of sophistical argument or doctored statistics in the world that can overcome or seriously modify the conclusions here drawn from premises that are incontrovertible.

Within a period of eighteen months of the last two years the Treasury Department issued and sold $162,000,000 of coin bonds running from ten to thirty years, $100,000,000 at 5 per cent interest, and $62,000,000 at 4 per cent. At the present rate of increase in the purchasing power of gold, and the consequent diminution of

the selling price of commodities which must pay these coin debts, the bonds recently sold and those soon to be issued, will, when they are due, cost the people twice as much as their face value. The $162,000,000 already sold, with the $100,000,000 soon to be sold, will cost the people fully twice their face, or $524,000,000, when they fall due, besides the interest, which is to be paid in coin quarterly. The interest alone, if compounded as paid, would pay the principal long before the last of these bonds falls due.

BONDS UNLAWFULLY ISSUED.

But, sir, bad as this showing is for the people, I now approach a feature of the situation that is alarming as well as burdensome, because it reaches vital parts and concerns the integrity of our public men and threatens the permanency of republican institutions. I refer to the issuance and sale of Government bonds without express authority of Congress. This point is sometimes made by objectors limiting its application to bonds issued in times of peace. But if an executive officer may bond the people and mortgage their property without their authority in time of war, he may do it in time of peace. That is for Congress alone to do or not to do, as that body may determine. It is the duty of the President to take care that the laws be executed. He is to execute the law, not to enact it. And so it is with respect to every officer. His duties are prescribed in advance and defined in the law. When we reach a time that public men may with impunity set themselves above the law popular government has ceased.

It is, of course, claimed that these late bond sales have at least the color of authority. But it must not be forgotten that their legality has been questioned in this body, as well as in the House of Representatives. On the day after the first of the last three issues was proposed, I offered a resolution, giving it as the sense of the Senate that the Secretary of the Treasury had no legal warrant for his proceeding, and the next day I argued the proposition before the Senate. A few days later, the then junior Senator from Nebraska [Mr. ALLEN] discussed the subject, taking the same position that I had taken.

On the 18th of January, 1894, I offered a resolution, which became Miscellaneous Document No. 39, Fifty-third Congress, second session, which reads as follows:

Whereas on the 17th day of January, 1894, the Secretary of the Treasury did prepare and publish the following notice:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., January 17, 1894.

By virtue of the authority contained in the act entitled "An act to provide for the resumption of specie payments," approved January 14, 1875, the Secretary of the Treasury hereby offers for public subscription an issue of bonds of the United States to the amount of $50,000,000, in either registered or coupon form, in denominations of $50 and upward, redeemable in coin at the pleasure of the Government after ten years from the date of their issue, and bearing interest, payable quarterly in coin, at the rate of 5 per cent per annum.

Proposals for the whole or any part of these bonds will be received at the Treasury Department, office of the Secretary, until 12 o'clock noon on the 1st day of February, 1894. Proposals should state the amount of bonds desired, whether registered or coupon, and the premium which the subscriber proposes to pay, the place where it is desired that the bonds shall be delivered, and the office, whether that of the Treasurer of the United States or an assistant treasurer of the United States, where it will be most convenient for the subscriber to deposit the amount of his subscription. Failure to specify the above particulars may cause the proposal to be rejected.

As soon as practicable after the 1st day of February, 1894, the allotment of bonds will be made to the highest bidders therefor, but no proposal will be considered at a lower price than 117.223, which is the equivalent of a 3 per cent bond at par, and the right to reject any and all proposals is hereby expressly reserved. In case the bids entitled to allotment exceed the bonds to be issued they will be allotted pro rata.

Notices of the date of delivery of the bonds will be sent to the subscribers to whom allotments are made as soon as practicable, and within ten days from the date of such notice subscriptions must be paid in United States gold coin to the Treasurer or such assistant treasurer of the United States as the subscriber has designated; and if not so paid the proposal may be rejected.

The bonds will be dated February 1, 1894, and when payment is made therefor as above accrued interest on both principal and premium from February 1, 1894, to date of payment, at the rate of interest realized to the subscriber on his investment, will be added.

All proposals should be addressed to the Secretary of the Treasury, Washington, D. C., and should be distinctly marked "Proposals for subscriptions to 5 per cent bonds."

J. G. CARLISLE, *Secretary.*

And whereas there is nothing in said notice to show that there is immediate or prospective need for the sale of bonds to accomplish the object sought by Congress in the enactment of the resumption law of January 14, 1875; and

Whereas the Secretary of the Treasury has no authority to issue and sell bonds for any other purpose than that set out in said resumption act: Therefore,

Resolved by the Senate, That in the opinion of this body the Secretary of the Treasury has no lawful authority for issuing and selling bonds as proposed in the notice aforesaid.

Some time afterwards I offered a resolution instructing the Committee on Finance to report a bill repealing all laws which authorize the issue and sale of bonds, if there were any such authority. That is known as Miscellaneous Document No. 128, Fifty-third Congress, second session, and reads as follows:

Resolved, That the Committee on Finance be, and it is hereby, instructed to prepare and report as soon as practicable a bill to repeal all laws authorizing or permitting the Secretary of the Treasury to issue bonds or other interest-bearing obligations of the Government, and to prohibit any and all such issues in future without express authority by act of Congress first had and obtained.

Later on I offered a resolution instructing the Committee on the Judiciary to inquire whether there was any lawful authority for the issue and sale of bonds by the Secretary of the Treasury. It is Miscellaneous Document No. 3, Fifty-third Congress, third session, and is as follows:

Resolved, That the Committee on the Judiciary be, and it is hereby, instructed to inquire and report whether the acts of the Secretary of the Treasury, in issuing and selling United States bonds in the months of February and December, 1894, were authorized by any act or acts of Congress then in force.

The resolution was referred to the committee, but no report has yet been made by the committee. A similar resolution was referred to the House Committee on the Judiciary with exactly similar result.

I hope it will not be out of order, Mr. President, to insert parenthetically here that it will hardly do for Senators to say that these resolutions were not worth attending to, that they were either not offered seriously or that the author had not properly considered the subject in advance. I have given a great deal of attention to this particular matter, and, as I expect to show before I get through, there is method in my madness, if I have been mad. To bond the people of an entire country without a specific act of the legislative authority would be without doubt a great public crime.

Had either of these great committees been of opinion that existing statutes do in fact clearly authorize the Secretary of the Treasury to issue a new series of bonds and sell them for gold coin, they would have come to the rescue of the Secretary promptly. And the last lot was sold for gold by weight, not for dollars in coin. The quantity purchased was 3,500,000 ounces of gold coin. Step by step we go on until finally we will get back to a system of barter that the ancients followed—3,500,000 ounces of gold coin, when, if the law authorizes the Secretary to do anything in the premises, it is to sell the bonds for coin, silver and gold, as I shall show most clearly before I get through.

Our standard is dollar, not ounce; and our law uses the word "coin," not gold coin or so many ounces of gold coin. This, however may be regarded as technical. I will therefore take up that which is substantial.

In the first place, the Secretary of the Treasury claims to have acted, as to the first two issues, under authority of the resumption act, which authorized the purchase of coin to redeem United States notes—greenbacks.

The bonds authorized by that act were those of the description provided for in the refunding act of 1870, when silver was our basic coin metal, and when silver coin and gold coin were the lawful coin of the country.

At the time the Secretary concluded to sell bonds, in January, 1894, there was plenty of coin in the Treasury to redeem all the notes presented. If it be insisted that the word "coin" must be construed to mean gold coin, which of course I deny, still I say there was plenty of coin on hand for purposes of redemption, as I shall soon show by a table of gold coin in Treasury each year since 1879.

If the Secretary had obeyed the law and offered coin of silver as well as coin of gold in redemption of the notes that were presented, he would have had abundance of coin.

The Secretary of the Treasury claims to have acted in the first two issues under authority of the resumption act, which authorized the purchase of coin to redeem the United States notes and greenbacks. I know, Mr. President, that it is tedious, not only to the speaker but to his hearers, to recur so frequently to the same subject, but I wish to call the attention of such Senators as may do me the honor to listen to the language of the resumption act. I read just a portion:

And on and after the 1st day of January, A. D. 1879, the Secretary of the Treasury shall redeem, in coin, the United States legal-tender notes then outstanding, on their presentation for redemption at the office of the assistant treasurer in the city of New York.

That is all.

And to enable the Secretary to prepare and provide for the redemption in this act authorized or required, he is authorized to use any surplus revenues, from time to time, in the Treasury not otherwise appropriated, and to issue, sell, and dispose of, at not less than par, in coin, either of the descriptions of bonds of the United States described in the act of Congress approved July 14, 1870, entitled "An act to authorize the refunding of the national debt," with like qualities, privileges and exemptions, etc.

Mr. President, it will be observed that in the language I have just read the Secretary is first authorized to use any surplus funds that may be in the Treasury, not otherwise appropriated, for the redemption of outstanding notes. Then, if he needs more than that he can sell bonds of the character of those that were authorized by the refunding act of 1870. They are coin bonds.

NO RESERVE FUND FOR REDEMPTION EVER AUTHORIZED OR REQUIRED.

It is important to note and to remember that the resumption act of 1875 did not require or authorize the collection and setting apart of funds for redemption purposes or for any other purpose. The act requires the Secretary to resume specie payments on the 1st day of January, 1879, and in order "to enable" that officer to carry out the provisions of the law in this respect he is author-

ized to "use any surplus funds in the Treasury not otherwise appropriated." This is the first money to be used for redemption purposes—surplus moneys in the Treasury. If there were enough of such surplus funds on hand, then no bonds need be sold. The authority to sell bonds is second to the authority to use surplus funds. Bonds might be sold if the surplus funds were not sufficient for that purpose. And, now, if there be any authority to sell bonds to-day, or if there has been any such authority since the passage of the resumption act, it is for the purpose of redeeming notes, and such authority does not exist as long as there are enough surplus funds in the Treasury. I have shown that there has been an abundance of surplus coin in the Treasury at all times since 1878 for redemption purposes.

SECRETARY'S LETTER ON THE RESERVE FUND.

The Secretary of the Treasury, in response to a Senate resolution asking whether any particular fund is required by law to be kept as a redemption fund, and whether such a fund has been kept, sent in the following letter:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., January 11, 1896.

SIR: I have the honor to acknowledge the receipt of Senate resolution dated the 3d instant, as follows:

"*Resolved*, That the Secretary of the Treasury be, and he is hereby, directed to inform the Senate if the sum of $100,000,000, or any part thereof, has at any time since the establishment of the so-called gold reserve been actually segregated or set apart from the other currency or money in the Treasury Department, in gold coin, or gold coin and gold certificates, or either, for the redemption of the legal-tender notes and different forms of paper money of the Government; and when and by what act of Congress, giving the title of the act and the date of its approval, said so-called gold reserve was established, and if not established by act of Congress, state by what authority, if any, it was established."

In reply thereto, the Senate is respectfully informed that at no time since the establishment of the so-called gold reserve has the sum of $100,000,000, or any other sum, been segregated or set apart from the general cash in the Treasury for the redemption of the legal-tender notes of the United States, or for the redemption of any other form of paper money for which the United States is liable. There is no provision of law requiring a separate fund or separate account to be kept, and all moneys received into the Treasury, from whatever source, are deposited in the general cash. The fund for the redemption of United States notes was accumulated under authority of the act of January 14, 1875, which directed the Secretary of the Treasury to prepare and provide for such redemption on the 1st day of January, 1879. No specific sum was prescribed, but the Secretary of the Treasury was authorized to use the surplus revenues from time to time and to sell certain descriptions of bonds to an extent necessary to carry the act into full effect.

In the exercise of the discretion thus conferred upon him, the Secretary sold for resumption purposes, in 1877 and 1878, United States 4 per cent and 4½ per cent bonds to the amount of $95,500,000, and deposited the proceeds, $93,000,000 in gold, in the general cash in the Treasury. This, with other gold which had been received as surplus revenues, constituted the fund prepared and provided by the Secretary of the Treasury for the redemption directed in the act of January 14, 1875.

The existence of the reserve fund was generally recognized from the time of its establishment, as above stated, and one of the measures adopted by the Secretary of the Treasury to prevent its unnecessary depletion was the discontinuance of the issue of the gold certificates authorized by the act of March 3, 1863. This act authorized but did not direct such issue.

Some inconvenience resulted from this discontinuance, and by section 12 of the bank act of July 12, 1882, the Secretary was authorized and directed to receive deposits of gold coin and bullion and to issue certificates therefor; but it was provided "that the Secretary of the Treasury shall suspend the issue of such gold certificates whenever the amount of gold coin and gold bullion in the Treasury reserved for the redemption of United States notes falls below one hundred millions of dollars."

No other reference to the reserve fund is contained in the laws of the United States.

Very respectfully, yours, J. G. CARLISLE, *Secretary.*

The PRESIDENT OF THE SENATE.

The act of 1870, as we all understand very well, was passed three years before the coinage act of 1873, which dropped the silver dollar out of the list of coins, and in that way, if at all, the silver dollar became demonetized. In the act of 1873, commonly called the demonetization act, there is nothing whatever to indicate that it was the intention of Congress to demonetize the silver dollar. It was simply left where it was, only the Secretary was not to coin any more of them. Then, when the revision was made, as will appear by reference to the Revised Statutes of 1878, this language was used:

> The silver coins of the United States shall be a legal tender at their nominal value for any amount not exceeding $5 in any one payment.

That is section 3586 of the Revised Statutes. By the coinage act of 1873 it was provided that the silver coins of the United States should be a trade dollar, a half dollar, a quarter dollar, and a dime.

Now comes the revision, and in section 3586 it is provided that the silver coins of the United States shall be a legal tender for sums not exceeding $5. If there was any demonetization of the silver dollar at any time it was by the section which I have just read from the Revised Statutes, and that continued only until 1878, when by the passage of the Bland Act the legal-tender character of the silver dollar was restored. So, even if there has been a demonetization of the silver dollar, it is only by implication. The Legislature had no intention to demonetize the dollars then in existence. So the "coin" which was referred to in the resumption act of 1875 meant silver as well as gold.

The bonds authorized by that act were those of the descriptions provided for by the refunding act of 1870, when silver was our basic coin metal. From the beginning of our financial history silver was our basic metal, and whenever there was a change of ratio in the law, parity was maintained by bringing gold to the standard of silver. That happened in 1834, when the gold coins were reduced 6 per cent so as to make them correspond with the value of the silver bullion in the market.

COIN MEANS COIN OF SILVER AND GOLD.

The Secretaries of the Treasury in 1862, 1863, 1864, 1865, 1866, 1867, and 1868 (and I am not certain but that the argument was repeated in 1869—I will call attention to that later on) argued persistently that it was not the intention of the Congress of the United States to issue an irredeemable paper currency, but that the intention of the people and of Congress was that the notes which were issued during the war in the absence of specie should some day be redeemed in specie. They invariably used the words that had always been used, gold and silver, the precious metals, specie, etc.

The Secretary of the Treasury during the Hayes Administration, the gentleman who is now the distinguished Senator from Ohio [Mr. SHERMAN], submitted this very point to the Attorney-General, Mr. Devens. He asked him whether or not it would be legal or proper to sell gold bonds in order to establish a redemption fund. The correspondence is somewhat elaborate, and I shall refer to it before I conclude my remarks; but the substance of the Attorney-General's reply was that the character of the coin was determined by that which was coin in the United States in 1870, namely, gold and silver.

Mr. Matthews, of Ohio, a member of this body at the time, afterwards an associate justice of the Supreme Court of the United States, immediately after the Secretary of the Treasury had in his report recommended that Congress grant him authority to sell gold bonds, introduced a resolution into this body, with certain paragraphs of preamble, resolving that in the opinion of Congress silver was as good money as gold. The resolution was passed by an overwhelming majority in the Senate, without amendment, notwithstanding that the Senator from Vermont, Mr. Edmunds, proposed to insert an amendment making gold coin superior and making the parity play around gold. But the Senate would have none of it.

The same resolution was passed by the House of Representatives, and similar amendments were there proposed, but the House would have none of it. Immediately thereafter, indeed at the time, a bill was put in process of formation which afterwards became the Bland-Allison Act, restoring the legal-tender quality to the silver dollar. There has been no time when the National Legislature has approved the demonetizing process.

At the time when the Secretary concluded to sell bonds, in January, 1894, there was plenty of coin in the Treasury to redeem all the notes that were presented. In order that my statement might not be regarded as unfounded or farfetched, this morning, before coming to the Senate Chamber, I hastily drew off from the Treasury figures a statement of the amount of gold coin, excluding bullion, in the Treasury on the last day of January in each year since and including 1879. It appears that, beginning in 1879 with $128,000,000, we go on down to 1884, when there was $154,000,000. In 1889 there was $229,000,000; in 1890, $249,000,000, the largest amount in any one year. Then we come down to the last of January, 1895, with $51,000,000. On the last of January, 1894, when the first of the last three issues was made, there was $65,000,000 of gold coin lying in the Treasury.

Statement showing the amount of gold coin (excluding bullion) in the Treasury on the last day of January each year since and including 1879.

Year.	Amount.	Year.	Amount.
1879	$128,792,903	1888	$185,906,571
1880	96,463,601	1889	229,051,535
1881	60,797,508	1890	249,963,167
1882	81,206,312	1891	229,942,686
1883	121,868,452	1892	198,454,175
1884	154,882,129	1893	147,375,054
1885	172,747,344	1894	65,490,319
1886	179,402,994	1895	51,343,230
1887	189,122,038	1895—September 30	86,216,756

It may be said, however, that possibly that coin was subject to draft for some other purpose. Let us see how that is. I have here a statement showing the amount of net gold in the Treasury at the end of January of each year since 1878. Beginning with 1879, it was $116,000,000; coming on down to the largest amount in any one year, it was $202,000,000 in 1888, and in January, 1894, the amount was $65,650,175. That was when the first issue of the last three issues was proposed and the sale was made. There was then $65,000,000 of gold in the Treasury.

I submit a table giving the figures in detail:

Statement showing the amount of net gold in the Treasury at the end of January each year since 1878.

Year.	Amount.	Year.	Amount.
1879	$116,674,227	1888	$202,955,184
1880	143,340,027	1889	194,655,264
1881	148,052,809	1890	177,386,285
1882	159,972,569	1891	141,728,097
1883	125,648,195	1892	119,574,905
1884	144,350,736	1893	108,181,713
1885	125,187,595	1894	65,650,175
1886	136,086,610	1895	44,705,967
1887	168,475,361		

But those were not all the assets upon which the Secretary might have drawn. I have here a table showing the amount of silver bullion in the Treasury at the end of January each year since 1878:

Statement showing amount of silver bullion in the Treasury at the end of January each year since 1878.

Year.	Amount.	Year.	Amount.
1879	$10,347,889	1888	$10,219,546
1880	4,888,036	1889	10,606,677
1881	6,704,197	1890	11,557,760
1882	3,258,926	1891	21,277,979
1883	3,761,958	1892	57,940,646
1884	4,674,433	1893	99,282,961
1885	4,613,582	1894	127,215,171
1886	3,658,783	1895	124,852,679
1887	4,877,039		

Fractional coin in the Treasury.

January 31, 1893	$11,346,523
January 31, 1894	15,932,847
January 31, 1895	15,481,586

Total silver in the Treasury.

1893	$111,629,484
1894	143,148,018
1895	143,334,265

I remember quite distinctly that once when I was speaking of the same matter the Senator from Iowa [Mr. ALLISON] called my attention to what he alleged to be a fact, that the silver bullion in the Treasury at the time the bond issues were in contemplation was there as a security fund for the redemption of the Treasury notes issued under the Sherman Act of 1890. The answer to that was then and is now that if this bullion was held as security for the redemption of the 1890 notes certainly the Secretary would have used it for such a purpose.

The act of 1890 expressly requires the Secretary to coin out of the silver bullion purchased under the provisions of that act enough to redeem the notes issued under the provisions of the act. But instead of the Secretary obeying the positive command of the law, he utterly ignored it, refused to execute it, and therefore the silver lies as so much dead property. Whenever notes of the issue of 1890 are presented to the Secretary, he redeems them in gold, unless their redemption in silver is directly asked for, and it is only occasionally that such a transaction occurs.

Here was an available fund of how much? At the end of January, 1894, at the time when the first of the three issues was in process, the amount of silver bullion in the Treasury uncovered, I insist, was $127,000,000 worth, as will be seen in the table I have presented. In addition there was at the same time $15,000,000 of fractional silver currency, making a total of $143,000,000 of silver bullion lying idle in the Treasury which the Secretary and the President might have used and which the law requires them to use if they had performed their duty as the law specifies. If the Secretary had obeyed the law and offered coin of silver as well as coin of gold in redemption of notes that were presented he would have had an abundance of coin, and what is more than that, he would have saved us all this disgrace, all this shame, all this dishonor, and all the burden of the bonds.

There is no law and there never has been any law against the redemption of greenbacks and Treasury notes with silver coin. It is a mere gratuitous movement upon the part of the Secretary of the Treasury. I know that the argument against a proceeding of that kind is that it will destroy the parity and all that sort of thing. I confess that when the word "parity" is brought in in these connections I have but little patience with it, for it means that while the whole world is alive with business, everything moving under the operation of modern inventions, we must still hold to the old barbarous system of barter, so many pounds of gold and so many pounds of silver measured according to their bullion value in the market, when we are dealing in ships and railroads and wheat and corn and manufactured articles and ten thousand different articles. In one of our tariff bills there are in the neighborhood of four thousand different items upon which customs are levied. The world is full of productions of labor, while the quantity of these metals is limited and growing constantly less and less, in proportion to business and population, and yet we are to take the old, antiquated notion that gold and silver coin are the equivalent of the values of all the other property, when only a few men, one in a hundred thousand perhaps, are dealing in the sacred and scarce articles of gold and silver. All the gold and silver produced in the world in one year are not worth as much as the wheat and corn that the farmers of Kansas produce the same year. And yet we must measure the value of all property by those metals and must maintain the parity between them.

I think when the Populists come into power we will arrange the parity so that it will be satisfactory to at least a few people.

Mr. HOAR. That will be after the millennium.

Mr. PEFFER. The millennium is approaching now, so that we shall not have long to wait.

Mr. HOAR. If the Senator will pardon me, I am afraid that the coming in power of the Populists will be after the time spoken of in the Revelations, when the millennium is over and when Satan will hold forth.

Mr. PEFFER. We are the revelators.

When I had occasion to speak on this subject before, in January, 1894, I called attention to the correspondence which the Secretary of the Treasury had with the Finance Committee of the Senate, and I quoted a few paragraphs, and only a few from it. I find, in looking over that speech, that there is so little of the correspondence quoted that the reader does not get all that the Secretary said and all that there was in this transaction. I have here the letter of the Secretary, with the draft of a bill which he prepared and presented to the Committee on Finance, which was introduced in the Senate by a member of the committee, but never went any further. The object of the Secretary was to show that the condition of the Treasury was such that there must be some relief in the way of funds to be used in the ordinary expenses of the Government, for which certainly there was no provision in any law that had been referred to as authorizing a proceeding of that kind. Whatever authority exists under the resumption act of 1875 for the sale of bonds is for a specific purpose, and that is to procure coin with which to redeem the notes, and not to provide funds for carrying on the ordinary expenses of the Government.

The letter and the bill accompanying it will show that the Secretary wanted to use the proceeds of the bonds for the purpose of public expenditures.

LETTER FROM THE SECRETARY OF THE TREASURY SUBMITTING STATEMENT SHOWING THE ACTUAL CONDITION OF THE TREASURY ON THE 12TH DAY OF JANUARY, 1894, TOGETHER WITH DRAFT OF BILL.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., January 13, 1894.

DEAR SIR: In compliance with your verbal request I have the honor to submit, for the consideration of the Finance Committee of the Senate, statements showing the actual condition of the Treasury on the 12th day of the present month, and an estimate of the receipts and expenditures during the remainder of this month and the month of February.

It will be seen from these statements that there is an urgent necessity for such immediate action as will replenish the coin reserve and enable this Department to continue the payment of public expenses and discharge the obligations of the Government to pensioners and other lawful creditors

When my annual report was prepared it was estimated that the expenses during the current fiscal year would exceed the receipts to the amount of about $28,000,000, and I asked Congress for authority to issue and sell bonds, or other forms of obligations, to an amount not exceeding $50,000,000, bearing a low rate of interest and having a reasonably short time to run, to enable the Secretary of the Treasury to supply such deficiencies as might occur in the revenues. The estimate then made was based upon the assumption that the worst effects of our financial disturbances had already been realized and that there would be a substantial increase in the revenues for the remainder of the year. While it was not believed that the deficiency then actually existing would be supplied by increased revenues in the future, it was hoped that no additional deficiency would occur; but the receipts and expenditures during the month of December and up to the 12th day of the present month show that the estimate of a deficiency of $28,000,000 at the close of the year was much too low. The actual receipts and expenditures during each month of the year and the monthly deficiencies have been as follows:

Receipts and expenditures, fiscal year 1894.

	Receipts.	Expenditures.	Excess of expenditures.
1893.			
July	$30,905,776.19	$39,675,888.60	$8,770,112.41
August	23,890,885.30	33,305,228.48	9,414,343.18
September	24,582,756.10	25,478,010.17	895,254.07
Actual for three months	80,870,621.90	98,430,694.59	17,560,072.69
October	24,553,394.97	29,588,792.34	5,035,397.37
November	23,979,400.81	31,302,026.41	7,322,625.60
December	22,312,027.00	30,058,260.51	7,746,233.51
1894.			
January (12 days)	10,369,939.37	16,263,655.14	5,893,715.77
Total	162,085,384.05	205,643,428.99	43,558,044.94

If the same average monthly deficiencies should continue, the total difference between receipts and expenditures on the 30th day of June next will be $78,167,532.

According to the best estimate that can be made, the total receipts during the present month and the month of February will be $41,900,000 and the total expenditures will be $60,300,000, showing a deficiency during the two months of $18,400,000; but this does not include any payments on account of the sugar bounty, claims for which to the amount of nearly $5,000,000 have already been presented and are now under investigation in the Department.

The assets of the Treasury and the current liabilities in excess of certificates and Treasury notes outstanding were as follows on the 12th day of the present month:

Assets.

Gold	$74,108,149
Silver dollars and bullion	8,092,287
Fractional silver coin	12,133,903
United States notes	5,031,327
Treasury notes of 1890	2,476,000
National-bank notes	14,026,735
Minor coin	988,625
Deposits in banks	15,470,863
Total cash assets	132,327,889

Liabilities.

Bank note 5 per cent fund	$7,198,219
Outstanding checks and drafts	5,653,917
Disbursing officers' balances	28,176,149
Post-Office Department account	3,897,741
Undistributed assets of failed national banks	1,927,727
District of Columbia account	142,613
Total agency account	46,996,363
Gold reserve	74,108,149
Net balance	11,223,374
Total liabilities	132,327,889

It will appear from this statement that the coin reserve has been reduced to $74,108,149, and it is evident from the condition of the Treasury that the Department will have no means to defray the ordinary expenses of the Government unless a large part of the payments are hereafter made out of that fund. If this is done the coin reserve will be reduced by the 1st of February to about $66,601,864, a sum wholly inadequate for the purposes for which it was created.

On account of this critical condition of the Treasury, I have considered it my duty, in addition to the earnest recommendations contained in my annual report, to appear twice before your committee and after full explanations of the situation urge prompt legislative action on this subject. With the permission of the committee, I have prepared and presented for its consideration a bill which, if promptly passed, would, in my opinion, meet all the requirements of the situation by providing the necessary means for defraying the public expenses and replenishing the coin reserve to such an extent as to assure the maintenance of the parity of all forms of United States currency.

While this proposed measure of relief has not yet been disposed of or considered by the committee, the great differences of opinion which are known to exist in both branches of Congress concerning the propriety of granting additional or amended authority to issue bonds in any form or for any purpose, render it doubtful whether new legislation upon the subject can be secured in time to provide the means which are imperatively demanded in order to preserve the credit and honor of the Government. Authority to issue and sell bonds for the purpose of maintaining specie payments was expressly conferred upon the Secretary of the Treasury by the act of January 14, 1875, but it has not been exercised since 1879, and on account of the high rate of interest provided for, and the length of time such bonds would have to run, I have not been satisfied that such an emergency has heretofore existed as would clearly justify their issue. But the necessity for relief at this time is so urgent, and the prospect of material improvement in the financial condition of the Government is so problematical, that unless authority to issue and sell shorter bonds, or other obligations, bearing a lower rate of interest than that specified in the existing law, is granted by Congress at a very early day, I shall feel constrained by a sense of public duty to exercise the power already conferred, to the extent at least of providing an adequate coin reserve.

If this action should be taken, Congress ought, nevertheless, to provide promptly for the deficiency in the revenue during the current fiscal year, and I will from time to time advise your committee of the condition of the Treasury, in order that this subject may receive due consideration.

I have the honor to be yours, very respectfully,

J. G. CARLISLE, *Secretary.*

Hon. D. W. VOORHEES,
Chairman Committee on Finance, United States Senate.

An act to amend section 3 of "An act to provide for the resumption of specie payments," approved January 14, 1875.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of "An act to provide for the resumption of specie payments," approved January 14, 1875, be, and the same is hereby, so amended that in lieu of the descriptions of bonds therein authorized, the Secretary of the Treasury is hereby authorized to issue from time to time, as he may deem necessary, and in such form as he may prescribe, coupon or registered bonds of the United States, in denominations of $25 and multiples thereof, redeemable in coin at the pleasure of the United States after —— years from date, bearing interest at a rate not exceeding 3 per cent per annum, payable quarterly in coin, and to sell the same at not less than par in coin; and the proceeds of such bonds shall be held and used to maintain the parity of all forms of money coined or issued by the United States, but the Secretary of the Treasury is hereby authorized to use from time to time such part of such proceeds as may be necessary to supply deficiencies in the public revenues during the fiscal year 1894.

SEC. 2. That a sum sufficient to carry the provisions of this act into effect is hereby appropriated out of any money in the Treasury not otherwise appropriated.

SECTION 3700, REVISED STATUTES, PART OF AN OLD LAW THAT REFERS TO BONDS AUTHORIZED BY PRIOR ACTS.

The same objection is urged to the second bond issue, for the Secretary bases his authority upon the same law. The third issue is based upon the authority of section 3700 of the Revised Statutes, which is in this language:

The Secretary of the Treasury may purchase coin with any of the bonds or notes of the United States authorized by law, at such rates and upon such terms as he may deem most advantageous to the public interest.

While it would seem as though that was plenary authority and not encumbered with any sort of conditions, yet the history of that paragraph will throw a flood of light upon it. It is part of a section of the act of March 17, 1862. It could hardly be presumed that the Congress of the United States then, or at any time since or before, would throw out an unmodified and unqualified authority to the President or the Secretary to sell bonds ad libitum whenever they thought proper, upon the best terms they could get.

Now we will see the connection in which section 3700 of the Revised Statutes is found in the original act. It is not even a separate sentence, but it is part of a sentence. I will read the whole section. Section 1 of the act of March 17, 1862, entitled "An act to authorize the purchase of coin, and for other purposes," reads as follows:

Be it enacted, etc., That the Secretary of the Treasury may purchase coin with any of the bonds or notes of the United States, authorized by law, at such rates and upon such terms as he may deem most advantageous to the public interest;—

Semicolon—

and may issue, under such rules and regulations as he may prescribe, certificates of indebtedness, such as are authorized by an act entitled "An act to authorize the Secretary of the Treasury to issue certificates of indebtedness to public creditors," approved March 1, 1862, to such creditors as may desire to receive the same, in discharge of checks drawn by disbursing officers upon sums placed to their credit on the books of the Treasurer, upon requisitions of the proper Departments, as well as in discharge of audited and settled accounts, as provided by said act.

This entire section is one paragraph. There is no stopping point, no period, no end of a sentence, no punctuation points excepting commas and one semicolon. And yet a part of that sentence is incorporated in the Revised Statutes as a separate section appearing to be wholly independent and apart from all other connection.

I insist that the bonds referred to in the Revised Statutes, section 3700, are precisely the same kind of bonds that are referred to in section 1 of the act of March 17, 1862—that is to say, bonds that had been provided for in preceding acts—so that this section refers to acts of Congress that had been passed before that time. Whatever authority there is in section 3700 is to be applied to bonds provided for by earlier acts of Congress. There can be no question about that. Then there is only one act that the President makes applicable to his action, the refunding act of 1870, on which the resumption act of 1875 is based.

Senators should not overlook the fact that section 3700, on which the President bases the authority to sell bonds in 1895 and now, is part of the act of March 17, 1862, a clause, and the first clause, of a one-sentence section authorizing the Secretary to make certain uses of bonds and notes that had been provided for by and in prior statutes.

The Secretary has no authority to sell bonds that have not been previously provided for and particularly described. Indeed, Congress has no authority to delegate the power to borrow money. That power is vested by the Constitution in Congress alone. But it may provide for the borrowing of money in a particular way and then authorize the Secretary to perform the necessary work. But it can not authorize any officer to sell notes or bonds that have not been already authorized and described. The act of March 17, 1862, when empowering the Secretary to sell bonds on the best terms he could get, did not intend that he should make out such bonds as he chose and sell them, but only such bonds as had, before the date of that act, been authorized by Congress. So, when the President and Secretary claim to have acted under authority of section 3700 they can assert no authority not provided by laws passed before the act of March 17, 1862, and they were war acts—laws to carry on war. And if they claim that section 3700 authorizes them to sell bonds that were authorized by the resumption act of January 25, 1875, they are met with the objection that the bonds provided for by that act were for redemption purposes only, and that no sales should be made for such purpose so long as there were enough surplus funds in the Treasury to redeem outstanding notes. And there has all along been, and there is now, plenty of funds in the Treasury for that purpose.

I do not care, Mr. President, to pursue that branch of the subject any further. It seems to me to be entirely clear that it is a strained construction of the law, to say the least of it, that these officers are using. I am quite confident that it was not the intention of either the President or the Secretary to resort to such extraordinary measures in the beginning; they expected that Congress would authorize them to proceed, and having received no such authority they undertook it, expecting to have their conduct ratified by Congress.

Finally, on that branch of the subject, all bonds that have ever been authorized by Congress were redeemable either in "lawful money" of the United States, which meant legal-tender paper, or in "coin." There has been no law, there is none now, authorizing gold bonds any more than silver bonds.

RESTORE THE OLD COINAGE LAW OF 1837.

Now, Mr. President, taking up the coinage section of the bill, I shall endeavor to maintain that the sections of the act of Congress

approved January 18, 1837, providing for the free, equal, and unlimited coinage of silver and gold, ought to be reenacted, and that all laws and parts of laws inconsistent therewith ought to be repealed, because—

First. Our monetary system from the beginning to the approval of the act of February 12, 1873, commonly known as the demonetization act, was bimetallic, with coinage of gold and silver on equal terms; that there was no demand for changing the law in 1873, and that there has been very general and continual demand since that time for a restoration of the old law.

Second. That all our national coin obligations are payable in either gold or silver or both, and in order to make such payment we need more coin than we have, or probably ever will have unless we coin silver.

Third. The restoration of free silver coinage would at once put new money into circulation, the effect of which may reasonably be expected to be to stimulate enterprise and encourage trade and to raise prices in a corresponding degree.

HISTORY OF OUR COINAGE.

It may be said, to begin with, that our coinage laws, so far as they relate to the legal-tender functions of gold coins and silver coins, were exactly the same from the time of the first coinage under the mint act, April 2, 1792, until the passage of the act of February 12, 1873, except that in 1853 the legal-tender function of the minor silver coins was limited to sums of $5.

In order to a clear understanding as the argument proceeds, it may be well at the outset to review briefly the history of coinage in the United States.

In 1782 the Continental Congress appointed a committee to investigate the condition of the coins which were then current in the country. Many different coins were in circulation, principally those of Great Britain and Spain and the Spanish-American provinces, and each of the colonies had maintained a separate valuation of its own. While the British method of counting money was common in all parts of the country, the most generally current coins were those of Spain. The Spanish milled dollar was common among the people, and it was the most popular coin then in use here.

Mr. Robert Morris made an elaborate report and recommended a new system of United States coinage. But nothing further was done about it until two years afterwards, when the matter was taken up and referred to a committee of which Thomas Jefferson was a member. That distinguished statesman, after a careful examination of the whole subject, wrote out his views in what he termed "Notes on the establishment of a mint." These "Notes" may be found in Jefferson's Works, volume 1, beginning at page 162. In fixing the unit of money Mr. Jefferson laid down three rules:

First, that it be of convenient size to be applied as a measure to the common money transactions of life; second, that its parts and multiples be in an easy proportion to each other, so as to facilitate the money arithmetic; and third, that the unit and its parts or divisions be so nearly of the value of some of the known coins as that they may be of easy adoption for the people; and—

He added—

the Spanish dollar seems to fulfill all these conditions.

He gave the following as his reasons for selecting the dollar for the unit:

The unit or dollar is a known coin, and the most familiar of all to the minds of the people. It is already adopted from South to North, has identified our currency, and therefore happily offers itself as a unit already introduced. Our public debt, our requisitions and their appointments, has given it actual and long position of the place of the unit. The course of our commerce, too, will bring us more of this than of any other foreign coin, and therefore renders it more worthy of attention. I know of no unit which can be proposed in competition with the dollar but the pound. But what is the pound? One thousand five hundred and forty-seven grains of fine silver in Georgia; 1,289 grains in Virginia, Connecticut, Rhode Island, Massachusetts, and New Hampshire; 1,031¼ grains in Maryland, Delaware, Pennsylvania, and New Jersey; 966¼ grains in North Carolina and New York. Which of these shall we adopt? To which State is that preeminence of which all are so jealous, and on which impose the difficulties of a new estimate on their corn, their cattle, and other commodities? Or shall we hang the pound sterling as a common badge upon all their necks? This contains 1,718¾ grains of pure silver. It is difficult to familiarize a new coin to the people. It is more difficult to familiarize them to a new coin with a new name. Happily the dollar is familiar to them all, and is already as much referred to as a measure of value as their respective provincial pound.

On the 15th day of April, 1790, the House of Representatives passed a resolution asking the then Secretary of the Treasury, Alexander Hamilton, to prepare a report concerning the establishment of a mint and the coinage of money, and in response to that resolution the Secretary prepared a report and submitted it to the House on the 28th day of January, 1791. He sets out by saying that a plan for an establishment of this nature—that is to say, a mint—involves a great variety of considerations, intricate, nice, and important. The general state of debtor and creditor, all the relations and consequences of price, the essential interests of trade and industry, the value of all property, the whole income of both the state and individuals, are liable to be extensively influenced, beneficially or otherwise, by the judicious or injudicious regulations of this interesting institution.

After discussing the importance of the subject and the interests involved he divides the subject into six different heads, the first two of which are these: First, what ought to be the nature of the money unit of the United States; and second, what the proportion between gold and silver, if coins of both metals are to be established.

As to the first of these two divisions, the Secretary, after an elaborate discussion, came to the conclusion that the dollar ought to be established and maintained as the money unit for the currency of the United States, and he was of the opinion that the dollar then generally current, namely, the Spanish milled dollar, ought to be used as the money unit.

As to the second proposition, whether the standard of money ought to be a single one or a double one, the Secretary was of opinion that we ought to establish and maintain the double standard, namely, gold and silver. He was aware, and called attention to the fact, that in the discussion of the subject by public men generally our American statesmen largely leaned to the opinion that the standard ought to be single and that silver. But the Secretary came to the conclusion that the double standard was better. He said:

But upon the whole it seems to be the most advisable, as has been observed, not to attach the unit exclusively to either of the metals, because this can not be done effectually without destroying the office and character of one of them as money, and reducing it to the situation of mere merchandise, which, accordingly, at different times, has been proposed from different and very respectable quarters, but which would probably be a greater evil than occasional variations in the unit from the fluctuations in the relative value of the metals, especially if care be taken to regulate the proportion between them with an eye to their average commercial value. To annul the use of either of the metals as money is to abridge the quantity of circulating medium and is liable to all of the objections which arise by a comparison of the benefits of a full with the evils of a scanty circulation.

After discussing at some length the probable results of a single standard, the Secretary said that the chief if not the sole effect of such a regulation would be to diminish the utility of one of the metals. He then proceeded to discuss the proportion in which the metals ought to be used, and he came to the same conclusion that Sir Isaac Newton had arrived at in his report to the treasury of Great Britain in 1717—the proportion of about 1 to 15; 1 unit of weight in gold to 15 of the same units of weight in silver; and such, in fact, was the proportion established in our coinage law the next year.

This report of Mr. Hamilton was by him submitted to Thomas Jefferson, who was then Secretary of State, for his inspection and consideration. After a very careful study of the report, Mr. Jefferson made a few suggestions, which were in the main accepted by Mr. Hamilton, and the report as it was finally presented to Congress was a substantial agreement between those two gentlemen. If there was any difference between them in respect to the subject it was upon the matter of a single or double standard. Mr. Jefferson inclined to the single standard, and that silver, while Mr. Hamilton preferred the double standard, that of silver and gold. The report of Mr. Hamilton is found in volume 3 of his works, beginning at page 149.

Having adopted the dollar as a unit, then Mr. Jefferson suggested that we ought to have at least four coins—one a golden piece equal in value to $10; second, the unit or dollar of silver; third, the tenth of a dollar, of silver also; and, fourth, the hundredth part of a dollar, this to be made of copper. And he suggested that perhaps it would not be amiss to coin three more pieces of silver—one of the value of half a dollar, the other 20 cents, and the other 5 cents. He concludes his "Notes" in these words:

My proposition, then, is that our notation of money shall be decimal, descending at the liberty of the person noting; that the unit of this notation shall be a dollar; that coins shall be accommodated to it from $10 to the hundredth of a dollar.

In accordance with the recommendation of this report Congress passed an act entitled "An act establishing a mint and regulating the coins of the United States." This act was approved April 2, 1792. The first eight sections provide for the establishment of the mint, name the necessary officers, prescribe their duties, etc., and section 9 names the coins that shall be made and fixes their value. I read the section:

And be it further enacted, That there shall be from time to time struck and coined at the said mint coins of gold, silver, and copper, of the following denominations, values, and descriptions, viz: Eagles, each to be of the value of ten dollars or units and to contain two hundred and forty-seven grains and four-eighths of a grain of pure or two hundred and seventy grains of standard gold. Half eagles, each to be the value of five dollars and to contain one hundred and twenty-three grains and six-eighths of a grain of pure or one hundred and thirty-five grains of standard gold. Quarter eagles, each to be of the value of two dollars and a half dollar and to contain sixty-one grains and seven-eighths of a grain of pure or sixty-seven grains and four-eighths of a grain of standard gold. Dollars or units, each to be of the value of a Spanish milled dollar, as the same is now current, and to contain three hundred and seventy-one grains and four-sixteenth parts of a grain of pure or four hundred and sixteen grains of standard silver. Half dollars, each to be of half the value of the dollar or unit and to contain one hundred and eighty-five grains and ten-sixteenth parts of a grain of pure or two hundred and eight grains of standard silver. Quarter dollars, each to be of one-fourth the value of the dollar or unit and to contain ninety-two grains and thirteen-sixteenth parts of a grain of pure or one hundred and four grains of standard silver.

Dismes, each to be of the value of one-tenth of a dollar or unit and to contain thirty-seven grains and two-sixteenth parts of a grain of pure or forty-one grains and three-fifth parts of a grain of standard silver. Half-dismes, each to be of the value of one-twentieth of a dollar and to contain eighteen grains and nine-sixteenth parts of a grain of pure or twenty grains and four-fifth parts of a grain of standard silver. Cents, each to be of the value of the one hundredth part of a dollar and to contain eleven pennyweights of copper. Half cents, each to be of the value of half a cent and to contain five pennyweights and half a pennyweight of copper.

Section 10 prescribes the devices that shall appear on the coins, and the next section declares what shall be the relative values of the two metals—gold and silver. I quote:

And be it further enacted, That the proportional value of gold to silver in all coins which shall by law be current as money within the United States shall be as 15 to 1, according to quantity in weight, of pure gold or pure silver; that is to say, every 15 pounds weight of pure silver shall be of equal value in all payments with 1 pound weight of pure gold, and so in proportion as to any greater or less quantities of the respective metals.

The twelfth section provides that the metal in the gold coins shall be "eleven parts fine to one part alloy;" that is to say, eleven parts shall be pure gold and one part of alloy, and the alloy is to be made of silver and copper in such proportion that not more than one-half shall be silver.

The thirteenth section provides that the—

Standard of all silver coins of the United States shall be 1,485 parts of fine to 179 parts alloy * * * which alloy shall be wholly of copper.

Section 14 provides for free and unlimited coinage of gold and silver bullion in the language following:

SEC. 14. *And be it further enacted*, That it shall be lawful for any person or persons to bring to the said mint gold and silver bullion in order to their being coined; and that the bullion so brought shall be there assayed and coined as speedily as may be after the receipt thereof, and that free of expense to the person or persons by whom the same shall have been brought. * * *

The rest of the section provides that after the bullion has been coined the coins shall be delivered to the person or persons entitled, and also provides that when convenient, and when money has been provided for that purpose, the Director of the Mint, if the depositor of the bullion so desires, may deliver to him at once coins of value equal to what the bullion will make when minted, charging one-half of 1 per cent for the accommodation.

The sixteenth section provides—

That all the gold and silver coins which shall have been struck at and issued from the said mint shall be a lawful tender in all payments whatsoever, those of full weight according to the respective values hereinbefore declared, and those of less than full weight at values proportional to their respective weights.

All the rest of the act relates to details. The points to be particularly noted with respect to the provision of this law are—

1. That the unit of value is a "dollar."

2. That the unit is to be represented by a coin which shall contain 371¼ grains of pure silver with copper alloy equal to a little more than one-ninth part in weight of the whole coin, and that its value shall be that of a coin then in general circulation—the Spanish milled dollar.

3. That certain gold coins representing multiples of the unit, with certain silver coins representing decimal parts of the unit, were provided for, and that each of them and all of them are made "lawful tender in all payments whatsoever," according to their respective weights, measured by the standard of value given in the law.

4. That any person or persons may take gold or silver bullion to the mint and have it made into any of these coins free of charge.

5. That the proportional weight of gold and silver coins, according to value, shall be 1 of gold to 15 of silver.

6. That the weight of pure metal in the coin, and not the name of the coin, is to be the standard of its value; that is to say, a "dollar" then had a certain value, not definable, to be sure, yet a well-understood meaning in estimating values of commodities; and this value and its multiples to be represented by certain weights of pure silver and pure gold when put in the form of coins prescribed in the law. If from abrasion the coins fell below standard weight their value was lessened accordingly.

By section 1 of the act of February 9, 1793, the values of foreign gold and silver coins then circulating in the United States were regulated, and at such valuations were to be legal tender. Section 3 of the same act provided that foreign coins received by the Government for moneys due the United States after our own mint began coining money should be recoined into United States money, according to our law of April 2, 1792.

Another act "regulating the currency of foreign coins in the United States" was approved April 10, 1806.

Again, April 29, 1816, a similar act was approved, and still another March 3, 1819.

March 3, 1821, and March 3, 1823, acts were approved continuing in force the act of March 3, 1819.

The following act was passed and approved on the 25th day of June, 1834:

Be it enacted, etc., That from and after the passage of this act the following silver coins shall be of the legal value and shall pass current as money within the United States, by tale, for the payment of all debts and demands, at the rate of 100 cents the dollar, that is to say: The dollars of Mexico, Peru, Chile, and Central America of not less weight than 415 grains each; and those restamped in Brazil of the like weight, of not less fineness than 10 ounces and 15 pennyweights of pure silver in the troy pound of 12 ounces of standard silver, and the 5-franc pieces of France, when of not less fineness than 10 ounces and 16 pennyweights in 12 ounces troy weight of standard silver, and weighing not less than 334 grains each, at the rate of 93 cents each.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to cause assays of the aforesaid silver coins made current by this act to be had at the mint of the United States at least once in every year, and to make report of the result thereof to Congress.

By the act of June 28, 1834, the weight of pure metal in our gold coins was reduced about 6 per cent. The following are provisions of that act:

Be it enacted, etc., That the gold coins of the United States shall contain the following quantities of metal, that is to say: Each eagle shall contain 232 grains of pure gold and 258 grains of standard gold; each half eagle 116 grains of pure gold and 129 grains of standard gold; each quarter eagle shall contain 58 grains of pure gold and 64½ grains of standard gold; every such eagle shall be of the value of $10; every such half eagle shall be of the value of $5; and every such quarter eagle shall be of the value of $2.50; and the said gold coins shall be receivable in all payments, when of full weight, according to their respective values; and when of less than full weight at less values, proportioned to their respective actual weights.

SEC. 2. *And be it further enacted*, That all standard gold or silver deposited for coinage after the 31st day of July next shall be paid for in coin, under the direction of the Secretary of the Treasury, within five days from the making of such deposit, deducting from the amount of said deposit of gold and silver one-half of 1 per cent: *Provided*, That no deduction shall be made unless said advance be required by such depositor within forty days.

SEC. 3. *And be it further enacted*, That all gold coins of the United States minted anterior to the 31st day of July next shall be receivable in all payments at the rate of 94.8 cents per pennyweight.

The same day another act was approved regulating the value of foreign gold coins, and on the 18th day of January, 1837, the standard of the metal in our gold and silver coins was altered by reducing the quantity of alloy. The following are the sections providing for the changes:

SEC. 8. *And be it further enacted*, That the standard for both gold and silver coins of the United States shall hereafter be such that of 1,000 parts by weight 900 shall be of pure metal and 100 of alloy; and the alloy of the silver coins shall be of copper; and the alloy of the gold coins shall be of copper and silver: *Provided*, That the silver does not exceed one-half of the whole alloy.

SEC. 9. *And be it further enacted*, That of the silver coins the dollar shall be of the weight of 412½ grains; the half dollar of the weight of 206¼ grains; the quarter dollar of the weight of 103⅛ grains; the dime, or tenth part of a dollar, of the weight of 41¼ grains; and the half dime, or twentieth part of a dollar, of the weight of 20⅝ grains. And that dollars, half dollars and quarter dollars, dimes and half dimes shall be legal tenders of payment according to their nominal value for any sums whatever.

SEC. 10. *And be it further enacted*, That of the gold coins the weight of the eagle shall be 258 grains; that of the half eagle 129 grains; and that of the quarter eagle 64½ grains. And that for all sums whatever the eagle shall be a legal tender of payment for $10; the half eagle for $5, and the quarter eagle for $2.50.

SEC. 11. *And be it further enacted*, That the silver coins heretofore issued at the mint of the United States, and the gold coins issued since the 31st day of July, 1834, shall continue to be legal tenders of payment for their nominal values on the same terms as if they were of the coinage provided for by this act.

Free and unlimited coinage of both metals was provided for in section 14 of this act, as follows:

SEC. 14. *And be it further enacted*, That gold and silver bullion brought to the mint for coinage shall be received and coined by the proper officers for the benefit of the depositor: *Provided*, That it shall be lawful to refuse at the mint any deposit of less value than $100 and any bullion so base as to be unsuitable for the operations of the mint: *And provided also*, That when gold and silver are combined, if either of these metals be in such small proportion that it can not be separated advantageously, no allowance shall be made to the depositor for the value of such metal.

By section 18 of the same act it was provided "that the only subjects of charge by the mint to the depositor" shall be for assaying and refining metals below standard.

March 3, 1843, the values of foreign gold and silver coins were again regulated to correspond to our own coins.

March 3, 1849, the coinage of gold dollars and double eagles of standard weight was authorized.

By act of February 21, 1853, the weight of the silver coins below a dollar was reduced about 7 per cent and their legal-tender quality reduced to "sums not exceeding $5." Sections 1 and 2 are:

SEC. 1. That from and after the 1st day of June, 1852 (1853), the weight of the half dollar or piece of 50 cents shall be 192 grains, and the quarter dollar, dime, and half dime shall be respectively, one-half, one-fifth, and one-tenth of the weight of said half dollar.

SEC. 2. That the silver coins issued in conformity with the above section shall be legal tenders in payment of debts for all sums not exceeding $5.

Section 3 of this act provides that the bullion necessary for the coinage of these light-weight coins shall be purchased, and that the gain (what we now call seigniorage) shall be charged to the mint and credited to the Government. I read the section:

And be it further enacted, That in order to procure bullion for the requisite coinage of the subdivisions of the dollar authorized by this act, the treasurer of the mint shall, with the approval of the Director, purchase such bullion with the bullion fund of the mint. He shall charge himself with the gain arising from the coinage of such bullion into coins of a nominal value exceeding the intrinsic value thereof, and shall be credited with the difference between such intrinsic value and the price paid for said bullion, and with the expense of distributing said coins as hereinafter provided. The balance to his credit, or the profit of said coinage, shall be, from time to time, on a warrant of the Director of the Mint, transferred to the account of the Treasury of the United States.

Free coinage of these subsidiary pieces was not allowed, as shown in section 5, which reads:

And be it further enacted, That no deposits for coinage into the half dollar, quarter dollar, dime, and half dime shall hereafter be received, other than those made by the treasurer of the mint, as herein authorized, and upon account of the United States.

Section 6 of said act required a charge of one-half of 1 per cent for coining all gold coins and all silver dollars.

Section 7 provided for the coinage of three-dollar gold pieces of standard weight.

The act of February 21, 1857, repealed all laws which had declared foreign coins legal tender.

These are the only laws and parts of laws enacted by Congress affecting the coinage of the United States (except in cases of a few minor silver coins and some of coarser metals) until we reach "An act revising and amending the laws relative to the mints, assay offices, and coinage of the United States," approved February 12, 1873. That act contains sixty-seven sections, but only a few of them need be referred to in this connection. These are sections 13, 14, 15, 17, 21, 25, and 27.

SEC. 13. That the standard for both gold and silver coins of the United States shall be such that of one thousand parts by weight nine hundred shall be of pure metal and one hundred of alloy; and the alloy of the silver coins shall be of copper, and the alloy of the gold coins shall be of copper, or of copper and silver; but the silver shall in no case exceed one-tenth of the whole alloy.

SEC. 14. That the gold coins of the United States shall be a one-dollar piece, which, at the standard weight of 25.8 grains, shall be the unit of value; a quarter eagle, or two-and-a-half-dollar piece; a three-dollar piece; a half eagle, or five-dollar piece; an eagle, or ten-dollar-piece, and a double eagle, or twenty-dollar piece. And the standard weight of the gold dollar shall be 25.8 grains; of the quarter eagle, or two-and-a-half-dollar piece, 64½ grains; of the three-dollar piece, 77.4 grains; of the half eagle, or five-dollar piece, 129 grains; of the eagle, or ten-dollar piece, 258 grains; of the double eagle, or twenty-dollar piece, 516 grains; which coins shall be a legal tender in all payments at their nominal value when not below the standard weight and limit of tolerance provided in this act for the single piece, and when reduced in weight, below said standard and tolerance, shall be a legal tender at valuation in proportion to their actual weight; and any gold coin of the United States, if reduced in weight by natural abrasion not more than one-half of 1 per cent below the standard weight prescribed by law, after a circulation of twenty years, as shown by its date of coinage, and at a ratable proportion for any period less than twenty years, shall be received at their nominal value by the United States Treasury and its offices, under such regulations as the Secretary of the Treasury may prescribe for the protection of the Government against fraudulent abrasion or other practices; and any gold coins in the Treasury of the United States reduced in weight below this limit of abrasion shall be recoined.

SEC. 15. That the silver coins of the United States shall be a trade dollar, a half dollar or 50-cent piece, a quarter dollar or 25-cent piece, a dime or 10-cent piece; and the weight of the trade dollar shall be 420 grains troy; the weight of the half dollar shall be twelve grams (grammes) and one-half of a gram (gramme); the quarter dollar and the dime shall be, respectively, one-half and one-fifth of the weight of said half dollar; and said coins shall be a legal tender at their nominal value for any amount not exceeding $5 in any one payment.

SEC. 17. That no coins, either of gold, silver, or minor coinage, shall hereafter be issued from the mint other than those of the denominations, standards, and weights herein set forth.

SEC. 21. That any owner of silver bullion may deposit the same at any mint, to be formed into bars, or into dollars of the weight of 420 grains troy, designated in this act as trade dollars, and no deposit of silver for other coinage shall be received, but silver bullion contained in gold deposits and separated therefrom may be paid for in silver coin, at such valuation as may be, from time to time, established by the Director of the Mint.

SEC. 25. That the charge for converting standard gold bullion into coin shall be one-fifth of 1 per cent, and the charges for converting standard silver into trade dollars, for melting and refining when bullion is below standard, for toughening when metals are contained in it which render it unfit for coinage, for copper used for alloy when the bullion is above standard, for separating the gold and silver when these metals exist together in the bullion, and for the preparation of bars, shall be fixed, from time to time, by the Director, with the concurrence of the Secretary of the Treasury, so as to equal but not exceed, in their judgment, the actual average cost to each mint and assay office of the material, labor, wastage, and use of machinery employed in each of the cases aforementioned.

SEC. 27. That in order to procure bullion for the silver coinage authorized by this act the superintendents, with the approval of the Director of the Mint as to price, terms, and quantity, shall purchase such bullion with the bullion fund. The gain arising from the coinage of such silver bullion into coin of a nominal value exceeding the cost thereof shall be credited to a special fund denominated the silver-profit fund. This fund shall be charged with the wastage incurred in the silver coinage, and with the expense of distributing said coins as hereinafter provided. The balance to the credit of this fund shall be from time to time, and at least twice a year, paid into the Treasury of the United States.

It will be observed that there is no provision in this act concerning the silver dollar. It is simply omitted from the enumeration of silver coins, and it is provided that no coins other than those "herein set forth" shall be "issued from the mint." A new silver coin is, however, added—a "trade dollar"—which is 7½ grains heavier than the standard silver dollar of 412½ grains.

The revision act of 1874 provides that "the silver coins of the United States shall be a legal tender" for sums not exceeding $5 (section 3586).

The Bland-Allison Act of February 28, 1878, provided in section 1—

That there shall be coined, at the several mints of the United States, silver dollars of the weight of 412½ grains troy of standard silver, as provided in the act of January 18, 1837, on which shall be the devices and superscriptions provided by said act; which coins, together with all silver dollars heretofore coined by the United States of like weight and fineness, shall be a legal tender at their nominal value for all debts and dues, public and private, except where otherwise expressly stipulated in the contract. And the Secretary of the Treasury is authorized and directed to purchase, from time to time, silver bullion, at the market price thereof, not less than $2,000,000 worth per month nor more than $4,000,000 worth per month, and cause the same to be coined monthly, as fast as so purchased, into such dollars; and a sum sufficient to carry out the foregoing provision of this act is hereby appropriated, out of any money in the Treasury not otherwise appropriated. And any gain or seigniorage arising from this coinage shall be accounted for and paid into the Treasury, as provided under existing laws relative to the subsidiary coinage: *Provided*, That the amount of money at any one time invested in such silver bullion, exclusive of such resulting coin, shall not exceed $5,000,000: *And provided further*, That nothing in this act shall be construed to authorize the payment in silver of certificates of deposit issued under the provisions of section 254 of the Revised Statutes.

This act was repealed July 14, 1890, by what has been commonly known as the Sherman law, which required the purchase of 4,500,000 ounces of silver monthly and the coinage of enough of it to redeem the Treasury notes paid for it, with the clause that it is the established policy of the United States to maintain the parity of the two metals.

The following are the sections of the Sherman law relating to silver and coinage:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby directed to purchase, from time to time, silver bullion to the aggregate amount of 4,500,000 ounces, or so much thereof as may be offered in each month, at the market price thereof, not exceeding $1 for 371 25/100 grains of pure silver, and to issue in payment of such purchases of silver bullion Treasury notes of the United States, to be prepared by the Secretary of the Treasury, in such form and of such denominations, not less than $1 nor more than $1,000, as he may prescribe, and a sum sufficient to carry into effect the provisions of this act is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

SEC. 2. That the Treasury notes issued in accordance with the provisions of this act shall be redeemable on demand, in coin, at the Treasury of the United States, or at the office of any assistant treasurer of the United States, and when so redeemed may be reissued; but no greater or less amount of such notes shall be outstanding at any time than the cost of the silver bullion and the standard silver dollars coined therefrom then held in the Treasury purchased by such notes; and such Treasury notes shall be a legal tender in payment of all debts, public and private, except where otherwise expressly stipulated in the contract, and shall be receivable for customs, taxes, and all public dues, and when so received may be reissued; and such notes, when held by any national banking association, may be counted as a part of its lawful reserve. That upon demand of the holder of any of the Treasury notes herein provided for the Secretary of the Treasury shall, under such regulations as he may prescribe, redeem such notes in gold or silver coin, at his discretion, it being the established policy of the United States to maintain the two metals on a parity with each other upon the present legal ratio, or such ratio as may be provided by law.

SEC. 3. That the Secretary of the Treasury shall each month coin 2,000,000 ounces of the silver bullion purchased under the provisions of this act into standard silver dollars until the 1st day of July, 1891, and after that time he shall coin of the silver bullion purchased under the provisions of this act as much as may be necessary to provide for the redemption of the Treasury notes herein provided for, and any gain or seigniorage arising from such coinage shall be accounted for and paid into the Treasury.

SEC. 4. That the silver bullion purchased under the provisions of this act shall be subject to the requirements of existing law and the regulations of the mint service governing the methods of determining the amount of pure silver contained, and the amount of charges or deductions, if any, to be made.

SEC. 5. That so much of the act of February 28, 1878, entitled "An act to authorize the coinage of the standard silver dollar and to restore its legal-tender character," as requires the monthly purchase and coinage of the same into silver dollars of not less than $2,000,000 nor more than $4,000,000 worth of silver bullion is hereby repealed.

The purchasing clause of the Sherman law—that is, so much of it as authorized and required the purchase of bullion—was repealed at the extra session of Congress beginning August 7, 1893, by the following enactment:

An act to repeal a part of an act approved July 14, 1890, entitled "An act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes."

Be it enacted, etc., That so much of the act approved July 14, 1890, entitled "An act directing the purchase of silver bullion and issue of Treasury notes thereon, and for other purposes," as directs the Secretary of the Treasury to purchase from time to time silver bullion to the aggregate amount of 4,500,000 ounces, or so much thereof as may be offered in each month at the market price thereof, not exceeding $1 for 371.25 grains of pure silver, and to issue in payment for such purchases Treasury notes of the United States, be, and the same is hereby, repealed. And it is hereby declared to be the policy of the United States to continue the use of both gold and silver as standard money, and to coin both gold and silver into money of equal intrinsic and exchangeable value, such equality to be secured through international agreement, or by such safeguards of legislation as will insure the maintenance of the parity in value of the coins of the two metals, and the equal power of every dollar at all times in the markets and in the payment of debts. And it is hereby further declared that the efforts of the Government should be steadily directed to the establishment of such a safe system of bimetallism as will maintain at all times the equal power of every dollar coined or issued by the United States, in the markets and in the payment of debts.

Approved, November 1, 1893.

This concludes the collection of laws of the United States relating to our coinage so far as the weight and fineness of the legal-tender coins is concerned, and it will be observed that the quantity of pure gold in the gold coins was once reduced (by the act of June 28, 1834) and that the quantity of pure silver in the dollar coin has never been altered in the least degree. The first silver dollar coined contained 371¼ grains of pure metal and the last one contained precisely the same amount. And so with all of the nearly 450,000,000 silver dollar pieces coined since the first mint was opened—more than a hundred years ago.

It may be remarked, further, that silver dollars have been all along and continuously full legal tender in payment of all debts

and of all amounts the same as gold coins, except that by the revision of 1874 all our silver coins were put into one class—subsidiary—and that, of course, included the dollar piece as well as the others. Its legal-tender function was restored by the Bland-Allison Act four years later, and it has not been disturbed since.

From 1794, when the first silver coins were issued from our mints, until 1873, the silver dollar was not only the unit of value but it was the equal of gold for all monetary purposes under all circumstances and conditions in the United States, and in commerce it was often worth more than gold at the legal ratio. All our contracts were made with that knowledge and understanding. All writers, statesmen, and economists so regarded it, and hence they always referred to our standard money as gold and silver—two bases, one standard. Our banks held gold and silver coins alike as specie reserves. No question was ever raised concerning the disparity of the metals by our merchants and ordinary business men; and when, during the war of the rebellion and for some years afterwards, our Secretaries of the Treasury urged the doctrine of redemption of the Treasury notes, they invariably referred to gold and silver alike as the money of final payment.

Mr. Secretary Chase, in his report dated December 4, 1862, discussing the currency question and recommending the issue of Government notes from time to time in guarded amounts, said, on page 21:

The Secretary recommends, therefore, no mere paper-money scheme, but, on the contrary, a series of measures looking to a safe and gradual return to gold and silver as the only permanant basis, standard, and measure of values recognized by the Constitution.

Mr. Secretary McCulloch, in his report, December 5, 1865, at page 8, urging immediate preparation by Congress for a resumption of specie payments, said:

An irredeemable paper currency may be a necessity; but it can scarcely fail, if long continued, to be a calamity to any people. Gold and silver are the only proper measure of value. They have been made so by the tacit agreement of nations, etc.

In the report for 1866, the Secretary (Mr. McCulloch), further urging return to specie payments, said, on page 10:

Ever since trade commenced between the people of different nations gold and silver have been the only reliable and recognized measure of value and medium of exchanges.

On page 11 he says:

Nothing but the precious metals is a legal tender.

On pages 12 and 13 he refers to—

the coin which is obtained in the gold and silver producing districts.

In the same officer's report for 1867, Mr. McCulloch, on page 7, quotes a resolution of Congress approving his recommendation of the preceding year, and he quotes his former report in part. And on pages 9, 10, and 11 he uses the terms "coin," "specie," and "precious metals" as meaning the same thing. On page 11 he writes of "gold and silver" as "the only true measure of value" recognized by "the great international law."

Again, in his report for 1868, the same officer (and the same person) at page 5 takes up the same subject, referring to his former recommendations, and by way of adding to their force he quotes from Daniel Webster a passage in which that eminent lawyer and statesman spoke of "gold and silver" currency being a "constitutional principle."

The arguments and recommendations of the Secretaries of the Treasury bore fruit on March 18, 1869, in "An act to strengthen the public credit," which promises to redeem in "coin" all the notes out and all the bonds except such as are payable in currency other than "gold and silver."

We are very apt, Mr. President, in discussing this subject to overlook the important fact that the act of Congress which authorizes the redemption of our greenbacks and Treasury notes in coin and the payment of our bonded indebtedness in coin particularly specifies that gold and silver coin was meant by the framers of the law.

That in order to remove any doubt as to—

the purpose of the Government to discharge all just obligations to the public creditors, and to settle conflicting questions and interpretations of the laws by virtue of which such obligations have been contracted, it is hereby provided and declared that the faith of the United States is solemnly pledged to the payment in coin or its equivalent of all the obligations of the United States not bearing interest, known as United States notes, and of all the interest-bearing obligations of the United States, except in cases where the law authorizing the issue of any such obligation has expressly provided that the same may be paid in lawful money or other currency than gold and silver. But none of said interest-bearing obligations not already due shall be redeemed or paid before maturity unless at such time United States notes shall be convertible into coin at the option of the holder, or unless at such time bonds of the United States bearing a lower rate of interest than the bonds to be redeemed can be sold at par in coin. And the United States also solemnly pledges its faith to make provision at the earliest practicable period for the redemption of the United States notes in coin.

That is the basis of all subsequent coin legislation so far as it is made applicable to the redemption of notes or the sale of bonds. The refunding act, following the next year, provided for the sale of coin bonds. The resumption act, passed five years later, referring to the bonds authorized by the act of 1870, brings up the same old question.

I have among my papers the language which appears upon the bonds issued under the authority of the refunding act of 1870. The wording of the statute is quoted on the face of the bonds. The language refers specially to the fact that the bond is to be paid in coin of the standard value of our coin in 1870.

The alteration made by the coinage act of 1873, changing the application of the unit from silver to gold, did not have the effect of demonetizing silver any more than the original act of 1792 demonetized gold by applying the unit to silver. There is nothing in the law of 1873 which in any manner affects the legal-tender functions of the silver dollar. Its coinage was stopped by that act, but its office as one of the lawful coins of the country was not in the least degree altered. Every silver dollar then in existence was as good for monetary purposes after the passage of the act as it was before.

NO DEMAND FOR THE ACT OF 1873.

And there was no demand for the coinage legislation of 1873. While gold and silver coin were assumed to be the basis of our money, the truth is we were then, and had been at least twelve years, on a paper basis. No coin had been in circulation during that period. All contracts had been made on the basis of the paper dollar. Banks had suspended specie payment in December, 1861, and from that time forward the only money used among the people was paper. The Government carried on the most expensive war in history without a dollar of coin. All its enormous contract debts were paid in Government notes. The Treasury transactions during the four war years amounted to over four thousand million dollars, and it was all done with paper money, except a mere fraction that was paid in coin by way of interest.

At a conference held in Paris in 1867 the monetary condition of the world, or, more properly speaking, the interests of the great moneyed agencies of the world, were considered, and several American gentlemen of note were present. That conference probably was the first of its kind to give impetus to the movement which in the following six years resulted in the establishment of the gold basis in Germany and the United States, and virtually the same thing in France and the other States of the Latin Union—Belgium, Switzerland, Italy, and Greece.

In this country the subject had not been discussed except among men interested in money as dealers, such as great bankers, brokers, and speculators. The gold corner which brought on the panic of 1873 was inaugurated and managed by men who were interested in establishing a gold basis. The subject had been considered at the Treasury Department, and Secretary Boutwell, who recommended the report of his Comptroller of the Currency, paving the way for unfriendly silver legislation, is, so far as I know, the only participant in that costly proceeding who is proud of the part he played.

There was nothing in the situation which required such legislation, nothing that could excuse the pressing of such a measure at such a time without public discussion before the people. We had long been accustomed to the use of paper money, and the general acquiescence of the people made the time appropriate for a quiet march upon them. While they slept one of their strongest outposts was captured by stealth.

WE ARE A BIMETALLIC PEOPLE.

Mr. President, we have been from the beginning a bimetallic people, supplementing our metal with paper money as our business necessities required. Paragraph 5 of section 8 of Article I of the Constitution of the United States provides that Congress shall have power "to coin money, regulate the value thereof, and of foreign coin." In pursuance of this authority Congress provided early for the coining of money out of gold and silver at a valuation named in the law, and all our subsequent legislation down to 1873 was enacted on the bimetallic basis. All political parties uniformly recognized the law of our monetary system. No party at any time would have dared to advocate a change. The alteration had to be done without the people's knowledge or it could not have been done at all.

Even now, while both of the great political parties practice gold monometallism through their members chosen to administer the laws, the parties in their national and State conventions declare in favor of bimetallism.

The Republican party in the last national platform asserted a well-known fact when declaring that "the American people from tradition and interest favor bimetallism." And the Democratic party declared the same idea. Nobody disputes that proposition. Our history is very clear on that point. But the bimetallism which the American people favor from "tradition and interest" is the bimetallism established by the fathers and continued by their descendants—the dollar to be the unit and its representative coin to be made of 371¼ grains of silver, with multiples made of gold at a proper ratio fixed by United States laws.

Every well-informed person knows that in 1873 silver bullion,

measured by gold coin, was worth 3 per cent more than gold. If the object of the financiers of that day had been to preserve and use the best money, as they now declare to be the safest policy, it would seem that they ought to have let the laws stand as they were; or, if an adjustment was necessary, and they had done as they now insist on doing, they ought to have legislated gold coins up to the silver standard by putting a little more gold in them. What is good doctrine now ought to have been equally good then touching the same matter. If the most valuable metal must be the basis, and if the parity must be attuned to that, then surely a great mistake was made in 1873 by making the cheaper metal the basis. If the modern theory be correct, a great many people were defrauded by putting off on them 97-cent dollars.

Although silver dollars had always been full tender, still, on account of their weight as compared with gold coins, they were not so desirable for making large payments. And it could not reasonably be expected that this relation would be materially altered in the future. Hence farseeing speculators could easily see that, with our national obligations all payable in coin and the great body of our currency being in paper which we had agreed to redeem in coin, if silver could be demonetized it would be a simple matter to get control of the basic money, the dearer metal, gold, and thus more surely control the financial affairs of the country.

And how wisely they calculated. The profits made on the refunding bonds of 1870 have not been less than 25 per cent, or about $450,000,000.

The act of 1873 would alone have accomplished all that was intended and desired by the money changers in their effort to limit the basic money to one metal, and that the dearer one. But Congress took the matter in hand, and early in 1878, in a joint resolution agreed to by a very large majority in each House, declared that gold and silver coin alike were the lawful coin of the United States, and that all our national obligations were payable in either or both of them. It was, however, impossible to pass a free-coinage law. The best that could be done was to compromise on the Bland-Allison Act, and that had to be passed over the President's veto.

A VICIOUS PROVISION.

One vicious provision was incorporated in that law which did not attract any attention at the time, and it has not had the attention its importance justifies at any time. I refer to these words, found in section 3:

That any holder of the coin authorized by this act may deposit the same with the Treasurer or any assistant treasurer of the United States, in sums not less than $10, and receive therefor certificates of not less than $10 corresponding with the denomination of United States notes. The coin deposited for or representing the certificates shall be retained in the Treasury for the payment of the same on demand. Said certificates shall be receivable for customs, taxes, and all public dues, and when so received may be reissued.

WHAT FREE COINAGE MEANS.

In order that the intent and purpose of this section may be readily perceived, it must be remembered that the whole act is a scheme to defeat the free-coinage bill originally introduced by Mr. Bland. It is necessary, also, to understand just what free coinage is and how it affects the currency.

Free coinage is clearly expressed in the original mint act, April 2, 1792, section 14, in these words:

That it shall be lawful for any person or persons to bring to the said mint gold and silver bullion, in order to their being coined; and that the bullion so brought shall be there assayed and coined as speedily as may be after the receipt thereof, and that free of expense to the person or persons by whom the same shall have been brought.

The proceeding is still more tersely and briefly expressed in section 14 of the act of 1837:

That gold and silver bullion brought to the mint for coinage, shall be received and coined by the proper officers for the benefit of the depositor.

Free and unlimited coinage means the coining without charge of all gold and silver bullion brought to the mint, and delivering the coin to the owner of the bullion as soon as it is coined. It is exactly the same kind of a transaction as taking a grist of wheat or corn to the mill and having it ground into flour or meal, except that the miller exacts toll, while the mint makes no charge.

There is another thing about free coinage that is especially important and must not be overlooked. The owner of bullion takes bullion to the mint and takes coin away with him. It is the owner of the bullion and not the Treasury of the United States that gets the coin. And he wants it because it is coin, something that he can use anywhere and everywhere in the country in the transaction of business and in the forwarding of enterprises in which he wishes to engage. In short, he wants it because it is money. And it is of no benefit to him without use. Its use is circulating among the people, performing the functions of money. It pays for labor, it purchases materials, it pays debts, it stimulates industry, and it infuses life into trade. These coins which have been fashioned from the bullion are charged with the highest and most exalted attributes of sovereignty. They are authorized and empowered to effect exchanges of property and of values among the people, and they are commissioned to cancel pecuniary obligations among citizens. They have a still higher prerogative than this. They may take the place of a specific performance of a contract which one or both parties has been unable to execute according to agreement. From the moment these coins go into the possession of their owner they are that much added to the stock of active money of the country, for their owner got them for that purpose, and he will see to it that they get into active circulation as soon as possible.

But when the Government purchases bullion and piles the coin in the Treasury it does not get into circulation at all. And herein lies one advantage of free coinage to the people. In the latter case the coin goes out at once among them. It is the chief business of its owner to get it into circulation, for it is of no benefit to him until he does. When it lies in treasury vaults it is of no use to any person, unless it is represented by certificates or notes that are out circulating as money. But the certificates do not affect the value of gold unless they are made lawful tender in payment of debts to private creditors.

SILVER CERTIFICATES NOT MONEY.

The Bland-Allison Act provides that the bullion purchased shall be coined into standard dollars, which shall be full legal tender except where otherwise expressly stipulated in the contract. It will be seen that notwithstanding the title of the act, which is "An act to authorize the coinage of the standard silver dollar, and to restore its legal-tender character," in effect in practice the legal-tender character of the coin is not restored; for, by inserting the words "gold coin" in a note or other contract, the law may be nullified and its purpose defeated. However, passing over that point for the present, the act provides that holders of these silver coins may deposit them with the Treasurer or any assistant treasurer of the United States in sums of $10 at a time and receive one ten-dollar certificate for them, and the coins will be held for him subject to his order on surrender of the certificate. This certificate, however, is not money. Its holder can not pay a debt with it unless the creditor is willing to accept it. He can pay taxes due the General Government with it, but not taxes due his own school district, township, county, city or State; nor can he discharge a judgment against him in court with silver certificates. The Government will receive them, but they are not legal tender for any purpose among the people in their business affairs.

This is not all. The coin not going out among the people in the first instance, but into the Treasury where it is under control of the Treasurer, and the certificates being usable to pay customs and Government taxes, importers, brewers, and distillers could use large amounts of them for that purpose quite as well as they could use silver dollars, and they are much more convenient. So, instead of paying out the new coins in the first instance to contractors and public officers, who would always prefer the paper rather than the heavy silver coin, the certificates were prepared in advance, and, as matter of fact, much the greater portion of the coins were not paid out at all to anybody; nor were they, to any considerable extent, ever even offered to be paid, and nobody ever deposited them. It was not intended that they should be paid out, because in that case they would have served the uses of money as well as gold coin and lessened the value of gold accordingly.

With a vast amount of silver coined, it has been so managed that but little of it gets out among the people except the subsidiary pieces. Most of the dollars, which are legal tender, are kept in the Treasury and are represented by silver certificates, which are not legal tender, and therefore are not competitors of gold in the money market; and although there is about $140,000,000 worth of uncovered silver coin and bullion in the Treasury belonging to the Government, it is not paid out in redemption of Government paper, nor for interest on the public debt, nor for any other purpose. Hence, when the bankers of Wall street find business dull in ordinary times, they prey on the people at large by presenting Treasury notes for redemption and receiving gold coin in exchange for them. As soon as gold enough is withdrawn in this way from the Treasury to "destroy confidence," then the Treasury offers bonds for sale, and a syndicate is at hand with the gold ready to pay for the bonds—the same gold that they had just drawn from the Treasury. The notes soon get into circulation again; they are again presented for redemption, gold is paid for them as before, and the gold is again sold back for bonds, and so the work of spoliation goes on. These bonds run many years, bearing interest payable semiannually, all of which, both principal and interest, to be paid in gold, according to the official construction of the laws. And the bonds and coupons are not subject to taxation by any power, domestic or foreign.

This is one of the subjects that the act of 1873 was intended to accomplish. And it has succeeded admirably. In 1869 we promised to pay all our debts with coin; in 1870 we refunded our debt, so as to make sure work of it, and authorized the issuance of $1,500,000,000 in bonds payable in coin. (Next year the amount was increased to $1,800,000,000.) In 1873 we arranged to discontinue the coinage of legal-tender silver, so as to have gold only as

our money of final payment. In 1875 we agreed to resume specie payment and authorized the sale of coin bonds for that purpose if need be. In 1882 the bonds had been worked up to a high premium, and the banks during the next eight years sold bonds and withdrew circulating notes to the amount of near $240,000,000. In 1890 Wall street made its first effective raid on the Treasury, and in 1894 demonstrated its power over the Government and the people of the country by compelling the issue of vast amounts of bonds, without either law or necessity, to buy gold with.

SCHEME TO KEEP SILVER COIN IN THE TREASURY.

The object of putting section 3, which is the last section, in the Bland-Allison Act was to keep as much of the silver coin in the Treasury as possible, letting it be represented among the people by paper certificates that are not legal tender, and thus preserve the ascendency of gold as our full legal-tender money. It matters not to the men who control our finances how much paper money or subsidiary coin is out, so long as they can keep gold the basic coin, the money of final payment. And even though our silver coin be full lawful tender, as long as it lies in the Treasury and is represented by certificates that are not money at all, any more than bank notes are, that long the silver is out of the way for all monetary purposes and gold still has the field.

Another effort to procure a free-coinage law was made in 1890, and another defeat was suffered. The Sherman law provides for the purchase and coinage of silver bullion; but by the insertion of the "parity" clause coinage of the bullion is rendered discretionary; for while the law provides that enough of the bullion shall be coined to redeem the notes that were paid for it, the parity clause was intended as instruction to the Secretary to redeem the notes with gold, an instruction which that officer has sedulously followed. The final act of demonetization which signalized the victory of speculators over the people was consummated by the repeal of the purchasing clause of the Sherman law in 1893, to the national disgrace and at a cost already of nearly $165,000,000 of interest-bearing bonds, running from ten to thirty years. And now the Government and people of the United States are at the mercy of a syndicate of gold speculators in New York and London.

NOT COIN ENOUGH IN THE WORLD.

There is not coin enough in the world to transact the ordinary business of the people, and in our own country we are now buying gold to maintain a coin basis for our monetary system.

WE NEED COIN TO PAY OUR COIN OBLIGATIONS.

We shall need a great deal more coin than we now have or can procure unless we go into our mines and dig the metal there to manufacture the coin out of. We have an immense outstanding indebtedness that we have promised to pay in coin, and this obligation must be provided for if we do not wish to play Micawber and pay our debts with new notes.

The total amount of bonds authorized by the refunding act of July 14, 1870, as amended by the act of January 20, 1871, was $1,800,000,000, $500,000,000 redeemable in ten years, $300,000,000 in fifteen years, $1,000,000,000 in thirty years. All of them have been redeemed except about $25,000,000 of the fifteen-year issue and nearly $600,000,000 of the thirty-year issue. In 1894 and 1895 three separate issues were made, two of them redeemable in ten years and one in thirty years, all redeemable in coin, according to the terms of the refunding act of 1870.

AMOUNT OF OUR BONDED DEBT.

Our bonded debt now amounts to nearly $750,000,000, made up of these items:

Payable at any time	$25,364,500
Payable July 1, 1907	559,595,300
Payable February 1, 1904	100,000,000
Payable ——, 1925	62,317,500
	747,277,300

Here is a sum equal to one-fourth of the national debt at the close of the late war, and we have no gold that we can rely upon to pay this debt as long as the present policy of the Treasury is continued. Within a period of little over twelve months we sold more than $162,000,000 worth of bonds for gold—not to pay debts with, for no debts were then due that we did not have gold enough to pay, but to defray current expenses of the Government.

Nearly six months were required and allowed on the last of these bond transactions to collect and deliver the gold, only about 25 per cent of it coming from abroad, and we have now in the Treasury less than one-third of the year's purchases.

At this rate we shall be bonding ourselves at the rate of $162,000,000 a year and never have more than $100,000,000 on hand. Where is the gold to come from to pay this $747,000,000 as it becomes due? It can not be procured at all in all probability. Our only resource will then be to refund the debt and mortgage the country for another fifty or a hundred years, and that is just what the gold syndicate is working for. So long as they can levy tribute on the labor of the people and feel sure that it will be collected at the cannon's mouth if need be, they can "laugh and grow fat," while the country lies prostrate at their feet.

But this is not all. By the credit-strengthening act of March 18, 1869, we promised to pay our Government notes in coin. The greenbacks now out amount to $346,681,016; and under the provisions of the Sherman Act of July 14, 1890, there have been issued and are now out $143,666,280, a total for both classes of notes of $490,347,296. This amount—nearly $500,000,000—is redeemable on demand in coin. If the people could have their way, these notes would never be presented for redemption; they would remain in active circulation until they were worn out and would then be replaced by new notes. But the people do not have their way. The speculators are in the saddle, and if we may judge by their conduct during the past two or three years, these notes will be presented for redemption fast enough to keep the brokers in profitable employment.

Thursday, January 16, 1896.

TREASURY MUST BE PROTECTED AGAINST MARAUDERS.

Mr. PEFFER. Mr. President, yesterday when I was interrupted by the Senate going into executive session, I was discussing the proposition that we need more coin with which to pay our coin obligations, and was giving that as one reason why I am in favor of and insist upon the coinage of silver upon equal terms with gold. Having reached that point, I continue that under existing conditions, if we would protect the Treasury against these marauders we must follow one or the other of two lines of policy with respect to the Government notes. We must either take them in at once, and we can do that only by funding them in coin bonds, for we have no gold to pay them with, or we must sell bonds to purchase gold enough to not only redeem the notes as fast as they are presented, but also to keep up a successful contest with the combined financial agencies of the great trade centers of the world. In either case we are at the mercy of the most dangerous and the most powerful combination of men on earth. Without changing our financial methods and our monetary system we shall never again be a free people. We shall always be subject to the rule of the money power.

But even when we do make this needful change, if the work were to be done to-morrow, here is this existing coin debt facing us, and that must be paid in good faith, according to the contract, in coin.

Bonds running ten to thirty years, amounting to $747,277,300; notes payable on demand and to be reissued and kept in circulation, to be again redeemed and again reissued, and so on interminably—$490,347,296 of them. Bonds and notes, total debt, $1,237,624.596, all payable in coin of silver and gold, and our stock on hand is utterly inadequate.

COIN OF THE PRESENT STANDARD VALUE—1870.

All our outstanding bonds were issued under or subject to the provisions of the refunding act of July 14, 1870. That provides that the bonds therein authorized shall be "redeemable in coin of the present standard value." The language of the law is:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to issue, in a sum or sums not exceeding in the aggregate $200,000,000, coupon or registered bonds of the United States, in such form as he may prescribe, and of denominations of $50 or some multiple of that sum, redeemable in coin of the present standard value, etc.

The act provides for $1,500,000.000 of bonds in all, and the next year the amount was increased by $300,000,000, all payable in "coin of the present standard value."

I have here a copy of the reading matter placed on a one-thousand-dollar bond that was issued under the provisions of the refunding act of 1870. I addressed a letter to the Secretary of the Treasury asking for this matter. My letter was referred to the Treasurer, and through him to the Register, and I have here this certificate:

TREASURY DEPARTMENT, OFFICE OF THE REGISTER,
Washington, D. C., January 4, 1896.

SIR: Your letter of the 27th of December, 1895, addressed to the Treasurer of the United States, having been referred to this office by the honorable Secretary of the Treasury, I have the honor, in compliance with your request, of transmitting herewith "a certified copy of the reading matter appearing on the face and on the back of a United States bond issued under provisions of the refunding act of 1870."

You will observe I have copied the text of a $1,000 bond. The only difference to be found between this text and that of other denominations of the same loan, lies in a change of the wording relative to the denomination of the bond. That is to say, on a $100 bond the words "one hundred dollars" would appear wherever the words "one thousand dollars" appear in the copy submitted.

Respectfully, yours, J. F. TILLMAN, *Register.*

Hon. W. A. PEFFER,
United States Senate.

[FACE OF BOND.]

1877 1907 M

FOUR PER CENT CONSOLS

OF THE UNITED STATES.

PICTURE OF LINCOLN.

4 PICTURE OF UNITED STATES TREASURY. 4

Principal and interest payable in coin ONE M THOUSAND At the Treasury of the United States.

Washington, July 1st, 1877.

THE UNITED STATES OF AMERICA

(.....) (.....)

Are indebted to.....or assigns

In the sum of

ONE THOUSAND DOLLARS.

This bond is issued in accordance with the provisions of an act of Congress entitled "An act to authorize the refunding of the national debt, approved July 14, 1870," amended by an act approved January 20, 1871, and is redeemable at the pleasure of the United States, after the first day of July, A. D. 1907, in coin of the standard value of the United States, on said July 14, 1870, with interest, in such coin, from the day of the date hereof, at the rate of four per centum per annum, payable quarterly, on the first day of October, January, April, and July in each year. The principal and interest are exempt from the payment of all taxes or duties of the United States, as well as from taxation in any form, by or under State, municipal, or local authority.

Date of issue.....

Transferable on the books of this office.

Seal of Treas'y Dept.

Entered.....Recorded.....

Register of the Treasury,

Act of July 14th, 1870.

What does that language mean? What was the coin of the country at that time and what was its standard value? It must be remembered that this law was enacted nearly three years before the act of 1873, which dropped the silver dollar out of the list of coins and changed the coin representing the unit of value from silver to gold. At the time the refunding act was passed, requiring the bonds to be paid in coin of the "present standard value," then and for eighty years prior thereto the lawful coin of the United States, and of Germany and France, of Belgium, Switzerland, Italy, and Greece, was silver and gold, and silver alone had been the monetary basis of more than two-thirds of all the people on earth during many centuries before. At the time the refunding act was passed every one of the leading nations, except only Great Britain, used gold and silver as their basic money metals. It was not until a year afterwards that Germany changed from silver to the gold basis, and not until some years later that France, Belgium, Switzerland, Italy, and Greece, constituting the Latin Union, discontinued the free coinage of standard silver coin.

In 1870, then, when we agreed and promised by solemn act of Congress that we would fund our public debt in bonds running ten, fifteen, and thirty years, redeemable, principal and interest, in "coin of the present standard value," the lawful coin—the legal-tender coin—not only of the United States, but, as I have just stated, of all the great nations except Great Britain only, was coin made of gold and silver. No steps had been taken at that time by any government to demonetize silver. What Great Britain had done was done more than fifty years before that time.

In order to provide means to pay what we have promised to pay, and in coin, according to the contract, and to avoid the further enslavement of the people through our inability to pay in gold coin, we must have silver coin to meet the demands as they fall due.

SILVER COINAGE IS NOT REPUDIATION.

Do you say this is repudiation? I answer it is not only not repudiation, but it is just what everybody knows we agreed to do, what our creditors contracted for, and what our legal and moral obligations require us to do.

"Sound money" advocates seem to have forgotten what the contract is. They utterly ignore the law and flaunt in our faces a false and fraudulent statement, proclaiming, "This is the contract! This is the contract!" This false and fraudulent misrepresentation is that our contract was and is that we shall pay our debts with gold coin.

Let us examine this matter carefully. The people are honest; they want to abide by their contracts, and they expect their public agents to deal fairly with them.

In the first place, our present national obligations to pay money arose out of indebtedness incurred during the great war beginning in 1861. Nearly all of that vast indebtedness was payable in paper; only the interest on bonds and notes was to be paid in coin. In 1869, in the act to strengthen the public credit, we voluntarily assumed to pay, "in coin or its equivalent," all the obligations of the United States not bearing interest, known as United States notes, and all the interest-bearing obligations of the United States, except in cases where the law authorizing the issue of any such obligation had expressly provided that the same might be paid in lawful money or "other currency than gold and silver."

That was in 1869, March 18. Is it not perfectly plain and easily understood, from the language used, that both gold and silver were then included in the word "coin"? We agreed to pay in coin or its equivalent all our interest-bearing obligations—

except in cases where the law authorizing their issue expressly provided that they may be paid in currency other than gold and silver.

Could language be more plain? We promised to pay in coin every bond and interest-bearing note, excepting such as were payable in something else than "gold and silver." These are the words of the statute.

That much, then, is clear, that the coin we promised to pay included, and was intended to include, both gold coin and silver coin. And that is what was urged annually by the Secretaries of the Treasury during all the years of the war when we were daily issuing large amounts of paper money and bonds. Let me repeat the words of the law. The refunding act of July 14, 1870, begins with these words:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to issue, in a sum or sums not exceeding in the aggregate $200,000,000, coupon or registered bonds of the United States, in such form as he may prescribe, and of denominations of $50, or some multiple of that sum, redeemable in coin of the present standard value, etc.

At that time the coin of the United States was the same in all respects that it had been for nearly eighty years, except that in 1834 the weight of the gold coins had been reduced 6 per cent, and as to the silver coins the only changes were that of 1837, diminishing the amount of alloy, and that of 1853, reducing the legal-tender function of coins less than the dollar to payments of $5. So far as the weight of pure silver in the dollar is concerned, that has never been altered—not even to this day. Our legal coin when the acts of 1869 and 1870 were approved was the same as it had been seventy-five years as to silver and thirty-five years as to gold. During all of that time any debt of any amount was payable in either silver coin or gold coin or both, as the debtor chose, and when we said in the law of July 14, 1870, that the Secretary of the Treasury should issue bonds to refund the national debt and that we would pay the bonds "in coin of the present standard value" we simply agreed to pay in the coin which was our lawful tender coin at that time. The law of 1834 put the value of the gold piece of 258 grains at $10, while the law of 1792 had put the value of the dollar or unit at the same as that of the "Spanish milled dollar" then current, and at those values and proportions gold coins and silver dollars were made a lawful tender in payment of debts of any and all amounts.

It is clear, then, that we may, at our option, pay all our national interest-bearing obligations in gold coin or silver coin or either, for we have no such obligations outstanding except such as were issued under the provisions of the refunding act of 1870. The late issues are conceded on all hands to be governed by that act, if there is any authority for their issue.

OFFICIAL INTERPRETATION OF THE WORDS "COIN OF THE PRESENT STANDARD VALUE."

It seems strange that there can be now, or that there ever should have been, any question on this point. But because there seems to be now some doubt about it, I have dwelt upon the subject more at length than it would otherwise warrant. And I have not done with it. There is some official interpretation of the language and some authoritative construction of the law relating to the subject.

The present senior Senator from Ohio [Mr. SHERMAN], when he was Secretary of the Treasury, raised the point, and asked the opinion of the Attorney-General of the United States as to whether the coinage act of 1873 in any way affected the terms of our contract to pay the bonds in coin. I read his letter:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., April 21, 1877.

SIR: I beg leave to call your attention to, and ask your opinion upon, the following questions growing out of the refunding act of July 14, 1870, to wit: Can I stipulate in the body of the 4 per cent bonds about to be issued that they shall be redeemable in coin of the present standard value—that is, the standard value at the date of their issue, or must it be the date of the law?

I submit a statement, prepared by the Hon. H. M. French, Assistant Secretary, having reference to the laws.

It may become important to the public interests to make the new bonds payable in coin of the present standard—that is, gold coin. Some doubts have been expressed upon whether previous bonds issued under acts passed prior to 1873 are not legally payable in silver coin. This question may become important, as any doubt upon the legal terms of a public security affects its value.

Very respectfully, JOHN SHERMAN, *Secretary.*

Hon. CHARLES DEVENS,
Attorney-General.

In answer, the Attorney-General wrote this letter:

DEPARTMENT OF JUSTICE, *Washington, April 26, 1877.*

SIR: In answer to your letter of the 21st instant requesting my opinion upon the following question growing out of the refunding act of July 14, 1870, to wit, "Can I stipulate in the body of the 4 per cent bonds about to be issued that they shall be redeemable in coin of the present value, that is, the standard value at the date of their issue, or must it be the date of the law?" I have the honor to reply:

The act provides for the issue of bonds "redeemable in coin of the present standard value." The word "present" undoubtedly refers as a matter of date to the time when the act was passed, and not to the time when the bonds were thereafter issued. It contemplated that a long period would elapse before it would finally be carried into effect, and that changes in the coinage of the country might occur during that period.

Whatever changes in the coinage should occur, these bonds, were, however, to be redeemed in coin of the standard value as it existed at the date of the act. By this provision the holder was guarded against any depreciation that might take place in the value of the coin, and the Government would not be compelled to pay the additional value should the coinage be appreciated. All the bonds issued under the act were to stand alike, no matter what was the date when such bonds were issued. Each was to be redeemable in coin which was included in the authorized coinage of the country at the date referred to, it being of the standard value as it then existed. Since the law was passed no change has taken place in the standard value of the coin. It is understood that there has been a certain change in the coinage of the country, and that silver dollars have now ceased to exist practically as coin.

It has been further provided by the statute of February 12, 1873 (Revised Statutes, sections 3585, 3586), that "the silver coins of the United States shall be a legal tender at their nominal value for any amount not exceeding $5 in any one payment."

Notwithstanding this practical change in the coinage of the country and the passage of this act in regard to legal tenders, the form of bond to be issued by you should not be changed so far as the mode in which it is to be redeemed is concerned. It was not intended that this should be varied according to the changes which might be made in the coinage, because a definite rule was given by reference to the coin of a particular date. That which will pay the bonds heretofore issued under this act will pay the bonds which you may hereafter issue.

It can not be authoritatively said that the words "payable in coin" or "payable in gold" are equivalent to the words used by the statute. Even if this leaves open for discussion the question whether bonds issued under this act are or are not redeemable in silver coin of the character and standard which existed July 14, 1870, it is not a doubt which it is in your power to remedy by the use of words in the bond other than those which this statute provides.

While I comprehend the difficulty suggested in your letter and the convenience that there might be in removing any question upon this matter, I am, therefore, of opinion that it would not be safe to issue the bonds, except as redeemable in coin of the standard value of July 14, 1870.

Very respectfully, your obedient servant,

CHAS. DEVENS, *Attorney-General.*

Hon. JOHN SHERMAN,
Secretary of the Treasury.

This correspondence took place during April, 1877. Mr. Secretary Sherman, seeing that the law officer of the Government construed coin the same as it had always been construed in the United States, and desiring to make the bonds more salable by making them a more desirable investment for men who make a business of lending money in large amounts, asked Congress to authorize him to make the bonds redeemable in gold coin. The request is in the form of a recommendation in his report under date December 3, 1877, in these words:

If, therefore, the public interests demand the issue of silver dollars—a subject hereafter discussed—it is respectfully submitted to Congress that an express exception be made requiring that gold coin alone shall be paid for principal or interest on bonds issued to public creditors since February 12, 1873, the amount of which is $502,930,700. These bonds have entered into the markets of the world. If the market value of the silver in the new coin is less than the gold dollar, a forced payment in the new coin is a repudiation of a part of this debt.

The point that was suggested by the then Secretary of the Treasury, Mr. Sherman, was that in case at the time the bonds were to be paid the amount of silver in the silver dollar should be of less value than its coin value, and creditors were forced to take it, it would be to that extent the repudiation of the debt.

Congress did not act on this recommendation. One would suppose this fact to be notice, if any were necessary, to the officials of the United States that Congress did not agree with the Secretary in his interpretation of the case, whether upon the law or the facts. Congress did not see that either the law or the equities required any readjustment. Congress knew, as all men knew, that the bondholders had taken very good care of themselves already, and had in 1870 provided for full, and more than full, payment by the passage of the provision for payment in coin of either metal.

Quoting from page 260 of Senator JONES'S admirable speech of 1893—

People who buy bonds do not buy them from altruistic motives. They buy them for their own profit and advantage. They buy bonds of the United States as they buy all bonds, only after careful scrutiny of the terms on the face of the bonds, and of the laws by authority of which these bonds have been issued—

And I have read the words printed on the face of the bonds—

They look sharply to the figures which show the dates of payment of principal and interest, but above all, and rising beyond all other considerations, they look to the medium, or as they term it, the standard in which the payment is, by the terms of the bond, to be made.

To suppose that such a feature is neglected would be to suppose that public creditors, the keenest of men, had lost their cunning. Every bond ever issued has, in plain terms, stated on its face the authority for its existence. It contains a clear citation of the law or laws which constitute the reason for its being. These laws are open to public inspection. No class of persons better than public creditors so well understand the limitations which the laws of all civilized nations place upon the functions of executive officers with respect to issuing bonds or incurring debts or obligations on behalf of their country. They know that the duties of those officers in connection with loans are specified in the laws by which the loans are authorized to be effected. Hence these loans are examined as with a mental microscope to see that no doubt exists as to the authority of the officer who executes the securities, and as to all other particulars concerning payment of the obligation. If they did not observe on the bond the plain printed statement that it was payable in the standard coin of the United States of July 14, 1870, they must have been blind indeed.

I have never heard a denial by anyone having knowledge of the legislation under which the bonds were issued that it is the legal right of the United States to pay those bonds in either gold or silver coin. It is said that at the time of the negotiation of the bonds silver money was out of use in this country. The sufficient answer to that is that gold was equally out of use. It is said that the bonds were sold to citizens or subjects of countries in which silver was not recognized as money. This was certainly not true of Germany, in which country early and considerable sales were made.

Germany was on the silver standard until December, 1871, and had considerable silver in its coin for a long time after that. Besides, our bonds were not, either by their terms or by implication, payable in foreign countries or in the money of those countries. They were payable within the United States, and it was distinctly affirmed on their face that they were payable in dollars of the United States.

While Congress took no action on the recommendation of Mr. Secretary Sherman, it did take action of its own motion. In order to place the matter beyond possibility of doubt or peradventure, this whole question as to whether the bonds of the United States were lawfully payable in either gold or silver at the option of the United States was thoroughly discussed by the representatives of the people in both Houses of Congress in 1878, prior to the passage of the silver-purchase law of that year. On the 16th of January, 1878, the Hon. Stanley Matthews, then a Senator from the State of Ohio, in view of the claims of the bondholders and their representatives in Congress that the bonds were legally payable in gold alone, submitted to the Senate a concurrent resolution designed to call forth the views of the members of the House and Senate nine years after the passage of the act of March 18, 1869. That was time enough for second thought. The preamble of the resolution recites the condition of existing laws relating to the payment of United States bonds. I read it just as it was presented:

Whereas by an act entitled "An act to strengthen the public credit," approved March 18, 1869, it was provided and declared that the faith of the United States was thereby solemnly pledged to the payment in coin or its equivalent of all the interest-bearing obligations of the United States, except in cases where the law authorizing the issue of such obligations had previously provided that the same might be paid in lawful money or other currency than gold or silver; and

Whereas all the bonds of the United States authorized to be issued by the act entitled "An act to authorize the refunding of the national debt," approved July 14, 1870, by the terms of said act were declared to be redeemable in coin of the then present standard value, bearing interest payable semi-annually in such coin; and

Whereas all bonds of the United States authorized to be issued under an act entitled "An act to provide for the resumption of specie payments," approved January 14, 1875, are required to be of the description of bonds of the United States described in the said act of Congress approved July 14, 1870, entitled "An act to authorize the refunding of the national debt"; and

Whereas at the date of the passage of the said act of Congress last aforesaid, to wit, the 14th day of July, 1870, the coin of the United States of standard value of that date included silver dollars of the weight of 412½ grains each, declared by the act approved January 13, 1837, entitled "An act supplementary to the act entitled 'An act establishing a mint and regulating the coins of the United States,'" to be a legal tender of payment, according to their nominal value, for any sums whatever: Therefore,

Be it resolved by the Senate (the House of Representatives concurring therein), That all the bonds of the United States issued or authorized to be issued under the said acts of Congress hereinbefore recited are payable, principal and interest, at the option of the Government of the United States, in silver dollars of the coinage of the United States, containing 412½ grains each of standard silver; and that to restore to its coinage such silver coins as a legal tender in payment of said bonds, principal and interest, is not in violation of the public faith nor in derogation of the rights of the public creditor.

An effort was made by Senator Edmunds, of Vermont, to have the resolution modified in favor of gold payments when demanded by the creditor, but the amendment was voted down—yeas 18, nays 48—and the resolution passed the Senate by a large majority. It was at once sent to the House, where in like manner similar amendments were defeated, and the original resolution passed by 189 yeas to 79 nays.

It surely must be clear now that "coin" in the United States in 1870, when the refunding act was passed, meant and was universally understood to mean just what it always had meant since the formation of the Government, namely, gold and silver in coin.

It is equally clear that the coin which we promised in 1869 to redeem the greenbacks with was the same gold and silver coin. Hence, if we do pay or redeem in that kind of coin we shall have faithfully and honestly complied with our promise.

THE WORD "DOLLAR" HAS A WELL-UNDERSTOOD MEANING.

The objection that this amounts to repudiation is not well taken, for there is nothing in the contract or in the intention of the parties to it that makes us insure our creditors against a fall in the

market value of gold or silver bullion. The word dollar in monetary language has a well-understood meaning. The law says that a certain amount in weight of pure gold or of pure silver, when fashioned in certain ways, shall be regarded as the representative of a dollar, and that it shall be lawful tender for that amount in payment of all debts to any amount whatever. That is the value of the full-weight coin; it is less in proportion when the coin is not full weight. But as long as it is coin it is lawful money to the extent of its weight at the legal proportion in its own country. It is always valued at its coin value in the money market except in foreign countries. There it is nothing but bullion. Light-weight coin is not thrown away as bullion but passes as coin, and is valued according to the standard weight of coin. For example, if a gold eagle is found to be 2 per cent light, it would pass at $9.80, even though gold bullion might be above the par of coin. So, if a silver dollar be 2 per cent light, it would pass at 98 cents, though silver bullion might be 25 per cent or 50 per cent below the par of coin.

STATES PROHIBITED FROM COINING MONEY.

Coin has a legal value. The Constitution of the United States authorizes Congress to "coin money and regulate the value thereof," and it prohibits the several States from coining money and from making "anything but gold and silver coin a tender in payment of debts."

Coin authorized and valued by Congress may and does circulate in every State in the Union, and has done so from the beginning. No State could prohibit such circulation. Coin is made of both gold bullion and silver bullion, and as coin it is a tender everywhere within the territory and jurisdiction of the United States; but no State can make gold bullion or silver bullion a lawful tender. It is coin, not bullion, that is money. This does not deprive Congress of authority and power to coin money out of any substance other than gold and silver; but it does wholly prevent the States from coining money out of any substance whatever, and also prevents them from making anything but coin made of gold and silver a tender in payment of debts.

BULLION A MARKETABLE COMMODITY.

And every student of finance knows that bullion of the precious metals has always been a marketable commodity, subject to fluctuations the same as other articles of commerce. These metals having long been used for monetary purposes in commerce, in order to insure greater steadiness in the monetary value of the coins, the laws of different countries have provided for the making of metallic coins of certain weights and dimension, giving to each a certain legal value expressed in a unit that the people understand, and in multiples or subdivisions of the unit. For centuries the people of Great Britain were accustomed to use the words "pound," "shilling," "pence," and "farthing" in estimating or counting or recording values. The "pound" was their unit. Silver had been their principal money metal, and a pound of it had a well-understood value when exchanging it for other articles. In 1816 that nation changed from a silver to a gold basis and a new arrangement of values became necessary. The latest announcement in that respect was made in 1844, when the laws concerning the Bank of England were revised and amended. By the provisions of that act the bank is required to pay £3 17s. 9d. per ounce troy for all the fine (pure) gold that may be presented. The gold is coined into pieces known as sovereigns, because a representation of the sovereign's head is impressed upon it. It is made of 125.5 grains of pure gold, and always passes at the legal valuation of what in our money is equal to $4.866. Fluctuations in market price of gold bullion are set off by a rise or fall in the rate of discount at the Bank of England. It must be remembered that coin is only bullion in every country except that to which it belongs.

So, in the United States gold coins and silver coins at certain weights of pure metal are given certain legal values estimated in the unit (dollar), which has always had a well-understood meaning and value among the people. And that value is retained in all our dealings with one another, without regard to the market value of bullion, though our coin is weighed and valued as so much bullion of equal fineness when it is used in foreign countries.

MONEY TAKES THE PLACE OF BARTER.

It is quite necessary that a legal value be given to money. It is the law only which gives it its value as money. If men were required to buy and sell exchange the same as they do corn and potatoes, our trade would be but the barter of 3,000 years ago, and we should have a hard time of it in transacting business according to modern methods. Money relieves us of all that trouble. That is what it is made for. When a citizen sees the Government coin or paper he knows what it represents without further ado. He values his cow at $25, and he receives twenty-five dollar coins, or five five-dollar coins in exchange, and the trade is passed. He does not have to "weigh" out the money as Abraham did when he bought a burial place for Sarah.

Money is used in place of the old and cumbrous barter of the long ago; and the only way we can do this successfully is to affix values in terms that all understand to certain tokens or coins fashioned so that their genuineness is known and recognized by everybody. These coins pass at that value, no matter what the market value of metal is.

WHAT AN HONEST PAYMENT IS.

Without stopping now to discuss what constitutes an honest dollar, it may be safely assumed that what is fair and just between man and man is not dishonest. If I promise to pay to Grover Cleveland a bushel of wheat at a certain time, he and everybody else knows just what he has a right to expect. The law has predetermined what a bushel of wheat is. Ordinarily I might take a bushel measure full of the grain and deliver that, but Mr. Cleveland is entitled to know that the wheat is of standard weight and quality. Hence if I deliver to him 60 pounds of good, merchantable wheat the debt is paid, honorably and honestly paid. And this is true, even though during the interval between the time of promise and the time of payment the market price of wheat has fallen or risen.

So it is with our metallic dollars. Paul promises to pay Peter one dollar at a certain time. The law has provided that a dollar may be made of silver in a coin of a certain weight and quality. Metallic money always goes by weight. As shown by sections of laws to which I have made reference, our legal-tender coins when of full weight shall pass at their full legal value, and for proportional amounts when worn by abrasion so as to be below the lawful standard of weight. There is nothing in the law now, and there never has been anything in the law, which requires or authorizes any deduction from the face value of a coin because of any changes or fluctuations in the market price of bullion. So, the law having determined that 412½ grains of standard silver, when fashioned in a coin of particular dimensions and with certain devices on it, shall be a dollar and lawful tender for any and all debts and amounts, if Paul delivers a dollar of that kind to Peter on the day named in the contract, he has paid the debt honorably and honestly.

This proposition is surely self-evident. And, as in the case of wheat, it matters not that the market price of silver bullion has fallen or risen in the meantime. A case in point is that of the gold coins made under the act of 1834, which were 6 per cent lighter than those that had been coined under the act of 1792. These lighter coins paid debts the same as the heavier coins had done and continued to do, for the law provided that both weights, as long as the heavier ones remained in circulation, should be lawful money and legal tender.

There is nothing, then, in the cry that coins of standard weight and fineness are dishonest money simply because bullion has fallen in the market.

THE COPPERHEAD IN POLITICS.

But it is said the parity between the metals must be maintained. A new kind of bimetallism has become popular in certain quarters lately; and with this coming, it may be mentioned that a new kind of politician has come. He may properly be called the "copperhead" in modern politics. We all remember that during the great war, in the Northern and Eastern portion of the country there was a considerable class of men who gave us some trouble in the rear. They manifested their most earnest and continuous sympathy with the people who were in rebellion against the authority of the Government, at the same time pretending to be friendly with those of us who were waging war in order to suppress the rebellion aforesaid. We gave them the name of "copperheads." These modern bimetallists are of exactly the same class with reference to this almost universal demand of the common people of the country that we have the old coinage law of 1837 restored to us. They are giving all their encouragement and all their sympathy and all their votes to our enemies, while they are pretending to be friendly with us.

The Republican party defines bimetallism in this way:

The American people from tradition and interest favor bimetallism, and the Republican party demands the use of both gold and silver as standard money, with restrictions, and under such provisions, to be determined by legislation, as will secure the maintenance of the parity of value of the two metals, so that the purchasing and debt-paying power of the dollar, whether of silver, gold, or paper, shall be at all times equal. The interests of the producers of the country, its farmers, and its workingmen, demand that every dollar, paper or coin, issued by the Government shall be as good as any other. We commend the wise and patriotic steps already taken by our Government to secure an international conference to adopt such measures as will insure a parity of value between gold and silver for use as money throughout the world.

The party does not demand that the act of 1873 be repealed and that the former coinage laws be restored; nor does it encourage the belief that it is not wholly given over to the doctrine of gold monometallism as advocated by the British gold mongers.

The Democratic party favors the same sort of bimetallism that its great adversary declares for, as will be seen by its last official utterance:

We hold to the use of both gold and silver as the standard money of the

country, and to the coinage of both gold and silver, without discrimination against either metal or charge for mintage, but the dollar unit of coinage of both metals must be of equal intrinsic and exchangeable value or be adjusted through international agreement, or by such safeguards of legislation as shall insure the maintenance of the parity of the two metals and the equal power of every dollar at all times in the markets and in payment of debt; and we demand that all paper currency shall be kept at par with and redeemable in such coin. We insist upon this policy as especially necessary for the protection of the farmers and laboring classes, the first and most defenseless victims of unstable money and a fluctuating currency.

And in order to leave no doubt concerning the good faith of the party touching this matter, the party platform was attached to the law repealing the purchasing clause of the Sherman law. Two-thirds of the Republicans of the Senate and House voted for this declaration of policy. It is only a more verbose way of putting the words that gave to the act of 1890 the title of "Sherman law." Those words declared it to be—

the established policy of the United States to maintain the parity between the two metals—

and they were incorporated in the act of 1890 at the suggestion of the senior Senator from Ohio [Mr. SHERMAN], with the intent and purpose that the notes should be redeemed, not with silver coin, but with gold coin. And that distinguished gentleman still holds to the view thus covertly incorporated in the act which bears his name. In a newspaper report of his remarks at the Zanesville convention last summer I find these words:

I believe that the policy of the United States adopted in 1853, of coining fractional silver coins in limited quantities from silver bullion purchased at market price and making them legal tender for small sums, is the only way to preserve the parity of gold and silver coins at a fixed ratio. This is properly called bimetallic money.

Nothing could be plainer than that—certainly not the Republican platform. The distinguished Senator has been at the head of his party for many, many years, so far as all questions relating to finance are concerned; and this is the way the veteran legislator and the honored Republican defines bimetallism:

I believe that the policy of the United States adopted in 1853 is the best way to preserve the parity between the metals.

And he repeated this opinion when his attention was called to some criticisms of his speech by the Senater from New York [Mr. HILL]. In reply he said:

At all the conventions in Ohio we have declared we are in favor of the use of both gold and silver, maintained at par with each other. To the extent that we can maintain the silver at par with gold we coin it at the present ratio.

Under the old laws we made the parity between the two metals hinge on the silver basis. Silver was made the unit; silver was the basis; silver was the standard; and the gold coin had to be brought to correspond with the silver.

PARITY COVERS A MULTITUDE OF SINS.

Mr. President, that little word "parity," used in this connection, like charity, covers a multitude of sins. It is a cloak for hypocrisy; it is a shield for ignorance; it is an excuse for fraud, deceit, and plunder.

Note the language of the party platform of 1892 and of the law of 1893. I read the deceitful attachment to the law repealing the purchase clause of the Sherman Act:

And it is hereby further declared that the efforts of the Government should be steadily directed to the establishment of such a safe system of bimetallism as will maintain at all times the equal power of every dollar coined or issued by the United States in the markets and in the payment of debts.

That is intended to convey the thought that the framers of the law desired to pledge the Government to see that paper dollars and silver dollars shall be quite as good as gold dollars for all purposes; and it is intended, further, to convey the impression that the friends of that bill—the "sound-money men," as they are pleased to call themselves—desire that all our dollars shall be alike valuable and have at all times equal power in the markets and in the payment of debts; yet if Senators will turn to the proceedings of the Senate when I proposed an amendment to make good this party declaration by giving the legal-tender function to each and all our dollars—gold, silver, and paper alike—I could not procure friends enough for my amendment to get a yea-and-nay vote on it, and my bill, introduced for a like purpose, was reported adversely. The bill was S. 1178, Fifty-third Congress, second session, and entitled "A bill to regulate the value of certain coins and pieces of money; to give to all sorts of current money equal qualities of legal tender, and to prohibit and prevent discriminations in favor of gold coin or bullion as money." And notwithstanding the noise and clamor that has been made since that time by the sound-money people, I submit now in this presence that among the members of the Senate who rank themselves as sound-money men, not one of them would vote for such a law as was proposed in that amendment. If there is such a Senator present it will afford me much pleasure to give him an opportunity to assert the fact here and now.

And as to the word "parity," it is not parity that the sound-money people want. They care nothing about maintaining the parity between the metals. What they want is to maintain our monetary system on a gold basis, and to keep and maintain gold as the money and the only money of redemption and final payment. They are not willing that silver shall be restored to its old place beside gold unless the gold-using nations shall agree to it. This is a subterfuge; or, if the language be more elegant, I will borrow words from the Democratic national platform, and say it is a "cowardly makeshift," intended to deceive the people. They tell us that parity can only be maintained by preserving the equal market value of the metals, as we would keep the market prices of wheat and corn the same continuously and forever. They say supply and demand regulates such matters, and that inasmuch as supply and demand are constantly varying it will be impossible to maintain the parity without legislation, and this legislation must be international. They also tell us that value can not be legislated into anything. Their champions say that gold has a certain fixed value given by the Great Creator, who intended that it should be used for money; that it was created for that special purpose; that it is the only article that was so made; but even though none but the Creator can put intrinsic value to any definite amount in any given article, still an international agreement, they insist, will add 100 per cent of intrinsic value to silver.

All this, however, is to maintain the parity. That is to say, all the parity work is to be done on silver. Gold is full of permanent intrinsic value; it was so ordained by almighty power, and there is no need to meddle with the gold basis. It is silver that must be doctored and made over by an agreement among the money changers of foreign nations. Why do they not do as our fathers did sixty years ago—change the gold coins to the silver basis?

SILVER THE BASIC MONEY OF THE WORLD TILL LATELY.

It would seem that a great many people have not yet learned that silver was the basic money of the world ever since the dawn of history until 1873, with the exception of Great Britain, that changed her basis in 1816, and Portugal later. I am not quite sure but that for a brief period Rome maintained a monetary system based on gold alone. But speaking generally, silver has been the world's basic money until within twenty-five years last past, and now there is more silver than gold used for money among the nations.

I submit a table showing the amount of gold and silver estimated to have been in use in 1891, and there has been but little change since:

Total gold and silver used as money of the world, in form of coin and bullion, and amount per capita.

Mr. Leech, Director of the United States Mint, prepared for the Congressional Committee on Coinage a series of tables showing the estimated and officially reported amounts of gold, silver, and paper in circulation as money in different parts of the world. The following table comprises the portions of the statement in reference to gold and silver:

SPECIE.

Country.	Gold.	Silver.
United States	$702,018,869	$482,071,346
United Kingdom	550,000,000	100,000,000
France	900,000,000	700,000,000
Germany	500,000,000	145,000,000
Belgium	65,000,000	55,000,000
Italy	140,000,000	60,000,000
Switzerland	15,000,000	15,000,000
Greece	2,000,000	4,000,000
Spain	100,000,000	125,000,000
Portugal	40,000,000	10,000,000
Austria-Hungary	40,000,000	90,000,000
Netherlands	25,000,000	65,000,000
Scandinavian Union	32,000,000	10,000,000
Russia	190,000,000	60,000,000
Turkey	50,000,000	45,000,000
Australia	100,000,000	7,000,000
Egypt	100,000,000	15,000,000
Mexico	5,000,000	50,000,000
Central America		500,000
South America	45,000,000	25,000,000
Japan	90,000,000	50,000,000
India		900,000,000
China		700,000,000
The Straits		100,000,000
Canada	16,000,000	5,000,000
Cuba, Haiti, etc	20,000,000	2,000,000
Totals	3,727,018,869	3,820,571,346

POPULATION OF THE EARTH.

Europe	357,379,000
Asia	825,954,000
Africa	163,953,000
America	121,713,000
Australia	3,230,000
Oceanic islands	7,420,000
Polar regions	80,400
Total	1,479,729,400

The total gold of the world in coin and bullion used as money amounts to $2.51 per capita.

The total silver of the world in coin and bullion used as money amounts to $2.58 per capita.

The total gold and silver of the world in coin and bullion used as money amounts to $5.09 per capita.

If the whole world is reduced to a gold basis, $2.51 per capita will be our money of redemption, instead of $5.09 under a bimetallic system.

If proof be demanded that the friends of so-called sound money

are really gold monometallists, it need only be pointed out that ever since the change of base in 1873 the Government has treated gold as the only legal coin the country. It has not paid any other coin on Government obligations and does not do so now. With $140,000,000 worth of uncovered silver coin and bullion in the Treasury in 1894 the Secretary purchased gold to meet even current expenses of the Government; and that officer during all the years since 1878 has persistently paid only gold coin in redemption of Treasury notes. It is not denied anywhere that all our national obligations are payable in silver coin as well as in gold coin, yet the Treasury pays only gold, except in cases where silver is requested. And in the last bond transaction the syndicate informed the President, and that officer transmitted the intelligence to Congress, that in case the bonds were made payable in gold they would be worth a trifle more to the purchasers and that trifle would be paid. Congress not authorizing such a stipulation, the bonds were issued, as all others have been issued, payable in coin. This is a conclusive acknowledgment on all sides, and the syndicate concedes that these bonds are payable in silver and gold, both or either.

MARKET VALUE OF BULLION DOES NOT GOVERN MONEY VALUE OF COIN.

The proposition that the market value of bullion governs the money value of the coin is not tenable. There is no law in any country, as far as I know, certainly not in the United States, that has any reference to such a rule. It is not incorporated in any law. Congress has no power to regulate the value of bullion, and it has never undertaken to do so. Its authority extends only to regulating the value of money. The language of the Constitution is: "Congress shall have power to 'coin' money and regulate the value thereof." The word "coin" in this place is a verb—to coin money, to make or manufacture money. The thing which Congress may regulate is the value of the money that it coins. It is valne that is to be regulated, but not the value of bullion. Nor is it the bullion value of coins. It is the money value of the coins, or the amount of money which is represented by the coins. Briefly, Congress is authorized to prepare coins to represent value, and every coin so made shall have its value expressed by act of Congress.

Congress never enacted that 371¼ grains of silver shall be worth a dollar or that 232.2 grains of gold shall be worth $10. Nor has Congress ever said what ratio shall exist between the values of gold bullion and silver bullion. Section 11 of the act of 1792, before quoted, says:

The proportional value of gold to silver, in all coins which shall by law be current as money within the United States, shall be as 15 to 1, according to quantity in weight, etc.

It is only the metal in coin that the law applies to. The pure gold in $15 worth of gold coins shall be of the same weight as the pure silver in one silver dollar coin, and 1 pound of gold in coins shall be of equal value as money with 15 pounds of silver in coins. To quote the law:

Every 15 pounds weight of pure silver shall be of equal value in all payments with 1 pound weight of pure gold, and so in proportion as to any greater or less quantities of the respective metals.

It is only the metal used in coins that the law makes any provision for. It is declared that in preparing coins to be used as money, and making payments with these coins, the value of gold shall be taken to be fifteen times as much as that of silver, in quantities by weight. But the value of the coins, which Congress is authorized to regulate, is their money value. Coins can have no value in that form and for that use, except what the law imparts to them.

Recurring to the standard value of our coin when the refunding act of July 14, 1870, was passed, our lawful tender coins consisted of the silver dollar, the eagle, the half eagle, and the quarter eagle, and their values were:

	Value.
GOLD COIN.	
Eagle	$10.00
Half eagle	5.00
Quarter eagle	2.50
SILVER COIN.	
Dollar	1.00

The weight of the coins was (standard nine-tenths fine):

	Weight.
GOLD.	*Grains.*
Eagle	258
Half eagle	129
Quarter eagle	64½
SILVER.	
Dollar	412½

It is perfectly clear that whatever we may understand to be the value of a dollar—and I shall discuss that later—Congress, acting under the plenary and unquestioned authority of the Constitution, enacted that a silver coin made of a certain form and dimensions, with certain devices and letters and words on it, shall, for all money purposes, be of the value of a dollar; that gold coins of certain forms and dimensions, with certain devices and lettering, should be of the value of ten dollars, five dollars, and two and a half dollars, as the case may be; and the coins whose weights and values I have just given were the coin of the country and the value at the time the bonds were authorized. The "present standard value" of the eagle was ten dollars; that of the half eagle, five dollars; that of the quarter eagle, two and a half dollars, and that of the dollar piece, one dollar. Our promise was to pay in coin of the value of coin at that time. No matter when the bonds should be issued or when they should fall due, they were redeemable in coin of the value of our coin at the time the act was passed. We did not agree to pay in bullion, nor did we promise to pay in coin at its bullion value, when the bonds should be payable. The contract is not ambiguous; its terms are brief and plain. Its words are, "redeemable in coin of the present standard value."

And the reason for this plainness is apparent. If we had agreed to pay in any other way there would not have been certainty as to what would be the value of our payment when it should be made. We might have to pay more, or our creditors might have to accept less in money value than our coin possessed at the time the law was approved. In one case we might lose; in the other our creditors might lose. But the contract was not left open to doubt. Everybody knew the value of our coins at that time, for it was expressed in dollars and was marked on their faces. There could then be no mistaking the meaning of the promise. We authorized the issuance and sale of eighteen hundred million dollars in bonds for the purpose of refunding the national debt, and stipulated in the act that when the bonds should be issued they should express on their face that they were redeemable in coin of the value of our coin at the time the act was passed.

SUPPOSE GOLD LEAVES THE COUNTRY, WHAT OF IT?

It is said by some timid persons that if we should readopt the policy of paying our obligations in silver and gold the gold coin will all leave the country. Well, suppose it does. What of it? Who will be injured by the movement? The farmers? They have no gold. One year's crop of Kansas corn is worth more than all the gold produced in our mines during the same year. The mechanics? The wage earners? The plain people? They have no gold. They receive all their dues in paper, and they constitute 90 per cent of the people. Who has the gold that is going to leave and where is it? The Government has, say, $50,000,000; the national banks (October 3, 1893) $182,342,948; State banks, private banks, loan and trust companies, whose aggregate capital (about October 1, 1893) was $406,000,000—say they have $100,000,000, which is about the same proportion to capital as that held by national banks. This gives us a total of about $382,000,000 belonging to banks, which they hold as reserves. The rest of whatever gold is in the country is in State and municipal treasuries and in the hands of a few people.

Suppose all this goes out of the country, what will replace it? Will bankers sell their gold? And what will they get in exchange for it? They will not part with gold because they are obliged to do so. There is no compulsion about it. If they let it go at all it will be because they can gain a profit by the exchange, and they will not sell it without receiving its full value in return. And they must maintain their reserves, which can be done only with coin or other lawful money. If they sell their gold coin reserves because gold coin is at a premium above silver coin (and they would not dispose of it for any other reason), they would receive as many dollars in silver as they sell in gold, and with them as much more in silver or other money or property as would be equal to the premium, hence neither they nor the country will lose anything.

If it be said that the exodus of gold would contract the currency, that can not amount to much, because there is but little gold in circulation. Not more than 1 per cent of the business done over bank counters is done with gold coin.

But the vacuum would soon be filled with coin made of silver bullion now belonging to the Government and not covered by certificates or notes outstanding.

Free coinage of silver would probably have the effect of advancing the market value of silver bullion. But say it does not. Let the price remain where it is, and for argument sake we will put it at 32 to 1 of gold. That would leave us with the 50-cent dollars so much talked about. Our bankers, wanting to profit by the operation of the new law, exchange their $382,000,000 of gold for $382,000,000 in silver and $382,000,000 worth of other property. That would preserve the equilibrium, or the "parity," if our sound-money friends do not object to this use of the word in that connection. Where is the loss? There is no need of anxiety lest bankers will rush into the bullion exchange business without as-

surance of gain. They are not doing business in order that others may profit by their blunders. If they are philanthropists, it is not during business hours.

AFTER COIN THEN PAPER.

Mr. President, I now approach a proposition which is to me more interesting than the field which I have just passed over, because, if for no other reason, it has not been so much discussed. I believe that as soon as Congress shall have provided for the accumulation of coin enough to pay all our national obligations which are payable in coin, provision should be made for the establishment of a permanent paper currency that will eventually take the place of all other kinds of money except for small transactions.

I do not wish to be misunderstood in making this proposition. I believe in the coinage of both gold and silver, but not as an original proposition. If we were just setting out to establish a new monetary system, having had no experience with metallic coins, I should not favor the use of any material that is very costly, any material which speculators and money changers could corner and thus force oppressive financial legislation upon the people. I would choose some material out of which to make our coins that had of itself very little value, but suitable in every way for the purpose, so that a small quantity of it, as much as would be used in one piece or one coin, to represent $1, or $5, or $10, would be so small that there would be no inducement to speculate in it.

I believe in the coinage of gold and silver, first, because our people have long been accustomed to it. The people of the entire world have been accustomed to it. It is part of the financial policy of all civilized and enlightened men everywhere, descended to us from the far distant past.

I favor the coinage of gold and silver for another reason. At this time gold alone is being coined, and there is not one hundredth part enough of gold and silver combined to perform the monetary functions required among the people. I favor the restoration of the coinage of silver for still another reason, that we may, as soon as possible, out of our own mines or mines in other portions of the world secure the coin we need for the purpose of paying our coin obligations. Having all that done, then comes the proposition I have announced.

I regard a correct system of money as among the most important agencies in human development. Commerce has uniformly opened the way for advancing civilization, and money in one form or another has been the handmaid of trade. Fairs afforded opportunities during the Dark Ages for people to exchange property by barter; but ships and railways and banks and telegraphs have brought a new citizenship to the nations and have established a new kingdom on the earth. Rapid communication, ready exchange, quick returns, and the massing of capital make new agencies of effort to be among the necessary accompaniments of these new conditions. The Phœnicians and the Romans propelled their ships with oars; now we drive great ocean steamers across the Atlantic in five days. The Britons and the Anglo-Saxons, the Normans and the Gauls carried their produce on the backs of animals or in rude carts on heavy roads; but the modern railway train has reached a speed of 80 miles an hour. All the machinery of life and labor has been changed and the world seems to have been created anew.

We have made some progress in the development of devices to be used as money, and in our experience we have produced some wonderful implements in exchange. Banks, as places of deposit; banks as places to buy and sell money—places to exchange exchange, if the expression is allowable, are highly wrought contrivances to aid commerce, and with but little improvement in their constitution, object, and management, they could be made mighty instruments of power for good in the best direction of human endeavor. But banks, like all other public agencies, being intended for the good of the people at large, ought to be conducted as public institutions. The money they use ought to be of only one kind, and that created and supplied by the General Government. No private concern of any character ought to be permitted to issue its notes to be used as money, and interest ought to be abolished. All the money required in a legitimate transaction of the people's business ought to be supplied by the Government through its own agents at a charge sufficient to cover only the operating expenses of the business.

Holding these opinions, I believe that among the things required of us, and what, in self-defense, we must sooner or later do is, after providing for the accumulation of coin enough to meet our coin obligations, to reconstruct our monetary system so that the money function shall be discharged in a natural way.

USES AND FUNCTIONS OF MONEY.

Let us open the discussion by a consideration of the uses and functions of money.

Producers and consumers require some means of effecting their exchanges other than mere barter, which is the giving of one article of produce for another.

There must be vehicles, as wagons, cars, and ships, to move articles of property from place to place; and they frequently have to be taken long distances, as wheat from Kansas to England, tea from China to Illinois, coffee from Brazil to Massachusetts, cloth from South Carolina to Japan, beef from Chicago to London, etc. And there must be some means to convey values of property as well as means to transport it, for the merchant may not have just what his customer wants and must therefore give him something with which he can procure what he does want from some other merchant. Paul raises corn, Silas makes shoes, and Peter produces cloth. In order to exchange their surplus productions for other supplies that they need, they each sell of their surplus what they have to spare and buy what else they desire. The exchange is effected through Barnabas, the merchant, who buys the surplus corn and shoes and cloth from the persons who produce them and sells them to persons who wish to buy them, paying cash to the sellers and receiving cash from the buyers. This cash is money.

Exchanges of property many times have to be effected through merchants who live far apart. Money serves as an order from the merchant who buys surplus products to the merchant who has the things that the producer wants. And because the second merchant does not know anything about the financial responsibility of the first merchant, so as to feel safe in accepting the order, it is necessary that the Government shall declare such orders to be money, exchangeable at their face value for any and all property that anybody has to sell. Then everybody understands that money is always good for its face in property that is for sale.

From these considerations it is evident that what people need money for is to assist them in the exchange of their surplus products. Now, in what do these surplus products consist? See what the farmers of our own country are doing. Put together their corn, their cotton, their wheat, oats, potatoes, hay, and the other crops they raise, with their fruits and vegetables and live stock, amounting in value to nearly four thousand million dollars annually. Add to this nine thousand million dollars as the output of our manufacturing establishments for one year, and $587,000,000, the value of our mineral products, a total of thirteen thousand million dollars, and you approximate the worth of the property we are handling now, and we shall have to buy and sell more and more every year.

MONEY NECESSARY IN EXCHANGING SURPLUS PROPERTY.

Extending the thought somewhat, I quote a few sentences from an article over my name in a work entitled "Silver and gold," published last summer, as showing what money is needed for and why it is used:

"Money is necessary only because individual men and women produce more of some kinds of property and not as much of some other kinds as they need for their own use, and they desire to exchange their surplus for what they require of the surplus of other producers.

"And because the two factors—producer and consumer—live and work far apart, it is a great convenience to have home traders and merchants to collect the surplus from those who produced it and distribute it among those who wish to consume it. A very large number of the people are engaged in this work of collection and distribution as exporters, importers, carriers, commission men, brokers, bankers, merchants, salesmen, etc. This is commerce. It would, however, be an impossible thing for men to carry on the traffic of the world if they had no means of representing the value of property dealt in, and some means of transporting the values as well as for moving the commodities. Such means is found in what we call money and in certain forms of paper often used in place of money.

"The amount of this surplus property which is being moved from place to place in order to take it from the persons who wish to sell it and get it to those that want to use it is beyond our comprehension, and the character and number of vehicles employed in transportation are too many for enumeration. It is officially stated that the property carried over American railroads and canals and on our river boats and coasting vessels is greater in tonnage and value than that of the combined foreign commerce of all the great nations of Europe.

"It is to procure part of this enormous surplus that much of the labor of the world is performed. The greatest problem of life is to live, to procure the means of subsistence; and what of our needs we can not supply from that which we ourselves produce we must supply out of what others have to spare. To effect these exchanges money is imperatively required."

The early use of the precious metals in commerce was as commodities, paid out by weight. In course of time it was found convenient to mark copper, silver, and gold in such manner as to indicate their weight. This being done officially, traders were saved the trouble in weighing for themselves. Long periods of trading finally established certain recognized relations of value among commodities, among themselves and with respect to the precious metals as well, and in time some of the nations began to

express values in coins. Copper was first used for this purpose, and the Chinese are credited with the first use of money as represented by coins. Silver was first used for coins in Greece. Gold coinage can not be definitely traced beyond the time of Julius Cæsar.

Metal coins do now pass by weight outside their own country. They are so used in every part of the civilized world. Coins are made of certain weights prescribed by law. The English "pound sterling" originated in the use of a pound of silver. Our silver dollar must contain 371¼ grains of pure silver and the eagle must have 258 grains of standard gold.

PRECIOUS METALS NOT THE EQUIVALENT OF ALL OTHER PROPERTY VALUES.

But the use of the precious metals for money implies that they are the equivalent in value of all other property. That was once the general belief, and a great many people of more than average intelligence in other respects do now hold to that opinion. Men who hold to what is popularly known as the "sound-money" doctrine believe in the universal equivalency of gold, or they would not regard it as the only safe material for coin.

But the doctrine was never true, and its falsity is painfully apparent in modern times. The annual production of the gold mines of the world is not worth as much, even at its mint value, as the corn and wheat crop of a single year in Kansas at the market price on the farm, and all the gold coin now in existence is not equal in its money value to that of the yearly surplus productions of American farmers.

The great disturber of values or prices was war, which was always in progress somewhere. It is well established that most of the great wars of antiquity were undertaken or prosecuted in order to procure the precious metals. Darius plundered the regions west of him and carried the treasure with him back to Persia. Afterwards Alexander plundered Persia and restored to Macedon the stolen wares. The Punic wars, covering nearly a hundred years, were waged on the part of Rome to get possession of the silver mines of Spain. And the wars, vandalism, brigandage, and piracy in modern times are much of the same character. The discovery of America by Columbus was the opening chapter in a series of the most barbaric and atrocious wars since history began. It is computed that the conquest of Mexico, Central and South America cost 30,000,000 lives and the extinction of a race, and all to get the gold and silver in their mines. Napoleon I, in the glamour of his military glory, conceals the grandest robber since the times of Pizarro and Cortez.

While all the world has been fighting for gold and silver, and while these two metals, with copper, have been used for coinage time out of mind, yet modern commerce is so vast and the necessary exchanges so enormous that all there is of the precious metals to be found outside the mines is not enough at their present valuation to supply one hundredth part of the money required in the transaction of the world's business. In the United States, in Great Britain, and in all the great nations, only about 1 per cent of the business is done with metallic money. And the proportion will grow less from year to year as business increases.

In our own country we find the products of our farms, factories, and mines amounts to thirteen thousand million dollars a year, while our gold product amounts to only $35,000,000, which bears a proportion to the other property of 1 to 370, which is as much as to say that $1 in gold is equal to $370 in other property; or, what is the same thing in another form, $1 is enough to perform all the money functions required in exchanging $370 worth of other property in addition to the payment of debts and taxes.

And it must be remembered that this thirteen thousand million dollars is only one-fifth part of the estimated value of all the property of the people of the United States, which in 1890 was put at sixty-five thousand million dollars. That gives us $1,857 worth of property to be handled with $1 in gold, and our debts and taxes reach at least twenty-five thousand millions.

It must be evident to all persons, when the subject is presented to them, that such a system of finance can not be justly maintained. It makes the dollar too valuable and other property too cheap. No people could long prosper under an arrangement of that kind. Producers would become poor, while money owners would grow rich.

So insufficient have the metals become in their capacity as money, that every nation on the globe is compelled to use substitutes of different kinds, as government paper and different forms of private credit. Not more than 1 per cent of the total business transactions of enlightened men are done with gold and silver. In our own country we have had banks from the second year of our national history. And now, with a 10 per cent tax on State banks, we have more than a thousand million dollars of paper money out—greenbacks about $346,000,000, Treasury notes about $145,000,000, national-bank notes about $200,000,000, and silver certificates about $325,000,000. If gold were sufficient, or if gold and silver together were enough, why use anything else? And why did banks of issue always keep out three to five dollars in paper for $1 in specie for redemption?

METALLIC MONEY WRONG IN PRINCIPLE.

But aside from the insufficiency of the metals, the custom of using metallic money is wrong in principle. It is unsatisfactory in practice, ruinous to the common interests, and unscientific. As a currency it is unstable, unsafe, unreliable. In time of public peril, like other cowards, it slinks away and hides. And when it is in use, like the pirate that it is, it demands tribute from every other form of property.

Why should we use any one article or form of merchandise for money, making it and it only a legal tender in payment of debts and as currency, passing from hand to hand in exchanges and in payment of taxes? Why select one article, give it a fictitious value, and measure all other values by that? Is it possible to assign one good and sufficient reason for such a one-sided policy? None but a gold broker could consistently undertake the task.

I have shown that money is required for use in effecting exchanges of values of property—all property, not gold and silver only, but all property, including the precious metals; and that these exchanges affect an infinite variety of transactions every day and hour of our existence. Think of the ceaseless tide of commerce and of the numberless items of property constantly being moved from the people who produce them to the people who want to use them or consume them. All these things have a market value. And this is true of gold as well as of cotton and corn. Then why single out that metal, give it a legal value, and require all men to gauge their property by this measure? Why not use some suitable substance that of itself has no appreciable value, and let that represent the unit of value?

HOW TO ASCERTAIN THE UNIT OF VALUE.

But how shall we ascertain the unit of value? We need borrow no trouble on that account. The unit has been found; it has been in use many years, and is understood. It was legalized by Congress more than a hundred years ago and named a dollar. Not a coin, not a piece of metal, or of paper, but an ideal thing, an indefinable entity, a something attached to things by people who make them or use them—a thing called value, a quality, or rather a relation that may be represented by a tangible substance. A dollar may be represented by a coin of metal, a bit of paper, a shell, or a fish.

How is this unit of value ascertained? Let us see. With only one commodity used for money, and that commodity scarce and hard to procure, a few shrewd and daring men have always had control of it, demanding exorbitant rates of usury from persons whose necessities compelled them to borrow it or exchange for it. The use of metal money has always kept men and nations prostrate before the money changers, and while I speak 90 per cent of civilized men the world over are paying interest for the use of money that is redeemable in silver or gold. More than one-half the dwellings of our own people are occupied by renters, and a syndicate of stockbrokers have control of the public Treasury, holding at arm's length a nation of nearly 70,000,000 people supposed to be free, compelling them, at will, to mortgage their country for gold which the brokers only have to sell.

It is the scarcity and dearness of our basic money metal that has enabled gold speculators to charge rates of interest that transfer the property of the people from their hands into those of the money changers about once every generation. On the average, in our great cities 75 per cent of the people are without homes of their own and are paying a few other people for the right to live on the earth.

If all that has been lost to the people of the world during the last twenty years by reason of the use of gold only as money could be stated in dollars the amount would bewilder the imagination. It is worse than war, pestilence, and famine. The use of metallic money has cost the people of the United States since our Government was established in 1789 two hundred thousand million dollars more than they have saved out of their earnings. This is demonstrated by placing at 6 per cent compound interest for one hundred years a sum of money equal to the assessed valuation of our taxable property in 1790 and compare the amount with our assessed property valuation in 1890.

Besides, the relative production of gold and the increase of coin falls rapidly behind the increase of population and the growth of commerce. This enhances the value of gold and diminishes the market value of all other property in like proportion; and this process must continue as long as the present monetary policy continues. It will be but a short time, comparatively, when the great bankers will have virtual control of all the business and own all the property of the people, through the increased value of gold, if this system is to be perpetuated. The only certain relief will come through the establishment of a system that will be just in its operation.

MONEY IS AN INVENTION.

It was in the development of commerce that money was invented. Money is an invention, the fruit of discovery, just as machines are invented in order to apply certain mechanical prin-

ciples which have been discovered. In the beginning of trade there was no money. All exchanges of property were made for other property—article for article. It was early discovered that certain metals, because of their beauty in the pure state, and because of their fineness of substance, their indestructibility, and their susceptibility to high and brilliant polish, were peculiarly well adapted to use in ornamenting the person, the home, the temple, the palace, and all resorts of pleasure and passion. Early it became common to adorn public buildings with articles made of gold and silver. Temples of worship were, and still are, rich in golden ornaments, vases, statuary, and the like. These metals were articles of commerce exchanged for other things; and because of their peculiar properties and uses they were universally sought. They were special objects of prey on the part of invading armies. It is a truth of history that—

In the search for gold whole races of people have been put to the sword, continents subjugated, religions and civilizations destroyed.

It is equally true that men and women of wealth and fashion have sacrificed honor and fame, even life itself, for the possession of the precious metals.

These considerations have made silver and gold objects greatly to be desired by all classes of people, and we find that in the earliest periods of history they were sought by traders as articles of merchandise. History, sacred and profane, is full of commercial transactions showing that gold and silver were always in demand for trade. Abraham "weighed" out 400 shekels of silver, "current money with the merchant," and Joseph was sold for "twenty pieces of silver."

And in that way the precious metals became money, "current money with the merchant." They came to have a commercial value, the same as other articles of merchandise; and because a small quantity of them by weight would exchange for much greater quantities by weight of other articles, and because goods had to be transported by caravans long distances between trading points, these metals, when they could be procured, served well as a sort of medium by means whereof trade in other things was always profitable.

In time rulers of nations undertook to regulate trade in the precious metals by impressing on them certain marks to show officially their weight, so that in making exchanges for other property all parties might be apprised of the weight of the metal, and then they could put their own value on it as measured by values of other things. They were exchanged by weight in one form or other and their value in relation to other articles, and the value of other articles in relation to the metals, came to be more and more distinct and regular as commerce spread among the nations, until at length certain values were assigned by law to certain weights of the metals.

How men would act were they without any form of money and without knowledge of money functions, should they set about to establish a money system, we can not tell. But we know what has been done in this direction by those who have come and gone before we came; and we are blindly, and at great loss, practicing day by day the things which, when studied and their principles applied in improved methods, will suggest to us machinery that will save money as well as labor.

But how shall we study and how shall we improve our present methods? The first step is to comprehend the principle involved in the proper use of money. The circulation of money is the exercise of a public function. The proper function of money is to serve a public use. A piece of money carries with it a commission from the people to aid them in effecting cash exchanges, to pay debts and taxes, to serve as orders from one person to another for property that is for sale, and as receipts for debts and dues paid. But money must represent what we call value, and value must be computed, estimated, and exchanged according to a system or arrangement of monetary units.

GOLD IS NOT MONEY.

I ask close attention of Senators who do me the honor to listen to the analysis I am about to make in searching for a unit of value.

In the first place, we must understand what is meant by the word "value." If I am asked what is the value of my horse and I answer, "One hundred dollars," and you agree to take him at that price, we say the bargain is made. But when you come to pay for him, this being a gold-basis country, you take your nicely adjusted balance and weigh out $4\frac{8}{5}$ ounces of fine gold and tender that to me. I refuse to take the gold. I sold the horse for money, not for gold. It is a hundred dollars I want, not $4\frac{8}{5}$ ounces or any other number of ounces of gold or of anything else. I do not need gold; have no use for it; give me money.

Then you offer me ten eagles and I accept them at once. You explain to me that the law requires 232 grains of pure gold to be put into an eagle; that in ten eagles there are 2,320 grains of fine gold, which is equal to $4\frac{8}{5}$ ounces. But I reply, "We do business with dollars, not with gold. Our standard is the dollar, not the ounce or the pennyweight or the grain. To trade my horse for gold is barter; and how do I know what is the value of your gold with respect to the value of my horse or other property? The law fixes a certain value to gold when it is coined and stamped, but the value is given in dollars, not in measures of weight. Besides, how am I to know what is the real value of gold as a commodity so long as the Government coins all that comes to the mint at a certain valuation, thus giving it a mint price and not a commodity price? If I am to accept gold and not money for my property, then take away the protection which the law gives to gold and throw it on the open market to find its price level there, in fair competition with corn and pork and tobacco and other species of property. These coins you gave me may contain just as much fine gold as you weighed out in payment for the horse, but the gold is not money, while the coin is money, and it is money that I want."

This simple illustration brings plainly into view the proposition that value and money are not equivalent terms. Whatever they mean, they do not mean the same thing. Money is readily definable, and its uses are easily understood. But value is indefinable. It may be said to be a relation which articles of property bear to one another as regards the extent or the intensity of demand for them. Things which are in demand in trade have what we call a market value, while things that are not in demand have no market value.

PRICES NOT FIXED BY PRODUCERS OF PROPERTY.

But the value of what is in demand is not what the producer or the seller may fix upon it. The shoemaker does not fix the value of the shoes he makes, any more than the farmer fixes the price of his wheat or beef or cotton or corn. (For the purposes of this illustration, I use the words "value" and "price" as synonymous.) The price or market value of commodities is not determined by the will or desire or opinion of the person who produced them. The farmer can, at any time, tell you what he thinks he ought to get for his grain or stock, but he can never tell what he will get for it until he learns from the dealer what the market price is. Liverpool, England, is the great world's market for wheat, cotton, and wool, and the market prices for these articles the world over are fixed at that place, from whence dealers in all countries are informed daily.

The merchant does not regulate the prices of his goods; the manufacturer does not control the price of his wares. Prices are determined by the relative valuation which exists among articles of property with respect to the demand for them, and the cost of supplying that demand largely governs the price. This relation is affected by a great many influences operating from and toward different directions. They are usually merged and harmonized at the great trade centers, and then, as property goes out to retail dealers who distribute it among the people, interest, freight, commission, insurance, profit, etc., add in different degrees to what was the original price at the collecting port.

Now, the unit of value is ascertained by a general comparison of property values. It is commonly asserted by sound-money people that the value of property is measured by gold. But it is nothing of the kind. Repeal all coinage laws, and the honest-money delusion will soon become apparent even to the victims of these golden dreams. The thought is illustrated in the case of silver. During all the centuries while the nations in their laws put a certain price on silver for coinage purposes and coined all that came to the mints, the market value of silver bullion never fell below the mint price. Since 1873, when the coinage laws of the leading nations were repealed so far as the making of legal-tender silver coins is concerned, silver bullion has fallen in the market fully 50 per cent. But the silver coins still retain their money value. With a silver dollar one may purchase 2 bushels of 50-cent wheat; but the market price of as much fine silver bullion as is contained in the coin, is worth only the value of 1 bushel of wheat.

MEASURING VALUES BY COMPARISON.

Then value is not measured by gold, but by the relation existing among all articles that are bought and sold and that are said to be worth something. We may make a comparison in this way: We will go out among traders and learn how things are valued in the market places when we measure them by one another and not by dollars. But, instead of comparing all the articles of trade, the subject can be illustrated as well by a few comparisons as by many thousands. Let us take, say, eleven articles of property, and measure their values by the values of one another, as follows:

One bushel wheat equals ten pounds cotton; one pound cotton equals five pounds salt; one ton salt equals one horse; two horses equal one piano; one pair men's shoes equal thirty pounds cotton; fifteen bushels corn equal ten bushels wheat; five pigs equal twenty-five pounds cotton; two sheep equal ten pigs; eight sheep equal one suit men's clothes; five pounds salt equal one pound pig iron; sixteen sheep equal one cow; five cows equal one pound gold; one spade equals one hundred pounds salt; fifty spades equal one wagon; one cow equals one dress pattern; twenty cows

equal one carriage; seven hundred pounds pig iron equal one dress suit; two pounds gold equal five bicycles, and so on, indefinitely.

Now, can we find any one article among the number we have compared whose value, when taken singly, or when multiplied or divided, will serve as a common measure of the values of all the rest? In our school days we learned how to find the greatest common divisor of certain given numbers. Let us find, if we can, a common divisor of these values. We will take the value of a bushel of wheat as a divisor and try that. We find, to begin with, that 1 bushel of wheat is worth 10 pounds of cotton, and that the values of all the other articles mentioned have such relation to one another that we can easily trace the connections from this starting point.

It appears that the value of horses, pianos, clothing, sheep, cows, gold, wagons, dress patterns, carriages, and bicycles can be measured by the value of a bushel of wheat when it is multiplied; and that the value of cotton, salt, pigs, pig iron, and corn can be measured by the same standard when it is divided.

When put in practical form the table would be something like this:

One pound cotton equals one-tenth bushel wheat; one pound salt equals one one-hundredth bushel wheat; one pound pig iron equals five one-hundredths bushel wheat; one horse equals two hundred bushels wheat; one piano equals four hundred bushels wheat; one bushel corn equals sixty-six one-hundredths bushel wheat; one pair men's shoes equals three bushels wheat; one pig equals fifty one-hundredths bushel wheat; one sheep equals two and fifty one-hundredths bushels wheat; one cow equals forty bushels wheat; one spade equals one bushel wheat; one wagon equals fifty bushels wheat; one carriage equals eight hundred bushels wheat; one bicycle equals eighty bushels wheat; one pound gold equals two hundred bushels wheat.

With this standard, we must multiply it if we would purchase a horse, a piano, a pair of shoes, a suit of clothes, a sheep, a cow, a wagon, a carriage, a bicycle, or a pound of gold; and we must divide the standard if we would buy a pound of cotton, or of salt, or of pig iron, or a pig, or a bushel of corn.

But, while we have found a standard to estimate values with, we have not ascertained the value of the standard, only as it is measured by values of other articles in the market.

It would not be convenient in practice to use wheat for the standard, for, even if it were not too bulky and too heavy and too inconvenient in every way, there is not enough wheat produced to use it for money. Besides, the value of wheat may not always be the same. We can, however, easily get rid of this difficulty. After we have agreed on the value of a standard measure, we may use that value as a common measure, and give it (the value) a name to be regarded as the unit; and after having become accustomed to the name, we may estimate the values of all our property of every description, including the precious metals, by that standard unit, though its value be purely imaginary and indefinable. In France the value of the unit is named "franc"; in Germany the name "mark" is used; in the United States we use the name "dollar."

Taking our own case as an example, we call a certain coin of metal or a piece of printed paper money a dollar; but it is not because of the value of the material in the particular piece of metal or paper, for their individual values are not the same. But both of them alike represent a certain well-understood value in things that are bought and sold among men, and it is that value that we call a dollar. The bit of paper has no value; that is to say, its value as a separate slip of paper is so trifling as to be not worth reckoning among values. Yet we willingly take it in exchange for a dollar's worth of property of any kind we have to sell; we accept it in payment for labor, in settlement of a debt, and we procure it when we want money to pay our taxes with. We can always procure a dollars' worth of anything that is for sale for it.

MONEY IS NOT VALUE; IT REPRESENTS VALUE.

Value, then, is something that relates to the desire of men to possess, use, or enjoy property, and after we have conceived the idea of value, we find that it applies to all property alike, though in varying degrees. But there is no value in money, though there is value or worth in everything else that men trade in, and it is the value in other things that money is intended to represent. Money is not value, it does not possess value; it only represents value.

Now, going back to our unit—the value of a bushel of wheat; for, remember, it is the value of the wheat, and not the wheat itself, that is the unit. If we give the unit of value a name, and then prepare a device to represent the value, we have securely taken the first step in our journey toward a natural and just system of money.

Let us agree to accept the word now in use which expresses the unit of value in our monetary vocabulary—a "dollar." We all understand what a dollar means. We can not define its value any more than we can trace the Arctic circle by a line on the earth; but we perceive a certain value or worth relation among the multitudinous articles of property dealt in by men, and we can easily comprehend that there must be, in the nature of things, a unit from which we may ascend or descend in computing values. Again, I ask it to be remembered that the value of our property is not estimated and measured by its relation to gold or to any other one article of merchandise. It is the relation that its worth bears to the worth of all other property, including the precious metals.

We do not need to determine the value of the unit, for if we can agree upon some word, term, or expression that may be used to represent that value, we have found a common standard that all men can easily understand, one that is in every way convenient, a unit found by comparing the values of commodities when measured by one another.

Let us christen and baptize the unit, and we have a standard forever. We will name it "Dollar," and call its one-hundredth part a cent, and we have a simple standard of value by which we can express any and all values in dollars and cents.

ADVANTAGES OF A PERFECT PAPER-MONEY SYSTEM.

Among the advantages of this system of money may be mentioned—

First. It would be just to all the people alike in its use. It would be the only money of the country, except coins that would better serve the purposes of small transactions, and would be full legal tender everywhere, thus saving to the people everything that is now lost by reason of using a small amount of metal coin as the only legal-tender money.

Mr. CHANDLER. If the Senator will allow me, I ask whether before he finishes he is going to tell us how much of this ideal money of his he would have in circulation at any given time?

Mr. PEFFER. If the Senator will wait a few moments I shall be very much pleased to answer his question.

Mr. CHANDLER. Very well.

Mr. PEFFER. Second. It would do away with usury, for it would develop a system of public banking through which money would be circulated at cost of the business.

Third. It would reduce rents to a reasonable level, so that common people could procure and hold their homes.

Fourth. It would bring about a simpler, a juster, and more natural system of taxation, for (*a*) it would teach the people that personal property—the things which men and women produce by their labor—ought not to be taxed; and (*b*) this would lead to the taxation of the rental value of lands, without regard to improvements, which would afford sufficient public revenue and leave the people free to work and earn money for themselves and not for others.

Fifth. It would terminate the rule of the money power. The quantity of paper required for all the money needed by the people from year to year would be too small and the profit on its manufacture too little to tempt any speculator to corner the paper market. And the rate of interest that could be procured for the use of private money would not justify any person on his own individual account to engage in the business of money lending. This could be done only in cases of enormous aggregations of wealth, for it would have to be done in competition with Government banking, through which charges for the use of borrowed money would be only what would defray expenses of doing the work.

It is not my purpose at this time to discuss these suggested advantages. That will be left for another occasion when banking and taxation are being considered.

CONCLUSION.

I have to add but a single thought as it was expressed in the conclusion of a speech I had the honor to deliver in this Chamber on the 12th day of May, 1892.

"Mr. President, standing as we do in the evening of the most fruitful century of human progress, looking backward over achievements grand in their scope, astounding in their numbers, and bewildering in their effects, discovery, invention, development in all departments of effort, change and improvement everywhere, and looking forward toward the dawn of a higher and broader civilization, with fresh discoveries of genius and nobler reaches of mind, when we shall have happier conditions, with larger liberty, purer pleasures, and the enjoyment of more abundant leisure, strange it is that we are just beginning to study one of the most subtle and cunning agencies of human activity.

"How strange that this should be true; that while we have changed our methods in all departments of industry, and are now searching for new and better ways along every avenue of growth, we hold with an almost desperate grip to a money system that descended to us from the barbarism of the past. The time is at hand when we need improvement in our methods of providing

and distributing this most convenient repository of values. The things which are bound up in the one word "money" are an innumerable host that no man can number, involving endless development of mind and thought and energy, perpetual progress and growth. Like the rod of Moses, money brings forth water from nature's rock. As healthy blood imparts vigor and strength to the human body, so money in active circulation quickens the pulses of trade, encourages the toiling poor, gives employment to willing hands, and brings prosperity and peace to the people."

In answer to the Senator from New Hampshire, I will now say it would be, I think, not only impracticable but imprudent for me or for anyone to undertake to determine in advance what particular quantity of money would be required to be used by the people. I have thought it all out in my own mind. The first thing is to establish the system, to get rid of this idea of barter, of using for all exchanges one or two articles that a few men can control, a few articles which are very scarce and difficult to procure, and are very valuable when procured on account of the necessary labor performed in their manufacture—get rid of that idea, and establish the foundation principle upon which money ought to be based and upon which it must be based in time. In self-defense the people can not afford this spoliation that is being practiced upon them from day to day, whereby they are losing their homes now more rapidly than was ever known before. I say to the Senator that I do not pretend to forecast what would be the amount of money required. I am satisfied that the business interests of the people, the common sense of the people, would determine for them what amount of money ought to be in circulation.

Mr. CHANDLER. Mr. President, it seems to me that the Senator from Kansas has left off where he should have begun in the consideration and discussion of the proposition that there should be some substitute for gold and silver money. Gold and silver have been the instruments of money with which exchanges have been made since the dawn of creation. Now the Senator says they are unsatisfactory, that they result in oppressing mankind, that they should be dispensed with, that the dollar should not be based upon either gold or silver, but that a different dollar, a unit of value, should be made use of in the commercial exchanges of mankind to take its place, and the Senator does not tell us what that dollar should be.

The Senator certainly will not advocate—he refrains from advocating—the starting of the printing presses and the printing by the Government of unlimited quantities of paper money called dollars to take the place of gold and silver; and yet I am unable to see where the Senator proposes to stop. He has at the end of a long speech on this subject brought us to the destruction of gold and silver money; he has taken away our faith in metal money and given us nothing in its place. The Senator has not spoken long enough, and I trust when he comes to discuss this subject again, as he gives us notice that he will do in connection with banking and taxation, he will be prepared to say what should take the place of gold and silver as money and as the basis of paper money, and if that substitute is to be a paper dollar, that he will tell us how many of them we are to issue and how this issue is to be regulated and controlled.

Mr. President, it has been the dream of political economists that some substitute might be found for gold and silver money. Amid all this denunciation, which we hear not only from Populists but from Democrats and Republicans, of slavery to the money metal, it seems to me we ought to have one ray of light thrown upon the question of what the substitute for the money of the fathers and the money of the centuries should be.

Mr. PEFFER. Mr. President, if the Senator from New Hampshire had honored me with his attention about an hour ago, and say half an hour before that and half an hour afterwards, as he has done for the last fifteen minutes, he would know more than he does now about the answer to the question he has asked me.

I entered upon the discussion of this subject, I will say to the Senator from New Hampshire, with the proposition that there was not gold and silver enough in the country to perform the monetary functions required by the people, and that, therefore, I favored the coinage of all the silver we could get at our mints in addition to all the gold that is brought there, so as to procure coin enough with which to pay our coin debts. After having discussed that phase of the subject, I stated distinctly that after we had procured coin enough for these purposes I thought Congress ought to devise some better monetary system; and I also stated what kind of a system I proposed, a permanent paper-money system, a system based on the values of all the property of the people—a coinage, if you please, of their lands, their houses, and all their lawful possessions; and this system to take the place of all metallic money except only for small business transactions.

The amount of money in circulation ought at all times to be what the people need in the transaction of their legitimate business.

Abolition of the Fee System in the United States Courts.

SPEECH
OF
HON. CLAUDE A. SWANSON,
OF VIRGINIA,
IN THE HOUSE OF REPRESENTATIVES,
Tuesday, January 21, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 4321) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes—

Mr. SWANSON said:

Mr. CHAIRMAN: I have listened with much pleasure to the gentlemen who have preceded me. It brings good promise for the abolition of the present vicious fee system.

The people of no section are more interested in the abolition of the fee system by which United States officials are paid than are those whom I have the honor to represent upon this floor.

Few questions affect them more than this one. Few reforms are demanded more earnestly by them than this one.

I have proposed and submitted a bill which abolishes the fee system absolutely and entirely. It provides specific salaries for the United States district attorneys, marshals, clerks, and commissioners. It does not leave a vestige of the fee system. It inaugurates a system better for the officers, better for the people, and better for the Government.

It is better for the officers, because under this bill every United States officer will receive a definite and fixed salary. He knows when he accepts the office what his compensation will be. His salary will not be, as now, uncertain and dependent upon the work which might arise.

It will elevate and dignify all these positions. It will remove all these officers from the temptation of using their position and power, not for the good of the Government, but to increase their own pay and emolument. It will inspire the people with more confidence in all these officers, since they will no longer be liable to the accusations of inciting and continuing prosecutions simply for fees and self-enrichment. Thus the service would be elevated and the officials held in higher esteem and regard. The officers would be paid promptly, like other officials of the Government, and would not have to wait months, and sometimes years, before receiving their pay.

It would be better for the people, because they would no longer be harassed by petty and frivolous suits incited by mean spies and informers for the rewards and encouraged by officers and witnesses for the fees and money made.

It would be a protection of the people against worry, annoyance, and frivolous prosecutions to which, in the past, they have been much subjected. It would save them the expense and trouble, which have become immense, of defending suits and prosecutions instituted for the sole purpose of making money and getting fees. The intense friction and harshness witnessed in the past in the administration of the law would disappear, and suits would be instituted and prosecuted for the sole purpose of the public good. The people would no longer feel that they were made by law subjects to be preyed upon by officials who received fees and riches in proportion to the people's ills and misfortunes. The people would have a security that they would be unmolested so long as they observed the substantial spirit and intention of the law. It would result in great benefits and savings to the Government. The Government would no longer be scandalized by giving premiums and rewards so as to create an immense class of professional witnesses, spies, and informers, who have done much to bring the administration of the law into disgrace and disrepute. Having removed all temptation to incite or encourage prosecutions from its own officers, it would have the assurance that all its officials, as sworn officers, would be guided by their duty and the public good. It would destroy this system which makes the interests of the officer and of the Government distinct and separate. Having made the interest of the officer and of the Government identical, it would have the assurance that the law would be administered solely for the public good. It would result in a great saving of public money.

Nothing shows more clearly the necessity for the great reforms contained in my bill than the records of the Department of Justice. The expense and cost which this fee system has brought upon the Government is immense and amazing. Last year United States marshals were paid $1,339,640.51; United States commissioners were paid $452,867.59; United States clerks were paid $298,961.72; United States district attorneys were paid $427,126,67; United States jurors were paid $932,170.27; United States

witnesses were paid $1,713,162.17; thus making a total paid for these of $5,163,928.93. For this vast expenditure the Government received back in money, as a return, only $37,647.61, paid as compromise of criminal suits, and $132,050.53 realized from fines and forfeitures from criminal suits, and from all civil suits during the year $121,696.97. Thus the Government, for the immense expenditure of about $5,164,000, received returns in money of less than $255,000. This is an amazing difference between expenditures and returns.

The pernicious effect of this fee system is further disclosed by the results of the suits instituted in the United States courts. The records of the courts disclose that last year 2,751 civil suits were terminated to which the United States was a party. Of these 1,691 were decided in favor of the United States and 1,060 were decided against the United States or dismissed or discontinued. This clearly shows that about 40 per cent of these civil suits should never have been instituted. Last year 25,949 criminal suits were terminated in the United States courts, and out of these 10,521 were acquitted, dismissed, or discontinued. This shows that over 40 per cent of the indictments in the United States courts should not have been found or prosecuted. Many of those convicted were for petty and frivolous offenses, where the ends of justice would have been better answered by an acquittal than a conviction. They were convictions where no benefits could accrue to the Government.

This does not include the great number that the United States commissioners dismissed, nor those in which the grand jury refused to prefer indictments. If these were included, it would be safe to say that more than half the suits and prosecutions were such that should never have been brought. They would never have been instituted but for the vicious fee system. These frivolous and unjust suits and prosecutions last year cost the Government over $2,000,000. The abolition of this system, as proposed by my bill, would save each year this vast amount of money to the poor, overtaxed, and overburdened people of this country. Besides, its saving to the people would be far greater than this. It would save them from the worry and annoyance, great expense, and losses entailed in the defense of these frivolous and unjust prosecutions.

My vision stretches far beyond the dry figures here disclosed, and I see a state of facts which excites my deepest sympathy and greatest indignation. I see that the property and the liberty of the best citizens are at the mercy of miserable wretches, who, for greed, become spies, informers, and professional witnesses. I see, through their perjury, innocent citizens dragged like criminals before the court, incarcerated in jail, and subjected to all manner of hardships and humiliations. I see poor, innocent children deprived of the protecting and providing hand of their father. I see good, loving wives immersed in tears and terrified in heart, as they see their husbands torn from them on account of some petty and frivolous charge. I see homes, once happy and prosperous, transferred into the abode of want and wretchedness because the occupants had to surrender their all to make defense in court against charges of which they were innocent and were acquitted. I see a reign of terror, doubt, apprehension, and suspicion among neighbors and communities. I see the infamous spies and informers holding high carnival. I see prosecutions inspired only for malice and hatred. I see the good, conscientious officer, an honor to his position and a credit to the Government, giving no encouragement to this and hence making few fees and little money, while the grasping and greedy lend a willing ear, and make large fees and reap harvests. These dry figures bespeak all this. My own knowledge and experience, in addition to the court record, can bear evidence of the existence of such conditions. These conditions are but the natural results of this vicious fee system.

Destroy a tree and you destroy its fruits. Destroy this system and you will destroy all these, which are but its natural products. The Attorney-General, in his last report, earnestly recommends the abolition of this fee system and the substitution in its place of salaries. He says that arrests and prosecutions on frivolous charges and flimsy proofs, and the great expense incident thereto, will be prevented only when this system has been abolished, which makes the fees of commissioners, marshals, and clerks the source of their compensation, and thus presenting a constant inducement to unnecessary arrests and litigation. He says, besides the great annual expense entailed by the Government on account of these unnecessary prosecutions, great annoyance and loss of time are inflicted upon the parties and witnesses, which work both material and moral injury to the public, and that it has created a class of professional witnesses and informers, to the scandal of the administration of justice. Attorney-General Olney, in 1893, in making his report, says:

The system by which United States district attorneys, marshals, clerks, and commissioners are paid by fees has been so often and so emphatically condemned, is so indefensible in principle, and works such gross injustice in practice that its survival to this time is nothing less than a wonder and a reproach.

The President, in two messages to Congress, has earnestly and emphatically recommended its abolition.

Judge Brawley, of the United States district court of South Carolina, in a recent charge to the grand jury, vigorously and forcibly points out this evil. He said to the grand jury:

Your findings have demonstrated that nine-tenths of the prosecutions under section 3242 have no merit in them; that they have not been inspired by the proper desire to advance the cause of justice, but by the greed of miserable wretches who have sought to make money out of them. Some of these men have already been brought to trial and convicted of perjury, and others doubtless will be. But this evil, which has reached the proportions of a gross public scandal, can not be eradicated by the punishment of a few obscure rascals. A new crop will undoubtedly spring up, unless some means can be devised for reaching the root of it. This lies in the fee system.

All who have given time and thought to this matter and have investigated it are convinced that no substantial or permanent reform will accrue in this direction until the entire fee system is destroyed. When this is destroyed the infamous class of informers, spies, and professional witnesses will disappear. Arrests on frivolous charges and insufficient evidence will cease. The people will no longer be watched, harassed, and terrified by persons greedy for fees and rewards. The officers, all receiving fixed and stated salaries, will confine themselves, in the discharge of their duty, to what they conceive the public good alone requires. Quiet, peace, and satisfaction will again reign in places where there are now only fear, discord, and bitterness. These are great reforms, and improvements to be desired. I shall earnestly devote all my efforts so long as I have a seat in this House to the accomplishment of this great end. I know how the people whom I have the honor to represent have suffered from the prevalence of this vicious system. I shall fight it until it is destroyed and relief is brought to the people and to the Government. The officers, the people, and the Government will all be greatly benefited when the last vestige of it is swept away. This bill, which I have proposed and offered, accomplishes all this. I hope that it may be the pleasure of this Congress to enact this bill into law and thus abolish all these evils. [Applause.]

Coin Redemption Fund—New Method to Break the "Endless Chain" and Relieve the United States Treasury.

SPEECH

OF

HON. WM. ALDEN SMITH.

OF MICHIGAN.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 5, 1896.

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. SMITH of Michigan said:

Mr. SPEAKER: Upon the 20th of December, when the members of this House were planning their holiday vacation and while many of them were en route to their homes, the President sent a special message to Congress, advising the legislative department of the serious and threatening condition of the Government's credit and the general apprehension existing in financial circles, saying that the gold reserve, so recently replenished by a bond issue, amounting to $160,000,000, was fast being depleted, and that for a single period—the three weeks preceding the assembling of Congress—$16,000,000 had been withdrawn and the reserve was again below the required amount, standing at $79,000,000. He concluded this special message by saying:

I ask at the hands of Congress such prompt aid as it alone has the power to give to prevent in time of fear and apprehension any sacrifice of the peoples' interests and the public funds or the impairment of our public credit.

This House remained in session under the wise and patriotic leadership of those who have won their spurs by faithfulness to public duty, and who, by reason of their wisdom and experience, were able to meet the grave responsibility so suddenly thrust upon them in a manner to challenge and receive the approval of the business world, which tireless and unflagging fidelity favorably inaugurated the legislation for which the Republican party are responsible. The work of that historical week was not perfect. Legislation never is. The measures were creations of necessity and only calculated to meet an emergency in national affairs, for which I am glad to say the Republican party were in no manner responsible. This can not be truthfully said now. From the moment of the organization of this House we are corespondents before the American people with the other Departments of the Government, and will be required to answer for any dereliction of duty. The first measure passed enabled the Secretary of the Treasury to avoid much of the severity of the bonding clause of the resumption act of 1875, lessening the period of the loan and

the rate of interest and providing that such bonds as were necessary to issue should be offered to the people for popular subscription first. If bonds must be issued, was this not a desirable measure?

My esteemed friend from California [Mr. JOHNSON], in his eloquent remarks upon Thursday, took occasion to pay tribute to the American people who had responded so generously to the needs of the Government and subscribed nearly $600,000,000 for the proposed loan of one hundred million, saying that if he ever felt proud in his life it was when he had read in the morning journals of this unprecedented achievement, and with equal earnestness declared in the next breath that the pauperized condition of the people was woeful to contemplate. It is useless to deny that distress is widespread; that the people are hard pressed. But, Mr. Speaker, this immense volume of money to-day seeking investment in national securities from every State of the Union argues that public confidence is only necessary when it will find its way into remunerative channels of industry, when labor can be steadily and profitably employed, when gladness and prosperity shall again dwell in the cottage and darkness and gloom disappear.

The House bill was directed to that end, and, standing upon its merits, it has passed. Can as much be said of the irrelevant and untimely substitute? No matter what its merits, standing as an independent proposition, there has never been a moment during the entire discussion in both Houses when there was the slightest expectation that it could become law. The Presidential hostility would defeat it, and we are now met with the startling proposition that while discussion has been winding its endless trail around the Treasury over $30,000,000 have escaped from its strong box and instead of the gold reserve remaining at $79,000,000, as when the debate began, it is now $43,000,000, and sinking lower every hour. And while the economic enlightenment was going on at this end of the avenue last week the Government was obliged to pledge itself for an additional 1 per cent on the loan being made, which at the time of its maturity will cost the people over $20,000,000. This would not be a burdensome sum, perhaps, if anything could be accomplished, but the discussion opened with the proposition that it was futile in this emergency. Many fervent prayers have been uttered, but the same lips acknowledge that the Republican party are now powerless to formulate and pass laws which do not meet the favor of the Executive.

The last national platform of the Republican party declared for bimetallism as an underlying party principle. I have seen no disposition to retract from that position or avoid it. The Minneapolis platform did not point out the way, and with no power to execute, why should our disagreements be so taunting and sharp? Perhaps the aggregated wisdom duly accredited of our next national convention may blaze the way broad and straight whereby we may unitedly act. What loyal Republican is not willing to pause and give ear? Emergency legislation is all we can hope for now. The bond bill is such, and the revenue bill is such. The former is to lighten the burdens of the people; the latter is to lessen the burdens of the Government now by providing in the least onerous and burdensome manner for increasing its revenues about $40,000,000 a year. Neither measure is perfect or wholly satisfactory. Both are, however, creditable to the time and place, and should be insisted upon by the originating body without modification or delay.

Legislators should minimize the difficulties in the way of useful government, and when a serious situation confronts the people the best and most vigorous thought should be devoted to its solution. The remedy may not lie along fixed and well-recognized lines; still if the idea does not involve any dangerous or doubtful method and seems to touch one of the vital causes of business apprehension and alarm, regularly constituted authority should be willing to measure its standard by the usual methods of adaptation and practicability.

The gold reserve of $100,000,000 was, at a critical time in our monetary affairs, considered necessary to the establishment of confidence among the people in the ability of the Government to redeem its promises and establish resumption. For many years, while the revenues exceeded the expenses of the Government and its credit was never questioned, this fund was of little importance and its function not generally understood. When, however, the expenditures exceeded the income and the fund, so long maintained, is encroached upon and melts away by reason of the necessary demands made upon it, and speculators find in it a profitable means of influencing governmental action, its diminishing volume may well excite fear and apprehension. To stop this fear of possible repudiation and turn the eyes of the people from the gold-reserve barometer to their usual business pursuits, to check, if possible, the cause and break the "endless chain" now forming such a convenient method of draining the Treasury of its gold, prompted me, in the discharge of public duty, to introduce a bill calculated to open the way whereby much of the difficulty under which the country is struggling can be arrested. It is very simple, in that it changes but two words of the present national banking law. Section 5191 of the Revised Statutes provides that—

> National banking associations shall have on hand at all times, in lawful money of the United States, an amount equal to at least 25 per cent of the aggregate amount of their deposits in reserve cities, and 15 per cent of their aggregate deposits in nonreserve cities—

thus creating a large cash fund, aggregating between $250,000,000 and $300,000,000, presumably for the partial protection of depositors.

The bill which I had the honor to suggest strikes the words "lawful money" out of the section referred to and inserts in their place "United States notes (greenbacks) and Treasury notes," thus making it obligatory upon national banks to carry their lawful reserve in the demand notes of the Government, which have for several years so annoyed the National Treasury, obliging the Government to bond itself to the extent of $260,000,000 of principal, and interest amounting ultimately to nearly as much, for the purpose of maintaining the gold reserve at the required amount. There are outstanding greenbacks and Treasury notes redeemable in gold aggregating $496,681,016, of which the Treasury of the United States holds $128,038,271. The national banks, on the 13th of December, 1895, held $99,209,423 and $31,440,000 in United States certificates of deposit for legal tender, the balance of such notes, $237,993,322, being in circulation among the people.

It has for some time been a matter of considerable speculation how many of these notes have been lost and destroyed since their issuance. Of one thing we can be reasonably sure, that if the national banks were required to hold their entire lawful reserve in greenbacks and Treasury notes, it would be impossible for individuals or combinations of capital to obtain sufficient of them in excess of what would be lawfully required by the banks to give any annoyance to the Treasury Department. Will these demand notes not meet the banks' requirements as well as any other money? With the Treasury reserve standing unimpaired at $100,000,000 in gold for the final redemption of the greenback and Treasury note, with the promise of the Government that it will redeem these notes in gold, whereto its faith and credit is unquestionably pledged, making these notes in every respect as good as Government bonds, I am unable to see any good reason why this class of money should not for the time being constitute the required reserve of national banks and the $168,000,000 in gold now carried in such bank reserves liberated for purposes of exchange and general commercial use.

A careful examination of the reports made to the Comptroller of the Currency December 13, 1895, discloses the fact that the national banks of the city of New York had on hand at the close of business that day as their "lawful money" reserve $15,311,453 in gold coin, $9,320,830 in gold Treasury certificates, $27,195,000 in gold clearing-house certificates, and $35,576,962 in legal-tender notes, while the national banks of Chicago had at the close of business the same day as their "lawful reserve" $15,097,127 in gold coin, $2,261,240 in gold Treasury certificates, and $7,371,565 in legal-tender notes.

The national banks in the State of New York, exclusive of New York City, Albany, and Brooklyn, had on hand at the close of business on the same day in their lawful reserve $4,068,002.86 in gold coin, $569,890 in gold Treasury certificates, and $2,828,014 in legal-tender notes.

The national banks of the city of Boston had on hand at the close of business the same day in lawful reserve $6,966,870.86 in gold coin, $1,974,850 in gold Treasury certificates, and $5,127,395 in legal-tender notes, while the national banks of Massachusetts, exclusive of Boston, on the same day had in their lawful reserve $3,323,269.73 in gold coin, $237,700 in gold Treasury certificates, and $2,000,347 in legal-tender notes.

The national banks of the city of Detroit at the close of business on the same day had on hand in lawful reserve $1,072,982.50 in gold coin, $12,500 in gold Treasury certificates, and $693,777 in legal-tender notes, while the national banks of the State of Michigan, outside of Detroit, at the close of business on the same day had on hand in their lawful reserve $1,565,064.47 in gold coin, $48,930 in gold Treasury certificates, and $643,584 in legal-tender notes.

The national banks of the city of Grand Rapids, my home, had on hand at the close of business the same day $547,625.84 in gold coin and but $72,100 in legal-tender notes.

The national banks of California, exclusive of San Francisco, had on hand at the close of business the same day in their lawful reserve $1,743,496 in gold coin, $13,870 in gold Treasury certificates, and $163,540 in legal-tender notes, while the national banks in the city of San Francisco upon the same day had in their lawful reserve $1,620,392.50 in gold coin and $113,930 in legal-tender notes.

The national banks of the city of Milwaukee had at the close of

business the same day in awful reserve $2,027,773.73 in gold coin, and $719,345 in legal-tender notes.

The national banks of the city of St. Paul on the same day had in their lawful reserve $2,198,118.41 in gold coin, $20,300 in gold Treasury certificates, and $181,417 in legal-tender notes.

I cite these instances for the purpose of showing the extent to which banks in different sections of the country avail themselves of greenbacks as part of their lawful reserve at present.

It will be noticed from an examination of these reports that Eastern banks carry by far the largest amount of legal-tender notes in their reserve, while Western and Southern banks have less greenbacks in their reserves and more gold.

The purpose of my bill is to distribute these legal-tender notes throughout the entire 3,706 national banks in the United States, after which I believe it will be impossible to gather sufficient of them outside of the reserves required to further deplete the National Treasury of the gold, necessitating new bond issues.

According to this report, the national banks of the United States had on hand, as a part of their lawful reserve, at the close of business December 13, 1895, $168,244,430.97 in gold coin and coin certificates, $99,209,423 in legal-tender notes, and $31,440,000 in United States certificates of deposit for legal-tender notes. Is there any good reason why this large amount of gold should not be released for commercial purposes and greenbacks put in its place, especially if such course would obviate the necessity of periodically bonding the Government in time of peace? The large number of banks doing business in the United States and the immense amount of capital employed depend for their success upon healthful business conditions. There is nearly $700,000,000 represented in the capital stock of our national banks, owned by nearly 300,000 shareholders, all of whom, it may be safely stated, are also interested in business other than that of banking.

There is every incentive to this large number of people to assist in restoring confidence in the business world. If the gold reserve is the bugaboo responsible for much of this concern, these shareholders should be willing to throw every safeguard around it. There are nearly two million depositors in these national banks whose daily vocation and prosperity depends in a great measure on the prosperity of the country. To restore confidence and give employment to this large army of contributors to national-bank prosperity should be a matter of the deepest solicitude upon their part. National banks are the creatures of the Federal Government. They depend for their existence upon national law, and as they have been patriotic and public-spirited in the past, when the country was passing through great trials, so they should be ready and willing now when emergency requires the adoption of new expedients.

We may be asked, what will become of the gold now carried in bank reserves when released? My answer is that the bank reserve required under the present law, amounting to $406,271,726, now voluntarily amounts to $571,476,854, according to the last annual report of the Comptroller of the Currency, leaving a wide latitude for the exercise of this right, if desired; or it could profitably be invested in the bonds of the Government now offered for sale, the possession of bonds enabling the bank in times of currency famine to augment its circulation as occasion may require, by depositing the bonds with the Government and issuing national-bank currency.

I have not considered the situation from the standpoint of the banker, but from the standpoint of the legislator, whose only solicitude is the welfare of the Government, representing, as he does, the entire people, and any plan which will relieve it from the necessity of issuing bonds to replenish the gold reserve will, in my judgment, correct one of the evils now existing and do much to reestablish confidence in the ability of the Government to meet its obligations. It is absolutely useless to talk of retiring the greenback from our monetary system, even though it may have cost the Government $2,000,000,000, according to the figures of Edward Atkinson, or $486,886,666 in principal and interest to maintain the reserve required for their redemption, as stated by Comptroller Eckels in his article in the Forum last year. The people do not favor their cancellation, and such a proposition finds no favor in the present Congress. My plan avoids the necessity for either expense or retirement, and has met with general favor.

In this connection, it may not be inappropriate for me to add that I do not believe our financial difficulties are the outgrowth of any unwise system upon the part of the Government, but that much of our present distress is due to inadequate revenues and increasing obligations. I would correct the one by imposing a sufficient duty upon imports to meet the expenses of the Government, and the other by an economic administration thereof. But as a temporary measure of relief I will, at the proper time, urge the adoption of the bill introduced by me for the immediate relief of the Treasury of the United States. It is my hope that such a plain, simple plan, having, as I believe, unquestioned efficacy, can, with patriotic cooperation, readily be incorporated into law.

Coin Redemption Fund.

REMARKS
OF
HON. WINFIELD S. KERR,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 5, 1896,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. KERR said:

Mr. SPEAKER: I do not rise with the expectation of adding anything new to this discussion, nor of saying nearly as well those things which have been said by gentlemen preceding me, but I do desire to emphasize a little the vote I shall cast against this bill.

I am one of those who voted against the original proposition, but not upon any ground important in the consideration of the present question. I am not blessed with prophetic vision, but I voted against the bond bill very largely in anticipation of the very situation with which we are now confronted. It was perfectly apparent that that bill, if it should pass the Senate, would meet the Presidential veto. It was sure, however, to meet death in the Senate. This being clear—at least it seemed so to me—I could see no reason why a Republican of the strictest sect should commit himself to an unrepublican measure when even the possibility of justification by results was absolutely precluded by the situation. But this, Mr. Speaker, is ancient history; we are already written down in that chapter; let us address ourselves to the duty of the present hour and to an attempt to solve this most difficult and important problem.

The arguments of the free-coinage apostles never convinced my judgment and I never believed their prophecies. But if, like Agrippa when under the spell of Paul's logic and eloquence, I was almost persuaded, the recent extraordinary arguments of these gentlemen in the House would have rendered me very suspicious of a shibboleth which attempted to sustain itself by such uncommon illustrations and by such contradictory evidence.

The other day a Senator, speaking to this question, ended an elongated speech with a peroration in which he pictured the gathering of the commune. A heated brain and a disordered imagination may see the beginning of an attempt to destroy law and order, life and property, but no man will ever see a right vindicated nor a wrong redressed by such an instrumentality. No principle or movement can ever have my allegiance which is to be established or enforced by a commune. That kind of material makes very impressive perorations and ends speeches with great eclat, but they do not light the dark places nor pour sunshine into the hearts and homes of the poor and oppressed.

Another gentleman, a member of this House and occupying a seat on this side, called Washington, and Jefferson, and Jackson, and Webster, and Lincoln from their graves to testify in favor of the free coinage of silver at the 16 to 1 ratio. The witnesses are unimpeachable, but he might as well have called Mark Antony or Julius Cæsar. If the witnesses antedate twenty-five or thirty years you might as well call Confucius or Aristotle. At least it is proper to ask the gentleman when it was and where it was that Washington, Jefferson, Jackson, Webster, and Lincoln, upon a situation such as we are now confronted with, in an environment such as now surrounds us, expressed themselves as being in favor of the free and unlimited coinage of silver at the present ratio. From Washington to Lincoln the commercial value of gold and silver did not vary sufficiently from this coinage ratio to the most remotely suggest the difficulties with which we have now to deal.

Another gentleman laid before us an elaborate calculation by which to show that God Almighty had laid these metals in the broad bosom of mother earth at the ratio of 16 to 1, and that their production has been substantially at that ratio. I admire the energy and industry of an individual who would undertake a task of this kind. The calculation, so far as it went, was mathematical, and its only deficiency was his omission to take account of the metals yet in the ground. I would suggest that he revise his calculation by putting in that important factor, and if then the conclusion is not changed we shall all bow to the divine purpose.

But now the scene changes. The statistical and analytical member from Minnesota appears and with one mighty blow destroys not only the divine plan, but as well his collaborator from Colorado. He finds that for long stretches, during which time the parity was maintained, the production of silver averaged more than 30 ounces to 1 ounce of gold.

Then the eloquent member from California charged the "mullein stalk." His speech was very entertaining—a little weak, perhaps,

in argument, but making up in good round measure in rare and classic illustrations and references. He ran the gamut from the literature of the last patent-medicine circular to the destroyer of Jerusalem. From "I was well, I wanted to be better, I took this, and here I lie," to Titus Andronicus is a mighty leap, but he took it as bravely as his State, California, demands silver for everybody except herself.

After these days of discussion the atmosphere is heavy with mist and we are intoxicated with eloquence. The air is full of contending propositions, and figures fight like warriors on the battlements. Party lines are broken and internecine strife disturbs both sides of the Chamber. In this situation we meekly lay aside pride of party and opinion, and humbly grope toward the light.

What is the question presented in this substitute? Its details are of no moment—its importance is in the fact that it precipitates the old, yet apparently the ever new, battle between sound and fiat money. The apparently wide difference between the sound-money men, so called, and the silver men is upon questions of fact rather than upon principles. We all agree that there should be free coinage of both gold and silver if the latter metal was, by reason of its intrinsic or commercial value, on a parity with the former. We all agree that if merely stamping 412.5 grains of standard silver will make it the equal in value of 25.8 grains of standard gold, the Government ought to do it. We all agree that if by law silver can be yoked to gold and made its equal as money of final redemption that law should be passed.

Upon all these propositions the advocates of the free and unlimited coinage of silver have the affirmative, and upon them rests the burden of proof. Fixing the responsibility for the alleged demonetization of silver in the United States, or in the world, will not extricate us from the situation. The silver men have fixed that responsibility many times to their satisfaction, and yet they still cry for relief, and the gap between the metals is not closed.

The individual who fails to note a condition divests his argument of all its force. We must deal with these conditions. First, in the last twenty-two years silver as a commodity has lost substantially half its value, and, second, within that period every great commercial nation has given silver a subordinate place in its monetary system.

On the one side it is alleged that the commercial value fell because silver was demonetized or given this subordinate position, while on the other side it is contended that the depreciation in value rendered necessary its demonetization. In this connection it may be proper to notice one argument that is and must be put in the front of all others, because upon it all others must stand or fall, and that is that the United States alone can by opening her mints to the free coinage of silver restore it to its old place as primary money.

Let us see about that, and at the same time investigate the cause of the depreciation of silver. If we as one nation against the world can maintain silver on a parity with gold by its free coinage, then the action of one nation or a dozen other nations would not influence the matter in the nation thus undertaking the free coinage. That is, if a free-coinage system in the United States would hold silver up to a parity with gold, notwithstanding the fact that other nations did not so coin it, then the systems of the other countries would not be regarded as influential or important. If this be true, and the free-silver men must assume it, then the converse of the proposition is true, namely, that the demonetization of silver in one country would not affect its commercial value in a country which continued its unlimited coinage.

We know that all countries did not limit the coinage of silver at the same time. We then come to this point, that each country must have been influenced more by domestic reasons than by those operating from outside.

No one can claim with any reason that the change in the monetary system of Great Britain in 1816 whereby silver became subsidiary money had any effect upon the value of silver, either for money or commerce, because its value remained substantially unchanged for more than half a century thereafter.

The United States did not drop the silver dollar from the coinage in 1873 because silver had fallen in value, but on the contrary, because it was practically demonetized by reason of its superior value; because a cheaper dollar was in use and circulation. Here we have the two greatest commercial and monetary nations at times a half a century apart, and for wholly different reasons changing their monetary system regarding silver.

The commercial ratio and the money ratio between gold and silver did not vary a point in two hundred years, and the divergence began when the equilibrium between them was disturbed by the excessive production of silver. In 1870 in the United States the production of the precious metals was $12,000,000 of silver to $50,000,000 of gold, or a little more than four of gold to one of silver. In six years thereafter the production of the latter had so increased upon the former that they were substantially equal, and in twenty-two years thereafter there were nearly three of silver to one of gold produced.

The world's product shows nearly the same disproportion in the same time. In 1870 there was produced of gold $129,000,000 and in silver $55,000,000, a little more than two of gold to one of silver. From 1891 to 1894 there was about one and a half of silver to one of gold produced. The production exceeded the demand, and inevitably the price decreased.

Every nation, I think, except the United States, Great Britain, and Germany limited the coinage or the money quality of silver after it had been so reduced in value commercially as to make it, if not impossible, inexpedient to continue its free coinage.

The Latin Union, from which many arguments are drawn, was compelled to limit the coinage or money quality of silver, and in 1885, in effect and by conventional arrangement between the powers composing the Union, did what we are now successfully doing, namely, holding a limited quantity of silver at par by redeeming it in money worth intrinsically and commercially its full face denomination.

But whatever may have caused the depreciation in the value of silver, whoever may be responsible for this decline, the condition confronts us and legislation must recognize that condition and be governed by it. We have two money metals and a law establishing a ratio between them. This ratio is 412.5 grains of standard silver to 25.8 grains of standard gold. When this ratio was fixed it was upon a calculation of the commercial value of the metals and purposed to make the quantity of metal in the unit of one equal in value to the quantity in the unit of the other. It is proper to suggest in this connection that whenever the ratio has been changed it has been done to correct a divergence between the coinage and commercial value. The necessity of having an agreement, as nearly as practicable, between the coinage and commercial ratio has always been recognized. The commercial ratio is now about 33 of silver to 1 of gold, or, in other words, the 412.5 grains of silver are now worth about 52 cents or substantially 48 cents less than its coinage value.

Can we close up this gap by law? Free-silver men say, "Yes; if the Government will restore to silver its place and function as money the difference in value will disappear." Upon them rest the burden of proof. They have not produced the evidence—at least, they have not satisfied me—that the law, by merely stamping a thing, can give it value, unless the stamp impresses upon the thing a promise, and in such case it is the promise and not the stamp which gives the value. The choicest flowers of rhetoric have been gathered and fashioned into bouquets of beauty, the world has been explored for illustrations and references, and for days we have breathed the atmosphere of eloquence, yet through it all no word of proof has been submitted showing that this wide difference between the values of gold and silver can be closed by law. We might try the experiment were it not that if the experiment should fail the results would be so irretrievable and disastrous.

Suppose we should try free coinage of silver and the silver dollar continue to be depreciated as it is now, what would be the result? As soon as the silver money and the silver certificates issued thereon should be sufficient to do the business of the country we should be on a silver basis, and probably long before that amount was in circulation. Then what? Gold and every form of paper redeemable in gold would leave the circulation, and a most dangerous contraction of the currency would ensue. And then, instead of having more money, we should have less.

We might stand this for a time if thereby we should secure ultimate relief; but once on a silver basis—once disconnected from the great commercial nations of the world—when shall we again march in the forefront of the majestic procession of the nations? Never. Commerce is the great promoter of civilization, and if we do not maintain ourselves as one of the great factors in commerce we shall not lead in civilization.

Can a plan be devised whereby a 52-cent dollar and a dollar of full value can be circulated side by side in the same country or monetary system? If so, the wisdom of man has not hit upon it. Every country affords an illustration of the operation of Gresham's law. Whenever there are two kinds of money, one cheaper than the other and the cheaper one is full legal tender, the cheap money always drives out of circulation the dearer money. It is the law of selfishness—that is, a man will always keep the better money when he can use a cheaper or poorer money to discharge the same debt or to secure the same advantage as with the better.

The present system is the best that can be devised under existing conditions. I am in favor of the largest coinage of silver consistent with maintaining the parity between it and gold. As it is now, silver is a full legal tender for all debts, public and private. The certificates issued upon the coined dollars are receivable for customs and other public dues, thus affording a substantial equivalent to gold redemption. Added to this, the nation's faith is plighted to maintain the gold and silver money at a parity.

Under this system we keep in use and circulation, either in coined silver or certificates, nearly $500,000,000, every dollar of

which is as good as any other dollar in the country; and all of this has been supplied since the act of 1873—more silver by $350,000,000 than was used before in all the years of the Republic.

The free coinage of silver would permit the owners of silver bullion to bring it to the mint and for every 53 cents' worth of silver receive a dollar. Why the Government purchase or turn into money the product of the mine owner and not the products of farms and factories? If by law silver can be doubled in value by the nation taking it, why not provide the same disposition for wheat at a dollar a bushel?

Sincerely believing that no man would be benefited by this act except the silver mine owner, and that it would entail distress, disaster, and ruin upon millions, I must vote against it.

Coin Redemption Fund.

SPEECH

OF

HON. CHARLES H. GROSVENOR,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 8, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of the revenue—

Mr. GROSVENOR said:

Mr. CHAIRMAN: I had not intended, when the report of the Committee on Ways and Means was brought into the House recommending that the House disagree to the substitute of the Senate, to participate in the debate. All that could be said, all that it was necessary to say, in support of the position of the majority of the committee was said in the opening remarks by the distinguished chairman of that committee; and had the debate taken no wider range than the mere bill itself, and the mere relevant questions here, I should not have occupied any portion of the time of the committee. But there has been injected into this debate—and properly enough; I make no criticism in that respect—a large amount of discussion which has spread out over the whole domain of American politics, and which necessarily must have some effect upon the judgment of the people—our constituents at home. Therefore I propose to address myself for a few moments to the discussion of this question in its effect upon the constituency that I have the honor to represent.

I listened to the cry of the distinguished and able gentleman from California [Mr. JOHNSON] with a great deal of interest, and it may be summarized, for the purpose of this debate, as being an appeal to Congress to do something for silver. "Give us something, do something, for the benefit of silver!" That is the underlying principle, the entire motive spring, of the speech of the distinguished gentleman. And when so able a man as he finds himself driven to a single appeal, an appeal for some special legislation that will be of some special benefit to some special interest, the American statesman may very well turn aside his thoughts and reflect and gather from that sort of argument that it is an appeal—as it was, in fact, an appeal—for the benefit of a single interest and nothing else, and has no proper home, no proper lodgment, in the domain of American statesmanship. However right it may be for the representatives of a single special interest to seek advantage by special legislation for that particular interest, it is nevertheless our duty to see to it that the whole people shall be benefited, and not a few people.

"Do something for silver! Give silver something! Don't close your eyes to the suffering condition of silver! Give silver something!" We propose to "do something" for the American people, and all the people; and the cry comes, "Don't do that, but do something for silver!" We say give to the American farmer a market for his surplus products and a fair, remunerative price for the proceeds of his labor; and the answer comes from the auriferous sands of California, "Do something for silver!" We say, let us remove the barrier that has been placed by the action of the Fifty-third Congress upon the prosperity of a million woolgrowers in this country, and the response comes, "Do something for silver!" Do something for a hundred men—the greatest monopoly on God's earth—a monopoly of wealth and a monopoly that God has made! The sheerest band of monopolists on this earth is the banded silver producers.

I protest against legislation favoring the single interest of silver production, and I demand legislation for the benefit of all the industrial and productive interests of the United States.

My distinguished colleague from Ohio [Mr. DANFORD], in a speech which I did not have the pleasure to hear, but which I am delighted to find has made so early an appearance in the RECORD, pointed out one single fact that, if it can be taken and understood and digested by the American people, is a stronger argument than all the appeals that can come here in behalf of a single interest. The whole situation is clearly illustrated by one remark that my colleague made. The seigniorage is now understood to be about $65,000,000. Whether that means $65,000,000 if coined into dollars or whether it is the original cost of the seigniorage I do not know and do not care; it exemplifies the whole of this argument. Whose money is that? Whom does that belong to? What right has somebody to stand here and say that 100 corporate or individual owners of all the silver produced in the United States shall have the benefit of that condition of legislation in this country? This seigniorage is the difference between the coined value of the silver dollars and the market value of the silver therein. Under our system the Government undertook to maintain the parity of these silver dollars with the gold dollar and the greenback dollar, and this sum of money was the profit to the Government and enables the Government to thus guarantee the parity. I defend and stand by the rights of the people of the United States to this profit and protest that the monopolists of the silver-producing States do not be thus enriched.

Whose mints are these in the United States? Who built the mint in California, the mint in Philadelphia, and the other mints? Whose money paid for them? Were they paid for out of the pockets of the constituents of these advocates of special legislation, or were they in point of fact builded and paid for by the money of your constituents and my constituents—by the people of the whole United States of America? Who pays the expense of running them? It is a tax upon the people of the United States. The cost of their construction and their maintenance in all possible forms appears in the appropriation bills of the House of Representatives, and the money comes from taxes levied upon all of the people.

The Constitution of our country confers upon Congress the right to provide for the coinage of money; and from time immemorial the process has been a very simple one. The weight of the pure silver in the dollar has been fixed by law; the degree of alloy has been fixed in the same way; and the ingredients of the silver dollar are also defined by legislation. Then the silver is purchased by the Government just exactly as the Government buys the wheat and the flour, and the leather and the timber, and the iron and the steel, and the woolen goods with which it equips its Army and to furnish its Navy and to provide for all the machinery of the Government. One commodity bought from the citizen is coined into money, and the other commodity bought from the citizen is used for the other purposes of the Government. And the profit upon the wheat and the pork and the beef that is bought from my constituents becomes a profit in favor of the people of the whole country; the profit upon the silver bought from the constituents of the gentleman from California becomes the property of the people of the country.

Here we have an accumulation in the Treasury of $65,000,000 constituting this seigniorage. If these gentlemen could have had their way, that money would to-day be in the pockets of 100 people of the United States; and if I can have my way, it shall be the property of all the people of the United States. That is all there is of it. Therefore the gentleman from California can very well cry out, "Do something for silver; give silver something!" Have we given silver nothing in this country? We have coined more than $600,000,000 of silver; and there is in the Treasury to-day, as the gentleman from Maine clearly showed, only $7,000,000 of free silver—only $7,000,000 that by any honest proposition can be used for any other purpose than that for which it was solemnly hypothecated and pledged. There is in the circulation of this country this vast outstanding body of silver certificates. In authorizing and issuing those certificates were we doing anything for silver? Did we do anything for silver when we bought four and a half million ounces of silver every month at the market price? What right has the gentleman from California or any other gentleman to ask that the producers of silver among his constituency shall have a price above the market price, while my constituents are compelled to sell their labor—their coal, their farm products—in competition with all the people of the United States, and without any adequate protection at the hands of Congress from the competition abroad. [Applause.]

Mr. JOHNSON of California. Will the gentleman from Ohio pardon me for a moment?

Mr. GROSVENOR. Certainly.

Mr. JOHNSON of California. I possibly misunderstood the gentleman, but I understood him to use some expression as to "my constituents" just now.

Mr. GROSVENOR. Very well; I very likely did; I referred to your constituents and mine, too, possibly.

Mr. JOHNSON of California. I thought you alluded to my constituents in connection with silver producing. Now, so far as I am advised, and I think I know the facts, there is not a single silver mine in the State of California.

Mr. GROSVENOR. I understand that quite well——

Mr. JOHNSON of California. Therefore the influences that the gentleman seems to suggest as having weight upon this question do not apply to my constituents.

Mr. GROSVENOR (continuing). And I understand also that there is no State of this Union, nor any country on earth, that is more exclusively, proscriptively, and absolutely upon a gold standard than the State of California. [Applause.] Now, the gentleman from California made a good speech, and I hope he will stand upon it until he sees fit to retract it.

Mr. JOHNSON of California. I never retract. [Laughter.]

Mr. GROSVENOR. Mr. Chairman, we have outstanding $350,000,000, in round numbers, of silver certificates. They had their origin in the statute that authorized the purchase of the bullion which is deposited in the Treasury and without waiting for its coinage the issuance of the silver certificates, which became at once a part of the circulating medium of this country. It was practically that much addition to our silver currency. Have we done nothing for silver? There is in existence in the United States between six and seven hundred million dollars of silver, every dollar of which, thanks to the intelligence of the Republican party in its great body and not in its factions, is worth as much as any gold dollar in the Treasury of the United States of America. Is that doing nothing for silver? Silver is a legal tender. Gentlemen use the sadly, almost fraudulently, always misleading statement that silver has been demonetized in this country. What do you mean by "demonetization?" Why, that silver has ceased to be money. But is that true? There are nearly $700,000,000 in the United States of silver and its representative, just as much money as you have of gold that is so cautiously and carefully hoarded in the banks of the State the gentleman from California in part represents.

Mr. HYDE. Will the gentleman from Ohio permit a question?

Mr. GROSVENOR. Certainly.

Mr. HYDE. Does the gentleman regard the silver certificates in circulation as standard money?

Mr. GROSVENOR. Well, I am not a philosopher; I know something of standard-bred horses and things of that kind, but as to the other——

Mr. HYDE. Permit me a moment. Do you know the meaning of "standard" as used in the Republican platform in 1892?

Mr. WALKER of Massachusetts. Mr. Chairman, I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. WALKER of Massachusetts. That it is contrary to the rules of the House to ask private questions of a member occupying the floor. I claim that such questions should be spoken loud enough for all the members to hear and understand the course of the debate, and that no member should address another who is occupying the floor without the permission of the Chair.

The CHAIRMAN. The gentleman was strictly in order, as the gentleman from Ohio yielded to him.

Mr. WALKER of Massachusetts. But I make the point of order that the gentleman from Ohio had no right to yield for a question which is not spoken in the ear of the whole House.

Mr. HYDE. Well, I have perhaps not as good lungs as the gentleman from Massachusetts, but I am a Republican, and have been since I first voted for Abraham Lincoln. When the gentleman from Ohio who was occupying the floor yielded to me I supposed that I had the right to ask a question. [Laughter and applause.] I believe this is the second time that I have asked one since I have been here.

Mr. GROSVENOR. I hope the gentleman will ask more of them. I am very much obliged to the gentleman from Massachusetts, and think I can say, without arrogating to myself any great power, that I generally take care of myself in a fairly satisfactory manner to myself. [Laughter.]

Mr. WALKER of Massachusetts. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Ohio yield?

Mr. WALKER of Massachusetts. I do not rise to ask a question, but in my own right as a Representative on this floor, to a question of personal privilege.

Mr. GROSVENOR. I hope the Chair will keep account of my time.

Mr. WALKER of Massachusetts. It is this——

Mr. GROSVENOR. The gentleman from Washington asked a perfectly respectful and pertinent question. I had been speaking of the silver currency of the country as the money of the country, and not a demonetized or discredited money; for he who to-day talks of the "crime of 1873" simply writes down the men who are so claiming as incapable, incompetent to be members of this House, unfit to be members of the Senate, unfit to be anything. For a man who sits in the Senate of the United States and hears, or ought to hear, sixty pages of the CONGRESSIONAL RECORD sounded in his ear, and is not aware of what is being said, ought to go home and never come back again. [Laughter.]

Mr. BARTLETT of Georgia. I should like to ask the gentleman if no less a person than James G. Blaine, who at the time was Speaker of the House of Representatives, did not, in 1878, in a speech made in the Senate, say that he was not aware at the time of its passage that the act which demonetized silver contained that provision.

Mr. GROSVENOR. I do not take back anything that I said.

Mr. BARTLETT of Georgia. I ask the gentleman if Mr. Blaine did not declare that he did not know it?

Mr. GROSVENOR. I reiterate my former statement and stand by it.

Mr. BARTLETT of Georgia. You do not answer my question, then?

Mr. GROSVENOR. There is no need to answer it further. That answers it.

Mr. BARTLETT of Georgia. I do not understand the gentleman.

Mr. GROSVENOR. That is the answer. I do not yield my original proposition. Ignorance of that which a member of Congress ought to know, and easily could know if he gave attention to the public business, is no excuse for his failure to know, and no defense to the charge that he neglected public business.

Mr. BARTLETT of Georgia. What?

Mr. GROSVENOR. What I said before. [Laughter.]

Mr. BARTLETT of Georgia. Let me ask you another question?

Mr. GROSVENOR. No; I guess you had better not. [Laughter.]

Mr. BARTLETT of Georgia. I do not think the gentleman can answer it.

Mr. GROSVENOR. I do not think the gentleman from Georgia wants to ask any question that can throw any light on that subject. The gentleman from Washington, if I understood him, asked me what was the meaning of the word "standard" in the platform of 1892. I think the use of that word in that connection was, that it should be money of the value of other money—standard money. Money of the standard of the money of the country. I do not think that it intended to mean that it was a kind of money that could control the action and discretion of the Treasury Department. I am one of those Republicans who believe that every dollar of the national debt is, as matter of law, redeemable in gold or silver, the money of the Constitution, at the option of the person who pays out the money. I think anything short of that would be simply absurd.

That is the position of the Republican party; that is the position of the party that is now threatened with destruction because it has not done enough for silver. It has made silver a legal tender for every debt; it has made it receivable for public debts; it is circulating it to the utmost capacity of the Treasury Department; it has put millions upon millions of dollars into the pockets of the monopolists who hold it; and to-day it stands demanding that such legislation shall be had and such treaties shall be made as to ultimately fit it—not make it by law, but make it fit—to be the money of redemption. I take it there is a good deal of difference between a statute and a public declaration that makes a currency standard money and a declaration that compels the use of it as the money of ultimate redemption of the promises of the Government. The one is a statute, the other is a practice of the Department; and while the civilized nations of this world, all of them, the great commercial nations, use gold as the money of ultimate redemption, the United States must do it or the United States must lose its position among the people of the world.

Now, Mr. Chairman, we are told that unless this thing be done and done speedily—what thing? "Something for silver; give silver something"—we are told this morning that if that is not done the Republican party shall die.

I hold in my hand a special telegram to the New York Herald of this morning, purporting to give the substance of a political platform issued in this city on yesterday, not made as a public declaration of these Senators in the Senate of the United States, and therefore when I speak about it I am not criticising any coordinate branch of the legislative part of the Government; but they have sent it out, it is said, to form a rallying cry, a demand, and I have no doubt of the truth of this statement, so far as the attitude of a few, at least, of the men named in this statement is concerned, because it is in keeping with the whole conduct of the gentlemen composing a part of this list in the Senate itself. I will put the entire abstract, a very brief one, into my speech. The substance of it is a declaration that you must indorse the platform of 16 to 1 as the ultimate policy of the Republican party or

"there will be no Republican party." That is the declaration, and it is signed by a number of Senators, whose names I will read:

LEE MANTLE, GEORGE L. SHOUP, EDWARD O. WOLCOTT, JOHN H. MITCHELL, FRANK J. CANNON, H. M. TELLER, FRANCIS E. WARREN, H. C. HANSBROUGH, T. H. CARTER, GEORGE C. PERKINS, J. D. CAMERON, C. D. CLARK, ARTHUR BROWN, R. F. PETTIGREW, and FRED T. DUBOIS.

I do not believe the statement published in the press heretofore alluded to correctly stated the position of a number of the gentlemen named, but it shows the desperate character of the men who are holding the Republican party by the throat and threatening to bolt in advance of its platform.

The following is the special dispatch referred to:

SILVER MEN'S ULTIMATUM—SIXTEEN SENATORS AGREE TO PREVENT PROTECTIVE LEGISLATION UNTIL SILVER WINS.

[By telegraph to the Herald.]

PHILADELPHIA, PA., *February 7, 1896.*

Wharton Barker, as one of the foremost leaders of the silver forces, has secured the indorsement of sixteen Republican members of the United States Senate pledging them to a policy of bimetallism and protection.

Armed with the document containing the original signatures of the sixteen Senators in question Barker to-day issued an open letter to the manufacturers containing a declaration of principles, in which he makes the bold assertion that no more protective tariff bills will be allowed to pass Congress until the protectionists of the East consent to have silver coupled with protection.

He further states that the responsibility rests with the manufacturers of the East to force the Republican party to adopt his (Barker's) platform, and that by so doing alone can they save the protective system. To ignore his platform means, he says, the disruption of the Republican party, and it will lose the sympathy and alienate the support of those who put bimetallism before protection, and without whose support the passage of any further tariff measures is impossible, thus making the defeat of the Republican party inevitable.

In his letter he says: "You must indorse such a platform and force its adoption by the Republican party or there will be no Republican party."

The Senators who signed the agreement are LEE MANTLE, GEORGE L. SHOUP, EDWARD O. WOLCOTT, JOHN H. MITCHELL, FRANK J. CANNON, H. M. TELLER, FRANCIS E. WARREN, H. C. HANSBROUGH, T. H. CARTER, GEORGE C. PERKINS, J. D. CAMERON, C. D. CLARK, ARTHUR BROWN, R. F. PETTIGREW, and FRED T. DUBOIS.

Mr. TELLER indorses it, but says he prefers a ratio of 15½ to 1.

In this connection it may be stated that these gentlemen representing entire States, two Senators to a State, will represent in this coming election in an electoral college of 460 votes the enormous power of 16 electoral votes. "We, the tailors of Tooley street!"—"We, the people of England!" [Laughter.] Then we have Oregon, represented in part by one Senator. I undertake to say that the old Republican State of Oregon will next June testify, and her voice will be heard ringing, as it has always been heard, across this continent in the early days of the summer, protesting against that declaration. North Dakota in part, California in part, North Carolina in part, and Pennsylvania in nothing—nothing, absolutely nothing.

I want to refer now in detail, and I have taken some care to prepare the statement, and I want these gentlemen who send out their messages that "there shall be no Republican party" unless the Republican party shall indorse the doctrine of the free and unlimited coinage of silver at the ratio of 16 to 1—I want every one of these gentlemen to study this, and let each one, when he is through with these figures and sees no opening to criticise, answer the question whether he is representing a party or a faction, whether his presence inside or outside the party is really indispensable to party success.

THE DEMANDS OF THE FREE-SILVER REPUBLICANS.

Threats of political apostasy, menaces of bolts from party nominations, and indications of party division are important and potential only in view of two conditions:

First. That it is the deliberate purpose of the persons or factions making such demonstrations to carry into execution their threats or menaces.

Second. That it is in their power to execute, as a last resort, their threats.

The Republican party of the United States, looking forward to the contest of 1896, can not avoid taking into consideration certain utterances of Republicans purporting to speak on behalf of the advocates of free and unlimited coinage of silver. However earnestly we may advocate the theory of duty and obligation to principle, the question of success obtrudes itself upon our consideration at all points, and so, when distinguished men, claiming to represent, and probably to some extent actually representing, an important sentiment upon an important question of American politics, threaten to overthrow the party in the coming battle if their peculiar notions are not embodied in the platform and their peculiar views are not fully represented in the candidates, it is the part of wisdom to duly consider the situation in the light of the two propositions which I have suggested.

Recently, and especially during the fall prior to the meeting of Congress, there were utterances by certain gentlemen claiming to be members of the Republican party indicative of a purpose on behalf of a certain interest to demand that that interest shall write the platform and nominate the candidate of the Republican party; or failing in both these demands the defeat of the party is decreed. One gentleman used the following language:

Let the Republicans of the East beware. We will submit to a fair presentment of our case before the voters of the United States and be reconciled to their decision, but our influence can never be stifled by political legerdemain or gold-bug intrigue.

Many more such declarations would leave Western Republicans without hope and drive them out of the party. I would also point to the fact that such a result would likely throw the election next year into Congress and, if this should occur, it would be impossible to elect a Republican President on a gold platform, each State having but one vote, thus giving 13 out of the 45 to the silver States.

In this connection it may be pointed out with propriety that the honorable Senator from South Dakota [Mr. PETTIGREW], in a recent interview in the city of New York, said:

If the silver men are ignored and a gold bug is nominated upon a gold platform, seven or eight of the Republican States of the Northwest will be lost to the Republicans.

When asked about the effect of the bolt of "seven or eight of the Republican States of the Northwest," he said that it would have the effect to prevent an election by the people. Then he said that in that event there would probably be a combination of Southern Democrats with Northwestern silver States, and in Congress their candidate might prevail. It is due to the distinguished Senator to state in this connection that he disavowed making a threat in this way and uttered the following exceedingly sensible sentence: "Threats are very silly among men." How they are among women I do not know. [Laughter.] These two declarations were made prior to the recent election, and doubtless if the gentlemen who made them were to revise the statements referred to, there would be modification of these utterances if not wholesale repudiation of the sentiment.

But however that may be, the important consideration is what weight is to be given to these menaces of danger. The next electoral college will consist, as appears now, of 446 electors, a majority of whom will be 224, and that number will be required to elect a President. Assuming now that the seven or eight States referred to by Mr. PETTIGREW should bolt and stand ready to join with the Democratic faction as threatened, and then assume that this defection took place, as it would have to in order to be powerful before the election in November, it is safe to say that beyond all reasonable doubt the following States would elect Republican Presidential electors: Connecticut, 6; Illinois, 24; Indiana, 15; Iowa, 13; Kansas, 10; Maine, 6; Maryland, 8; Massachusetts, 15; Michigan, 14; Minnesota, 9; Nebraska, 8; New Hampshire, 4; New Jersey, 10; New York, 36; Ohio, 23; Oregon, 4; Pennsylvania, 32; Rhode Island, 4; Vermont, 4; West Virginia, 6, and Wisconsin, 12. Here are 263 electoral votes, or a majority of 38. A careful inspection of this list of States will satisfy anyone that there is not a weak spot in that line, nor is it reasonable to believe that there will not be added to that column the vote of California and Washington, making 13 in addition; and that is not all. Upon this issue pressed upon the people we have the States of Delaware, Kentucky, Tennessee, and Louisiana, with 37 electoral votes, more likely to be Republican than Democratic.

Mr. TAWNEY. If the gentleman will allow me, why do you propose to exclude Minnesota?

Mr. GROSVENOR. I have her in here. Perish the proposition!

Mr. GAMBLE. I would respectfully ask the distinguished gentleman from Ohio upon what ground and his reasons for excluding South Dakota from the list of Republican States. I challenge the accuracy of such a statement. The Republicans of my State are now and always have been loyal to the principles of that party, believe in its policies, and are proud of its history. It has never yet suffered defeat at the polls in asserting Republican principles before as intelligent and patriotic a body of electors as reside within the confines of the nation. I state here and now that South Dakota will be found at the next election in the Republican column upon the platform that will be promulgated at the St. Louis convention, which, I believe, will treat fairly and justly this great subject now under discussion. The Republican party of South Dakota is in favor of bimetallism, and such has always been the uniform declaration by the party in its national platforms. I believe it will not depart from that policy now.

To the criticisms indulged in by the gentleman, as far as they relate to the senior Senator from my State, I do not care to reply. I prefer rather to allow him, if he sees fit, to answer in his own time and in his own way.

Mr. GROSVENOR. I was only showing what there was certain without reference to what the Senator said. I must treat the Senator with perfect respect while he is Senator.

The "seven or eight Republican States of the Northwest," to which the distinguished Senator from South Dakota doubtless

refers, are Colorado 4, Idaho 3, Montana 3, Nevada 3, Wyoming 3, Utah 3, South Dakota 4, and Washington 4, with 27 electoral votes. Now add these to the Southern votes, Alabama 11, Arkansas 8, Florida 4, Georgia 13, Mississippi 9, South Carolina 9, Texas 15, Virginia 12, making 84 votes; and then add these to the 27 votes, and you have 111, and there remains not disposed of North Dakota 4, Delaware 3, Missouri 17, and North Carolina 11. Of these 35 votes upon the plain issue of free silver and Democracy, against sound finance and protection, I think no intelligent man will doubt that there is more likelihood that Delaware, Missouri, and North Carolina, with 31 electoral votes, would vote for the Republican candidates than for the free-silver candidates. So much for the election before the people in November, 1896.

Now, assuming that the unlikely, and indeed almost impossible, shall happen and the election be thrown into the House. It must be borne in mind that each State in such a contingency has one vote, and that vote is controlled by the majority of its delegation in the House. If a State is evenly divided she does not vote. In this case Maryland, Tennessee, Kentucky, and North Carolina would be silent. The only contingency upon which this suggestion would be erroneous would be the possibility, if not probability, that Judge Denny will be successful in his contest with OWENS of Kentucky, in which case the vote of Kentucky would be for the Republican candidate, but without that the four States would be deducted from the 45 States, leaving 41 votes to be cast, and 21 would be a majority. Where will these 21 votes come from? Here is the list that is as certain as anything in politics to vote for the Republican candidates: California, Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, West Virginia, and Wisconsin, 24 votes.

Assume that the unholy alliance suggested between the Democracy of the South and the free-silver States of the Northwest could be consummated, a result that it is impossible to believe can be brought about. In that event we should have for a mongrel candidate, whoever he might be, Idaho, Montana, North Dakota, Colorado, Nevada, South Dakota, Wyoming, Utah, Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, South Carolina, Texas, and Virginia. The suggestion that all these States could be brought into a harmonious organization through the present delegations in Congress is too absurd to be seriously contemplated, I admit; but that is the worst that can happen; and that is not all of it, for in the Constitution of the United States, in Article XII, appears the following, referring to the conditions spoken of by Senator PETTIGREW, where neither candidate has a majority of the electors:

> And if no person have such majority, then from the persons having the highest numbers, not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately by ballot.

Thus it will be seen that from the regular nominee of the Republican party, the regular nominee of the Democratic party, and the regular nominee of the Populistic party the candidate must come upon whom can be concentrated the vote of 21 States.

It will take a mighty change in conditions to bring about a situation in which the State of Louisiana or Virginia or even Georgia, not to mention Alabama and Texas, could be induced to cast its vote in the House of Representatives for Coxey, of Ohio, or Debs, of Indiana. It may be pointed out in criticism of this article that Tennessee is not properly assigned a position as a State which would divide its vote. Assuming that no contest will be decided in favor of the Republicans—and I do not know that one is pending—I do assume that under no conditions which can possibly arise will the distinguished Representative from the Memphis district [Mr. PATTERSON] join in making it possible that the vote of Tennessee shall be cast for a free-silver man for President of the United States, and driven as he will be in such an emergency to vote for a Republican, he is certain to divide that State and lift it out of the contest. [Laughter.]

These considerations result in an inevitable conclusion, and that is that the Republican party in the formation of its platform and the selection of its candidates for 1896 need not cater to any element in politics which would be injurious to the high plane upon which it has always stood as a party of conservatism and integrity; nor yet will it be called upon, even if, under any contingency, such a course would be justified, to lower the standard of its high position upon the subject of a sound currency, a dollar of equal value, the promoter and defender of the commercial and financial honor of the United States. Nor will it be necessary or desirable that it shall modify any position it has hitherto occupied upon any of the great questions of American politics, for it has an assurance that upon a platform in substance and effect the platform of 1892 it can carry the country by an overwhelming majority in the popular elections in November. And if by any mutation of political conditions the elections should be thrown into the House of Representatives, the party and the country can rest in serene confidence that the House of Representatives will select without delay the candidate who had been voted for as the regular Republican candidate at the November election.

So it will be seen by this analysis that the threats of bolters and the menaces of factions need not and will not deter the Republican party from the course it has adopted. The path of duty and honor is the path of safety and leads to success. [Loud applause.]

Mr. ALLEN of Mississippi. Will the gentleman yield for a question?

Mr. PATTERSON. I trust the gentleman from Ohio will allow me a single word.

Mr. GROSVENOR. I yield first to the gentleman from Mississippi.

Mr. ALLEN of Mississippi. I wanted to ask the gentleman from Ohio in all fairness whether he thinks the remarks he has just submitted are carrying out an agreement entered into by himself and myself to keep down all partisan feeling in this House. [Laughter.] Does he not think that this speech of his, while not directly a partisan speech, is calculated to appeal to partisan feeling? [Laughter.]

Mr. GROSVENOR. I think not. I think this is a plane upon which all the intelligent, patriotic people of the country can stand. Now I will hear the gentleman from Tennessee.

Mr. PATTERSON. Mr. Chairman, my friend from Ohio has singled me out and surmised what my action would be in a certain contingency. I wish to say to this House in general terms that I fondly look forward to the day when the Democratic party, as in the past, will be distinctively the sound-money party of the the country. And I do not expect ever to see the day—I do not contemplate ever seeing the hour—when I shall not stand with the Democratic organization in any and every contingency. [Applause on the Democratic side.]

Mr. GROSVENOR. Well, Mr. Chairman, there are so many "contingencies" in American politics that I thought I might speak about one which possibly might invade the peaceful domain of the gentleman's mind at an early day. [Laughter and applause.]

Mr. MCCLEARY of Minnesota. May I interrupt the gentleman a moment? I want to ask him why he puts North Dakota in the doubtful column after listening to that magnificent address delivered the other day by one of the Representatives from that State [Mr. JOHNSON]?

Mr. GROSVENOR. I wanted to be intensely respectful to the distinguished Senator from that State. I do not believe that one of those States will forsake the banner of the Republican party [applause]; the banner of the party that has made us what we are; the banner of the party that has made the dollar in the pocket of my friend from California all that it is worth to-day; the party that refused to go, upon the demand of the "sand-lot" champion of California, into the mire and filth of irredeemable paper money; that party that gave to this country a standing among the financial states of the world. Men may come and men may go, but these States will not secede from the party to follow the dictation of a faction or the suggestion of local speculative interests.

Mr. OWENS. May I ask the gentleman is that the same party that a few weeks ago retailed its national convention to the highest bidder?

Mr. GROSVENOR.—

> Great God! on what a slender thread
> Hang everlasting things!

[Laughter and applause.]

Mr. MILES. Is it the same party that has just made a deal with the Populists at the other end of the Capitol in order to get control of a few offices?

Mr. GROSVENOR. I think it is the party that at the other end of the Capitol has been compelled to take possession of a machine which your party has been smashing for the last year and a half. [Laughter and applause.]

Mr. OWENS again rose.

Mr. GROSVENOR. I decline to be further interrupted.

The CHAIRMAN. The gentleman from Ohio declines to yield further.

Mr. GROSVENOR. I do not want to have my time occupied by frivolous matters.

Mr. OWENS. I want to ask the gentleman——

The CHAIRMAN. The gentleman from Ohio declines to yield.

Mr. GROSVENOR. I shall be glad to hear the gentleman from Kentucky; he is such a fine-looking man.

Mr. OWENS. I just wanted to ask the gentleman whether this is the same party that signalized its return to power in the Senate by sending us the free-coinage bill which we are now considering?

Mr. GROSVENOR. Well, I have just been talking about that party, and I think I have characterized it as well as the gentleman from Kentucky could. If not, he can get some time and do it for himself. If there is anything in the action of the Senate, when you come to look over the yea-and-nay lists, that gives any comfort to any honest-money Democrat, he is welcome to get that list and read it. The Republican party stands to-day offering to this country a remedy for its troubles. It stands to-day assuring

the people that the party which has made our country what it is is willing to utilize every dollar of silver that can be made and kept equal in value to the gold dollar of the country. Our Democratic friends are shouting that good times are coming, and the harbinger of good times is demonstrated by the fact, as they claim, that some five hundred and odd millions of dollars were subscribed at the Treasury for the loan of $100,000,000 of bonds.

I have not very much time to speak of that branch of the question, but I desire to caution my friends on the other side not to get excited or overjubilant at that outlook. Men invest their money in this country in the best enterprises that they can find, and at a time when the industries of the country are prostrate—I pronounce without hesitation the whole proposition that there are good times among the masses of the people as a fallacy, a false statement, and a delusion. In times like these when labor is unemployed, when prices have gone down, when foreign trade has been substantially abandoned, when confidence has failed in the matters connected with our ordinary industrial system, then money is subscribed at low rates of interest for Government securities, and the highest evidence in my mind that the great moneyed interests of the country have gloomy forebodings for the future and entertain a feeling of grave doubt and uncertainty as to the outcome is the enormous rush that was made to bid for and purchase these 3 per cent securities of the Government.

Mr. Chairman, if you had made that offer to the people of this country in the fall of 1892 you could not have gotten that amount of money for a 3 per cent loan under any circumstances. And why? Because they had something to do with their money. There was something that labor could do. There was hope in the minds of the people; there were ambition and prosperity all over the land. To-day the banks come forward, men of large means and even in some instances of small means, small holders of money, now come and subscribe to the interest industry that will yield them a return of 3 per cent on their money because there is nothing else in the country to which their money can be applied.

There never was a time in the history of the United States when there was greater demand for Republican statesmanship than there is now. Whether this Congress shall be able to achieve anything or not I do not know, but I do know that the House of Representatives, with its great Republican majority, has already made an impression upon the business of the country. I do know that by the passage of the bond bill, which you now want to destroy, and by the introduction of the resolution of similar import in the Senate, and by the protests that came as a response to our declaration, the Administration abandoned the star-chamber process of loaning the money of the people, and upon that $100,000,000 of loan that is now to be floated, the difference between the sum reached last winter by the secret process of selling the bonds and the process prescribed by the bill passed by the House of Representatives this winter, a difference of something like ten or twelve million dollars would be secured to the Treasury [applause], and every dollar of it is due to the protest of the Republican House of Representatives against the demand of the Administration of the Government. And I say now, with all due deliberation, that he of the Republican party who stands here to-day and votes for that chimerical proposition, the free and unlimited coinage of silver, thereby giving license to the Administration to enter into another combination or star-chamber process to loan the money in the dark, will be held responsible by his constituents when there comes a return of the patriotic sense of the common people of the nation. [Applause.]

Vote for free silver if you see fit; vote for the mistaken dogma, as I look upon it, if you believe it to be right, or if in your honest judgment you believe in the principle, but do not do so by protesting that you are against the principle of borrowing the money of the country in a star chamber of a Treasury conspiracy.

Mr. Chairman, let us reject this proposition and send it back to to the other end of the Capitol, and if the Senate wants to encumber the tariff bill we passed with free coinage let them do so. I take it for granted that if to-morrow the trump of the Angel Gabriel should blow, and the sheeted dead be called to judgment, there would spring up some members and ex-members of that body and hundreds of men who would shout to Gabriel to suspend procedure until they could offer an amendment to the call of judgment at the ratio of 16 to 1. [Laughter and applause.] The whole business is a mere attempt by party revolution to obstruct legislation and block the wheels of Government and force the views of an unimportant minority upon an overwhelming majority, and this in the interest of a local production. I appeal to the Republicans of this House, as I appeal to the Democrats who favor a return to the time-honored principles of that great party, and who hope for the future in American politics, that we shall all stand together for the interests of the whole country and not of a section, and that in the election of 1896 we take such a position as will once and forever settle this question in the interests of all of the people, and the great party that has done so much for the country will take care of subsidiary questions as they arise along the future pathway of the nation. [Applause.]

Silver Restoration—The Duty of the Republican Party.

SPEECH
OF
HON. CHARLES A. TOWNE,
OF MINNESOTA,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 8, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue, with Senate amendments—

Mr. TOWNE said:

Mr. CHAIRMAN: If it were not for a profound, an almost overpowering, sense of duty, I should not on this occasion vex the ear of the House nor venture to do violence to that feeling of embarrassment which I assure you is most oppressive to myself and, I fear, all too evident to my auditors; particularly when I must follow the distinguished and eloquent gentleman from Iowa [Mr. HEPBURN], whom the House is always glad to hear. Under these circumstances I am reminded of those familiar lines of Shakespeare,

> As in a theater the eyes of men,
> When a well-graced actor leaves the stage,
> Are idly bent on him that enters next.

But, sir, I conceive that the general subject which is brought before this House by the pending measure is by all odds the most important one that will engage or has engaged the attention of this body at this session of Congress. The eminent gentleman who opened the discussion upon this measure [Mr. DINGLEY], following a metaphor that had its origin, I believe, with Aristotle, and which has had frequent employment since, well likened the money of the commercial nations of the world to the lifeblood of the physical body. Sir, the comparison is most apt; for not more do the health and efficiency and happiness of the physical organism depend upon the quantity and condition of the blood, than do the welfare, the prosperity, and the progress of society depend upon the volume and character of the money that flows in the channels of its commercial circulation. This it is which gives importance and special emphasis to the question now pending; because there are hundreds of thousands of men in the United States and elsewhere in the world to-day who believe that there is a studied effort on the part of certain interests by subtle surgery to abstract from the blood of the body politic its white corpuscles [applause], and to allow to atrophy one of the ventricles of its great central heart whose harmonious pulsations give power and energy and movement to its organization. [Applause.]

The question, sir, is an imminent one. It is a question that, like Banquo's ghost, will not down. "Avaunt and quit my sight" will not banish it. Gentlemen may cry, "Peace, peace;" but there is no peace. Politicians may say, "We will make this thing or that thing or the other thing the issue." But, sirs, it is issues that make parties, not parties that make issues. [Applause.] Some gentlemen say, "Let it alone; let the question settle itself; do not agitate it." Sir, that is not the language of brave men; that is not the language of statesmen; that is not the language of the whilom and customary leadership of the grand old Republican party. [Applause.] Its constant reiteration shows a decline in the ancient and salutary standards of self-government.

Our institutions are founded upon and presuppose the fullest investigation, the genuineness of opinions, fair, free, and fearless discussion. Had men in the past neglected to exemplify these requirements and to insist upon their guaranty, what would have been the history of liberty? To what unhappy condition would not mankind have been reduced had John Hampden been afraid to arraign his king for the unconstitutional exactions of ship money; had Sam Adams and Patrick Henry been obsequiously silent as to the stamp duty, or hesitated to affirm the great principle of "no taxation without representation;" had Thomas Jefferson permitted himself to entertain politic doubts whether "all men are created equal;" had Washington deemed it safer to submit to British tyranny than to defy it; had Garrison, Lovejoy, and Phillips been frightened from their high purpose by the calling of hard names and threats of personal violence; had Sumner, Seward, and Lincoln thought it indiscreet to denounce the treatment of Kansas as a crime, to assert that the conflict between freedom and slavery was "irrepressible," and to make a new application of the old proverb that "a house divided against itself can not stand." [Applause.]

No, sir; let us not abandon our duty. Let us stand to it like men. Said Daniel Webster, in answer to a similar argument sixty years ago:

> If any evil arises to destroy or endanger this medium or this currency, our duty is to meet it, not to retreat from it—to remedy it, not to let it alone. We are to control and correct the mischief, not submit to it.

Moreover, a question of this magnitude and significance ought to be discussed in a spirit and manner appropriate to so high a theme. To treat it as if it were the claim of a small private interest seeking

an avenue for self-aggrandizement at the expense of the general good, is to show a grave incompetence to weigh and handle the momentous concerns of the people. That so many in this House are unable to grasp the higher and only real issues involved, is not complimentary to the standard of American statesmanship. Similar but much severer strictures must be drawn upon a considerable part of the public press. To call one's opponent in an argument "fool," "crank," "lunatic," "traitor," is as unprofitable as it is impolite. People are apt to suspect one who "doth protest too much." Better answer your antagonist's argument than abuse him; and if he really be a fool his argument ought to be easily answered. Nor can you escape the ordeal of critical examination by merely pasting a label on your faith. Calling it "honest" and "sound" does not by any means make it so. It only begs the question. Nobody contends for unsound and dishonest money. I will permit no man to call me dishonest, nor shall he affix such a brand upon any proposal of mine.

The people can not be deceived. They are studying this question as never before. Epithets can not deter them from penetrating to its mystery. The "craze" may have passed, but the era of sober and deliberate investigation has begun, nay, is already far advanced; and I warn gentlemen that there never has been so much interest in this great question as there is now. "What is 'honest money'?" men are asking. "Have we it now? If not, how shall we obtain it?" These questions must be answered by arguments, not by adjectives.

Nor, sir, on the other hand, does this discussion give proper place to wild talk of revolution, secession, and bloodshed. Sir, that kind of declaration has no justification in this forum or in any other in the United States. This is a government of the people. It is the highest form yet known of that kind of government which a great commentator has called "a government by discussion;" and it is by orderly, sane, passionless, though earnest, discussion in the presence of the intelligent public opinion of the United States that we must settle all large questions of policy. Duclos said in reference to public opinion, "the man in power commands, but the intelligent govern, because in time they form public opinion, and that sooner or later subjugates every kind of despotism." We bow to the reign of law, and he who advocates any other way of settling differences is preaching anarchy and will find no sympathy in this country.

In the discussion of this question, the first line of demarcation should be plainly drawn between the advocates of the single gold standard upon the one side and the advocates of bimetallism upon the other. In this matter there is great confusion of terms. It has been noticeable in the discussions on this floor, it is noticeable in similar discussions everywhere among those who take part in this controversy. Men call themselves bimetallists, men have to-day upon this floor called themselves bimetallists, who believe in a monetary system having one metal as a basis and another metal practically redeemable in it or resting upon it.

That is not bimetallism. That, I repeat, is not bimetallism. Nothing can be gained by a false use of terms. Everybody ought to favor the removal of all uncertainty in the meaning of the terms employed in this argument. If a man actually believes in the continuance of the present system, and I concede that there are two sides to the question, and that a man may rationally contend for the one or the other; but if a man honestly believes that gold should be the sole measure of value in the world, why can not he say so, and stand boldly and bravely up to his declaration? [Applause.] I have no patience with the believer in the gold standard who exhausts all the resources of ingenuity in an attempt to avoid stating his real position. Such evasion bespeaks a lack of confidence either in his own conclusions or in their acceptability to the country.

Now, sir, a man who is honestly a bimetallist, who believes in the use of both gold and silver as standard money, as money of ultimate redemption, the final basis of all token and representative currency, can not consistently stand up here and deny the evils of the single gold standard. It amazes me to hear gentlemen upon this floor loudly proclaim themselves bimetallists, and then launch themselves into tedious argument to prove that the gold standard is wholly satisfactory. They are bimetallists, yet gold is a stable measure of values! They are bimetallists, yet there is no appreciation of gold! They are bimetallists, yet prices have not fallen! They are bimetallists, yet prices *have* fallen, and entirely because of cheapened cost of production! They are bimetallists, yet the restoration of silver is impossible! They are bimetallists, yet the present system must continue indefinitely! They are bimetallists, but the single gold standard is good enough for them! Why, sir, this is the very acme of inconsistency. I know not which is the more pitiable, that such folly should be tolerated, or that so many who commit it should be so unconscious of it.

It may be thought, sir, that I am spending too much time upon this matter. But in the forum where this discussion is soon to be taken, I mean the great tribunal of the public opinion of the United States, it is of the utmost importance to both sides that we agree upon the meaning of the terms used in the inquiry, and that men honest in their convictions shall boldly take their places under the banners they mean to follow.

Mr. Maurice L. Muhleman, deputy assistant treasurer of the United States at New York, in his recent book, Monetary Systems of the World, page 12, says:

> By bimetallism, strictly defined, is meant the free and unlimited coinage of both gold and silver into coins of full debt-paying power.

I refer to Mr. Muhleman's definition because he speaks with authority upon matters of fact, and because his book aims not at theoretical discussion, but at a clear statement of settled and existing conditions.

Let me cite another authority: The royal commission appointed in 1886 by Queen Victoria "to inquire into the causes of the recent changes in the values of the precious metals," reported in 1888, and the report was published by our Government in 1889. I quote from page 59 of that report, section 116:

> A bimetallic system of currency, to be completely effective, must, in the view of those who advocate it, include two essential features: (*a*) An open mint ready to coin any quantity of either gold or silver which may be brought to it. (*b*) The right on the part of a debtor to discharge his liabilities, at his option, in either of the two metals at a ratio fixed by law.

That, sir, is bimetallism; and if a man do not believe in it let him say so, but let him not believe in something else and label it "bimetallism" for purposes of deception. [Applause.] The statement that the present system is bimetallic, if not ignorant is not candid. The attempt to substitute for the well-understood meaning of bimetallism a new definition, whereby it is applied to any monetary system in which both gold and silver are "used," without reference to the manner of the use, is a subterfuge unworthy of the honesty and dignity of American political discussion, and one that will not impose upon the aroused intelligence of the American people. [Applause.] If their final judgment is for gold monometallism, it will not be pronounced under any mistake or delusion. You can not promise them both silver and gold and satisfy them with gold alone.

Until recently it never entered into anybody's head since the word bimetallism was coined to have a doubt about what it meant. There can be no question as to the meaning of the word. Bimetallism means Two-metallism. It was coined to mean, and does mean, a money system where the two metals, gold and silver, are treated alike. It never has meant anything else. It signifies the equal access of gold and silver to the mints at a fixed ratio, and the option by the debtor as to the coin in which he shall discharge his debt. This matter is important. Gentlemen here and elsewhere constantly misapply this word. I do not propose to permit it any longer, to the extent to which my little influence may go. I here and now challenge any gentleman upon this floor or anywhere else—and this is not a mere rhetorical defiance, but is intended to bring this confusion to an end—to produce a definition of bimetallism by any publicist or economist of authority or any statesman of standing, made prior to 1895, which is not in substantial accord with the definition I have given. Let no gentleman who may do me the honor to reply to this speech neglect this point. Let him be either for the single gold standard or for bimetallism, and if for bimetallism let him discuss the means of reaching the end and frankly concede that the present system cannot be permitted to last.

It has been, sir, only since the great parties of the United States have been every one of them unequivocably pledged to bimetallism, and that fact conflicted with the desires of certain people, that they have sought to make a new definition of bimetallism, and under that new definition to hold the pledgors to the letter of their ancient pledge without its spirit. [Applause.] Why can not men who do believe in the gold standard be honest and say so? I do not impute now, when I use the word "honest," any moral obliquity to any gentleman. I should perhaps rather phrase it in this way: Why shall not a man have the open and manly courage of his convictions and stand up and be counted? Why let him not say as the New York Evening Post said? That great representative of English opposition to the Monroe doctrine, protection, and bimetallism, and every other form of Americanism, said, not long ago:

> There are some people (a diminishing number, however) who hesitate to avow themselves in favor of the single gold standard, although they are opposed to any change from the present system. There are others (also a diminishing number) who think that because a certain limited number of silver dollars are in circulation we have bimetallism or the double standard in this country. This is a totally false conception, as false as it would be to assume that we have a paper standard because a limited number of greenbacks are afloat. * * * The "gold bugs" have no change of standard in contemplation. They are satisfied with the present posture of affairs, so far as that goes. The "expulsion of everything but gold as real money" took place in 1873, and continues unabated.

Let every man who believes with the Post imitate its frankness and say so. Let him say so along with the distinguished gentleman from Massachusetts [Mr. WALKER], chairman of the Committee on Banking and Currency, who declared in his speech yesterday—I do not pretend to quote him exactly, but I remember perfectly the substance of the statement—

> That if all the nations of the world were to come together and agree upon a ratio for the free coinage of gold and silver, it could not be maintained beyond a very brief space of time in face of the inevitable laws of trade.

Perhaps he believes it, sir. If he says so, I have no doubt he does, strange and incredible as it may seem to my poor faculties. But, sir, if he does believe it, then I undertake to say he can not remain in the Republican party unless, when the Republican party next proclaims its doctrine in a national convention, it shall change its platform. [Applause.]

Now, Mr. Chairman, I am not using the words of excess and incaution. I say that the Republican platform uses unmistakable language. It may not have said what the convention meant. If anybody wants to assume the burden of proving that the Republican party in national convention assembled solemnly declared what it did not mean, he is welcome to do it; but for my own part, I have never yet found it necessary to charge the grand old Republican party of these United States with deliberate misrepresentation. [Applause.] And that party in convention assembled proclaimed, in the last authoritative national utterance that we have from that organization:

The American people, from tradition and interest, favor bimetallism, and the Republican party demands the use of both gold and silver as standard money.

I care not what restrictions, limitations, or qualifications were added to that sentence to complete the plank, they never could get away from that initial pronouncement pledging the party to the restoration of the full money functions of silver so as to clothe it with every dignity bestowed on gold. "Tradition" refers to some ancient system, not the present. "Standard money" is not token money.

I am not now discussing the *means* of reaching it, but I defy any man on the top of this earth to say that the Republican party is not by its platform pledged to achieve bimetallism in some way, and I affirm that you must change that platform before a man who believes in a single gold standard can consistently stand upon it. If I am wrong on this point, let some subsequent participant in this debate set me right.

Now, Mr. Chairman, if bimetallists are opposed to the single gold standard, what is the reason for their opposition? It must be because in some respects the single gold standard is wrong, because in some way it is an evil, because in some way it injuriously affects the people of the United States or the people of the world. Bimetallists contend that such is the fact. They contend that the single gold standard is and has been since its adoption by the leading commercial nations an appreciating standard, whose unit has rapidly increased in general purchasing power, and must continue so to increase; that this appreciation is evidenced by a progressive fall of prices throughout the gold-standard world, not accounted for by diminishing cost of production, and that the inevitable result must be to augment the burden of all debts and fixed charges, to discourage investments and enterprise, and to undermine the productive forces of the countries where it prevails. And they affirm that if these things are so, the evil is so tremendous and pressing as to call for some immediate remedial action.

Now, sir, in order to proceed intelligibly along the line of argument I have laid out for myself, it becomes necessary to get a clear conception of certain words used in the terminology of this discussion. Standard and unit are examples, occurring in the expressions "standard of value" and "unit of value." By the Century Dictionary standard is defined as "a weight, measure, or instrument by comparison with which the accuracy of others is determined;" and unit as "any standard quantity by the repetition and subdivision of which any other quantity of the same kind is measured." Thus by the expressions referred to the mind is centered on the thought of weight, dimension, and quantity, and thus some persons are led to the notion that a "dollar," or "pound sterling," or "franc" means something as absolute and definite as to value as "ton," "yard," and "quart" are as to weight, length, and capacity. But value is neither "so heavy," "so long," or "of such-and-such contents." You can not see it. Value is nothing absolute. Value is a relation. It is the ratio at which one thing exchanges for another. One thing may be worth as much as another thing, more than another thing, or less than another thing; that is, of equal, greater, or less value. But it takes two things to express value; one is compared with the other. And the relation between exchanged commodities is perfectly reciprocal. When I pay $100 for a horse, as in the illustration used by the gentleman from Virginia [Mr. TUCKER] the other day, the horse buys the $100 just as certainly as the $100 buys the horse; and if it be true to say that horses are high if they cost $150, it is equally true to say that money is high when you have to give two horses for $100. [Applause.]

Gentlemen here have much to say of "intrinsic value," and declare their willingness to vote for bimetallism when somebody shall show them how to make a gold dollar and a silver dollar equal in "intrinsic value." I should like to hear some of these gentlemen define "intrinsic value." They confuse, it seems to me, the meaning of value and utility. Things may possess qualities that make them useful, and hence will have utility, but the measure of their *value* is what they will exchange for. You pick up a piece of iron. It is useful for many purposes; but you can not tell how much it is worth, that is to say, what its value is, until you find what you can get for it. Value in exchange is the only value with which political economy has to deal.

Originally exchange was by barter. Commodities were traded one for another. The cost of production and the relation of supply and demand regulated the ratios at which they mutually interchanged. Convenience necessitated the selection of some common medium into which all commodities could be converted, and with which any of them could be procured. This medium was money, and its invention marked an advance of inconceivable importance in the development of society. Gold and silver, by reason of their special fitness, finally displaced all other things in the performance of this function. As a consequence the demand for them for money purposes, being equal to the sum total of the values of all commodities seeking to be exchanged, became so vastly more important than the demand for them for any other purpose that cost of production ceased to be a large factor in determining their value as expressed in commodities, but that value practically became the ratio between all the goods seeking exchange and the quantity of gold and silver in existence to perform the exchanges. Men carried about with them acid to test the purity of the metals and scales for weighing out the requisite amounts of them called for by numerous and various transactions. The exchange relation between a certain unit number of grains of gold or of silver and a given commodity being once determined, there was established in the minds of those who came to market the idea of its value, which, when expressed in terms of money, was its *price;* but when for any reason the number of grains of metal out of which those units could be formed grew greater or grew less, other conditions remaining unchanged, then the value of those grains of gold or silver—that is, their power to command the products which were there to be exchanged for them—became relatively smaller or greater, and prices rose or fell accordingly. And no change was made in this principle when society began to put its stamp upon those grains of gold or silver to show authoritatively the quantity and fineness of the metal. After the coin is stamped, whatever may be its name, what it is worth depends, at any given time, upon what it will buy; in other words, upon what is required to buy it. Commodity demand and supply remaining constant, an increase or decrease of the substance out of which the coins are made must correspondingly lower or raise the power of each coin; must raise or lower prices.

These observations, which seem to me to be conformable to reason, and in precise accord with what history teaches us, are sustained by practically all economists of recognized authority. The following citations will illustrate. Said Adam Smith, the father of English political economy:

Gold and silver, however, like every other commodity, vary in their value, are sometimes cheaper and sometimes dearer, sometimes of easier and sometimes of more difficult purchase. * * * The discovery of the mines of America diminished the value of gold and silver in Europe.—*Wealth of Nations.* Worthington ed., pages 24 and 26.

John Locke, the great philosopher, in his treatise on The Value of Money, said:

By which means it comes to pass that the intrinsic value (of gold and silver) * * * is nothing but the quantity which men give or receive of them. For they having, as money, no other value but as pledges to procure what one wants or desires, and they procuring what we want or desire only by their quantity, it is evident that the intrinsic value of silver and gold used in commerce is nothing but their quantity.—*Principles of Political Economy*, by McColloch, and *Essay on Interest and Value of Money*, by John Locke, edition of Ward, Lock & Co., page 233.

The same writer declares in another place (Works, Volume V, page 49):

For the value of money in general is the quantity of all the money in the world in proportion to all the trade.

In his Principles of Political Economy (Appleton edition, 1880, Volume II, pages 26-30), John Stuart Mill declares:

The value or purchasing power of money depends * * * on demand and supply. * * * Money is bought and sold like other things, whenever other things are bought and sold for money. * * * The supply of money * * * is all the money in circulation at the time. * * * If the whole money in circulation was doubled, prices would be doubled. * * * If there were less money in the hands of the community, and the same amount of goods to be sold, less money altogether would be given for them, and they would be sold at lower prices.

Robert Giffen, the ablest champion of the gold monometallists, holds this language in his Chapter on Standard Money:

In this sense, to say that the quantity of money regulates prices is only the same thing as to say of any article that is bought or sold, that its quantity is a material factor in determining its value.—*Case Against Bimetallism* page 218.

It is no answer to the quantitative argument to show, as some do, that the per capita circulation in Turkey is only a small proportion of that in France and that prices in the two countries are not widely variant. Money is a world substance and adjusts itself to the amount of business, and the method of doing it, in each country. Let the person smitten with this Turko-Frankish fancy answer the question whether, demand for goods remaining unchanged, prices would alter if suddenly the amount of money in each country were multiplied by ten. To answer "no" would be foolish, and to answer "yes" is to kill his argument.

Thus, sir, attention is strongly drawn to the function of money as a measure of value. Nearly all who discuss this general subject from the standpoint of the gold monometallist treat of money almost wholly as a medium of exchange only; but they miss entirely the philosophy of the question. The inequity and cruelty of the single gold standard lie principally in its operation as a measure of values and criterion of deferred payments.

I find, Mr. Chairman, that my time has flown away almost unobservedly——

Mr. HARTMAN. Mr. Chairman, I ask unanimous consent of the House that the time of the gentleman from Minnesota be extended

for twenty minutes. He is making one of the ablest arguments that has been presented to this House, and I ask that his time be extended.

Mr. WILLIAMS. I second the request.

A MEMBER. Make it thirty minutes. Let him finish his argument.

Mr. HARTMAN. Then I ask unanimous consent that the gentleman's time be extended for thirty minutes in addition to the ten minutes which he has remaining.

There was no objection.

Mr. TOWNE. Mr. Chairman and gentlemen, I am under very great obligation for your kindness. I will endeavor to requite it in the directness and closeness of my remarks.

Now, Mr. Chairman, after this somewhat inadequate and very hasty examination of the way in which value arises, and of the way in which price arises, price being simply the value of an article reckoned in money, and a comparison of the worth of the material in the unit of money with the worth of the article against which it is exchanged, I come to the proposition which is made by those who are opposed to the single gold standard.

That proposition is that there has been and is going on an appreciation—that is to say, a rise in value—in this standard of gold which the major portion of the commercial nations of the world has adopted; in other words, sir, it is affirmed that the quantity of all commodities, on the average, required to buy a given number of grains of gold has been and is increasing, and that from that fact there follows a train of woes from which the world has been suffering in an increasing measure ever since the mistake was made, in 1873, and thereabouts, of going to that standard. How shall we ascertain whether there has been this rise in value? There is only one way, and that is to examine the general price level of commodities. When one thing is used as a common denominator of all other things, to tell whether it rises or falls you must look at the average level of those other things and find whether they fall or rise, for the relations of the two are entirely and necessarily reciprocal.

Now, sir, a general law of this kind—and I ask the attention of the House to this proposition—a general law of this kind as to the course of prices is determinable only by a very broad generalization from observed facts. The commercial world is a complex one. The causes that affect the rise and fall, the demand and supply, and the cost of production of the infinite variety of articles that make up the modern market are difficult of investigation. A rise in the price of one commodity may accompany a fall in the price of another; as was shown by the gentleman from North Dakota [Mr. JOHNSON] the other day, who told us, as I remember, that there was a time when hay went up as wheat and corn went down; though what that fact scientifically signified is hidden in the inner consciousness of brother JOHNSON. [Laughter.] I mean no disrespect, for I know the gentleman from North Dakota as a scholarly man of distinguished ability and entire honesty in his opinions. But, I say that when you undertake to deduce a general law from the course, up and down, of two or three articles for two or three years, you are proceeding absolutely outside of the approved method of science, and a generalization of that kind has no value whatever.

But, Mr. Chairman, the scientific world has determined a way of investigating the general course of prices. It proceeds upon the selection of a large number of commodities of such character as to indicate the essential condition of the market, and extends over a number of years. Thus special causes, whether of time or of product, are largely neutralized and general results are obtained having value as indicative of the underlying law controlling the movement of prices. This method of inquiry is by means of a system of "index numbers." Thus, the price of each commodity chosen is averaged for a certain number of years, and that average is called 100. If, as is done by the London Economist newspaper, 22 commodities be used, the sum of these averages is, of course, 2,200. Then for any other year with which comparison is sought, the price of each commodity is ascertained and is set down at so many points above or below 100, according to the percentage of its rise or fall, as the case may be. These are then added and if the total exceeds 2,200 prices are higher than in the years used as the standard; if the total is less than 2,200 prices are lower. By dividing the total by the number of commodities an expression is obtained on the scale of 100, which is conveniently used in investigation. Under normal conditions various causes make temporary fluctuations in the prices of different commodities, some rising and others falling in the same period, without special significance. But when, after allowing for all such variations and offsets, general prices—the average of the whole market—have fallen, then the conclusion is unavoidable that some general cause has operated on all alike; and, as we have seen, such a fall would mean an increase in the measure of values, a dollar that had grown larger and which would require more of all commodities to buy it.

The authoritative figures for Germany are those of Dr. Adolf Soetbeer, a famous economic writer, as continued by Heinz, statistician for Hamburg. They take as 100, or the par for comparison, the average prices from 1847 to 1850 of 100 articles in the Hamburg market and 14 of British export. In England two sets of data enjoy great repute—those of the London Economist and, especially, those of Augustus Sauerbeck, of the London Statistical Society. The former are based on the prices of 22 leading commodities in the London market, using the average prices of 1845 to 1850 as 100. Mr. Sauerbeck's tables use as the par of comparison the average prices of 45 representative commodities on the London market for the years 1867 to 1877. In the United States no such scientific and exhaustive study of this subject has been made as in Germany and England. Practically, the only attempt in this direction was that undertaken in 1891 by a committee of the United States Senate, and whose results are embodied in the voluminous report which is customarily cited as the "Aldrich Report," after Senator ALDRICH, of Rhode Island, who was chairman of the committee.

This document deals with the prices of 223 articles, and uses as its par or 100 mark the prices of 1860. Although hastily compiled and based on the prices of only one year, and that year one of exceptionally low prices, and although allowing the same influence to a mass of nonstaple and unimportant articles as to the controlling and significant commodities, and notwithstanding that the operation of our protective tariff, by keeping out foreign competition and by stimulating home consumption, has tended during all the period covered by the report to maintain prices above the European level and to withstand to the utmost the influence tending to lower them, yet the results of that investigation are among the most instructive that we have. They confirm in a most emphatic way the lesson that primary money is a world substance, like the atmosphere, and that the law of an appreciating standard and measure of values is as inexorable as fate. Ingenuity may for a time postpone the catastrophe or mitigate the hardships that signal its approach, but the end is inevitable and a common ruin waits on all nations that mistakenly submit themselves to the control of such a system.

By Dr. Soetbeer's tables it appears that prices in Germany fell about 22 per cent from 1873 to 1891. Since 1891 the fall there, as elsewhere in Europe, has been very much more than in the same proportion, unquestionably exceeding 30 per cent by 1895. This means that the purchasing power of gold in Germany has increased more than 40 per cent since 1872.

In England, by the Economist tables, the fall of prices from 1873 to 1893 was 30 per cent; and the last two years have witnessed a much greater fall in proportion, showing an increase in the purchasing power of gold to have been at least 45 per cent from 1873 to 1895.

I give here the very careful and reliable figures of Mr. Sauerbeck, from 1818 to 1875. His standard, it will be recalled, is the average prices in London of forty-five principal commodities for the period 1867–1877, which is also the average for 1853–1877. The arrangement below is by continuous ten-year periods, thus equalizing merely temporary fluctuations and clearly showing the law controlling the fall of prices:

Ten-year periods and average index number.

1818–27	111	1842–51	83	1866–75	101
1819–28	106	1843–52	82	1867–76	101
1820–29	103	1844–53	83	1868–77	100
1821–30	101	1845–54	85	1869–78	99
1822–31	100	1846–55	86	1870–79	97
1823–32	98	1847–56	88	1871–80	96
1824–33	97	1848–57	89	1872–81	95
1825–34	96	1849–58	90	1873–82	93
1826–35	93	1850–59	92	1874–83	90
1827–36	93	1851–60	94	1875–84	87
1828–37	93	1852–61	96	1876–85	85
1829–38	93	1853–62	99	1877–86	82
1830–39	94	1854–63	100	1878–87	79
1831–40	95	1855–64	100	1879–88	78
1832–41	96	1856–65	100	1880–89	76
1833–42	96	1857–66	100	1881–90	75
1834–43	96	1858–67	99	1882–91	74
1835–44	95	1859–68	100	1883–92	72
1836–45	95	1860–69	101	1884–93	71
1837–46	93	1861–70	100	1885–94	69
1838–47	93	1862–71	100	Year 1894	63
1839–48	91	1863–72	101	February, 1895	60
1840–49	88	1864–73	102	Year 1873	111
1841–50	86	1865–74	102		

Thus, by these authoritative data, prices fell in England, between 1873 and February of 1895, 46 per cent. In other words, the purchasing power of gold rose more than 85 per cent. Even comparing the 1895 prices with the average of 1864–1873, the fall has been more than 41 per cent, and the increase in the power of gold more than 69 per cent.

These results, as well as others to which I shall later advert, are impressively represented by the charts to which I will ask the attention of the House. [At this point a large chart, A and B, was placed before the Clerk's desk.]

[For Charts A and B see page 91.]

The CHAIRMAN. The Chair suggests that if gentlemen will retain their seats a better view of the chart or diagram can be obtained by members generally.

Mr. TOWNE. I think the chart will be quite visible from every part of the House. After the speech of the gentleman from North Dakota the other day, I happened to think of my charts at home, so I sent for them and they arrived here about an hour ago. [Applause.]

Now, gentlemen, I call your attention to the fact that the lines of

CHART A.

APPRECIATION OF GOLD

Measured By Its Purchasing Power On The Basis Of The Economist Index Numbers (England 22 Commodities)

Prices Of 1873 Taken As Zero

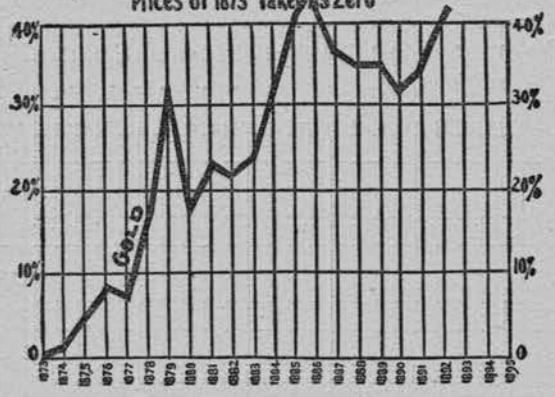
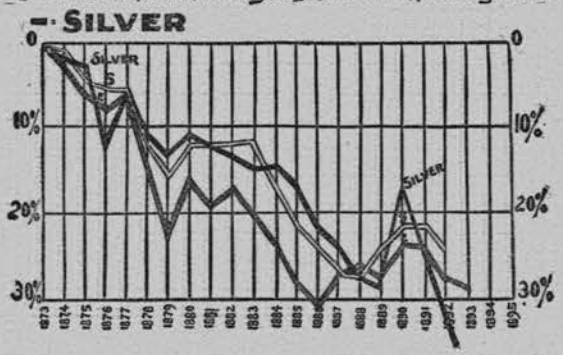


CHART B.

Fluctuation In The Price of Silver & Commodities Measured by Gold

Prices of 1873 Taken As Zero. E = Economist Index Numbers, Wholesale Prices, 22 Principal Commodities, London Market, Average Prices 1845-1850 Taken As 100

S = Soetbeers Index Numbers, 100 Hamburg Articles Also 14 British Exports Average Prices 1847-1850 Taken As 100



the two halves of the chart are continuous. Really these are two diagrams representing one idea. They indicate the reciprocal relation of the prices of commodities and the price of gold. For example, starting with 1873 as the zero point, the upper chart shows how gold has with few exceptions gone constantly up until it climbs off at the top of the chart [laughter], and how the prices of commodities and of silver have, as a necessary and reciprocal fact connected with the rise of gold, gone relatively down since 1872 in the percentages indicated in my remarks. Upon the lower chart you will find the course of prices as shown by the Economist index numbers upon the London market indicated by the line marked E; the line showing the course of prices in the German market is indicated by the letter S, standing for Soetbeer; and the course of silver is shown by the heavy black line.

Asking you to bear in mind, as before stated, that no general law in economics can be learned except by studying broad and large results over considerable periods of time, I ask you to note how beautifully this chart exemplifies to the eye the effects of the rise of gold. The line of gold is not uniform, but its general direction is upward. The lines of silver and commodities are not entirely regular, but their general tendency is downward. The correspondence between the values of commodities and silver is very remarkable and ought to be very interesting to gentlemen who deny the appreciation of gold and declare that there is no parallel between the prices of commodities in general and silver. You will notice that in 1890, for example, there was a sudden rise of silver and of these commodities. Naturally silver rose in a more pronounced degree than the other commodities, because in that year there was pending in Congress a proposition to rehabilitate the white metal and make it as good as gold. [Applause.] As soon as there was a likelihood of the restoration of its full money functions, it began to mount toward the point of parity, and as a necessary consequence gold began to fall. [Applause.]

Mr. FOWLER. Will the gentleman allow me to ask him if he has a line on his chart to show the rise and fall of wages at that time?

Mr. TOWNE. Oh, I will come to the wage question later on.

Mr. BRUMM. That was the year, was it not, when wheat was so high, as was shown by our friend the other day?

Mr. TOWNE. I believe so. Everything naturally rose at that time.

[For Chart C see page 92.]

Chart C exhibits upon one diagram the course of prices in England as shown by the Economist and Sauerbeck tables, and in the United States as shown by the Aldrich report already referred to. The prices are in gold, of course. The United States prices are shown in the heavy dark lines marked A, and the two English lines are indicated by their appropriate letters. The general correspondence of the three is very striking. American prices started higher than English prices and have remained so. The action of our protective tariff in stimulating production, restricting competition very largely to our own producers and upon our own standard of living, and keeping our own markets for those producers, has justified the policy of its advocates, of whom I claim to be as faithful as any; but it has not availed to withstand the constricting influence of the gold standard, whose sway is as "broad and general as the air." Prices had fallen in the United States about 28 per cent by 1891, and by 1895 the fall was certainly 33⅓ per cent or more, so that the purchasing power of gold in this country is fully 50 per cent greater than it was in 1872-73.

In this connection, I append the following extracts from The American, of Philadelphia, edited by Mr. Wharton Barker, whom I regard as without exception the ablest writer on economics in the periodical literature of the United States.

The first is from the number of January 25, 1896:

The fluctuations in prices since January 1, 1891, are of much interest. The figures representing the index numbers may be considered to represent the number of dollars that it would require to purchase at various dates the same quantity of goods as $100 on January 1, 1891. Thus, $59.59 would buy the same amount of the six breadstuffs—wheat, corn, oats, barley, rye, and flour in equal proportions—as $100 January 1, 1891.

CHART C.

Fall of Prices in England and the United States Since 1872

UNITED STATES A— Based On Senate Report No 1394 52d Congress 2d Session, Commonly Called The Aldrich Report 223 Commodities See Part I P. 91. (Gold Prices)
ENGLAND S— " " Sauerbecks Tables Adjusted To Aldrich Plan. See Report, Part I. P. 225 45 "
E— " " Economists " " " " " " " " 226 22 "



Summary of index numbers.

	Silver.	Breadstuffs, 6 articles.	Live stock, 4.	Provisions, 24 articles.	Hides and leather, 4 articles.	Raw and manufactured textiles, 11 articles.	Metals, 12 articles.	Coal and coke, 4 articles.	Mineral and vegetable oils, 7 articles.	Naval stores, 3 articles.	Building materials, 7 articles.	Chemicals, 11 articles.	Miscellaneous, 7 articles.	General index number, 100 articles.
1891.														
Jan. 1	100	100	100	100	100	100	100	100	100	100	100	100	100	100
Apr. 1	94.25	118.31	116.98	105.34	100.52	98.57	92.84	98.05	99.34	110.60	97.37	98.70	100.38	101.96
July 1	98.21	103.90	110.38	100.40	98.26	95.60	95.22	99.89	94.76	111.61	95.24	90.69	100.56	98.28
Oct. 1	93.42	97.94	112.49	98.09	96.62	96.25	90.10	102.10	87.18	104.41	87.88	89.35	89.03	94.71
1892.														
Jan. 1	91.02	97.17	104.35	95.08	94.13	96.15	89.01	98.19	83.82	94.19	90.86	88.31	93.93	93.13
Apr. 1	83.83	89.45	110.13	97.96	91.60	96.20	84.02	99.77	83.17	104.42	92.81	85.64	91.31	92.87
July 1	84.51	92.58	113.53	97.56	95.28	97.50	81.99	100.02	81.42	88.57	89.53	87.03	99.53	92.85
Oct. 1	79.76	82.77	104.88	104.24	94.32	95.89	81.93	103.46	84.38	84.17	90.02	88.04	95.82	93.60
1893.														
Jan. 1	79.52	80.59	119.68	113.45	93.47	105.41	80.24	103.94	92.10	81.24	90.57	90.05	104.70	98.42
Apr. 1	80	79.99	125.28	115.84	95.28	102.92	81.26	97.72	98.23	81.99	87.91	92.74	109.29	99.75
July 1	69.94	73.62	110.01	109.32	92.76	90.62	77.09	94.43	90.81	79.63	85.34	89.69	100.69	93.39
Oct. 1	71.62	74.82	108.34	107.34	90.44	84.41	74.16	92.41	90.19	77.11	83.71	89.52	100.42	91.43
1894.														
Jan. 1	65.87	68.46	101.33	97.45	89.28	86.89	67.93	89.77	90.89	75.87	86.33	88.18	97.03	87.59
Apr. 1	58.21	70.38	97.78	92.97	89.90	79.49	66.11	85.98	92.09	77.34	80.05	89.25	90.76	84.70
July 1	60.59	74.32	92.42	93.70	83.57	78.31	66.13	83.11	92.86	89.39	78.71	85.96	91.45	84.40
Oct. 1	60.84	69.08	101.57	97.68	86.38	74.32	64.25	79.82	90.46	81.64	75.12	79.89	82.89	82.81
1895.														
Jan. 1	57.51	70.58	84.88	91.79	90.19	69.18	59.99	78.33	91.23	76.32	81.84	77.76	79.62	79.74
Apr. 1	64.67	72.45	104.41	97.31	96.48	69.68	60.26	79.34	100.26	85.65	79.05	76.77	74.51	82.59
July 1	63.95	75.83	100.54	93.59	131.99	74.53	69.10	81.53	108.18	87.85	80.68	76.38	81.87	86.05
Oct. 1	64.31	62.53	79.54	86.56	132.36	81.48	75.82	89.36	102.85	88.10	82.40	77.95	86.68	84.88
1896.														
Jan. 1	63.95	59.59	73.83	85.93	107.07	79.96	67.42	96.97	108.22	81.19	87.40	96.27	91.14	85.29

These index numbers give much food for thought. In the first place, the general index number shows that while prices in general are 6 per cent higher than on the 1st of January a year ago, they are 14.72 per cent lower than five years ago. It is also obvious that this index number does not indicate the full extent of the fall in prices, as, leaving out the advance in the prices of mineral and vegetable oils and of chemicals and some other comparatively unimportant commodities, the index number would be much lower. It is an instance where a fall in the price of the most important articles is offset to some extent by a rise in the price of less important.

The marked and continuous fall in breadstuffs which is quite equal to the fall in silver is especially noteworthy. While general prices have fallen less than 15 per cent as compared to prices ruling January 1, 1891, breadstuffs have fallen over 40 per cent. This fall is not due to overproduction, for the increase of production has not kept pace with the increase of population, and it can not be accounted for by the cheapening of production, because, as we pointed out last week, there has been little improvement in agricultural methods during the past five years, and the introduction of labor-saving machinery and economies has been much more marked in the factory than on the farm, yet farm products have fallen in price further than the products of the factory. The coincident fall between breadstuffs and silver is evidence that with the depreciation of silver our silver competitors can lay down grain in Europe at proportionately lower rates.

The second is from the American of January 18, 1896:

For the fact that agricultural products have fallen much more rapidly than manufactured articles, there is only one explanation, and that is, our agricultural products were the first to come into direct competition with the products of silver-using countries. The appreciation of gold, of the money which silver-using peoples receive in payment for what they sell to gold-using peoples, and which they can exchange for double the amount of silver that they could twenty years ago, has greatly encouraged production and stimulated exports from silver to gold-using countries. To increase the area devoted to raising wheat and cotton was the work of a season; gathering experience and knowledge and building the factories to make manufactured goods the work of a decade or more. The result is that, while our farmers and planters have suffered from the competition of silver-using countries for years, our manufacturers are only now beginning to feel Asiatic competition. This is the explanation of the fall in prices that has been more marked in agricultural than manufacturing articles.

The enormous fall of prices in the gold-standard world I have proved. Gentlemen in this debate may hereafter seek some other explanation for the fact than that which I offer as chiefly accounting for it; but nobody will deny the fact. It is an open and notorious fact whose significance, if preponderantly due to the single gold standard, challenges the intellect, the conscience, and the patriotism of this nation. [Applause.] Contrast it for a moment with this: The purchasing power of silver in silver-using countries is to-day almost the same as in 1873. Consul Wetmore, at Shanghai, shows this by the following index numbers based on twenty staple commodities on the Chinese markets:

Year.	Aggregate value of 20 commodities, in silver.	Silver value of gold.	Year.	Aggregate value of 20 commodities, in silver.	Silver value of gold.
1873	2,000	2,000	1883	1,916	2,336
1874	1,814	2,029	1884	1,883	2,376
1875	1,787	2,078	1885	1,854	2,425
1876	1,930	2,160	1886	1,858	2,571
1877	2,031	2,159	1887	1,774	2,648
1878	2,102	2,215	1888	1,761	2,730
1879	2,023	2,301	1889	1,803	2,746
1880	1,925	2,275	1890	1,808	2,539
1881	1,940	2,322	1891	1,748	2,621
1882	1,986	2,307	1892	1,761	2,950

And the royal commission of 1888 declared that the purchasing power of silver in India had not fallen.

Sir, there is ample reason why prices began falling about the year 1873 and have kept falling with more or less regularity ever since. Down to that period gold and silver shared together the functions of ultimate money among the great commercial nations of the world. Together they formed one vast money reservoir, whose aggregated contents measured all exchange values and constituted the ultimate solution of all representative and credit money. England's action in going upon the gold standard in 1816 had not impaired this relation, but the sudden and nearly contemporaneous adoption of that standard about 1873 by several leading governments, followed at frequent intervals by others, made a sudden and tremendous lessening of the mint demand for silver, and threw upon the volume of gold the double burden of sustaining the credits and the redemption functions formerly borne by both metals jointly. This added enormously to the strain upon gold, rendering it relatively scarcer and more difficult to obtain, increasing almost beyond conception the demand for it, while its supply did not materially alter. The inevitable result was to raise the value of gold, to make it constantly necessary to give more and more of all commodities, on the average, to get gold. The full effect was not felt all at once in 1873. The steps in the process were progressive, and the effects were correspondingly so. Prices began falling with the cause, and have fallen and are falling as the cause continues and intensifies. The following is a fairly good statement of these successive stages in the process of squeezing the expanding energies of the nineteenth century down to the narrowing measure of the gold standard:

1872. Norway and Sweden substitute the gold standard for the silver standard.

1873. The United States, while on a paper basis and looking longingly toward resumption of specie payments, adopts the gold standard, although silver at the time is worth more in the market than gold, and although there has been no public demand for such action, the people and nearly every man in public life being ignorant of the real scope and object of the act, no amendment to which striking the standard silver dollar from our coinage can to this day be found of record. Thus on resuming specie payments in 1879 we became an aggressive scrambler for a share of the gold in the world, which was now becoming more and more the object of the eager pursuit of nations. Between 1877 and 1879 we absorbed over $560,000,000 of gold, as against about $55,000,000 in the preceding eleven years.

1873. Germany changes from the silver standard to the single gold standard; making a great demand for gold, so that by May, 1881, she had coined over $414,000,000 worth of it, and throwing upon the market for sale as bullion large masses of her worn and demonetized silver coin, selling, by 1879, more than seven million one hundred thousand pounds weight of fine silver.

1873. Belgian Parliament authorizes the Government to suspend the free coinage of silver.

1873–1874. France and the Latin Union (Italy, Switzerland, Belgium, and Greece, besides France) suspend the free coinage of silver, and France substitutes the gold standard for the double standard.

1875. Holland formally demonetizes silver, having suspended its free coinage in 1873, and adopts the single gold standard for herself and her East India colonies.

1873–1875. The Bank of France retires $350,000,000 worth of paper and adds greatly to its gold reserve.

1878. The United States enacts the Bland law, compelling the Government to purchase from $2,000,000 to $4,000,000 worth of silver monthly, but to add it to the money stock not as primary money, but, under the construction placed on it by our Government, virtually as a token coinage measurable in gold, thus increasing enormously the strain on gold. This law, moreover, completely nullified the main principle of bimetallism, which depends upon the right of the debtor to elect in which metal he will pay, by enacting that silver should be legal tender *except where otherwise provided in the contract.* This gave the creditor the determination of the metal of payment and virtually completed the demonetization of silver.

1879. The United States resumes specie payments and on a single metal, gold.

1879. Austria-Hungary suspends the free coinage of silver.

1883. Italy resumes specie payments on a gold basis, and borrows $86,000,000 in gold to do it with.

1890. The United States passes the Sherman silver purchase law, continuing the vicious principle of the Bland Act.

1890–1892. The Imperial Bank of Russia increases its gold reserve by $120,000,000, and begins a policy of hoarding gold, which has gone on ever since.

1891–1892. Austria-Hungary adopts the gold standard and becomes a borrower of gold to an enormous amount.

1892. Roumania adopts the gold standard.

1893. India closes her mints to the coinage of silver.

1894–1895. Chile and Brazil adopt the single gold standard and join the ever fiercer struggle for the lessening supply of real money.

1895. February. The United States begins the unhappy and humiliating procedure, apparently become chronic if we are to preserve the single gold standard, of borrowing millions in times of peace wherewith to pay tribute to the despotism of gold.

Why will gentlemen persist in shutting their eyes to the plainest evidence? The great fall of prices in the gold-standard world since 1873 is as indisputable as any physical fact in nature, and that it is chiefly due to the appreciation of gold seems to me as conclusively established as the law of gravitation. In England, where the gold standard was born and where its operation is to fill her creditor coffers with unearned increments of the wealth of all debtor countries, no mystery is made of it. Thus simply does Mr. Giffen, her greatest monometallist, dispose of it in his "Case against bimetallism," pages 218-219:

If we were told that copper or iron or wheat were rising because there was a deficiency of the supply of them to meet all the demands we should accept the statement as a matter of course. But what is true of copper or iron or wheat must equally be true of any commodity which happens to be the standard monetary substance. If gold or silver is that substance, and gold or silver is increasing in demand without any corresponding increase in supply, then people who want gold or silver for any purpose must give more for them. And this—

He says—

will be described as a fall of prices. * * * We see, then, how widely mistaken those monometallists have been, who, in their dislike of bimetallism, have denied that the recent—

He is writing in 1890—

great demand for gold in relation to its supply were likely to have caused a rise in its exchange value for other things. Looked at in this way, the fall of prices is itself a proof that gold, in relation to all the demands for it, has been relatively scarcer than it was. Everybody who has wanted it has had to give more for it. If everybody who wanted coal or pig iron was giving more for it than before, we should not hesitate to say that coal or pig iron were relatively more in demand than they had been; but what we should say of coal and pig iron we must also say of gold or silver in a like case.

Moreover, so clearly are the observed effects of the gold standard conformable to the economic law I have tried to state, that they have been foretold at different times by men learned in the science. Many years ago, before the nations had become crazed by the misunderstood example of England and had not so generally gone to work to subdue the world to a money bondage, Jevons wrote as follows:

I am far from denying that if the Italian Government decide to carry into effect M. Luzzatti's threat of buying gold at all hazards, and if the like course be taken by the United States and France, not to speak of Germany, there might be considerable disturbance of values for the time. But is it likely that such proceedings will be taken by rational statesmen and rational parliaments? It is really too absurd to suppose that any country will insist upon having a gold currency at any cost.

Alas! for the fallibility of genius. Even Jevons could not foresee that so many parliaments would prove irrational and that great countries should be so smitten of the gold standard he advocated as to pay their lifeblood for it.

But no prophecy of economic effects from observed causes has probably ever been made so unique and startling in its insight and accuracy as that of Ernest Seyd, the famous bimetallist, who in 1871 wrote: "It is a great mistake to suppose that the adoption of the gold valuation by other states besides England will be beneficial. It will only lead to the destruction of the monetary equilibrium hitherto existing, and cause a fall in the value of silver, from which England's trade and the Indian silver valuation will suffer more than all other interests, grievous as the general decline of prosperity all over the world will be. The strong doctrinism existing in England as regards the gold valuation is so blind that when the time of depression sets in there will be this special feature, the economical authorities of the country will refuse to listen to the cause here foreshadowed; every possible attempt will be made to prove that the decline of commerce is due to all sorts of causes and irreconcilable matters. The workman and his strikes will be the first convenient target; then speculation and overtrading will have their turn. Later on, when foreign nations, unable to pay in silver, have recourse to protection, when a number of other secondary causes develop themselves, then many would-be wise men will have the opportunity of pointing to specific reasons which in their eyes account for the falling off in every branch of trade. Many other allegations will be made, totally irrelevant to the main issue, but satisfactory to the moralizing tendency of financial writers. The great danger of the time will then be that among all this confusion and strife England's supremacy in commerce and manufactures may go backward to an extent which can not be redressed when the real cause becomes recognized and the natural remedy is applied."

Nothing could better show on what just philosophical principles bimetallism rests than this picture in 1871 of events to begin with demonetization in 1873 and continue until now and as much longer as we shall permit. If the test of science is prediction and verification, surely the evils of gold monometallism are scientifically condemned.

Just before the monetary conference at Brussels in 1892 the late Dr. Soetbeer, the eminent German philosopher, wrote, foretelling, the cataclysm of the year 1893 and subsequent evils:

I fear that if the English Government, on the occasion of the forthcoming International Monetary Conference, should refuse to submit or support practicable propositions destined to extend considerably the use of silver as legal tender, there will probably result a further incalculable depreciation in the value of the metal and a very serious appreciation of gold, followed by disastrous consequences.

Yet, sir, men will persist in referring the fall of prices since 1873 to the multiplication of inventions and to cheapened cost of production. It is no impugnment of my argument to admit that this may account for a relatively small proportion of the fall. But, sir, it is a very small proportion. Between 1850 and 1873 prices gradually and generally rose, a fact nobody will dispute; and yet I assert with perfect confidence that between those dates greater improvements in productive processes, compared with the condition at the beginning of the period, were made than between 1873 and the present time.

Gentlemen can not have forgotten the marvelous mechanical exhibit at the Centennial Exposition, practically all of which related to the period in question. In 1876 Harper & Bros. published a monumental work called First Century of the Republic, summarizing the course of progress in this country. It covered practically every department of activity, and was written by a carefully selected body of specialists. I quote from the preface, which is dated July 20, 1876:

An unusually large amount of space was given to the department of mechanical progress, but not disproportionately, when it is considered how characteristic of the century has been the advance in this field and how largely other progress has depended upon it. The same consideration justifies the elaborate and extended treatise on scientific progress.

By far the greatest amount of this accomplishment belongs, so far as its commercial and productive aspect is concerned, to the period from about 1850. By that time the steam engine had been perfected; the old Newcomen engine of 1769 with a "duty" of 5,500,000 foot-pounds per one bushel of Welsh coal had developed into the improved Cornish engine of 1850 with a "duty" of 60,000,000 foot-pounds; the factory system had come into systematic operation—the greatest revolution in production in the history of industry; so that when England, about 1850, changed the tariff policy under which she had grown great, and started out to impose free trade upon the world, it is estimated that her labor-saving machinery represented the capacity of 450,000,000 pairs of human hands.

In agriculture the period in question saw the perfection of the plow, the seeding machine, the grain drill, and the mowing machine. The first successful reaper was McCormick's, invented in 1834, improved in 1847, and first attracting general attention at the London World's Fair of 1851, where it took the gold medal, and from which time it came rapidly into use. Between 1851 and 1876 nearly 3,000 patents were taken out in this country alone for harvesters and their attachments. The thrashing machine was brought to perfection in 1853. The self-binder belongs to a later period, but its effect and that of improvements on the inventions named had nothing like the significance for agriculture which the devices that came in from 1850 to 1873 had. To this period also belongs the beginning of scientific agriculture and the use of imported and manufactured fertilizers on a large scale, the systematic and general breeding of cattle, horses, and sheep, and the inauguration and considerable development of the cheese-factory system.

In manufactures it is sufficient to name the leading processes and machines that had become commercially effective in this period; the cotton gin and spinning jenny, with their principal attachments and improvements; the power loom, calico printing, and color weaving; the hot blast in iron manufacture, perfected by 1845, by which many previously refractory ores were rendered reducible, and the cost of smelting was diminished nearly half; the steam hammer, rolling mill, and turning lathe; the Bessemer steel process and the chief improvements in producing and refining iron, the casting, forging, and rolling of the heated metal, and the turning and planing of the cold metal; the jack, the slotting, key-grooving, milling, and shaping machines; the process of assembling, or the making of interchangeable parts of machines, permitting the vastly cheaper manufacture of articles like watches, clocks, and firearms; the sewing machine, dating effectively from about 1850, between when and 1876 about 2,000 patents connected with it were granted in the United States; the pneumatic caisson in engineering, the centrifugal pump, tunneling and drilling machinery, and the use of compressed air in connection with them; scales and elevator machinery, gang and circular saws and sawmill machinery generally, about the only new departure dating from since that time being the use of the band saw on a large scale; turning machinery, particularly Blanchard's spoke lathe for turning irregular forms; general woodworking machinery for planing mills and furniture factories, washing machines and knitting machines, the principal kinds of boot and shoe machinery, especially the McKay sewing machine, which, between 1861, when it was perfected, and 1876, had made 225,000,000 pairs of shoes in the United States alone; the Westinghouse air brake and its various adaptations, electroplating, lithography, and photolithography, optical instruments, musical instruments, ice machines, the growth of india rubber manufacture, the Goodyear vulcanizing process dating from 1844; machinery used in sugar refining and in paper, porcelain and glass manufacture, stereotyping and electrotyping processes, Bruce's and other type-casting machines, folding and addressing machines, the Gordon job press, and the Adams, Campbell, Walter, Bullock, and Hoe perfecting printing presses.

In this connection, remember that there is no branch of industry where production has cheapened in any degree approaching that of the mining of gold in recent years. But cheapened gold mining does not seem to have cheapened gold compared with other commodities, to any alarming extent.

The method of operation and the effect of a changing money standard are not sufficiently understood. Any convenient medium of exchange to which prices had once accommodated themselves would discharge sufficiently well the mere function of a medium of exchange. But when viewed as a *measure of the values* of all other things it is of the very greatest importance that the money unit remain as nearly unvarying as possible in value over long periods of time. When a man loans another a sum of money he loans a certain quantity of purchasing power, for that is what money is. Now, absolute justice would require that when the loan is repaid it should stand for the same purchasing power as before. But if, meantime, money has depreciated—that is, if prices have risen—the same nominal sum when repaid has less purchasing power than when borrowed and the lender or creditor really receives less than he loaned, the borrower or debtor profiting by the difference. On the other hand, if money rises in purchasing power between the making of the loan and the repayment, so that the borrower has to find more commodities with which to buy the money to pay back than the money would buy for him when he borrowed it, then he loses the difference and the money lender makes it.

Now, in either case, the changing standard takes something from one man without his deserving to lose it and gives it to another who has no right to it. In either case it is a silent robbery. The ideal standard would preserve the rights of both debtors and creditors. But if a deliberate choice had to be made between a gradually falling and a gradually rising standard, all writers of authority

agree, and it is consonant with common sense that morally, economically, politically, and socially the falling standard would be preferable. Its inevitable losses fall on the creditor, the lender, who can better than the debtor endure its effects, and it encourages enterprise; while the certain hardships of the rising standard fall on the borrower, the debtor, the investor, the captain of industry, who can not so well sustain the burden, who has no surplus, but is most frequently wiped from the face of the industrial world by the vanishing of the margin between his property and the automatically enlarging lien upon it.

In the latter case the absolutely unavoidable result must be, if the evil is permitted to run, that all property will eventually belong to those who shall control the ultimate money of the world; and thrift and enterprise, if enterprise and thrift can belong to a race of slaves, would plan and save and toil to further fatten the overfed fatness of their masters. This is no exaggeration of language. It is the speech of truth and soberness. Said Sir Arthur James Balfour, the real head of the present Conservative Government of England, an earnest bimetallist and one of the profoundest thinkers in Europe, in a speech at Manchester, October 27, 1892:

> But of all conceivable systems of currency, that system is assuredly the worst which gives you a standard steadily, continuously, indefinitely appreciating, and which, by that very fact, throws a burden upon every man of enterprise, upon every man who desires to promote the agricultural or the industrial resources of the country, and benefits no human being whatever but the owner of fixed debts in gold.

Falling prices of agricultural products deprive the farmer of the means of buying his usual conveniences and necessities, and these accumulate on the hands of the manufacturer and retailer, who in turn curtail expenses to the uttermost, discharging labor, which then loses its power to consume, and limiting their own consumption to the barest needs. Thus farmer, manufacturer, tradesman, transporter, laborer, all lose patronage and employment, while taxes, interest and principal of mortgages, fixed charges, bonded indebtedness, and rents are constantly and remorselessly measuring off increasing equivalences in all human products. Under such circumstances there is no inducement to enterprise or to investment in producing industries. No man wants to borrow money to use in a business in which the fall of prices is sure to eat up his profits. On the other hand, the man with money for the same reason does not want to put it into business, but prefers either to invest it in gilt-edge securities or to let it lie idle and grow. This collects the money in the large financial centers and emphasizes the absolute power of the money-lender, who must be sought in his lair and who can make his own terms with borrowers. It is a bad symptom when "breeding" money, to use Shylock's phrase, is regarded as better business policy than embarking it in productive industry. [Applause.]

The results of an appreciating standard are so hidden in the very processes of ordinary business that until we stop to look carefully for them we are not aware how serious—nay, how fatal—they may become. My time will permit only a few illustrations. Between 1874 and 1885 gold appreciated so that the holders of the public debt of England could buy in the latter year £200,000,000 worth more of all commodities on the average with the principal of the debt as it was in 1874 than they could have bought with it in 1874. In other words, the property and industry of England were robbed of $1,000,000,000 in eleven years and a present made of it to the holders of her bonds.

The Manufacturer, of February 1, 1896, shows that the gold standard has presented English trade since 1890 with a gratuity of nearly $250,000,000; also, that the value of farm live stock in the United States has fallen in three years $622,000,000.

The United States paid off about $750,000,000 of her debt between 1870 and 1884. Yet, as President Andrews has shown, if we reckon it in the eight commodities, beef, corn, wheat, oats, pork, cotton, coal, and bar iron, the debt was nearly 50 per cent larger afterwards than before.

It is said that in 1866 we could have paid the national debt of this country with 14,000,000 bales of cotton. In 1894 it would have taken 51,000,000 bales to pay what remained due, although meantime we had paid 94,000,000 bales on it in principal and interest. In 1866 we could have paid it with 1,000,000,000 bushels of wheat. Last fall we still owed 2,000,000,000 bushels, after paying 5,000,000,000 bushels in principal and interest.

The burden of the gold standard on the world could be fully measured only in blood and sweat and tears.

It is pertinent to this discussion, sir, to answer briefly a contention constantly repeated by the opponents of the restoration of silver, that silver has fallen because of its enormous overproduction. I do not wish to appear dogmatic, but I do say that this argument is absolutely without foundation. It has been a thousand times refuted, but continues to reappear in every discussion as fresh as ever and apparently unconscious of its discredit. The famous senior Senator from Ohio [Mr. SHERMAN,] in a public speech in his State a year ago, lent the support of his high name to this profound error, and in substance it was restated by the distinguished gentleman from Maine [Mr. DINGLEY] in opening this debate. I can not hope to stop the circulation of this convenient and serviceable assertion, but I can easily show that it is utterly without foundation.

The following table shows the world's production of gold and silver (coinage value) since 1792. I have added to the table as cited the correct figures for 1893 and 1894:

Production of gold and silver in the world, 1792 to 1892, copied from United States Senate Report No. 235, page 103, Coinage Laws of the United States, 1792 to 1894.

Calendar years.	Gold.	Silver (coining value).
1792–1800	$106,407,000	$328,860,000
1801–1810	118,152,000	371,677,000
1811–1820	76,063,000	224,786,000
1821–1830	94,479,000	191,444,000
1831–1840	134,841,000	247,930,000
1841–1848	291,144,000	259,520,000
1849	37,000,000	30,000,000
1850	44,450,000	29,000,000
1851	67,600,000	40,000,000
1852	132,750,000	40,600,000
1853	155,450,000	40,600,000
1854	127,450,000	40,600,000
1855	135,075,000	40,600,000
1856	147,600,000	40,650,000
1857	133,275,000	40,650,000
1858	124,650,000	40,650,000
1859	124,850,000	40,750,000
1860	119,250,000	40,800,000
1861	113,800,000	44,700,000
1862	107,750,000	45,200,000
1863	106,950,000	49,200,000
1864	113,000,000	51,700,000
1865	120,200,000	51,950,000
1866	121,100,000	50,750,000
1867	104,025,000	54,225,000
1868	109,025,000	50,225,000
1869	106,225,000	47,500,000
1870	106,850,000	51,575,000
1871	107,000,000	61,050,000
1872	99,600,000	65,250,000
1873	96,200,000	81,800,000
1874	90,750,000	71,500,000
1875	97,500,000	80,500,000
1876	103,700,000	87,600,000
1877	114,000,000	81,000,000
1878	119,000,000	93,000,000
1879	109,000,000	96,000,000
1880	106,500,000	96,700,000
1881	103,000,000	102,000,000
1882	102,000,000	111,800,000
1883	95,400,000	115,300,000
1884	101,700,000	105,500,000
1885	108,400,000	118,500,000
1886	106,000,000	120,600,000
1887	105,775,000	124,281,000
1888	110,197,000	140,706,000
1889	123,489,000	162,159,000
1890	118,849,000	172,235,000
1891	126,184,000	186,447,000
1892	138,860,000	196,459,000
1893	157,228,000	209,165,000
1894	181,510,000	214,381,000
Totals	6,001,254,000	5,501,075,000

Thus in the 103 years ending in 1894 the production of gold has exceeded that of silver by half a billion of dollars.

It must be borne in mind that a disproportionate production for any one year or a few successive years in the case of the precious metals is far less significant as affecting relative value than would a similar disproportion be in any other kind of commodities. The metals are so durable and their existing mass so large compared to the production of any one year, that the value of the whole will show little variation. *The disproportionate production, to have any visible effect, must continue long enough to change materially the relative bulk or mass of the whole supply in existence.*

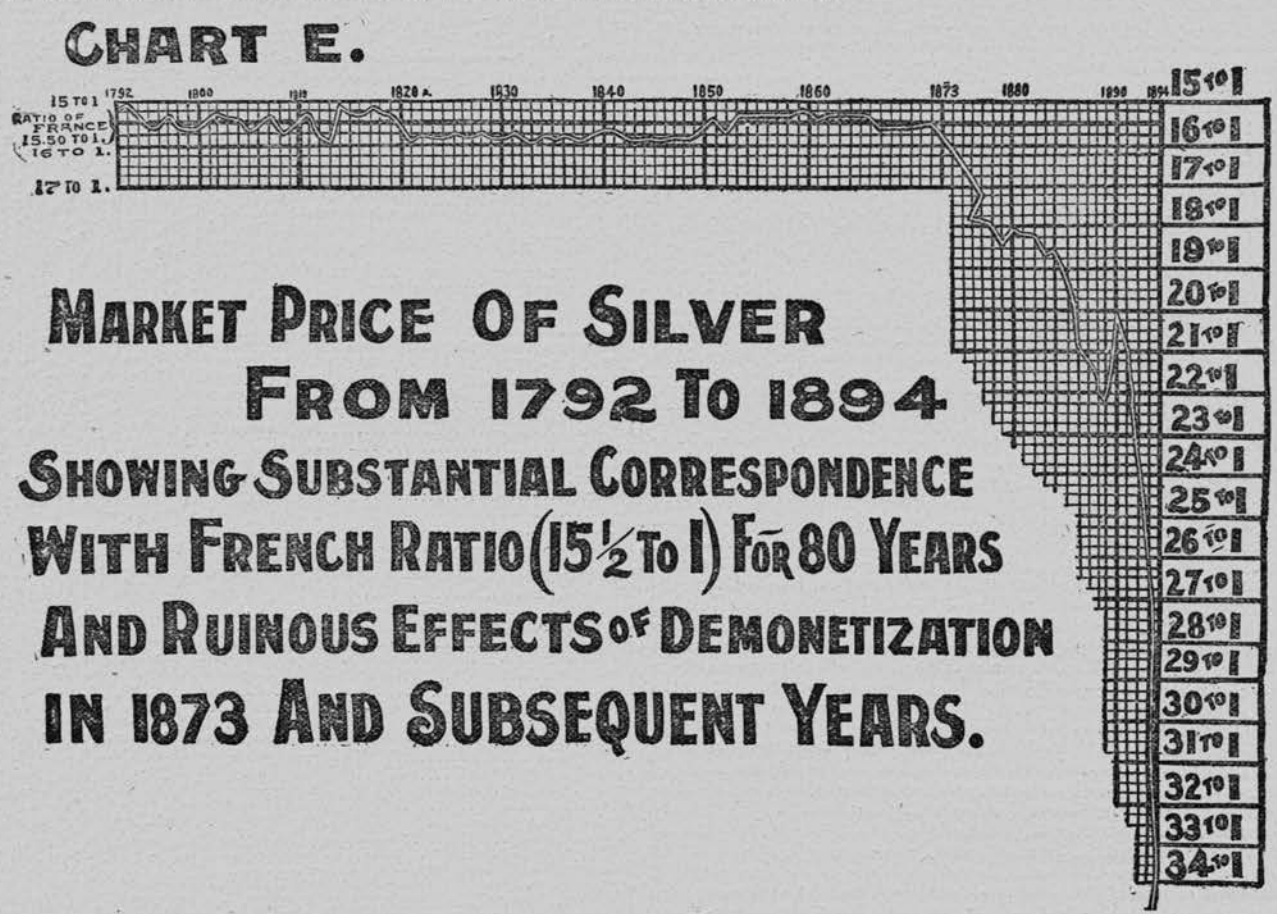
The following table shows how barren must be the attempt to connect the fall of silver with an alleged disproportionate production:

Period.	Production of gold.	Production of silver.	Highest and lowest variations in market ratio.
1792–1848	$821,086,000	$1,624,217,000	16.25 to 1—15 to 1
1849–1862	1,570,950,000	573,800,000	15.78 to 1—15.19 to 1
1863–1873	1,190,175,000	615,225,000	15.92 to 1—15.37 to 1
1874–1894	2,419,043,000	2,687,833,000	32.56 to 1—16.17 to 1

In the first period twice as much silver as gold was produced; in the second, three times as much gold as silver; in the third, twice as much gold as silver; in the fourth, only 10 per cent more silver than gold. Yet during the enormously disproportionate production of the first three periods all the variations in the market ratio are embraced within a point and a quarter, while in the last period, when production was almost identical in both metals, the ratio sank more than sixteen points. To say that this 10 per cent difference caused such vast disturbance, while differences hundreds of times greater caused no disturbance at all, is to do violence to the primary

suggestions of the reason. Note upon the following chart (to which I shall hereafter refer for another purpose) how the fall of silver began with the concerted legislative assaults upon it and continued by precipitous decline as those assaults were repeated; and consider, for example, how steep the decline was between 1873 and 1880, although between those years the gold production was $830,650,000 and the silver production only $690,100,000.

[N. B.—There is a slight error in the tracing of this chart *circum* 1875–76, as will be seen at a glance. It does not, however, affect its general character.]



Now, sir, I ask the attention of gentlemen to Chart D, which is the last one I shall exhibit. It is a chart which in my judgment is absolutely unanswerable on the single gold standard theory. Some of its arrangement is original, but the main idea is drawn from a document many will recognize. I do not know whether I am correctly informed, but I understand that a distinguished gentleman is to follow me with the purpose of answering this argument. I hope he can. I do not say that it is unanswerable; I simply say that I am stating propositions which seem to me like axioms, and that if the gentleman who follows me can show I am wrong, he will at least have made one convert from a most pernicious error.

[For Chart D see page 97.]

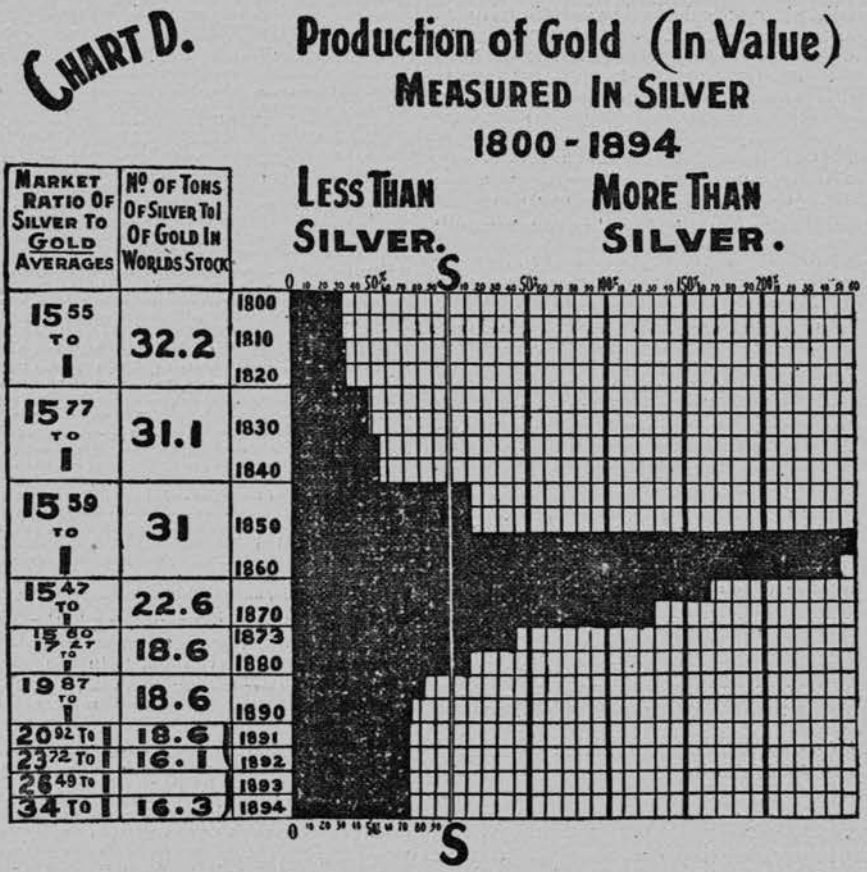
On this chart the production of silver in any given period covered by it is taken as the space between the zero line and the silver line (marked S), and the production of gold during the same period is indicated by the colored ground. From this it will appear that from 1800 to 1810 about 32 per cent as much gold as silver was produced; from 1810 to 1820 about 34 per cent as much gold as silver; from 1820 to 1830 about 49 per cent as much gold as silver; from 1830 to 1840 about 55 per cent as much gold as silver; from 1840 to 1850 about 12½ per cent more gold than silver; from 1850 to 1855 about 260 per cent more gold than silver; from 1855 to 1860 about 250 per cent more gold than silver; from 1860 to 1865 about 166⅔ per cent more gold than silver; from 1865 to 1870 about 130 per cent more gold than silver; from 1870 to 1875 about 41 per cent more gold than silver; from 1875 to 1880 about 11 per cent more gold than silver; from 1880 to 1885 about 83 per cent as much gold as silver, and from 1885 to the present time about 75 per cent as much gold as silver.

This table also shows that from 1800 to 1820, when about one-third as much gold as silver was produced, but while there were in the world of coin and bullion from 32 to 33 tons (ounces would do as well) of silver to one ton of gold, you could go into the market and buy an ounce of gold for 15.55 ounces of silver; and that from 1820 to 1872 while production oscillated as we have seen, and while the relative number of tons of silver in the world's stock was all the time becoming less in proportion to the stock of gold, falling from 31.1 tons of silver to 1 of gold to about 22 tons of silver to 1 of gold, still the market price remained closely by the ratio established by the open mints of France; but that when the onslaught on silver was commenced in 1873, and the mints were shut in its face, notwithstanding that production has continued from that day to this nearer equal than at any time in a hundred years, and though the bulk of the world's stock of silver in tons has for years been almost exactly the old mint and market ratio, namely, from 18.6 to 16.1 tons of silver to 1 ton of gold, yet the market price of silver as measured in gold has constantly fallen until in December, 1894, you could have bought for 1 ounce of gold 34 ounces of silver, and the market price to-day is about 32 to 1. No man can look that chart in the face and then say that it is the "enormous overproduction of silver that has lowered the price." It is legislation, foolish, almost criminal legislation that has done this thing. [Applause.]

I undertake to say that if this chart is true there should be an explanation forthcoming from the gentlemen who have declared that the overproduction of silver is the reason of its fall in price. [Applause.] And there is no explanation of this fact, of this colossal fact, of this to me inexplicable fact (except on one basis, which I shall next mention) that, during the period when the bulk ratio between silver and gold was rising from 32 to 1 to 16 to 1, the market price fell from 16 to 1 to 34 to 1.

The only explanation that I can give is this: That the open mints of France afforded a channel through which the two metals could and did equably flow, according to the demands of trade, in this ultimate money, the one metal or the other predominating according to the demands of commerce and exchange, making of the two metals one ultimate money substance of final redemption.

Now, one word more and I shall sit down, for I have abused your patience. [Cries of "Go on!"] I wish to say only this in conclusion, that the condition in which the suffering gold-standard world to-day finds itself, is one that in my opinion calls loudly for remedy, calls loudly upon the statemanship of this country, calls loudly and I pray not hopelessly upon the patriotism, upon the intelligence, upon the courage of the splendid leaders of the grand old Republican party, if we have such left, and I believe we have. [Applause.] Sir, if a man denies that these things are true, then he may believe in the perpetuation of the present system, but if he believes that this picture which I have endeavored to show, of the continual fall of commodities and of the rise in gold, and the ruinous effects of it,



are due to the fact that part of the ultimate money substance of the world has been taken away by law, he can not believe in its perpetuation. He can not supinely submit to its continuance. He will arise against it and help put it aside.

I must not forget, sir, that I promised to say something about wages. I am prompt to admit that the great Republican policy of protection [applause] has vastly benefited the laboring man in the United States. Sir, nobody upon a fit occasion can speak upon that great policy with more enthusiastic encomium or more intense conviction than myself. But it can not do everything. Handicapped by the single gold standard it can work out only a portion of its proper results. When I plead for bimetallism I plead for the other half of protection. [Applause.] Free trade and the gold standard both aim at low prices; are both embodiments of British aggression upon the industrial independence of my country. I will resist them both to the utmost. [Applause.]

I do not question the fact that protection has had a beneficial effect upon wages; but, sir, organized labor is also largely to be credited for the maintenance of wages. Diminishing the number of hours of labor, lessening the number of apprentices, organizing against proposed reductions, they have fought their way by one method and another and have succeeded to a large degree in warding off the natural effects of an appreciating money. Let me add that if you will consider the number of men who have been out of employment and the diminished labor of those who have had employment the statistics of the rise in wages will appear far less imposing than they do now. [Applause.] The laboring man's interests are precisely the same as the manufacturer's, the tradesman's, and the farmer's in this respect. And the policy that is sure to wreck all employers in productive industry, if continued, can not fail to ruin also the men who work for them. *Profits can not disappear and leave wages untouched.* When men that hire labor become bankrupt, the man who works is very apt to be out of a job. The voluminous evidence gathered by the English Parliamentary Commission on the depression of trade and industry shows conclusively that wages in England have been long falling and continue to fall. In the United States various conditions have prevented the full operation of the same cause as yet, but many of its effects are already visible and the ultimate result is clearly foreseen by intelligent laboring men all over the country. Their attitude is not uncertain. They are and will be for a money system that is favorable to industry and that deals justly between man and man.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARTMAN. Mr. Chairman, I am going to ask again that the time of the gentleman from Minnesota be extended for fifteen minutes.

Several MEMBERS. Let him have time to conclude his remarks.

There was no objection, and it was so ordered.

Mr. TOWNE. Again, sir, am I most grateful to the House and most sensible of its kindness.

Frequent reference is made in this discussion to the experience of France in the early part of this century. Now, that Government, from 1803 to 1865, and the Latin Union (France, Italy, Greece, Belgium, and Switzerland) from 1865 to 1873, did maintain the bimetallic system, with mints open to both gold and silver, and keep them practically at par at her mint ratio of 15½ to 1. This great fact is of such conclusive significance that the advocates of the gold standard have not hesitated to fly in the face of history and flatly to deny one of the most notorious accomplishments on record. Such denials have been made in the course of this debate, and for that reason I propose to say a few words upon that subject.

Soetbeer gives the following as the extreme variations of the market ratio of gold to silver in each decade from 1803 to 1873:

1803	1:15.41	1849	1:15.78
1808*	1:16.08	1850	1:15.78
1813*	1:16.25	1859	1:15.70
1814*	1:15.04	1861	1:15.19
1820	1:15.62	1862	1:15.35
1830	1:15.95	1869	1:15.60
1832	1:15.72	1871	1:15.57
1833	1:15.93	1873	1:15.92
1843	1:15.93		

*Extremes during Napoleonic wars.

An examination of Chart E will confirm the lesson of these figures. For eighty years the line of market value of silver as compared with gold runs almost coincidently with the line representing the ratio on which the metals were coined at the mint of France.

Mr. WILLIAMS. I want to ask the gentleman a question for information. That, as I understand it, is the price of silver bullion in the London market?

Mr. TOWNE. In the London market.

Mr. WILLIAMS. It did not vary at all in the French market.

Mr. TOWNE. The gentleman from Mississippi is right. Sir Henry Hucks Gibbs, for forty years a director of the Bank of England, some time its governor, a monometallic gold delegate to the international convention of 1878, and a bimetallist now and for the remainder of his life, declares—and he had personal knowledge for many years—that from 1803 to 1873, notwithstanding the fact that the law requires nothing of the sort to be done, there was not a day when any person could not go to the Bank of France and get either gold or silver for the other at the mint ratio.

And here it occurs to me to call attention to the fact that mints do not, under systems of free coinage, purchase bullion, nor do they exchange, necessarily, coin of one metal for bullion of the other. I have seen on this floor indications that some gentlemen appear to think that one way we should lose our gold—if we opened the mints

to silver—would be in handing it over to designing individuals who should bring silver bullion to the mint and "demand" gold. The open mint exists merely to coin the bullion brought to it and pass it back in coin to the owner. The Government stamp can not create value. Whether a coin when stamped shall be effectual to pass at the value it claims to represent will depend upon the use it can command. In this respect I agree wholly with the honorable gentleman from Maine [Mr. DINGLEY], who opened this debate and who now does me the honor of listening to me. The whole question of maintaining freely coined silver at a parity with gold is one simply of giving it enough to do—subjecting it to large enough demand. [Applause.]

But to return to the French coinage. The figures above given are authoritative. In considering them it must be remembered that they are London market quotations, and that coinage in France was free but not gratuitous; all gold and silver brought to the mint was coined as desired, but a charge was made for expense of coinage of three-tenths of 1 per cent on gold and and 1½ per cent on silver. The total transportation cost on coin and bullion during the most of that time must have been somewhere about 1½ per cent. In addition to this, interest was lost on the value of the bullion while at the mint for coinage. These considerations are entirely adequate to explain the small variations in the bullion market in London. Indeed, these variations show that gold and silver *must* have circulated side by side in France.

The following table, on the authority of the distinguished economist, J. Barr Robertson, shows, in five-year periods, the French coinage during the time in question, of both gold and silver. It is given in English money because taken from an English document:

	Gold (average per annum).	Silver (average per annum).
1806-1810	£1,201,136	£1,184,737
1811-1815	3,299,503	5,208,029
1816-1820	1,951,604	993,111
1821-1825	465,748	3,526,432
1826-1830	293,976	5,032,004
1831-1835	826,149	6,576,120
1836-1840	589,857	3,048,189
1841-1845	159,326	3,033,286
1846-1850	1,294,337	4,311,276
1851-1855	12,669,263	1,431,755
1856-1860	21,605,465	666,651
1861-1865	7,667,357	175,008
1866-1870	9,546,561	3,402,020
1871-1875	2,475,213	2,742,776
Total coined	322,993,410	217,640,234

Silver was tendered and coined every year, and gold every year but 1833 and 1872. When England in 1821 resumed specie payments after a long paper régime, the coinage of gold in France, as will be noticed in the table, fell off very much; and when, in 1850 and following years, the great increased production of gold came into the world's supply, it was tendered and coined in immense quantities. But all this time the mints were coining both metals, and the open mint of France, like a pipe between two reservoirs, maintained the level of the two masses of metal and was the equalizer of their variations.

Nothing could more beautifully or triumphantly illustrate the fundamental principle of bimetallism. The two metals became in effect one metal, one primary money mass, to respond to the demands of debts and business and to support with broader basis the credit fabric of the world. Said Mr. Cernuschi, French delegate at the monetary conference of 1881:

> The law by placing the yellow metal and the white metal on the same footing, by establishing a fixed and invariable ratio between them, has made them really a single money.

Thus, fellow-citizens, they must be considered. Thus treated they become such a money; and if so, we can regard with perfect equanimity, when the system is once established, the going out of one and the coming in of the other metal. The ebb and flow would be a perfectly natural and healthful movement, marking the frictionless adjustment of the money volume to the demands of trade and of localities. If gold starts to leave us to-day we have nothing to take its place; and so we keep hanging on to it, the amount of our desire to keep it, the measure of our necessities for it, being registered in the fall of the prices of all we produce or make. This is the greatest and heaviest premium money can command. If silver were also primary money, when gold wanted to go so badly it might go, temporarily, and satisfy the wants of somebody who would give more for it for the time being than we would. Under present conditions we pay more than it is worth to keep it. A premium of 50 per cent paid in all our commodities is to-day the premium on gold in the United States. It isn't worth the sacrifice.

In this connection I draw your attention to the following extract from the final report of the English commission before mentioned. This portion is signed by the twelve members of the commission, gold monometallists and all, comprising the greatest specialists in England:

> SEC. 189. Looking then to the vast changes which occurred prior to 1873 in the relative production of the two metals without any corresponding disturbance in their market value, it appears to us difficult to resist the conclusion that some influence was then at work tending to steady the price of silver and to keep the ratio which it bore to gold approximately stable.
>
> Section 192. These considerations seem to suggest the existence of some steadying influence in former periods, which has now been removed, and which has left the silver market subject to the influence of causes, the full effect of which was previously kept in check. The question, therefore, forces itself upon us: Is there any other circumstance calculated to effect the relation of silver to gold which distinguishes the latter from the earlier?
>
> Now, undoubtedly the date which forms the dividing line between an epoch of approximate fixity in the relative value of gold and silver and one of marked instability, is the year when the bimetallic system which had previously been in force in the Latin Union ceased to be in full operation; and we are irresistibly led to the conclusion that the operation of that system, established as it was in countries the population and commerce of which were considerable, exerted a material influence upon the relative values of the two metals.
>
> So long as that system was in force we think that, notwithstanding the changes in the production and the use of the precious metals, it kept the market price of silver approximately steady at the ratio fixed by law between them, namely, 15½ to 1.
>
> Section 193. Nor does it appear to us a priori unreasonable to suppose that the existence in the Latin Union of a bimetallic system with a ratio of 15½ to 1 fixed between the two metals should have been capable of keeping the market price of silver steady at approximately that ratio.
>
> The view that it could only affect the market price to the extent to which there was a demand for it for currency purposes in the Latin Union, or to which it was actually taken to the mints of those countries, is, we think, fallacious.
>
> The fact that the owner of silver could in the last resort, take it to those mints and have it converted into coin which would purchase commodities at the ratio of 15½ of silver to 1 of gold, would, in our opinion, be likely to affect the price of silver in the market generally, whoever the purchaser and for whatever country it was destined. It would enable the seller to stand out for a price approximating to the legal ratio, and would tend to keep the market steady at about that point.

The situation in France, and the nature and theory of the bimetallic adjustment, are admirably set forth in the following eloquent words of Cernuschi in the monetary conference of 1881:

> Until 1874 a clear and sonorous voice was always heard resounding from the banks of the Seine. It said: "I am France, rich in gold and rich in silver. I can arrange that in the entire world the two metals form but one money. Peoples and nations, bring to Paris all the gold and silver you like; I take it all. For a hundredweight of gold, or for 15½ hundredweights of silver, I will always give you the same quantity of francs. Let the production of one metal or the other be more or less abundant, more or less costly, it will be immaterial to me. Peoples and nations, do you want gold? bring silver; do you want silver? bring gold. As bimetallist, the French have no preference for one metal or the other; they will always make exchange for you, if you know how to ask it, of one metal for the other on the basis of 15½, and in the two hemispheres the relative value of the two metals will always and everywhere be the same.

The reason why France was able to do this was that her commerce was great enough and varied enough to give employment and exchange to all the metals of either kind that were offered for coinage. As I have before said, the test of ability to maintain a parity between the metals is the power, founded on extent and variety of uses for money, to absorb them in commerce. Whether the United States could independently achieve this result is not, perhaps, absolutely demonstrable. It is a question of judgment. My own opinion is that the task is not beyond us, and that, though some international concert is preferable, independent action is much to be preferred to the indefinite continuance of the present system. In this connection I wish merely to call attention, in passing, to the fact that it was the powerful influence of the French mint that caused, first the gold (when our mint ratio was 15 to 1 and France's 15½ to 1) and then the silver (when we had changed to 16 to 1) to leave the United States and go to France. It was exactly as if a commodity were to seek the highest market. But if she took our gold she sent us her silver, and *vice versa*. The process was natural and not harmful. *Both metals were somewhere performing full money functions for all the world.*

When asked whether England could successfully alone undertake the maintenance of the parity of gold and silver with open mints, Sir Henry Hucks Gibbs said:

> Any great commercial nation can do it.

We do not sufficiently realize what a powerful nation we are and what we can do if we set about it. We need a little of the spirit of 1776. [Applause.] Why, we are more afraid of England now, after we have grown big enough to whip all creation, than our fathers were when they could count no more population than the State of Ohio has now. So long as we want her to do it England will manage our money system for us, and we may depend on her having an eye on England's interests while she is at it.

I make the assertion that, in nearly every respect, the conditions enabling a nation to support a system of bimetallism are to-day more favorable to the United States than they were to France from 1803 to 1873.

To begin with (see Chart D), from 1803 to 1870 the average number of ounces of silver in the world in coin and available for coinage was thirty times as great as the number of ounces of gold. Yet she made it possible during all that time to go into the market and buy as much with 15½ ounces of silver as could be bought with one ounce of gold. To-day there are only 16 times as many ounces of silver in the world's stock as of gold. Our ratio of coinage, 16 to 1, would, to commence with, almost exactly correspond to the natural ratio by weight. Ought it not to be very much easier to float two

metals at 16 to 1 when the relative amounts of them are practically just that than to do it when there were twice as many ounces of silver to one of gold as the ratio called for?

Again, if the demand for the *use* of a metal is the test of ability to maintain it at parity, the case is still stronger. In extent and variety of power to give employment to money, the United States to-day is immeasurably greater in respect to the general capacity of the world than was France twenty-five and more years ago. Says Mulhall, the world's greatest statistician:

If we take a survey of mankind in ancient or modern times as regards the physical, mechanical, and intellectual force of nations, we find nothing to compare with the United States in this present year of 1895. * * * The physical and mechanical power which has enabled a community of woodcutters and farmers to become in less than one hundred years the greatest nation in the world, is the aggregate of the strong arms of men and women, aided by horsepower, machinery, and steam power applied to the useful arts and sciences of everyday life. (North American Review, June, 1895.)

The relative extent to which a nation uses steam power illustrates, perhaps as well as any one thing can, the degree to which that nation is a factor in the world's business and can give money work to do. In 1870 the world's steam power, according to Mulhall's dictionary of statistics, was 18,460,000 horsepower. That of France was 1,850,000 horsepower, or little more that 10 per cent of the whole. In 1888 the total for the world was 50,150,000 horsepower, and of this the share of the United States was 14,400,000, or nearly 29 per cent. Our share to-day is 16,940,000, almost as great as that of all the world in 1870, and fully three times as great in proportion to the whole as was that of France in 1870. Here we see, says Mulhall—

that the United States possesses almost as much energy as Great Britain, Germany, and France collectively.

In comparing the two countries in respect to commerce, a most important point is this: In proportion as the foreign commerce of a nation is small relatively to the entire bulk of trade, it is easy to maintain a money system possessing independent features. In 1870 the total exports and imports of the world were, approximately, $11,000,000,000, and those of France a little more than $1,100,000,000, or about 10 per cent of the whole. In 1889 the world's total was nearly $17,000,000,000, and the share of the United States was about $1,600,000,000, or nearly 10 per cent. While it is impossible to obtain data as to the internal commerce of various countries with completeness and accuracy, enough exists to show us that a very much greater percentage of the total commerce of France in 1870 was foreign than the percentage of the foreign commerce in the total trade of this country to-day. It is commonly considered that not more than 4 per cent of our trade is with foreign countries, while it is safe to say that in France in 1870 fully three times that proportion of her trade was of that character.

In agriculture I have not at hand the figures for 1870, but Mulhall gives the total value of the world's principal agricultural products for 1887 at about $19,740,000,000, of which the share of France was $2,300,000,000, or somewhat less than 12 per cent, and that of the United States $3,880,000,000, or nearly 20 per cent. There is no doubt that the statistics of 1870 and 1895 would show even a much greater relative advantage on our part than this.

In manufactures France in 1860 produced approximately $1,900,000,000 worth out of the world's total of $12,000,000,000, or about 16 per cent; in 1888, $2,425,000,000 out of $23,000,000,000, or less than 10 per cent. If her share for 1870 be taken as the average of these two years, she would that year have produced about 13 per cent of the world's manufactures. The United States in 1888 had about $7,215,000,000 worth of manufactures, or over 31 per cent of the world's entire product. In 1870 the railway mileage of France was 9,770, and that of the world 128,235, the percentage of France being 7⅝. In 1895, of the world's 370,281 miles of railway the United States had 163,597, being about 44 per cent of the mileage of the entire world, and 26,732 miles more than all Europe combined.

In 1870 the railway freight tonnage of Europe was 401,000,000 tons, of which the proportion of France was 52,000,000 tons, or about 13 per cent. In 1888 her share was 78,000,000 out of 765,000,000 tons, or 10$\frac{3}{10}$ per cent; while the tonnage of the United States was 590,000,000 tons, or nearly eight times as much as that of France and three-quarters as much as that of all Europe. Of a like significance is the comparative tonnage carried on canals and rivers, being in France 14,500,000 tons in 1870 and 24,500,000 in 1885, as against 51,000,000 tons in the United States in the latter year. The total canal and river mileage of France is 7,730, and of the United States 51,834, or 30 per cent of the world's mileage of that character. Add to this the enormous capacity of our great lake system, and the unequaled facilities for the development of internal commerce can be partially realized.

But the most convincing comparison as a basis of judgment of the matter in hand, is as to the relative banking power of France in 1870 and the United States in 1890 (the statistics for 1895 not being at my present command), in proportion to the total banking power of the world at those respective dates. In 1870 the world's banking power was about $8,000,000,000, and that of France was $320,000,000, or 4 per cent. In 1890, and the proportion is still more favorable to us in 1895, the world's banking power was nearly $16,000,000,000, and that of the United States was 32 per cent of that tremendous aggregate, or $5,150,000,000. Of course the gold-standard men will point to the doubling of the banking capacity of the world in the last twenty odd years as proof of the diminished need of money, and will cite the very exceptional equipment of this country in that respect as an argument that we can not use any more primary money. But it is too plain for dispute that this great growth in the world's means of economizing gold, coinciding, as it does, so closely with the steps by which the volume of ultimate money has been deliberately curtailed, gives convincing support to our position that more primary money is a crying need of the world. Credit has been expanded to the utmost, far beyond the safety limit; gold has appreciated beyond all precedent; and to try to meet the demands of business this banking power has been evolved. It is an exact index of the increased need for primary or real money, and shows conclusively that the capacity of the United States to-day to absorb a new supply of real money is almost incalculable. These considerations are much enforced by the fact that our vast territory of just touched possibilities, with its constantly multiplying population, affords incomparable scope for the operation and expansion of the energizing functions of an adequate supply of primary money.

Now, sir, as we have seen, there is a demand in the world for a large additional amount of primary money. The enormous appreciation of gold and the almost incalculable multiplication of credits are incontestable proofs of it. The supply of gold has not for many years come anywhere near keeping pace with the demand, so that even the increasing facilities for using it, of which our gold friends have so much to say, have not availed to keep it from rising ruinously. Dr. Soetbeer and others have exhibited the immense growth of the demand for gold in the arts and manufactures. He showed how the gold available for coinage averaged $92,000,000 a year from 1851 to 1870, and but $24,000,000 a year from 1871 to 1881. Mulhall says that during the fifty years, 1831–1880, the consumption of gold was 160 tons more than the production. In an article in the Nineteenth Century Magazine for November, 1889, the great statistician and gold monometallist, Giffen, said:

The precious metals, it is admitted on all sides, have an extensive nonmonetary use. They are merchandise as well as money. But few people realize that probably this nonmonetary use is preponderant over the monetary use itself. * * * About two-thirds of the gold annually produced is taken for the arts; and if the consumption of India is included, as being either for simple hoarding or for the arts, * * * then the demand for gold for nonmonetary purposes appears almost equal to the entire annual production.

Professor Bemis, the brilliant young economist of Chicago, has recently shown, from perfectly reliable sources, that during the nine years last past there has been available for addition to the world's stock of circulating gold money not over $15,000,000 of new gold all told.

Mr. WALKER of Massachusetts. Will the gentleman tell the House how much the economic power of gold in commerce has increased in the last fifty years? Has it not increased several thousand fold?

Mr. TOWNE. Mr. Chairman, I understand the gentleman's question to refer to the common argument of gold-standard theorists, that the conclusions drawn by all statesmen and economists down to recent years as to the limited ability of coin to discharge commercial functions have been abrogated and overthrown by modern inventions that have facilitated exchange, as checks, clearing-house certificates, book credits, and such things. Is that what the gentleman referred to in his question?

Mr. WALKER of Massachusetts. I made it as clear as I could. Give your own answer.

Mr. HARDY. Will the gentleman pardon me a moment?

Mr. TOWNE. I must decline to yield just now, Mr. Chairman, to the gentleman from Indiana. To the question of the gentleman from Massachusetts I have only to say this, that it implies one of the greatest fallacies with which the case for the single gold standard fairly teems, although I never heard this particular weakness so strongly stated as by the gentleman from Massachusetts. The idea is that, by reason of some modern hocus pocus you can compel a limited amount of real money to go on forever doing an unlimited amount or work. [Laughter and applause.] They say, "It does not make any difference how much ultimate money you have if you only have confidence." No word in their whole armory is so sadly overworked as this poor "confidence."

Confidence in what? I take it these gentlemen can not mean that childlike and bland and innocent reliance upon the established moral order of the universe which is sometimes implied in the word "confidence." No, sir; these gentlemen use it as a business word, in a practical sense, and so used it has reference entirely to the confidence which you must feel in the ability of a man or an institution that is making unlimited and multiplying promises, at some time to redeem those promises. [Laughter and applause.] That is what it means; and how such confidence operates is illustrated from time to time when under the spur and whip of this pernicious doctrine, credits are expanded on the basis of a few gold dollars, the gold itself constantly growing relatively less and the various forms of its credit representatives becoming constantly and absolutely greater, until finally you have a huge, distorted, swaying, inflated fabric of credit upon an ever-narrowing base of gold. And while

you stand there making your boast in the very face and eyes of the world of what a tremendous amount of business you are able to do upon an infinitesimal amount of gold, you ask men to have "confidence" in the operation. [Applause.] Ah, sir, let not gentlemen deceive themselves. The world has not outgrown either the obligations or the limitations of honesty. All these instruments of credit, Mr. Chairman, are themselves but the expression of the gold measure. If you extend credit to a man you extend so many *dollars* of credit; and if the stuff out of which the dollar is made is growing scarcer, the credit is correspondingly growing bigger, eating up more and more commodities, just as the gold dollar does that measures the credit. [Applause.]

Says the great English economist, Jevons:

Prices temporarily may rise or fall independently of the quantity of gold in the country. Credit gives a certain latitude without rendering prices ultimately independent of gold. (Investigations in Currency, page 32.)

And Huskisson, the famous British statesman and financier, in his pamphlet on the depreciation of the currency sustains the proposition:

Price, therefore, is the value of any given article in the currency with reference to which that article is measured, and must of course be varied by any variation in the quantity of gold and silver contained in such currency.

An acute writer, Dr. W. H. Smith, in a recent work says:

The volume of basic money fixes the volume of representative money (paper money issued by the Government). In turn the volume of both representative money and basic money controls the volume of credits that act as money, and the quantity of all these, with the exchanges to be made and payments to be met, fix prices. Thus indirectly the prices of commodities in a country are fixed and controlled by the volume of basic money.

Sir, under the stress and impulse of commercial development the world's need of money has overtaken and passed the supply of metal for the purpose long ago, and has for many years explored all the avenues of invention for substitutes and economies to eke out the inadequate amount of ultimate money. The limit was long since reached. I can not now take the time to prove, but I assert with no dread of contradiction that the actual proportionate use of money among the people to-day is very much greater than it was forty years ago. Says a great authority, Professor Kinley (Journal of Political Economy, March, 1895):

After a certain point of development in the use of credit instruments, there is no further relative increase, but rather, possibly, a slight decrease.

The true fiatist, Mr. Chairman, is your modern American gold-standard advocate. The logic of his argument leads to a money base so small and a credit top so large that "confidence" is to take the place of redemption; and confidence never realized is only another name for irredeemability. For "populism" that outpopulists your Populist, commend me to your gold-standard extremist.

Sir, I think I have heard the gentleman from Massachusetts speak of increasing the resources of the banks so as to permit them to enlarge their accommodations to customers. We are to assume, then, from these arguments, that the extent of accommodation is limited to the present rate of expansion, and that there must be some way of increasing the reserves in order to permit the piling on of additional credits at the rate of four or five dollars for one. Increasing the reserves means increasing the ultimate substance that must in the end make good every dollar of credit and every promise made by bank or Government in the nature of credit. It is more ultimate money that the world wants, and must have. [Applause.] And I warn gentlemen upon this floor—not as a prophet, but as one who has always lived near to the people, and by the grace of God means always to continue near the people—our duty must not be neglected. I tell you I know what the people are thinking and what they are feeling in this year of grace 1896. [Applause.] They know that the constricting gold standard is existing by the permission and growing at the cost of the manhood and the enterprise of the universe [applause], and that the time will come when a stop must be put to it.

Mr. HARDY. After your elaborate remarks, will you now state in a few words what you want the Republican party to do?

Mr. TOWNE. Mr. Chairman, it is to the great Republican party at such a crisis that the people turn with hopefulness, even as in times past, when the hour was heavy and the way was dark, they groped anxiously that they might find and clasp with their hands the hand of the Republican party, and thus be led again to the heights of peace and along the paths of prosperity. [Applause.] The Republican party has not yet declared for a single gold standard——

Mr. HARDY and others. And never will.

Mr. TOWNE. And I pray Heaven it never will. But what is expected now, Mr. Chairman, of the Republican party is a prompt and definite proposition as to what it intends to do.

Mr. HARDY rose.

Mr. TOWNE. No, I decline to yield further to the gentleman. Sir, I am not strenuous upon having my way. While I should infinitely prefer that the nations undertake this regeneration together, yet I believe that the United States of America, with its unlimited resources, with its manhood representing an energy that Mulhall says is quite equal to that of the Englishman, the German, and the Frenchman combined [applause], with a population of seventy millions, with an area equal to all Europe, and a large part of which is undeveloped and needs the quickening assistance of an affluent, ultimate money, with one-third of the banking power of Christendom, showing its absorptive capacity over the money of all the world that should seek employment here, with one-third of the steam power (which is the basis of industry and of business to-day) of all the earth, I believe the United States could, with all this marvelous energy, with its multiplicity and variety of commerce, a proper care for which would enable it to become the clearing house for this hemisphere, as Blaine fondly hoped it might become [applause], I say the Republican party might, by opening the mints of this Government and giving to silver the same privileges now bestowed upon gold, maintain the two metals at a parity at the old coinage ratio. [Applause.] It would be easier for us to do it than it was for France, because France had to do it and did it when the natural bulk ratio of silver to gold was 32 to 1, while with us it is proposed to make the ratio practically identical with that which the metals sustain to each other by bulk to-day. Nor, sir, is there anywhere any "flood of silver" to swamp the mint. I can not now pause to prove this, but it is absolutely true. Nearly all existing silver now circulates at a token-parity, or a virtual redemption parity, with gold, and would gain nothing by coming here. What we want is to take the silver from the top, and put it beside gold at the bottom, of the money structure.

If we can not do the work in an independent way—if I am deceived in thinking that we might—let us do it in some other way. If somebody proposes in this Congress to restore the ultimate money function to silver in any practicable way, he shall have my vote. The main thing is to take away from gold its universal and exclusive necessity, that keeps all the nations and all the men of the world in a scramble for it at the constantly growing cost of their happiness and their substance. [Applause.]

Restore the full money function to silver in some way, and do it speedily. Say even that you will do it three or four years from now, with such other nations as you may be able to induce to associate with you, and I will vote for the proposition. Say that you will tax incoming silver, and coin only the American product, and I will vote for it. Say that you will coin silver upon an international basis, without the consent of England (which you can never get so long as the Rothschilds have that country by the throat); say that you will do it in combination with France and Germany,—and there ought to be no question in the mind of any reasonable man that these three nations could sustain the parity of the metals,—say you will do that, and I will vote for it. I know that all legislation is a compromise, and even in this great matter I will compromise to almost any limit on the *means* if only the *end* be openly avowed and speedily sought.

But what I say, Mr. Chairman, is that the Republican party must at this time make up its mind to do *something*. The people of the United States have passed a vote of confidence in the Republican party; that is all. We must now justify that confidence by being equal to the emergencies that confront the people. Our platform pledges us explicitly to the rehabilitation of silver, to make it "standard money," even as gold is. The people want that done. They have not yet decided exactly how, perhaps, but that is what they elected us for—to find out how, to show them the way and lead therein. Be assured, sir, if we fail to do what they want done they are not so untrained in managing their affairs but that they will find somebody else to do it.

Mr. Chairman, I did not think to have spoken so long. I did not think that I could have abused the courtesy of the House to such an extent. But the question is most important and well-nigh exhaustless. Even now I am conscious of having omitted many things that ought to be said. I thank the House very much for extending my time and for the unusual compliment of its general and prolonged attention. I desire to express my gratitude for this indulgence, and shall endeavor not to be thus again a debtor during this session.

But, sir, I could not be silent. I love my country. I can not endure to see her suffer without relief when relief is within call. And the Republican party is dear to me. My ancestors were Federalists and Whigs of New England. My father followed the standard of Fremont and Dayton to the glorious defeat of 1856. The infancy of the Republican party rocked my own cradle. Since my youth I have treasured the deathless fame of its great leaders, studied and professed its doctrines, benefited by its policies, and wielded ceaselessly what little strength was mine in its strenuous contests for the confidence of the people. My anxiety that it shall now rise level with the emergency that meets us is greater than I can express.

Sir, we are told in an old German legend how a monster, Alberic, became possessed of a magic ring of gold which gave him unlimited power, which power he used in heaping up and hoarding all the gold and wealth of the world; and that he fashioned for himself a helmet of gold that enabled him at will to become invisible to men or to take upon himself any form he pleased. And the world, it is said, was at the mercy of that monster until the god Wotan appeared and took him captive while, in the insolence of his power, he was boastfully wearing his most odious shape. If, sir, there is in this country to-day a malevolent power, with ring and helmet of gold, now invisible and now terrible in aspect, as it either insidiously or openly undermines the foundations of liberty, could there be for the Republican party a more glorious destiny than, like the god in the story, to come to the relief of the people. [Loud and prolonged applause.]

Revenue.

SPEECH

OF

HON. ADOLPH MEYER,

OF LOUISIANA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 12, 1896,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. MEYER said:

Mr. SPEAKER: We are confronted with some of the greatest problems of government which can be presented to the attention of the American Congress. It was but the other day that we were called upon to deal with the question of reaffirming and maintaining the national principle of the Monroe doctrine, a principle essential to our safety, peace, and honor, endeared to the American mind and conscience by over seventy years of prescription and by the wisdom of a long roll of illustrious American statesmen, and confirmed to our own judgment by recent and signal examples of the partition of the continent of Africa by greedy foreign governments and by preparations for similar operations in the vast regions of Asia. Indeed some of these acts of spoliation and conquest have been accomplished during our own short session. I was glad to observe when this question came before Congress that the manly, wise, and, I may add, moderate action of the President of the United States found a general, cordial response in Congress and by the people, irrespective of sectional or party lines. It was a grand spectacle of a great and united people. The unanimity and firmness exhibited by all the departments of the Government, supported by the popular voice, has already had its effect abroad.

SALISBURY'S REPLY ON VENEZUELA BOUNDARY QUESTION.

The reply of Lord Salisbury to Secretary Olney, couched under diplomatic forms and phrases of politeness and courtesy, was yet full of thinly concealed disregard for the protest of this country. Its leading idea was to brush away with contempt, and in the last resort with violence, every barrier to the greed of England for further territory on this continent. The suggestion of arbitration, so kindly and earnestly made by the United States Government, was firmly repelled, and it was made obvious to us all that the plan was for the British Government, backed by powerful fleets and armies, to pursue its own will against a weak and unoffending American Republic. The message of the President and the speedy adoption of his recommendations by Congress have happily brought the British people to make a calm review of the whole subject. The attitude of the United States was eminently moderate and disinterested. I am rejoiced to note that the healthy common sense of the British people has compelled an entire change of tone on the part of their rulers. The Queen's speech to Parliament is courteous and pacific in its reference to this country, and the discussions of the Venezuelan question by Sir William Vernon Harcourt and by Balfour are not only friendly in tone, but they contain a substantial admission of the justice of our position and of the propriety of our methods in dealing with the subject. The final result, I rejoice to believe, will be peace—but peace with honor and justice both to England and Venezuela—and a better understanding throughout the world of our country as one of the foremost leaders in the cause of peace and fair dealing among all the nations. [Applause.]

NATIONAL HONOR AND INTERESTS MUST BE GUARDED.

But, sir, there are two thoughts that arise to my mind in this connection which, without taking time to elaborate them, I wish to impress upon this House. First, in order to perform our duty to ourselves and to future generations of Americans, to guard the national honor and interests, and, if need be, unfortunately, to cope in the last resort with a powerful wrongdoer, it is indispensable that we should at once carefully study our military and naval preparation in order to supply its manifest deficiencies. The latter arm of national defense should be steadily augmented, strengthened, and developed until our naval power shall be commensurate with our commercial marine, our vast and growing trade, and our just maritime aspirations, and our extended coast bordering the two greatest oceans of the globe for over 6,000 miles.

SECTIONAL POLITICS SHOULD BE BANISHED.

Another thought that I can not forbear to present is that sectional politics should be banished from our party contentions and from the American statute book. A great party has for long years past sought the political power of this country mainly on the idea of hatred and by the method of fomenting sectional prejudice against the South. In this last crisis in which, as if by fire in a crucible, the manhood and patriotism of all citizens were tested, the South stood forth more firm and resolute for the American position than any other section of this great Republic. It mattered not that her coasts and cities were more exposed than any other. The Southern people did not, in that trying hour, stop to consider whether the present system of taxation and expenditure was partial and unjust to the Sonth or not, or that there yet lingered in our statute book, thirty years after the war closed at Appomattox, a clause of disfranchisement, opprobrium, and insult to all ex-Confederates. They saw and would see only the flag of the common country, but the Republican who can now read that statute of proscription and not join promptly in its repeal ought to hang his head in shame when he reflects upon the devoted bearing of the Southern people in the hour when it was vital that we should all stand united as one man. The exceptions of a treasonable British spirit are all in the East.

FINANCE, TAXATION, AND REVENUE.

But, sir, I wish to speak very briefly to-day upon the great questions of finance, taxation, and revenue. These questions are not new. They have been debated for long months and years, and yet remain unsolved. They are serious, important, and difficult. Sir, you find a radical disagreement on the most important branches of these questions, both among Democrats and among Republicans. With such wide differences of opinion among honest, sincere, and able men, I need not say that hasty and merely partisan legislation upon them is unwise, if not criminal. The subject of an addition to our revenue, which I propose specially to consider, is not one to be disposed of by a secret clique or cabal of leaders gathered together in the hurried hours of the Christmas holidays, with one-half of Congress dispersed to their homes. It was not right to deny fair and full debate on such a grave question or the opportunity to members for a full and fair examination of the bill. The question of revenue, whether more revenue is needed or not, and if needed how it is to be raised, and the question of providing for the protection of the public credit whether upon this or that theory of finance, are topics too vast and momentous to be disposed of by a secret caucus of a dozen members, and forced through an uninformed or half-informed House of Representatives by whip and spur. It is not by such methods as this that this House can discharge its great duty to the tribunal of public opinion. Legislation thus hastily hatched and patched up is very apt to be unwise and unjust, and it is certain to be dangerous. It is an alarming violation of the very essence of free government.

Our Government rests on the principle borrowed from our English ancestors that all taxes shall be imposed by their representatives in Congress, aye, in this very House; but what is the value of this important and all-pervading constitutional provision if by the machinations of a small, secret, and self-constituted caucus all opportunity for proper examination of the proposed measure and for debate and amendment is substantially denied? It may be true that some shallow politicians may favor a crude measure thus devised as a good party maneuver, or as an aid to this or that man's ambition for a Presidential nomination, but, unless I greatly mistake their temper, a free people not ready to submit to tyranny will view such proceedings with alarm and disapproval. Even in time of war such hasty and despotic methods would not be justifiable. The illustrious men of our earlier history did not thus rashly legislate. But, sir, it has been well said that—

Fools rush in where angels fear to tread. [Applause.]

DEFICIT IN REVENUE NOT TO BE DIMINISHED BY REFUSAL TO CARRY OUT CONGRESSIONAL APPROPRIATIONS.

I had occasion, Mr. Speaker, on the 14th of February of last year, in the debate upon the gold bond bill, to submit some extended observations upon the public revenues and the public credit. The views I then expressed largely anticipated the crisis and the state of affairs at the beginning of this session. Time has only served to demonstrate the soundness of the suggestions which I then deemed it my duty to make. At that time the famous income-tax decision by the United States Supreme Court had not been rendered, and by hardly anyone was it even anticipated. The case was not argued before that august tribunal till some time afterwards, and it was the month of May before that important and far-reaching decision was rendered by which this court swept away some thirty-five millions of our revenue. I did not venture to anticipate, any more than others did, this decision and the consequent reduction of the public revenues. But, sir, I did anticipate a deficiency in the revenue, and I expressed my apprehension then with frankness and distinctness. It seemed to me that the estimates of the Secretary of the Treasury, however great his financial ability and opportunities for an accurate judgment, could not under all the circumstances be relied on. I said:

I need not point that the Secretary's estimates of an improved revenue

after the 1st of July next (July, 1895) are mainly predicated upon an improvement in business, which may or may not take place as soon as he expects, and as we all desire. It may be a long waiting before it occurs. If the deficiency lasts it must be met by increased taxation or by using the proceeds of bonds, carrying with it an increase of our bonded debt.

Under these circumstances and with the prospect that Congress will not meet before December, 1895, I think "it would be a wise precaution to do at once as was done in March, 1875, and to make a provision for an increase of $30,000,000 of additional revenue."

It has developed as I anticipated, although I did not then estimate for a deficiency based on the annulment of the income-tax revenue. Had I foreseen that decision, I should have felt it my duty to advise an increase of at least fifty or sixty millions of revenue instead of only thirty millions. I take no pleasure, sir, in the fulfillment of my anticipations and fears expressed a year since. I should rejoice if the return of general prosperity throughout the Union had brought with it expanding revenues and created the surplus expected by many to be the immediate fruit of the tariff bill of August, 1894.

What is our condition to-day? Does any man need to be told that it is by applying the proceeds of three separate bond sales, aggregating $162,000,000, which yielded some $182,171,195, to the current expenses of the Government that we had in the Treasury on December 1, 1895, a balance, according to the Secretary's report, of $98,072,420.30 in excess of the actual gold reserve on that day? For the fiscal year which ended June 30, 1895, the Secretary reports a deficit of $42,805,223.18, instead of the deficit of $20,000,000 as estimated in his report on the state of the finances for the year 1894. And how is it that this deficit was only $42,805,223?

COMPTROLLER BOWLER'S ARBITRARY ACTION.

I will not undertake to point out all the methods by which the deficit has been kept down to that mark, but I can not forbear in this connection to speak of the arbitrary, illegal, and unconstitutional act of the Comptroller of the Treasury Department in refusing to execute the law of March 2, 1895, making appropriations for the sundry civil expenses of the Government. This act appropriated some $238,289.08 to pay the producers of sugar who had complied with the bounty law contained in Schedule E of the tariff act of October 1, 1890. It was declared by law that the Secretary of the Treasury should pay the bounty stipulated for sugar produced and manufactured prior to August 28, 1894.

In the same statute of March 2, 1895, to which I have referred, it was further enacted that there should be paid to the producers of sugar who had complied with the bounty law, and who would have been entitled to receive a license, a bounty of eight-tenths of a cent per pound on the sugars testing not less than 80 per cent grown in the United States between the 28th of August, 1894, and the 30th of June, 1895, and for this purpose the sum of $5,000,000 was appropriated. These two sums aggregate $5,238,289, and if the law of Congress had been honestly executed, as this officer was sworn to do by his official oath, the money would have been paid and the deficit arising in the last or in the current fiscal year would have been larger by that sum of five millions than it now appears to be by the Secretary's statement. For the current year the Secretary estimates a deficiency of $17,000,000. I hope he may be right as to his estimates of increased revenues, and that this good result is not to be achieved by forcing a balance based on a refusal to carry out the appropriations made by the lawmaking power of the United States Government upon the singular pretense that in the opinion of a subordinate officer of the Treasury Department the appropriations are unconstitutional and that both the President and Congress have been guilty of gross usurpation. But, sir, waiving this point, it is clear to the simplest observation that without using the proceeds of bond sales our revenues are not equal to our usual and necessary expenditures. I do not propose now to discuss the causes of the deficiency any further than I did last February. Whatever may be the causes of the deficiency, I assert now, as I did many months ago, that instead of relying on the proceeds of bond sales to meet current expenses or supply deficiencies, we should proceed carefully and energetically to take such steps as will make the revenues of the Government equal to its expenditures. [Applause.]

RETRENCHMENT OF EXPENDITURES.

As for cutting down our expenditures, while I am generally favorable to economy, I can not see how the ordinary expenditures, outside of the great pension list bequeathed to us by the Republican Congress of 1890, can be retrenched to any considerable extent. Where, indeed, are we to begin our retrenchment? Our appropriation for foreign intercourse is a very small one, and truly insignificant for a great country. Our Army is smaller than many think it should be in time of peace, and would certainly be found pitifully small if we should have to engage in war. Our Navy is comparatively small. It is only the sixth or seventh in power upon the seas. Shall we be content with such a diminutive naval force as actually encourages second-rate powers to violate our national rights? Is a navy which is not one-fifth in fighting power that of Great Britain worthy of this great Republic, and are we to refuse adequate appropriations even for guns to man our ships and for seamen and dry docks? Ought we not, on the contrary, by steady and wise steps to increase our Navy promptly and liberally—not for purposes of war, aggression, and conquest, but as a measure of peace, by inspiring respect for our flag by foreign and distant powers? [Applause.]

Our Indian service can not well be reduced. Our postal service pays for itself. Our appropriations for rivers and harbors are now made biennially, and considering our great line of sea coast—aggregating some seven or eight thousand miles—and our numerous rivers and great chain of lakes, and the great increase of deep-draft vessels for the needs of modern commerce, are far smaller than some nations whose area and necessities for such public works are much inferior to our own. These appropriations are much below the positive and urgent needs of modern commerce. So far, therefore, from curtailing our ordinary expenditures, I hold that we ought to increase the sums expended in the past for river and harbor improvements and for the increase of the Navy and the fortifications required, in addition to the Navy, to protect our great cities in the event of war.

I am aware, sir, that some gentlemen think it a fine thing to insist on economy and to send very small appropriation bills over to the Senate, thus making a grand record of economy for the members of this body. This is an old dodge. It is a trick which the people will be quick to detect and resent. It may indeed help an individual here and there, but I would not recommend it to a political party or to a Presidential candidate to build their castles upon the assumed ignorance or incapacity of the American people.

HOW SHALL ADDITIONAL REVENUE BE RAISED?

If it be true, as I insist it is, that we need to keep up or to increase our appropriations, and will need additional revenue in order to square income and outgo, the question next arises, How shall this revenue be raised? In my remarks of February 14, 1895, I suggested an increase of one-half of a cent per pound on raw sugars. This would involve a tax of only 25 cents or less per head on the people of this country, but it would yield a revenue of at least fifteen to twenty million dollars and would not bear hardly on any class of people or on any section. I challenge anyone to name a tariff tax which would bear so lightly on the people and yet yield so much to the Government as this tax on sugars. I suggested also a tax on successions and a stamp tax on bank checks. I venture now to add to this a suggestion that a very large revenue might be raised by a small tax on the passenger receipts of the railroads of the country, a tax which would fall on a class well able to bear it. It would add the merest trifle to the cost of a traveler's journey, but the aggregate income would be very large.

Mr. Speaker, I doubt very much whether any considerable addition to the revenue could be secured by an increase of the existing tariff rates, except by the sugar tax which I now propose, and perhaps by some increase of the duties imposed in the act of 1894 on wines and spirits. There is danger that a tax on wool and an increase of the tax on woolen goods would really defeat revenue in the end, but I am willing to examine this question and to decide it dispassionately, with a view to raising the greatest revenue possible needed under our present conditions. We must not forget that in the present financial stringency, which began during President Harrison's Administration, the inability of the people to purchase and consume has had the effect to diminish importations, and thus defeat revenue. This happened in 1874 and 1875 under a Republican Administration; it will occur again.

Sir, there are other features in our internal-revenue system which might be studied with a view to a larger revenue.

I advocate, sir, an honest, faithful effort to raise additional revenue. I do not consider that the subject should be treated only from the standpoint of favoring manufacturers. Doubtless many of them are suffering from the existing stagnation in trade. They have my sincere and full sympathy. But their case is not near so bad as that of the farmer. The condition of the agricultural class has been very bad for years past. It is our duty to consider and study the causes of this general distress. No mere catchpenny contrivance of the party controlling this House will satisfy the people. This House must aim at something higher and better than the problem of securing the Presidential spoils of office, or it will merit and receive popular condemnation. [Applause.]

UNJUST DISCRIMINATION AGAINST THE SUGAR INTERESTS.

Holding these views, and deeply convinced as I am of their logic and correctness, I felt constrained to vote against the tariff bill which the House lately sent to the Senate. The discrimination so plainly and needlessly made in it against an article which forms the greatest industry of my State is so unfair, unjust, and illogical that I could not, even by implication, assent to it. I could not stultify myself by favoring a revenue bill which specially and by emphasis excludes from the increased duties an article which from the foundation of the Government has been regarded by all con-

siderate and great financial minds as the very best subject for providing revenue in large quantity with the least burden to the people. From the date of the very first tariff law, enacted under our Constitution July 1, 1789, until the passage of the act of October 1, 1890, or for more than one hundred years of our national history, sugar has been recognized by all parties and under all conditions as entitled to a high place on the list of revenue tariffs.

I go further and I assert that the recent position of the Republican leaders taking sugar out of their long list of protected articles is wholly indefensible in logic and against all precedent. The idea, the doctrine, of protection to American industries is not a new one. It did not begin with these modern lights, McKinley, ALLISON, and ALDRICH, or their associates in this Congress. I mean no disparagement to these gentlemen when I suggest that they are not to be compared to such great financiers and statesmen as Alexander Hamilton, John Adams, Daniel Webster, Henry Clay, George Evans, Thaddeus Stevens, and many others who, from 1789 until a few years ago, upheld the doctrine of protection. Be the dogma of protection wise or unwise, be it sound or unsound, none can deny that it has been upheld, championed, and expounded by some of the mightiest intellects of America. Not one of these great minds of the past ever proposed to exclude sugar from the list of dutiable or protected articles. How could they have done so logically with a great industry, employing hundreds of thousands of people? How could they speak in one breath of making this country independent of foreign nations and in the next breath so construct a tariff as to make this country depend for a great and necessary article of its food supply upon importations from Cuba, Demerara, and Germany? These great men may have, as some would say, espoused a false theory of government, but they were able, honorable, patriotic, and consistent. Their legislative projects in finance drew no inspiration from party or sectional malice. Their aims were lofty and aboveboard. [Applause.]

Now, sir, why is it that the Republican leaders have made this discrimination against sugar, increasing duties on the general tariff list 15 per cent of the existing duty, but carefully avoiding the article of raw sugar? It has been intimated that the fear of a gigantic trust and dread of its all powerful influence is the prime cause of this invidious discrimination in the bill. It will not be forgotten, sir, that in the first tariff bill in our whole history that ever put sugar on the free list, I mean the so-called McKinley bill of October, 1890, the famous sugar trust was carefully protected. They wanted cheap foreign sugar in order to refine and manufacture, and they got it. They wanted liberal, aye, prohibitory duties on foreign refined sugar, and the Republican leaders gave it to them with a free, generous hand. The sugar trust grew, flourished, abounded yet more and more until it is now a great power in our land and an object of profound reverence by a certain class of politicians. But, sir, I am reluctant to believe that the idea of pandering to this trust was the sole, dominating idea that led to the action of the framers of this bill on excluding American-grown sugar made from beets or cane from its benefits.

REPUBLICAN MOTIVES FOR ANTAGONISM TO SUGAR.

I am sorry to be forced to the conclusion that there is another motive for this war upon the sugar-producing interest of Louisiana which is hardly more creditable than the other. The Republican party has dealt with the State of Louisiana in the past with a cruel hand. The hideous recital of the epoch of reconstruction, military rule, carpet-bag pillage, for which they are responsible, will always stain the pages of American history. The heirs and successors of the party which perpetrated these foul crimes against civilization and humanity can not be made to learn that the way to win the confidence and good will of a people is by acts of kindness and generosity, gentleness and consideration. The attitude of the Republican party toward Louisiana and the whole South is one of insolent superiority, harshness, and lack of generous consideration. Their idea is that Louisiana is to be won to their political embrace by acts of invidious, discriminating legislation; by force bills; by telling the people there you must vote with us or we will starve you out. They have never read, or they have forgotten, Æsop's fable of the traveler and the cruel north wind, which only made the traveler hug his cloak more closely about his person. Their model for governmental policies is Legree, of Uncle Tom's Cabin, the Northern overseer, whose only method was the lash and abject submission instead of love. I assure you, gentlemen, you can not win the confidence of the people of Louisiana in this way. The last time you wielded power in this House you passed a force bill that was a disgrace to American legislation, and now in this tariff bill of yours it is not difficult to read that the spirit of sectional malice still survives, lingers in your breasts, and only waits opportunity for a fuller display and development. I fear that in the minds of Republican leaders this rancor and prejudice know no change or abatement, but my hope lies in the masses of the American people and in the growth of a noble, kindly, comprehensive, and national spirit by good citizens in all sections of the Union. [Applause.]

Silver and Wheat in India and America.

Generally speaking, it is strictly true that the price of wheat has never been higher in India than in America, except when there was either a famine to abnormally raise prices in India or a triumphant Democracy to abnormally depress prices in America. Instead of wasting time in trying to restore the conditions of 1873, let us pray God to deliver India from famine, and let us help the farmers of America to deliver themselves from "four years more of Grover" by undoing the blunder of 1892, and the "crime of 1873" can safely be left to work out its own salvation or condemnation.

SPEECH

OF

HON. MARTIN N. JOHNSON,

OF NORTH DAKOTA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 6, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of the revenue—

Mr. JOHNSON of North Dakota said:

Mr. CHAIRMAN: There was a short speech made here last night by the gentleman from Colorado [Mr. SHAFROTH] which was a typical speech for those who hold his views on this question, and I select it as the text for my remarks out of compliment to the gentleman because it was a fair, concise, correct, and able statement of the doctrines which he advocates. If I misrepresent the gentleman in laying down the premises from which I start, I hope he will correct me, but I do not think that will be necessary. I am sorry that his speech is not in the RECORD this morning, but I am sure that we shall not disagree about its substance. The gentleman started out with the statement that the trouble in arriving at an agreement upon this question is that the opposing sides can not agree as to the premises.

That is true, Mr. Chairman. The trouble with him and his associate is that they start out with false premises. His premises are wrong, his logic is correct, and his conclusions are wrong. His first false premise is based upon an inaccurate statement of the law of supply and demand. He assumes, and asks us to assume, as an axiom that if you reduce by one-half the supply of an article such as gold or silver, or money, you thereby double its purchasing power.

That I deny. I admit that by reducing the supply you increase the demand, but I deny that by halving the supply you double the demand. I do not deny the possibility of expressing the law of supply and demand by some arithmetic or algebraic formula, but I do most emphatically deny that the formula "Supply÷2=demand×2" expresses it. As to the extent to which you do increase the demand for any article by lessening the supply we can only say that that curve of probability has never yet been accurately located or scientifically determined; but we do know that it is far from being in a geometrical or even an arithmetical ratio. I have tried in vain for many years to find in scientific works some mathematically exact statement of the operation of the law of supply and demand. I believe it would vary with different articles, and even for the same article at different times and places. If the question were confined to this one subject of silver, and if all other causes which tended to influence the demand for silver except simply the one item of supply were eliminated from the calculation, then I could draw that curve with absolute arithmetical, scientific accuracy, as I have drawn the two curves representing the price and production of silver from 1873 to 1894, inclusive, on this chart which you see here before you.

[NOTE.—At this point the attendants brought into the Hall some charts, about 6 feet square each, mounted on an easel in such a manner as to be visible one at a time. The easel was placed in the area immediately in front of the Speaker's desk.]

[For Chart No. 1 see page 105.]

The figures from which this chart is drawn are found on pages 238 and 249 of the Annual Report of the Director of the Mint for 1895, supplemented by a table on page 45 of his 1894 report on production of gold and silver in the United States as to the production from 1873 to 1886.

As a result of the act of 1873, those who believe in free coinage assert that silver was "struck down," "destroyed," and "demonetized." Production increased from 63,000,000 ounces in 1873 to 167,000,000 ounces in 1894.

People who think that such words as "destroyed" and "struck down" fittingly describe such a growth in a great industry in twenty-two years can consistently use the word "demonetization" in describing the changed condition of silver when its use as a money metal was increased from practically nothing to about $500,000,000 in this country.

These men assert, and attempt to make people believe, that the law of 1873 caused the decline in price of silver. Is it not possible that other causes may have been at work? Is it not possible that by doubling the production of silver you might reduce its value either by one-half or by some other fraction? On that theory the lines on the chart ought to cross in the year 1890. They actually intersect in 1891.

PRICE OF WHEAT IN INDIA.

It has been assumed that under free coinage the price of wheat has remained steady in India. As a matter of fact the price of wheat has fluctuated up and down there about the same as here. The average price there has been nearly twice as high some years as others, ranging from 5.25 rupees per maund in 1879 to 2.76 rupees per maund in 1885.

By the courtesy of the Secretary of the Department of Agriculture I have obtained this table giving the price of wheat in eleven representative districts of India for every year from 1873 to 1893, inclusive.

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., February 7, 1896.

DEAR SIR: In accordance with your request of this morning, I inclose herewith an exact copy of the statistics of wheat prices in India which formed the basis of the tabular statement transmitted to you on the 5th instant. The figures were taken from an official publication entitled Prices and Wages in India, compiled in the statistical branch of the finance and commerce department of the Indian Government. The values are given in terms of the silver rupee of India.

Respectfully, yours,

J. STERLING MORTON,
Secretary.

Hon. MARTIN N. JOHNSON,
238 Maryland avenue NE., Washington, D. C.

*Average annual price of wheat, first sort, per Indian maund, in selected districts of western India.**

[The figures represent rupees and decimals of a rupee.]

Places.	1873.	1874.	1875.	1876.	1877.	1878.	1879.	1880.	1881.	1882.	1883.	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.
Bombay:																					
Bombay	3.67	3.60	3.75	3.87	5.53	6.66	6.27	5.02	3.96	4.23	4.30	3.93	3.85	4.30	4.45	4.58	4.38	3.80	4.12	4.76	4.14
Ratnágiri	4.26	3.64	3.96	4.14	5.25	5.57	6.95	5.22	3.96	3.67	3.94	3.89	3.77	3.89	4.10	4.26	4.17	3.82	3.90	4.65	4.63
Poona	3.30	2.51	2.79	3.11	5.00	5.82	5.71	4.63	3.17	3.14	3.20	3.12	2.90	3.17	3.82	3.50	3.73	3.46	3.72	4.53	3.65
Belgaum	3.48	2.47	2.17	2.99	5.90	5.62	6.52	4.35	2.25	2.00	2.16	2.08	2.46	2.40	2.55	2.64	2.62	2.32	2.97	4.33	3.27
Ahmadnagar	2.22	1.72	2.30	2.45	4.30	5.27	5.17	3.46	2.49	2.82	2.82	2.47	2.43	2.80	3.15	3.13	3.05	2.90	3.12	3.87	3.18
Ahmaddabad	2.92	2.78	2.72	2.74	4.26	4.88	5.02	3.37	2.63	3.13	3.74	3.10	2.65	3.14	3.95	3.96	3.83	3.58	4.03	4.09	3.14
Baroda	3.99	3.51	3.34	3.41	4.68	5.31	5.99	4.62	3.51	3.61	3.98	3.39	3.13	3.58	4.84	4.47	4.52	4.12	4.61	4.80	4.40
Sinde:																					
Karachi	2.91	3.51	2.58	2.33	3.61	4.15	4.08	3.74	3.29	2.99	2.85	2.87	3.01	3.23	3.39	3.28	3.39	3.28	3.61	3.96	3.47
Shikarpur	2.46	2.48	2.24	2.17	2.61	4.31	4.50	3.67	3.39	3.01	2.93	2.67	2.67	3.08	3.44	3.24	3.09	2.87	3.32	3.48	2.84
Central India and Rajputana:																					
Nimach	3.07	2.65	2.86	2.61	2.97	3.51	4.07	3.28	2.19	2.50	2.47	1.97	1.74	2.16	3.04	3.29	2.89	2.55	2.87	2.99	2.98
Indore														3.01	3.01	2.96	2.73	2.72	3.37	3.31	3.10
Nasirabad	2.73	2.53	2.30	1.90	2.33	3.33	3.47	2.87	2.38	2.33	2.33	2.10	1.82	2.07	3.09	3.06	2.60	2.66	3.07	3.20	2.89

* From Prices and Wages in India, an official document compiled in the statistical branch of the finance and commerce department of India, Calcutta, 1894.

By adding the columns in the foregoing table and dividing by the number of districts we obtain the following averages:

1873	3.18	1880	4.02	1887	3.56
1874	2.85	1881	3.02	1888	3.53
1875	2.81	1882	3.03	1889	3.41
1876	2.88	1883	3.15	1890	3.17
1877	4.22	1884	2.87	1891	3.55
1878	4.94	1885	2.76	1892	3.99
1879	5.25	1886	3.06	1893	3.47

From these averages I have drawn Chart No. 5.

[For Chart No. 5 see page 106.]

This chart No. 5 proves to a mathematical demonstration that the price of wheat, measured in silver, has not remained steady in India. In fact, the extremes of fluctuation have been greater there than in the United States and in other gold-standard countries.

In order to make the lesson of the foregoing table and chart more easily understood, I have reduced the India rupees and maunds to the equivalents in United States gold dollars and bushels.

In making these calculations of equivalents I have availed myself of the extremely valuable and painstaking assistance of the accomplished officials of the Department of Agriculture, and take this occasion to express my just appreciation of their kindness.

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., February 5, 1896.

DEAR SIR: Complying with your request of yesterday, I send to you herewith tabular statements showing the annual exports of wheat and wheat flour from Argentina and Russia since 1890. These figures can be used to supplement the tables which you will find on pages 101–102 and 160–161 of the bulletin handed to you yesterday entitled "Production and distribution of the principal agricultural products of the world."

I inclose also the tables you desired relative to wheat prices and agricultural wages in India. The reduction of the Indian denominations used in these tables to United States equivalents was more of a task than at first anticipated, and hence it was impossible to transmit the tables last night as hoped.

Respectfully, yours,

J. STERLING MORTON,
Secretary.

Hon. MARTIN N. JOHNSON,
238 Maryland avenue NE., Washington, D. C.

[From official blue-book prices and wages in India.]

Average annual prices of wheat (first sort) per bushel of 60 pounds in certain places of western India.

Places.	1873.	1874.	1875.	1876.	1877.	1878.	1879.	1880.	1881.	1882.	1883.	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.
Bombay:																					
Bombay	$1.21	$1.17	$1.19	$1.19	$1.63	$1.99	$1.77	$1.43	$1.13	$1.20	$1.21	$1.10	$1.06	$1.12	$1.12	$1.11	$1.03	$0.92	$1.04	$1.07	$0.82
Ratnagiri	1.40	1.18	1.32	1.27	1.55	1.66	1.97	1.49	1.13	1.04	1.11	1.09	1.04	1.01	1.03	1.03	.98	.92	.99	1.04	.91
Poona	1.09	81	.99	.96	1.47	1.74	1.62	1.32	.90	.89	.90	.87	.80	.83	.96	.85	.88	.84	.94	1.01	.72
Belgaum	1.15	.80	.95	.92	1.74	1.68	1.84	1.24	.64	.57	.61	.58	.68	.62	.64	.64	.62	.56	.75	.97	.64
Ahmadnagar	.73	.56	.78	.75	1.27	1.57	1.46	.99	.71	.80	.79	.69	.67	.73	.79	.76	.72	.70	.79	.87	.63
Ahmadabad	.96	.90	.87	.84	1.25	1.46	1.42	.96	.75	.89	1.05	.87	.73	.82	1.00	.96	.90	.87	1.02	.92	.62
Baroda	1.31	1.14	1.09	1.05	1.38	1.58	1.69	1.32	1.00	1.03	1.12	.95	.86	.93	1.22	1.08	1.06	1.00	1.17	1.07	.87
Sind:																					
Karáchi	.96	1.14	.74	.72	1.06	1.24	1.15	1.07	.94	.85	.80	.80	.83	.84	.86	.79	.80	.79	.91	.89	.68
Shikarpur	.81	.80	.69	.67	.77	1.29	1.27	1.05	.96	.86	.82	.75	.74	.80	.87	.78	.73	.69	.84	.78	.56
Central India and Rajputana:																					
Nimach	1.01	.86	.83	.80	.87	1.05	1.15	.94	.62	.71	.70	.55	.48	.56	.77	.80	.68	.62	.73	.67	.59
Indore														.78	.76	.72	.64	.66	.85	.74	.61
Nasirabad	.90	.82	.61	.58	.69	.99	.98	.82	.68	.66	.66	.59	.50	.54	.78	.74	.61	.64	.78	.72	.57

By adding the columns in the foregoing table and dividing by the number of districts we obtain the following averages:

Average price of wheat per bushel in India reduced to equivalents in United States gold coin.

1873	$1.05	1880	$1.14	1887	$0.90
1874	.92	1881	.86	1888	.85
1875	.86	1882	.86	1889	.80
1876	.89	1883	.88	1890	.76
1877	1.24	1884	.80	1891	.90
1878	1.47	1885	.76	1892	.89
1879	1.48	1886	.79	1893	.68

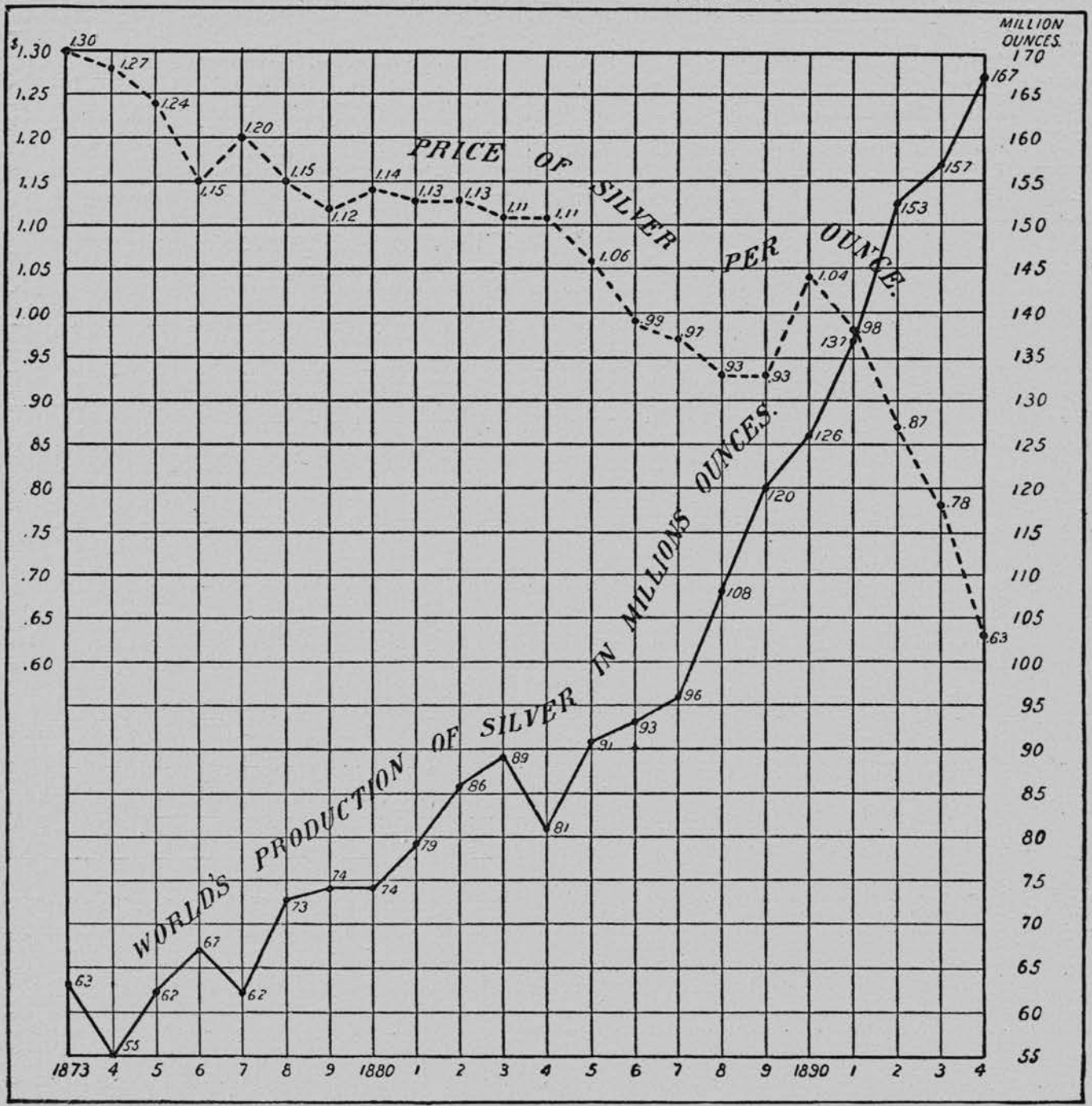
From these averages I have drawn the following chart, No. 2, and for the purpose of comparison I have also placed on the same chart the curve which appears on Chart No. 4, giving the price of wheat in the United States for the same period.

[For Chart No. 2 see page 107.]

Prices of wheat have sometimes been higher in India and sometimes in America.

The fact of these ups and downs admits of no dispute. The only room for disagreement is as to the causes which produced them.

CHART NO. 1.—Report of the Director of the Mint for 1895 (pages 238-249).



Our opponents teach and affect to believe that one cause, and only one cause, viz, the "crime of 1873," has produced all these ups and downs. We believe and teach that very many causes and forces may have combined to produce the resultant. Wheat was very high in India from 1877 to 1880. That is a fact. But the farmers of India had no wheat for sale during those four years of the "great famine," when in some instances they ate human flesh for want of wheat bread. In my judgment the famine was quite sufficient to account for the price of wheat.

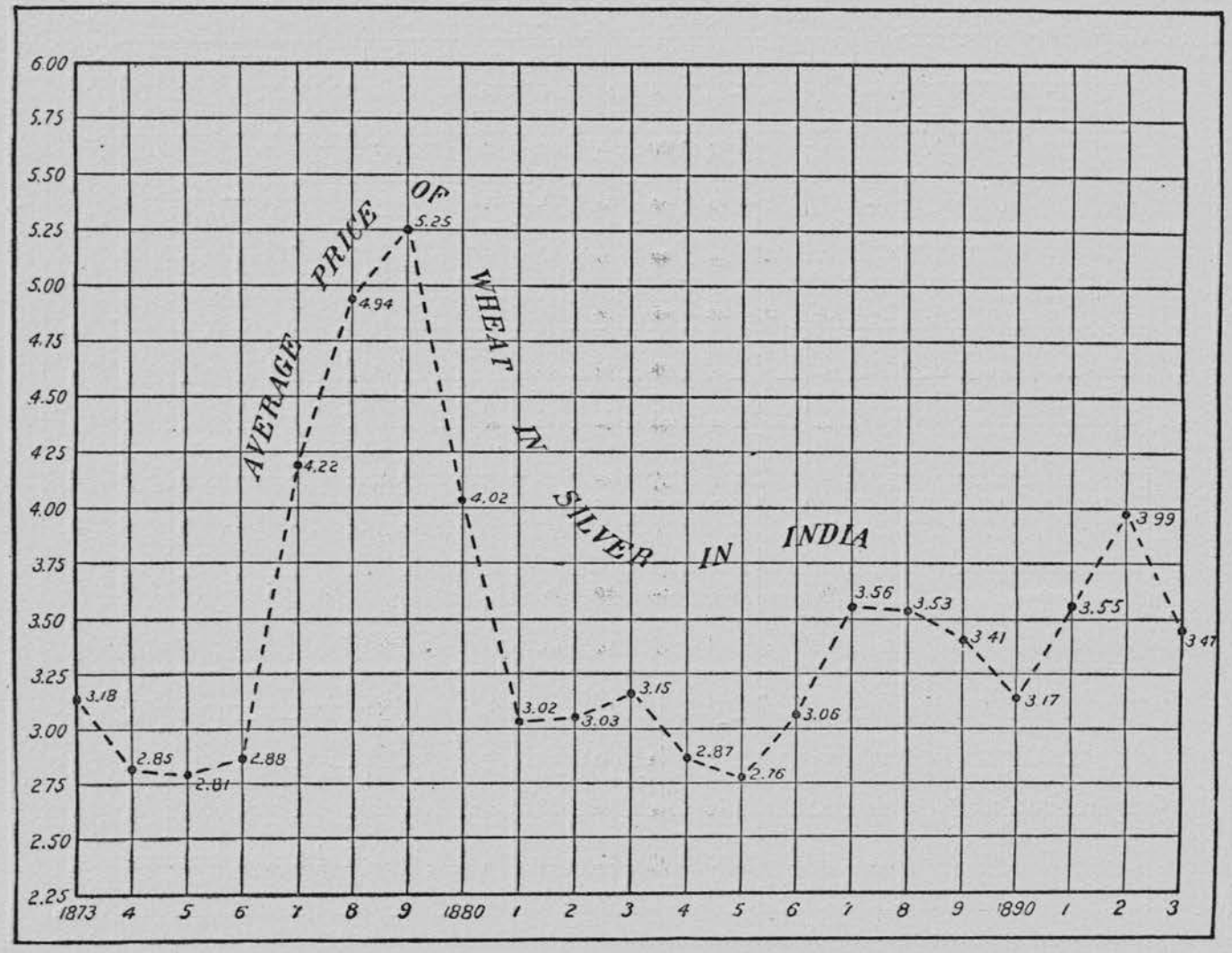
Wheat was low in the United States from 1884 to 1888, and again these last three years of grace.

That is a fact. It is also a fact that Mr. Cleveland was President of the United States during those years. Generally speaking, it is strictly true that the price of wheat has never been higher in India than in America except when there was either a famine to abnormally raise prices in India or a triumphant Democracy to abnormally depress prices in America. [Applause.] Instead of wasting time trying to restore the conditions of 1873 let us pray God to deliver India from famine, and let us help the farmers of America to deliver themselves from "four years more of Grover" by undoing the blunder of 1892, and the "crime of 1873" can safely be left to work out its own salvation or condemnation. [Applause.]

If there were any substantial advantage to be gained by exchanging wheat for rupees or for cheap Mexican free-coinage silver dollars, the American farmer could easily exchange his good American gold dollars for any of these cheap coins, and he would get just as many rupees or Mexicans for a bushel of wheat as his competitors. Up to this point they would be on an equal footing. The only difference in final results would depend on relative smartness in getting rid of the rupees.

The farmer in India might be more successful in cheating the poor laboring man out of the just wages of honest toil than would be possible in America. That I admit. Depreciated money always

CHART NO. 5.—Silver rupees. Average annual price of wheat, first sort, per Indian maund, in selected districts of Western India. From "Prices and wages in India," an official document compiled in the statistical branch of the finance and commerce department of India. Calcutta, 1894.



hits the laborer first and hardest, and the more ignorant he is the more he is hit. But when it came to paying out the part that goes to the merchant, the banker, and the railroad man it is not very likely that the ordinary farmer, either in India or America, would rob the party of the second part in the transaction to any alarming extent. But enough of India. Let us turn now to matters nearer home.

It is extremely fashionable to assert that since 1873 it has gradually become harder and harder for the laboring man and the farmer to acquire gold or to pay debts. I admit that it has been harder to get gold or to pay debts now, since 1892, than it ever was before.

The same may also have been the case in a lesser degree during the first four years of Grover. But during the years of Republican supremacy exactly the reverse was true. The improvement was not regular and steady, but it was nevertheless a distinct advance.

Speaking now as a Republican and as a Representative, glad to render an account of my stewardship and the stewardship of my party during the thirty years when that party was charged with responsibility for the prosperity of the people and the glory of the Republic, I make the statement without fear of successful contradiction that the last and thirtieth year of the thirty years of Republican supremacy was the best year in all our history for the laborer and for the farmer, and that was the year of years, before or since, when it was easiest to get gold or pay debts.

That this was true in the case of the farmer I shall attempt to prove by a mathematical statistical demonstration. I have also gone over the figures in the case of the laborer and hope at some future time to have an opportunity of presenting them to the House. For the present I will content myself with making the claim and supporting my position by quoting a single authority—"unus, sed leonem."

On page 6 of the last annual message of President Harrison, sent to Congress December 5, 1892, you will find this statement:

> There never has been a time in our history when work was so abundant or when wages were so high, whether measured by the currency in which they are paid or by their power to supply the necessaries and comforts of life.

We were more prosperous in 1892 than in 1872. We now have hard times and have had hard times for three years, but in casting about for the causes and remedies of all our ills it is utterly futile to compare the present with the less prosperous period of 1872 rather than with the more prosperous period ending in 1892. Whatever cause produced the present result commenced to operate and showed its effects after 1892 and not 1872.

WHEAT AND SILVER.

It is a favorite sophistry with our friends on the other side to say that "wheat is cheaper now than in 1873." "Silver was destroyed, struck down, and demonetized in 1873," "therefore the fall of silver caused the fall of wheat."

The trouble with that is, that the fall in price of wheat has all, or nearly all, taken place since 1891.

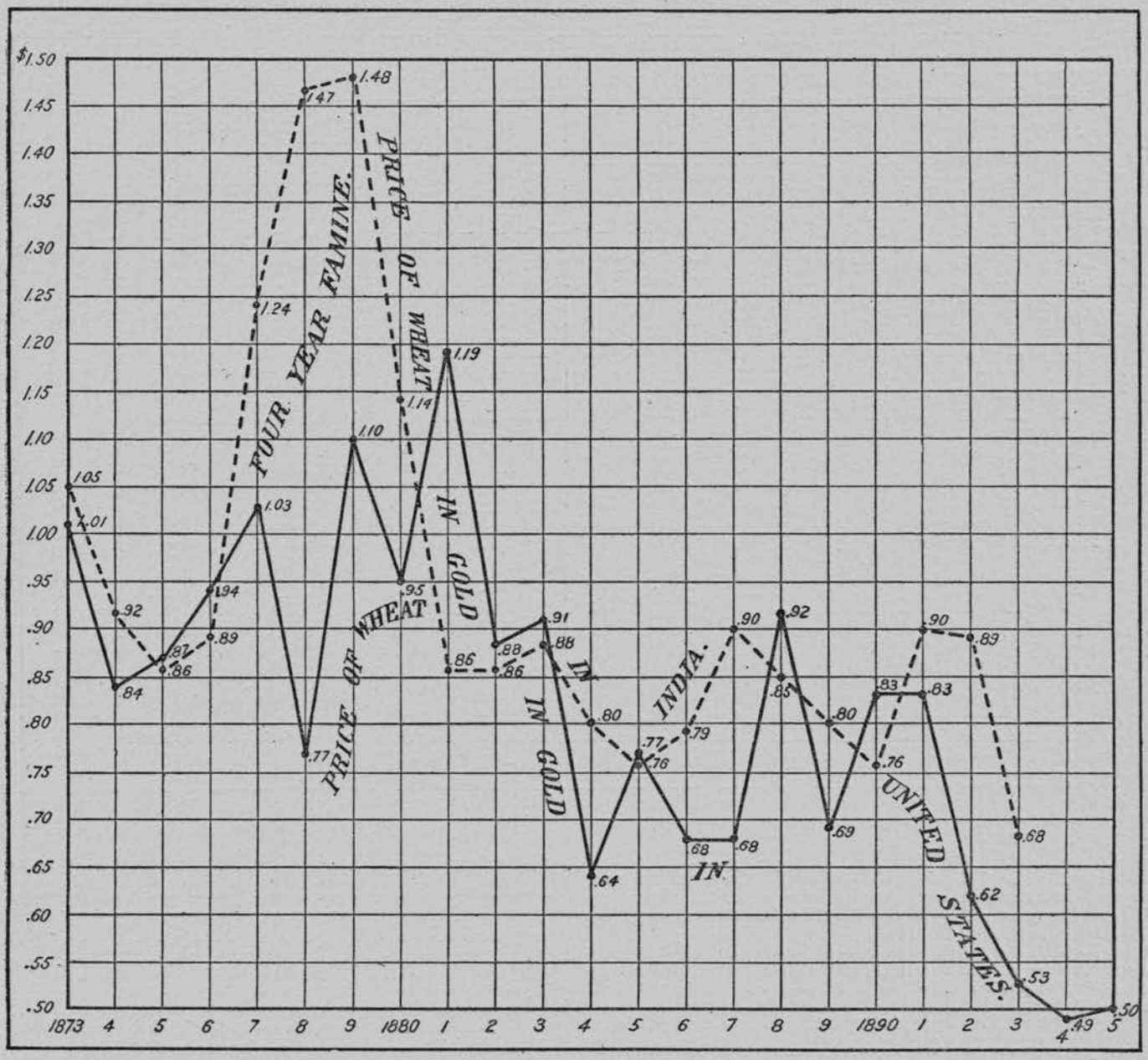
The average farm price of wheat was 83 cents in 1891 and the same in 1890, and 92 cents in 1888, in gold, while in 1874 it was 94 cents in paper currency, equal to 84 cents in gold. (See Chart No. 4.)

When was the wheat farmer most prosperous?

Answer.—He got the *biggest average price per bushel in 1881*, and the *biggest pile of gold per acre in 1891.*

In proof of the foregoing statement I submit the following table, found on page 6 of the Monthly Crop Report for December, 1895, United States Department of Agriculture.

CHART NO. 2.—Official British India Blue Book. Figures reduced to dollars and bushels by United States Department of Agriculture, February 5, 1896.



Production, value, price, and exports of wheat since 1830.

Years.	Total area of crop.	Total production.	Total value of crop.	Average value per bushel.	Average yield per acre.	Average value per acre.	Exports for fiscal years beginning July 1.	
	Acres.	*Bushels.*		*Cents.*	*Bushels.*		*Bushels.*	*Per cent.*
1880	37,986,717	498,549,868	$474,201,850	95.1	13.1	$12.48	186,321,514	37.4
1881	37,709,020	383,280,090	456,880,427	119.2	10.2	12.12	121,892,389	31.8
1882	37,067,194	504,185,470	444,602,125	88.2	13.6	11.99	147,811,316	29.3
1883	36,455,593	421,086,160	383,649,272	91.1	11.6	10.52	111,534,182	26.5
1884	39,475,885	512,765,000	330,862,290	64.5	13	8.38	132,570,367	25.9
1885	34,189,246	357,112,000	275,320,330	77.1	10.4	8.05	94,565,794	26.5
1886	36,806,184	457,218,000	314,226,020	68.7	12.4	8.54	153,804,970	33.6
1887	37,641,783	456,329,000	310,612,960	68.1	12.1	8.25	119,625,344	26.2
1888	37,336,138	415,868,000	385,248,030	92.6	11.1	10.32	88,600,743	21.3
1889	38,123,859	490,560,000	342,491,707	69.8	12.9	8.98	109,430,467	22.3
1890	36,087,154	399,262,000	334,773,678	83.8	11.1	9.28	106,181,316	26.6
1891	39,916,897	611,780,000	513,472,711	83.9	15.3	12.86	225,665,812	36.9
1892	38,554,430	515,949,000	322,111,881	62.4	13.4	8.35	191,912,635	37.2
1893	34,629,418	396,131,725	213,171,381	53.8	11.4	6.16	164,283,129	41.5
1894	34,882,436	460,267,416	225,902,025	49.1	13.2	6.48	144,812,718	31.5
1895	34,047,332	467,102,947	237,938,998	50.9	13.7	6.99		

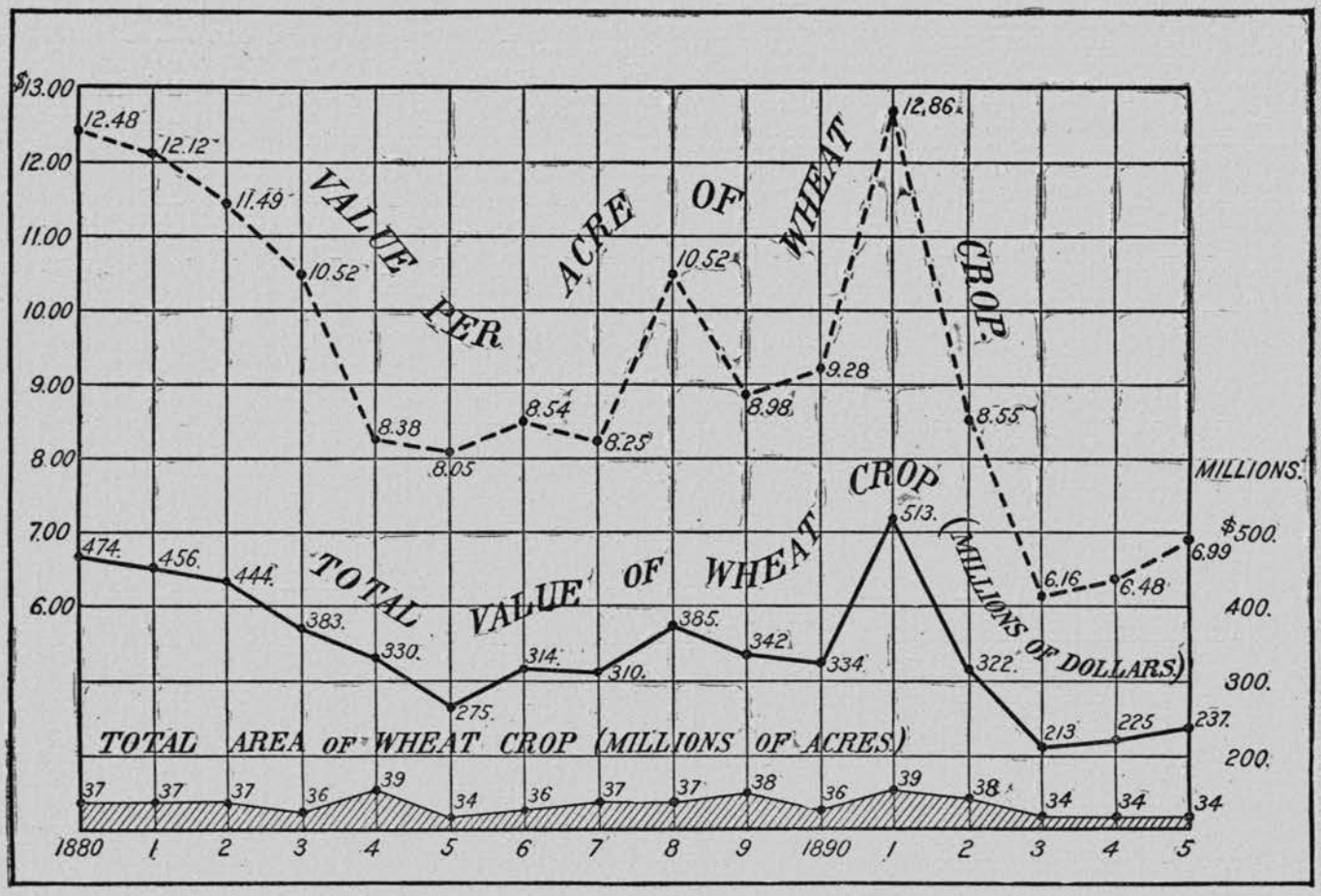
[For Chart No. 3 see page 108.]

From the foregoing table I have drawn Chart No. 3. The figures in the table and on the chart are for December each year.

Notice the tremendous drop in December, 1884, and in December, 1892, immediately following each of Mr. Cleveland's elections. Notice the *dead level of low prices* during the first "four years" and present three years of Grover.

Notice the prompt response of the wheat market to the election

CHART NO. 3.—Crop Report, Agricultural Department, for December, 1895 (page 6).



of Mr. Harrison in 1888. The wheat market promptly discounted the future, as markets always do, without waiting for the ceremony of inauguration day.

These changes in the price of wheat followed immediately after elections in 1884, 1888, and 1892.

Unless God repeals the laws of nature and of economics, similar results may be looked for in December, 1896. That is the only hope of relief I know of for the wheat farmer.

All other ground
Is sinking sand.

Notice in the table and on the chart how remarkably even the area runs—between thirty-four and thirty-nine million acres.

The biggest pile of gold for the whole crop and the biggest pile of gold per acre was got in 1891.

Five crops under Grover (1884, 1885, 1886, 1887, and 1892) were marketed near the eight dollar per acre mark.

Only one crop (1889) was ever marketed under Republican auspices for less than $9 per acre, and that lacked only 2 cents of the nine-dollar mark.

The other three crops marketed under Grover (1893, 1894, and 1895) have gone glimmering at $6.16, $6.48, and $6.99 per acre, respectively.

The wheat farmers are not unreasonable. They do not expect to get rich out of one or two years' work, but they do expect to get a decent living and a moderate profit on their capital and labor. This they have not had for the last three years.

It is very difficult to compute the exact cost of raising an acre of wheat. It costs more in some States than in others, more on some farms than on others, and more on some fields than on others, even on the same farm.

But I think farmers of experience will generally agree that it can not be raised for less than $6 per acre. If so, there has been no profit on the average in raising wheat for the last three years. Some have gained, but others have lost. Last November I published the following table giving, as near as I could, the expense per acre of raising wheat in 1895 on three separate fields on my own farm:

	First field.	Second field.	Third field.
Plowing	$1.25	$1.25	$1.25
Seeding	.50	.50	.50
Dragging	.25	.25	.25
Seed	.75	.75	.75
Cutting and binding	.75	.75	.75
Twine	.25	.25	.25
Shocking	.50	.50	.50
Thrashing	3.24	2.70	4.14
Interest and taxes	1.00	.60	1.00
Total	8.49	7.55	9.39

Having a railway station on my farm, I allow nothing for hauling to the railroad. This item is often as high as a cent a mile per bushel. My lands range from $4 to $10 per acre in value, which makes the item for interest very much below the average.

There has been considerable discussion in the local papers of North Dakota on these figures. Some claim that they are altogether too low; but I think those who have given figures have, without exception, quoted lower costs, except in the two items of hauling and interest.

Without specifying items, one may safely say that it is very much cheaper to raise wheat now than in 1873, mainly on account of the invention of the self-binder.

It is also reasonable to assume that the farmer ought to get from $9 to $12 per acre for his wheat crop, as he always did under Republican rule, the lowest being $8.98, in 1889, and the highest being $12.86, in 1891. With that he would be prosperous and happy. The conditions of 1881 and 1891 can be restored. The conditions of 1873 can no more be restored than you can turn back the world in its history or the earth in its orbit.

"Turn the other way, boys," as Sheridan said. Victory and prosperity do not lie in the direction of stampeding people after

India rupees, Mexican 50-cent dollars, or any other kind of cheap free-coinage money. Especially do I appeal to you young, bright, and brave men of the Republican party not to concede as if it were true what is absolutely false as to the glorious achievements of the prosperity which took its flight not in 1873 but in 1892. Let not the G. O. P. discover you among the crowd of assassins and regretfully have to say, "Thou too!"

I have gone into this subject of wheat thus at length and in detail because it has been more than any other the favorite target for the silver lance. I have also had prepared at the Department of Agriculture a table giving the farm prices of corn, wheat, rye, oats, barley, buckwheat, potatoes, and hay in December of each year from 1870 to 1895.

UNITED STATES DEPARTMENT OF AGRICULTURE,
DIVISION OF STATISTICS,
Washington, D. C., February 4, 1896.

DEAR SIR: I have the honor to hand you statement of the farm prices of principal agricultural products, as promised in our conference of to-day.

Very respectfully,

HENRY FARQUHAR,
Acting Statistician.

Hon. M. N. JOHNSON,
House of Representatives.

Average farm price for the United States of corn, wheat, rye, oats, barley, buckwheat, potatoes, and hay in December of each year from 1870 to 1895, inclusive.

Year.	Corn, per bushel.	Wheat, per bushel.	Rye, per bushel.	Oats, per bushel.	Barley, per bushel.	Buckwheat, per bushel.	Hay, per ton.	Potatoes, per bushel.
1870	$0.549	$1.042	$0.815	$0.433	$0.845	$0.784	$13.82	$0.720
1871	.482	1.258	.790	.401	.806	.828	15.82	.596
1872	.398	1.240	.763	.336	.738	.829	14.53	.599
1873	.480	1.150	.762	.374	.915	.814	13.67	.....
1874	.647	.944	.858	.520	.921	.808	13.73	.677
1875	.420	1.000	.769	.365	.811	.710	12.27	.389
1876	.370	1.037	.669	.351	.664	.726	9.74	.655
1877	.358	1.082	.592	.292	.639	.687	8.60	.448
1878	.318	.777	.526	.246	.580	.527	7.21	.589
1879	.375	1.108	.656	.331	.589	.598	9.32	.436
1880	.396	.951	.756	.360	.666	.594	11.65	.483
1881	.636	1.193	.933	.464	.823	.865	11.82	.909
1882	.484	.882	.615	.375	.628	.729	9.70	.557
1883	.420	.910	.580	.330	.587	.820	8.19	.420
1884	.357	.645	.519	.280	.487	.589	8.17	.396
1885	.328	.771	.579	.285	.563	.559	8.71	.447
1886	.366	.687	.538	.298	.536	.545	8.46	.467
1887	.444	.681	.545	.304	.519	.565	9.97	.682
1888	.341	.926	.591	.278	.596	.636	8.76	.402
1889	.283	.698	.457	.230	.427	.518	7.88	.403
1890	.506	.838	.629	.424	.648	.577	7.74	.777
1891	.406	.839	.774	.315	.540	.579	8.39	.371
1892	.393	.624	.548	.317	.472	.534	8.49	.673
1893	.365	.538	.513	.294	.411	.583	8.68	.590
1894	.457	.491	.501	.324	.442	.556	8.54	.536
1895	.264	.509	.440	.199	.337	.452	8.35	.266

From the foregoing table I have selected wheat, corn, oats, and hay for representation on Chart No. 4.

[For Chart No. 4 see page 110.]

This chart proves that prices of these farm products did not fall from December, 1878, to December, 1891:

	1878.	1891.
Wheat.....bushel..	$0.77	$0.83
Corn.....do....	.31	.40
Oats.....do....	.24	.31
Hay.....ton..	7.21	8.39

Whatever injury was done to the farmer by falling prices was done either while we were under the spell of cheap paper money previous to December, 1878, or else after the Republicans lost control of the country, when the crop of 1892 went to market in December, 1892, under the shadows of tariff reform.

Those fourteen years from 1878 to 1892 cover the only period and the entire period in the history of our country when the *two cardinal doctrines of the Republican party*, viz—

First. *Protection to American industries;* and

Second. *Sound money*—

had a chance to do their perfect work. The record for those years is made up. They were the years of our greatest prosperity. The truths of history can not be obscured or obliterated.

Distort it as you will, the fact remains that the thirtieth year of the thirty years of Republican supremacy was the best year in all our country's history. That was the year when it was the easiest for the laborer and the wheat farmer to earn gold or to pay debts with the products of his toil. [Applause.]

Let me touch up one other feature of free coinage and I am done. Individual depositors have now on deposit in the United States—

In national banks	$1,701,653,521
In savings banks	1,801,597,023
In other banks	892,699,149
In loan and trust companies	546,652,657
Total	4,942,602,350

On January 1, 1894, there was in force in twenty-two leading American life-insurance companies liabilities amounting to	5,357,827,729
In all other companies (estimated)	3,000,000,000
Total	8,357,827,729

I have never seen a certificate of deposit or a policy of life insurance payable in gold coin. This blank certificate of deposit which I hold in my hand is in the usual form.

[Certificate of deposit.]

WASHINGTON, D. C., ——, *189–*. No. 102.

This certifies that ——, $——, has deposited with —— ——, bankers, —— dollars, payable to the order of —— —— on the return of this certificate properly indorsed.

—— ——, *Cashier.*

Not subject to check.

Without stopping to read it all, I will say that this is the usual form of life-insurance policy [holding up a copy], and the gist of it is in these words:

Does promise to pay to Mary Roe, if living; if not, then to her husband, William B. Roe, his executors, administrators, or assigns, at the office of the society in the city of New York, $100,000, upon satisfactory proofs of the death of said William B. Roe.

These two classes of liabilities add up $13,300,430,079.

Under free coinage of silver these banks and companies could set aside one-half of this sum as clear profits with which to start 600,000 brand-new millionaires in business, and with the other half they could buy enough silver bullion to make 13,300,430,079 brand-new silver dollars with which to pay in full all claims of widows, orphans, and depositors.

[Mr. JOHNSON of North Dakota declined all interruptions during the delivery of his speech, but promised if time would permit to answer questions at the close, when substantially the following quiz occurred:]

Mr. SHAFROTH. Since you have singled out my speech made last night as a text for your discourse, I would like to have about one minute to explain to members who were not present last evening.

Mr. JOHNSON of North Dakota. Oh, no; not for a speech. I refuse to yield even a minute for that.

Mr. OGDEN. May I ask the gentleman a question?

Mr. NEWLANDS. May I ask a question?

Mr. JOHNSON of North Dakota. One at a time, gentlemen. I promised to yield what time I could spare of my hour to the gentleman from Pennsylvania [Mr. CHARLES W. STONE] and to the gentleman from North Carolina [Mr. SETTLE]. Therefore, I must be brief, and do not wish to appear discourteous. [To Mr. SHAFROTH:] Ask your question and then sit down. [Laughter.]

Mr. SHAFROTH. Well, I will sit down when I care to. Now, in this table which you have here——

Mr. JOHNSON of North Dakota. Which table?

Mr. SHAFROTH. The table which you have marked "page 6 of the Crop Report of the Agricultural Department." This upper curve, as I understand, represents the gold value per acre of the wheat crop?

Mr. JOHNSON of North Dakota. Yes, sir.

Mr. SHAFROTH. And you say that the greatest price for wheat from 1880 down was obtained in 1881?

Mr. JOHNSON of North Dakota. That curve [indicating] is not the price. That curve shows the value per acre, not the price per bushel. These figures [indicating the other curve] give the total value of the crop. The greatest value per acre and also the greatest total value for the whole crop was obtained in 1891, while the highest price per bushel since 1880 was obtained in 1881, but that fact is shown on the other chart.

Mr. SHAFROTH. Can it be possible that the value per acre does not correspond with the price per bushel?

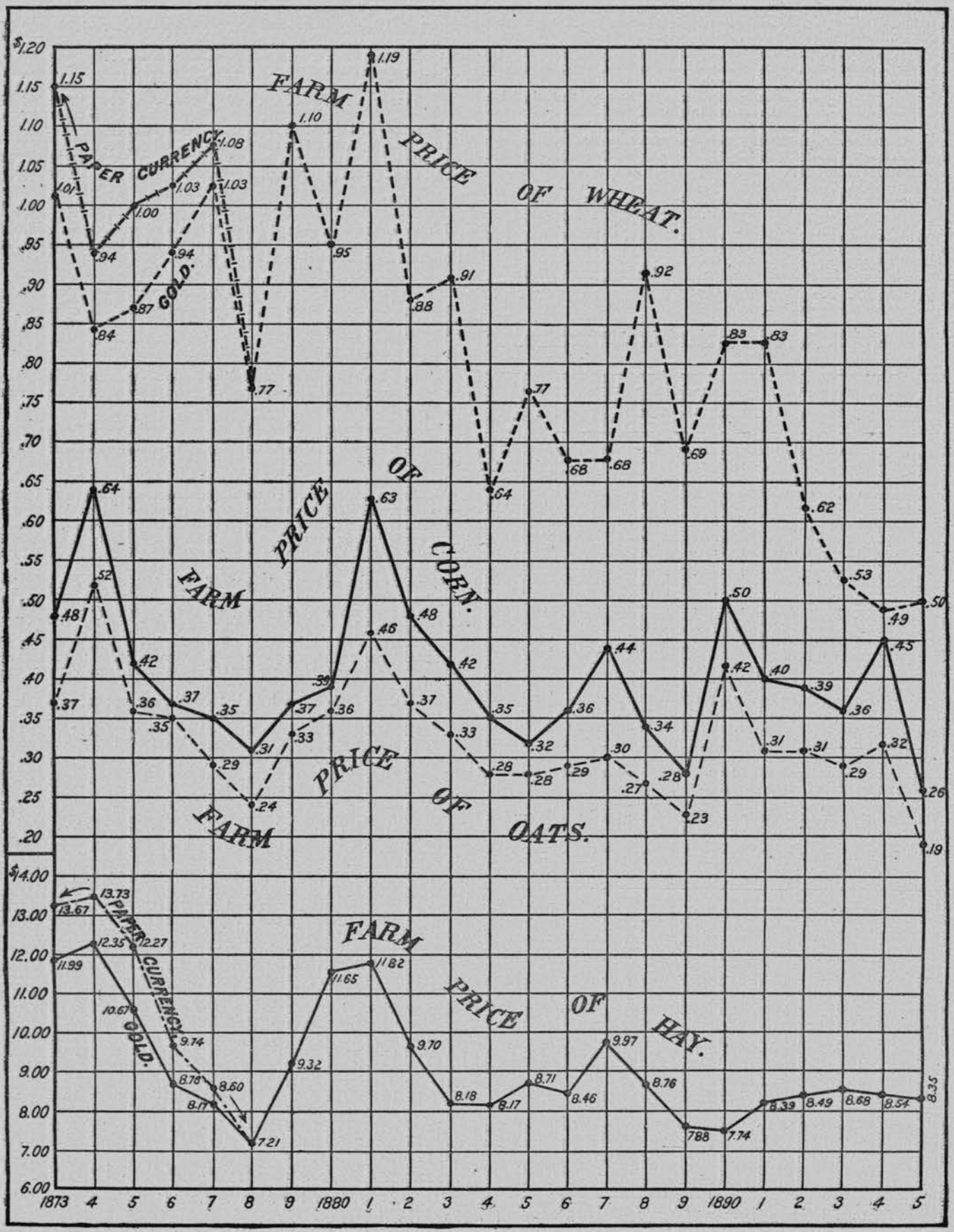
Mr. JOHNSON of North Dakota. Oh, I do not care to answer a question of that kind. The value per acre depends as much on the yield as on the price.

Mr. SHAFROTH. Then, you say that the price obtained for the total crop was $513,000,000?

Mr. JOHNSON of North Dakota. Let me make the matter plain.

Mr. SHAFROTH. Answer my question; you do not seem to care to answer me fairly.

CHART NO. 4.—Department of Agriculture, February 4, 1896.



Mr. JOHNSON of North Dakota. Your theory is that on account of the great yield——

Mr. SHAFROTH. No, sir.

Mr. JOHNSON of North Dakota. You hold that in accordance with the law of supply and demand the price, on account of the enormous yield in 1891, should have been reduced; but in spite of the enormous yield we still realized a handsome price, 83 cents, and the greatest amount of gold per acre that we ever had. The price kept up under Republican rule. My friend, when you come to study about what has caused the depreciation in the price of wheat just commence at the fall of 1892. You need not go back to 1873. [Applause.]

Mr. SHAFROTH. Is it not a fact that the best price obtained for wheat was when silver, by reason of the act of 1890, was appreciated to a very great extent?

Mr. JOHNSON of North Dakota. No, sir; the best price we ever got for wheat since 1873 was in 1881, when we got $1.19. [Applause.]

Mr. SHAFROTH. Is it not a fact that according to your chart in 1891 wheat rose from 69 cents a bushel to 83 cents a bushel because silver was given some recognition by this nation and some other nations? [Applause.]

Mr. JOHNSON of North Dakota. That is a matter of opinion, so far as the cause is concerned. The fact appears on the chart that wheat rose from 69 cents in December, 1889, to 83 cents in December, 1890.

Mr. SHAFROTH. Is it not a fact that the price of wheat in India is and always has been substantially 1 ounce of silver for 1 bushel of wheat? [Cries of "No!" "No!"]

Mr. JOHNSON of North Dakota. I do not see the pertinence of that question, and I do not care to spend time upon it. Here on this chart (No. 2) and also on Chart No. 5 are shown the prices of wheat in India from 1873 to 1893.

(Price of wheat in India is shown on gold basis on Chart No. 2 and on silver basis on Chart No. 5.)

Mr. JOHNSON of North Dakota. I promised to yield to the gentleman from Alabama [Mr. WHEELER] for a question.

Mr. WHEELER. Is it not true that since 1873 the price of wheat has fallen from $1.12 a bushel down to 62 cents?

Mr. JOHNSON of North Dakota. In December, 1873, the price was $1.15 in paper currency, equal to $1.01 in gold. The other price mentioned by you—62 cents—occurred in December, 1892, and the cause for the drop from 83 cents in December, 1891, I have fully explained.

Mr. WHEELER. And is it not true that the exports of wheat from the United States have fallen from 210,000,000 bushels down to, in recent years, 42,000,000 bushels?

Mr. JOHNSON of North Dakota. We never exported as much as 200,000,000 bushels of wheat any one year, except in 1891, and we never fell below 100,000,000 except twice, viz, 1885 and 1888. The table from which I drew Chart No. 3 gives the exports for every year since 1880, and I will insert it in the RECORD.

Mr. WHEELER. And is it not true that the failure of our exports to Europe has been filled up by exports from the silver countries, India increasing her exports from nothing up to some 60,000,000 bushels; the Argentine Republic from nothing up to about the same amount; Russia increasing hers to 100,000,000 bushels? In other words, have not the various silver countries taken the market which we have lost?

Mr. JOHNSON of North Dakota. The silver country India has not taken our market. Ten years ago there was a great scare, founded on the idea that India with her cheap labor was going to take our market. That idea failed to materialize. The Argentine Republic has to a great extent increased its exports of wheat; but not on account of silver. An overwhelming calamity has of late years befallen Argentina in the depreciation of its paper money. [Applause.] Russia is no more a silver country than the United States. They are on a paper basis there.

Mr. WHEELER. India exported 60,000,000 bushels. Where did that wheat go? Did it not go to Liverpool?

Mr. JOHNSON of North Dakota. I do not care where it went.

Mr. OGDEN. The gentleman has spoken of a "depreciated silver dollar." Will he show me any silver dollar ever coined by authority of the United States that has not been as good as a gold dollar or a paper dollar?

Mr. JOHNSON of North Dakota. No, sir; except trade dollars, and I hope we never shall see a silver dollar of the United States of America that is not worth as much as a gold dollar. But we shall do so if the gentleman's party succeeds. If this bill passes this House to-day and the White House to-morrow, then I can show you 500,000,000 silver dollars to-morrow that will be worth only 50 cents each. I can show you plenty of 50-cent silver dollars to-day in Mexico. If you want free coinage silver dollars, you can easily get Mexican dollars two to one in exchange for ours. If you are content to take Mexican dollars—heavier and purer silver than ours—you can easily have wheat at $1 a bushel measured in that kind of money.

Mr. HALL. Will the gentleman be kind enough to turn back to the map numbered 6?

Mr. JOHNSON of North Dakota. There are only five of them.

Mr. HALL. I think the last one, then. I believe it is numbered 6.

Mr. JOHNSON of North Dakota. No; it refers to page 6 of the Crop Report.

Mr. HALL. Very well. I would like to ask the gentleman if he has in the figures to which he has referred a statement to show the number of bushels of wheat raised in the United States during the given period covered by the table to which he refers?

Mr. JOHNSON of North Dakota. Oh, yes; it is here in the same table.

Mr. HALL. I hope the gentleman will publish that table with his remarks.

Mr. JOHNSON of North Dakota. I will do so. I will publish in the RECORD both the tables and the charts drawn from them.

Mr. HALL. I should be very much gratified if the gentleman would do so.

Coin Redemption Fund.

SPEECH

OF

HON. ASBURY C. LATIMER,

OF SOUTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 13, 1896,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. LATIMER said:

Mr. SPEAKER: The subject under discussion has been so fully discussed during the pendency of this and other bills of like tenor that it would seem to be unnecessary for any further debate. Especially would it seem unnecessary for me, since I have on a previous occasion set forth my views fully upon it. But I could not properly represent the district which has honored me with a seat here were I to failto raise my voice in its favor. The people of that district have a right to be heard here in distinct tones upon every question, and as their exponent here for the time being, I am but registering their judgment.

True, it is hard to present any more forcible reasons for its passage than some we have heard during this debate, but I have a view to present which I hope will open the eyes of honest doubters and cause them to go over the question again from this point of view. For the reason that I have already discussed it at length, and for the additional reason that it is impossible for me in the short time allotted me to go over the whole ground again, I confine myself to the presentation of this single view.

We are a nation of gamblers, a Congress of gamblers, and even the National Government has recently been gambling on a very large scale. Does that sound like a wild assertion? If so, wait and see. All people admit that betting on cards and horse races and dealing in agricultural futures are gambling. There may be many other kinds, but these are enough for my present purposes.

What are the relations between A and B when A borrows $20 from B and gives his note due in twelve months for the repayment of a like sum with interest? We commonly say that A borrowed the money and gave his note, but that does not express the condition fully. As a matter of fact, A has sold a contract for the future delivery of money and B has bought a contract for the future delivery of money. This may be a legitimate transaction, and is not to be confused with the gambling future contracts in agricultural products, where no real delivery is intended on one side or expected on the other. If there is a change in the price of money during the time that intervenes between the sale of this future contract for money and delivery day, it will be a loss to one or the other of the parties to the contract. It is a self-evident fact that every note, mortgage, bond, or other written acknowledgment of debt, coupled with a promise to pay in the future, is a future contract for the delivery of money, and therefore a money future.

The Commissioner of Labor in his bulletin for November, 1895, shows that the minimum public and private debt of this kind is something over $20,000,000,000. This means that the General Government, the State governments, the cities, the corporations, the farmers, and other persons on the one hand have sold contracts for the future delivery of $20,000,000,000 in money; and, on the other hand, certain capitalists have bought contracts to that amount for the future delivery of money. Now, those who have sold these contracts can make delivery of the money only by ex-

changing the commodities they have for money, and in direct proportion as the value of money is enhanced, it will require more of these commodities to make delivery under the contract. It follows, naturally, that such capitalists are "bulls" on the money market—that is to say, that they want the price of money to go up—while those who have sold the contracts, if they are true to their own interest, would be "bears" on the money market to this extent: They want to hold the price of money at the same point that it was when these contracts were made. But, unfortunately, the "bulls" take an active part in dictating the policy of that portion of the "bears" represented by the governments and the corporations, and actually compel the governments and corporations, when they have sold money short, to pay in money that absorbs twice as much commodities as the contract calls for. Now, let me show in what way this has been done.

Perhaps there may be some within the sound of my voice who have heard of the great crime of 1873; if not, I am not going to tell you about it in detail now. I have not time; but I am going to give you what to my mind is a better reason why that action was taken, and to state more clearly the result than any other, perhaps, that has been presented in this connection. There was no gold or silver in circulation in 1873, and the act had no perceptible effect and would have passed unnoticed at the time but for the howl of the politicians who saw a chance to win office by agitation. The real cause for the demonetization of silver in 1873 was because the Government had authorized in 1871 the sale of $1,500,000,000 coin futures in the shape of coin bonds. A small per cent of these bonds were to run ten years, some twenty years, and the remainder thirty years. Silver was not in use, and the men who bought this $1,500,000,000 of Government coin futures expected that long before delivery day should arrive specie payment would be resumed; and in anticipation of that event they saw that by the demonetization of silver when it would not be noticed or felt their coin futures would become gold futures, and the people would not realize the wrong done them until the near approach of delivery day.

Delivery day is now rapidly approaching, and the moment we remonetize silver we rob it of half its terrors to the people. Let me show you why. The $20,000,000,000 of public and private debt is largely short-time paper, and we have in this country only about, say, in round numbers, $500,000,000 in gold. Twenty per cent of this is, by usage, to be kept locked up in the National Treasury as a reserve. At least 75 per cent of the balance is held by the large fiscal institutions that are also the largest purchasers of these money futures, leaving only about $100,000,000 of gold in existence to deliver on contracts for $20,000,000,000. This, in my mind, demonstrates the approach of the greatest "corner" ever made in the market. These men have laid their schemes for thirty years to corner the money of the nation. If we play into their hands they are sure to succeed; and success means that the entire wealth of this nation is absolutely at the mercy of this gold ring. If they do not take it all it will be simply and purely because they are too righteous.

But suppose we discharge our sworn duty to this Government by supporting its true interests and pass this free coinage of silver amendment, what will be the effect? We at once break the corner and rescue those who have sold these futures from distress and disaster; we bring happiness and prosperity to the land without working any injustice to the purchaser of the futures. He will get what he bought, with interest; whereas he now wants to extort a fine from the seller because the seller can not deliver what he (the buyer) has cornered. It is an act of simple justice and right to break up such gambling schemes.

Mr. Speaker, I do not wish to say anything unparliamentary, and I shall endeavor not to do so; but I have shown that this Government is a debtor, and it is well known that the debt has been largely increased in the last two years. It has over $700,000,000 of thirty-year contracts for the delivery of coin outstanding, which mature in the near future, and how any man who has been elected to a position in this honorable body can keep from feeling like a traitor to his country when he votes to strike down silver and meet these obligations with blood-bought, sweat-bought, and conscience-bought gold is more than I can understand.

The far-fetched pretext on which these recent issues of bonded debt have been predicated still exists, ready to the hand of an Executive who strangely insists upon viewing this whole question from the standpoint of the Government creditors rather than of the Government which he is supposed to represent. Under that pretext a thousand millions of debt will be added, we are told by the spokesman of the Administration on this floor. But when a thousand millions shall have been issued, this same pretext will still be at the hand of Wall street tools for successive issues of bonds without limit until the Government is bankrupt or an outraged people rise in their majesty and drive the money changers out of the temple of liberty. It requires nothing of prophetic power to foresee that it must come to this unless the people's representatives here and now break the fetters being forged upon the people's hands.

Silver—Free Coinage.

SPEECH
OF
HON. THOMAS G. LAWSON,
OF GEORGIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 13, 1896,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. LAWSON said:

Mr. SPEAKER: In the short time allotted to me I can not undertake a thorough and elaborate discussion of the pending bill in all its bearings, and will content myself, therefore, with the expression of a few general principles sufficient to define my position. I do not underrate the importance of the question; its right determination involves momentous consequences to the business and to the future prosperity and happiness of the people. The proposition is that our Government shall enter upon the free and unlimited coinage of gold and silver at the ratio of 16 to 1 without reference to what other countries may do, or, in other words, that we shall change our present financial system, which is in accord with the systems of the other great commercial countries, and adopt a new system exclusively for ourselves and entirely different from theirs. The statement of the question ought to suggest doubt as to its accomplishment and as to its propriety and value if accomplished, for in modern times nations are not isolated. Steamships, ocean cables, and reciprocal commercial intercourse have brought them into very close relations and sympathies; they are effectually a unit in commercial enterprises and monetary appliances.

I am in favor of neither gold monometallism nor silver monometallism, but of bimetallism, consisting of the standard of value that we have had for the past sixty years, with as much silver as we can possibly circulate on an equality of value with gold, and in addition thereto I favor a banking system that will enable all our people to use their capital and their credit in furnishing an adequate quantity of safe and sound paper money, convertible into the coins, for use of the people. It seems to me that the system of finance that I have described is the best system for this country, and I oppose the free, unlimited, and independent coinage of silver at the ratio of 16 to 1 because it will inevitably prevent the inauguration of that system. When in the early days of the Republic the free and unlimited coinage of gold and silver was provided for it was done as a means to an end, the end being the securement of sound money. The scheme was practicable then because the relative value of gold and silver at the mints was the same as their relative value in the markets; their coin value and their intrinsic value were approximately the same. Both Hamilton and Jefferson, the respective leaders of the diverging lines of political thought, were in thorough accord on this question, and both conceded that the mint ratio must be ascertained by a comparison of the relative value of gold and silver in the markets of those countries with which we sustained commercial relations, and having ascertained that the relative value of those metals in those countries was about 15 to 1, they established that ratio here. But conditions change in a hundred years; what was feasible and safe and wise then may be very dangerous now. For their system of coinage we substitute a system in conformity with the changed conditions just as we substitute steam cars, steamships, and telegraph lines for their wagons, sailing vessels, and pony expresses, and it would be just as wise for us to readopt their methods of transportation and transmission of intelligence as it would be to reestablish their coinage laws.

I believe as firmly as I believe anything that depends on the testimony of human experience and the dictates of common sense, that the free, unlimited, and independent coinage of silver at the ratio of 16 to 1, under modern conditions, would result in silver monometallism; that it would destroy the existing measure of value, expel gold and all money better than itself from the circulation, cut off at least one-half the circulation we now have, destroy credit and confidence, which are more essential to our progress and prosperity than either gold or silver, and produce such a chaotic condition of the finances as to bring upon the country more widespread and irretrievable ruin and distress than it has suffered in its entire history.

The history of all nations of modern times, those having the gold standard as well as those having the silver standard, conclusively demonstrates that it is impossible for gold and silver money to circulate concurrently when they are coined at a ratio of value different from the commercial value of the bullion. Governments do not add anything to the value of either metal by coining it;

they put them into convenient shape for use, and merely certify, for the convenience of those who use them, that the coins are of a given weight and fineness. None but Deity can create value from nothing. The United States, England, France, and Germany have, during their history, all engaged in the free and unlimited coinage of gold and silver at a fixed ratio, and neither one of them has ever succeeded in circulating both coins at the same time when there was a divergence between the mint ratio and the market ratio. Mexico and other free-coinage nations are attempting to do so now and are making wretched failures. I know it is said that France maintained the parity of the two metals seventy years by her coinage laws, but the statement is not true, as anyone may ascertain who will take the trouble to inform himself.

During that period France, just as we did, had a silver standard when silver was relatively cheaper than gold and a gold standard when gold was relatively cheaper than silver, and when she found in 1874 that, owing to the fluctuations in value of the two metals, the parity between them could not be maintained, she suspended the coinage of silver. The statistics of the operations of her mints, the importations and exportations of her gold and silver, the fluctuations of her exchanges, and the testimony of distinguished writers and of intelligent travelors all evidence her inability to maintain the parity of the metals. It is important to note also that while France was engaged in her efforts to maintain the equality of the two metals she had the assistance of other commercial nations, and yet their combined efforts proved abortive. When I consider the history of other great and powerful nations that have, either singly or combined, failed to maintain the parity of gold and silver when coined at a ratio different from the market ratio, I am forced to believe that the people who insist that the United States alone can maintain their parity by their free, unlimited, and independent coinage at the ratio of 16 to 1 when their market ratio is 32 to 1 are laboring under some delusion or hallucination, or that they are not fully informed as to the experiments of other nations on this line. And yet I know that many able and honest men do believe in the theory.

A brief résumé of the experiments of our own country it seems to me ought to convince any man of the fallacy and impracticability of free coinage of silver in the manner proposed. Our first experiment was at the legal ratio of 15 to 1, because that was at the time supposed to be its market ratio. Very soon afterwards the price of silver declined in the market, the gold coins left the country, and our commerce settled down upon a silver standard. To correct the evil Mr. Jefferson, in 1805, while he was President, suspended the coinage of silver, and it continued suspended until the year 1834. In the latter year Jackson, Calhoun, Benton, and other distinguished statesmen undertook to restore the circulation of gold in the country, and in 1837, to effect that object, aided in changing the ratio to 16 to 1.

Under the first ratio it was decreed that 1 pound of gold should be worth 15 pounds of silver at the mints, and under the last ratio it was decreed that 1 pound of gold should be worth 16 pounds of silver. I pause to ask why the change was made? If the Government could not maintain the equality of the coins when there was only about 2 cents difference in their value as bullion, how is it possible now to maintain their equality under free coinage when there is a difference of nearly fifty cents in their bullion value? It is evidently impossible; and any effort to do so would plunge us at once into silver monometallism. But a mistake was made in fixing the ratio at 16 to 1. Silver was undervalued, and consequently disappeared from the circulation, leaving gold, the cheaper metal at the mints, to take exclusive possession of the field, and to become our commercial standard of value. After the establishment of the last ratio silver change became so scarce in the country that Congress in 1853 found it necessary to reduce the quantity of silver in our fractional coins and so to cheapen them that they would not be sent to foreign lands. They debased the silver in these fractional coins so that two half dollars would contain 28¾ grains of standard silver less than a silver dollar. Such is the history of the establishment of the gold standard or measure of value in this country. It occurred under the Administration of General Jackson in 1837, and has continued to the present time, except during the war period. Notwithstanding the mints were open to the free and unlimited coinage of silver, very little silver sought the mints, and during the first eighty years of the history of the Republic less than nine millions of silver dollars were coined, and I doubt whether any person in my presence ever saw one of them outside the cabinet of a collector of curios.

Why? It was because silver was more valuable in the markets than it was at the mints; and for the same reason no gold would be coined now if we were to open the mints to the free coinage of silver at 16 to 1. Gold would be more valuable as a commodity than as money. Nearly all the silver in circulation from the year 1792 to 1878 were foreign coins, and they were, after the year 1857, a legal tender in small amounts only. Thus the coinage stood in 1873, when the act so much inveighed against was enacted. It did not originally establish the gold standard; it had been established by commerce more than thirty years prior to that time, and the act only enacted into law what already universally existed in this country by the laws of trade and custom. Silver was not demonetized by the act. It was only denied mint privileges; It is not demonetized now; the silver dollar is not redeemable in anything, and is a legal tender for all debts, public and private, and to any amount. If it is not now standard money, or money of ultimate payment, I do not understand what the terms mean. If there had been any purpose by the act of 1873 to distress the debtors of the country by compelling the payment of debts in money of a higher value than parties had reference to when contracts were made, I suppose that the silver standard would have been adopted, as silver was then of higher relative value than gold. But all debts existing at that time were contracted with the expectation of being paid in gold, inasmuch as legal-tender silver had not been in circulation for more than thirty years. But standards of value are not, in my judgment, created by legislation. Measures of value are evolved out of the processes of thought, conference, disputes, and arguments that occur among the millions of traders throughout the world. In intelligent and prosperous countries, where the contracts between citizens are large and commerce is extensive, gold as a measure of value is preferred, because it is a more suitable and efficacious instrument of exchange. And for the same reason silver, as a measure of value, is preferred in countries of meager and unimportant trade and commerce.

Money and vehicles of transportation are media of exchange and bear a close analogy. Enormous locomotives and trains of cars are required to transport the products and commerce of some countries, while camels and pack horses amply suffice for the carrying trade of others. Gold is necessary for the former class, while silver and copper more conveniently do the business of the latter class. As the measures of value are not enacted by legislation, they can not be safely interfered with by legislation. When a legislature steps in between citizens while engaged in mutual contention as to price of commodities which they are engaged in buying and selling, it is an interloper; it may say in what currency its taxes may be paid, or a debt be discharged, and that is as far as it can go. When it attempts to go further it antagonizes a law superior to itself, a law evolved from the self-interest of men, and which ordains that each man for himself shall determine what he shall pay for what he has to buy and what he shall accept for what he has to sell. Out of such processes measures of value are evolved, and no government is able to say what its standard shall be, and to enforce it, unless it be the standard thus evolved. So long as legislation coincides with natural laws we have no trouble, and we ought to remember that the laws or fixed principles established in finances are as fixed and stable as the law which regulates the ebb and flow of the tides of the ocean. The standard or measure of value, therefore, is fixed by buyer and seller, and not by debtor and creditor, and if the government attempts to fix a standard of a different kind it must inevitably fail. If, therefore, we attempt to make gold and silver both a measure of value, we must coin them at their commercial ratio, and not at an arbitrary ratio which disregards the relative value of the metals in the markets.

The standard everywhere fixed relates to equivalent. Where a man exchanges a commodity, he is entitled, under the first principles of justice and morality, to receive its exact equivalent in value in some other commodity. If a man exchange a quantity of wheat for a quantity of corn, the quantity of one ought to be exactly equal in value to the quantity of the other. If a man exchange a quantity of cotton for a quantity of silver, as a medium of exchange, the quantity of silver ought to be exactly equal in value to the quantity of cotton, or else it will not be equal in value to the quantity of wheat or other commodity which he expected to be able to buy with the proceeds of his cotton. Every purchase and sale is indirectly a barter, an exchange, a swap of one article for another. We use money solely for convenience, as a medium of exchange only, a vehicle to carry the article we sell to the purchaser and to bring back the articles which he has and which we desire to buy.

In contemplation of economic principles every purchase and sale is indirectly a barter. Therefore the money paid and received, in order to conform to the principles of justice and good morals, must, when valued as a commodity, as bullion, or as the representative of money, be exactly equal in value to the commodity for which it is exchanged. Unless it is so he who receives the money is cheated and the principles of justice and good morals are violated. The law may compel a creditor to accept a given kind of money in discharge of a debt, but it can not compel the owner of commodities to accept any kind of money against his will in the sale of them. Rather than sell on such terms he will prefer to keep his commodities. The Government may coin 50 cents' worth of silver and call it a dollar, and compel creditors to take it; but it will not be a dollar, and no man will sell his produce for it and

accept it as a dollar; and none but existing creditors can be thus defrauded, for care will be taken in all future contracts to provide against loss from the depreciated dollar.

Men engaged in the business of buying and selling, giving and receiving gold and silver in exchange for commodities, before any government undertook to coin either metal. Both gold and silver at the time had a commercial value, and each trader weighed and tested it for himself, and formed his own opinion as to its value in the market. Gold and silver were afterwards coined for the convenience of traders; the Government certified its weight and fineness in order to save the trader the trouble of weighing in every transaction. The quality of a legal tender was never affixed to it until arbitrary rulers conceived the idea of forcing their debased, clipped, and spurious coins upon their subjects. They succeeded in forcing them upon creditors, though they failed to circulate them, although they affixed a death penalty to every refusal to take them. No man had anything to sell when such money was offered him, and he thus avoided the penalty and the money too. The idea that any government can give a fictitious value to metal simply by coining it is of modern origin. I think it had its origin after the United States issued legal-tender paper money. It is certain that Washington, Hamilton, Jefferson, Madison, Jackson, Benton, and other great statesmen of the earlier days were never tainted with such fallacies.

It is argued now that if the mints of this country were opened to the free, unlimited, and independent coinage of gold and silver at the ratio of 16 to 1 that such a demand for silver would be created that all the silver in the world would immediately advance in price from its present market ratio of 32 to 1 to a ratio of 15 to 1; or, in other words, that all the silver in the world would be immediately doubled in value. Too many intelligent and honest gentlemen maintain this proposition for us to dismiss it by characterizing it as absurd. True, the proposition is contrary to the testimony of human experience as developed in the history, past and present, of all nations, civilized and barbarian, and true, also, that the advocates of the proposition do not advance a single fact in support of it, but ask us to accept their arbitrary assumption for proofs; yet it is supported by such an array of numbers as to merit some examination.

They speak only of a demand for silver and leave out altogether another great and necessary factor in determining the value of all things, namely, supply. To circulate gold and silver coins on an equality of value their relative value at the mints must be the same as their relative value in the markets. So the history of all nations teaches without a solitary exception. The value of a thing in the market depends on the supply of it and the demand for it. If these remain relatively the same without change of conditions the price will be steady; if they do not remain relatively the same prices will fluctuate. The mint demand for gold can not increase, for nearly all the mints in the world are already open to its free coinage. When there is an increased demand for anything there is increased production; the cupidity of mankind may always be depended on to produce everything that there is an increasing demand for.

Under the stimulus of a new demand the production of silver would increase, while there would be no increase in the demand for gold. The proposition of the free-silver advocates therefore involves the hypothesis that two articles without change in demand for them, yet constantly varying in the supply of each, will permanently sustain absolutely the same relative value. They must throw more light upon it before I can assent to a proposition so contradictory of all economic laws. But is the assumption true that an unlimited demand for silver will set in whenever it is allowed free coinage? The mints can not at once convert all the silver bullion into coin; indeed, there is enough bullion already in the Treasury of the United States to employ all the mints to their utmost capacity for several years. There must necessarily be a surplus somewhere that can not be readily coined, and such surplus will be valued in the markets independently of the potentiality of its coinage into money. Inasmuch as it can not be used as money in its bullion state, and can not be used in other countries as money, it must be rated at what the surplus will fetch in the market after it is coined. It will not stand on the same footing with gold bullion, for gold has a uniform market value throughout the world and is as valuable in its bullion state as it is when coined.

In point of fact there can not be an unlimited demand for anything except in a philosophical, speculative, or theoretical sense. To suppose an actual unlimited demand for anything is absurd, for a demand is always limited to certain needs or conditions to which it is responsive. When these are met and satisfied the demand ceases. Demand should not be confounded with desire. The demand for money is indefinite, but it has limitations that may be described. An individual demands money to carry on his business or to supply himself with comforts and luxuries, but his demand can not exceed the property and credit he has to give in exchange for it, though his desires may extend much further.

A nation's demand for money can not exceed the aggregate property and credit of its citizens. Its demand never equals these sources of wealth, and can not, in the nature of things, exceed them. The demand can not therefore be unlimited. But whatever the demand for silver might be, the time must soon come when the country would be so saturated with silver money that it could not be absorbed in business. The output of silver mines has increased from $81,000,000 in 1873 to more than $200,000,000, so that all the mints, and perhaps an increased number of them, would be kept in full operation turning out silver money that could only be used in this country. The time would come when we should need no more. What then? We must either continue to coin and pile it up while its value would decline, as the value of Confederate money declined from excessive issue, or the coinage must be stopped, in which event the silver taken from the mines afterwards must become a great surplus to drag down the value of all other silver, coined and uncoined. If we continue the coinage we shipwreck upon Scylla, and if we stop the coinage we shipwreck upon Charybdis. The argument in favor of free coinage, it seems to me, proceeds upon a misapprehension as to what creates a demand for money. What creates the demand for flour? Not mills, but hunger. What creates a demand for clothes? Not factories, but nakedness. What creates the demand for money?

Not mints, but business, commerce, wealth—something to sell. The only method for creating a demand for money is the increase of business and wealth. If all the silver in the world were coined it would remain in the hands of the original owner until evoked by the demands and necessities of business; it would not be given away. A demand for money implies that there is either property or credit to employ it, and those who get it must give something in exchange for it. If it were good money it would cost as much as it does now, and if it were cheap money it would do harm. Very little silver money is in demand now. Millions of it lie in the Treasury, and the Government is unable to force it into the circulation, though it offers to pay its way to the uttermost parts of the country. The people do not want it and will not have it. They reject it, not because they distrust its value as a circulating medium, but because it is too heavy, bulky, and inconvenient. True, the silver in the Treasury is represented in circulation by paper certificates, but this circumstance proves that the people prefer paper money to silver. The Government ought, therefore, to respond to the demand of the people for paper money, ought to modify its banking laws so as to allow the issue of a safe and sound paper currency, sufficiently abundant for all business requirements, rather than to further enrich the most gigantic moneyed monopoly of silver mine owners the world ever saw.

But, I repeat, the coinage of silver will not raise the bullion value. No one pretends that the coinage has any effect upon the value of gold bullion. It is worth as much in one form as another, and worth the same the world over. Because our silver now circulates on an equality of value with gold many people suppose that it would do so under the operation of a free-coinage law. But under free coinage the conditions would be vastly changed. Of the $500,000,000 of silver coins now in the country, every piece was coined on Government account. It bought the bullion at its market value, coined it at the ratio of 16 to 1, and paid it out as the equivalent of gold dollars. For every silver dollar parted with the Government has received the equivalent of a gold dollar. It is therefore bound by every principle of justice and sound morals to maintain its value on a gold basis. Recognizing that obligation, it has pledged itself to do so and does do so. Its value is maintained by its receipt every day for taxes and other dues to the Government. For the reason that the Government collects every year more taxes than there are silver dollars to pay them with, every silver dollar in the country may be redeemed, so to speak, at least once every year. Therefore no man hesitates to accept it, yet, strange to say, no man—not even a free-silver advocate—ever hoards it as other money is hoarded.

In my opinion, much more silver than we now have could be safely put in circulation, and I would cheerfully vote for the second and third sections of the bill, which provide for coining the silver bullion in the Treasury, were they severed from its obnoxious features. By means that I have stated, the Government has maintained a bimetallic circulation by fixing on the superior metal as a standard, and then coining the inferior metal under such limitations and conditions as will insure its parity with the superior metal, and in that way only can a bimetallic standard be maintained so long as there is any material divergence in the relative market value and mint value of the two metals. For the moment that the coins of the inferior metal exceed the demand for them for the payment of public dues they will depreciate. They do so in obedience to as forceful and as necessary a law of the business world as the law of gravitation in the physical world, and no human legislation can prevent it until it invents some device whereby the voluntary choice of mankind may be controlled.

The free, unlimited, and independent coinage of silver is an entirely different process from that now employed by the Government in the coinage of silver. Free coinage contemplates that any person, citizen or alien, may carry 52 cents' worth of silver, which is now the bullion value of a dollar, to the mints, and by some species of legerdemain or witchcraft have it converted into a dollar worth 100 cents. To a man uneducated in the sophistries of free-silver literature such an achievement would seem impossible, and so it is. It is admitted by many free-silver advocates that the stamp of the Government adds nothing to the coin. What then would be the obligation of the Government under free coinage? It would receive the silver bullion at the mints, coin it into dollar pieces, and return them to their owner, and assume no obligation respecting them whatsoever. The dollars would be worth just what they would exchange for in the market, no more and no less. They may serve as good dollars in the payment of existing debts, but in the purchase of property, which is the highest function of money, they will be worth only what the silver in them is worth. They would circulate just as greenbacks and Confederate money circulated during the war, namely, at a valuation fixed on them in the markets, and when received by the traders would be hurriedly passed off on someone else before they could go down on his hands, thus leading to general and gigantic speculation, to chaos in legitimate business, to the destruction of credit, and the prevention of all contracts depending on deferred payments. And in that event gold and all better money than silver would disappear from circulation in obedience to a natural law of money, which is as certain and inexorable as the diurnal revolutions of the earth.

And whom would free coinage benefit? Unless the collection of debts were enforced prior to its operation it would benefit existing debtors by enabling them to discharge their just obligations in depreciated money. And who are the principal debtors of the country? Not the poor people, for they have not the ability to contract debts of any considerable magnitude. The principal debtors are railroad companies, banks, savings banks, life insurance and fire-insurance companies, mining companies, trust companies, manufacturers, large mercantile companies, States, cities, corporations, etc. These companies and corporations owe the people of this country more than $10,000,000,000, and the payment of their debts in 52-cent dollars would result in a net gain to them and in a net loss to other people of more than $5,000,000,000. The very rich, then, would desire some temporary advantage from the free coinage of silver. Who are the creditors that would be injured? The moderately well-to-do people, widows and orphans, and the laboring classes, including in that class all people who are paid for their services in money. It is not generally known, and yet, if I am not mistaken in the statistics, it is true, that more money is annually paid for labor in this country than for all other commodities combined. They do not get their wages until their work is performed, and hence they are the largest class of creditors in the country, and are mainly made up of people who are least able to endure losses. It is an elementary fact that, under the stimulus of a depreciated currency, wages do not advance in price pari passu with advancing prices of other articles. The laborer must continue to work for the same wage, though it will not purchase in the market the same quantity of commodities as he formerly purchased when he received sound money. Anything, therefore, that tends to depreciate his wages is a calamity to him.

But it is argued that the suspension of the free coinage of silver has caused prices to fall throughout the world. If there is any truth at all in this contention it has been very much exaggerated. The decline in the price of silver is a coincidence, and not the cause of other declining prices. If the fall in the price of silver were the cause of the low prices of other articles, then the decline in prices ought to be uniform in degree and universal as to all commodities, neither of which is true. Silver has fallen nearly 50 per cent, while the prices of other articles have fallen in different degrees, both in their relation to silver and in their relation to each other. There is no uniformity whatever. They sometimes fall as silver rises, and rise as silver falls, and sometimes, as compared with each other, rise and fall inversely at different times and in different degrees. Among my constituents cotton is the chief commercial product, and it is claimed that the fall of silver, owing to its exclusion from the mints, has seriously affected its price.

An examination of its statistics for the last hundred years shows most conclusively that its price under ordinary conditions is determined by the quantity produced; that supply and demand are the controlling factors in settling the price. And if we examine the price during two monetary crises we find that from 1841 to 1850, inclusive, with a total production of 21,000,000 bales, the lowest average price in New York was 6⅞ cents per pound, and that from 1886 to 1895, with a total production of 75,000,000 bales, the lowest market price in New York was 8½ cents per pound, being a difference of $7.83 per bale in favor of the last ten years. Both these decades witnessed a great financial panic—the first decade under the free coinage of silver and the gold standard, and the last under a gold standard and without the free coinage of silver. We also find that from 1851 to 1860, which decade is considered the most prosperous period the country ever enjoyed prior to the war, the average price of cotton in New York was 11.31 cents per pound, and from 1875 to 1884, the most prosperous period since the suspension of silver coinage, the average price of cotton in New York was 11.86 cents per pound, being a difference in favor of the last decade of $2.75 per bale.

During the last decade mentioned the cost of producing and transporting cotton was much lower, and the planter received a relatively higher price than the figures indicate. Cotton is produced cheaper now than it ever was before; mules, plows, iron, wagons, guano, packing, ginning, transportation, food, clothing, labor (requiring less to feed and clothe it) are all cheaper, while the skill of the farmer is very much greater, and yet occasionally we sell our cotton below the cost of production. The figures which I have given prove conclusively that the price of silver, whether it enjoys free coinage or not, has not affected the price of cotton. I do not deny that prices of commodities have fallen everywhere; falling prices, arising from cheaper production and distribution, are a benefaction to the world. I am an advocate of cheap corn, pork, flour, clothing, etc., and I hope that the time is rapidly approaching when the cotton planter can produce and sell cotton profitably at 2 cents a pound. We could not contribute a greater boon to suffering humanity. But if it were conceded that falling prices were the direct sequence of the exclusion of silver from the mints the question would still recur: Can this country alone restore it to free coinage without descending to the ruinous silver standard? If the dozen countries engaged in free coinage prior to 1873 could not hold it on a level with gold when their relative value in the market only differed about 5 cents in the dollar, how can this country alone, being one of the dozen, raise it to a level with gold when their relative value differs about 50 cents on the dollar? The question answers itself. Everyone knows that if it requires the combined strength of twelve men to draw an object a given distance, the strength of neither one of them singly will suffice to draw it back again.

Falling prices may be largely accounted for by considerations disconnected with the free coinage of silver. Within the last thirty years the world, and especially our country, has marvelously advanced in intelligence, ingenuity, and inventions, and the area of production has enormously expanded. A Western man can produce as much wheat, it is said, as 400 persons, at a reasonable allowance, can consume. I presume that a Southern farmer can produce correspondingly as much cotton. Mulhall, the great English statistician, says that—

> An ordinary farm hand in the United States raises as much grain as 3 in England, 4 in France, 5 in Germany, or 6 in Austria, which shows what an enormous waste of labor occurs in Europe, because farmers are not possessed of the same mechanical appliances as in the United States.

And yet many of our people continually hold up France as a model of prosperity and happiness, that we ought to emulate. Such gentlemen ought to give more time to the study of the economic forces and conditions of the two countries.

We all know that as labor-saving devices have been invented all things to which they apply can be produced upon a cheaper scale, and we all know that the cost of transportation and distribution has been enormously cheapened. Although wheat is cheaper in the West and cotton cheaper in the South, the universal testimony is that the farmer in either section who manages his affairs upon sound business principles is a prosperous man. My observation is that the spirit of speculation, by which I mean the disposition to neglect the cultivation of other valuable crops and to stake all on cotton has wrought more injury to the cotton planter than the suspension of silver coinage can possibly do.

Again the advocates of free coinage say that the exclusion of silver has cut off one-half the primary money, or money of ultimate redemption, and by that means brought ruin and disaster upon the people. Suffice it to say that when the condition of finances is such as to inspire confidence very little primary money is needed. All that is really needed is to settle international balances of trade. Only 5 per cent of the business of the country depends on the actual payment of money, and but little of that is coin of any kind. The balance is done with credits of various kinds. Since reaching manhood I have been engaged in business for myself and others, and have perhaps witnessed the passing of several millions of money and credits, and I have never yet witnessed a demand for primary money. Furthermore, I have never heard of such an instance in Georgia.

These facts show how insignificant is the use of primary money in the transactions of ordinary business. But when a panic comes no financial system ever devised will escape unharmed and supply sufficient primary money; if all the gold and silver ever dug from the mines were coined into money it would not suffice for such crises. But, in point of fact, it is not true that the stock of primary money in the United States has been cut off. When the

coinage of silver was suspended in 1873 there was not a dollar of either gold or silver in general circulation, and yet the advocates of free silver say that that was the most prosperous period that the country ever enjoyed, and they date our downfall from that eventful epoch. If we were so prosperous then without any primary money why can we not prosper now without it? It should be remembered also that the circulation per capita then was much smaller than it is now. But since 1873 there have been added to our stock of primary money some six hundred millions of gold and four hundred millions of silver dollars, each one a legal tender in payment of all debts, public and private. If our prosperity depends on primary money we ought to be a hundred times more prosperous now than we were in 1873.

If the free coinage of silver at the ratio of 16 to 1 would bring us to a silver basis, as I confidently believe it would, no greater calamity, in my judgment, could befall the cotton raiser. His product commands gold in any market, and nearly two-thirds of it is sold in countries having the gold standard of values. No change in our monetary system, nor in our standard of value, would affect the value of his cotton in the foreign markets. The price of that portion sold and consumed in this country would continue to be fixed, as it now is, by the foreign price. Abroad he would receive gold, and at home the equivalent of the foreign price in silver, less charges that I will presently mention. How, then, would he be benefited in the price of his cotton by the change of the gold standard of sixty years' standing in this country to a silver standard? If, by reason of depreciated silver, the prices of all articles in this country were to be doubled he must still accept the foreign price for his cotton measured in silver at home.

What advantage would that be to him? Being a cotton planter myself, and otherwise having a large pecuniary interest in the success of other cotton planters, I am vitally interested in this question. While there is no advantage to him, beyond doubt there will be losses. While the price of cotton is fixed in the foreign market, very few planters sell in that market. They find it more profitable to sell in the nearest home market, and the buyer must in that event provide himself with either silver or silver certificates to make payments. He, the buyer, must exchange the gold that he receives, directly or indirectly, in the foreign market for this silver or paper. Does any sane man imagine that the cost of the brokerage charged for exchanging the money will not be discounted from the price of the farmer's cotton?

Again the buyer, paying in one currency and selling in another, if he be an intelligent business man, must take into the account the probable relation of the two currencies when he comes to sell. He must sell for as much as he paid, with a reasonable profit added, and if there is any probability of the fluctuation in value between gold and silver, as there always is, he must protect himself against any loss, and this anticipated loss will always be discounted in advance from the original price paid the farmer. In other words, the cotton producer must accept silver for his cotton, although it brings gold in the markets to which it is sent, and must also insure the buyer against any loss arising from the fluctuating value of gold and silver while the cotton is in transitu from his home to Liverpool.

The farmer pays both the cost of brokerage and the insurance described. Inevitably so, provided the buyer is a man who understands his business. Again, the same charges would fall on him if, impelled by his tastes or his necessities, he should purchase articles imported from a gold-standard country. The importer, wisely providing against loss, would include in the prices of his goods the cost of brokerage in converting the money received for them in this country into the money of his own country, and also any anticipated loss accruing from the fluctuations in the currency of the two countries from the time his goods left his country until their proceeds were received by him in his own country. No intelligent merchant would think of doing otherwise. His goods, owing to the different measures of value prevailing, would be, in effect, measured by one yardstick in his own country and by a yardstick of different length in this country, and to the farmer would fall the losing end of the bargain.

Again, the cotton producer must of necessity sell a large quantity of his cotton in foreign markets; we can not manufacture it all here. It is to his interest, therefore, to encourage foreigners to trade with us. They can not buy our cotton unless we buy their products, and such trading is to our mutual advantage. But the silver standard works a prohibition upon trade with nations on the gold standard. I will not pause to say why it is so, for everyone can see it for himself, but will simply cite the experience of existing silver-standard nations as proof of it. Señor Romero, the accomplished minister from Mexico to our Government, has, in a magazine article, candidly admitted that the silver standard has worked that effect in his own country. If we do not exchange our cotton for goods with England, France, and Germany, they will find a way to produce cotton in their own colonies and dependencies and take our markets from us, than which no greater calamity could befall the Southern States. It may be asked, if this be true, why the manufacturer who favors a protective tariff does not also favor the silver standard. He does not favor it because he knows that all persons who perform services for money wages, upon whom he chiefly relies as customers, will, when paid in silver, be able to purchase only one-half the quantity of goods that he buys now in good money, and that one-half the factories, or nearly so, must close up for want of customers.

Mr. Speaker, the arguments against the free coinage of silver at a ratio of 16 to 1 are inexhaustible, and I must forbear. It grieves me, however, to find so many of its advocates among my own people, a people heretofore remarkable for their broad intelligence and sturdy conservatism. The free coinage of silver as contended for is an event that none of them will ever live to see, yet they indulge in a useless and calamitous agitation of it. I can sympathize with the Western silver-mining States. I realize that they have a vast pecuniary interest in the question, and that self-interest probably dominates their reason and understandings; but the Southern people have no such reason to espouse it. They have recovered almost single handed from the unparalleled devastation of a dreadful civil war, and have taken their station in the front rank of the most intelligent and progressive people in the world. Nothing in human history equals their achievements in material progress, nor equals the sacrifices they have endured in their efforts to rehabilitate their local governments and institutions. Their country possesses unparalleled capabilities and resources. They can grow anything that is found outside the Tropics. Iron ore, lime, and coal, embedded in their hills, lie in close juxtaposition, and are sufficient in abundance to supply iron and steel and fuel to a thousand generations. Their fields are annually whitened with a fleecy staple of superior fineness to that of any clime, while their natural waterfalls contain power sufficient to turn every spindle in the world. Their enormous resources await only the touch of capital, skill, and intelligence to evolve their unrivaled munificence. Capital they have not. It perished in the hot breath of civil strife. They must secure capital from elsewhere, and every moment employed in free-silver agitation will postpone the day when capitalists can be induced to extend their friendly assistance. Men will not invest their money among a people whose opinions on finances are not in accord with sound and just business principles. They will not seek to make interest on their money where they have reason to fear that both interest and principal will be put in jeopardy.

The free coinage of the metals at a legal ratio widely different from the commercial ratio is adverse to the principles of the Democratic party, and I am opposed to it for that reason also. The Democratic party favors bimetallism and is opposed to monometallism. It never did at any period of its history favor the free coinage of silver and gold except at their commercial ratio. It was too wise to try experiments with the currency of the country. It favors bimetallism now; not that spurious bimetallism that masquerades under the flag of free silver, but that process which holds all our coins, gold, silver, nickel, and copper, wedded upon a scale of perfect equality in value. From the days of Jefferson to the present time it never advocated other than sound money. If the Government can take 50 cents' worth of silver and make a good dollar out of it it can do the same with the same number of grains of iron, nickel, or copper. If it can do that let us turn all gold and silver into jewels and ornaments and with the Populists insist upon fiat paper money altogether. If it is true that the Government can create value out of nothing the contention of the Populists is more tenable than ours. But I prefer to adhere to the Democratic faith in which I was born. I stand by the principle enunciated in its national platform. Gentlemen may call that platform a "straddle" if they wish, but they impeach their own intelligence when they do so. If, with the platform as a text, they have preached the free coinage of silver to their constituents it is not the fault of the platform. Its language is clear and explicit:

> We hold to the use of both gold and silver as the standard money of the country and to the coinage of both gold and silver without discriminating against either metal or charge for mintage, but the dollar unit of coinage of both metals must be of equal intrinsic and exchangeable value and insure the equal power of every dollar at all times in the markets and in the payment of debts—

is a part of the language of that platform. We use both gold and silver as standard money now, and when conditions change so that we can make every dollar of equal intrinsic and exchangeable value and equally potential in the purchase of property as in the payment of debts, there will be no discrimination against either metal at the mints. If we enter upon the free coinage of the metals without regard to these conditions, we would destroy bimetallism and inaugurate the reign of monometallism. The cheaper coin would drive the other from the field and occupy it exclusively. Whatever may be said of the failures of the Democratic party or of the waywardness of individual Democrats, I am glad that it can not be charged that its principles are unsound; and, in my judgment, it will never deserve to be restored to power and the country will never enjoy prosperity commensurate with its enormous resources and enterprise until Democrats unite again in advocacy of these sound principles.

Coin Redemption Fund.

SPEECH

OF

HON. ISRAEL F. FISCHER,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 12, 1896,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temperary deficiencies of revenue.

Mr. FISCHER said:

Mr. SPEAKER: While everyone will admit that the speeches delivered in these Halls by members on either side of this question change no votes, it must be admitted that they in part do some good. This good comes of the opportunity which men secure to scan and digest the arguments, and cull therefrom the reasonings which are offered in support of the theories advanced. This speechmaking machine has certainly ground out a remarkable lot of material, and because of a fear which I entertain that the country has possibly not had sufficient or can really stand more, I shall add a few words to the singsong and dingdong already heard.

I have been a patient listener throughout this whole discussion, living through it all in the hope that it would do me some good. I shall not attempt to give my opinion of the various efforts, but will content myself with the belief that I should say a few words which, though not weighty or of any great moment, are likely to be considered not below the standard set.

Now, as I digest these somewhat indigestible arguments presented by the advocates of the Senate amendments, they are as follows: "Kind sirs, you who believe in sound money, we beg your kind consideration in behalf of a people who produce from the mines in our section a metal known as silver to give us some legislation whereby we may be enabled to impose upon and defraud the confiding and patient people of this great country by passing upon them coin bearing the Government stamp, declaring it to be a dollar. Grant us this favor and you will oblige us ever so much."

And when it is charged that this silver which they wish us to declare to be a dollar is worth but 50 cents, they retort that that is only its intrinsic value, but that the Government stamp will make it go for more; that silver may become more valuable some day, and we should coin first and trust the rest to the sweet by and by. They say, furthermore, that silver was once worth more than par and may become so again. They have quoted every authority of ancient times in favor of silver, but fail to state that those expressions were based on the value of the metal at the time.

The quotations of past days on the market price of the metal certainly can not be quoted in support of any claim as to value at the present period. No more, Mr. Speaker, than can the quotation of a former price for any commodity fix a value for it to-day. It would be just as reasonable as an opposition to lighting by electricity because of the laudation of petroleum when it first came into use. There is but one guide, and that is the light of the present day. We must keep our financial car upon the commercial rail, otherwise we go to destruction. The silver advocates would have us discard the fundamental law, disregard all rules, defy every precaution, open wide the Treasury throttle, bid defiance to all conditions, and trust to luck.

They have sung their ditty so many times that they have really brought themselves to believe that we can get along without the rest of the world; that we should sink our ships, abandon commerce, and become dead to the world outside; do all this and yet prosper. Mr. Speaker, our country is certainly great; it is marvelous; but great and marvelous as it is, it is not sufficiently so to do this, or if it were it is not willing to adopt ancient Celestial methods by the erection of a Chinese wall. Our people as well as all the people of civilized countries wish to maintain commercial relations, and in order to do this we must have that which they are willing to accept in payment for the things they sell us. No make-believe currency will satisfy them; they will take only that which is recognized in their commercial circles as money.

We must not be carried away with the notion that because the Government shall say, "This is a dollar," that it is one and that it will be so accepted. This class of money would be "confidence" money in the sense used by that class of gentlemen of thrift who ply their game upon the unsuspecting rural gentlemen when he strikes the metropolis. It is not the money which has the confidence of the commercial world. Nay, more than that, it has not even the confidence of the gentlemen who so loudly demand its use, for, sir, should it be put in circulation it would find no friends among them. The much cursed gold is put aside by the banks of the Pacific Slope as a nest egg to provide the security which they know it affords and which they need. If silver were freely coined I fear their only friendship for it would be evidenced by their willingness to pay it out and not in accepting it.

Mr. Speaker, I have never found a simon pure silver man who would content himself with an adherence to a pertinent question propounded upon the subject. Generally you will be accorded the treatment practiced by the photographer, who asks you not to look at the instrument which is to do the work, but to kindly observe the interesting affair hung at one side.

The gentleman from California [Mr. JOHNSON], more frank than most of his praying band, said this:

> We should recognize silver as entitled to aid at our hands. * * * Why not support the Senate bill, Mr. Chairman? * * * It is for silver; it is a legal bill, and I favor it because it does something for one of our great industries. * * * Something should be done for silver. * * * I beg you to act for the interests of silver.

Here was a frank confession that silver is a commodity seeking and demanding most extraordinary relief from the Government. Not protection by way of duty as against foreign production, but demanding that the Government should certify a falsehood in the interest of silver producers, a certification upon a piece of silver worth about 50 cents that it is 100 cents. This act by an individual would be false representation and punished criminally. The prayer of the silver advocates is on a par with the Populistic dogma which calls for the issuance of money certificates by the Government for wheat or corn, fluctuations in price not to be considered.

The gentleman's cry was not for help for the country, not for legislation which should benefit all its people, but a cry for help for the silver producers. Sir, this money question must be settled for the good of the country's finances. It can not be turned into a silver-purchasing measure to aid a few men.

We can only issue that amount of silver which will preserve its value as money. That amount, so far as we can learn from the experiences of other great commercial countries, is in circulation to-day; and to this extent, upon a perfectly sound and safe basis, the Republican party is for bimetallism.

The cry that we are gold monometallists because of our refusal to permit the free and unlimited coinage of silver is a false one, and is intended to deceive. No advocate of free silver has ever dreamed that he could make his arguments upon the subject carry much weight among those who know, but seek to mislead their constituents by this talk.

Mr. Speaker, it is very plain to any person who will investigate that the free and unlimited coinage of silver is the surest way to bring about monometallism. Our neighbor, Mexico, has already placed herself in that column, and the lesson taught seems not sufficient to guide our friends, the silver men.

Mr. Speaker, what our country needs is not silver legislation. Low prices and unemployed men are not made so because of our refusal to grant free coinage. The cause of our present trouble is because of hostile tariff laws. We need a revision of these laws and nothing else. We should pass a tariff act which will restore our industries to their former prosperous condition, a law which will again open up our factories and provide employment for our mechanics and laborers and provide them with decent living wages, as was the case prior to the passage of the Wilson law. We should put our tariff in force once more, so that our expenses and debts may be met. It it is true that such an act can not become a law while the Government continues in the hands of the present Administration, but let us prepare the country for it; they expect it from us.

The people require us to restore them to the position they occupied before those inimicable to American industries struck them down. The people generally do not want free silver; they merely wish an enactment of Republican principles, which they know from experience will bring prosperity. They know that laws discriminating in favor of American industries mean the restoration of good times.

The gentleman from Arkansas [Mr. LITTLE] while advocating the adoption of the Senate amendment presented (possibly unintentionally) the case really as it is, and made clear what need be done to correct the evil which has seized and now holds us.

This is what he says, page 1503, of the RECORD:

> This gold is demanded to settle our balances of trade.

Again, he says:

> As long as we pay out to foreign countries more than we receive, so long will our condition grow more agitated and embarrassing.

These concise words from a Democrat and a free-silver advocate cover the case fully. Enact laws which will wipe out those on the statute books which tend to build up foreign industries, and give us instead laws which will build up our own and shut out the product of pauper-paid labor of other countries, laws which will compel importers to pay duties equal to the difference between wages here and abroad, and you will provide the medicine which will heal and settle this apparently ceaseless mouthing about silver.

The Senate Silver Bill—Silver Monometallism.

REMARKS

OF

HON. S. M. CLARK,

OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 10, 1896.

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. CLARK of Iowa said:

Mr. SPEAKER: If the Senate had chosen, it could have passed a bill for the free coinage of silver at the ratio of 16 to 1 and sent it to the House. The House could then have considered that bill upon its merits. The question is before the House in a wholly different manner. The House passed a bill reducing the rate of interest upon Government bonds, to be thereafter issued, to 3 per cent, with fifteen years instead of thirty as the maximum limit. I did not vote for that bill, because I was not willing that the Republican policy, which had steadily reduced the national burden of interest-bearing debt, should be reversed at the demand of a Democratic Administration. The bill provided also to supply the Treasury in case of any deficit by the issue of temporary certificates instead of by the issue of bonds. That bill comes back to us from the Senate with every word and syllable of it stricken out except the number of the bill and this measure for the coinage of silver at 16 to 1 substituted. The Senate has taken a similar course as to the bill passed by the House to increase the revenues by increasing the customs from the tariff.

The Senate has substituted this same silver bill in place of this second bill of the House, leaving nothing of that but its title. If the Senate can do this as to two measures passed by the House, it can do the same thing as to every bill the House passes. That is the reductio ad absurdum of the situation which the Senate makes. The question before the House is not the merits or demerits of free silver coinage or whether or not the House favors that, but whether or not the House will vote that the Senate shall nullify its legislative capacity and practically abolish it. Let no one mistake what the real issue is, as it has already been so well stated by the gentleman from Maine [Mr. DINGLEY], the distinguished chairman of the Committee on Ways and Means.

Any member who votes for the measure that has come to us from the Senate votes to abolish the legislative autonomy of the House; he votes that that part of Congress which represents the States shall suspend and abolish the legislative functions of that part of Congress which represents the people. There has been a good deal of debate and discussion among the people in recent years whether they would longer permit the existence of that part of Congress which represents the States. They have made grave question of its utility and whether it was consistent with democratic institutions; whether, in fact, instead of being useful, it is not hurtful as a legislative power. Whatever may come of that discussion, it may be taken for granted that the people will not consent to make the Senate the one supreme legislative body and permit it to displace that branch of Congress which represents the people.

If we take counsel of history, and especially take counsel of the deliberations of the Federal Convention of 1787 that framed the Constitution of the United States, we can familiarize ourselves with the evolution of the right of the people to make their own laws by their own representatives and through what pains and difficulties the people have attained to that fredom and to that benefit. The judgment they will form and which this House should form from the monitions of that history will make them and us resolute to maintain this House in that autonomous legislative power which the fathers of the Republic conferred upon it. There are some things that do not move backward. The right of the people to make their own laws by their own representatives is one of those things.

I pass from that to this further consideration of the real tendencies and implications of the Senate's action as it is related to present conditions. I do not want to attribute to any men motives for their action of which I can not be sure. In nothing, probably, are the principles of sound ethics more frequently violated than for one person to assume that he knows the motives of the other person. It was a large knowledge of the infirmities of human nature that led Christ to the utterance of the high wisdom, "Judge not, that ye be not judged." I do not want to fall under that condemnation, so I will state the case thus: The President and Secretary of the Treasury had given notice that they were resolute to issue one hundred millions at least of 4 per cent gold bonds, running for thirty years.

The House sent a bill to the Senate permitting the President, if he issued bonds, to make the interest rate 3 per cent and the time limited to fifteen years instead of thirty. By preventing the passage of that bill, the Democrats and those Republicans or Populists in the Senate who are the especial advocates of silver have, by their own act, given warrant to the President to issue a 4 per cent gold bond instead of a 3 per cent gold bond, and to mortgage thirty years of the future to gold as against silver instead of fifteen years of the future to be thus mortgaged. I impute no motives, but if those Democrats and those advocates and champions of the silver cause had desired to support the President and the Secretary of the Treasury in the issue of long-time, high-rate gold bonds, then they would have taken precisely the course they did, because they took the direct, rational, and efficient course to effect that result. If the Democrats and the other advocates for silver in this House sustain the action of the majority of the Senate, then they have given direct aid and support to the President and Secretary of the Treasury in the policy of the issue of 4 per cent gold bonds, running for thirty years. I impute no motive; I only say that if that be their covert or avowed purpose, the effective way to accomplish it is to support the Senate in its action.

I pass to another phase of the subject before us. The maintenance of silver money as a money of the United States is a distinctively protective measure and is pervaded by protection. It is the incarnation of the protective principle. In the earlier part of this century Thomas H. Benton, in discussing the financial question in the Senate of the United States, urged the use of more silver than was being used, because of the discovery of what it was hoped would prove to be valuable silver mines in the Carolinas.

During the recent years of this silver contention the silver advocates have demanded the establishment of their policy in the name of protection and because of their devotion to the protective principle. We now behold in the House in the consideration of this Senate bill a double inconsistency. We see the distinguished member from Georgia, ex-Speaker of the House and the leader of the Democratic party upon this floor, rallying with so much of that party as follows his standard now to the support of the distinctively protection cause of silver. How he and they reconcile their contention for free trade with this contention for protection I leave to his and their mastery of the casuistry of dialectics. On the other hand, every Republican who has turned to the support of this Sena te bill has strenuously championed the cause of protection and his constituents sent him here in the name and for the sake of protection, and now these gentlemen turn upon protection and rend it. They have joined the Senate in a policy which has displaced an increase of the revenues and an increase of protect tion. And they knew that their act was only efficient to strike down protection and could not at all serve the cause of silver. How they can harmonize this with their own profession and the desires of their constituents as to protection I leave them to settle.

I shall vote against this bill because it proposes to enable the Senate to nullify and abolish the House as a factor in national legislation, because it is accessory to the policy of the present Administration in issuing long-time gold bonds, and because it is used as an instrument to strike down protection and an adequate and desirable increase of the revenues of this Government necessary as a solution of our financial troubles. I shall vote against the bill because I am in favor of bimetallism and this bill would establish silver monometallism.

The question of the currency and of free silver coinage in the ratio of 16 to 1 is before the House, although brought in in a wholly improper way, and I will make a brief discussion of it. I shall not attempt to discuss the question in any extended way nor in its entirety nor by the use of any statistics. Whatever our opinions about this or any question, every question will finally stand upon fact and science. What will be about it will prove to be that which must be about it because of the supremacy of fact and science. Any opinion of mine or of any other person about this question not based upon fact, not based upon science, will prove a futility. It is not what any one of us might like should be, but what is inevitable in the nature of things that will be.

I shall state but a few of the elementary facts and principles of science as I understand them, and upon those facts and those principles of science I shall take my stand and cast my vote, and I am not concerned about the outcome. I know that the universe will stand by the man that stands by the universe; that natural law "whose throne is in the bosom of God" will control this and every matter of human affairs, and all opinions not coincident with that natural law have no permanency in the future. I shall try to enlarge my vision so as to be, not the partisan of a cause, but receptive simply of the truth. There must be a measure of truth in the views of all the different parties to this silver and money question, because no body of men are ever wholly irrational. But no fervor of advocacy can exalt nonsense into the dignity of sense or make practicable the impossible.

There is certainly a deep unrest and disquietude pervading at

once the people and the students of finance in both the Old World and the New upon the subject of money. There must be a cause or causes for that deep unrest and solicitude. It is so widespread that it is almost cosmic. It is so deep and earnest that it almost threatens the stable existence of governments. It certainly threatens the tenure and permanency of political parties and makes a very uncertain future to each and all of them.

The first step in any adequate and scientific study of this question is to ascertain if possible what are the real causes of that pervading discontent, and then adequate treatment of it by legislation and by government must depend upon comprehending all the causes and dealing with them adequately and wisely, instead of inadequately and unwisely. We must not be misled as to causes, nor must we misapply remedies. It is clear to me that many causes leading to popular discontent have been blended and confused in the public mind and in the minds of individuals, and that many ills are assigned to money that do not belong there at all, that it is a false assumption that something that could be done about money is the cure of these ills, when not being related to money, money could not possibly cure them.

One of the causes of discontent is the fall in prices. And it is alleged that the use of silver as money at the ratio of 16 to 1 would be a cure for that. The fall in prices is due to many things; it is due to the great increase of machinery; it is due to the increasing cooperative power of machinery under scientific extension and application—increasing the power of mechanical production in a geometric ratio; it is due to the close and intimate way in which by the appliances of modern civilization—of swift travel and intercommunication—the world has been made into one cooperative community so that wherever a field of demand for products or for labor exists the whole world furnishes an immediate source of supply of both products and labor to meet that demand.

Of course the general result of all this is beneficent. God makes no mistakes. Civilization is not a failure. The results that mankind are working out by its best efforts and progress are not hurtful to or destructive of its well being. That the needs of the world shall be supplied with cheapness and plenty is a high beneficence. It turns us away from the rude and barren ages behind us; from the pinch of cruel barbarism; from the hunger and want of the suffering people of the past to the condition of plenty, which is the coming of the new heavens and the new earth of saintly desire and apocalyptic vision where want shall be no more and the tree of life gives its fruitage without money and without price for the satisfying and healing of the nations. But our machinery of business, of trade—some of our methods in the business world—are not yet adjusted to deal speedily with these new conditions of constantly cheapening production and constantly cheaper supply. But it must be apparent that the remedy can not be to maintain that now defective business machinery and enable it to displace the beneficence of cheapness and plenty with dearness, want, and high prices. The remedy is to readjust the machinery of business and trade to these better conditions. No one can treat this question adequately or make a judgment or do a legislative act about it that will have permanency and adequateness unless the true relation of prices to this modern condition of prolific mechanical production shall be considered.

There are some who, seeing how utterly impracticable some of the things said by the advocates of silver and of more and cheap money are, are disposed to treat the whole matter as the whim and caprice of cranks. This is too narrow a view. The unquiet of the public mind and the pervading sense that the people are the victims of hurt now and of more and greater danger impending are too real to be a mere aberration. I think the public view can easily be accounted for, and that it is wholly reasonable, although it may not be well informed as to either causes or remedies. Causes and remedies probably involve an extent of knowledge, a profoundness of thought, beyond the attainment of people busy with the carking cares of life and of daily industry.

The people have been taught that prices depend upon the volume of money. The political economists and the political leaders and writers alike have united in teaching this doctrine. Let me cite some of the instruction of the public mind by eminent teachers upon this subject.

Adam Smith, in The Wealth of Nations, showing the relation between the volume of money and prices, said:

> The discovery of the mines of America diminished the value of gold and silver in Europe.

I summarize some of the principles stated by J. B. Say, the next greatest teacher of political economy in succession after Adam Smith:

> Should the aggregate of circulating specie be doubled, the prices of all goods would be doubled; twice the quantity of specie would go to the purchase of the same articles. We may judge of the depression of the value of silver by the increasing prices of any given commodity.

Bonamy Price, in his Banking and Currency, says:

> Less gold is produced and the demand for it continues; it rises in value; it exchanges in buying for a larger quantity of all other commodities; that is, the prices of everything sold fall. On the contrary, a rise in general prices indicates that gold has become cheaper and a larger quantity of it must be given for the same goods.

Amasa Walker, in his Science of Wealth, states the principle explicitly that—

> Prices depend on the quantity of currency in circulation.

John Stuart Mill, in his Principles of Political Economy, states the general doctrine to be:

> Prices would rise and the volume of money fall in the ratio in which the quantity of money had been increased. If the whole money in circulation were doubled, prices would be doubled. If it was only increased one-fourth, prices would rise one-fourth. If there was less money in the hands of the community and the same amount of goods to be sold, less money altogether would be given for them and they would be sold at lower prices—lower in the precise ratio in which the money was diminished. So that the value of money, other things being the same, varies inversely as its quantity, every increasing quantity lowering the value and every diminution raising it in a ratio exactly equivalent. That an increase in the quantity of money raises prices and a diminution lowers them is the most elementary proposition in the theory of currency, and without which we should have no key to any of the others.

Applying these doctrines to contemporary conditions, writers and public leaders have taught the people that a scarcity of money has been the source of baleful ills. Mr. W. H. Grenfall, a distinguished writer and economist of England, wrote not long ago that—

> To me it appears that the fluctuations of currency have had greater influence for good or for evil upon civilization than any other single cause. At the present time we are face to face with a momentous monetary crisis. An attempt is being made and has been partially carried out to make gold alone serve as a measure of value throughout the world and to perform the work that has hitherto from time immemorial been performed by gold and silver. This attempt can not but be attended by the most grave consequences. In the first place, as there is not sufficient gold to meet this extra demand it causes in gold-using countries an appreciation of gold which is ruinous to the trade, industry, and agriculture of the country; in the second place, it paralyzes the trade carried on between gold-standard and silver-standard countries.
>
> Though prices fall the fixed debts remain. Trade is carried on by means of borrowed money. However much gold may increase in value debts contracted in gold have to be repaid in gold, with no allowance for the appreciation which has taken place since the contraction of the debt. The debt and the interest remain the same, and the unfortunate borrower, the man of enterprise and activity, is obliged to struggle against falling markets with a weight around his neck which is constantly increasing. The quantitative theory of money is agreed to by all economic writers; if you increase the amount of money in a community, other things remaining the same, prices rise; if you decrease it, prices fall.

Professor Foxwell, who is the teacher of political economy in the University College of London, has written:

> Take, for example, the case of a man who in 1873 borrowed £142 ($710). Prices have fallen to such an extent that £92 ($460) will now buy what £142 ($710) would have bought in 1873. Yet the unfortunate debtor must pay the full nominal sum borrowed; that is to say, his debt is practically increased more than 50 per cent. Can a system which permits of such arbitrary revolutions in the distribution of wealth be rational or tolerable? I confess it seems to me in the highest degree barbarous and uncivilized. The very earliest economic writings we have were protests against the wrong and mischief caused by such changes.

Robert Giffen, the distinguished political economist and statistician of England, has written:

> The fall in prices in such a general way as to amount to what is known as a rise in the purchasing power of gold is generally, I might say universally, admitted.

M. Wolowski, member of the French Institute, said:

> The suppression of silver would be a veritable revolution. Gold would augment in value with a rapid and constant progress which would break the faith of contracts and aggravate the situation of all debtors, including the nation.

Public men as teachers of the public mind and leaders of public conduct have accepted these doctrines and applied them to the public judgment of conditions so as to shape and mold public opinion. James G. Blaine, who is still vital enough in his grave to be present to the thought of millions of his countrymen as a type of high statesmanship and admired leadership, said:

> I believe the struggle now going on in this country and in other countries for a single gold standard would, if successful, produce widespread disaster in and throughout the commercial world. The destruction of silver as money and using gold as the sole unit of value must have a ruinous effect upon all forms of property, except those investments that yield a fixed return in money. These would be enormously enhanced in value and would gain a disproportionate and unfair advantage over every other species of property.

That very highest authority upon the subject of public finances, Senator JOHN SHERMAN, said:

> The contraction of the currency is a far more distressing operation than Senators suppose. Our own and other nations have gone through that operation before. It is not possible to take that voyage without the sorest distress. To every person except a capitalist out of debt and a salaried officer or annuitant it is a period of loss, danger, lassitude of trade, fall of wages, suspension of enterprises, bankruptcy, and disaster.

Senator ROGER Q. MILLS, an eminent Democratic leader and public authority, said:

> The demonetization of silver will paralyze all the forces of production, shut out labor from all employment, increase the burden of debts and taxation, and send desolation and suffering to all the homes of the poor.

With the political economists and greatest leaders of Govern-

ment uttering these judgments, it is not surprising that their opinions have been voiced by a thousand smaller oracles until all the people have heard these utterances. Not only that, but public teachers have directly related these monetary principles to the existence of business depression and public distress and have proclaimed them as the causes. The Hon. HENRY G. TURNER, of Georgia, one of the most eminent and one of the very ablest members of this House, said:

> The pecuniary stringency which has existed for years at the South now infests the North in even a worse form. There is not in all the world at this time a single prosperous community. The sun in its course looks not down upon a single prosperous city, or State, or nation. Every industry is prostrated.

He found the cause in the demonetization of silver. Taught by the most eminent authorities of light and leading that depression of business and failure of employment throughout the world was caused by trying to shift upon gold the monetary burden that has in all the past centuries been borne by both gold and silver, is it any wonder that the people have accepted this teaching and that they are restive when in their view their legislators and rulers go on resolutely to establish gold as the only money? Bismarck, opposing gold monometallism, portrayed thus the condition of the modern world:

> We are all in one bed and the blanket is too narrow to reach; each nation is tugging at this blanket and pulling it off some one else.

That sturdy, common sense of the greatest of the statesmen of Europe has seemed to the people to be confirmed by the recent struggles of the nations to increase their stock of gold in order to maintain their financial existence. And the United States, the richest and the most prosperous country on the globe, had by the act of the present Democratic Administration to put a mortgage upon the future of its people for thirty years in order to procure, at high interest and for a large bonus, gold enough from a few bankers to maintain its struggling financial life and credit through part of one season. Percival Lowell, in some recent interesting essays, portrayed how the surface of the planet Mars appears to the enlarged vision of astronomers. There a planet which shows signs of having once been covered by an expanse of water ample enough to wash many shores and give the element of life to many people has gone through a process of the evaporation of its seas until but a narrow margin of water remains.

And we can conceive the inhabitants of that world, leaving myriads of dead behind them, perished from want while the remaining people crowd upon the receding shores, seeking precarious life from waters soon to be wholly exhausted. Lord Byron had a dream of darkness, where light gradually faded out of the universe and men were gathered around their blazing homes to look by that uncertain and fleeting light once more into each other's eyes. The instructions of the economists and their public men have brought the people to some such conception of the monetary situation. They have been taught that money is the lifeblood of prosperity; that its circulation through the body politic, freely and amply, is necessary to societary life.

When they see that one-half of the monetary volume is to go out of use, the volume of money contracting to gold alone, while the population of the world increases and there is immeasurable multiplication of business and employments and the needs of and demand for money, no wonder it seems to the people that the sources of their business life are being dried up by the monetary situation. No wonder that in the keen passions which pervade mankind in the struggle for survival they view the monetary situation with disquiet and unrest. History has no significance unless the world exists for the constant betterment of the condition of the masses of mankind—to give more and more of the boys and girls born into the world an opportunity to live out, at their best, life in the high divine image in which they were made. One of the elements of human betterment and progress has been the gaining of individual political freedom—the right to participate in government; the right to take government from the privilege of the few and make it the right of the many. But along with the betterment of condition brought by political liberty must be the right and privilege of the possession and accumulation of property. "You take my house when you do take the prop which doth sustain my house; you take my life when you do take the means whereby I live."

That wisdom of Shakespeare is a wisdom that has passed into the keen perception of all the people. Everyone knows now that unless one can get so much of the property which buys the necessities and the comforts of modern civilized life in their many relations and demands the individual is mere wreckage, that most pathetic of beings, a human creature passing up and down the busy streets of our cities covered with the advertisements of the business of his more fortunate fellows who enjoy the products and the opportunities of civilization by possessing its property while he is but a moving human sign of their prosperity and of his abject failure in the struggle for life.

The people being taught that their chance of getting property and the means of livelihood and the enlarged blessings of civilization is twice as large by having both gold and silver as money than if gold alone be money, no wonder that they grow almost revolutionary in their passionate demand that the gates of equal fortune shall be kept open for them, and their chance of success in life be not divided one-half against them by the contraction of the metal money of the country and the world one-half. Their passionate and revolutionary feeling is made keener and stronger by that condition of modern life which has lead to trusts and syndicates, the concentration of the forces of the commercial and business world into the hands of a few, so that a syndicate of individuals can take into their own hands and control more than the entire wealth of past generations. They have lately witnessed a syndicate of five men feeling sure that they had so cornered the gold supply of the country that the Government and 70,000,000 people alike must turn to these five men as the only possessors of the gold upon which the credit of the Government could be maintained.

I believe in the people. I repeat that I do not see any significance in history or in fact for which Government exists unless it be to better the condition of the people; to give them constantly greater and better opportunities in life; to lift them farther and higher toward that new heaven and earth where humanity at its best is to find its fruition; that takes an Abraham Lincoln out of a cabin and out of the utmost of privation and lifts him to the heights of human and divine achievement as an exemplar of the possibilities of mankind. So far as my best perception and highest judgment can gather from the study of this financial question, what financial policy it is that will best promote the welfare of all the people, to that policy am I committed by my own thought and by my duty as a representative of the people and a national lawmaker.

The survey of history shows that in the struggles of mankind to evolve into a better condition the people and their leaders have been again and again mistaken as to the usefulness of suggested measures and policies. I am very sure that many people and many of their leaders are mistaken now as to the value they attach to the free coinage of silver as a means of escape from business depression, and their fears and presentiments of the dangers arising in any way out of the question of money. I stand upon the declaration of the last national Republican platform, that of 1892, as the wise and safe declaration of monetary principles under our existing conditions:

> The American people from tradition and interest favor bimetallism, and the Republican party demands the use of both gold and silver as standard money, with such restrictions and under such provisions to be determined by legislation as will secure the maintenance of the parity of value of the two metals, so that the purchasing and debt-paying power of the dollar, whether of silver, gold, or paper, shall be at all times equal. The interests of the producers of the country, its farmers and its workingmen, demand that every dollar of paper or coin issued by the Government shall be as good as any other. We commend the wise and patriotic steps already taken by our Government to secure an international conference to adopt such measures as will insure a parity of value between gold and silver for use as money throughout the world.

It is demonstrable that the Republican party by its national policy, so far as it is responsible for the conduct of affairs, has steadily maintained and promoted this policy since resumption of specie payments in 1879. The demonetization of silver in 1873, while the Republican party controlled the Government, had no significance as to monetary conditions, because there was no gold and silver in circulation in the United States, and the use of silver in a bimetallic system was resumed at the resumption of specie payments in 1879 under the law of 1878. From that time on the Republican party has put into monetary use in the United States the utmost amount of silver that can be used and a bimetallic policy maintained.

The free coinage of silver at the ratio of 16 to 1 would be absolutely destructive of bimetallism. It would contract out of circulation all gold. It would bring the American people to the use of silver as the only metal money. It would depreciate all the paper money of the country to the market value of the silver in the dollar. This would cause a loss of hundreds of millions of dollars that the American people could ill afford. It would bring upon them all the monetary evils of a depreciated currency, which our wisest statesmen and the most devoted lovers of the people have so strenuously deplored, and which the disastrous experience of the past warns the people against by the severest of all teaching.

The grave dust has covered Andrew Jackson. Nothing of the bitter political strifes and fierce party contests of his time remains to cloud or obscure the judgment of the present. Nothing remains but the splendor of his patriotism—of his unflinching devotion to the welfare of the people. So his warning voice reaches out from the past he made illustrious to his fellow-citizens of the present in these words of warning in his message as President in December, 1836, in a way they will heed:

> The progress of the expansion or rather a depreciation of the currency by excessive issues is always attended by a loss to the laboring classes. This portion of the community have neither time nor opportunity to watch the ebbs and flows of the money market. Engaged from day to day in their useful toils,

they do not perceive that although their wages are uniformly the same or even somewhat higher, they are gradually reduced in fact by the rapid increase of a spurious currency, which as it appears to make money abundant they are at first inclined to consider a blessing. It is not so with speculators, by whom this operation is better understood, and it is made to contribute to their advantage. It is not until the prices of the necessities of life become so dear that the laboring classes can not supply their wants out of their wages that the wages rise and gradually reach a justly proportionate rate to that of the products of their labors. When thus, by the depreciation in consequence of the quantity of money in circulation, wages as well as prices become exorbitant, it is soon found that the whole effect is a tariff on our home industries for the benefit of the countries that maintain uniformity in money and moderation in prices.

Daniel Webster, the contemporary of Jackson and his peer in patriotism, was even far greater than he in the breadth of his intellect and his comprehensive grasp of public affairs, of those profound principles upon which Governments are based and the welfare and progress of mankind depend, and he said:

The very man of all others who has the deepest interest in a sound currency and who suffers most by mischievous legislation in money matters is the man who earns his daily bread by his daily toil. A depreciated currency is the very harvest time of speculators and of the whole race of those who are at once idle and crafty. Capitalists may outlive such times. They may easily prey on the earnings of labor by their cent per cent or they may hoard. But the laboring man, what can he hoard? Preying on nobody, he becomes the prey of all. His property is in his hands; his reliance, his fund, his productive freehold, his all, is his labor. Whether he work on his own small capital or another's, his living is still earned by his industry, and when the money of the country becomes depreciated and debased, whether it be adulterated coin or paper without credit, that industry is robbed of its reward. Whoever attempts, under whatever popular cry, to shake the stability of the public currency, stabs your interest and your happiness to the heart.

I know that the policy of the Republican party as maintained in this nation now is the only safe and possible concurrent use of gold and silver in a bimetallic system. I have heard much said on the floor of this House by the advocates of free coinage of silver at the ratio of 16 to 1, and everything they have said but confirms my opinion that under their policy bimetallism is impossible. I have heard nothing said by the advocates of the free coinage of silver on this floor which leads me or which should lead the American people to reject the wise instructions and warnings of Andrew Jackson and Daniel Webster to follow the lead of any of the teachers that I have heard upon the floor of this House during this debate.

There have been many remedies proposed for any troubles existing in the monetary condition of the world.

One of the proposed remedies is the use of what recent political economists have come to call the multiple standard, and this proposed remedy has received so little public attention and yet has secured the favorable judgment of such high authorities in economic science that it is worth while to call the attention of the people and of legislators to the proposition, so as to enlarge general knowledge of it. Thus J. Laurence Laughlin, who has high rank among American political economists as one who is well versed in the application of abstract doctrines to practical affairs, has said:

As regards national debts, it is distinctly averred that neither gold nor silver forms a just measure of deferred payments, and that if justice in long contracts is sought for we should not seek it by the doubtful and untried expedient of international bimetallism, but by the clear and certain method of a multiple standard, a unit based upon the selling prices of a number of articles of general consumption. A long-time contract would thereby be paid out at its maturity by the same purchasing power as was given in the beginning.

The late W. Stanley Jevons, author of Money and the Mechanism of Exchange, was one of the leading economists of the present century in England. He wrote:

Money, besides serving as a common denominator of value and as a medium to facilitate exchange, is usually employed likewise as the standard of value in terms of which contracts extending over long series of years are expressed. In letting land on long or perpetual leases, in lending money to governments, corporations, and railway companies, it is a general practice to make the interest and capital repayable in legal-tender gold money. But there is abundance of evidence to prove that the value of gold has undergone extensive changes.

Between 1789 and 1809 it fell in the ratio of 100 to 54, or by 46 per cent. From 1809 to 1849 it rose again in the extraordinary ratio of 100 to 240, or by 145 per cent, rendering Government annuities and all fixed payments extending over this period almost two and one-half times as valuable as they were in 1809. Since 1849 the value of gold has again fallen to the extent of at least 20 per cent (1874), and a careful study of the fluctuations of prices shows that fluctuations are from 10 to 25 per cent, and occur in every credit cycle. The question arises whether, having regard to these extreme changes in the values of the precious metals, it is desirable to employ them as the standard of value in long and lasting contracts. We are forced to admit that the statesmen of Queen Elizabeth were farseeing when they passed the act which obliged the colleges of Oxford, Cambridge, and Eton to lease their lands for corn rents. The result has been to make these colleges far richer than they otherwise would have been. The rents and endowments, expressed in money, have sunk to a fraction of their ancient values. I believe there is no legal impediment in the way of a landlord leasing his lands at present for a corn rent or an iron or coal or any other rent. All that the law requires is that the contract shall be perfectly definite and of exactly determinate meaning, so that the kind of commodity intended and the quantity of that commodity shall be exactly ascertainable.

The question thus arises whether the progress of economical and statistical science might not enable us to devise some better standard of value. Can we not conceive a multiple legal tender which would be still less liable to variation than gold and silver money? We estimate the value of £100 ($500) by the quantity of corn, beef, potatoes, coal, timber, iron, tea, coffee, beer, and other principal commodities which it will purchase from time to time. Might we not invent a legal-tender unit which should be convertible, not into any one single commodity, but into an aggregate of small quantities of various commodities, the quantity and quality of each being rigorously defined?

Joseph Lowe, Mr. G. P. Scroope, Mr. G. R. Porter, Mr. Newmarch, president of the Statistical Society of England, and many other political economists have recently favored this method of solving monetary troubles made by the variation of gold and silver, and the resultant necessity of having one standard instead of two and one money instead of two. An American political economist, Mr. G. P. Osborne, in his Principles of Economics, published in 1893, says:

How can we secure a money of uniform value? This is the important quality of a good money. There are many who advocate gold as a standard. But the changes in the value of gold are very great. This bidding of all nations for gold as a reserve for currency can not fail to increase its value—its price as measured by goods.

If all the silver-using nations were to adopt a gold standard for their currency, it would send the values of the gold up nobody knows how far; certainly to double those at present. For many years economists have seen that the tabular standard is the only honest standard of value. It has been proposed to take the wholesale prices of a certain number of commodities from month to month and year to year. These should include all the articles which enter largely into the satisfaction of the wants of the great majority of the people. One hundred articles would give a fair average result. These articles would be taken in the proportion of the values produced each year. Let us see how much a dollar will buy of all these articles on the 1st day of July, 1893, and let this be the standard forever after. A thousand dollars is the quantity of these goods which a thousand dollars of our present money will now purchase. Here is strict justice—justice to the debtor, justice to the creditor. A dollar represents a certain quantity of the world's resources. If one lends it to-day, when the dollar is repaid ten years hence it should buy just as much, no more, no less than when he lent it.

If this method was adopted, then every nation could safely adopt monometallism. It would make no difference then what the money is or how much its volume or how small. As money is only needful as a command over the resources of the world, by the multiple standard method, a dollar under a monometallic or bimetallic system would be a constant quantity and give a constant command over an equal amount of the products of exchange.

Another method to solve the difficulty of contracting the world's money to gold alone is the making of an international agreement by convention of the different nations to use silver as well as gold as a standard money of full volume and for ultimate payment of debts.

Another method is that proposed by the advocates of free silver coinage and embodied in the bill now before the House, which would make this nation establish silver money at whatever amount free coinage at the rate of 16 to 1 would give us as the money of the United States. The question whether this policy should be adopted is the question before the House, if we consider the Senate bill upon its terms as a proposed financial measure.

I have listened carefully to much that has been said on both sides of this question during the pending debate. It will not be invidious if I say that the proposition that the United States should by law proceed to the coinage of free silver as money at the ratio of 16 to 1 has been most ably and eloquently put before this House by my friend from Minnesota [Mr. TOWNE]. He has signalized his entrance as a member of this body by one of the most masterly pieces of argumentation, by one of the most fascinating feats of oratory, ever heard in this body or in any forum. The merits of his intellectual treatment of the case have been heightened by the spirit of devotion to the interests of the people which pervaded his speech.

That is a sentiment to which I am most keenly responsive. That is a sentiment to which the Republican side of this House is most keenly responsive. When he appealed to it in strong and majestic eloquence to give consideration to the interests of what Mr. Lincoln called the common people, this Republican House was warmly responsive, for the heart of the party of Abraham Lincoln still thrills to any appeals made to it in the spirit of Mr. Lincoln's love for the people. I confess I would readily yield to his persuasion of method because of my full sympathy with his full sympathy for the people, if out of the splendor of his argument there could have emerged a perfect conviction that his method would really have served the welfare of the people. It is the doubt the conclusions of his own argument left in my mind as to whether or not his method would promote the welfare of the people that leads me to hesitate. When he was asked at the close of his speech whether or not gold would go to a premium if the United States should coin free silver at the ratio of 16 to 1, he answered at once, with the courage and with the directness of an honest man who knows this subject from real study and full investigation, that no doubt gold would go to a premium.

What is that but to admit that gold goes out of use as money, and that, instead of the bimetallism for which he was speaking as a benefit to the people, this country would be left to silver monometallism. No man has yet dared say that that would benefit the people. No; the case is clear. I repeat the postulate which I have made earlier, and that is that science and fact will control this case. Science and fact will determine what will be. The Gresham law will work inevitably. If gold and silver are coined at a ratio in full and free coinage which is not the commercial ratio of those two metals in the markets of the world, then that metal which is undervalued will go out of use here and into use

in the other nations of the world, and that metal which is overvalued will alone remain as our money, and so full and free coinage of both gold and silver at a forced and unnatural ratio will inevitably leave us upon the basis of monometallism, and no art of persuasion can change that situation or make two moneys remain in this market at a disparity of value when one of those metals finds its profit to its possessors in going to other markets of the world where it can be worth what it is worth as a commodity of commerce.

The Republican party, having pledged itself to a restricted form of bimetallism as the only possible form of bimetallism now possible, has kept faith with the people of America in carrying out that policy to the utmost extent it could do so without destroying the prosperity of the people, which the Republican party tries always to serve. There was never so much silver in use by the American people as now since the Government began; never so large a per capita use of silver in this country as now. Under Republican policies that large use of silver is done with the solvency of the money maintained, and with that solvent money the well-being of the people who use it. The use of silver can not be extended to free coinage at the ratio of 16 to 1 by the United States alone without impairing and destroying the sound-money condition of the American people, and no art of persuasion, no fervor of individual or collective opinion, can overthrow the fact that unsound and deranged currency is always hurtful to any people. I join with the eloquent member from Minnesota in holding to the high maxim of good government—salus populi suprema lex (the welfare of the people is the supreme law). But because I know, with the full warrant of the experience of mankind, the teaching of history, and the postulates of science, that free silver at 16 to 1 would be destrctive to the prosperity of the people and bring them surely and inevitably to silver monometallism—because of that I must reject his conclusions, while I yield myself in willing homage to the charm of his eloquence.

It puzzles many that an increase of money—a larger volume of money—can do harm. Some amount of money being beneficial to a country, they do not see why a larger amount should not be more beneficial. Yet the reason is plain. Mankind strives for property. Each person desires to get property and keep it or its value. Money is the counter by which he gets his property, and it is also the form of storage in which he often keeps his property and by which he always reckons it. When the money volume is sound and stable, it preserves his property for him, both as a counter of its value in trade and as a form of storage. When the volume of money is deranged and inflated, and thereby depreciated, it may cost him the loss of his property, both as a reckoner of its value in buying and selling and as the storage of his property. There is no puzzle about the matter, and the popular instinct which fears and resists inflation and depreciation of money is wise and well founded.

I recognize the logical validity of the definition of bimetallism made by my friend from Minnesota, but I do not know a country in the world where bimetallism exists within his definition. It does not exist in France, nor in Belgium, nor in Italy, nor in any country of the Latin Union, which are always cited when the silver question is up for discussion. Certainly the Senate measure now before us would not give bimetallism, but only silver monometallism. When there is talk of bimetallism there is usually or always talk of a double standard of money.

There is no double standard of money. Alexander Hamilton based our monetary system upon a single standard—a unit of value—resting upon both metals. In the actual result it proved that the unit never rested upon both metals, but alternately upon one or the other.

The amount of money needed by any country is limited, not unlimited. Whether the United States had gold money alone, silver money alone, paper money alone, or any two of these, or all three of them, it would only keep so much money as it needed. And it would keep, reckoned by purchasing power, only so much of any or all of them as it would keep of gold if gold were the only money. By no possibility, then, would even free silver coinage and silver monometallism bring into use in the United States, reckoned by purchasing power, more silver than the amount of gold now in use here, which it would drive out. Hence it is inconceivable that the utmost use of silver money possible in the United States would materially enhance its price, or be of material benefit to the silver producers of this country.

So, while the Republican party, being protectionists, would be glad to give protection to our silver-mining interests, there is no material benefit to the latter by the passage of the Senate bill now pending, while there would be vast harm done to all the people, those in the silver-mining States and districts included, by the derangement and destruction of our present money, which would inevitably follow from making the Senate bill into law.

It should be remembered by the House and the country that the increased and increasing production of gold is a factor in the case which must be taken into consideration. Mark the steady and large increase! The report of the Director of the Mint shows that the yield of gold throughout the world was $146,815,100 in 1892; $157,287,600 in 1893; $180,626,100 in 1894; $203,000,000 in 1895. It was $9,710,500 from 1803 to 1820. When we remember that in 1874 the yield was but $90,000,000, members will see that the flood of gold now being poured by that industry into the world's reservoirs may well allay the fears members have excited themselves and us with during the progress of this debate.

It should also tranquilize us into some serenity of judgment when we recall the incontestible fact that the greatest increase in wealth and the prosperity of a people ever known in the history of the United States or the history of the world has been in the United States since 1850, and that in all that time, in fact, and most of the time in law, silver was not in use in the United States as a standard money. And this Republican House should at least be faithful to the remembrance that the year 1892, the year of Benjamin Harrison and Republican protection—the year of the nation's highest tide of prosperity that the world ever saw—came under the existing monetary system which our free-silver friends declare incompatible with prosperity, and there was less silver money in 1892 than in 1893, the year of adversity, because it was the year of Democracy.

Coin Redemption Fund.

REMARKS

OF

HON. A. C. SHUFORD,

OF NORTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 12, 1896,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. SHUFORD said:

Mr. SPEAKER: The People's Party, of which I am an humble member, demands in its platform the "free and unlimited coinage of silver at the ratio of 16 to 1." It is the only party that stands squarely and unequivocally upon that proposition or is making an honest effort to restore silver to the position it occupied prior to the act of February 12, 1873. From April 2, 1792, until February 12, 1873, a period of over eighty years, silver and gold were the money metals of this nation, enjoying equal privileges at the mints. Why was this condition, which had existed for more than three-quarters of a century, suddenly changed? No one as yet has been able to give a satisfactory or reasonable answer. Without a single petition ever having been presented to Congress asking for its demonetization, without a single editorial appearing in any of the thousands of newspapers, great and small, throughout the country commenting upon such a measure, with less than half a score of men out of the fifty million or more people at that date knowing anything about the transaction, the destruction of the American silver dollar was accomplished and silver reduced to a commodity like wheat or cotton.

For more than three years after this act had been passed depriving silver of its legal-tender functions the people of this country were in absolute ignorance of the fact. In the summer of 1876, in the course of debate, Senator Conkling put the plain question to Senator SHERMAN, "Is it true there is no American silver dollar?" The answer of Senator SHERMAN that there was none was the very first intimation the people of this country received that one-half of their metal money had been destroyed by an act of Congress. Upon investigation not a single member of the Senate or House, aside from those who manipulated the scheme, could be found who knew anything about it, and President Grant, who signed the bill, was not aware of this provision. All this, however, is history, and I only repeat it to show that there must have been some ulterior motive which prompted such action. An act of Congress which had never been petitioned for, which was not debated, and passed without the knowledge or consent of either Senate or House certainly could not, viewed in any light, represent the expressed wishes of the people. For this reason, I repeat, there must have been some secret motives for such unfair and clandestine legislation.

Mr. Speaker, the money owners of Europe, in conjunction with their copartners on this side of the ocean, controlled the financial

legislation of this country then as they do now, and the reasons for this demonetization can be traced directly to their doors. In 1866 the war debt of this nation amounted to $2,783,000,000 in round numbers, all being payable in lawful money, which at that time consisted of gold, silver, and paper. After considerable agitation and manipulation, these money owners, who had possession of the greater portion of this debt, succeeded in passing what is known as the credit-strengthening act of March 18, 1869. This act changed the contract of this vast amount of indebtedness from lawful money to coin and made it all payable in gold and silver. In order to make sure of this advantage the refunding act of July 14, 1870, was passed, which funded all our interest-bearing debt into bonds running ten, fifteen, and thirty years, payable, principal and interest, in coin. These bonds were originally purchased with greenbacks worth on the average about 54 cents in gold on the dollar.

By this act they were funded into bonds payable in gold and silver worth more than par. Senator JONES of Nevada estimates the profits of these public plunderers through these transactions as follows: From 1862 to 1868 United States interest-bearing bonds were sold to the amount of $2,049,975,700. The amount received for such bonds, discount on coin considered, was $1,371,424,238, leaving a clear profit of $678,551,462. This statement will stand the closest scrutiny, and of itself is simply appalling. But this vast profit did not satisfy the ambition of these conspirators; they aimed at conquest, at the enslavement of the people. Well knowing the truth of the Scripture, which declares "the debtor the servant of the lender," they set about to accomplish this purpose. This enormous debt, which was payable by the terms of the original contract in three kinds of money—gold, silver, and paper—had been changed into a debt payable in but two kinds of money—gold and silver. The object now was to make this payable in but one kind of money—gold. They dared not attempt so soon to change the letter of the contract from coin to gold for fear of being detected in their scheme, and therefore took the less dangerous course of demonetizing silver, which destroyed its legal-tender functions and made it impossible of use in payment of the principal or interest of these bonds, and virtually, in this indirect manner, made them payable in gold alone. That this was one of the objects sought by the destruction of silver as money there can be no doubt.

Neither did it end here. The demonetization of silver meant the destruction of a large amount of the money of the nation and a consequent contraction of the circulating medium. This in turn brought about lower prices for the products of labor and began that industrial enslavement that we now see on every hand.

Our Western silver mines were at that time just being developed, and these money owners feared the stream of white metal that seemed turned toward our mints would increase in volume, make money more plenty, prices for labor and its products higher, the people more independent, and the chance for industrial slavery less certain.

They conspired to make the dollars as dear as possible and to cost more and more sweat and toil each year to obtain. How well they have succeeded can be shown by the business wrecks scattered like autumn leaves throughout the length and breadth of our land, the mortgaged homes all about us, and the weary wanderers who fill the streets. The destruction of our silver currency has been followed by a contraction of over 50 per cent in the volume of national-bank currency, which seems to disclose a systematic attempt on the part of the money owners to reduce the currency of the country to the lowest possible point, in order to force the people further into debt and poverty. The contrast between the economic conditions of our people in 1866, before the successful accomplishment of the schemes of these plunderers, and the present time is almost beyond belief.

In 1866 Mr. McCulloch, then Secretary of the Treasury, declared that the people were comparatively out of debt. Now, out of a total of 12,690,150 families, 8,073,174 are homeless or live in mortgaged homes. Think of this; two-thirds of our people at the present time homeless or living under a mortgage. Then the people were nearly out of debt; now the grand total of national, State, municipal, corporate, and private indebtedness is estimated at $38,000,000,000. In 1866 the number of business failures is given at 632, while for 1895 it is estimated at over 18,000. Then an acre of wheat on the average brought $23; now less than $6. Then an average acre of corn sold for $19; now less than $5. Then a bale of 500 pounds of cotton was worth $150; now it is selling for $30. Then there were no tramps, no unemployed, and all who cared to work could do so at remunerative wages. Now 20,000,000 of our people are virtually unemployed and in distress.

These, in my opinion, are the ripe fruits of a financial policy which began in fraud, and unless checked at once will end in national ruin.

The laborer, the mechanic, the farmer, the tradesman, and the manufacturer all feel the blighting influence of this unfortunate and uncalled-for legislation. They are all suffering from the effects of the law of supply and demand, which obtains in regard to the circulating medium with the same unalterable force that it applies to wheat or cotton. Reduce the quantity of wheat or cotton, leaving the demand the same, and each will naturally increase in price. Increase the amount of wheat and cotton and not increase the demand, and naturally the price will become less. Just so with our currency, increase the number of dollars, the demand for their use remaining the same, and the purchasing power of the dollar will decrease. On the other hand, decrease the number of dollars, leaving the demand for their use the same, and the purchasing power of each dollar will increase accordingly. The more dollars in circulation the less wheat and cotton or other products of labor will be required to purchase a dollar. Just the same as with a large crop of potatoes, they sell for less per bushel than when there is a smaller crop. On the contrary, if we contract or decrease the number of dollars, and at the same time require the same amount of business transactions, each dollar will become dearer, because scarcer, and will require more wheat and cotton and other products of labor to purchase. If we would apply the well known and common-sense law of supply and demand to the currency problem, much of its mystery would be dispelled, and any amount of demagogism and deception would be eliminated from its consideration.

To decrease the price of our product does not, as a rule, affect the price of other products, while a decrease in the volume of currency, which increases the purchasing power of money, affects the price of all commodities alike.

It has been stated on the floor of this House that the cost of production establishes the price of products. This can not be true, as will be seen by a moment's investigation. Suppose the corn crop was a failure in every State save North Carolina, would not the price of corn in North Carolina greatly appreciate? Most certainly. It would follow the law of supply and demand. But the fact that the cost of producing this crop of corn in North Carolina was no greater at this time than previous entirely explodes the theory that labor, or the cost of production, makes the price. When the farmer takes his cotton to market he receives the market price, without any regard for what his cotton cost him in production.

All other conditions remaining the same, it is the number of dollars in circulation that establishes the price of labor and its products. There is not a political economist, living or dead, whose opinion is worthy of record who does not subscribe to the correctness of this statement. I might quote from the writings of hundreds of the most eminent statesmen, writers, and thinkers the world has ever produced to sustain this position; in fact, this proposition is no longer disputed and may be considered as a settled proposition of political economy. This fact, once agreed upon, renders it comparatively easy to show the manner in which our present distress has come upon us.

In 1866 the public records show, beyond successful contradiction, that the per capita circulation amounted to $52. At the present time, according to the best authority, including Senator VEST of Missouri, there is not to exceed $5 per capita in circulation among the people. This wholesale contraction of currency, through methods which are too lengthy to explain at this time, is the direct cause of nearly all the ills that now beset our people. Under this process of contraction the number of dollars was decreased, while at the same time more business transactions were taking place. This situation forced a less number of dollars to perform a double amount of work, which in turn increased their purchasing power, and as a result all values shriveled and fell. The law of supply and demand operated in a double capacity in this case, for not only was the supply of dollars lessened, but the demand for their use was increased. To illustrate the baneful effect of such conditions upon property values, and at the same time disclose by a practical test the infallibility of this law, let us suppose a farmer in 1866 sold his farm for greenbacks and locked those greenbacks in a safety vault until to-day. Can he not buy with these same greenbacks three just as good farms as he sold? Who will dispute this?

Suppose, again, that in 1866 two farmers, Jones and Brown, had each $1,000 in greenbacks to invest in some speculation. Mr. Jones took his $1,000 and invested it in wheat at $2 per bushel, the average price at that date; but Mr. Brown locked his $1,000 in greenbacks in a safety vault. Suppose both kept their holdings until the present time; how would the results of the transactions stand? Mr. Jones has 500 bushels of wheat that he can sell for $300. On the other hand, Mr. Brown has $1,000 in greenbacks with which he can buy 1,666 bushels, or more than three times the amount Mr. Jones has. During these thirty years Mr. Jones's wheat has decreased more than 66 per cent in value, while the greenbacks of Mr. Brown, by a process of lessening the number of dollars in use and at the same time increasing the labor required of each dollar remaining, has increased the purchasing power more than 300 per cent. What is true in this case is true of nearly all the property in this country in its relation to the power of money. I will now undertake to show what the farmers have

lost upon their crops, with little or no compensating advantages on account of falling prices.

In this connection I insert the following extract from the speech of the Senator of Nevada [Mr. JONES] in 1893:

Let us endeavor to reach an approximate estimate of the losses sustained by our agricultural population since 1885, when President Cleveland first advised Congress to repeal the silver-purchase act of 1878 and to stop the coinage of silver dollars:

WHEAT.

Average export price per bushel—	
1875 to 1885	$1.17
1893	.73
Difference	.44

According to the report of the Agricultural Department for December, 1892, the wheat crop of this country for the year then closed amounted to 516,000,000 bushels. On this quantity a loss of 44 cents per bushel, caused by the decline in the price of silver bullion, amounts to an annual sum of $226,600,000 of debt and tax paying power, which amount apportioned among the principal wheat-producing States shows the loss of each of such States to be as follows (I give the figures in round numbers):

Wheat crop of 1892 in—	Bushels.	Loss.
Indiana	40,000,000	$17,600,000
Minnesota	41,000,000	18,040,000
California	39,000,000	17,160,000
Kansas	70,000,000	30,800,000
South Dakota	32,000,000	14,080,000
North Dakota	35,000,000	15,400,000
Ohio	38,000,000	16,720,000
Missouri	25,000,000	11,000,000
Illinois	28,000,000	12,320,000
Michigan	24,000,000	10,560,000
Pennsylvania	19,000,000	8,360,000
Nebraska	16,000,000	7,040,000
Kentucky	12,000,000	5,280,000
Oregon	10,000,000	4,400,000
Washington	10,000,000	4,400,000

There may be added to these figures five to ten million bushels each for the States of New York, Maryland, Virginia, North Carolina, Texas, Tennessee, West Virginia, Wisconsin, and Iowa. The loss on wheat, therefore, suffered by the farmers of this country must be estimated at $200,000,000 annually.

COTTON.

	Cents.
Average price per pound in New York—	
1879 to 1885	11¼
1893	8
Difference	3¼

Taking the crop year 1888-89 as an average year, and, for convenience of calculation, computing the loss at 3 cents per pound, we find that the total annual loss of the planters of the United States amounts to over $100,000,000, distributed among the States as follows:

Cotton raised in—	Pounds.	Loss per year.
North Carolina	230,000,000	$6,900,000
South Carolina	275,000,000	8,250,000
Georgia	480,000,000	14,400,000
Florida	32,000,000	960,000
Alabama	422,000,000	12,675,000
Mississippi	532,000,000	15,960,000
Louisiana	240,000,000	7,200,000
Texas	719,000,000	21,570,000
Arkansas	350,000,000	10,500,000
Tennessee	162,000,000	4,860,000
Total	3,422,000,000	102,680,000

This makes a total loss to the agriculturists of this country in wheat and cotton, by reason of the demonetization of silver, of over $325,000,000 a year.

If these calculations were carried up to the present time the result would be far more startling. I quote further:

But the enormous yearly aggregate of lost purchasing power is comprehensible only when we multiply the acres now employed in growing staples by the declines shown in the acreage value of products since 1870. While very accurately measuring the farmer's loss of revenue by reason of the declining value of the acreage product, even multiplying the acres under staple crops fails to show the whole loss, as no account is thereby taken of the reduction in the value of animals and the thousand and one things produced on the farms of the United States, which have suffered, in many cases, quite as great a decline in value as have the great staples to which this showing is confined.

As 206,000,000 acres are now employed in growing staple crops, it follows that the power of the farmer to purchase is this year $1,563,000,000 less than it would be if he was receiving the prices of 1866–1870 for his great staples. If the prices now realized in the farm markets equaled those received from 1871 to 1875, the farmer would this year be able to spend $1,450,000,000 more for manufactures and other commodities than he will be able to spend with prices at the present level. Were prices now equal to the average of those obtained from 1876 to 1880, the purchasing power of the farmers would this year be augmented by $768,000,000. Should the crops of 1893 give average yields, and the prices equal those current from 1881 to 1885, the farmer's spending power would be $645,000,000 greater than with present prices. Even with prices as low as those prevailing from 1886 to 1890 the farmers of the United States would have $358,000,000 added to their debt-paying and purchasing power in 1893; and like advances on the other products of the farm would create an ample fund for building and general improvement, thus employing more labor.

The least of these sums, added to the sums yearly distributed among the producers of metals and textiles, would afford employment for great numbers, keep the mills in motion, make money abundant, and bring good times.

Much stress is laid upon the necessity of cheap food for the wage worker; but what possible benefit can be derived from a cheapness that deprives the 30,000,000 who produce food and fiber of the ability to keep the wage worker employed by buying the products of artisan and operative?

Doubling the present price of wheat would probably add the price of six or eight days' labor to the cost of the year's supply of bread for the average family; but with wheat at an average of $1 a bushel at the farm markets, and other farm products at proportionate prices, there would be no idle mills, and the earner of wages would have that easily procured and constant work which would assure him the continuous ability to buy bread. Would not that be far better than existing conditions and bread unattainable, though low in price?

Let us ascertain what India, our greatest rival, has been doing during these years. For that purpose I insert the following table, from official sources, which contains a lesson for every farmer in this country:

Statement showing the exports and average export price of raw cotton and wheat from British India during the years ended March 31, 1870 to 1891, and eleven months ended February, 1892, inclusive.

Year ended Mar. 31—	Cotton, raw.			Wheat.		
	Pounds.	Value.	Price per pound.	Bushels.	Value.	Price per bushel.
			Cents.			
1870	524,834,448	$91,579,862	16.51	145,988	$158,035	$1.10
1871	577,600,800	93,412,315	16.18	463,908	498,398	1.07
1872	809,246,032	102,107,664	12.62	1,189,252	1,131,096	.96
1873	494,214,448	67,309,718	13.62	735,486	804,912	1.09
1874	503,966,176	63,418,757	14.59	3,277,781	3,972,509	1.21
1875	627,209,632	73,235,242	11.68	2,004,156	2,358,965	1.18
1876	561,207,920	63,748,603	11.36	4,686,767	4,350,389	.93
1877	510,486,368	56,381,683	10.86	10,428,328	9,396,672	.90
1878	387,583,616	45,059,299	11.69	11,896,563	13,713,552	1.15
1879	332,255,728	37,987,637	11.44	1,972,546	2,496,662	1.27
1880	442,229,312	53,498,174	12.09	4,109,495	5,396,482	1.31
1881	508,653,376	63,560,371	12.50	13,896,167	15,734,122	1.14
1882	630,508,928	71,718,830	11.37	37,148,543	42,573,898	1.15
1883	691,059,376	77,067,638	11.15	26,495,024	29,226,307	1.10
1884	670,575,136	69,129,130	10.31	39,202,635	42,699,893	1.09
1885	567,807,856	63,816,595	11.25	29,421,645	30,316,886	1.02
1886	469,459,648	51,753,701	11.94	39,328,658	38,425,589	.98
1887	608,816,544	64,684,618	10.62	41,558,765	41,404,733	1.00
1888	601,983,872	69,186,011	11.49	25,271,249	26,699,390	1.05
1889	597,137,072	72,219,216	12.09	32,874,628	36,111,744	1.10
1890	707,878,304	89,608,340	12.66	25,764,124	27,804,552	1.08
1891	662,359,376	79,213,321	11.95	26,731,592	49,003,645	1.09
1892, 11 months	418,538,512	44,018,186	10.52	53,371,983	64,843,522	1.21

NOTE.—At the request of Mr. George O. Jones the rupee has been reduced to United States money at the rate of 48 cents per rupee.

S. G. BROCK, *Chief of Bureau.*

TREASURY DEPARTMENT,
Bureau of Statistics, April 16, 1892.

It must be understood in connection with this table that the increase in amount of cotton produced in India is greater than the increase in the production of wheat. This does not show in the tables, since a very large per cent of the cotton since 1873 has been retained at home for manufacture.

The silver of the United States since 1873 has aided in building up the India wheat industry from an export of 1,000,000 bushels in 1873 to 54,000,000 bushels in 1893. It has also aided in developing the cotton industry in proportion. Is it not time to stop such a suicidal policy and keep our silver at home to benefit ourselves? If our silver has been such a benefit to India, would it not benefit us in like manner? In my opinion it would.

Not only are our agricultural industries threatened with destruction through this Asiatic competition, but our manufacturers have taken the alarm. Already the manufacturers in many lines, especially where hand labor is used, are being driven to the wall by the overpowering competition of Japan and China. To-day the mechanics and tradesmen of this country are in greater danger than any other class by reason of the competition of these silver-using countries. No tariff can be placed high enough to shut them out, and unless we utilize our own silver, instead of granting them that privilege, these conditions will continue to intensify.

The advantage of these silver-using countries over us lies in the fact that their merchandise is manufactured and their agricultural products made with silver and sold for gold, while we are compelled to use gold in production and receive gold in payment. This gives the silver-using countries an advantage of the difference between the price of gold and silver. For example, the manufacturer in Japan can get just as many yards of cloth made for $5 in silver as the manufacturer in Massachusetts can for $5 in gold. Now, when the manufacturer of Japan meets the manufacturer of Massachusetts in Spain, for instance, in a business competition, he can undersell the manufacturer from Massachusetts by the difference between the cost of $5 in silver and $5 in gold. This difference would be so great under the present low price of silver that the Massachusetts manufacturer would be driven out of the market and his business ruined. What is true with this manufacturer is also true of the wheat grower, the cotton planter, and hundreds of other industries in this country. The foreigner comes over here now and buys our silver product, manufactures it, as it were, into a club with which he beats out our commercial brains. Just how long this suicidal policy will be

continued depends upon the intelligence and the degree of awakening among our people. We are producing about $70,000,000 in silver annually and making no use of it as a money metal. Instead we are selling interest-bearing bonds to buy gold to take its place.

Mr. Speaker, we are met at this point with the plea of overproduction; that we are producing more than we can consume and that prices are forced to their present low level under the law of supply and demand. Not so. The supply is ready, and in abundance, and heaven knows the demand never was so great or so urgent, but the ability to purchase is wanting. It is not an overproduction that threatens our country, but an underconsumption, which has been brought about through the contraction of our currency and the consequent appreciation of the dollar.

If all our people were comfortably fed, housed, and clothed, there neither could nor would be an overproduction, speaking in general terms. It is an indisputable fact that the wants and desires of a community keep even pace with increased production. The luxuries of yesterday become the necessities of to-day, and the whims of to-day become the settled fashions of to-morrow. The old is discarded for the new, and the new is taken with the anticipation of being replaced by something different in the near future. This applies to but one class of producers as a rule. It will hardly apply to the farmer. Wheat makes flour now as it did when first produced. Beef, pork, cotton, and wool fulfill about the same mission among the race as ever, with the exception of being more largely consumed. Production in this direction has been very largely increased. Yet there is no overproduction. There can be no overproduction of wheat or meat while any of our people are suffering from hunger. There is no overproduction of boots or shoes when people are barefoot, or of clothing when people are poorly clad. There is no overstock of laborers when thousands are suffering for want of the articles these laborers could produce, neither are there too many homes when they could be filled with tenants able to pay rent if work could be obtained.

If we take the statistics relating to agricultural products and consider them simply as statistics, the results seem to prove an overproduction, but the moment we consider them in the light of an underconsumption the true condition is discovered at once.

In 1867 50,841,765 acres of wheat and corn produced 980,761,400 bushels of grain, that brought the farmer $1,032,744,850. In 1893 106,665,883 acres of the same cereals produced 2,015,627,856 bushels, that brought the farmer only $804,797,008. That is, double the number of acres and more than double the amount of grain brought $22,947,842 less than in 1867. In 1867 we had $52 per capita, while in 1893 we had less than $5. In 1867 the population of the United States was 36,269,000. The amount of wheat produced was 212,441,400 bushels, or 5⅞ bushels per capita. In 1893, with 70,000,000 people, the product of wheat was 396,131,725, or 5⅝ bushels per capita. These figures disclose no overproduction in 1893 as compared with 1867. In 1867 there was 26,564,607 bushels of wheat exported, or 12.39 per cent of the total production, leaving 187,891,121 bushels for home consumption, 5¼ per capita. In 1893 there was exported 182,276,406, or 46 per cent of the total production, leaving 213,955,319 bushels for home consumption, or 3⅞ per capita.

The overproduction theory does not hold good again. In 1867 we exported only 12.4 per cent of the gross production, while in 1893 we exported 46 per cent. In 1867 we retained for consumption 5⅛ bushels per capita, yet in 1893 we retained only 3⅞ bushels per capita. But we will go to other sources and ascertain the required amount of food products to maintain life and health among our people and compare the result with the actual amount produced—this surely ought to be final.

If it can be shown that the people of the United States could consume this entire amount by being properly fed, then the whole question would turn on the ability of the different countries to purchase. Until it becomes a matter of actual want, which is not looked for in this case, the condition of the people in regard to their ability to buy and consume will determine the volume of export. The ability to purchase must be considered in connection with the ability to hold, or the necessity to sell, since they are all prime factors in the level price of the products of labor. If the people of the United States, in order to be fully and properly fed, demand the entire product of wheat, it must follow that whatever may be exported is because of a willingness to surrender certain comforts that are found in good living for the sake of receiving an equivalent from some other source, or relief from debt or similar obligations. It is not fair to presume that the people of this country or any other would deprive themselves of their natural allowance of bread or food as a mere act of philanthropy. The world has become too selfish for such action. These conditions are only brought about by the necessity to sell, which usually obtains through the medium of debt. The quantity of exports, therefore, in this case becomes a matter of contention between the demands of the stomach on the one side and the importunities of the creditor on the other. It is safe to assume that were all the people of the United States properly fed there would be very little, if any, products remaining for export. As proof of this, reference is made to the following section of the Army Regulations:

A ration is the established daily allowance of food for one person. As now fixed, its components are as follows: Twelve ounces of pork or bacon or canned beef (fresh or corned), or 1 pound and 4 ounces of fresh beef, or 22 ounces of salt beef; 18 ounces of soft bread or flour, or 16 ounces of hard bread, or 1 pound and 4 ounces of corn meal; and to every 100 rations 15 pounds of beans or pease, or 10 pounds of rice or hominy; 10 pounds of green coffee or 8 of roasted (or roasted and ground) coffee, or 2 pounds of tea; 15 pounds of sugar, 4 quarts of vinegar, 4 pounds of soap, 4 pounds of salt, 4 ounces of pepper, 1 pound and 8 ounces of adamantine or star candles; and to troops in the field, when necessary, 4 pounds of yeast powder to 100 rations of flour.

In addition to the above, the following has been made:

1. By direction of the Secretary of War, the following proportions are fixed for issues by the Subsistence Department of the pound of vegetables added to the ration by section 5, act of June 16, 1890, viz:
1. One hundred per cent in fresh potatoes; or,
2. Eighty per cent in fresh potatoes and 20 per cent in fresh onions; or,
3. Seventy per cent in fresh potatoes and 30 per cent in canned tomatoes, or in such fresh vegetables as can be procured in the vicinity of the station, or which it may be practicable to furnish from a distance in wholesome condition, such as onions, cabbages, beets, turnips, carrots, and squash.

The above ration is considered by army physicians as sufficient and proper for the sustenance of a United States soldier, and can with equal propriety be applied to all our citizens, due allowance being made for children. It can not be expected that exact figures can be given or precise results obtained, but approximate estimates can be made from fair and reasonable premises that are both conclusive and convincing. If a deduction of 20,000,000 be made from the present population for children, the 50,000,000 remaining may fairly be considered, so far as consumption of food is concerned, as men and women. Upon this assumption the following results would be obtained:

	Per day.	Per year.	Fifty million people.
	Ounces.	*Pounds.*	*Pounds.*
Beef	20	450¼	22,812,500,000
Flour	18	410¼	20,525,000,000
Beans	2½	57	2,850,000,000
Vegetables	16	365	18,150,000,000

If these enormous sums are reduced to the natural product by reckoning beef at 700 pounds per animal and flour at 38 pounds to the bushel, the result is as follows:

Beef cattle	number	32,589,285
Wheat	bushels	540,131,599
Beans	do	47,500,000
Potatoes	do	304,166,666

From these figures it is seen that the wheat crop of 1893 would fail to supply the home demands by 143,999,874 bushels. Remember this does not allow a single pound for exportation.

In 1892 there were only 52,095,568 head of cattle (estimated) in the United States. In 1893 the total production of potatoes was 183,034,203 bushels, and the crop of beans amounted to about 5,000,000 bushels. It is plain to be seen from this showing that the Government estimate of what is necessary for the support of its soldiers can not be applied to the balance of its citizens. The accuracy or abundance of these rations is not involved in this inquiry; the plain statement of facts is all that has been considered. By substituting other products of equal life-giving qualities in part for some of those mentioned in the rations it will be discovered that, taken as a whole, the annual consumption under these conditions would permit but little, if any, sales abroad. The inquiry and investigation sought to be inaugurated by this showing are, Why are not these products consumed at home? Are other nations better prepared to purchase the products of this country than the people are to hold and consume them? If such is the case, what is the cause and wherein lies the remedy? If the citizens of the United States are not in condition to consume their own products, is it not time to institute a vigorous inquiry as to the reason?

These statistics disclose a condition that should of itself refute the doctrine of overproduction, since it proves conclusively an underconsumption. There are other theories equally as erroneous put forward to account for the distress among the people, but I can only take time to expose the fallacy of the one used with greatest force among the people, that of overproduction. I am in favor of the free and unlimited coinage of both gold and silver at the present ratio and of issuing in addition to this a sufficient amount of full legal-tender paper money so that the aggregate would restore the price of labor and its products to the point occupied in 1872. I believe in the absolute abolition of all banks of issue, and, as Mr. Jefferson said, "restore that function to the Government, where it belongs."

I believe this would be fair to the great, plain people, whose toil and sweat pays for all in the end. I believe such legislation would fill the land once more with prosperity and contentment. The people have discovered that they have been plundered for the benefit of those having fixed incomes. They realize that England, the

robber nation of the earth, through her Rothschilds, are consuming the industries of this country by usury. Well may Mr. Gladstone declare against free coinage and cheaper money when England holds obligations against the people of other nations, as he then boasted, amounting to over $10,000,000,000. Having cornered more than half the gold of the world, they insist on forcing its purchase at their own price. These alien financial buccaneers, having fixed and established the price of gold by law, are determined that silver shall have no such rights. In order to make gold do a double amount of work and thereby enhance its power to oppress they are continually making assaults upon silver in order to degrade it in the eyes of the business world. It is claimed that should silver be remonetized it would remain at a discount as compared with gold. This would prove true if Government officials should pursue the same course as at present. If in payment of obligations the Secretary of the Treasury should, as now, refuse to pay out silver and utterly discard its use, of course it would fall to a discount. With the bill granting free coinage I would enact the following, as presented by Senator BUTLER recently in the Senate:

SEC. 4. That the issuance of interest-bearing bonds of the United States for any purpose whatever, without further authority of Congress, is hereby prohibited; and that the Secretary of the Treasury when redeeming United States notes, commonly called greenbacks, and Treasury notes issued under the provisions of the act of July 14, 1890, and when liquidating either the interest or principal of any of the Government's coin obligations, is hereby directed to make such payment in gold coin whenever the market value of 25.8 grains of standard gold is less than the market value of 412½ grains of standard silver, and to continue to pay in such gold coin until the market value of 25.8 grains of standard gold shall be equal to the market value of 412½ grains of standard silver; but when the market value of 25.8 grains of standard gold shall be greater than the market value of 412½ grains of standard silver he shall pay the interest and the principal of said coin obligations as they become due in silver coin, and continue to pay the same in silver coin until the market value of 412½ grains of standard silver shall be equal to the market value of 25.8 grains of standard gold, and said notes, commonly called greenbacks, when so redeemed, shall be reissued, as provided by the act of May 31, 1878.

I will quote from Senator BUTLER upon that subject:

The provisions of this section are perfectly simple and plain. It simply directs the Secretary of the Treasury, in express terms, with no option, to do what everybody thought he or any patriot would do in exercising the option of the Government in paying our coin obligations. The law expressly declares that he shall use this option to keep gold and silver at a parity. If that law means anything it means that whenever, for any cause, there is a greater strain on gold—that is, a greater demand for gold than for silver—that then he shall use the Government's option to pay our coin obligations in silver, and, on the other hand, whenever silver is scarce, whenever there is a greater demand for silver and the price goes up, that then he shall equalize the demand for the two metals by paying our coin obligations in gold and continue the strain on gold until the two metals come back to a parity.

I will illustrate. We can coin gold and silver on equal terms, but the Secretary of the Treasury can send silver to a premium or gold to a premium, just as he chooses, by an improper use of the option which is vested in him by law of paying out gold or silver on our coin obligations. This option was vested in him so that he could keep the two metals at a parity, but if he cares nothing for his oath of office, or for the interests of the people, or the credit of this Government, he can use this option to cause a disparity between the two metals. So far he has used his option for the profits of the gold trust, against the interests of the American people, and to the detriment of the credit of our Government.

It was intended in accord with the law of supply and demand that the two money metals should be kept at a parity by transferring the demand from one metal to the other. There is no other method by which this parity can be maintained. Now, this option has been transferred from the debtor to the creditor, who stands as the controlling power. Under the amendment of Senator BUTLER the free coinage of silver would not be a disturbing factor as is now prophesied. The fact that interest-bearing bonds are being sold in a time of profound peace for the purpose of preventing the free use of silver is both a crime and a disgrace and should drive any party from power who would consent to or become responsible for such infamous transactions. When we realize that all these sacrifices are being made to satisfy the rapacity of alien investors the enormity of the crime is fully disclosed.

When silver was stricken down and our currency contracted our people were compelled to borrow from the alien what our own Government refused to furnish. Our people were compelled to go to the alien money lender to borrow a medium of exchange that our own chosen representatives had stealthily or ignorantly taken from them. It was the contraction of our own currency that has entailed this enormous foreign debt that now hangs like a millstone about the necks of our people. Had we at all times been furnished with a sufficient amount of domestic currency, whether of gold, silver, or paper, we would not owe at this time a single dollar to the alien shylock. It is this criminal collusion on the part of our lawmakers with the money owners of Europe that has brought the people to their present unfortunate condition. For my part, I want this foreign alliance broken up as soon as possible and an American policy, with no alien complications, inaugurated in its place.

I am in favor of the free and unlimited coinage of silver, not because it will be a final settlement of this financial question or bring about complete relief from the evils under which we now suffer, but it will right a grievous wrong and afford a certain degree of relief; and besides it is close at hand. It is now in the minds of the people; they are clamoring for it, and will pay but little attention to other reforms until this has been secured. The free coinage of silver lies very near the great American heart of this country, and all other measures will count for naught until this has been fully and finally established. The demand for free coinage is spreading rapidly, and I sincerely believe there is not a State or a single Congressional district in this Union that could not be carried for free coinage upon that square issue alone. For one I am in favor of an American Government in the true sense of the term. I am in favor of an American system of finance such as our 70,000,000 of free, intelligent people should have and enjoy. I am opposed to an international currency, as being both dangerous and unsettled. What we want, in my opinion, is a domestic currency of gold, silver, and paper, all a full legal tender and of sufficient volume to bring about and maintain remunerative prices for labor and its products.

Let us make laws for our own people, for the whole of our own people, and let other nations do the same. Let us defend our people from every foe, whether they come in the shape of armed men or as cunning manipulators of our legislation. Let us stand squarely upon our rights as a free and independent people in all respects. In order to bring about such conditions speedily we should at once determine upon an independent American system of finance. Why should 70,000,000 of Americans bend the knee to the alien Jews of London? Why should this great nation go begging for gold when silver mountains high lies piled up waiting for use within its borders?

Mr. Speaker, we should open the mints to the free and unlimited coinage of silver and reap the benefits of this vast wealth of silver that so long and so invitingly awaits. It would make the dollar cheaper and correspondingly loosen the bands of industrial slavery that now are so galling to our people. It would make the day's work more profitable and the burden of debt less difficult to carry. It would make the day's works more plentiful and bring comfort where there is now distress, bread and meat where there is now hunger, and clothes where there is now rags or nakedness. It would dispel the dark clouds that now hang low and threatening and bring the glad sunshine of peace and prosperity in its stead.

We can inaugurate a system that will bring these much-desired results by guaranteeing the free coinage of silver, after which we can take up other measures and in the ultimate establish once more a government of the people. The power of the gold trust would be broken by such a course and the power which money now has to oppress would be destroyed. Having destroyed this plundering monopoly, we could successfully attack the next most oppressive, and in time wipe out the entire brood. This, I assume, is in line of duty with reform principles, and as such I am both willing and anxious to give it my earnest support.

Coin Redemption Fund.

SPEECH

OF

HON. WILLIAM P. HEPBURN,

OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 8, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of the revenue—

Mr. HEPBURN said:

Mr. CHAIRMAN: Upon many questions I would accept the statement of the gentleman from Kentucky as of undoubted authority, but I am not willing to accept him as an authority when he discusses economical or historical facts. The gentleman has adverted to the fact that he was a member of the International Monetary Conference.

I have wondered, Mr. Chairman, why it was that the strength of the cause of those men who appeared as members of that conference, urging an international agreement with reference to the coinage of silver at an agreed ratio had failed of success. I do not wonder so much now after the gentleman has just announced that "the law of supply and demand always fixes value." If he announced that doctrine before the savants that composed the tribunal at Brussels I do not wonder that they failed. [Laughter.]

Supply and demand, Mr. Chairman, fix price, not value. Value is fixed by the cost of production, not by the law of supply and demand.

The gentleman has been equally unfortunate in his reference to historical facts. He made the astonishing announcement here that the Republican party of this country had demonetized silver. Mr. Chairman, he gave that statement something more than the character of an ignorant misstatement by his reference to the coinage laws of the United States, showing that he had at least some familiarity with the legislation on the subject.

Mr. McCREARY of Kentucky. Will the gentleman allow me to interrupt?

Mr. HEPBURN. For a question, yes; for a statement, no.

Mr. McCREARY of Kentucky. I only wish to state that what I said was that the Republican party had dropped the coinage of the dollar by the act of 1873, and I think if the gentleman will read the act he will find that they dropped the coinage of the silver dollar in that year.

Mr. HEPBURN. The gentleman said that "the Republican party had demonetized silver." I call the gentleman's attention to the fact that at the close of the Administration of Buchanan there was probably not one dollar of silver in the United States that had full tender quality. We had coined but $8,000,000 in all during the history of the country. There is probably not one man within the sound of my voice who, prior to 1878, ever saw a dollar weighing 412½ grains. The dollars that we had disappeared, and in 1853 the Democratic party had taken from the foreign coin, at the same time estimated at about $100,000,000, its legal-tender qualities. We did not demonetize silver; it was the action and inaction of the Democratic party that has caused silver to disappear in this country as metallic money. The Republican party, Mr. Chairman, has been the only party ever existing in this country that by its deeds has shown that it was the friend of silver.

Mr. LIVINGSTON. Are you willing to restore it?

Mr. HEPBURN. I am when you will restore the old conditions to the silver. You say that you "want to restore silver"; now let us have the old conditions. "We want the 'dollar of the daddies,'" is your cry. What was the dollar of the daddies? It was the dollar of 412½ grains of standard silver, coined out of silver worth $1.29 per ounce. [Applause.] That was the dollar of the daddies. Restore its quality—restore its value as silver bullion and we stand ready to restore the dollar of the daddies.

Mr. LIVINGSTON. How can you——

Mr. HEPBURN. Answer that yourself; don't put it to me.

Mr. LIVINGSTON. Let me complete it. How can you do that unless you restore the demand for it?

Mr. HEPBURN. You are asking for the restoration of the dollar of the daddies. You propose to restore its value by mere coinage, and yet you all acknowledge that that will not do it.

Mr. LIVINGSTON. I don't acknowledge it.

Mr. HEPBURN. Something more than coinage is necessary. If the Republican party were to consent to the free coinage of silver, that would not restore the dollar of the fathers. It would restore perhaps that quantity of silver as a part of the money of this country; but it would require something more than that to give it its full value in the money markets of the world. It would require that other act of friendship that the Republican party has illustrated, namely, that of injecting the credit of the United States to make good the deficient value of the bullion. And in that the Republican party, more than all else, has shown its friendship.

Mr. LIVINGSTON. What would happen to gold if you took away the Government indorsement?

Mr. HEPBURN. If the Chair would repress the sometimes irrepressible gentleman from Georgia, it would be a pleasure to me.

Mr. LIVINGSTON. I have no doubt of it.

The CHAIRMAN. If the gentleman from Georgia desires to ask a question, he will rise and address the Chair. Otherwise the Chair hopes he will remain in order.

Mr. HEPBURN. Why is it, Mr. Chairman——

Mr. LIVINGSTON. Mr. Chairman, may I ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. HEPBURN. Yes, I yield.

Mr. LIVINGSTON. If you take away the indorsement by the Government of gold bullion or the gold dollar, what will be the price of gold bullion?

Mr. HEPBURN. I think it would remain precisely the same as it is to-day.

Mr. LIVINGSTON. If the indorsement of the world was withdrawn from it, as it has been from silver?

Mr. HEPBURN. You said "the Government of the United States."

Mr. HARDY. When did the Government of the United States ever indorse gold bullion?

Mr. HEPBURN. The silver dollar has two elements of value, entirely distinct——

Mr. LIVINGSTON. May I ask the gentleman another question?

Mr. HEPBURN. I decline to be further interrupted. I have only twenty-five minutes, and in twenty-five minutes I could not answer all the questions that gentlemen from Georgia could ask. They need to ask many.

Our silver dollar has two elements of value in it—the 53 cents of bullion value and the 47 cents of the credit of the United States. The two make it equal to the gold dollar, and that is the reason why we are not suffering from conditions that are suffered in the Republics south of us.

Mr. BOATNER. Mr. Chairman——

Mr. HEPBURN. I can not be interrupted by questions which are meaningless as a rule.

Mr. BOATNER. I do not intend to ask the gentleman a meaningless question.

Mr. HEPBURN. If you desire to ask a question for information I will try to answer it.

Mr. BOATNER. Yes, I do. I want the gentleman from Iowa to please explain to us wherein the credit of the United States operates upon the silver dollar.

Mr. HEPBURN. It operates in the pledge of the statute that the Government of the United States will maintain silver at a parity with gold, and the Republican party put that pledge into the statute. [Applause on the Republican side.]

Mr. BOATNER. Will the gentleman now please inform us——

Mr. HEPBURN. I did not yield for two questions.

Mr. BOATNER. This question naturally follows the other. What can be done under the act of 1890, or what is required by law to be done under the act of 1890, to make that pledge good? In other words, how is it that the United States maintains in circulation about 400,000,000 silver dollars at a parity with gold, when there is not so large a circulation maintained at a parity by any other Government in the world?

Mr. HEPBURN. That is a question for the Treasury Department rather than myself. We know the fact that the parity is maintained. Just how it is maintained I am not at all desirous of explaining to the gentleman.

Mr. Chairman, I am not in favor of the free and unlimited coinage of silver until we can have an international agreement whereby there can be a fixed price for silver as measured by gold. When we can secure an agreement from the commercial nations as to ratio and as to free coinage, then there will be a union of value between the gold and silver, or the price of gold and silver, that can not be separated. In every part of the world that ratio will be recognized.

Mr. McMILLIN. If it will not interrupt my friend, I should like to ask him right there——

Mr. HEPBURN. I must decline to be interrupted. I have only twenty-five minutes, and I desire, connectedly, if I can, to make the remarks that I desire to make.

Mr. McMILLIN. I beg the gentleman's pardon.

Mr. HEPBURN. It was asserted here yesterday by a gentleman in whom I have great confidence, and whose opinions with me weigh much, that an international agreement was hopeless, that it was folly to expect it. He said to us in his admirable address that the money power, the banking interests of England, as he expressed it, are opposed to an international agreement; that that power is opposed to the use of silver as a money metal; that that power is interested in making dear the money of ultimate redemption; that that power is the creditor power of the world. He spoke of England as the creditor nation of the world. Ah, gentleman, that is a mistake. It is not England to whom America owes money, or Italy owes money, or the Turk owes money. It is to a limited class of the people of England, who may, it is true, be now supreme in the exercise of power, but the fact that they are so to-day is not an evidence to my mind that they will so continue.

This same gentleman admitted that the party of the landowning interests of England was the dominating one prior to the triumph of Cobden; and yet new interests grew up, the people were educated into new ideas, and the manufacturing interests, as he told us, asserted themselves, overthrowing the once dominant power, changing the policy of England with regard to protection, repealing the corn laws, and starting out upon new lines. For a time the manufacturing class was in power, but in time it was overthrown and the banking interest became and continues to be dominant.

I take it, Mr. Chairman, that there is a reserve power there as here in the hands of the people. The people of the United States know that it is their interest, the interests of the masses, that the money of ultimate redemption should not be limited. They know of the quantity in the world one-half should not be destroyed. They know that their interests demand that gold and silver alike should be the money of ultimate redemption. We

have been agitating this matter. A little more than twenty years ago so little was thought upon the subject of silver that it is said the silver dollar was dropped from the coinage of the United States without knowledge upon the part of the people. They had so little interest in the question then; but since that time its restoration has been agitated.

Since that time the people have been educated. Since that time thought has been directed in this channel of restoration. Now, all over this land, save in banking circles, we find the people of the United States a unit on the proposition that gold and silver shall be standard money in the United States. What is the interest of an American is the interest of an Englishman of the same class. If the agriculturists, if the manufacturers, if the laboring men, if professionals here, all save the banking class, are thus unanimous upon this question, is it not reasonable to presume that when education upon the subject has gone as far in England as here, when agitation has been had, then when the masses are taught on what lines their interests run, will not they exercise the reserve force they possess and overthrow, as has been done twice in the last half century, the controlling class, and compel a reluctant Administration to give to them their rights and to carry out their interests in this matter of silver coinage. Instead of being hopeless, in my judgment, this result is as certain as that time flies, and that the people become interested in the great questions that lie closely to them and to their homes.

I believe, as the Republican party has declared, that in international agreement lies our hope; that it has the elements not of possibility, of probability, but of certainty. I censure, if I may be allowed to use that term, the President of the United States for his inaction in this matter. It is said by some that legislation is necessary in order that he may reconvene the monetary conference. Not so. The conference was convened and with their business uncompleted they adjourned, expecting to be called together in May, 1893—an expectation thus far denied; but there is power in the statute, power in the hands of the President, to reconvene that conference, to renew that argument, and to send someone there, representing the United States, who will not make the blunders in the matter that the gentleman from Kentucky probably did. [Laughter.]

Mr. Chairman, I have said that the Republican party has demonstrated the fact that it was the friend of silver. We have to-day within the limits of the United States nearly $700,000,000 of silver coin. In 1873, when these gentlemen say the Republican party struck down silver, there were not $50,000,000 within the country. We have added nearly $650,000,000. Does that look as though we were unfriendly? But the gentlemen say that the act of 1873 was an act of unfriendliness in that it destroyed, so far as the mints were concerned, the market for the white metal. Do not they know that under that act in less than three years $35,000,000 of silver was used at the mints in coining trade dollars alone, more than five times the amount that ever was coined in any year prior to 1873 into silver dollars? It has done no act save one, perhaps, and that under Democratic inspiration two years ago, that evinced the slightest degree of unfriendliness to silver.

I confess, sir, in the act of 1893, repealing the Sherman Act—unwarranted, unjustified by conditions, unjustified by any fulfilled prophecies, was an act in that direction, but I am assured that no Damocrat can urge that as an objection against the Republican party. Yielding too suddenly, too quickly, to the hysterical fears of the Democratic Administration, that meritorious act was stricken down. I have never believed that it could have been harmfnl to the credit of the United States. Certain gentlemen say that the enlarged use of silver would be destructive of our credit. While I am not in favor of the free coinage of silver, I am in favor of the use of silver to the extent that it is necessary to meet the demand for expansion resulting from our growth in population and our development as a commercial and manufacturing people.

In 1860 we had $407,000,000 of money of all kinds in the United States. To-day of all kinds, counting the silver certificates and the duplicates, we have $2,300,000,000 of money. One billion nine hundred million dollars have been added to our circulation by the Republican party, about $60,000,000 a year. That amount seems to have been necessary to meet our increasing population, growing at the rate of more than a million and a half each year, and to meet the demands of our increased business, whose expansion is even more rapid than the growth of our population. That money was absorbed by the people, and no man claims that there was too much of it.

In my belief, Mr. Chairman, that measure of expansion of the circulation ought to be continued, and it were much better that it should be continued by the use of the mints in coining silver rather than by the use of the printing press in printing promises to pay. But gentlemen say, as they said then, "This will destroy the credit of the United States." Ah, those pessimists have forgotten the glorious history of this country under Republican Administration. I can remember a time when we had just emerged from the gloom of desolating war, and when a burden of two and three-quarter billions of debt rested upon this nation. At that time, too, thirteen States had been harried by war and were not in any degree contributing factors to the wealth of the United States.

[Here the hammer fell.]

Mr. STEELE. I ask unanimous consent that the gentleman from Iowa be allowed ten minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana that the time of the gentleman from Iowa be extended for ten minutes more?

Mr. JOHNSON of California. Mr. Chairman, I interpose no objection, and I am glad the extension is to be made, but I want to call attention to the way in which the Chairman makes fish of one and flesh of another, because when it was undertaken by the gentleman from South Carolina [Mr. MCLAURIN] to give me some time——

The CHAIRMAN. The gentleman will be order. Is there objection? [After a pause.] The Chair hears none, and the gentleman from Iowa will proceed.

Mr. HEPBURN. At that time, Mr. Chairman, there were only 30,000 miles of railway in the United States; none of the Pacific railroads were built; the coast beyond the mountains was unable to contribute to our wealth production to any great extent. We had then only about half our present population. And yet, under Republican control, which for many years prevailed, and with the confidence that came from that Republican control, the credit of the United States went higher and higher and higher until it reached a point never before reached by the credit of any nation in the history of the world.

And now, as was said so admirably by the gentleman from Montana, with the comparatively inconsiderable debt that we have, only about six hundred millions of bonded debt when this Administration came into power, and less than a thousand millions of all kinds of unprotected debts, the idea that the addition of $60,000,000 of silver would burden or disparage the credit of the United States is one so grossly insulting to the intelligence of our people that I marvel that any man, even though driven by the stress of the absence of other arguments, should have the temerity to advance it. Fifty million dollars of silver affect our credit! Remember that when we purchase the silver we have it; so that the case is very different from issuing promises to pay. It is not like issuing a bond or issuing an uncovered note. In coining silver we do not add to our burden, because we have that which we have purchased.

Mr. Chairman, I want to call the attention of my own party friends to our attitude as a party upon this question. I hold that the repeal of the Sherman Act was, in view of the declarations of our party in 1890, an unwarranted attempt to write anew the party law. That declaration in the platform of 1892 was made in view of the then existing conditions. Every statute affecting our monetary condition had been upon the statute book for years, and that plank of our platform was intended as a vote of approval to the public servants who had enacted the then existing laws.

I do not believe it is competent for any gentlemen here from any of the States, whether silver producing or not, to write anew the party law. Let us wait until we meet in the recognized tribunal. Let us trust to that leadership which has carried the party and the country safely through every storm. In all the years of the past that leadership has been equal to the vicissitudes that have surrounded us. Let us not, by any attempted action of our own, thwart the splendid possibilities for continued service in command of the ship of state by, in any unwarranted way, undertaking to write anew the party doctrine or by inventing new party tests.

The Republican party has never declared for the free coinage of silver unless when the old conditions could be restored. When they can be we shall all be a unit for it. You gentlemen have no authority to attempt to hurry us beyond that safe position. When the party assembles in national convention it will indulge in no uncertain utterances. Our party declarations are always distinct and certain, and when we do make an announcement of our principles we put a candidate upon the platform who is in harmony with our declarations. Sometimes I hear bewildered Democrats assailing the integrity of the President of the United States.

I know of no Democrat throughout the length and breadth of all the States who has been more consistent or more closely adhesive to his announcements than has the President of the United States. [Applause.] Gentlemen pretend to say that he wavers. Not so. I remember being in this Hall in 1885, before his first inauguration, when the letter addressed to Mr. Warner was read, in which Mr. Cleveland declaimed against the heresy of free silver and warned his Democratic brethren against it.

In all of his public utterances he has adhered to the same position, and even in the early part of 1892, before your national convention, he told you again how he stood, reiterating for the fifth time his position upon this question. He has not varied an iota

from it; and while, in the State where I lived the Democratic party insisted that their platform was to be interpreted as a free-silver platform; yet you selected this man whose views you knew—who you knew would not carry out that interpretation, except upon the hypothesis that he was to become as a partisan, perjured and dishonored.

You pretend now that you have been deceived; you pretend now that you are surprised at the views he has expressed. [Applause.] He has on this question been consistent. He has always told you that he was of the Wall-street school. You knew he was. But you took him as your candidate, knowing he would receive the support of this class in the East; then you gave a free-silver-coinage interpretation to your platform in the West. This duplicity gave you success. Now you Western Democrats hold up your hands in horror and denounce the President for having betrayed his party. Betrayed his party! He is the one man who has been consistent.

[Here the hammer fell].

Coin Redemption Fund.

SPEECH
OF
HON. URIEL S. HALL,
OF MISSOURI,
IN THE HOUSE OF REPRESENTATIVES,
Saturday, February 8, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of the revenue—

Mr. HALL said:

Mr. CHAIRMAN: I have been informed for the first time in the last few minutes by the speech of the gentleman who has just taken his seat that I was expected to follow him and to answer his arguments and that I was selected (he does not say by whom) to reply to him. I can say that I have not the honor of knowing the gentleman, and did not even know him as a member of the House until his most excellent address was delivered. But I wish to add that the few remarks I had intended to make were on a different line and branch of the subject from the one he discussed, but I shall for a few moments ask the attention of this House to a portion of the remarks of the gentleman.

I think it entirely meet and proper that any argument in favor of 16 to 1 free and unlimited coinage of silver should be answered by a Democrat from west of the Mississippi River, and from a rural district.

I ask the attention of the gentleman to his own chart, Chart E. This is a chart giving the price of silver from 1792 to 1894. I presume, of course, that the speech of the gentleman is germane to the motion before the House, upon which he is speaking, that is, the motion of the gentleman from Maine [Mr. DINGLEY], the chairman of the Committee on Ways and Means, "that the House nonconcur in the Senate substitute."

Now, the first section of that Senate substitute is as follows:

That from and after the passage of this act the mints of the United States shall be open to the coinage of silver, and there shall be coined dollars of the weight of 400½ grains troy, of standard silver, nine-tenths fine, as provided by the act of January, 1837, and upon the same terms and subject to the limitations and provisions of law regulating the coinage and legal-tender quality of gold; and whenever the said coins herein provided for shall be received into the Treasury, certificates may be issued therefor in the manner now provided by law.

I now ask the attention of the committee and the gentleman from Minnesota who has just concluded his remarks to his own Chart E; also, to the first section of the bill I have just read, to which his remarks have been addressed. This substitute provides for the free and unlimited coinage of silver by the United States, alone, at the ratio of 16 to 1 of gold, or 412½ grains of standard silver or 371¼ grains of pure silver in a dollar.

About the year 1873, according to the lines on his own Chart E, the silver line starts down from 16 to 1 until it reaches the ratio of 34 to 1; i. e., from the point where 16 ounces of silver purchased as much as 1 ounce of gold until it reaches the point where it takes 34 ounces of silver to purchase as much as 1 ounce of gold.

What, according to his own admissions, was the cause of this unprecedented decline in silver? He admits, and history bears him out in the statement, that from 1871 to 1893, both inclusive, eleven of the greatest silver-using countries of the world (not including the United States) closed their mints to the free coinage of silver. I maintain that this action by these eleven countries, coupled with the increased production, was the sole cause of this decline in the price of silver, as shown by his Chart E, and all of this entirely independently of the action of this country.

Why?

First. Because as long as these eleven great countries had their mints open to the free and unlimited coinage of silver a great demand for that metal for mintage purposes existed, consuming, as they did, millions and tens of millions of dollars every year of that metal, and of course we all admit that this great demand tended to keep up its price.

Second. For fifteen years prior to 1873 the average output of silver from all the mines of the world did not average more than $50,000,000 annually, while under even the decreasing demand for silver after 1873 the supply has increased until in the last fiscal year it has reached the enormous sum of over $200,000,000.

We see by these two statements the two great elements of decreasing prices, to wit, decreased demand and increased supply.

It will be noticed that up to this time I have not considered the action of our own country, but have shown that causes entirely outside of any action of ours was the sole cause of the decline in the price of silver.

But someone unacquainted with the facts may think that the United States used so much silver, and thereby made such a great demand for that metal for our own money purposes; that when we stopped its coinage in 1873, silver went down in price solely on account of closing our mints. The average total amount of silver coined by the United States each year for ten years prior to 1873 was less than $1,000,000—less than one-fiftieth of the entire output. But for twenty-two years after 1873 we have used for money purposes in this country over $22,000,000 of silver a year, or a total of over $530,000,000 worth of silver.

In the light of all of the foregoing admitted facts, how can anyone call a vote for this bill a vote for bimetallism? It is trying to have our country, single and alone, restore the price of what eleven other great nations and a quadruple increase in production have brought down. It is asking us to set aside all laws of trade, commerce, and business experience, and to perform the impossible.

It thus appears clearly to anyone seeking the truth that a vote for this bill means a vote for silver monometallism pure and simple, and therefore a vote directly against bimetallism. How any bimetallist can vote for such a bill is to me incomprehensible.

You can not dodge the conclusion. No amount of sophistry can lead you out of it. Will you vote to Mexicanize this country? Will you vote for silver monometallism? If so, vote for this Senate substitute. [Applause.]

Mr. TOWNE. I will say to the gentleman that, as I am excessively weary, if he has completed his question, I will answer it. If not, I must leave the Hall of the House for a moment, and he must allow me to answer after I return.

Mr. HALL. I think my question is complete.

Mr. TOWNE. If it is complete I will answer it. Mr. Chairman, if the gentleman did me the honor to follow the course of my remarks, he can not have missed the point that the total effect of the demonetization of silver by the nations that he has named was not immediately appreciable. It has been only by successive steps that the injury was wrought. The fall of silver began about 1873 or thereabouts, when several of these nations to which he has referred demonetized silver by closing their mints to its unlimited coinage and by denying to it some of the functions of ultimate money, that is, legal tender. Now, at that time the combined power of the distinctively interchanging nations, so far as the maintenance of the parity is concerned, the Latin Union and Germany together, did not bear a proportion to the capacity of the world as a total as great as the corresponding capacity of the United States of America to-day does to the same capacity of the world for the maintenance of any money upon its own terms. [Applause.]

Mr. WILLIAMS. It is not the number of mints, but the character and importance of them which is to be considered.

Mr. TOWNE. Furthermore, I claim it is a begging of the question to say that some of these nations might not have stayed the fall had they not all got stampeded about the same time and fallen into the procession. It is a begging of the question. Furthermore, I would say as a final answer to the gentleman—for I can not talk all afternoon—I am disposed to concede that the action of the United States alone is attended with some possibility of a resulting premium upon gold. A concert of action by France, Germany, and the United States would, in my judgment, make possible the maintenance of an absolute parity, but I say this, reckoned by the only money which the world possesses, namely, the price of commodities, gold to-day in the United States and the world is at a premium of 50 per cent, and I propose for one to end that premium. [Applause.] I would rather have a nominal premium upon gold, that might possibly result from independent action upon our part, than the 50 per cent premium now existing, reckoned in the enterprise and sweat and sinew of the manhood of the United States. [Applause.]

Mr. HALL. When the gentleman uses the expression, "I am disposed to concede that the action of the United States alone is attended with some possibility of a resulting premium upon gold," he gives his whole case away and puts himself down a pure, un-

adulterated silver monometallist, as every business man in this country knows.

Now, Mr. Chairman, I suppose that everyone in this audience, my 16 to 1 friends and the others, will recognize the ingenuity of that answer, and will recognize in the same answer that the gentleman does not pretend to deny that the United States single handed and alone can not bring silver back to where it was in 1873. [Applause.] He admits it, and then acts the wise part and leaves the room. Now, there are but two propositions for us to meet here upon the argument that he makes. You vote for the first section of this Senate substitute, and by so doing you vote for the United States going to a single silver standard, Mexicanizing our Government, or you have to take the position that the United States single handed and alone can undo what 13 nations combined and a quadrupled output succeeded in doing in the past. You have got to take the position that one man can bring a log back from across the stream that it took the combined strength of 13 men to carry there in the first place.

Now, as for the gentleman's adroit admission of the forcing of gold to a premium, I want the members of this committee and the country to understand what it means. It means the United States going to a single silver standard at once. When that follows, what results? With all of the gentleman's kindergarten object lesson, let us strip this question to the one sole proposition and take his last admission, that it will drive gold to a premium in the United States, which means that the United States will at once sink to a single silver standard. It means 16 to 1 as the medium of exchange and the standard of value in the United States and not the present 100 cents of gold. What becomes of it?

I have a report here—volume 1 of the Report of the Comptroller of the Currency for 1895—that shows a wonderful state of facts. It shows that in 87 cities of the United States where clearing houses exist the clearings for one year were over $51,000,000,000. Only 87 cities were included, and in those 87 cities not more than half the banks are in the clearing houses. A carefully compiled estimate puts the amount of credit circulation in the United States at the enormous sum of $150,000,000,000 during that period. What does it mean? We talk about per capita circulation. What do you mean? There is not a political economist—and I am here to defy refutation of this statement upon the floor of this House—I maintain there is not a political economist among all the men who have spent their lives in the study of economic questions who ever has written, nor any business man who has expressed himself, that does not lay down the proposition that credit circulation performs every office and function the same as the dollar in cash.

Mr. WILLIAMS. Cite one authority.

Mr. HALL. John Stuart Mill, one of the best that ever wrote.

Mr. WILLIAMS. Cite the page and the paragraph.

Mr. HALL. I can give you the exact expression of John Stuart Mill. I am aiming to give his exact language. I can at least give it to you in substance:

> For credit, though it is not productive power, is purchasing power, and a person who, having credit, avails himself of it in the purchase of goods creates just as much demand for the goods and tends quite as much to raise their price as if he made an equal amount of purchases with ready money. Volume 1, Book III, chapter 11, section 3.

Mr. WILLIAMS. As a medium of exchange. He nowhere says as a standard of value.

Mr. HALL. I am discussing the all-important question of the effect of credit upon prices, and am trying to show so clearly that no one can deny that the contracting of credit is a thousand times worse than contracting the volume of money.

Mill further says, fourth edition, volume 1, page 70:

> Credit which is used to purchase commodities affects prices in the same manner as money.
> Money and credit are thus exactly on a par in their affects on prices.

Again, on page 327:

> In any state of commerce in which much credit is habitually given general prices at any moment depend much more upon the state of credit than upon the quantity of money.

Mr. HALL. Francis A. Walker and others. There is not a writer who has ever written what the credit function performs but says the same thing—that $1 in credit is equal to $1 in actual cash.

Now they talk about the circulation being $22 per capita.

Mr. OGDEN. Will the gentleman allow me to ask him a question?

Mr. HALL. I will.

Mr. OGDEN. What is the cause of panics, then?

Mr. HALL. I will tell you what it is. Panics are caused in the first place by overspeculation, which soon impairs confidence or credit and this brings about a contraction. Of what? Of the circulation? Yes, sir. And what is the circulation? It is 98 per cent credit, referred to above, and 2 per cent money; and when you contract the credit function you contract 98 per cent of the circulation; and when you contract the money, you contract 2 per cent. [Applause.] Just the same as was done in 1893. Do not you know you could not take a Government 4 per cent bond and go into any bank of the United States and borrow 50 cents on the dollar upon it? Why? Because credit was gone? That was the reason. There was as much money in the United States as ever, but the immense contraction of our credit produced the panic.

Mr. OGDEN. Were not the silver certificates at that time at a premium?

Mr. HALL. Currency of all kinds in New York was at a premium then. That was the evidence shown before the Committee on Banking and Currency of the last House.

Mr. UNDERWOOD. Will the gentleman allow me to ask him a question, for information?

Mr. HALL. Yes.

Mr. UNDERWOOD. Is it not a fact that the credit on which you say a great proportion of the business of the country is done is based on the solvent money of the country, and if that money contracts the credit contracts?

Mr. HALL. I am unable to understand what is meant by solvent money.

Mr. UNDERWOOD. Is not money based on a standard?

Mr. HALL. No, but money is a standard itself.

Mr. UNDERWOOD. Then, if that money is contracted, does not that contract the amount of credit?

Mr. HALL. Yes, it contracts one-thirtieth of 1 per cent. You contract the volume of credit circulation throughout the United States 1 per cent and you contract it 30 times as much as the entire circulation of every dollar of silver in the United States.

Mr. SWANSON. Will the gentleman allow me to ask him a question?

Mr. HALL. I do not like to have the thread of my argument interfered with.

Mr. SWANSON. I just simply want to ask you one question.

The CHAIRMAN. The gentleman from Missouri declines to yield.

Mr. SWANSON. If it interferes with the gentleman I will not persist, but I simply wanted to ask him one question.

The CHAIRMAN. The gentleman declines to yield.

Mr. HALL. I dislike to refuse to answer a question of the gentleman from Virginia [Mr. SWANSON]; but I will say this, not speaking to him, that if I have to yield for the information of every 16-to-1 man on this floor, my time will be extended to Sunday at noon. [Laughter.]

I do not know that I gathered the idea of the gentleman from Minnesota clearly on this proposition; but I take it that he was on the same tack as my friend Mr. Bland, when I had a joint discussion with him in Missouri last summer; and this was his position. He says that we have an instance in history where France kept up the price of silver, from 1806 to 1872, and he cites the instance of the Latin Union, and says the United States is now in the same position that France was in 1806. Let us see the analogy. In 1806 every government on the face of the earth, every civilized government, had its mints open to the free coinage of silver.

Now, there is not a civilized nation of the world of the first commercial standing, or the second, that has its mints open to the free and unlimited coinage of silver. That is the first analogy. In 1806 the amount of silver produced was, if I remember rightly, less than $38,000,000 a year, and now it is $214,000,000 yearly. In 1806 every nation was helping the Government of France to carry forward silver at a ratio of 15½ to 1. To-day there is not a single nation helping us. Where is there any similarity between our condition now and the condition of France then? This will show to what desperate extremities our 16 to 1 friends are driven to find excuse, example, and precedent for this inexcusable, unexampled, and unprecedented agitation in favor of the United States attempting to set aside and defy all the laws of commerce and trade, and we at the same time trying to continue a great commercial nation.

One hundred and fifty billion dollars is the amount of credit circulation in the United States. Shake the confidence of the moneyed class as to what kind of money they will be repaid in, frighten this credit, and what will follow? You will have a contraction in the volume of circulation, which is the credit part, and is a mountain as compared to the molehill of cash money. Every writer, as I have shown, says this credit circulation performs every function of money, and nobody will pretend to attack that proposition who is any way familiar with the authors on that subject.

Now, what have we in the United States to-day? An agitation. An agitation for what? An agitation by which men who had deposited their money in the 13,000 banks—the 9,000,000 of bank depositors in the United States, who have deposited over a billion dollars; these banks are threatened that their deposits will be paid in money worth 50 or 52 cents on the dollar in gold, when they know that at the time they made these deposits they were worth 100 cents in gold. If that agitation should succeed, what would be the effect? What would be the effect on your home bank? The effect would be that the bank would at once say: "Here,

we will draw in every loan that we have out, and we will not only do that, but we will get every dollar that we can lay our hands on and put it into the bank and keep it there."

If you asked why they did that, they would say, "We dread a run by these 9,000,000 depositors; if we do not have the money, the bank goes to the wall and the financial crisis will be intensified and increased." The banks therefore are hoarding their money, while the depositors are demanding their money. If the bank can not pay, it goes down. There you have at once a contraction of the circulation to the extent of every dollar of that money; but, worse than that, a repetition of what we saw in 1893, a contraction of the one hundred and fifty-six billions of credit currency or circulation which performs every office and function of money itself.

Mr. Chairman, we have a pendulum-like condition in the United States, an agitation by the extreme 16-to-1 silver men on one side, causing financial distress in the money market, a threatening of credit, national, State, municipal, corporate, and individual, and then falls on the other side a rush upon the gold reserve, followed by a bond issue. We have $262,000,000 of bonds issued now, and I have been informed by a gentleman in the Treasury Department that it may reach a thousand millions within the next eighteen months if the present processes and conditions are to continue. Here then we have $262,000,000 withdrawn from railroads, withdrawn from stocks and bonds, withdrawn from farm-supply investments, withdrawn from factories, withdrawn from all the enterprises that give labor employment and give food and clothing to the wives and children of laboring men, and put into bonds that pay no tax, national, county, State, or municipal, and the issue of which may reach a thousand million dollars within the next eighteen months.

Now, gentlemen, I will tell you what I set out to say. I did not intend to answer any argument made by the gentleman from Minnesota, because I did not know which side he was on; but I was going to say that Senator STEWART stated in his remarks on this subject that this was a dress-parade business solely; that the vote on this bill was for home consumption. If that is the case, I want to be reckoned on the side of the Jeffersonian, Jacksonian, sound-money Democracy under all existing circumstances. [Applause.]

And that is not all. If I were called on to-day, as I was called on some time ago before the annual meeting of the State Teachers' Institute of my State, to state what I regarded as the greatest crime, threatening and impairing our credit, American institutions, national and individual, and keeping us on the verge of a panic, I should reply in one sentence, "The cowardice of our politicians, of the public men, who have not the courage, the manhood, the grit, to go before the people and tell them when they are wrong upon these great economic questions." I am credibly informed that there are eight Senators at the other end of this Capitol who voted for this bill, yet who say that they believe the free and unlimited coinage of silver at 16 to 1 would mean national bankruptcy and ruin.

Mr. Chairman, in our form of government, where the majority of the people are the controlling power, the perpetuity of our great and free institutions depends upon the great mass of the people understanding the great basic principles of sound economy and finance. How are they to get this understanding? They have not the time amid the busy rush for a living for themselves and their families to take time from the farms, mills, workshops, offices, and counting rooms to delve into the intricate questions of national economy, international trade, and those intricate laws that govern them.

To whom can they turn for information? Not to the politicians. For I am ashamed to admit that the greed for public office makes cowards of otherwise good men. And while we may frequently see a good man resolving to "cease being a demagogue and become a statesman," yet "this native hue of resolution soon becomes sicklied o'er by the pale cast of thought" as to how he can be reelected.

What does it mean? It means that our politicians have concluded to hold themselves in office, national, State, or county, by letting a great number of men who have not the time to delve into these questions turn their backs upon their own welfare, and they are willing to close their hearts to all gratitude for past favors and tell those men that what really leads to their destruction leads but to prosperity and happiness, and these voters are too frequently controlled by the ranting of Populist demagogues when a firm denunciation of these heresies would prevent it.

I know, Mr. Chairman, that this is not going to make me popular with this class of men and that I shall be roundly denounced for these utterances.

I only wish someone else had undertaken this unpleasant duty. But as no one else has, I will.

For instance, I know that it is regarded as political death for a Democrat in a rural district west of the Mississippi not to throw up his hat and applaud these delusions, but if my people want a man of that kind to represent them they can get rid of me and I will willingly and gladly retire to private life.

Mr. TALBERT. Did not the gentleman vote for the free-coinage bill in 1893? I ask the question for information.

Mr. HALL. The gentleman from South Carolina asks if I did not vote for the free-coinage bill in the extra session of Congress in 1893. I answer yes. I will further admit that my vote then and my vote now are not consistent, or that I can be charged with that "hobgoblin of feeble minds" called inconsistency. But I tell the gentleman, also, that I have progressed since that time, while he is standing right where I was three years ago. [Laughter.]

Mr. TALBERT. And I shall stay there on that question.

Mr. HALL. The gentleman's question brings up the subject of that miserable fallacy, so-called "consistency." Let us see what there is in that.

Mr. LAYTON. I wish to ask the gentleman a question. I understood him to make the extraordinary statement a few moments ago that he had been informed that eight Senators who had voted for this bill had said that they believed the free coinage of silver would lead to the bankruptcy and destruction of this country. I ask the gentleman, "Do you believe that any Senator ever said that?"

Mr. HALL. I told you that I was credibly informed that they had said it, and I believed it, or I would not have stated it here.

Mr. LAYTON. Yes, you used the words "credibly informed," but I desire this House to know now whether you really believe that eight Senators, or that one Senator, ever made such a statement.

Mr. HALL. I believe that eight of them did. [Laughter.] If I did not believe that I would not have made the statement here.

Mr. Chairman, I refuse to retract one jot or tittle of what I have just said. I cited that case as an illustration, a great national condition, of the cowardice of our politicians, and I want it understood that what I have said is to stand without revocation. But now, on the question suggested by my friend from South Carolina, the question of consistency, I want to say a word. The gentleman seems to make the point that I voted differently in 1893 from my present position.

Mr. TALBERT. I merely asked the question for information. I had forgotten how the gentleman stood at that time, and I asked the question for information, and not to "rattle" the gentleman at all.

Mr. HALL. It does not "rattle" me at all, and I will tell you why.

Mr. TALBERT. I would like to hear.

Mr. HALL. I will tell you. The reason it does not rattle me one bit is because I find, upon investigation in the Bureau of Education, that the Chinese, the inhabitants of the Indies, and the tribes of Africa are the only human beings that are continually consistent. [Laughter.] The lower grades of animals also are always consistent. [Laughter.] I maintain that reasoning, thoughtful, clear-headed men, who pass through the world with their minds open to the investigations of truth, are ever liable to change.

What is progress but change?

Where is the intelligent man in the United States who has not a high regard for the fame of William E. Gladstone, the great English statesman. His legislative life was one of constant change, and therefore progress.

Observe the course of Bismarck, the greatest of German statesmen. When he was advocating the sale of the silver of Germany for whatever price could be obtained for it and was approached by one of his friends, who said, "I am just where you were ten years ago," the reply was: "That was the political blunder of my life, and I have had intelligence enough to profit by it and move forward."

In the history of the world there is no great movement that has not contained the germs and seeds of progress and development, and therefore of "inconsistency." I might take a case from our own legislative halls.

Mr. MERCER. The gentleman might refer to what Stephen A. Douglas said about a man who never changes his opinion.

Mr. TALBERT. According to this doctrine, we can never tell where a man stands.

Mr. HALL. We can always tell, Mr. Chairman, how certain animals stand, and how the Chinese stand, because they adopt the doctrine of Confucius, that the greatest crime which a Chinaman can commit is attempting to do a thing differently from the way his ancestors did it a thousand years before.

But let us take legislative proceedings; take matters of parliamentary law. My friend from Georgia has had occasion on this floor to cite a case where our present Speaker varied from the position which he now occupies upon the question of counting a quorum. Certainly Mr. REED of Maine held at the time the view attributed to him; but further investigation showed him that he was wrong; and when he found he was wrong what did he do?

[Here the hammer fell.]

Mr. TALBERT. I ask that the gentleman be allowed time to conclude his remarks.

There was no objection.

Mr. HALL. Mr. Chairman, I was about to speak of Mr. REED's lack of "consistency." That gentleman is quoted by our worthy leader on this side of the House, Judge CRISP—I mean our leader on all questions except money. [Laughter.]

Once when the question rose in this House as to the right of the Speaker to count a quorum, Mr. REED, then a member, thought that such power did not exist. But investigation of the matter subsequently opened his eyes upon that question. What is the result? He changed his position upon that great rule of parliamentary law and wrote himself down what history, after partisan prejudice and passion shall have passed away, will justify as one of the greatest pioneers in parliamentary law that ever lived. [Applause.] That was a violation of "consistency." I never in any public utterance condemned Mr. REED for the position he took on that question, and I never intend to do so, for he was, in my judgment, absolutely correct.

I observed a remark of my friend from Georgia this morning to the effect that in voting for this first section of the Senate amendment he was standing upon the Democratic platform adopted at Chicago in 1892. I know that I am talking to a body of men who know that platform by heart; and I defy any one of them to produce one section of that platform that warrants a vote by any Democrat for the first section of this Senate substitute.

You can not find any such provision in the Chicago platform of 1892. You will find in that platform of the Democratic national convention a declaration that one dollar should be made as good as another in the United States and the world over. You will find in the platform of one national convention a doctrine corresponding exactly with the first section of that Senate resolution. I refer to the national platform of the Populist party, announced at Omaha July 4, 1892. That is the only political platform in the United States that has ever laid down such a doctrine as that embodied in this Senate resolution.

Mr. Chairman, I will tell you the class of people to whom, in my judgment, legislators should most look in legislating upon the money question—the people who find it hardest to get money and those who are most affected and distressed by a failure to have an adequate circulation. Those people are the great farming and laboring classes of this country.

Sir, the gentleman from Minnesota [Mr. TOWNE], who spoke just before me, said that the money of the country is like the lifeblood. That is correct; but he should have added that credit or confidence is like the heart that drives that lifeblood to the uttermost extremities of the body. There is the rest of the analogy; but the gentleman stops short. What part of the body begins to get cold first when the lifeblood is withdrawn by the lack of the pumping power of that heart, which answers to confidence in monetary affairs? It is the extremities of the body; the fingers and the toes begin to get cold on the approach of death or from any retardation of the circulation.

How do we sometimes resuscitate a person in this condition? By starting the action of that great engine that drives again the lifeblood to the extremities of the body. That is what is necessary in this case.

What are these men battling for? What is this Senate bill intended to accomplish? Its advocates come forward battling for one-thirtieth of 1 per cent of the circulation of the United States, and proposing to cut down the other 99.99 per cent of circulation which is manifested in confidence and credit.

Mr. Chairman, I did not for many reasons intend to make an address on this subject further than to put myself on record as the one Democrat from a rural district west of the Mississippi in a purely agricultural region that dares stand up and say that sound money is the salvation of the agricultural and laboring classes of this Government. I wanted to put myself on record in that way because Mr. STEWART has said that this is a "dress parade" affair, and that noses will be counted. I understand full well that the action of the National Bimetallic League has put my district on the black list.

I understand, Mr. Chairman, situated as I am, with both of my Senators on the opposite side of the question, my entire State and all my speaking colleagues, on the Democratic side, on the other side of the question, that leaves me standing alone practically, and with a hard row to hoe. But whether I appear in the Fifty-fifth Congress or not, I expect to battle for what I believe to be the best interests of my people; to give them a sound money, and as far as I can, within my district and in my own State, I will aid the sound-money leaders of my State in their efforts in that direction. And if in that effort I shall go down to defeat, I will go with my own self-respect, and I trust with the respect and confidence of my friends, who will be able to appreciate the fact that I was not too cowardly to tell my people what I believed to be right when their judgment was entirely the other way. I thank the House for its courtesy. [Applause.]

Mr. COX. Now, in view of the fact that our associations have always been so pleasant, in view of the fact that we have acted together and worked for free silver, I hope the gentleman from Missouri does not mean to say that any of his friends who happen to differ with him on this question, or who have not advanced as far as he has, are a set of cowards or have no respect for facts?

Mr. HALL. I will say simply this, that I had no reference to my friend from Tennessee. I do not believe the shoe fits him, and I do not want any man to wear it unless it does fit him. I never worked on the Coinage Committee with my friend, but did work with him on the Committee of Banking and Currency, where our relations were always pleasant, and the work on his part was able and conscientious.

Mr. COX. There is one more question. Do you not think it fair when you change your course you should have said some kind words to the associate with whom you had been connected for so long a time?

Mr. HALL. I can only say God bless you, and I hope you are going to open your heart and eyes and get right upon this question. [Prolonged applause.]

Senate Substitute for the House Bond Bill.

REMARKS

OF

HON. THOMAS J. STRAIT,

OF SOUTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 13, 1896,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of the revenue.

Mr. STRAIT said:

Mr. SPEAKER: It is said that in the multitude of council there is safety, but it is difficult to realize the truthfulness of this after beholding the scenes that are enacted in the assembly of this great nation year after year. When we see reason dethroned by party feeling, in order to keep up party organization, at the expense of suffering millions, we are amazed.

How often have we heard it stated on the floor of this House that "all is right"; that as soon as confidence is restored everything will be prosperous. This old statement has been used until it is threadbare. For years it has fooled the people, and has been used purposely to fool them. Instead of prosperity, what do we have? There are nothing but murmurings, as of distant thunder, coming from every quarter and from every class except one or two. Instead of the prophesied prosperity there is an increase of failures, with increased liabilities, and a tendency to concentrate all kinds of business into corporations; the smaller merchants swallowed up and closed out; thousands of small farms passing into the hands of land-loan and trust corporations at about one-third of their cost, and their real owners thrown upon the world to fight the bitter battles of life without a penny to help in the struggle; patriotic men and women reduced to penury and practical serfdom, and patriotic principles struck down. The lords realize the fact that men without homes are more easily managed and controlled and subservient to their masters.

Add to this impoverishment of the agricultural classes of this supposedly great country, Mr. Speaker, a picture of thousands of idle factories and millions of tramping men hunting bread for themselves and starving wives and children, and we see to what pass the situation has come by the inaction of these "all is right" statesmen. There are a thousand other things which could be said to show the deplorable condition to which the agricultural and laboring classes have been brought. There are men who sit in the halls of Congress of this country who do not want to know of these things; but the time is coming when circumstances will force them to know it. Still, we hear that nothing is wrong and that our evils are imaginary. There is undoubtedly some cause for the unrest of the people and for the terrible condition of affairs. Some attribute the cause to the lack of a protective tariff; some to too much money of the wrong kind; some to not enough money; the majority to the striking down of one of the final redemption metals, thereby making it simply a commodity and increasing the work of the remaining metal to double its capacity. The latter class is right in believing that the enormous demand for gold by the nations of the world to establish a gold standard has doubled its value compared to other products.

This argument has been made too often to again go over, but when the low price of the products of the country is met with the cry of overproduction it is enough to make one sick. When an enormous increase in population is compared to the alleged in-

crease of products, no man can see anything sensible in all this cry of overproduction. It comes from the same people who are constantly feeding the country on the "all is right" stuff. There might be an underconsumption instead of an overproduction, because there are thousands of people lacking the necessaries of life. I would like to ask the members of this House if they are not aware of thousands of people who are in need of bread? How many humble homes in the cities and towns of this beautiful country and how many farms have gone to rack because of a lack of money? What causes the desolation which pervades particularly the rural districts of the country?

Mr. Speaker, after the civil war, when the South had been crushed, overpowered by numbers, our people, with no resources but the land and with what little greenbacks they could get, *started* life anew. They made marvelous progress with this much-abused money, and not only lived but prospered—prospered as no other people ever did in the history of the world—until this money was curtailed and silver was stricken down by treachery and rascality. The debts of the country have been doubled and the capacity to pay them diminished accordingly, bringing untold misery upon the people.

Now, Mr. Speaker, to revert to the overproduction theory and myth. In 1873, when this rascality commenced and the people were robbed of their constitutional rights and plunged into pauperism, there was as much land as there is now. I hope my gold-bug friends will not charge that there has been an overproduction of land, although it would be compatible with their position on all other matters for them to do so. Well, there was as much land then as now. The population of the country has almost doubled, but have the prices of the lands increased? Instead of doing so, they are hardly half of what they were then. Have the prices of the products of the lands increased? I have no doubt but what some of the able overproduction dodgers can answer these questions to suit themselves and the money power, but will they be able to answer them to suit the farmers, who know better about these facts than all the moneyed men of the country put together? I am a plain man, representing a plain and honest people, and I say here that there may be an overproduction due to an underconsumption, because of thousands of starving people, but to the mind of the plain people of the country the trouble is due to an underproduction of money.

As to the issues of bonds before this, Mr. Speaker, I say that the shadows of suspicion cast upon our rulers for their connection therewith are humiliating to this great nation. There is humiliation enough to cause this representative body to stand with bowed heads. It is a sad spectacle when an already dissatisfied people come to believe their rulers dishonest and incompetent and working against them in behalf of money sharks and syndicates and corporations. The latest newspaper stories that a certain syndicate received a tip just before the opening of the bids for the last bonds, or, in other words, was let into the secrets of the transaction, is enough to cause every patriotic citizen of the United States to shudder at the prospects of the evil consequences which will follow such suspicion. The people of the country are ready and willing to believe whatever they hear and read. The course of certain officials of the country has been such as to strengthen the suspicious natures of an overburdened people.

There is no doubt that the people have been outraged, and the question has become so important and the solution fraught with consequences so far-reaching that it is the duty of every member of this House to speak out boldly upon it and let the nation know where they stand and why they stand where they do. It has been asserted that this question is threadbare, but no unsolved problem of such importance to a nation can possibly be threadbare. Weeks and months might be spent in its discussion, but still there would be many good reasons for the passage of this substitute. It is not necessary for me to enter into the subject in all of its bearings and give reasons why I say it should be passed. Reasons enough have already been given, and I shall content myself with presenting what I conceive to be one of the most important and alarming features of the situation. It is admitted by those who uphold the present policy of this Government that we can not maintain a single gold standard under existing conditions without continuous issues of bonds.

These bonds must, to a large extent, be sold abroad for gold to be brought here in place of the gold lost by export. They contend that the legal-tender currency is redeemable in gold when there is a law for the retiring of such currency, and that this forms an endless chain for the withdrawal of gold from the Treasury for export; that should Congress consent to the retirement of all legal-tender currency the gold exports would stop. That proposition I deny, and believe it can be shown to be a fallacy. International monetary conditions have changed since the adoption of the single gold standard by foreign nations, and it is a part of true statesmanship to recognize the changes and meet them as they present themselves. No man can deny that when the great nations of the world discarded silver and adopted the single gold standard there began an international scramble for gold. Previous to that time some of the nations had aspired to be agricultural, some manufacturing, and some commercial. Since then the first object of each has necessarily been the acquisition of gold. Being a common and international scramble, the gold price of all commodities in these countries must be so nearly the same that they could not be exported without loss, otherwise the country importing them would lose gold.

Now, we practically have a single gold standard in this country, but the general level of prices of labor and commodities is higher here than in other gold-standard countries. While that condition continues to exist the export of gold will not cease. There is absolutely no way to avoid it. This is the true reason for our present loss of gold by export. Our legal-tender currency simply forms a convenient method of collecting gold. If it were retired some other means would be employed for obtaining gold, which, like every other commodity, would seek the highest market. Our effort to maintain the present level of prices in this country, and at the same time perpetuate the single gold standard by issuing bonds, is like pouring water through a seive.

Now, Mr. Speaker, we can not maintain a gold standard and the present level of prices. One or the other must yield to the inflexible law. The only way on earth to maintain a gold standard is to buy the gold and pay for it. Then we can keep it, but so long as we buy it on credit it will leave us faster than it came. To purchase it and pay for it we must reduce the general level of prices for all labor and commodities in this country to a lower point than in the pauper-ridden, effete monarchies of the Old World. Can we afford to do that? Let it be attempted and continued and no man can predict the dire results that will follow. Let no man deceive himself. The perpetuation of the gold standard means the reduction of free and enlightened Americans to a level with the ignorant, half-starved, menial classes of the Old World who have been trained to privation from infancy to the grave. If you elect to bring this condition of affairs upon the people of this country you had best vote to close our public schools, stop all donations to arts and sciences, and establish petty despots in every county, backed by a standing army, to compel proud Americans to work sixteen hours a day on half rations and to wear rags. What for? Simply to enable us to maintain a lower level of prices than those that prevail abroad and please Wall street plutocrats.

If you want to reduce our farmers and laborers to serfdom and add millions more to the hoarded wealth of our present millionaires you can easily do so by the plan I have mentioned. Then our gold will stay with us. We may be able to import some. In this way we can win in this scramble for gold, but God forbid! Let us pause and consider before we plunge this free and beautiful land into revolution and ruin.

Now, gentlemen, the passage of this bill will, in my opinion, end all of these troubles. The Goddess of Prosperity is smiling upon us with bountiful harvests, and is knocking at our door, ready to enter and spread joy in every State. It is our duty to our constituents and posterity to pass this bill and bid her enter this glorious land of ours and make it her permanent abiding place.

Free Silver, Not Bonds.

SPEECH

OF

HON. THOMAS C. McRAE,

OF ARKANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 6, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of the revenue—

Mr. McRAE said:

Mr. CHAIRMAN: I am opposed to the bond bill passed by the House. I would not under any circumstances vote for the sale of bonds to purchase gold. I favor and will support the substitute of the Senate, which provides for the free coinage of silver at the present legal ratio of 16 to 1.

The gentleman from North Dakota [Mr. JOHNSON] boasts that the legislation in reference to revenue, coinage, and currency from 1861 to 1893 was the work of the Republican party. I admit it, and, so far as I am authorized to speak for the Democratic party, make haste to disclaim responsibility for any part of it. I chal-

lenge the gentleman or anyone else to show a single law in all this legislation which was not dictated by organized capital and against the interest of the toiling masses. Or, if I may be allowed to express the idea in the language of the eloquent Senator from Indiana, I would say that "every concession ever made by law to the greed and lawless avarice of the money power since 1861 is the work of the Republican party."

When we remember that at the end of that period the Treasury was practically bankrupt; our foreign commerce dwindling; the farms incumbered with $6,000,000,000 of mortgages; that we had $2,000,000,000 in national and State debts, $5,000,000,000 in railroad debts, 4,000 trusts, and a million of idle men, all the legitimate result of the general policy of the Republican party, I wonder that the gentleman would advert to it, even to remind us that wheat was worth more in 1891 than it is now.

In giving some of the reasons why I shall support the Senate amendment I must of necessity repeat to some extent what has often been said by the friends of silver. But until the character of the assaults on the part of gold monometallists is changed, our main points of defense can not vary much except in the form of statement.

THE USES OF MONEY.

It has been said by a great political economist that real money is an order drawn by the government in favor of the owner on all persons who have things for sale. Everybody wants it, because with it they can obtain all of the things that add to their comfort and happiness.

Money has three principal functions: (1) It is a medium of exchange; (2) it is a legal tender for debt; and (3) it is a standard and measure of value. Early in the history of the human race it became necessary to adopt a medium of exchange for commodities and products without which mankind, society, nor government could exist. Some parts of the earth are adapted to the cultivation of cotton, others to the production of wool; some to the raising of corn, others to wheat; some to the growth of hogs, and others to cattle; in some mountains we find precious metals, while in others we find iron and coal. There is no man who can produce one-tenth part in kind of all that he uses, and there is no government with such a diversity of interests as to be able to supply all the numerous demands of its inhabitants. They all have something to sell, and want at the same time to purchase at least a part of what has been produced by someone else.

So it is absolutely necessary to have money as a medium of exchange, and for forty centuries it has existed by consent. A large part of the commerce and business of the people must be done upon a credit, and as debts for a long or a short time must be contracted, there should be a legal basis upon which deferred payments can be adjusted and finally settled, so in all countries there must be a legal tender or money of final payment. This function is imparted by law, and I think should attach to all forms of money issued by the Government. As an honest standard and measure of value the metal from which money is coined should be worth intrinsically or commercially what it purports to be. I believe in honest money, gold and silver, and paper convertible into coin on demand. I have always fought and now repudiate the theory of irredeemable fiat money as dangerous to good government. I do not believe that the law alone by a simple declaration can fix the exchangeable value of money any more than it can fix the value of anything else.

All the acts of Congress that might be passed and all the international agreements that might be made declaring silver bullion to be worth $1.29 an ounce, without providing for its coinage and use as money, would not increase the commodity price of it one cent. If left uncoined its value would still be controlled by the law of supply and demand, and until there is some new use found for it, or until there is some diminution in the supply, laws and international agreement would not affect the value. But, Mr. Chairman, while the law can not add value to silver bullion, it can increase the demand for it and enhance the value of it by providing for its free coinage and use as standard money. This idea will perhaps be made clearer by referring to the act of November 1, 1893, which in terms commits this Government to the use of both gold and silver as standard money, but makes no provision for coining silver. The act of Congress adds therefore nothing to the price of silver bullion, for in fact silver has been cheaper since its passage than ever before. But it will hardly be denied that if this act had carried with it a provision for free coinage, silver bullion would have advanced immediately to a par with gold.

If I did not believe that the disparity which now exists was caused by the limited coinage of silver or rather the failure to coin it freely, I would not favor the free and unlimited coinage of it at a ratio of 16 to 1. I am as much in favor of honest money as any man can be, but I emphatically deny the false assumption of the gold monometallist that gold is the only honest money.

REAL AND CREDIT MONEY.

(1) Real or metallic money is such as has real or commercial value, that which needs no redemption and is itself final payment. It cuts its way through the business world and asks no government or bank to be responsible for it. Primarily it is a natural product and is not the fiat of human government. It is indestructible, and yet the supply has never exceeded the demands of trade and commerce. (2) Credit money is all that character of government notes or bank bills which to be serviceable as money must be redeemable in real money on demand. We have in the United States according to the last monthly statement of the Treasury Department in gold coin $583,488,105; in standard silver dollars, $423,289,629; in subsidiary silver, $78,573,872; in United States greenback notes, $346,681,016; in Sherman Treasury notes, $137,324,280; national-bank currency, $213,496,547, besides some Treasury certificates. The grand total of our circulation on the 1st of this month was $1,589,720,607. Under our present system all of this volume of credit money rests on the narrowing gold basis, and it requires no great financial ability to see that the structure is top-heavy with promises that require frequent redemption. Is it any wonder, then, that the "wheel within a wheel" exists and that gold goes out of the Treasury faster than it comes in.

OBJECTIONS TO THE SINGLE GOLD STANDARD.

1. Gold is insufficient in quantity to answer the demands of our increasing population and growing commerce. The fact that all gold-standard countries are compelled to use silver ought in itself be enough to show that there is not enough gold, but there are other facts to which I will call attention. That this Administration has purchased $262,000,000 of it, partly foreign gold, shows how scarce it is in this country, and yet of the $1,500,000,000 produced in the world since 1879 the United States have absorbed in their monetary system over $600,500,000 and used in the arts nearly $200,000,000. In other words, more than half of the output of all the mines in the world has been used in the United States, and still we are selling bonds to get more. Again, the world's production of gold since 1873 has been about $2,500,000,000, and yet the coinage of the world for that time has been nearly $3,000,000,000. Some of this excess is recoinage, but not near all of it. So we see that gold is so scarce that gold-using countries have been compelled to coin the jewelry and household ornaments in order to meet the urgent demands for money.

2. It is the money of large transactions and does not generally circulate, and is easily cornered and premiums on it extorted in the way of long-time interest-bearing bonds. It ought not to be hard to understand how easy it is for the banking power of the world, aggregating as it does $20,000,000,000, to corner one-fifth that much gold.

3. Gold is appreciating in value, is therefore unjust to debtors, producers, and laborers. It is hardly necessary for me to spend much time to prove that prices have declined since 1873. I am aware that the advocates of the single gold standard claim that for some reason, which they do not and can not explain, gold has a fixed value and that as the gold dollar is not worth more than 100 cents, therefore, it has not increased in value. The fatal error in this assumption is in measuring it by itself. All dollars contain 100 cents, and so they would if doubled or reduced in value. Of course the gold dollar is worth 100 cents, and so is the silver dollar. It takes 100 cents to make a dollar. A fair illustration of the absurdity of this contention is furnished by a story told of a distinguished Indiana volunteer general in the late war between the States.

General Rosecrans instructed him to gauge the Tennessee River at a given place, and ascertain every hour its particular stage and the rapidity at which it was rising or falling. The Hoosier general accordingly constructed a scale of inches upon a board three feet long and nailed it to the side of a flatboat floating on the river, so that the end from which he began to number would just touch the water. The general inspected the gauge as ordered each hour during the entire day, and reported each time that the river was on a dead standstill, although the fact was, as shown by the high water marks on the trees and other natural objects, that it had been rising during the entire day at the average rate of three inches per hour. [Laughter and applause.] There are two clocks in this Hall, and they show a difference in time of two minutes, but you can not tell which is wrong by comparing them with each other. You must test them both by the sun, the only thing by which you can measure time. And so, Mr. Chairman, you can never determine whether gold has risen or silver has fallen in value by measuring gold by gold, or silver by silver, nor the one by the other, but you should measure both by the great commodities of our country. When you do this you will find that both have changed; silver has depreciated because not coined freely, and gold has appreciated because in part it now performs the work heretofore done by both gold and silver, but silver has kept nearer on a parity with cotton and other commodities than gold. Twenty-five and eight-tenths grains of gold will now purchase more than twice as much cotton as it would in 1873; 412½ grains of standard silver will purchase as much now as it would then.

In that year we exported about 1,200,000,000 pounds of cotton, for which we realized $201,635,376. During the fiscal year ended June 30, 1895, we exported 3,517,433,109 pounds of cotton, for which we got only $204,900,990. I do not say that the discrimina-

tion against silver is the sole cause of this decline, but I do believe that it has contributed in a great measure to it. I do not believe the free coinage of silver would double the price of cotton, but I do think it would increase it. It would at least stop the decline in prices. The adoption of the single gold standard has reduced the price of all forms of property except gold mines and debts.

OBJECTIONS TO SILVER ANSWERED.

Now, let us consider some of the objections urged against silver by gold monometallists.

1. They say that because prior to 1873 the United States had only coined about 8,000,000 standard silver dollars this shows that the people of the United States did not want silver money. This statement is part true and part false, but is altogether misleading.

What are the facts? By the acts of February 9, 1793, April 29, 1816, March 3, 1823, and June 25, 1834, the coins of Spain, Portugal, Great Britain, France, Peru, Chile, and Central America were a legal tender in the United States until 1857, and they were coined at a ratio of 15½ to 1, 3 per cent less than the United States would coin silver. So the keen sense of the careful, prudent, American miner, who dug his silver from the earth, suggested to him to take it to the foreign mints and have it coined. He got more dollars for his bullion, and as they were a legal tender here they circulated and performed all the functions of American silver pnaiey. There is not a gentleman here over 60 years of age who mw not bear me witness that Mexican dollars and 5-franc oleces were as common before the war as standard silver dollars lire to-day. The truth is it was then as it is now, that silver was in much more common use than gold. That is why none of the standard silver dollars were coined, and it is not true that the people did not want them. That same selfishness which carried the American silver to foreign mints to be coined will prevent foreign coins from coming to ours if we adopt free coinage, because they still adhere to the old ratio of 15½ to 1.

2. Is the difference in the bullion value caused by overproduction? I think not, for in 1855 the production of gold was so increased as to be four times that of silver—the change in the ratio of production being about twelvefold, and yet this did not change the relative value of the two metals. From 1855 to 1873 the world doubled its silver production, and yet during that eighteen years there was scarcely any variation in the relative value or the ratio of gold and silver. The United States have produced about twice as much gold as silver. The reason why the relative value has not changed with the changes in the ratio of production is in the fact that both gold and silver were redemption money—did not need to be redeemed in something else—and that it was impossible to have too much of either. For such money there is always an unlimited demand. Everybody wants it, and until you find some power that can set a limit upon human wants, avarice, and greed, there can not be too much of gold or silver. It is a striking and significant fact that wherever one of these metals is found you generally find the other near by. There appears to be some law of nature that holds them together, and we find them sleeping side by side in the "rock-ribbed" hills of our great West. I believe that these metals were designed by an all-wise Providence to be used by mankind as money. When the United States and Germany inaugurated the proceeding to abandon the coinage of silver, it was not cheap but was at a premium, and the world's production for the preceding year was $51,575,000, while the production of gold was $106,850,000. The average production of silver for the six years preceding 1871 was only about $51,000,000. The excess in the production of silver over gold since 1871 is only about 10 per cent. Certainly this did not cause the 50 per cent decline in the bullion value of silver.

3. Would free silver Mexicanize the United States? My friend the chairman of the Committee on Coinage, Weights, and Measures, [Mr. CHARLES W. STONE], who preceded me, had read an article from a Government publication showing the condition of the peons and the price of labor in Mexico. I want to suggest to the gentleman, in the language of Mr. Carmack, the eloquent and able editor of the Memphis Commercial, "That the difference between this country and Mexico is that of men and not of money." I want also to say to him that if she had the single gold standard the condition in Mexico would be infinitely worse than it is. She is making more progress in building railroads and factories than at any period in her history. The true test is to compare her condition now with that of 1873.

Mr. CATCHINGS. I understand that Mexico is a silver-using country only. We all agree about that. Now, if we were to concede that Mexico is on a high tide of prosperity, which I do not concede, but if we did so, would that be an argument for bimetallism? Would it not be an argument that we should go to a silver standard? I do not see what it has to do with the bimetallic proposition.

Mr. MCRAE. Mexico is a silver-standard country. She is weak as a government, her people are generally poor, her commerce is small, and she has but little use for gold. Her stock of gold is less than 50 cents per capita, while she has of silver only $4.55 per capita. The transactions in Mexico are so small that gold is not adapted to them. It is different with us. We need gold for our large transactions and silver for the smaller ones, and we have business enough for all we can get of both. Mexico has not.

4. They also tell us that we will be deluged with silver. I want some gentleman to tell me where the silver is to come from.

Mr. BOATNER. Mexico.

Mr. MCRAE. Suppose we get all there is in Mexico. How much additional per capita would it give us?

Mr. BOATNER. The gentleman can make the calculation.

Mr. MCRAE. Mexico has only $55,000,000 of silver, and that would not give us $1 per capita—not enough to buy sewing machines for our wives. [Laughter.]

Mr. BOATNER. If you argue that the unlimited coinage of silver would not cause a deluge in silver in this country and would not give us silver monometallism, will you please explain why that result has followed in every country which has retained the unlimited coinage of silver at any ratio?

Mr. MCRAE. It has never followed in any first-class government like this. If France, Germany, or England should adopt the free coinage of silver, it would not, in my opinion, follow. It follows in Mexico and Japan and all those half-civilized countries, for reasons that I have stated.

Mr. BOATNER. Then why did France change it in 1874? She has commerce and is a very powerful nation?

Mr. MCRAE. I would think because the United States did so first. France, be it said to her honor and glory, stood by us in our fight for liberty; she gave her gallant and noble son, Lafayette, to help us win our independence, and she faithfully kept the agreement to maintain real bimetallism until after the United States, by the act of 1873, abandoned it. It is sometimes said that the United States followed France and Germany to the single gold standard. It is not true. Germany put upon the market some of her silver prior to our law, but the German act of demonetization was not passed until the July following our act of February 28, 1873.

Mr. LACEY. Did not France change her ratio over twenty times in less than one hundred years in order to keep bimetallism?

Mr. MCRAE. I do not know that she ever changed her ratio, and if so, how often, but I give her praise for doing so if it was necessary in order to keep bimetallism. If it is necessary for us to change the ratio in order to keep bimetallism, let us change it, but I want to say that we now have the highest ratio of any first-class country.

Mr. WILLIAMS. France has never changed her ratio from 1873 until now.

Mr. LACEY. She dropped silver altogether in 1874.

Mr. WILLIAMS. But the ratio has never been changed since that time.

Mr. MCRAE. Outside of the bullion owned by the United States there is but little uncoined silver in the world. It is estimated that 90 per cent of the product for the last year was coined. The silver in Europe is coined money, and is the equivalent of her gold and circulates side by side with it, and it is coined at a ratio that would require the loss of 3 per cent and freight charges both ways in order to exchange it for a dollar of no greater value to them than the coin they now have. Besides, we must remember that the European coins are old and that there will be considerable loss in melting. Gold is not a legal-tender in India, and that country will not dump any silver on us as long as silver is in the hands of the common people and is the only money they have. The proposition for free coinage practically involves only the coinage and use on our part of our present stock and the annual increase, which would be about $1 per capita. We must not forget that Europe still coins silver on government account and that our miners furnish them a large part of it. The net exports of silver for 1895 amounted to $27,631,789. I refer to those facts to show how easy it would be for us to absorb the present surplus of silver bullion. This is a world-wide question, and it can not be fairly considered without estimating the demand of the world.

IS IT REPUDIATION?

The gentleman from Maine [Mr. DINGLEY] on yesterday, and the gentleman who preceded me this morning [Mr. JOHNSON of North Dakota] have said that free silver means the repudiation of existing debts. If I believed that I would not give my vote to it. I do not believe there is any way to get rid of an honest debt except to pay it, and I have no respect for the man, the State, or the Government that would repudiate the payment of a just debt. But I am just as much opposed to the robbery of the helpless debtor who is required to pay in a coin made dearer by law.

All private debts are payable in lawful money, unless otherwise stipulated in the contract, and all our public debts are payable in coin—gold or silver. While we make no proposition to change the one, we should resist at every step the scheme of the bondholder to alter the other. For both we insist upon payment according to the terms of the contract. But I beg to remind the

gentlemen who shout themselves hoarse over the false cry of repudiation that they have, unintentionally perhaps, utterly demolished some of our Democratic gold men, who insist that free silver is in the interest of the silver miners. If it would work the repudiation of private and public debts by paying them in 50-cent dollars, then it could not enrich the miner. I will leave our gold-bug friends who present these two conflicting arguments to get up a joint debate and determine which of the two propositions is true. [Laughter.]

I am not here to speak for the silver miners. For them as miners I care nothing. I had the honor when the Sherman Act was pending to speak against its passage, and I said then that the Senators from the silver-producing States by agreeing to it would surrender to the Eastern gold bugs, and I now charge upon them responsibility for all of the injury to bimetallism which has resulted from that miserable makeshift. To get a market for a lot of silver bullion they consented and aided in the passage of a law that stopped all coinage. Both in the House and Senate, the Democrats, the real friends of silver, voted solidly against that act, because it reduced silver to a commodity and surrendered the scientific principle of bimetallism.

Other timid gentlemen, Mr. Chairman, tell us that they believe in bimetallism and want an international agreement, but assert that we can not go it alone. Can not go it alone! May the Lord increase the faith and patriotism of all such! If it was necessary for the United States to go it alone upon this question, as she has upon others, I think she has the commerce, the resources, and the people to enable her to boldly declare that "We will go it alone!" [Applause.] But, sir, we will not be alone. Of the 1,250,000,000 people of the world, about two-thirds are to-day upon the single silver standard, while there is not a single government on earth that does not use silver to some extent.

Mr. LACEY. The gentleman says that two-thirds of the people on the globe are using silver as the basis of their currency. Now, if that is true and they can not raise the price of silver bullion, how is it that the gentleman expects the addition of 70,000,000 more of users to have that effect?

Mr. CATCHINGS. I wish my friend from Iowa would add to his question the fact that since 1873 more than $2,000,000,000 of silver money has been coined and still the price has gone down.

Mr. McCULLOCH. Let him add also the fact that notwithstanding the use of that silver the world has also about $2,460,000,000 of uncovered paper money, which shows that the world lacks that amount of real metallic money and is compelled to substitute paper for it.

Mr. McRAE. All the governments, I think, use silver in some way as money. Measured by population, a large majority of them have adopted silver as the standard, but as none of the great Governments like the United States, Great Britain, France, Germany, and Russia provide for the free coinage of silver, as they all do for gold, there is an annual surplus of about $200,000,000, which is not needed to meet the demands of their limited coinage laws, and the value of that surplus is called the commercial value of silver. It is worth less than coined silver because denied the functions of money. All the silver coined by any of the great commercial powers that I have named is on a parity with gold at the legal ratio which, in every other country except one, is less than ours. On the question of the ability of the United States to take this step without treaty, I desire to quote the opinion of that great lawyer and wise and conservative statesman, ex-Attorney-General Garland. He says:

> I can not help believing that our country is big enough in territory, in soil, and climate, in all the appliances of the arts and sciences, in all its variety of productions, in all its different interests of its people, in energy and honesty, and in name and character, to fix its own standard of value without waiting for or dancing attendance upon foreign powers. Let us fix them and these foreign powers can follow, if they will; but let us fix them.

We occupy first place as to mining, manufactures, agriculture, education, and the industrial arts. The growth of the United States can as well be shown by its railways as anything else. Fifty years ago we had no railways, but now we have 76,000 miles, the value of which can not be expressed in the total coined money of the world.

The banking power of the United States is nearly one-third that of the world and half as much as all Europe. I call attention to the following from the St. Louis Republic:

> The wealth of the United States is more than a fourth as great as that of all the rest of the world put together. So reports Professor François, a student of political economy, in a recent number of Monde Moderne, a French publication.
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> He places the wealth of this country at 313,000,000,000 francs, which is equivalent to about $62,600,000,000, and that of the other eighteen countries covered by his statistics at 1,144,700,000,000 francs.
>
> According to this statistician, the value of all property owned in England, including money in circulation, is 265,000,000,000 francs—48,000,000,000 less than this country's wealth. Third place is given to France, with 225,000,000,000, and fourth to Germany, with 161,000,000,000 francs. Then come Russia with one hundred and twenty-seven, Austria-Hungary with eighty-two, Spain with sixty-two, and Italy with fifty-four billions, or milliards—as the French say—of francs.
>
> These are the richest countries of the world. There are four in the list—Italy, Spain, Russia, and Austria-Hungary—whose combined wealth is only a little larger than that of the United States.

Senator GEORGE, that great lawyer and courageous champion of the common people, has stated the facts bearing upon our power, wealth, and productive capacity more forcibly than I can hope to do. I will ask the Clerk to read what I have marked.

The Clerk read as follows:

> The United States in territory, leaving out Alaska, is larger than all Europe, leaving out Russia. Their soil and climate are unequaled. The range of their productions covers nearly all that is valuable to man and all that is essential to human happiness. Taking the silver-using countries, there is produced in them and in the United States together every necessity and every comfort of human life. We are 70,000,000 people, and are increasing at the rate of 2 per cent per annum. Our country is comparatively new and undeveloped. More and better houses, roads and bridges, railroads and canals are needed. Money is needed to make them. We ought not to borrow that money from abroad, and would not if we had a sufficiency. Our mines are more cheaply worked and turn out more than those of other countries. The immense and valuable forests which now obstruct the farmer's plow need to be cleared away to make homes for our increasing population, 52 per cent of whom are landless. More and better schoolhouses and church edifices are needed, more museums, more galleries of art, more public libraries.
>
> Our population is the most industrious and the most productive of all peoples, and consumes more commodities, and therefore needs more money, than any other.
>
> A great statistician and a gold monometallist, Mr. Walker, of Massachusetts, has stated in a public speech that we consume more than do 200,000,000 of the people of Europe—about three times as much per capita. By the extreme subdivision of labor now existing and still progressing, no man produces one hundredth part of the commodities he needs. He produces to sell for money with which to supply his wants. As production increases so does consumption, and so does the need for more and more money.
>
> Let us compare our country a little further with Europe. I take my figures from an English statistician of world-wide renown, Mr. Mulhall.
>
> The merchandise transported on our railroads is double that carried on all the railways in all the other countries in the world. I add that the merchandise carried on our waterways is one-quarter of that carried on the railways. All this merchandise is bought with money and sold for money on an average at least three times. With twice as much merchandise carried and sold and consumed by our people as in all the world together, does it not look a little as if we needed twice as much money as all the world? Yet we have only about one-sixth as much gold (the only good money, according to our monometallic friends) as is possessed in Europe.
>
> Mr. Mulhall gives us some further figures of immense importance in this connection. By superior energy and skill, by the use of more steam and electricity, greater labor-saving devices, the United States possess more productive power than Great Britain, France, and Germany all combined. When we consider the more than 4,000,000 men in the standing armies of Europe who produce nothing and the 1,000,000 necessary to feed and clothe them, we may safely say that the productive power of the United States is quite as great as that of all Europe. And yet our friends of the gold standard say that we can not do what France alone did for nearly one hundred years—maintain the parity between gold and silver at our old ratio, which was 3 per cent less favorable to silver than the French ratio.
>
> I have dealt in figures only as to our country's power. I have not indulged in Fourth of July glorifications. These cold figures prove beyond cavil our ability to establish, as England did, and as Germany did, our own monetary system without the consent of other nations. I quote from a distinguished enemy of independent action by the United States. He says:
>
> "In fact, at this moment our country is the richest in the world. It has in it every element of prosperity. * * * Nothing has ever been seen like the progress of this nation since the world began."
>
> And now paraphrasing his further language to some extent, I say yet here we are, standing on the shores of the Atlantic, turning our backs on our own country and its greatness, and on the millions of our people suffering from the insufficiency of the volume of money, with our faces to Europe, we are begging, imploring, even on bended knees, monarchs and bankers across the ocean to allow us to use our grand powers and opportunities for still further progress in the advancement of our people.
>
> I concur with Mr. Jefferson, who, in discussing foreign influence on our banks, foreign control of our finances, foreign dictation of the policies of our Government, the foreign possession and control of our newspapers, expressed the hope that we might find—
>
> "Some means of shielding ourselves in the future from foreign influence, political, commercial, or in whatever form it may be attempted."
>
> And considering the ruin coming to us from this foreign influence, he used these words:
>
> "I can scarcely withhold myself from joining in the wish of Silas Deane, that there were an ocean of fire between us and the Old World."
>
> And I reverently add that I can scarce refrain from joining in the same wish.

WHY THE UNITED STATES SHOULD ACT.

Mr. McRAE. Now, Mr. Chairman, having shown to my own satisfaction, and I trust to the satisfaction of others, that we are strong enough to fix our own standard of value, I want to give some facts to show why we should act at once.

We produce more silver than any other country. It is one of the items of our national wealth, and it is our duty to legislate so as not to injure it. To adopt the bimetallic standard would beyond question enlarge our foreign commerce. Being the leading nation of the world, our geographical position would soon give us control of the markets of the world if we would enact wise trade and finance laws. We have courageously and patriotically determined to enforce the Monroe doctrine, and passed the Wilson bill to extend our trade, but still have the single gold standard. Here we are with silver-using Asia and Mexico on one side and gold-using Europe on the other, all reaching out for our trade; some want the products of our mines, some of our farms, some of our forests, and others of our factories, but all want trade of some kind. The patriotic, statesmanlike thing to do is to extend to all of them the right hand of fellowship and at once change our monetary standard so as to revive business, prevent further decline in prices in farm products, and make it easy to settle international balances.

I have here the advanced sheets of the statistics of our foreign commerce for the year ending June 30, 1895, kindly furnished me by the Bureau of Statistics, and from them I get the exports and imports by the grand divisions of the world:

Countries.	Standard.	Imports.	Exports.
Europe	Gold	$383,645,813	$627,927,692
West Indies	Gold	68,860,152	31,563,830
Mexico	Silver	11,580,760	6,629,369
South America	Gold	112,167,120	33,525,935
Asia	Silver	77,626,364	17,325,057
Africa	Gold	5,709,169	6,377,842
Total		659,589,378	723,349,725

From this table, Mr. Chairman, you will see that in the principal silver-using countries the balance of trade is against us, while it is in our favor in those using gold as the standard. To silver-using Mexico, West Indies, and Asia we owed a balance of $102,559,120, and to gold-using South America $78,641,185. But, sir, when we come to gold-standard Europe and Africa we find that the balance in our favor is $244,950,552. If these balances were settled by the payment of the metal which is the standard of value in the respective countries, then we received $166,308,367 more of gold than we paid out, and $63,760,357 more gold than we paid of both gold and silver. I know, Mr. Chairman, that international trade balances are not settled in the coins of the debtor Governments, but with bullion or coin at its bullion value; but it is easy to see what an advantage it is to us to use our silver when we can, and for the cotton, wheat, corn, and meat products that our farmers send to Europe to receive gold bullion. This shows that we are in no danger of losing gold by adopting bimetallism, but, on the contrary, it is the surest way to keep it. So far as I am concerned, I would be willing to rest the cause of bimetallism upon this single point so far as the United States is concerned.

I am not one of those who believe that the Anglo-Saxon race will ever become slaves and serfs whatever may be our financial policy. No, Mr. Chairman, if we are driven into the market to buy gold when we have silver in the Treasury, which ought never to be done, we know that our country will get it, as the bids just opened show, but every man who is proud of our history and hopeful of the future should insist upon a broader monetary basis and a larger field for our commerce. Shall we, when our Christian civilization is ripe, when the countless resources of our country are being discovered and developed, when the products of mine, farm, forest, and factory to be exchanged and utilized by both the gold and silver using people are increasing, narrow the basis of our business? To admit it is to ask the American people to be satisfied with the conditions of the Old World. To follow the financial policy of Europe is to yield to a conspiracy te check the progress, social development, and Christian sentiment of a Government now the vanguard of civilization—a Government whose mission it is to lead, not to follow.

It is common for those who take the opposite side of this question to tell us that gold and civilization, and silver and barbarism, go together. I ask, Mr. Chairman, when did France and Germany reach their highest state of civilization? Was it not before they went to gold monometallism? When did our own beloved country show the greatest growth in population and prosperity among the farmers and other producers?

It was under the free-coinage act of 1837. In 1860 the farmers of our country owned more than one-half the wealth of the United States; now they own less than 20 per cent of it. It was not until France, Germany, England, and the United States adopted the gold standard that they were afflicted with social discord and labor strikes.

Take the gold-using countries as a whole, and they have national debts aggregating $40 per capita, while that of the silver-using countries is only $4 per capita. England has been referred to as a great creditor nation. In the sense that the corporations of this and other countries owe her people, she is a creditor nation, but let us not forget that the Government of Great Britain owes $3,500,000,000, which is about $90 per capita for each subject. Other European countries are not in as good condition.

Edward Atkinson is reported to have said that the public debt of Europe had increased from $2,000,000,000 to $22,000,000,000 within the present century. England has paid only about $500,000,000 of her national debt during the last fifty years. Yet that is the progress and civilization held up as an example for the United States. At the rate we are selling bonds we may come to it; but at this time, with more people and more wealth, we owe only about one-fourth of what Great Britain does, to say nothing about her dependencies, for the most important of which she enforces the silver standard. If you want a great national debt, continue the single gold standard, but if you want a freer commerce, an independent and happy people freed from debt, a Government resting upon manhood with equal rights to all and special privileges to none, give us the bimetallism established by the fathers of the Republic. For one, I do not believe that a national debt is a blessing, and I deny that our Government or people can advance civilization by getting in debt. I trust the time will soon come when our public and private debts will be paid. Debts are the greatest troubles to our people, and with the rising value of gold they cling to them as did the "old man of the sea" to the neck of Sinbad the Sailor.

Mr. WASHINGTON. Allow me to ask the gentleman how much has the national debt been decreased since 1879, when we resumed specie payment, and was that reduction had on a gold basis or on a silver basis?

Mr. McRAE. It has been reduced about one-half.

Mr. LITTLE. How much cotton would pay it then and how much cotton would pay it now?

Mr. McRAE. It would take about as much cotton to pay it now as it would then. But thanks to a patriotic people and the Bland Act, a large part of it has been paid. For the twelve years that followed the passage of that act our commerce increased and our people prospered as much as was possible with a gold standard and high protection tariff.

Mr. CATCHINGS. Does my friend attribute that to the use of silver?

Mr. McRAE. I do in a large measure.

Mr. CATCHINGS. Why not to the fact that the resumption of specie payments had given us a sound and stable currency?

Mr. McRAE. I say that the resumption of specie payment at that time without the use of silver was impossible.

Mr. BOATNER. Then the gentleman admits that the Bland dollar does not rest on the same basis as paper money, but is money of final redemption?

Mr. McRAE. There is a vast difference between the silver dollar and paper money. Notwithstanding the standard silver dollar has been denounced and boycotted by the Treasury officials and the most of the bankers since the passage of the Bland Act it is to-day as good as gold here or elsewhere, less transportation charges. No man can be found who has ever lost a cent on the standard American silver dollar. Not a dollar in silver or silver certificates has ever been or can be legally redeemed in gold. They are receivable for all debts due to the United States—this and nothing more has the Government done or promised to do for them.

Mr. LACEY. Then why repeal the law that makes that dollar good?

Mr. McRAE. I want to make more dollars like them.

Mr. BOATNER. I think my friend from Arkansas did not understand my suggestion. I agree with the position he now takes as to the silver dollar being money of final redemption. That is the position I have always taken. Many of the advocates of free and unlimited coinage contend that the money issued under the provisions of the Bland-Allison Act is not money of final redemption, because they say it is subordinate to gold and that the whole volume of our money of final redemption is restricted to the gold circulation. I say that all the silver money issued under the Bland-Allison Act reenforces the gold and that all of it is money of final redemption.

Mr. McRAE. I think I understand the position of the gentleman from Louisiana. The silver dollars are redemption money to the extent that they do not require redemption themselves. What I complain of is that they are not used to redeem the paper obligations of the Government. I think it is the duty of the Secretary of the Treasury to coin and use silver in redeeming the notes and bonds of the Government. They are all payable in silver, and I believe that if the policy of paying in gold alone was changed, and silver or silver and gold in equal parts used, that the strain upon the Treasury caused by exports of gold would stop at once. If you and I can agree on nothing else, let us resolve to prevent the retiring of the present stock of standard silver dollars.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. McRAE. Mr. Chairman, I hope I can have consent to continue for ten minutes.

Mr. CATCHINGS. I think the gentleman should certainly have that privilege, as he has been very much interrupted.

Mr. McMILLIN. I suggest that the gentleman be permitted to go on, and then whoever is to be recognized can come after. The gentleman has yielded very patiently to a great many interruptions.

Mr. BOATNER. I ask that the gentleman have ten minutes.

Mr. WALKER of Massachusetts. If it does not interfere with the time of those who are to follow.

Mr. McMILLIN. I would say, give the gentleman ten minutes at least.

The CHAIRMAN. Is there objection to the gentleman from Arkansas proceeding for ten minutes?

There was no objection.

Mr. McRAE. I thank the committee for the extension. I understand that my friend from Mississippi wishes to ask a question.

Mr. CATCHINGS. Well, my friend is so frank that I will be obliged now if he will let us know exactly what he understands by the term "bimetallism." There seems to be some controversy and confusion with reference to the matter.

Mr. McRAE. I understand it to be the legal right to have coined at a fixed ratio both metals and the right to use either as money of final payment. In other words, the "dollar," the unit of value, should be coined of either metal and thus secure to debtors and business men the double or alternate standard. I do not insist that bimetallism necessarily carries concurrent circulation.

Mr. CATCHINGS. That is the very point that I wanted the gentleman to explain.

Mr. McRAE. But the gentleman must not confuse circulation with the standard or measure of value. To illustrate, if the demand for gold in some other country for some special purpose increases its value or makes it scarce here, there will at once be a demand for silver to meet the scarcity occasioned by the withdrawal of gold, and for the same reason the value of silver will be increased, so that one may circulate to-day and the other to-morrow. At any given moment the standard actually used in any particular country may be one or the other and not both; but if the right to use either is secured by law this is bimetallism, and it will tend to make each metal change less than it would otherwise.

Mr. CATCHINGS. Then my friend, under that definition, would consider Mexico a bimetallic country, and she has the same privilege.

Mr. BRUMM. Does Mexico coin any gold at all?

Mr. McRAE. The Director of the Mint puts Mexico down as being upon the single silver standard. She has silver monometallism, not bimetallism. I am as much opposed to the single silver standard as I am to the single gold standard.

BIMETALLISM—HISTORIC, CONSTITUTIONAL, AND DEMOCRATIC.

Silver is historic, constitutional, Democratic money. Since the organization of human government gold and silver have both been used as money. When the United States secured their independence silver was in use as standard money in the mother country as well as in the colonies. It was distinctly recognized by the Constitution, and from the foundation of the Government, following a policy indorsed by Jefferson and defended by Jackson, the Democratic party has been the party of bimetallism, favoring the coinage of both gold and silver as standard money. For the last fifteen or twenty years we have had three distinct financial policies presented to the country by the leaders of as many different political parties:

1. The single gold standard with the national-bank notes for currency, which has been and is yet supported by a majority of the Republicans. As a general thing, Republicans are opposed to silver, but I do not say all Republicans, for there are some in the South and West who favor it.

2. The irredeemable fiat paper money advocates, who make no distinction between metallic and paper money, and demand that it all shall be issued by the Government to the people upon a per capita basis. This scheme of finance is advocated by the Populists, who, as a general thing, do not believe in redemption money, care nothing for either gold or silver, and favor silver because it is popular in certain States. I warn Democrats against such pretended friends.

3. The old safe and sound bimetallic doctrine of gold and silver as the basis, and such an amount of paper money as can be kept at par with coin, has been maintained by a large majority of the Democratic leaders and voters, and in my opinion this is what a majority of the people desire.

The present Executive has been twice elected as a Democrat, the first time in 1884, on a platform declaring for "honest money, the gold and silver coinage of the Constitution, and a circulating medium convertible into such money without loss;" the last time, in 1892, when the party was committed to the use of both gold and silver as the standard money of the country, and to the coinage of both gold and silver without discriminating against either metal or charge for mintage, etc.; and the only time that he was ever defeated before the people was in 1888, when his party made no distinct declaration upon the coinage question, and the same year the Republican party declared for the use of both gold and silver as money and condemned the policy of his Administration in its efforts to demonetize silver.

In every Democratic Congress except one since the passage of the act of 1873 a majority of the Democratic Representatives and Senators have endeavored to right the great wrong perpetrated by that law. Our party is not responsible for bringing this country to the single gold standard. All that can be truthfully said against the record of our party on this question is that the Fifty-third Congress, which was Democratic, failed to restore silver coinage. This political sin of omission on the part of the Democratic Administration must be confessed, and the people administered a severe punishment in 1894. We must now turn our attention to correcting the mistakes of two years ago and elect none who have deceived us. I believe the only chance for the success of the free coinage of silver at the next election is to have the Democratic national convention declare for it and nominate a candidate who believes in it.

I do not believe that any President of the United States will ever preside during the life of any of us who is elected upon a platform declaring distinctly against silver. The Republicans of this House may do like the last Congress, and defeat this amendment, but the people, mark my prediction, will rebuke them for it as they rebuked the Democratic party.

Mr. CATCHINGS. Does my friend think that any man could be elected President on any platform that declares for the free coinage of silver at a ratio of 16 to 1 without the cooperation of other countries?

Mr. McRAE. Yes; I believe with all my heart and soul that if the Democratic party, when it meets in convention at Chicago in July, declares for the free, unlimited, independent coinage of silver at a ratio of 16 to 1 it will carry two-thirds of the States of the Union, and give the Republican party, if it adopts a single gold-standard platform, such a defeat as it never gave it before. [Applause.]

No Democrat who loves the principles of his party ought to refuse a hearty support to its nominees whatever may be our differences on the coinage question, for we can accomplish nothing without organization. It may be necessary to reform the party before it can reform the coinage and currency laws. But let us swear by the sacred memories of the founders of Democracy and that faith which is due the people that we will tread no backward step upon these questions. Come what may, we will not lower our flag to our common enemy, the advocate of centralization, extravagance, monopoly, and high taxes. "Our party must become a compact organization, for we will be confronted in November by an unscrupulous foe. There will be no speck on our record they will not magnify; no circumstance they will not torture and misrepresent; no disappointment they will not exaggerate into a revolt; no class or creed they will not seek to inflame; no passion they will not attempt to arouse; no fraud they will not willingly perpetrate; no combination with the isms of politics they will not make; no crime they will not condone. United let us stand guard, full armed at every point to meet them. Our appeal is not to passion nor to prejudice, to class or faction, to race or creed, but to the sound common sense, the interest, the intelligence, and patriotism of the American people."

I am aware that there are some who think that the party of Jefferson, Madison, Monroe, Jackson, Tilden, Seymour, Hancock, Hendricks, Beck, and Thurman can not recover from the overwhelming defeat of 1894, but, Mr. Chairman, the Democracy has seen darker days than these. This is no time for gloomy forebodings, but rather a time for us to reason together; to take a survey of the conditions that threaten our institutions. Let us renew our fealty and close up our lines for the coming contest; and let Democrats everywhere beware of the seductive overtures being made by those who would link the destiny of silver to protection, railroad ownership, subtreasury land-loan or other paternal schemes of government. If you want the free coinage of silver you must stand by that organization that has fought its battles in the past; that party which has given you 423,000,000 silver dollars, and the only one that is likely to give you more of them. [Applause.]

Coin Redemption Fund.

SPEECH

OF

HON. BENTON McMILLIN,

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 12, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. McMILLIN rose and was recognized:

Mr. CHAIRMAN: After a man of the distinction of the gentleman who has just taken his seat [Mr. DOLLIVER], a member of the Ways and Means Committee, which has charge of this question, has occupied the time of the House for about one hour and has failed to state what his views are on the silver question, it is not strange that in the last emergency and in despair he should

hold up his hands and say, as he did: "We trust the Lord in this business." [Laughter.] Gentlemen who have questions so important as these for consideration on behalf of 70,000,000 people ought to be at least candid with their fellow-representatives in the enunciation of their own principles.

When the gentleman was asked directly: "Do you favor the coinage of silver at any ratio and in any degree or not?" he was dumfounded and opened not his mouth, except to say that he was with the Republican party on this question.

The gentleman has heard from his party, and we behold a member of the Committee on Ways and Means saying what you ought not to do, but wholly unable or unwilling to point out what you ought to do.

Mr. Chairman, we have resting upon us one of the most fearful responsibilities that ever devolved upon a body of representatives of a great people. These are grave and solemn questions that are presented for our consideration. The questions, how much currency we should have, what should be its nature, how it should be distributed, how it should originate, are questions to which the gentleman would do well to give his attention instead of applying epithets to those who happen to differ from him.

Lest I should forget it in a different connection, let me say that the gentleman [Mr. DOLLIVER], in the course of his remarks, asked whether they had not tried in 1890 the experiment of the issuance of more silver, and whether it had not broken down. I want to say in reply that the distinguished gentleman whose name was attached to the measure known as the Sherman law is credited with saying that the object of that legislation was to prevent silver coinage. Again, that measure provided for the purchase of silver, but not for its coinage and its standing as money side by side with gold and on an equality with it. It provided for the purchase of silver bullion and the deposit of it in the Treasury, and for issuing upon it gold and silver certificates or warrants. It was not bimetallism in any sense. Of course such a measure as that would receive the condemnation of the people, as it did; of course such a measure as that could not result in any good to silver or to the people. It was intended as a stab at silver, and did do much to destroy it.

When asked how he stood upon the silver question, the gentleman from Iowa said:

> I stand with that party which has coined $600,000,000 of silver, and has kept it all at par with gold.

He concealed the fact that that party's representative, who by the grace of the Electoral Commission was occupying the White House—Mr. Hayes—vetoed the very bill under which that was done, and it was by Democratic votes passed over his veto. So that it was a Democratic, not a Republican measure, that gave that silver to the country, and his party repealed it in 1890. [Applause.] Let us have a little plain dealing with each other in this discussion.

The gentleman says that in the long run when we have free coinage the value of the coin produced will correspond to the value of the metal that is in it. I do not propose to be otherwise than candid in this discussion. That is a correct statement of what would occur ultimately; and I take the gentleman's own confession later on to go with that. But the value will be measured by the value of bullion that is in the dollar after the legislation unfriendly to it has been repealed. He admits that to rehabilitate silver by statute, to authorize free coinage, would have a tendency to raise the price. He tells us that the office of money is to buy things. I think I shall be able to show him before I get through that a main office it has had to perform in this country for a great many years has been the payment of taxes.

NOT ENOUGH CURRENCY TO PAY TAXES AND CARRY ON BUSINESS.

Mr. Speaker, there is no denying the fact that our finances are out of joint. Gentlemen who have not traveled over the country, who have not gone to the homes of the people, to the retail stores and workshops, have little conception of the great scarcity of money with the masses.

Business men, and those having control of public affairs, continually admonish the farmers and laborers to cease doing credit business and pay as they go for what they buy. Wholesale merchants would rejoice if able to sell for cash instead of selling on credit. The retailers would be gladdened by a change from a credit to a cash system. But there is not a sufficiency of currency to carry on the business of the people in that way.

Who has not seen the beautiful essays, from time to time published, setting forth the advantages of these changes? Who has not heard the eloquent declamations favoring cash against credit? We have all heard and seen these things time out of mind, and felt their force and admitted their truth, yet we have known, and do know, that, however beautiful the theory, it is impossible of application with the small volume of currency we now have.

TAXES OF THE AMERICAN PEOPLE.

Mr. Speaker, the people of the United States paid in taxes in 1890, according to our census, $1,040,473,013, as follows:

To the Federal Government	$461,154,680
To the States	116,157,640
To the counties	133,525,493
To the municipalities	329,635,200

The money of the United States outside the Treasury is estimated by Secretary Carlisle to be $1,598,000,000. Of this amount it is safe to say that not so much as $1,500,000,000 is in actual circulation. Speaking in round numbers, it is safe to calculate that about one-third of all the money in actual circulation has to go annually for Federal taxes, over a third of it for State, county, and municipal taxes, leaving only about $500,000,000 to carry on commerce unobstructed by the taxgatherers.

Sir, in vain will you clamor against credits; in vain laud the cash system; in vain declaim against mortgages while this is the situation. In vain will you look for the permanent return of prosperity while there is insufficiency of currency. Our population and commerce are increasing rapidly; and even if we had all the currency which was needed now it would be wholly inadequate five years hence. There must be a constant increase of currency to keep pace with this increase in population and business. We had this partially provided for by what was known as the Bland Act of 1878, which required the coinage of not less than $2,000,000 and not more than $4,000,000 worth of silver per annum, but in 1890 the Republican party repealed this act and substituted in its stead what is known as the Sherman Act, which stopped the compulsory coinage of silver and provided instead for the issuance of gold and silver obligations upon bullion purchased and deposited in the vaults of the Treasury in bullion form.

At this point, Mr. Chairman, I desire to comment very briefly upon the Sherman law. It was recognized at the time as a deadly blow aimed at silver, but the Republican party put it through against the protest and over the opposing votes of every Democrat in Congress. Mr. Bland, the author of the act of 1878, under which $400,000,000 of silver was coined, predicted at the time the calamity that would come from it. Mr. SHERMAN, the author of the bill, has since admitted, as I stated in another connection, that its object was to prevent free coinage of silver. When the Democratic convention met it denounced the Sherman law as "a fraud and a sham" and demanded its repeal. It was foreseen then, it is known now, that to buy silver and issue gold obligations upon it, instead of coining and letting it stand upon its own basis, meant the use of silver only as a commodity and its ultimate destruction. It was repealed in pursuance of promise by those who denounced it.

DISASTERS OF REPEALING THE BLAND LAW AND PASSING IN ITS STEAD THE SHERMAN LAW.

Mr. Chairman, let us look at some of the disastrous consequences which have flowed from the Sherman Act. While we coined silver under the Bland Act we had no difficulty in maintaining specie payments. About $100,000,000 of gold was bought many years ago by the issuance of bonds to enable the Government to resume specie payments. This was held for the redemption of the $346,000,000 of greenbacks issued by the Government, and proved ample for the purpose. But when the Sherman law was passed and $150,000,000 of obligations which might be redeemed in gold were issued upon the silver bullion purchased, that became an additional strain on the $100,000,000 of gold reserve. In addition to this there was in circulation $200,000,000 of national-bank money redeemable in greenbacks. Being so redeemable and the greenbacks in turn being redeemable in gold, these also became virtually an additional burden on the gold reserve, and we had the anomaly of $700,000,000 of paper resting on $100,000,000 of gold.

The addition of the Sherman notes to the paper demands on the gold reserve made the strain so great that it was found insufficient to meet it, and the Government has since from time to time gone into the market and bought more gold with which to maintain specie payments. I regard this and high taxation as the most fruitful sources of the panic which almost bankrupted the country. I think the repeal of the Bland Act and the enactment of the Sherman law instead one of the greatest calamities that has characterized Federal legislation in two decades. If we had continued to coin silver and let it stand on its own basis instead of issuing gold obligations upon the bullion, as was done by that act, silver would have taken care of itself.

DISASTERS ACCUMULATED UNDER THEIR AUTHORS.

Sir, the Administration of President Harrison stayed in power long enough to feel the folly of this unwise legislation. The large surplus which they had obtained from the Democratic Administration was swept away and became nothing. Deficiency was staring them in the face. The gold reserve was run down until they prepared to issue bonds for the purchase of gold before the close of his Administration. But finally it was ascertained that by changing the system of bookkeeping, by raiding the trust funds of the Treasury and counting them as reserves, they could bridge over until the present Administration, which had then been elected, should take charge. In this way they dumped their disasters onto the present Administration. We inherited from them a bankrupt Treasury, a system of taxation that yielded less rev-

enue than was expended, and a panic in full blast. Our people have worked and struggled ever since like slaves. Their corncribs and wheat bins are overflowing with abundance, but so disjointed had they made our finances that the prosperity worked for and hoped for was slow to return.

DIFFERENCE BETWEEN THE BILLS.

Mr. Chairman, two bills are presented for our consideration. One is the House bill, which provides for the issuance of a new quality of bonds to keep up the gold reserve, and for the issuance of certificates of indebtedness of the Government to meet any deficiency in the current revenues; the other is a bill sent us by the Senate as a substitute therefor, which meets the demand for money in a different way and a better way. We now have silver bullion in the Treasury which cost $127,000,000, the seigniorage on this, or profits from its coinage, would be about $40,000,000, and the Senate bill utilizes this seigniorage by putting it in circulation.

The House bill provides for a temporary currency to be withdrawn at the end of a few years, thereby producing stringency when withdrawn. The Senate bill borrows nothing, goes in debt for nothing, but utilizes what we already have. It adds permanently to the currency of the country instead of laying the foundation for future stringency. The Senate bill by section 3 provides that no national-bank notes of less than $10 shall be issued, thus leaving the field of small denominations to silver and silver certificates alone. Section 4 provides for the redemption of the notes of the Sherman Act and the greenbacks in gold or silver, at the option of the Government.

The gentleman from Maine tells us that the Government will have no difficulty within five years in taking in all the Sherman notes and issuing silver in their stead. Yet he refuses to pass this law which provides that it shall be done. As I have indicated, the Government has already a large amount of silver bullion on hand. The Senate concluded it had better coin this at a profit of $40,000,000 or $50,000,000, and thus obtain money to meet current expenses, than by issuing any kind of bonds, high or low, short or long. There is no ill for which the House bill is a remedy.

Sir, the Secretary of the Treasury has told us that we do not need additional revenues, that the revenues of this year will be within twenty millions of the expenditures, and that next year there will be a surplus. So we shall see over one hundred millions of money in the Treasury in excess of the gold reserve after paying all deficiencies. And yet we are solemnly asked to go on and provide for a contingency that can never happen. Such expensive child's play, Mr. Chairman, I do not intend to take any part in.

Mr. LACEY. Will my friend permit a question?

Mr. McMILLIN. With pleasure.

Mr. LACEY. My friend from Tennessee, being upon the Ways and Means Committee, is familiar with this question of revenue, and I will ask him whether he has observed that for some time past the shortage runs from $500,000 to $800,000 a day, and whether he thinks, judging by our present experience, that the deficit will be less than twenty millions for the current year?

Mr. McMILLIN. I think the amount of deficiency is overestimated by my friend. Just what it will be I can not say, but I will state to the gentleman that I have been astonished at the accuracy with which the Treasury experts figure out what will be the revenues for any given period of one or two or three years. I do not know just what the deficit will be, but this I do know, and it is the material question for consideration, that there is no possible state of affairs which can call upon one-half the money that will be in the Treasury in excess of the gold reserve within the next three years.

CONDITION OF THE TREASURY.

Mr. Chairman, in further response to the gentleman from Iowa I will say that the pretenses under which the majority of the House passed the House bill authorizing the sale of bonds and the issuance of certificates is the maintenance of the gold reserve and to meet a deficiency of revenues.

Let us examine the condition of the Treasury and see what it needs. The Treasury contains an available cash balance, including the gold reserve, of $181,000,000. Inside of sixty days it will be over a quarter of a billion dollars, about one-seventh of all the currency in existence. Sir, will the gentleman tell us what need he has for certificates of indebtedness? If, instead of his bill, the Senate bill should pass, we would get the benefit of the seigniorage now locked up in the Treasury, and thereby add forty millions more to our available cash and to the circulating medium. The Secretary of the Treasury informs us that very soon our revenues will equal our expenditures. So it now looks like that very soon the problem with us will be how to get this vast sum in circulation, instead of adding to it and hoarding.

REDEMPTION IN GOLD OR SILVER AT THE OPTION OF THE GOVERNMENT.

Mr. Chairman, there is another particular wherein I must prefer the Senate bill to that of the House. It provides for the redemption of the United States Treasury notes in gold or silver at the option of the Government. Unfortunately, as is admitted by all, when we resumed specie payments we allowed by practice the note holder to demand gold or silver at his option instead of the Government paying in gold or silver at its option. Under Mr. Hayes this was started. It was continued under Presidents Garfield and Arthur, and was the custom when the present Secretary, Mr. Carlisle, took charge. He found the Treasury bankrupt, the gold reserve running down, and hard times prevailing. He feared to change the custom in the midst of the panic lest he should increase the general distrust and intensify the panic. But the gold reserve will soon be more than one hundred and twenty-five millions. Every consideration admonishes us to change this practice. What private creditor owing a debt and having the option to pay in either of two commodities, say wheat or corn, tobacco or barley, iron or lead, gold or silver, would not exercise that right and pay in that commodity which suited his convenience? What court of equity would not declare and enforce this right?

Our failure to exercise this option has cost millions, and will cost more if continued. How does it operate? Whenever a strong organization wants gold for speculation or shipment it has only to get greenbacks or Sherman notes issued on silver bullion, go to the Treasury, and drag it out. This forces a sale of bonds to get more gold. Whenever investors want more nontaxable United States bonds, whether to bank on or as a permanent investment, all they have to do is to gather up these notes, with them draw out the gold reserve, and they force the sale at which they propose to be the bidders. So this may go on as long as this greed for gold continues, or till the hunger for bonds is glutted. Meantime each sale of bonds puts more money not needed into the Treasury and thereby draws it from commerce, where it is badly needed.

DO NOT DESTROY GREENBACKS.

As a remedy for this admitted evil we are told to issue five hundred millions of bonds and retire all the Treasury notes; to supplant a noninterest-bearing, taxable, circulating note with an interest-bearing, nontaxable, noncirculating bond. In other words, we are assured that if we will burn our barn we will rid ourselves of rats.

Sir, I am opposed to this. It would be ruinous to contract the currency by destroying between one-fourth and one-third of all in existence. Such a panic has not been seen as would ensue from a sudden contraction of this magnitude. There is a surer, speedier remedy. It is the one provided by the last section of the Senate bill, redeeming in either gold or silver, at the option of the Government. The French have this system, and it works perfectly. Their payment is made in gold or silver, or both, as the Government prefers. And so wisely have they managed their affairs that notwithstanding the heavy drain caused by the Franco-Prussian war, notwithstanding every man, woman, and child in France had to pay $30 indemnity—$1,000,000,000—to Germany, France came to the rescue of boastful England and saved her when Barings failed. The demand for specie and for sale of bonds would both cease if we exercised this option.

The bill was so drawn by the Committee on Ways and Means as to issue bonds, with them buy gold and redeem the greenbacks, and then withhold the greenbacks from circulation by refusing to pay them out on the current demands of the Government. If this had been consummated a noninterest-bearing circulation would have been destroyed and interest-bearing, noncirculating bonds substituted instead. But this House took the same course on this subject taken by the last House and refused to do it. The committee was compelled to amend the bill regarding this.

FREE AND UNLIMITED COINAGE OF SILVER.

Mr. Chairman, the most important question presented by the Senate substitute is the free and unlimited coinage of silver at the ratio of 16 to 1. The gentleman from Maine [Mr. DINGLEY] tells us that an excessive production of silver has been a potent factor in the demonetization of silver, and excuses it on this ground, but, unfortunately for his argument, he makes the confession that silver was at a premium over gold at the time it was demonetized by this country in 1873 and at the time it was demonetized by Germany. Hence, away with the argument that the abundance of silver caused this demonetization; away with the argument that there existed a necessity for it at the time it was done. Much has been said in this connection to prove that the demonetization by this country was not brought about by concealment, fraud, or deceit. I know, Mr. Chairman, that these things were charged all over the country at the time the demonetization was found out. From public platforms, from the hustings, from the halls of legislation, went out the charge that the crime had been surreptitiously committed. No man for years confessed here or elsewhere, so far as I know, that he had part or lot in that crucifixion. Never until within the last four years have I heard any man in Congress admit his part in it.

Sir, in this connection I wish to say that I am not for gold monometallism or for silver monometallism. I am for bimetallism, in the broadest and truest sense of the word, for the concurrent use of the two metals, which would put each on a par with the

other. I do not propose in what I shall say to question the motives of those who differ from me. I look at the question from a different standpoint, and come to a different conclusion from other gentlemen, and give the reasons why I can not join in the raid made on silver—the war of extermination begun in England in 1816, which was taken up by the United States in 1873, and about the same time in Germany, and later on by other countries of the world.

Mr. Chairman, the gentleman from Missouri [Mr. HALL] has called attention to the magnitude of the world's fiscal transactions, estimating them at $150,000,000,000 annually. If this proves anything it proves that in the affairs of mankind a large amount of metallic money can be used. I have shown that the world's gold and silver is but little more than $8,000,000,000. Does he not think that more than this could be used where the annual transactions are twenty times this? This only goes to show the extent to which we might use money.

Sir, he and other gentlemen have dwelt at length upon the power of "confidence" in commerce. Nor do I underrate it. It is a strong element. But confidence goes when the panic comes. I beg him to remember that the more of our business there is done in cash the less room there is for ruin when the panic does come. Confidence may postpone a debt, but can not pay it. Confidence does not pay taxes.

COST OF MONOMETALLISM.

When the Latin Union met to guard against a deluge of silver poured into their mints after we demonetized silver, Belgium, Italy, and Switzerland wished to declare for a single gold standard; France resisted. France is one of those countries now resisting any agreement which discredits silver. Her action is explained by the fact that, with more silver than any other nation circulating at par among her people, a reduction in the ratio would result in a direct loss of just such proportion of their present circulation. Four billion dollars of silver in the world would, if a new ratio of 32 to 1 were agreed upon, destroy $2,000,000,000 of value.

France has come to the rescue of almost every other country financially during these breaking times.

It is variously estimated that the arts consume from 10 to 65 per cent of the annual output of the precious metals.

But the world's production of gold and silver from the fatal year 1873 to 1895 was gold, $2,526,834,000, and silver, $2,754,542,900, both in coinage values. The commercial value of the silver was but $2,151,474,700, but the coinage of the mints of the world was gold, $3,404,703,469, and silver, $2,756,423,015, or more than one-third more gold than was mined and more ounces of silver than were actually mined, and the recoinages of old coin is far from offsetting the demands for the arts.

Now, if silver of the commercial value of $2,151,000,000 has been coined into $2,756,000,000, why has not this been an addition to the world's wealth of $600,000,000? Why will not the reduction of its value to its commercial basis destroy that wealth of six hundred millions? Why has not this legislation thus destroyed half the value of the present and future output of the silver mines of the world, and if legislation has destroyed this value that is more than a loss of one hundred millions per year, why should not legislation try to restore that value? If legislation is inoperative to affect these values, why hesitate to grant the relief asked? Why contest with such ferocity the indulgence of a harmless sentiment to a clamorous people? Why guard with so anxious restraint the appetite of the hungry? It is useless to cry; the viands in sight are but the illusions of the Barmecide. The agony is as real as that of Tantalus.

Sir, the gentleman from Minnesota [Mr. TOWNE], to whom I am indebted, the gentleman from Mississippi [Mr. WILLIAMS], and other distinguished gentlemen have so ably presented the other phases of this question that I may be relieved in a great measure from what I would otherwise be very glad to undertake in connection with it. They have shown how it has affected prices, and they have accounted thereby for the reduction of prices; and I leave that field that has been sufficiently cultivated by them and others.

Mr. Chairman, originally, in the use of gold and silver in exchange of commodities, or, as we usually term it, in the purchase of commodities, they weighed the metal. But subsequently it was found more convenient to have it put into forms, where the weight and fineness could be stamped on it by law, than for each trader to carry around with him his scales to ascertain its weight and his acids to fix its fineness. Hence, coinage laws became a convenience, and in the rapid transactions of a busy world the English pound and the American dollar became a necessity.

When two things are exchanged, the one for the other, it may be truly said the one buys the other. If A exchanges a horse with B for one hundred silver dollars, it is true that B has bought the horse with $100 and A has bought the 100 silver dollars with the horse. If the world demands horses and there is a scarcity, the more dollars they will bring. If the world needs money and there is a scarcity, the more horses it takes to procure it, other things being equal. Therefore the greater the scarcity of money the more horses it takes to buy or get the money needed, and the scarcity of money will be manifested in a fall of prices.

But there are other matters to which I wish to call attention, and I must hasten on. At this point, allow me to ask, Mr. Chairman, how much of my time remains?

The CHAIRMAN. Three minutes.

Mr. MCMILLIN. I shall be very much obliged if I can obtain at this point a little extension of my time—ten or fifteen minutes—until I can present one or two other phases of this question.

Mr. COX. I ask unanimous consent that the time of my colleague [Mr. MCMILLIN] be extended.

The CHAIRMAN. Is there objection?

Mr. JOHNSON of North Dakota. I wish to inquire whether the granting of this request will prevent the gentleman from Minnesota [Mr. MCCLEARY] from occupying the hour from 4 o'clock till 5 o'clock.

The CHAIRMAN. Under this arrangement the gentleman from Minnesota would be recognized at about a quarter after 4 o'clock.

Mr. MCMILLIN. I shall try, and I think there will be no objection, to get an extension of the time for the recess, so that the gentleman from Minnesota may have his full hour.

The CHAIRMAN. Is there objection?

There was no objection.

CAN AMERICA MAINTAIN BIMETALLISM?

Mr. MCMILLIN. Now, Mr. Chairman, I come to the question which I think is of the very essence of this discussion—the most important involved in it. That is, Can the United States establish and maintain free coinage at the ratio of 16 to 1? Sixteen times as much silver in a silver dollar as gold in a gold dollar.

Mr. Chairman, I realize that the greatest difficulty we have to encounter in advocating free and unlimited coinage of silver at 16 to 1 is the fact that many people have been brought to believe that it is impossible for the United States to do this alone. If we could only convince the American people that there was no danger in this undertaking to our finances and industries I think we would have comparatively little difficulty in getting the restoration of silver. And in the presentation of this important question I hope to be able to show that the stock of gold and the stock of silver in the world are about equal in value, and that silver is already doing substantially one-half of the fiscal work that is done by coin in the world. I will show next that nearly two-fifths of all the coined money in the United States, United Kingdom, France, Germany, Austria-Hungary, and Russia is silver.

I shall make an effort to show, in answer to those who charge to the over production of silver the decline in its value, that from 1792 to 1840, when we had bimetallism, and even after that time, during the bimetallic period, there was a greater amount of silver produced by the world in proportion to gold than there was from 1874 to 1894, the period of demonetization of silver. I hope to be able to establish that the ratio of the production of silver to gold remained substantially uniform, varying from 15 to 1 and 16 to 1 for nearly two hundred years, and that this ratio of production and value did not materially change until after hostile legislation against silver.

Sir, I will try in the next place to show that the power of the United States is such in commerce, in manufactures, in production, in transportation, in banking, and in everything that makes the people great that we can, if we will, restore silver to its original use.

STOCK OF GOLD AND SILVER IN THE WORLD.

Sir, according to the Report of the Director of the Mint for 1895 the stock of gold in the world is $4,086,800,000; the stock of silver in the world, legal tender and limited legar tender, is $4,070,500,000. The difference in value is therefore on the two metals only four-tenths of 1 per cent. Hence I may claim on this authority my first proposition that the two metals extant in the world are about equal in value and that silver is now doing one-half of the metallic work of commerce.

Sir, in the next place, let us see what part silver takes in commercial business in what are usually regarded as the principal commercial countries of the world.

The following table exhibits it, and shows that nearly two-fifths of the metallic circulation of these countries is silver.

	Gold.	Silver.
The United States	$618,100,000	$416,700,000
The United Kingdom	580,000,000	113,400,000
France	850,000,000	487,900,000
Germany	625,000,000	215,000,000
Austria-Hungary	140,000,000	204,000,000
Russia	480,000,000	530,000,000
Total	3,293,100,000	1,967,000,000

THE RATIO OF SILVER AND GOLD.

Sir, the distinguished gentleman from Ohio, Senator SHERMAN, in a speech outside the Senate, when discussing the ratio between gold and silver, is credited with saying:

The enormous increase of the production of silver in the United States, Mexico, and Australia has disturbed this ratio and has lowered the market value of silver.

Sir, this is a most astounding proposition, and as it is the favorite basis for argument of those who hold to gold monometallism, let me compare it with the facts of the case as shown by Senate Report No. 256, page 163, Coinage Laws of the United States for 1792 to 1894. It will there be found that the production of the precious metals, gold and silver, in the world, coinage value, from 1792 to 1840 was, gold $529,942,000, silver $1,364,697,000.

Now, sir, let us take another period when hostile legislation had been enacted for the destruction of silver; from 1874 to 1894 the production by the world was, gold $2,419,043,000, silver $2,687,833,000. It will thus be seen that, while there was nearly three times as much silver coined from 1792 to 1840 as there was gold, the ratio of the two metals remained almost stationary, and at the time of the demonetization of silver by the United States it was 3 per cent higher than gold. But when the scheme of demonetization hostile to silver had been worked in 1874 the value of silver declined, notwithstanding there was nearly as much gold produced as there was silver. So, instead of the increase of production disturbing the ratio, as was claimed by Mr. SHERMAN, hostile legislation has disturbed it.

Mr. Chairman, I regard this as a very important branch of this discussion. I have therefore collated the statistics showing the ratio of silver to gold for over two hundred years. The first hundred years, from 1687 to 1787, the ratio was generally a little below 15 to 1. In each of those periods it was exactly 14.92. The following table shows the exact figures:

In 1687, ratio in value of silver to gold	14.92 to 1
In 1787, ratio in value of silver to gold	14.92 to 1

It fluctuated about that figure one hundred years.

Ratio in—		Ratio in—	
1800	15.68 to 1	1881	18.16 to 1
1820	15.62 to 1	1882	18.19 to 1
1840	15.62 to 1	1883	18.64 to 1
1860	15.29 to 1	1884	18.57 to 1
1870	15.57 to 1	1885	19.41 to 1
1872	15.63 to 1	1886	20.78 to 1
1873	15.92 to 1	1887	21.13 to 1
1874	16.17 to 1	1888	21.99 to 1
1875	16.59 to 1	1889	22.10 to 1
1876	17.88 to 1	1890	19.76 to 1
1877	17.23 to 1	1891	20.92 to 1
1878	17.94 to 1	1892	23.72 to 1
1879	18.40 to 1	1893	26.49 to 1
1880	18.05 to 1	1894	32.56 to 1

Now, sir, in all the researches that I have been able to make I fail to find any corresponding increase in the production of silver that would warrant this rapid decline in its price.

Mr. WILLIAMS. Will my friend pardon me in connection with that?

Mr. McMILLIN. With pleasure.

Mr. WILLIAMS. I should like to call my friend's attention to the fact that in the four years' interval of the greatest increase of silver production in the history of the world, from 1887 to 1891, there was an increase of $49,000,000 only and that for the four years of the greatest increase in the production of gold in the history of the world, from 1849 to 1853, there was an increase by the enormous amount of $128,000,000 in gold, and that at the time when the two metals were conjoined by legislative authority they did not part from the market ratio at 15½ to 1.

Mr. McMILLIN. The gentleman is entirely correct in that, and I thank him for his figures, for they certainly shed light upon the question. Yet, with that increase of forty-nine millions of silver, we are solemnly told that the United States can not take charge of the additional increase of silver that would be brought about by legislation favorable to silver.

POWER OF THE UNITED STATES.

Mulhall says that, measured by the capacity to produce, measured by the capacity to accomplish, the power of the United States is about as great to-day as that of Great Britain, France, and Germany combined, and that, too, when, weakening them, they have 4,000,000 men in the field who are out of industrial pursuits—when it takes 1,000,000 of their able-bodied men to support those under arms. Now, what are the facts upon which this opinion is based? I will compare what France has done, and I hold that we bear a more potent relation to the world to-day than either France or the Latin Union, when France alone, or with that union, made coinage successful for so long a period at a less ratio than that at which the world produced silver and a less ratio than we propose to adopt now.

Sir, it is claimed by some that it will be impossible for us to maintain bimetallism, even if we undertake it. In reply to this, I wish to say that France maintained bimetallism at the ratio of 15½ to 1 from 1803 to 1873. During all that time, during all her wars and strifes that characterized the period, whoever wanted gold carried silver to the French mints and obtained it; whoever wanted silver carried gold to the mints and obtained it. Her ratio was lower than our 16 to 1 ratio, lower than the Mexican ratio, lower than that of some of the coinage countries. Still there was not that flooding of the mints, there was not that driving away of gold that is feared by many now.

Mr. Chairman, I insist, and believe that I can show, that we are in far better condition for such an undertaking than France then was. We have a greater proportion of commerce than she had. We have a greater proportion of the manufactures of the world than she had; a greater proportion of steam power than she had. Our agriculture bears a greater proportion to that of the whole world than hers did. Let us examine.

MANUFACTURES.

In 1860 the world's product of manufactures amounted to $12,000,000,000. Of this France's manufactures were $1,900,000,000, or about 16 per cent. But in 1888 she produced about $2,425,000,000 worth out of the world's production of $23,000,000,000 worth; only about 10 per cent. We may therefore take the period of 1870 as an average between these two.

Now, let us see how it is with the United States. In 1888 the total manufactures of the United States was $7,215,000,000 worth, or 31 per cent of the world's entire product.

RAILWAYS.

In 1870 the railway mileage of France was 9,770, out of the world's mileage of railways amounting to 128,235. It will thus be seen that France's proportion of the world's mileage was less than 8 per cent. In 1888 the world had in it 354,310 miles of railroad. The United States had 156,080 miles, which was 43 per cent of the entire mileage, and after equaling the mileage of all Europe our excess above Europe would more than circle the globe.

BANKING CAPACITY.

But, Mr. Chairman, there is probably no better means of comparing our capacity now to maintain free coinage with the capacity which France demonstrated for maintaining it for seventy years than by comparing the banking capacity of the two countries in the two periods. In 1870 the world's banking power was in the neighborhood of $8,000,000,000; that of France was only 4 per cent of this amount, or $320,000,000. In 1890 the banking capacity of the world had doubled, and amounted to $16,000,000,000, of which the United States contributed over $5,000,000,000, or 32 per cent. If France could and did maintain coinage at 15½ to 1 when her banking capacity was only 4 per cent of that of the world and there were $30 worth of silver produced for every dollar of gold production, who will dare say that the United States, with one-third of all the banking power of the world in her borders, may not maintain free coinage, especially when the ratio of the production of silver to gold is as 16½ to 1 instead of 32 to 1?

RAILWAY FREIGHTS.

But let us take another one of the elements of power or means of gauging it and see how we compare with France.

In 1870 the railway freight of Europe was 400,000,000 tons; that of France was 52,000,000 tons, or 13 per cent. In 1888 the tonnage of Europe was 765,000,000 tons; that of France 78,000,000 tons, or little more than 10 per cent. At the same time the railway tonnage of the United States was 590,000,000 tons, or more than seven times that of France and three-fourths as much as all Europe combined. But, Mr. Chairman, if it is insisted that we would more properly gauge our capacity by our water tonnage—that is, that portion of it which is carried on canals and rivers—we are equally safe in comparison with France. In 1870 the tonnage of France was 14,500,000 tons, and 24,500,000 tons in 1885. The tonnage of the United States in 1885 was 51,000,000, or double that of France. The canal and river mileage of France is 7,730 miles; of that of the United States is more than 51,000 miles, or three-tenths of all the mileage of that character on the globe. I have left out of this computation what is probably the greatest element of our water-carrying trade, to wit, the carrying on the Great Lakes.

COMMERCE.

Mr. Chairman, I think it is safe in making a computation of this kind to look to the commerce of the two countries in that broader sense which implies the foreign carrying trade. Let us see how we stand there by comparing exports and imports. In 1870 the exports and imports of the world were $11,000,000,000. Those of France were $1,100,000,000. In 1889 the world's total was about $17,000,000,000. The total of the United States was $1,600,000,000, or one-tenth. I think it not at all unsafe to say that the comparison would be still more in our favor if we could get all the data showing the internal commerce of the United States, transactions between the States, and citizens.

That great statistician, Mr. Mulhall, on beholding this wonderful advancement, wrote to the North American Review in 1825:

If we take a survey of mankind in ancient or modern times as regards the physical, mechanical, and intellectual force of nations, we find nothing to compare with the United States in this present year of 1895. The physical

and mechanical power which has enabled the community of woodcutters and farmers to become in less than one hundred years the greatest nation in the world, is the aggregate of the strong arms of men and women aided by horse power, machinery, and steam power applied to the useful arts and sciences of everyday life.

STEAM POWER.

In 1870, according to this wonderful man, the steam power of the world was 18,460,000 horsepower. That of France was 1,850,000 horsepower, only about 10 per cent of the entire amount. But in 1888 the total of the world had risen to 50,150,000 horsepower, of which the United States held 14,400,000 horsepower, or more than 28 per cent. It would be safe to say that to-day we have this capacity in almost a greater degree than was held by the entire world in 1870, upon which Mulhall is moved to say:

Here was seen that the United States possesses almost as much energy as Great Britain, Germany, and France collectively.

In 1895 this had risen to 16,940,000 horsepower.

We have so much more railroad mileage than the balance of the world that we could parallel with our lines every other road in the world and have enough left to put a railroad around the earth, having 3,000 miles to spare.

We carry more railroad freight than all the world besides.

LET US BANISH TIMIDITY.

To those timid statesmen who fear to move unless England will give them permission, I desire to say that England never has been essential to the success of bimetallism, and she is not to-day. She demonetized silver in 1816, and for more than half a century the balance of the world utterly ignored her and kept up bimetallism. Despite her by this judicious use of both metals they had silver at a premium when it was demonetized in 1873. Hence my assertion that she is not essential to the success of bimetallism. Of course the more nations adopt it the easier it is to accomplish it. International bimetallism is much to be desired if it is obtainable, but I do not believe that with the power I have described we should adhere to gold monometallism as our permanent policy. I am told by some that gold monometallism is bound to succeed; but this is no argument with me so long as I believe as I do now that it ought not to succeed. The right is on the side of the use of both metals, and on that side I take my stand whatever be the final result.

Sir, my distinguished friend from Maine protests that he is a bimetallist. If he is really and genuinely one, why does he not propose some measure looking in that direction? His party has control of this House; it has the organization of the Senate. He and his compatriots were wont to stand up here and urge upon us during the last Congress affirmative legislation. Now that he is weighted with the responsibility of legislation, why does he sit supinely by and proclaim to the country that, while he is for bimetallism, he is for nonaction? Why not do something? Why not propose something? Why not find a thread that shall lead out of this labyrinth of woes into which his party during the last Administration plunged us? If he means by international bimetallism to wait until England proposes something, he will be gray and decrepit with age before the rainbow that he is chasing is ever nearer to him.

As well might our colonial fathers have sat down around Boston Bay and waited for England to cease her oppression, to remit her taxes, to release our citizens, and to give us justice, as for us to sit now in these Halls folding our arms, shutting up our eyes, and implore that great country to desist from the half a century of grinding and oppression that has characterized her fiscal policy. I beg him in this connection to remember that there is no circumstance that can induce England to take this course. Her premiers uniformly proclaim that the balance of the world owes England many billions of dollars which annually bear many millions of interest, and the value of which would be reduced if the world returned to the bimetallism in which most of its debts were contracted. The English people have ever manifested an indisposition to give home rule to Ireland, but the gentleman from Maine will remember that she was willing to take Gladstone and Irish home rule, coupled with monometallism, rather than to risk the present status and bimetallism under Balfour and his followers.

We are asked to take no stand on this important question. It is demanded of us that we shall wait. As we led out among the first outside of England in the work of demonetization, is it not fitting that, as we all confess the error of that way, even the gentleman from Maine himself, that we should be the first to make known our sentiments, to proclaim bimetallism and practically inaugurate it? The gentleman from Maine has told us, which we knew before, that the prime minister of France has announced his willingness to join in the movement for the restoration of bimetallism in the great powers of the world.

Why not trust France now as we had to trust her in 1776? Why not help her now as she helped us then? Is it possible that the American people have degenerated and have less spirit than they had in days gone by, when we were only three millions and a half strong? Weak, apparently helpless and defenseless, at the arrest of our fathers and goaded by unjust taxation, our representatives assembled in Independence Hall on the 4th of July, 1776. There that great Virginian stood, with the most immortal declaration that was ever made in his hand, and proclaimed his readiness to die in defense of those principles. We defied England and her power then, and although it took eight years to do it, we established our independence and set the pace of the world in the march of progress and in the science of free government.

Later on, in 1812, although England did not dare to invade our homes, relying on her superb and incomparable navy and its great prowess, she asserted the right to search our ships and seize our seamen on the high seas.

Although we were still weak and feeble, again the spirit of '76 was in our fathers, and they inaugurated the war which was to emancipate the seas as Washington had emancipated the land. This Capitol went up in smoke; the White House, at the other end of the Avenue, was reduced to ashes. Ruin stalked abroad throughout the East, but the great Jackson, at New Orleans, gave the mother country the worst whipping she has had in modern times, and we threw off from our shoulders the "old man of the sea."

Nor was this all. In 1823, when monarchy and despotism were anxious to stop the inroads made upon their power and extend their conquests to this new continent, President Monroe called in counsel the great author of the Declaration of Independence as to whether, when only ten and a half millions strong, we should defy the whole world and establish what is now known as the Monroe doctrine. Jefferson began his reply to what he regarded the most important question which had been contemplated since the Declaration of Independence, and said that we should make haste to proclaim, first, that we would take no part in the broils of Europe, and second, that no European power should, either by accession, purchase, or conquest, extend its territory on this continent.

Again American manhood was asserted and American principles prevailed. Now that we are seventy millions strong, Mr. Chairman, and have seventy billions of wealth, is it possible that we are going to falter? Can it be that we are going to cringe and cower in the performance of what is right? For one, I am for the same boldness in declaration and action that characterized our sires, and I am in favor of proclaiming to the world, as they did, the correct principles, whether to be successful or unsuccessful, and try the experiment of the free and unlimited coinage of silver, with the concurrent use of both gold and silver, in which lies our only road to permanent prosperity.

Mr. Chairman, Mulhall says that the power of the United States to-day is three times what it was in 1860; and yet one hundred and fifty days after the war commenced, and during the whole war between the States, there was not an outside power on this earth that could have whipped either the Federal or the Confederate army, except the Federal force itself, and that took three years. If we are three times greater to-day, what may we not do? If we will wake up, if the slumbering giant will break the threads by which it has been bound and will go forth and declare the American doctrine, that as silver is produced at 16 to 1, as it has been maintained at 16 to 1, as the debts existing have been contracted at 16 to 1, we will have the courage to do justice to ourselves by adopting free coinage at 16 to 1, and give true, genuine bimetallism to the world, and thus set the pace in finance as we set the pace in freedom. [Applause.]

Free Coinage of Silver—No Further Issue of Bonds.

SPEECH

OF

HON. HENRY W. OGDEN,

OF LOUISIANA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 11, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. OGDEN said:

Mr. CHAIRMAN: I favor the free and unlimited coinage of silver at the ratio of 16 to 1 by the United States, independent of the action of any foreign country whatever. I am utterly opposed to the issue of bonds in the time of peace, by which the indebtedness of this country is increased. Sir, in the short space of time allotted to me, an exhaustive discussion of the question is mani-

festly impossible. I shall, however, endeavor to suggest some points that may be of interest to all.

I will allude first to the oft-reiterated statement which seems to be the main bulwark and support of some of those who are opposed to free silver; the statement with regard to the amount of the free coinage of silver in the United States prior to 1873.

It is a favorite statement of many who oppose the opening of the mints to the free coinage of silver that prior to 1873 there were only eight millions of silver dollars coined in the United States.

Mr. Chairman, anyone acquainted with the true facts should hide his head in shame for attempting before an intelligent audience, and much more so before the whole American people, to use such a statement as an argument for his opposition to the free coinage of silver. As a matter of fact, sir, there were only 8,000,000 of silver dollars coined in this country prior to 1873; but when a witness goes upon the stand in any court he is required to tell the truth, the whole truth, and nothing but the truth, and is not at liberty to withhold any facts concerning the matter in question. Now, why do not these gentlemen, who volunteer as witnesses on this question, tell the whole truth? They tell us that only 8,000,000 silver dollars were coined prior to 1873. This statement is true; but they do not tell us, Mr. Chairman, that prior to 1853 all of our silver coinage, whether it was a dollar, or 50 cents, or 25 cents, or even as small as 10 cents, was legal-tender money in the United States.

The coinage of silver from the time of the opening of the mints in 1792 to 1846 was $69,074,427.

What was the coinage of gold during the same period? It was only $52,560,852.

The coinage of silver from 1792 to 1846 exceeded the coinage of gold by over $16,000,000, and the total amount of silver coined from 1792 to 1873 was, in round numbers, $147,491,000.

Now, Mr. Chairman, if one were disposed to indulge in misleading statements similar to those used by gentlemen on the opposing side of the question, and should state that there were only 19,000,000 of gold dollars coined prior to 1873, which is literally true, and to rest the statement there, what would any person acquainted with the true facts think of such an argument? The real truth is, Mr. Chairman, that in the same period there was a total gold coinage of $852,114,000. Unlike these gentlemen, I wish the whole truth to be presented, in order that each and every fair-minded, thinking person may judge for himself the true situation.

I present here some figures showing the relative amounts of the coinage of gold and silver:

Amount of gold coined from 1792 to 1846	$52,560,000
Amount of silver coined from 1792 to 1846	69,074,000
Amount of gold coined from 1834 to 1846	40,534,000
Amount of silver coined from 1834 to 1846	32,797,000
Amount of gold coined from 1873 to 1893	800,891,000
Amount of silver coined from 1873 to 1893	527,217,000
Coinage of gold from 1792 to 1893	1,653,000,000
Coinage of silver from 1792 to 1893	674,709,000

The gentleman from Tennessee [Mr. PATTERSON] tells us that silver was driven out of the country by the act of 1834. As will be seen from the table submitted, the coinage of silver from 1792 to 1846 was $69,074,000, this amount being full legal tender for all debts, public and private. In addition to this, the silver dollar of Mexico and the pillar dollar of Brazil were also legal tender at their face value. The 5-franc piece of France was legal tender at 93 cents. Large quantities of this coinage were in circulation, but the exact amount is not known. In order to prove that silver was not driven out of the country by the passage of the law of 1834 I will insert here tables showing the silver coin and bullion and gold coin and bullion imported into and exported from the United States from the year 1838 to 1847.

Value of silver coin and bullion imported into and exported from the United States, fiscal years 1838–1847.

Year ended—	Imports.	Exports.
September 30, 1838	$6,072,233	$2,767,783
September 30, 1839	4,430,596	5,884,433
September 30, 1840	5,797,656	6,948,714
September 30, 1841	3,719,184	9,190,949
September 30, 1842	3,329,722	3,679,537
June 30, 1843	5,253,898	1,220,533
June 30, 1844	4,217,125	4,271,098
June 30, 1845	3,251,392	6,395,516
June 30, 1846	2,867,319	2,275,920
June 30, 1847	2,546,358	931,723
Total	41,485,483	43,566,206

Value of gold coin and bullion imported into and exported from the United States, fiscal years 1838–1847.

Year ended—	Imports.	Exports.
September 30, 1838	$11,674,883	$740,263
September 30, 1839	1,164,580	2,892,310
September 30, 1840	3,085,157	1,468,300
September 30, 1841	1,269,449	843,383
September 30, 1842	757,294	1,134,002
June 30, 1843	17,066,437	300,258
June 30, 1844	1,613,304	1,183,116
June 30, 1845	818,850	2,210,979
June 30, 1846	910,413	1,629,348
June 30, 1847	21,574,931	975,301
Total	59,935,298	13,377,260

From 1792 to 1834 the coinage of gold was $12,000,000, and of silver $32,000,000. Under the operations of the United States banking system nearly all metallic money went into hiding, but was brought into sight again after the repeal of the charter of the United States Bank. As shown by the table submitted above, there was a difference only of about $2,000,000 in the imports and exports of silver by the United States from 1838 to 1846. The excess of imports of gold over exports from 1838 to 1846 was about $46,000,000, of which $40,000,000 was coined and went into circulation—went into circulation concurrently with silver, and both were legal tender in unlimited quantities.

From these statements it will be seen that gold and silver were coined and circulated concurrently.

Mr. REED, in discussing the theory of the metallic standard, on August 26, 1893, said:

> Bimetallism by a single nation does not seem possible; bimetallism by all the nations of the world seems to me not only possible, but feasible.
>
> You do not have to indulge in any farfetched theories to understand this. You do not have to discuss the theory of the Gresham law at all. All you have to do is to apply yourself to the history of the United States; and the speech of the gentleman from Tennessee [Mr. PATTERSON], a brave and admirable speech, shows conclusively that this country while it was pretending to be bimetallic in its standard was never really so; that one metal drove the other out of the country; that the standard was not possible of maintenance as long as there was an overvaluation.

Thus we see that Mr. REED gives his unqualified indorsement to these erroneous statements made by the gentleman from Tennessee [Mr. PATTERSON]. It can be said that each of the gentlemen is proud of the indorsement of the other.

Mr. PATTERSON also speaks of the increase of wealth from 1850 to 1860. His figures are correct and will not be disputed by anyone familiar with the statistics given by him. He gives the increase of wealth at about $9,223,000,000 in round numbers. The coinage of gold and silver during the period was $393,000,000. It was principally a gold coinage, because the mines of California had been discovered and many millions annually were added to our supply of circulating medium and to the world's stock of primary money. But our fathers did not demonetize silver during that time. They continued the coinage of both gold and silver, and then began the exportation, not of the silver coined by our Government, but of the bullion, which bore a greater value. The discovery of the gold mines during that period made us a rich people. We opened up trade with all the world. Our ships sailed the seas laden with American products, and the Stars and Stripes were known and respected all over the world.

Our commerce was second to Great Britain only. From 1851 to 1860 we exported the enormous sum of $423,580,000 of silver bullion, as shown by the Report of the Director of the Mint for 1895, page 295. It was not exported at 50 cents on the dollar. It was not discredited in the eyes of the nations of the earth. We did not say it was only worth 50 cents on the dollar. Its value had not been destroyed by adverse legislation—it had not been outlawed by our own lawmakers. No, Mr. Chairman, nothing of the kind. The good policy of the fathers of the Constitution was continued. The mints were open to all who had gold or silver bullion to coin. We exported this $423,000,000 in ten years and, during this unexampled period of prosperity, were indebted to the exportation of silver to pay our balances abroad.

I suppose that, under the latter-day statesmanship we are now treated to, our mints would have been closed in 1850—after the discovery of gold. Instead of having $423,000,000 to our credit, they would have discredited the white metal and would have taken from the people of this country the power to develop our commerce with other countries and to buy and sell, using both gold and silver at its coinage value. They would have discredited this silver—would have proclaimed to the world that we were coining silver worth only 50 cents on the dollar.

The gentleman from Tennessee seems to have an idea that the gold standard caused our prosperity during the period from 1850 to 1860. Mr. Chairman, this $423,000,000 of silver was shipped

abroad during that period, and we got dollar for dollar for it. He may, if it pleases him, call it being on the gold standard, but we did not discredit our silver at that time. What was the cause of this prosperity and of this tremendous increase in values from 1850 to 1860? It was because of the united value of our gold and silver, which stimulated all other productions and furnished home capital to embark in great enterprises. We had not become a nation of borrowers, and the country was free from debt.

Now, Mr. Chairman, the people of this country have been unfairly dealt with on the silver question by every Secretary of the Treasury and by every President since 1868. I will quote from reports of the various Secretaries of the Treasury to prove this statement. From 1792 to 1873 any holder of gold or silver, or silver bullion, could have had the same coined at the mints of the country in unlimited quantities, the ratio from 1834 to 1873 being 16 to 1. By the act of 1873 the coinage of silver, except for subsidiary coinage, ceased. This did not become immediately known to the people of the country, as the country had not been on a specie basis since 1860. The bonds of the Government issued for general purposes, amounting to hundreds of millions of dollars, were payable in legal tender and afterwards were made payable in coin. In speaking of this subject, the Hon. Lot M. Morrill, Secretary of the Treasury, in his report dated December 4, 1876, says as follows:

The report of the Director of the Mint shows that, notwithstanding the silver dollar occupied in law prior to April 1, 1873, the position of an unlimited legal tender, gold has, for many years past, been the money of payment in this country.

It appears that but a comparatively small sum in silver dollar pieces was ever coined, and that it at no time constituted an appreciable part of the circulation. This was due to the fact that silver was more valuable as bullion than its stamped or legal-tender value in the form of dollars. Since the fall of silver propositions for the revival of the silver dollar have been made, and the position which it would occupy with reference to unexpired coin obligations, should its coinage with unlimited tender be again authorized, has been the subject of considerable discussion.

The question whether the pledged faith of the United States to pay its obligations in coin would justify their payment in the silver dollar is of no small importance as affecting public securities of the United States. In any discussion of the question it must be conceded in the outset that the silver dollar was the unit of value, having the quality of legal tender for all sums and in all cases, and that the terms of the United States obligations do not exclude payment therein, and that the act of 1869, in which is the pledge of payment in coin, does not, in terms, discriminate against silver. These provisions are broad enough, in terms, to include payment in either gold or silver, and compels an inquiry into the history, production, issue, and subsequent treatment of these obligations, and the relative condition of gold and silver coin as money of payment in order to a correct interpretation of the meaning of the language "payment to be made in coin."

President Hayes, in his message to Congress dated December 3, 1877, used the following language:

I respectfully recommend to Congress that in any legislation providing for a silver coinage, and imparting to it the equality of legal tender, there be impressed upon the measure a firm provision exempting the public debt heretofore issued and now outstanding from payment, either of principal or interest, in any coinage of less commercial value than the present gold coinage of the country.

It is a fair inference, as shown by the above extract, that he favored the payment in one kind of money to the bondholder, which money he evidently deemed better than that used by the common people. The answer to this recommendation was the passage of the Bland-Allison Act by a Democratic Congress in 1878 over President Hayes's veto. This act restored the unlimited legal-tender power of the silver dollar for payment of all debts, both public and private.

The report of the Secretary of the Treasury of December 4, 1882, gives the amount of standard silver dollars coined up to November 1, 1882, coupled with the recommendation for the repeal of the law and the retirement of all silver certificates at an early date.

From report of the Secretary of the Treasury December 4, 1882:

Standard silver dollars and silver certificates.

There had been coined, on November 1, 1882, under the act of February 28, 1878, of standard silver dollars	$128,329,880
There were in the Treasury at that date	92,946,094
And in circulation	35,383,786
There were in circulation November 1, 1881, about	34,000,000
Increase	1,383,786

* * * * * * *

I refer for a more full discussion of this subject to my report of last year, and repeat my recommendation that the provision for the coinage of a fixed amount of standard silver dollars each month be repealed and the Department be authorized to coin only so much as will be necessary to supply the demand.

The recommendation is renewed for the repeal of the act requiring the issue of silver certificates and for a law authorizing measures for their early retirement from circulation.

The international monetary conference met in April last, on the day to which it had adjourned, and adjourned again sine die. It is not understood that it effected any important practical result.

President Arthur, in his message of December 6, 1881, said:

I approve the recommendation of the Secretary of the Treasury that provision be made for the early retirement of silver certificates, and that the act requiring their issue be repealed. They were issued in pursuance of the policy of the Government to maintain silver at or near the gold standard and were accordingly made receivable for all customs, taxes, and public dues. About sixty-six millions of them are now outstanding. They form an unnecessary addition to the paper currency, a sufficient amount of which may be readily supplied by the national banks.

In his message of December 4, 1882, President Arthur also said:

In respect to the coinage of silver dollars and the retirement of silver certificates, I have seen nothing to alter, but much to confirm, the sentiments to which I gave expression last year.

The Secretary of the Treasury, in his report of December 1, 1884, said:

While, however, the public debt is in this satisfactory condition, there are some financial dangers which can only be avoided by changes in our financial legislation. The most imminent of these dangers, and the only one to which I now ask the attention of Congress, arises from the continued coinage of silver and the increasing representation of it by silver certificates.

President Cleveland, in his message of December 8, 1885, said:

I recommend the suspension of the compulsory coinage of silver dollars, directed by the law passed in February, 1878.

President Cleveland also said, in his message of December 3, 1888:

* * * * * * *

At the close of the fiscal year ended June 30, 1887, there had been coined under the compulsory silver coinage act $266,988,280 in silver dollars, $55,504,310 of which were in the hands of the people.

On the 30th day of June, 1888, there had been coined $299,708,790, and of this $55,289,303 was in circulation in coin and $200,387,376 in silver certificates, for the redemption of which silver dollars to that amount were held by the Government.

On the 30th day of November, 1888, $312,570,990 had been coined; $60,790,990 of the silver dollars were in actual circulation, and $234,438,346 in certificates.

The Secretary recommends the suspension of the further coinage of silver, and in such recommendation I earnestly concur.

The Secretary of the Treasury, in his report of December 7, 1885, said:

Currency reform is first in the order of importance and of time, and fitly precedes other reforms, even taxation reform, because it will facilitate all other reforms, and because it can not safely be deferred. The coinage act of 1878 is overloading the mints with unissued, the subtreasuries with returned silver dollars, and will unavoidably convert the funds of the Treasury into those depreciated and depreciating coins.

The Secretary of the Treasury, in his report of December, 1889, said:

The continued coinage of the silver dollar at a constantly increasing monthly quota is a disturbing element in the otherwise excellent financial condition of the country, and a positive hindrance to any international agreement looking to the free coinage of both metals at a fixed ratio.

He also said:

It is freely admitted that the predictions of many of our wisest financiers as to when the safe limit of silver coinage would be reached have not been fulfilled, but it is believed that the principles on which their apprehensions were based are justified by the laws of trade and finance and by the universal experience of mankind. While many favorable causes have cooperated to postpone the evil effects which are sure to follow the excessive use of an overvalued coin, the danger none the less exists.

The silver dollar has been maintained at par with gold, the monetary unit, mainly by the provisions of law, which make it a full legal tender and its representative, the silver certificate, receivable for customs and other dues; but the vacuum created by the retirement of national-bank circulation, and the policy of the Government in not forcibly paying out silver, but leaving its acceptance largely to the creditor, has materially aided its circulation.

I have thus fully shown that no President or Secretary of the Treasury has favored the free and unlimited coinage of silver and gold at the ratio of 16 to 1.

We have been told, Mr. Chairman, by those who oppose free and unlimited coinage that the remedy is through the medium of an international agreement. Since 1878 there have been three international conferences, at which the Governments of France, Germany, Great Britain, the United States, and other nations were represented. The result of those held in 1878 and 1885 can best be told in the language of the Secretary of the Treasury in his report of December 7, 1885:

The choice before Congress is not between silver monometallism and gold monometallism. Both are inadmissible. The choice before Congress is not between bimetallism and either gold or silver monometallism. The latter are not admissible, and bimetallism is only possible with the cooperation of other nations, which is not now to be had, for, although France holds the same friendly attitude, and would be followed by some of her associates of the Latin Union, England now, as in 1878 and 1881, is unwilling to depart from her mintage of gold alone into coins of unlimited legal tender, and Germany now, as in 1881, regards the concurrence of England in an international bimetallic union as a sine qua non.

The report of the Secretary of the Treasury, dated December 6, 1886, is more expressive:

Since the date of my last annual report the attitude of an important Government toward the silver question has been changed. The matter is of consequence, and requires detail.

Last December the results of our special mission to the Governments of France, Germany, and Great Britain had just been obtained, and were as follows:

The French Government remained of the same mind as when it had united with the Government of the United States in calling the International Monetary Conference of 1881. The German Government deemed the cooperation

of Great Britain in any change a sine qua non. The Government of Great Britain, administered by the same party and principal persons then as now, saw no reason to depart from the position held by that Government at the international monetary conferences of 1878 and 1881.

The position which the delegates of the British Government were instructed to take at each of those conferences had been adverse to the object sought by the United States. The object was the opening of the mints of the Government of the United States of America and of the leading European States to the free coinage of both gold and silver into unlimited legal-tender money at a ratio fixed by international agreement.

Thus, at the International Monetary Conference of 1878 the British delegates had led M. Leon Say, the first French delegate, and a majority of the conferees to declare that silver, like gold, of course, must be kept a monetary metal, but each State or group of States must act for itself in the choice and the minting. An international ratio being pronounced undebatable, since the bimetallic States did not undertake an unlimited coinage of silver, the British delegates further declared their hope that every State would not prefer gold, while insisting upon Great Britain keeping to her own preferences, and that a fixed ratio was "utterly impracticable."

These declarations, of course, frustrated the object of the United States in calling the International Monetary Conference of 1878.

During the next three years the powerful polemic of M. Henri Cernuschi revolutionized the opinion of leading men in Europe and terminated the dependence of France upon Great Britain. The Government of France joined the Government of the United States in calling the next international monetary conference, held at Paris in 1881. The object of the United States, now supported by the invaluable concurrence of "the greatest among the great metallic powers," was again the same—the opening of the mints of a group of such powers to the free coinage of gold and silver at a ratio fixed by international agreement into unlimited legal-tender money. The delegates for Great Britain declared that their monetary system since 1816 had rested on gold as a single standard; that this system had satisfied all the needs of the country without giving rise to the difficulties manifest elsewhere under other systems, and for these reasons it had been accepted by the Governments of all parties and by the nation. The Government of Great Britain, therefore, could not take part in a conference as supporting the principles proposed, and her delegate was not permitted to vote. This declaration, of course, frustrated the object in assembling the International Monetary Conference of 1881, for the Government of Germany, following the lead of Great Britain, was resolved to retain a monetary system like hers.

* * * * * * *

SHALL THE UNITED STATES PROPOSE MORE CONFERENCES?

More conferences, further diplomatic correspondence, are proposed. I venture to think, with all due deference to those who are responsible for a decision, that the time for another conference has not arrived and that the moment for diplomatic interference is not perfectly felicitous. Our information is recent and authentic, and is contained in the letters of our ministers accredited to Great Britain, France, and Germany, there published, and in the correspondence and action of the English Government, which are summarized above.

The continental powers await the action of Great Britain, whose reluctance defeated the object of both conferences called at the instance of the United States, and to whom again, almost within a twelvemonth, she has turned a deaf ear. If it suited the dignity of the United States again to besiege the attention of European States, or again to make advances where they have been so lately repulsed, it would not suit our interests to so do when it is certain that the inquiry upon which Great Britain has suddenly entered at the instance and insistence of her great dependency, India, and of her own accord, is entered upon with anexclusive regard to her own interests. And of Great Britain's interests the United States have no call to become advisers or guardians.

Thus, from the language of the able Secretary of the Treasury, we see that we were rebuffed by Great Britain. The Secretary, however, advises patience, insisting that time would bring about the much-desired end. His words were, "Stop, wait, negotiate." His advice was followed—we stopped, we waited, we negotiated. No international conference was called until 1892—a lapse of nearly ten years. The results obtained were as barren as those that marked its predecessors, Great Britain, as usual, blocking the way to any agreement whatever.

As showing the utter futility of any attempt to have Great Britain depart from the position she has taken with regard to the gold standard, attention is called to the correspondence herewith submitted:

EMBASSY OF THE UNITED STATES, *London, May 29, 1895.*

SIR: For transmission to your colleague, the Secretary of the Treasury, I have the honor to send, inclosed herewith, certain important correspondence, published to-day, between the chancellor of the exchequer and sundry leading bankers and financiers of London, in relation to a proposal for the reassembling of international delegates with a view to the establishment of a bimetallic standard of money and value.

I have the honor, etc.,

T. F. BAYARD.

Hon. EDWIN F. UHL,
Acting Secretary of State.

[Inclosure from the Morning Post, Wednesday, May 29, 1895.]

THE CURRENCY QUESTION—AN ADDRESS FROM THE CITY.

The Press Association states that a meeting of leading bankers and merchants of the city of London was held yesterday at Glyn's Bank, Lombard street, Mr. Bertram Currie presiding, when it was decided to form a gold-standard defense association, the chairman of the meeting being elected president, and a council, which included Lord Farrer and Lord Welby, was also elected. Lord Hillingdon was appointed treasurer and the Hon. George Peel secretary.

An address, as follows, had been forwarded to the chancellor of the exchequer:

"MAY 20, 1895.

"*To the Right Honorable the Chancellor of the Exchequer:*

"SIR: We, the undersigned merchants and bankers in the city of London, desire to address you in reference to the discussion which has taken place in Parliament on the question of the currency. We have observed with regret the growing agitation in favor of what is called bimetallism, the more so since this theory has obtained the support of persons of eminence and authority. As long as it was proposed to apply the bimetallic principle to foreign countries only we did not feel concerned to offer an opinion thereon, but we are constrained to state that we should view with grave apprehension any change in the system of currency which has prevailed without intermission in this country since 1816. The experience of nearly eighty years has convinced us that this system is in every respect suited to our wants, and that under it the commercial supremacy of Great Britain and the financial ascendency of London have been established and maintained.

"We believe that any serious attempt to modify it by the adoption of silver as a standard of value, either alone or concurrently with gold, would be followed by consequences dangerous to the trade and commerce of the country, and, further, that if it were possible that such a measure could not only become law but be made effective in practice, or should become law without becoming effective in practice, it would disturb contracts, injure credit, check enterprise, and thus prove disastrous both to capitalists and to wage earners.

"We venture, therefore, to express our earnest hope that Her Majesty's Government will not only refuse their countenance to any change in our monetary system, but that they will avoid entangling proposals which might lead persons either abroad or at home to believe that England is prepared to depart from the single gold standard, which is established by law and sanctioned by custom.

"Brown, Shipley & Co.; Dennistoun, Cross & Co.; Fruhling & Goschen; C. J. Hambro & Sons; Hardy, Nathan & Co.; Heilbut, Symons & Co.; Henckel du Boisson & Co.; Hoare, Miller & Co.; Fred. Huth & Co.; Kleinwort, Sons & Co.; Morris, Prevost & Co.; Morton, Rose & Co.; Henry S. King & Co.; Ralli Bros.; Robert Benson & Co.; R. Raphael & Sons; J. H. Schroder & Co.; Barclay & Co.; Glyn, Mills, Currie & Co.; Robarts, Lubbock & Co.; Smith, Payne & Smiths; directors of the National Provincial Bank of England (5); Henry Paull; directors of the London and County Banking Company, Limited (3); Bonamy Dobree, director of London and Westminster Bank, Limited; A. W. Gadesden, director of London and Westminster Bank, Limited; J. Sanderson, director of London and Westminster Bank, Limited; directors of the Union Bank of London, Limited (6); J. Spencer Phillips, deputy chairman Lloyds Bank, Limited; E. Brodie Hoare, director of Lloyds Bank, Limited; W. Farquhar, director of Lloyds Bank, Limited; directors of Parr's Banking Company and the Alliance Bank, Limited (3); the directors of Prescott, Dimsdale, Cave, Tugwell & Co., Limited (3); John B. Martin, for Martin's Bank, Limited; D. Larnach (Bank of New South Wales); Alexanders & Co., Limited; Brightwen & Co.; Hohler & Co.; Reeves, Whitburn & Co.; the directors of the Union Discount Company, Limited (3)."

The following reply was read from the chancellor of the exchequer:

"TREASURY CHAMBERS, *Whitehall, May 27, 1895.*

"MY DEAR BERTRAM CURRIE: I have received with much satisfaction the address you have forwarded to me, which I recognize as bearing names among the most weighty which could be found to represent the judgment of the merchants and bankers of the city of London.

"I can have no hesitation in giving to that address on the part of Her Majesty's Government the reply which you have a right to expect.

"I may briefly recall to your recollection the history of the last International Monetary Conference, which was assembled in the year 1892.

"The Government of the United States had taken measures to promote a conference of the European powers in order to take into consideration the condition of silver, and expressed a wish to Her Majesty's Government that a ratio might be established by the leading nations for the coinage of silver at their several mints.

"My predecessor in office, Mr. Goschen, while assenting to an inquiry as to the possibility of an enlarged use of silver in the currency of nations, distinctly declined to accept the invitation couched in terms which involved the adoption of a bimetallic system.

"When the conference met at Brussels the bimetallic proposals brought forward by the delegates of the United States, owing to their generally unfavorable reception, were not pressed to a division.

"At the last session of the conference an adjournment was agreed to with a view of its reassembling after an interval of six months, in order to consider some agreement (if any such could be produced) which should not infringe in any way the fundamental principles of the monetary policies of the different countries. (Report of Brussels Conference, page 195.)

"It was recognized that there would be no advantage in calling the conference together again except for the purpose of the examination of practical and explicit proposals brought forward on the responsibility of one or more of the Governments there represented, and which should conform to the condition that those proposals should not interfere with the fundamental principles governing the monetary systems of the various States.

"When the prescribed time arrived it appeared that these conditions were not fulfilled, and none of the Governments concerned expressed a desire for the reassembling of the conference, which accordingly came to an end.

"I concur entirely in the opinion expressed in your address that the experience of well-nigh a century has proved that our present system of currency is suited to the wants of this great commercial country, and that to depart from it would be disastrous to the trade and credit of the United Kingdom.

"Continuity of national policy is more necessary in this than perhaps any other question. You may rely upon it that Her Majesty's Government will not depart from the course pursued by all the governments that have preceded them, and will give no countenance to any changes in the fundamental principles of our monetary system, nor in any discussion in which they may be called upon to take part will they admit any doubt as to their intention firmly to adhere to the single gold standard, which you justly regard as essential to our well-being as a commercial nation.

"I remain, yours, faithfully,

W. V. HARCOURT."

Germany follows closely in the footsteps of Great Britain, and it is evident that her ministry will not take any further step looking to another monetary conference. Prince Hohenlohe as late as February 8 gave utterance to the following expression of opinion on the subject:

A monetary conference could not bring the question nearer to a practical solution, and therefore it appears undesirable that Germany should take the lead in summoning a conference. The federal governments, acting upon this conviction, have decided not to take further steps in pursuance of the resolution of the Reichstag of February 16, 1895. If, however, definite and acceptable proposals promising success were made on behalf of another State, I should duly consider the question of German representation at the conference.

So that it is utterly hopeless to expect any relief through the medium of international conference.

To illustrate this point more fully, I will relate some of the conversation I had about one year ago with an Englishman who was on a business trip to this country for the purpose of loaning about $10,000,000, and which, he said, he had accomplished. Learning that I favored the free coinage of silver, independent of any action of any foreign government, he asked my reasons therefor. I briefly stated the great agricultural depression then existing in the country—the decline in the prices of products—and told him that this depression had now extended to all other interests and values in this country; that I believed that our country was powerful enough to maintain at home and abroad the value of any dollar—gold or silver—that might be coined by the Government of the United States.

I also told him that we possessed the most valuable gold and silver mines in the world; I alluded to the value of our internal commerce, and in a general way to the wealth and power of our country, and that it was to the interests of our people to change our present methods from the payment of gold alone. His answer was perfectly frank and candid. He said that he recognized the strength and power of the United States; that we were a wonderful people; that any metallic dollar, or its representative, to which the stamp or seal of the United States was affixed would be received as a good dollar not alone in this country, but by all the countries of the universe; and that if he was an American, like myself, he would also favor the free coinage of silver in the interests of America, and his only wonder was how any American could do otherwise.

"But," he said, "the interests of my country are not the interests of the United States." Continuing, he said: "Beginning nearly a century ago, we have adopted a policy of trade and finance that has gotten all the rest of the world in debt to us, and now," he exclaimed, "we collect $1,000,000,000 annually in gold as the interest on that debt." Turning to me, he said: "Do you know what $1,000,000,000 means? Have you any conception of such an amount of money?" I replied that it was a vast amount; that the average value of the entire cotton crop of the United States, as now measured in gold, amounted to $250,000,000 annually, and that it would require the value of four cotton crops to equal it; that, counting the wheat crop of the United States at 400,000,000 bushels, sold at 62½ cents per bushel, it would require the value of four crops of wheat to pay it; that, counting the net savings of each of the agriculturists of the country at $100 annually, it would require the combined net earnings of 10,000,000 farmers to pay it; that, counting the net earnings of skilled wage earners at $200 each, it would require the combined earnings of 5,000,000 skilled workers annually to pay it; and that counting the average of the combined output of the world's annual production of gold and silver at an average of $250,000,000, it would require all the gold and silver produced in the world for four years to pay one year's interest.

Mr. Chairman, the condition of our country is a peculiar one. From a weak colony of 3,000,000 people, a little over a century ago, with not a settlement west of the Alleghany Mountains, we have taken possession of the fairest and most fruitful land under the sun, and have developed into the highest civilized, as well as the most powerful, nation of the earth. It is not my purpose to trace this wonderful development. It would seem that nature's storehouse has provided us with almost every product that would conduce to our comfort, and American brain and brawn have supplied the power that has transformed them into the necessaries and luxuries of life. Our natural resources are greater than those of any three nations of the world. Our mines of gold and silver, of iron and coal, of lead and copper, are inexhaustible. Our forests exceed in value and extent those of any other country. We grow four-fifths of the cotton to clothe and one-fourth of the wheat to feed the people of the world.

I read recently that one-third of the world's manufacturing is done and nearly half of the newspapers are published in the United States. We produce one-third of the world's supply of the precious metals, one-half its copper, over one-fourth its iron and steel. We have built nearly one-half the railroads, and by lakes and rivers have more miles of navigable water than all Europe combined. The value of our agricultural products is over $3,500,000,000 annually, and that of our manufactures over $9,000,000,000, with over $2,000,000,000 paid in wages to employees. Our internal trade is over $20,000,000,000, and our estimated wealth is $70,000,000,000, and increasing, according to Mulhall, at the rate of $7,000,000 daily. We produce more grain than Great Britain, France, Germany, Austria, and Italy combined, and nearly as much meat as those countries. We transport double the amount of merchandise by rail than all the other nations of the earth collectively.

Our annual school expenditure exceeds that of Great Britain, France, Germany, Austria, and Italy combined. The telegraph lines that encircle the globe, climbing mountains, crossing deserts, and buried beneath the bosom of old ocean itself, is a tribute to American ingenuity and skill. The steel rails that encompass the earth and bring all the nations together in friendly and commercial intercourse mark the path of American pluck and American enterprise. We fought the greatest war the world has ever known, whether measured by heroism displayed, by battles fought, by numbers engaged, by losses sustained, or by treasure spent. Our ingenuity devised new methods of warfare by land and by sea, and as a consequence the navies of the world had to be built anew. A reunited people, devoted to one flag and one country, with a population doubled and resources quadrupled since 1860, we could well nigh defy half the world in arms.

Yet, Mr. Chairman, notwithstanding all this greatness and all this glory and all this wealth, a little seagirt isle across the sea dictates her financial policy to this great Republic and to all the world.

Mr. Chairman, shall we longer pursue a policy which strengthens and builds up the already enormous money power of Great Britain, which appreciates the value of gold and decreases the value of all other products, or shall we declare for an American system of finance in the interest of the American people by opening up our mints to the free and unlimited coinage of both gold and silver and restoring prosperity to our distressed and long-suffering people?

But, even from the English point of view, there is another side to the question, as shown by the following extract from a paper read before the Society of Arts on January 19, 1893, by J. Barr Robinson:

> In a period like the present of widespread depression in trade and industry, and among the people generally, the question as to whether this can be traced to any special cause or causes is one of the highest importance. Numerous controversies have been and are being carried on as to these causes, and out of the conflicting masses of argument and fact, of error and confusion, there is gradually emerging the cardinal idea that the predominant cause is the appreciation that gold has undergone in the last twenty years.
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> While it would take too much space to enter into details regarding the practical effects of this appreciation of gold, it will suffice to give some indication of the enormous injury it has inflicted if it is stated that the transfer of wealth from the landed and propertied classes and from the mercantile, manufacturing, and producing classes generally in the United Kingdom to the holders of securities, mortgages, annuities, etc., can not be less than £2,000,000,000, due solely to the appreciation of gold. It is already a question how much further the holders of securities are to receive the assistance of a continually contracting currency to enable them to go on absorbing further and further the wealth of the producing classes. If no other relief can be obtained it may be necessary to fix a commodity standard instead of a money standard for long-dated payments, as has been recommended by the principal economists of the last hundred years. Such a colossal unearned increment as has accrued to the holders of securities valued in gold during the last twenty years in Europe and the United States, amounting to not less than from £7,000,000,000 to £9,000,000,000, is entirely unparalleled in the history of the world, and all other public questions sink into utter insignificance compared with it.

Thus it will be seen that the change in the system from the coinage of both metals on terms of equality since 1873 has caused a transfer of wealth from the agricultural and other classes in Great Britain to the bondholders and money lenders of £2,000,000,000, or $10,000,000,000.

They have copartners in the United States, according to Mr. Robinson's statement, and with Great Britain they are joint owners of this colossal unearned increment of from £7,000,000,000 to £9,000,000,000 annually, which he truthfully says is unparalleled in the history of the world, and all other questions sink into insignificance compared with it.

Eduard Suess, the eminent professor of geology at the University of Vienna, Austria, said:

> Indebtedness in gold, especially when it rests on a silver land, manifestly rises from year to year with the divergence of values. While any economic gain due to the premium in the silver land is distributed among thousand of hands, in the figure of the interest, which is due in gold, the burden finds concentrated expression, and it increases with every fraction by which the ratio rises. Many a statesman of an honestly toiling, upward striving land watches with anxiety this figure which withdraws from his country undeservedly and inexorably a part of the fruits of its industry and conveys to the bondholder unearned and unexpected gain. The crises of recent times have furnished abundant examples in which the paying capacity of a debtor country was exceeded and a good part of the capital was lost along with the interest.

In speaking of the possible, and perhaps probable, division of the world governed by two different money standards, he argues that the final results would be disastrous to the gold lands, and that America holds the balance of power. I quote Professor Suess's words:

> The more remote consequences, however, would be disastrous to the gold lands. In the great silver area, which comprises many States in need of money, there would occur, perhaps, at first inflation and irregularity. True, it must be confessed that even nowadays there are States with free-silver coinage and yet without too great inflation. In order to bind the metal more and more, fully covered certificates would perhaps be issued instead of the partly covered notes. In any case the production of goods would make a great, perhaps too great, advance. In the gold area, too, there would at first be improvement, but soon there must ensue more and more contraction, fall of prices, injury to labor.
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> All obstacles now thrown in the way of commerce by tariffs would dwindle into insignificance compared to the barrier that would be erected by the partition of the earth into two solid areas of money standards.
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> As the silver area comprises all zones, all natural products, and, in the United States, also all industries, a great independent economic unit would

be constituted by the silver area. Exportation from the gold area would be rendered, and yet the gold would be dependent on the other for many products, as is proved by the balance of goods, already passive in a high degree even to-day, of Great Britain, Germany, and France. Silver capital would grow up in the silver area, and silver lands would borrow only silver capital. At the same time, however, in the whole silver area industry would continue, as hitherto, consuming gold. That is the "walling in of Europe."

Whether the United States will make this or some other choice is now not known, but in any case some deductions arise from the present situation.

First of all, it is certain that Europe, in case of refusal to enter into an international agreement, leaves America's hands free to enact measures which must exert the most profound influence upon all commerce and upon the money affairs of Europe herself.

Furthermore, it is certain that gold alone can never become the standard of the whole earth, but that, on the contrary, a time will come when it will be entirely absorbed by industry. Let us not forget Soetbeer's results, according to which the entire monetary stock of the earth is smaller by almost one-third than the production of the last forty years.

The great fall in prices in the past few years has been heaviest upon the farmers of the country. Over one-third of the people of the country are engaged in agriculture. They have been the first to feel the loss in the value of their products. The farmer has to contend with the cheap labor of India and Argentina in the production of cotton and wheat. Under the gold standard the price of cotton has fallen to about 6 cents a pound. An overproduction of the cotton crop of 1894–95 of about 1,000,000 bales caused the price to fall to about 5 cents per pound, the lowest price at which it was ever sold in the United States. It is estimated that the crop of 1895–96 will be 2,000,000 bales short of a normal supply for the uses of the world. It is estimated that 8,700,000 bales is the amount of American cotton needed for the world's consumption. Yet, with the crop of 1895–96 2,000,000 bales short, the price to the farmer is about 7¼ cents a pound.

Even the price received for a short crop of cotton is one-third less than that received for an average crop ten years ago. Wages of labor in the cotton States brought about by the constantly decreasing price of cotton has fallen to 50 and 60 cents per day, and the laborer out of this sum has to board himself. Wheat has fallen in price at about the same ratio as cotton, and this decline in price has not been brought about by overproduction. No one can truthfully say that the farmers of this country are in a prosperous condition. By hard work they live, and by hard work only are they enabled to obtain the absolute necessaries of life. They are deprived of many of life's comforts and almost all of its luxuries. Their products are used by the nation at large in settling the gold balances due other countries.

Mr. Chairman, patriotic appeals go up from gentlemen on the other side of this question to save what they are pleased to call the honor and credit of the country, but what it really means is to save and make sure the increased and ever increasing unearned increment of the bondholder of this country and of Europe.

Mr. Chairman, the system is wrong and it is sapping the life-blood of the people, and year by year plunging them deeper and deeper into debt. How long can it last? The masses of the people of this country are utterly opposed to the sale of bonds now carried on by this so-called Democratic Administration, backed up by the immense Republican majority in this House. You have the power to stop this issue of bonds, even over the President's veto; if necessary, to compel the Secretary of the Treasury to use silver dollars, as well as gold dollars, in the redemption of greenbacks and Treasury notes. But you will not do it; you have taken your stand like the President and Secretary of the Treasury and their followers—the money power of the land against the masses of the people.

Mr. Chairman, the reason of the frequent changes in the political complexion of this House in the last few years can be written in two words, "hard times." Dissatisfaction prevailed all over the country with the results of the Republican Administration under Mr. Harrison, and a tidal wave swept it from power. Promises of relief were given by the Democratic party, but these promises failed to come up to public expectation. True, a tariff bill was passed that partially relieved the people of the unjust burdens placed upon them by long years of high-tariff legislation. But the main cause of the cankering disease of the body politic still remains. Previous to the advent of the present Executive into national political life, the voice of the gold bug was rarely ever heard in Democratic ranks. The declarations of our party were practically unanimous for righting the great wrong perpetrated by the act of 1873, and for restoring silver to its rightful place as a money metal in the coinage laws of the country. Legislation had reduced, almost destroyed, its value. Legislation had outlawed it as a money metal. That which was in the power of legislation to do was in the power of legislation to undo.

Legislation could withdraw the ban of outlawry; legislation could restore the value of silver by opening the mints to its free and unlimited coinage. That was the position of the Democratic party as proven by the action of a majority of its Senators and Representatives in every Congress, save one, since 1873. But in 1894 a Democratic Congress failed to do its duty—to pass a free-coinage bill—and give the people full measure of relief which had been promised for years. The voice of the cuckoo was heard in Democratic councils—the vote of the cuckoo was mingled with that of our old Republican enemy. The great Democratic leader of tariff reform and the great Republican leader and defender of high protection smiled sweetly, one upon the other, and cooed together like turtle doves, and their votes were alike cast to issue more bonds—gold bonds.

What joy filled the heart of your great Republican leader in the divided councils of what should have been a united party is best shown by a few remarks made by him in the closing hours of the Fifty-third Congress.

He said:

Mr. Speaker, I am somewhat reluctant to address the House because my feelings are divided between two emotions. One is a feeling of regret for the Democratic party and its position; and the other is a feeling of equal regret for the country and its position.

* * * * * * *

I tell you when the people of this country get an opportunity to express their opinion of you, you will listen to it more intently than you are listening to me, and with sadder hearts than you have to-day even.

Not content with what you have done, you have threatened the people of this country with yourselves again. We shall not write your epitaph. That has been done by a nearer and dearer. That has been done by the man whose name must be affixed to this bill before it can disgrace the statute book. I wish I could congratulate the country upon something, with the departure of incompetency.

Those were brave words, Mr. Chairman, and proved to be prophetic ones. We all know the fate of old dog Tray when caught in bad company. Relief had not come through Democratic agencies. Thousands of disgusted Democrats refrained from going to the polls. The charge of incompetency rang through the land. Vainglorious and boasting Republicans proclaimed their ability, if once more granted power, to afford the long-promised relief.

Another tidal wave was the result. The country believed your party, and 150 Republican majority in this House attests that belief, and now the eyes of the country are upon you. The people demand the fulfillment of your boastful promises.

Your leader, Mr. REED, said in that same speech, on August 28, 1894:

We stand in a very peculiar position to-day. The representative of the Democratic party, just chosen President of the United States, finds himself powerless in his first great recommendation to his own party. Were he left to their tender mercies the country would witness the spectacle of the President of its choice overthrown by the party charged with the country's government. What wonder, then, that he appeals to the patriotism of another party whose patriotism has never been appealed to in vain.

* * * * * * *

What we were in our days of victory the same are we in our days of defeat—champions of true and solid finance. And when the time comes, as it surely will, for us to lead this land back to those paths of prosperity which were trodden under Republican rule for so many years, we shall take back our ancient glory, undimmed by adversity; our ancient honor, unsullied by defeat.

Mr. Chairman, the Republican party did stand in a peculiar position that day, and the peculiarity of the situation is that it stands in a very "peculiar position" to-day. According to Mr. REED'S statement, a Democratic President is no longer left to the "tender mercies" of his own party, but is sheltered under the protecting wing of the 150 Republican majority of this House. On the financial question he is a Republican President, not ours. He is the champion of so-called sound money—so are you—which, read between the lines, signifies that you are alike the champions of the bondholders and money power of Great Britain and America.

Mr. Chairman, the time has come for the Republican party to redeem its promises to lead this land back to those "paths of prosperity which were trodden under Republican rule for so many years." The country is waiting—how fondly, how trustfully, how impatiently! "Yes; waiting, my darling, for thee." Waiting for you to clasp it gently by the hand and "lead" it back to paths of prosperity. If you can not find all the "paths," at least find one. Alas, poor country, it will hope and watch and wait in vain!

The "do-nothing" policy prevails, and Republican incompetence and madness rule the hour. The country asks for relief, and your answer is, "Bonds; millions more of bonds." However, Mr. Chairman, it is some relief to know that this miserable bond bill—this little puling infant—which came from the loins of its Republican parent "into this breathing world scarce half made up," is passing—passing away. Its days are numbered, and it will soon be laid away to rest forever.

Handle it tenderly, touch it with care,
Fashioned so slenderly, young and so fair.

A little stone should be erected to its memory and on it inscribed:

SACRED TO THE MEMORY
OF OUR ANGELIC CHERUB, LITTLE DINGLEY BILL.

Born on the 25th day of December, A. D. 1895, at Washington, D. C., its life was short but eventful. Weak and lacking in vigor, scarce 10 days old, it was carried with a message of bonds to the eastern end of the Capitol, where it was cruelly assaulted by brutal Senators with silver clubs, and its young life taken away.

This stone is erected to its memory by its unfortunate parent, NELSON DINGLEY, and its loving foster parents, Grover Cleveland and THOMAS BRACKETT REED.

REQUIESCAT IN PACE.

Coin Redemption Fund.

SPEECH

OF

HON. WILLIAM ELLIOTT,

OF SOUTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 13, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. ELLIOTT of South Carolina said:

Mr. CHAIRMAN: I will vote against the Senate amendment, as I have voted against all propositions for the free coinage of silver in past years whenever the question came up on its merits. While it is, of course, true that the people of the district I have the honor to represent are much divided upon this question, yet a great majority of them are altogether opposed to any depreciation of any part of our currency. They have very bitter recollections of the evils of a depreciated currency, and they insist that every dollar of our currency shall be kept of the same value as every other dollar of it. And I take occasion here to say, Mr. Chairman, in view of what has been said elsewhere, that they thoroughly indorse and approve the course of the President in the action which he has deemed it necessary to take for the preservation of the financial honor of the country. They indorse and approve all his steps thoroughly; and they do not believe that any President has ever surpassed him in his determination to uphold the honor of the country, and to protect in all respects the interests of the people. And I say this not only in behalf of the great majority of the people of my district, but as voicing the sentiment of thousands of people throughout the State who thoroughly uphold him in his course.

WHAT IS FREE COINAGE OF SILVER?

Let us inquire, then, Mr. Chairman, what substantially is the free and unlimited coinage of silver at the ratio of 16 to 1 as provided by the amendment of the Senate. It is a very different thing from the process by which the Government has for many years past been coining silver dollars, about 400,000,000 of which have entered into our currency and are in daily use by our people. This silver has been purchased by the Government at its regular market price and has been coined by the Government for itself and not for any private owner. These purchases by the Government have always been made within the limits prescribed by the acts of Congress, the first the act of 1878, which provided for the purchase by the Government and coinage during each month of not less than $2,000,000 nor more than $4,000,000 of silver, and the second the Sherman law of 1890, which required the purchase during each month of 4,500,000 ounces of silver bullion upon which Treasury notes should be issued by the Treasury.

The currency provided by these acts of Congress is full legal tender for the payment of all debts, public and private, and circulates upon an equality with the rest of our currency, whether paper or metallic. It is a well-known fact that to-day, while the actual value of the silver in one of our silver dollars is less than 50 cents, these dollars pass everywhere precisely the same as if their intrinsic value was 100 cents. This is due to two causes: First, that these silver dollars are received by the Government in payment of all dues and are maintained by the Government as of equal value with gold; and, second, that the coinage being limited by law to a certain amount, the Government is able to maintain silver upon a parity with gold. These purchases of silver were put an end to by the act of 1893, and to-day the Government makes no purchases of silver. The free and unlimited coinage of silver at the rate of 16 to 1 is altogether a different thing from the process we have been considering.

FIFTY-CENT DOLLARS.

If the Senate amendment becomes a law any person, from any country, can take to the mints of the United States silver in unlimited quantities, and have what is to-day but 50 cents' worth of silver coined into a dollar. This right is not limited to citizens of this country, nor is it limited to the silver product of this country, but it can be exercised by every person in the world, and the silver may be brought from all parts of the earth. There are to-day in the world over $4,000,000,000 in silver, which is nowhere worth more than 50 cents on the dollar, and it will be readily seen that, if this bill becomes a law, and the owners of silver thereby become entitled to receive a dollar for every 50 cents of silver that they own, there will be a rush of all the above enormous amount of silver upon our mints for coinage. Can any sane person doubt that this will be the result? Where else can a man in one day and by one act double his possessions?

No one denies that the intrinsic value of a silver dollar is to-day only 50 cents, nor does anyone deny that the owners of silver will be swift to avail themselves of such a splendid chance; in fact, the whole purpose of this bill is to enable the owners of silver to do this very thing—bring all their silver to the Government mint to be coined. We would no longer have a limited amount of silver dollars for which the Government would be responsible, as it is now, but there would be an unlimited amount of them coined, not for the benefit of the Government, but for the sole benefit of the owners of silver. Now, while I can readily see why the silver-mine owners of the West should be exceedingly anxious to procure the passage of such a law, I fail to see of what advantage it would be to the other people of the country who are not silver-mine owners.

How will it benefit, for instance, the cotton growers of South Carolina to have the owner of silver get two prices for his product? If such a law were proposed to be passed for the benefit of the cotton growers of the South, undoubtedly they would be as eager to procure its passage as the producers of silver are to have this bill become a law. No doubt when the agitation for the free coinage of silver began years ago it was advocated solely by the silver-mine owners, but they soon were joined in the movement by a large number of people who had no such selfish interest, but who were then, and are now, acting under an honest conviction that free coinage of silver is absolutely necessary to the prosperity of the country, and the strength of the movement is indicated by the fact that the bill we are now considering has lately passed the Senate.

FALL IN THE PRICE OF PRODUCTS.

The chief argument in behalf of the free coinage of silver is that, ever since silver was limited as to coinage by the United States in 1873, there has been a steady fall in the price of all products and that this fall was due to the alleged demonetization of silver. Of course this argument appeals very strongly to the agricultural producers of the South and West, and it is in those sections of the country that the measure finds its chief support.

PRICE OF COTTON.

Taking up the question of the fall of price in cotton, let us see what the facts are: The proposition is that as silver has fallen so cotton has fallen, and that cotton has fallen because silver has. If this were so, no one would be more swift to advocate this bill than I, if I thought it would bring relief to our farmers, remembering as I do that the cotton farmers of South Carolina last year produced 800,000 bales of cotton. But is it true that cotton has fallen just as silver has? Statistics show that in 1886, for example, silver was worth 99.4 cents per ounce and cotton was worth 9.44 cents a pound; while in January just passed silver was worth only 67 cents an ounce while cotton was worth 8.1 cents a pound. If the fall in the price of cotton was due to the fall in the price of silver, how is it that during the above period we see that cotton has fallen very little, while silver has lost about one-third its value?

Furthermore, we find from the tables which I will publish that during the four years following 1886 the average prices of cotton in New York were 10.25, 10.27, 10.71, and 11.53, while it is a notorious fact that during all those years silver continued to fall. If silver has carried cotton down with it, how is it possible that the price of cotton should have continued to rise while at the very same time the price of silver kept going down? Again, in 1895, cotton fell as low as 6.26 (average) in New York, but it has since risen to over 8, while there has been no rise whatever in silver. Cotton is now higher than it was for seven out of ten years commencing in 1841, during two of which years, 1842 and 1845, it sold as low as 5 cents in New York, and the average price in New York for 1845 was only 5.63. In New Orleans in the same year it sold as low as 4⅞, and in 1843, in the same place, for 4¼.

Now, all this was, of course, long before the alleged demonetization of silver, and yet we see that cotton was then selling for very much less than it has brought since 1873. How is it possible to reconcile these facts with the theory that as silver has fallen in price, so has cotton fallen, and that the fall in the price of cotton is due to the fall in the price of silver? Again, taking the fifteen years from 1840 to 1855, we find that cotton sold in New York at an average of 8.7, while for the five years from 1885 to 1890 the average price in New York was 10.4. Now, here we have taken a period of fifteen years before the war, quite long enough to make a perfectly fair average, and have compared it with a period of five recent years, and yet we find that during the last period, since 1873, the average price was almost 2 cents higher than during the first-named period.

How is it possible, then, to say that the limitation on the coinage of silver has reduced the price of cotton? But it seems to me, Mr. Chairman, that it is not necessary to go back so many years in order to settle this point, because we have facts all occurring within less than two years past which utterly disprove the claim made by the advocates of this measure. Everyone remembers that, when cotton sold at such fearfully low prices during the latter

part of 1894 and the early part of 1895, the advocates of free coinage of silver everywhere claimed that this terrible depression was due solely to the demonetization of silver, and there is no doubt that a great many people were seriously impressed by this deplorable fact, and began to think that the advocates of free coinage were at last, perhaps, right. It was then loudly proclaimed by those who are now urging this bill that the demonetization of silver had ruined the cotton growers of the South, and that they would have to make up their minds to become accustomed to 5-cent cotton until the free coinage of silver should bring about better times.

But within the past year we have seen this idea thoroughly exploded by the fact that cotton has again been selling for 9 cents a pound. While silver remains at its lowest price the cotton growers of the South have had new life put into them by this wonderful rise in the price of cotton. Can any unprejudiced person now have a lingering doubt in his mind as to the fact that the legislation of 1873 has had nothing whatever to do with the fall in the price of cotton or any other product? If I were to take the time to examine into the statistics as to wheat it would be found that substantially the same condition of things exists as to the wheat market, but I will leave that matter to gentlemen more thoroughly familiar with that product. I will here insert some tables as to the price of cotton, furnished by the Agricultural Department:

Supply and consumption of cotton in the United States and Europe—surplus stocks and prices.

[In bales.]

Year.	Supply and consumption.								Prices (middling upland) per pound.					
	United States.					Europe.			In New York.			In Liverpool.		
	Crops.	Consumption.	Exports.	Stocks (close of year).	Net weight of bales.	Imports, etc.	Consumption.	Stocks (close of year).	Lowest.[1]	Highest.	Average.	Lowest.	Highest.	Average.
					Pounds.				*Cents.*	*Cents.*	*Cents.*	*Pence.*	*Pence.*	*Pence.*
1841	1,634,954	297,288	1,313,500	72,479	394	2,609,000	1,848,000	761,000	7	11⅛	9.50	5½	6¾	5.73
1842	1,683,574	267,850	1,465,500	31,807	397	2,812,000	2,005,000	807,000	5	10⅛	7.85	4½	5¾	4.86
1843	2,378,875	325,129	2,010,000	94,486	409	3,210,000	2,155,000	1,055,000	6½	8½	7.25	3½	5	4.37
1844	2,030,409	346,750	1,629,500	159,772	412	3,228,000	2,127,000	1,101,000	5½	9½	7.73	3½	5¼	4.71
1845	2,394,503	389,000	2,083,700	98,420	415	3,575,000	2,356,000	1,219,000	5	6¾	5.63	3	4⅜	3.92
1846	2,100,537	422,600	1,666,700	107,122	411	2,945,000	2,323,000	622,000	7	9½	7.87	4	7	4.80
1847	1,778,651	428,000	1,241,200	214,837	431	2,336,000	1,745,000	591,000	8½	13⅜	11.21	4⅜	7¼	6.03
1848	2,439,786	616,044	1,858,000	171,468	417	2,744,000	2,159,000	585,000	6	13	8.03	3	4¼	3.93
1849	2,866,938	642,485	2,228,000	154,753	436	3,123,000	2,477,000	646,000	5½	10⅜	7.55	4	6¼	4.09
1850	2,333,718	613,498	1,590,200	167,930	429	3,075,000	2,451,000	624,000	10	13½	12.34	5½	7½	7.10
1851	2,454,442	485,614	1,988,710	128,304	416	3,207,000	2,618,000	589,000	8½	15	12.14	4½	7⅜	5.51
1852	3,126,310	689,603	2,443,646	91,176	428	3,844,000	3,112,000	732,000	8½	11⅜	9.50	4¾	5¾	5.05
1853	3,416,214	803,725	2,528,400	135,643	438	3,837,000	3,013,000	824,000	9¾	11¾	11.02	5⅜	6¼	5.54
1854	3,074,979	737,236	2,319,148	135,603	430	3,884,000	3,116,000	768,000	10	11⅜	10.97	4 13/16	6	5.31
1855	2,982,634	706,417	2,244,209	143,336	434	3,903,000	3,316,000	587,000	8½	13	10.39	4½	6⅜	5.60
1856	3,655,557	777,739	2,954,606	64,171	420	4,252,000	3,813,000	439,000	9	11⅜	10.30	5⅜	6½	6.22
1857	3,093,737	819,936	2,252,657	49,258	444	3,810,000	3,184,000	626,000	11⅛	15½	13.51	5½	9½	7.73
1858	3,257,339	595,562	2,590,455	102,926	442	4,181,000	3,624,000	557,000	8½	15½	12.23	6 13/16	7⅜	6.91
1859	4,018,914	927,651	3,021,403	149,237	447	4,410,000	3,839,000	571,000	11	13⅜	12.08	6	7½	6.68
1860	4,861,292	978,043	3,774,173	227,708	461	5,103,000	4,321,000	782,000	10½	11⅛	11	5½	7⅛	5.97
1861	3,849,469	843,740	3,127,568	83,187	477	3,033,000	3,041,000	789,000	10	22	13.01	6½	11⅛	8.50
1862	[1]4,500,000	[1]370,000	644,936	No data	477	2,427,000	1,993,000	333,000	20	51½	31.29	12½	29	18.37
1863	[1]1,600,000	[1]288,000	10,898	...do....	477	2,436,000	2,146,000	250,000	51	92	67.21	20	29½	22.46
1864	[1]450,000	[1]220,000	27,053	...do....	477	3,181,000	2,588,000	563,000	68	189	101.50	21⅛	31½	27.17
1865	[1]300,000	[1]345,000	24,787	...do....	477	3,415,000	3,055,000	347,000	35	182	83.38	13	26	19.11
1866	2,209,316	666,100	1,554,664	283,692	441	5,078,000	3,935,000	1,143,000	32½	60	43.20	12	20⅜	15.30
1867	2,097,254	770,030	1,557,054	80,296	444	5,239,000	4,147,000	1,092,000	26½	42	31.59	7⅞	15½	10.98
1868	2,519,554	906,636	1,655,816	37,398	445	5,218,000	4,604,000	614,000	15½	32½	24.85	7⅛	12⅜	10.52
1869	2,396,467	926,374	1,465,880	11,160	444	5,086,000	4,503,000	583,000	24½	35	29.01	11	13½	12.12
1870	3,122,551	865,160	2,206,480	65,325	440	5,146,000	4,387,000	759,000	19½	35	23.98	8½	11⅛	9.89
1871	4,352,317	1,110,196	3,169,009	144,290	442	6,029,000	5,268,000	760,000	14½	21	16.95	7½	9½	8.55
1872	2,974,351	1,237,330	1,957,314	59,287	443	6,517,000	5,418,000	1,099,000	18⅜	28⅛	20.48	9 1/16	11¼	10.78
1873	3,930,508	1,201,127	2,679,986	104,782	444	6,353,000	5,302,000	1,051,000	19½	22½	18.15	9	10 5/16	9.65
1874	4,170,388	1,305,943	2,840,981	124,795	444	6,696,000	5,611,000	1,085,000	13½	20⅛	17.00	8	9⅜	8.36
1875	3,832,991	1,193,005	2,684,708	74,411	440	6,610,000	5,561,000	1,048,000	14½	17½	15.60	7	8	7.67
1876	4,632,313	1,351,870	3,234,244	130,041	444	6,569,000	5,658,000	911,000	11⅜	14⅜	13.00	5⅞	7⅛	6.61
1877	4,474,069	1,428,013	3,030,835	130,493	440	5,781,000	5,126,000	655,000	10½	13½	11.73	5½	7 3/16	6.29
1878	4,773,865	1,489,022	3,360,254	45,784	450	5,571,000	5,058,000	513,000	10½	12½	11.28	5 13/16	6½	6.31
1879	5,074,155	1,558,329	3,481,004	65,948	447	5,938,000	5,295,000	644,000	8½	13½	10.83	4½	7 5/16	6.16
1880	5,761,252	1,789,978	3,885,003	141,418	454	6,430,000	5,758,000	671,000	10½	13½	12.02	6 1/16	7⅛	6.94
1881	6,605,750	1,938,937	4,589,346	218,043	460	6,954,000	6,215,000	739,000	10½	13	11.34	5⅞	7 7/16	6.48
1882	5,456,048	1,964,535	3,582,622	124,232	450	7,374,000	6,382,000	992,000	11½	13	12.16	6⅜	7½	6.70
1883	6,949,756	2,073,096	4,766,597	237,117	470	7,921,000	6,915,000	1,007,000	10	12⅜	10.63	5⅝	6 13/16	5.90
1884	5,713,200	1,876,683	3,916,581	116,190	462	7,671,000	6,675,000	996,000	9	10	10.64	5¼	6 1/16	6.03
1885	5,706,165	1,753,125	3,947,972	132,421	460	6,647,000	5,831,000	816,000	9.7	10.7	10.54	5 7/16	6⅛	5.76
1886	6,575,691	2,162,544	4,336,203	178,026	463	7,333,000	6,391,000	942,000	9⅛	10	9.44	4 15/16	5 9/16	5.14
1887	6,505,087	2,111,532	4,445,302	86,269	464	8,266,000	7,331,000	935,000	9½	11⅛	10.25	5 1/16	6	5.42
1888	7,046,833	2,257,247	4,627,502	180,062	467	7,395,000	6,527,000	868,000	9⅛	11	10.27	5⅛	6	5.51
1889	6,938,290	2,314,091	4,742,347	65,624	477	8,433,000	7,142,000	1,291,000	9 1/16	11⅛	10.71	5⅜	6⅜	5.73
1890	7,311,322	2,390,959	4,906,627	75,195	478	8,949,000	7,565,000	1,384,000	10½	12⅜	11.53	5 7/16	6 11/16	5.97
1891	8,652,597	2,632,023	5,847,191	215,692	473	9,402,000	7,455,000	1,947,000	7⅛	10⅛	9.03	4 7/16	5⅞	4.94
1892	9,035,379	2,876,846	5,933,437	421,104	473	8,635,000	6,382,000	2,253,000	6 11/16	8⅛	7.64	3 15/16	4 13/16	4.18
1893	6,700,365	2,431,134	4,445,338	237,411	475	8,081,000	6,118,000	1,963,000	7 7/16	10	8.24	4 5/16	5⅛	4.57
1894	7,549,817	2,319,688	5,287,887	180,912	474	8,475,000	6,643,000	1,832,000	6⅛	8 5/16	7.67	3 15/16	4¼	4.23
1895	[1]9,476,435	2,704,153	6,614,619	405,519	----------	[2]9,387,000	6,903,000	2,484,000	5 5/16	7⅛	6.26	2 31/32	3 29/32	3.34

[1] Estimate of Department of Agriculture; all other figures for 1895 are to July 1.
[2] The figures for 1895 are estimates by Thomas Ellison.

CAUSE OF THE FALL IN PRICES.

There is no doubt whatever that, as a general thing, farm products have fallen in price of late years, but it has been due to other causes than the demonetization of silver, such as improved methods of cultivation, increased production per acre, the general use of commercial fertilizers, and their enormously diminished price; to lower freights, quicker transportation, and various other causes. Farm products are not the only things that have fallen, but there has been a general fall in prices all along the line, and, as a matter of course, a farmer can afford to sell his products cheaper when he has to pay less for everything that he buys; and the fact is, as the statistics show, farm products have fallen in price, up to a few years ago, less than most other articles. A few years ago an elaborate investigation was made for the Senate on this whole subject under the direction of Mr. Carroll D. Wright, the eminent statistician, and the result showed that from 1873, when it is said silver was demonetized, up to the time of the investigation, some three years ago, food products had fallen less than 10 per cent, while clothing had fallen 32 per cent, lumber and building materials about 20 per cent, house furnishings 27 per cent, and implements 35 per cent. Furthermore, it appeared that, as between 1860 and the time of the above investigation, food products had advanced 3 per cent, while, as a rule, other articles had fallen.

LABOR STATISTICS.

But it is universally conceded that the very best test to apply to this subject is that of wages, and from the table prepared under the same investigation, which I will print, but will not have time to discuss, it will be seen that since 1840, taking every tenth year except 1870, when prices were still inflated in consequence of the war, there has been a general increase in wages.

Occupation (per diem).	1840.	1850.	1860.	1880.	1890.
Plasterers	$1.50	$1.75	$1.75	$2.00	$3.50
Blacksmiths	1.50	1.50	1.50	3.00	3.00
Blacksmiths' helpers	.83⅓	.83⅓	.83⅓	1.75	1.75
Painters	1.25	1.25	1.25	1.75	2.50
Wheelwrights	1.25	1.25	1.25	2.50	2.50
Carpenters	1.29	1.41	1.52	1.84	1.94
Engineers	2.00	2.25	3.00	3.50	4.25
Firemen	1.25	1.37	1.44	1.40	1.65
Laborers	.81	1.04	.99	1.16	1.25
Machinists	1.45	1.55	1.76	2.08	2.19
Watchmen	1.10	1.06	1.00	1.50	1.55

Railroads (per diem).	1840.	1850.	1860.	1880.	1890.
Baggagemen	$1.53	$1.53	$1.91	$2.10	$2.11
Brakemen, freight	1.00	1.00	1.16	1.75	1.85
Brakemen, passenger	1.15	1.15	1.25	2.00	2.00
Carpenters	1.22	1.33	1.30	1.77	2.00
Conductors, freight	1.66	1.68	1.61	2.58	2.57
Conductors, passenger	2.11	2.30	3.19	3.45	3.84
Engineers, locomotive	2.14	2.15	2.30	3.78	3.79
Firemen, locomotive	1.06	1.15	2.00	2.00	2.00
Foremen, masons	2.50	2.50	2.50	4.00	4.10
Painters	1.50	1.43	1.32	1.87	2.17
Average, according to importance, for all occupations, 1860 being reckoned as 100	87.7	92.7	100	143	168.6

THE EXAMPLE OF MEXICO.

I will also print the following table showing the increase in wages in grains of gold:

Wages in 1860 and in 1885 in dollars and in grains of gold, and percentage of increase in grains of gold.

Workmen.	Wages (in dollars).		Wages (in grains of gold).		Percentage of increase (in grains of gold).
	1860.	1885.	1860.	1885.	
Factory hands:					
Dyers	$0.62	$1.00	16	25.7	61
Giggers	.62	.82	16	21.1	32
Shearers	.69	1.00	17.8	25.8	45
Plain weavers	.65	.85	16.7	21.8	31
Spinners	1.10	1.26	28.3	32.5	15
Miscellaneous:					
Leather factory beam and yard hands	1.10	1.67	31	43	39
Leather factory whiteners and skivers	1.83	2.75	47.2	70.8	50
Common laborers	1.00	1.50	25.8	38.7	50
Blacksmiths	1.50	2.00	38.7	51.6	33
Blacksmiths' strikers	1.00	1.50	25.8	27	50
Carpenters	1.67	2.00	43	51.6	20
Machinists	1.75	2.25	45.1	57.7	28
Locomotive engineers	2.40	3.20	62	82.4	33
Locomotive firemen	1.20	1.75	31	45.2	46
Average percentage of increase in weight of gold					38

The gentleman from Texas [Mr. BAILEY] in his speech yesterday read from an article in the North American Review by the Mexican minister, Mr. Romero, for the purpose of showing how prosperous Mexico was because of the free coinage of silver, the object of the article being to show that products brought a higher price in Mexico than in this country. After stating the alleged advantages that Mexico enjoys from being on a silver basis, what does Mr. Romero say on this question of wages?

Although our wages are low—

he says—

there has been in recent years a marked tendency to their increase.

Wages are "low," even in silver currency, he has to admit, and the best that can be said for any improvement is that there has been in recent years "a marked tendency to their increase"—not an actual increase, it seems, but only a "tendency" in that direction. And this is true, Mr. Chairman, of every country which is on a silver basis. Is that the condition of things that gentlemen desire to establish in this country when they cite to us the examples of these silver countries? Do they want all products, the food that a man eats, the clothing that he wears, everything that he consumes to be high, leaving labor alone to be low—labor that produces them all?

JAPAN.

How is it in Japan, the most advanced of all the silver countries? I have here some statistics, taken from the January bulletin of the Department of Labor, showing the condition of things as to labor in that country, the prices being in American gold; and, without stopping to discuss them, will again ask whether gentlemen desire to reduce our labor to such a condition?

Daily rates of wages, Japan.

Occupation.	Highest.	Lowest.	Average.
Blacksmiths	$0.60	$0.18	$0.30
Bricklayers	.88	.20	.33
Cabinetmakers (furniture)	.53	.17	.30
Carpenters	.50	.20	.30
Carpenters and joiners (screen making)	.55	.17	.30
Compositors	.83	.10	.29
Coolies or general laborers	.33	.14	.22
Cotton beaters	.45	.13	.23
Dyers	.60	.05	.25
Farm hands (men)	.30	.16	.19
Farm hands (women)	.28	.06	.19
Lacquer makers	.58	.15	.29
Matting makers	.50	.20	.30
Oil pressers	.34	.16	.25
Paper hangers	.60	.20	.31
Paper screen, lantern, etc., makers	.55	.20	.31
Porcelain makers	.50	.13	.29
Pressmen, printing	.70	.11	.26
Roofers	.60	.20	.29
Sauce and preserve makers	.40	.10	.24
Silkworm breeders (men)	.50	.10	.22
Silkworm breeders (women)	.25	.05	.17
Stonecutters	.69	.22	.36
Tailors, foreign clothing	1.00	.25	.49
Tailors, Japanese clothing	.56	.15	.28
Tea makers (men)	.80	.15	.31
Tobacco makers	.50	.11	.26
Weavers	.40	.07	.15
Wine and sake makers	.50	.15	.29
Wood sawyers	.50	.13	.30

The following are the rates of wages paid by the month:

Farm hands (men)	$1.44
Farm hands (women)	1.20
Silkworm breeders (men)	1.92
Silkworm breeders (women)	.96
Weavers (women)	.96

Factory labor is paid even less than these prices. Middleton & Co., one of the most prominent tea-shipping houses in Japan, employ in their establishment a large number of persons, men and women, who work from 5 o'clock in the morning until 6 o'clock at night, with three intervals at 8, 12, and 3 o'clock, respectively, when they eat their rice and what other refreshments they bring with them and rest for twenty minutes or a half hour. The highest wages paid by the Messrs. Middleton are 42 sen a day, which is equivalent to 21 cents in United States currency. This is received by men who are experts in handling tea and have acquired their proficiency by natural ability and long years of experience.

The lowest wages are paid to young boys and girls who pick over the tea leaves to remove the stems and other foreign substances. They receive 13 sen (6½ cents) a day for about twelve hours' work, not including their resting spells.

Of the entire force in the establishment, 20 are paid 21 cents (United States currency) a day, 90 are paid 18 cents, 50 are paid 15 cents, 335 are paid 12 cents, 278 are paid 10 cents, 5 are paid 9 cents, and 30 are paid 6½ cents—and they board themselves.

THE CRIME OF 1873.

Mr. Chairman, there has been throughout the discussion of this subject a great deal of denunciation of the manner in which the act of 1873 was passed. It is alleged that the act was secretly passed by Congress; that while its sole purpose was to demonetize silver, this purpose was carefully concealed; that demonetization was brought about through a conspiracy on the part of interested persons, and that the prime movers in the matter were substantially criminals, and all this is urged as an additional reason why the alleged wrong then done should be now righted. If we are satisfied that at this time and under existing conditions the free coinage of silver would be a bad thing for our people we ought not to enact it into law simply because, as is alleged, silver was improperly demonetized twenty-odd years ago.

In 1873 the silver dollar was intrinsically worth about 3 per cent more than the gold dollar, and it may have been an unwise step to have then limited the coinage of silver, but is the fact that the legislation was then improperly procured any argument to reestablish at this day the old law when the silver dollar, instead of being more valuable intrinsically than the gold dollar, is now worth only one-half as much? If we are satisfied that free coinage at this day would be disastrous to the country, should we go to work to ruin the people of to-day in order to right a wrong alleged to have been done nearly a quarter of a century ago? This would seem to dispose of this charge from a practical standpoint, but so much has been said about this matter, with a view of arousing the indignation of our people and enlisting them in behalf of the free-coinage movement, that it seems necessary to give facts bearing upon the charge, and to let the people judge for themselves whether the charge is sustained. In the speech made by Mr. Carlisle at Covington in May last there is an utter

refutation of this charge, and I can not do better than to here copy what he says on the subject:

THE BILL WAS PENDING IN CONGRESS FIVE SESSIONS.

That bill was pending in Congress for nearly three years and was under consideration during five sessions of that body; it was distinctly recommended in two reports of the Secretary of the Treasury and the Director of the Mint, and it was officially printed and laid on the desks of members of the House and of the Senate thirteen different times before the final vote was taken on it. It was read at length in the open Senate several times, and in the House at least once, as shown by the record; it was reported from committees seven times, and the discussion upon it in the House fills 66 columns of the Congressional Globe, and in the Senate 78 columns. As first reported to the Senate and passed by that body in January, 1871, the bill did not provide for the coinage of any silver dollar whatever, but expressly limited the coinage of that metal to subsidiary pieces—half dollars, quarters, and dimes.

In this form, without any provision for the coinage of any kind of silver dollar, the bill was passed in the Senate on the 10th day of January, 1871, upon the call of the yeas and nays, and the record shows that the two Senators from Kentucky, Hon. Garrett Davis and Hon. Thomas C. McCreery, the distinguished Democratic Senator from Ohio, Hon. Allen G. Thurman, the present Senator from Nevada, Hon. WILLIAM M. STEWART, together with all the other Senators from the Pacific Slope, voted in the affirmative, while Senator SHERMAN, Senator MORRILL, and 12 others voted in the negative. The reason given by Mr. SHERMAN for voting against the bill was that the Senate had, in obedience to the demands of the Senators from the Pacific Coast, so amended the bill, after it was reported from the committee, as to abolish the charge of one-fifth of 1 per cent for coining gold, thus making the coinage of that metal entirely free.

The bill went to the House of Representatives, but it was not disposed of during that Congress, and at the first session of the next Congress Mr. Kelley, of Pennsylvania, introduced it in the House and it was referred to a committee. So far as the coinage of the silver dollar was affected, the bill introduced by him was precisely the same as the one that had passed the Senate—that is, it made no provision for such a coin. However, when the bill was finally reported back from the committee to the House it was so amended as to provide for the coinage of a subsidiary piece, to be called a dollar, and to contain 384 grains of standard silver, the same as the French 5-franc piece, and it was to be a legal tender to the extent of $5, and no more. In this form it passed the House by a very large majority—in fact, the opposition to it was so weak that the yeas and nays were not even called.

The Senate struck out the 5-franc subsidiary dollar and substituted for it another subsidiary coin, called the trade dollar, containing 420 grains of standard silver, and provided that it should be a legal tender to the amount of $5 and no more. A committee of conference was appointed, the Senate amendment was agreed to, and the bill became a law by the approval of President Grant on the 12th day of February, 1873. This brief historical statement of the proceedings, which is fully sustained by the official record, shows that it was well understood in Congress that the old standard silver dollar of 412½ grains was not to be thereafter coined at our mints, and that the only difference of opinion that ever existed, even temporarily, between the Senate and House was whether they would substitute in its place a subsidiary coin containg 384 grains or a subsidiary coin containing 420 grains of silver. No proposition was made in either body to continue the coinage of the old dollar or to make any silver coin the unit of value or a full legal tender in the payment of debts.

Is it conceivable that, after all this has been done in both Houses of Congress, anyone can believe that the silver dollar was left out of our mintage laws secretly and without the knowledge of men who took part in these proceedings? It may be true, as alleged, that some distinguished men then in Congress were not aware that the silver dollar was omitted from the law; but if such be the case it must have been due to the fact that they felt no concern in that particular subject, precisely as others felt no concern about it, for the very good reason that silver was not then in circulation, and probably not one man then in Congress had ever seen a silver dollar of the United States. And it seems impossible to imagine any sinister motive that could have influenced the promoters of this legislation when it is remembered that the silver dollar was then actually worth 3 cents more than the gold dollar.

In addition to what Mr. Carlisle has said I beg to quote the following from the report on the subject made by Deputy Comptroller John J. Knox to the Secretary of the Treasury and by him transmitted to Congress with a draft of the proposed act:

COMPTROLLER KNOX'S RECOMMENDATION.

The coinage of the silver dollar piece, the history of which is here given, is discontinued in the proposed bill. It is by existing law the dollar unit, and, assuming the value of gold to be fifteen and one-half times that of silver, being about the mean ratio for the past six years, is worth in gold a premium of about 3 per cent (its value being 103.12) and intrinsically more than 7 per cent premium in our other silver coin, its value thus being 107.42. The present laws consequently authorize both a gold dollar unit and a silver dollar unit, differing from each other in intrinsic value. The present gold dollar piece is made the dollar unit in the proposed bill, and the silver dollar piece is discontinued. If, however, such a coin is authorized it should be issued only as a commercial dollar, not as a standard unit of account, and of the exact value of the Mexican dollar which is the favorite for circulation in China and Japan and other Oriental countries.

ACTION OF SECRETARY OF TREASURY.

In transmitting to Congress the proposed bill the Secretary of the Treasury called special attention to Mr. Knox's report, stating that it gave "a concise statement of the various amendments proposed to existing laws and the necessity for the change recommended." Here we have not only the report of Mr. Knox, stating distinctly that the coinage of the silver dollar piece was discontinued by the proposed bill, but the Secretary of the Treasury, in addition, called attention to the report as giving a statement of the proposed changes and the necessity for the same. How is it possible under these circumstances to charge that the law was passed by stealth? The conclusion is irresistible that either gentlemen then in Congress did know of the proposed change or that it was a matter of so little consequence that it failed to attract attention. And to show what different opinions gentlemen who are now conspicuous advocates of the free coinage of silver then held from what they now express on this subject, I will quote the following from what Mr. STEWART, Senator from Nevada, said on February 11, 1874, as appears by the CONGRESSIONAL RECORD:

SENATOR STEWART'S VIEWS ON GOLD.

I want the standard gold and no paper money not redeemable in gold; no paper money the value of which is not ascertained, no paper money that will organize a gold board to speculate in it.

And on the 20th of February of the same year he said:

By this process we shall come to a specie basis, and when the laboring man receives the dollar it will have the purchasing power of the dollar, and he will not be called upon to do what is impossible for him or the producing classes to do—figure upon the exchanges, figure upon the fluctuations, figure upon the gambling in New York; but he will know what his money is worth. Gold is the universal standard of the world. Everybody knows what a dollar in gold is worth.

These remarks were, of course, not made upon the act that we have been considering, but they, nevertheless, show what an extraordinary revolution has since taken place on this subject in the minds of gentlemen from the West.

SENATOR JONE'S VIEWS.

In the first session of the Forty-third Congress Senator JOHN P. JONES used the following language, as appears from the Appendix of the CONGRESSIONAL RECORD, volume 1, part 2:

Does this Congress mean now to leave entirely out of view and discard forever a standard of value? Did any country ever accumulate wealth, achieve greatness, or attain a high civilization without such a standard? And what but gold can be that standard? What other thing on earth possesses the requisite qualities? Gold is the articulation of commerce. It is the most potent agent of civilization. It is gold that has lifted the nations from barbarism. So exact a measure is it of human effort that when it is exclusively used as a money it teaches the very habit of honesty. It neither deals in nor tolerates false pretenses. It can not lie. It keeps its promises to rich and poor alike.

TRUE INWARDNESS OF DEMAND FOR FREE COINAGE.

Now, Mr. Chairman, who can doubt that, if silver had retained the value it then had, we would never have heard a word from these gentlemen about its free coinage; that they would still be proclaiming that "gold is the universal standard of the world." "It can not lie; it keeps its promises to rich and poor alike." It is as certain as anything can be in this world that the attitude of the silver-mine owners with reference to free coinage was taken simply and solely because of its fall in value; because, instead of being more valuable than gold, it soon fell below gold and has ever since continued to fall. If silver had retained its then value of 3 per cent higher than gold, or if it had fallen to the price of gold and had there remained, there would have been no special advantage to the owner of silver to take it to the mints to be coined, because the owner would have received from the mint in the dollar that was given him only the market value of his silver; but as soon as silver commenced to fall immediately the silver-mine owner saw that at no other place in the world except the Government mint could he put in silver less than a dollar in value and take out a full dollar.

Hence we find that at about 1876, when silver had commenced to fall materially in its market value, we heard for the first time the demand made for its free coinage, and from that day to this, the greater the price has fallen, the louder has been the cry for its free coinage. And to-day, when the silver in a dollar is worth only about 50 cents, we see progressing the most active fight on this line that has ever been waged. Can anyone doubt that if the coinage of gold had been limited in 1873 and gold had depreciated in value, and silver had been retained as the standard of value, we would have heard, and would still hear, just as vigorous a demand made by the miners of gold for its free coinage as has been made by the owners of silver for its free coinage? It is interesting to fancy how our friends on the other side of this question would have coined for their opponents, if gold were the cheaper metal, a new vocabulary of abuse and derision. Instead of being "gold bugs" we would have been "silver bugs," and we can well imagine with what unction they would have told us that we were oppressing the farmers and laboring men of the country by discriminating against this "articulation of commerce," this "most potent agent of civilization," this "precious thing that has lifted the nations from barbarism"—the one thing that "can not lie," that "keeps its promises to rich and poor alike."

The only difference would have been that the fight for free coinage of gold would have been made by the owners of gold, whereas the present fight is urged on by the owners of silver. Now, Mr. Chairman, while I do not doubt for a moment that the fight for free coinage of silver was begun, and has since been constantly carried on, by the owners of silver for their personal benefit, I do not wish to be understood as imputing any such motive to the great mass of the supporters of the movement who have no such

selfish interest. The respect and friendship which I entertain for the advocates of this measure on this floor make it almost unnecessary that I should disclaim any such imputation. I know that they honestly believe in this doctrine and that they are convinced in their own minds that, if adopted, it would be greatly to the benefit of our people. Their mistake lies, in my judgment, in having been induced by the vociferous cries of the silver owners that relief could be found in a depreciated currency.

SILVER CIRCULATION IN 1893.

As the advocates of free coinage of silver have imputed all manner of disastrous results to the limitation of its coinage in 1873 on the ground that our people have not been allowed the free use of silver money, let us see what was the condition of silver circulation at that day and what it is now. In 1873 there was not a dollar of silver in circulation of any sort, nor had there been any for at least ten years. To-day we have nearly four hundred millions of silver in full legal tender and seventy-seven millions in subsidiary coin. How, then, can it be charged that, by the act of 1873, the great mass of the people were injured by being deprived of the use of silver, when, at that day, there was not a dollar of it in use, while, since 1878, we have been constantly adding to our stock of silver until it now amounts to the above enormous sum? From the loud complaints that have been made anyone would have supposed that, for every year of our national existence, the United States had been hard at work coining silver dollars, whereas the truth is that, in the whole previous history of the Government, we had coined only the pitiful sum of $8,030,000 in silver dollars.

$400,000,000 AGAINST $8,030,000.

Now, since 1878, there have been coined the enormous sum of $397,652,873 in full legal-tender standard silver dollars. Thus we find a coinage of nearly four hundred millions in about fifteen years, against a coinage of $8,030,000 in eighty-nine years—nearly fifty times as much in the one case as in the other. Now, under this condition of things, it is impossible to conceive what objection the advocates of silver free coinage, except the silver-mine owners, can have to our silver currency, except that the Government does not allow it to be depreciated in value, but maintains it at full parity with gold. Of course, the owners of silver would be very glad to be allowed to go to the mint and, by giving a half dollar, take out a full dollar, but this motive, as I have said, does not affect the great mass of the supporters of free coinage, and I am utterly at a loss to see what can be the object of this latter class to get into circulation a cheap dollar, which in my judgment would be the most deplorable affliction that could befall our people.

$1,260,937,506 AGAINST $135,000,000.

Leaving for the present the question of the condition of the country as to silver alone in 1873 and at the present time, and taking up the question of the difference in our condition as to both gold and silver then and now, we find from the statistics that there was in the United States in 1873, in and out of the Treasury, only $135,000,000 in coin, whereas in 1895 there was the enormous sum of $1,260,937,506 in coin. If our alleged prosperity before 1873 was due to the fact that we then had free coinage of both gold and silver, whereas we are now suffering all manner of disasters because there is no longer free coinage of silver, how does it happen that we then had only $135,000,000 in both coins, whereas we now have over a billion of the same?

PER CAPITA CIRCULATION.

And if we take all of our circulation, in both coin and paper money, instead of confining it to coin alone, we will find from the tables which I will print that in 1873 our entire circulation was $18.04 per capita, whereas in 1894, during the worst period of our late depression, our circulation was as high as $24.28—greater than the circulation of any country except France.

Specie and bank-note circulation of the United States in the years specified from 1800 to 1859.

[Prepared by Loans and Currency Division, Treasury Department.]

Year.	Number of banks and branches.	Estimated bank notes outstanding.	Estimated specie in United States.	Total money in United States.	Specie in Treasury.	Money in circulation.	Population.	Per capita.
1800	----------	$10,500,000	$17,500,000	$28,000,000	*$1,500,000	$26,500,000	5,308,483	$4.99
1810	----------	28,000,000	30,000,000	58,000,000	*3,000,000	55,000,000	7,239,881	7.60
1820	----------	44,800,000	24,300,000	69,100,000	*2,000,000	67,100,000	9,633,822	6.96
1830	----------	61,000,000	33,100,000	93,100,000	5,755,705	87,344,295	12,866,020	6.69
1831	----------	87,000,000	32,100,000	109,100,000	6,014,540	93,085,460	13,221,000	7.04
1832	----------	91,500,000	30,400,000	121,900,000	4,502,914	117,397,086	13,590,000	8.64
1833	----------	91,500,000	30,650,000	122,150,000	2,011,778	120,138,222	13,974,000	8.60
1834	506	94,839,570	41,000,000	135,839,570	11,702,905	124,136,665	14,373,000	8.64
1835	704	103,692,495	51,000,000	154,692,495	8,892,858	145,799,637	14,786,000	9.86
1836	713	140,301,038	65,000,000	205,301,038	*5,000,000	200,301,038	15,213,000	13.17
1837	788	149,185,890	73,000,000	222,185,890	*5,000,000	217,185,890	15,655,000	13.87
1838	829	116,138,910	87,500,000	203,638,910	5,000,000	198,638,910	16,112,000	12.33
1839	840	135,170,995	87,000,000	222,170,995	2,466,962	219,704,033	16,584,000	13.26
1840	901	106,968,572	83,000,000	189,968,572	3,663,084	186,305,488	17,069,453	10.91
1841	784	107,200,214	80,000,000	187,200,214	937,345	186,302,869	17,591,000	10.59
1842	692	83,734,011	80,000,000	163,734,011	230,484	163,503,527	18,132,000	9.02
1843	691	58,563,608	90,000,000	148,563,608	1,449,472	147,114,136	18,694,000	7.87
1844	696	75,167,646	100,000,000	175,167,646	7,857,380	167,310,266	19,276,000	8.68
1845	707	89,608,711	96,000,000	185,608,711	7,658,306	177,950,405	19,878,000	8.95
1846	707	105,552,427	97,000,000	202,552,427	9,126,439	193,425,988	20,500,000	9.43
1847	715	105,519,766	120,000,000	225,519,766	1,701,251	223,818,515	21,143,000	10.59
1848	751	128,506,091	112,000,000	240,506,091	8,101,353	232,404,738	21,805,000	10.66
1849	782	114,743,415	120,000,000	234,743,415	2,184,964	232,558,451	22,489,000	10.34
1850	824	131,366,526	154,000,000	285,366,520	6,604,544	278,761,982	23,191,876	12.02
1851	879	155,165,251	186,000,000	341,165,251	10,911,646	330,253,605	23,995,000	13.76
1852	----------	171,673,000	204,000,000	375,673,000	14,632,136	361,040,864	24,802,000	14.63
1853	----------	188,181,000	236,000,000	424,181,000	21,942,893	402,238,107	25,615,000	15.80
1854	1,208	204,689,207	241,000,000	445,689,207	20,137,967	425,551,240	26,433,000	16.10
1855	1,307	186,952,223	250,000,000	436,952,223	18,931,975	418,020,247	27,256,000	15.34
1856	1,398	195,747,950	250,000,000	445,747,950	19,901,325	425,846,625	28,083,000	15.16
1857	1,416	214,778,822	260,000,000	474,778,822	17,710,114	457,068,708	28,916,000	15.81
1858	1,422	155,208,344	260,000,000	415,208,344	6,398,316	408,810,028	29,753,000	13.78
1859	1,476	193,306,818	250,000,000	443,306,818	4,339,276	438,967,542	30,596,000	14.35

*Specie in Treasury estimated.

Coin and paper circulation of the United States on June 30, from 1860 to 1895, inclusive.

[Prepared by Loans and Currency Division, Treasury Department.]

Year.	Coin in United States, including bullion in Treasury.	Paper money in United States.	Total money.	Coin, bullion, and paper money in Treasury.	Circulation.	Population.	Money in United States per capita.	Circulation per capita.
1860	$235,000,000	$207,102,477	$442,102,477	$6,695,225	$435,407,252	31,443,321	$14.06	$13.85
1861	250,000,000	202,005,767	452,005,767	3,600,000	448,405,767	32,064,000	14.09	13.98
1862	25,000,000	333,452,079	358,452,079	23,754,335	334,697,744	32,704,000	10.96	10.23
1863	25,000,000	649,867,283	674,867,283	79,473,245	595,394,038	33,365,000	20.23	17.84
1864	25,000,000	680,588,067	705,588,067	35,946,589	669,641,478	34,046,000	20.72	19.67
1865	25,000,000	745,129,755	770,129,755	55,426,760	714,702,995	34,748,000	22.16	20.57
1866	25,000,000	729,327,254	754,327,254	80,839,010	673,488,244	35,469,000	21.27	18.99
1867	25,000,000	703,200,612	728,200,612	66,208,543	661,992,069	36,211,000	20.11	18.28
1868	25,000,000	691,553,578	216,553,578	36,449,917	680,103,661	36,973,000	19.38	18.39
1869	25,000,000	690,351,180	715,351,180	50,898,289	664,452,891	37,756,000	18.95	17.60
1870	25,000,000	697,868,461	722,868,461	47,655,667	675,212,794	38,558,371	18.73	17.50

Coin and paper circulation of the United States on June 30, from 1860 to 1895, inclusive—Continued.

Year.	Coin in United States, including bullion in Treasury.	Paper money in United States.	Total money.	Coin, bullion, and paper money in Treasury.	Circulation.	Population.	Money in United States per capita.	Circulation per capita.
1871	$25,000,000	$716,812,174	$741,812,174	$25,923,169	$715,889,005	39,555,000	$18.75	$18.10
1872	25,000,000	737,721,565	762,721,565	24,412,016	738,309,540	40,596,000	18.70	18.19
1873	25,000,000	749,445,610	774,445,610	22,563,801	751,881,809	41,677,000	18.58	18.04
1874	25,000,000	781,024,781	806,024,781	29,941,750	776,083,031	42,796,000	18.83	18.13
1875	25,000,000	773,273,509	798,273,509	44,171,562	754,101,947	43,951,000	18.16	17.16
1876	52,418,734	738,264,550	790,683,284	63,073,896	727,609,388	45,137,000	17.52	16.12
1877	65,837,506	697,216,341	763,053,847	40,738,964	722,314,883	46,353,000	16.46	15.58
1878	102,047,907	689,205,669	791,253,576	62,120,942	729,152,634	47,598,000	16.62	15.32
1879	357,268,178	694,253,363	1,051,521,541	232,889,748	818,631,793	48,866,000	21.52	16.75
1880	494,363,884	711,565,313	1,205,929,197	232,546,969	973,382,228	50,155,783	24.04	19.41
1881	647,868,682	758,673,141	1,406,541,823	292,303,704	1,114,238,119	51,316,000	27.41	21.71
1882	703,974,839	776,556,880	1,480,531,719	306,241,300	1,174,290,419	52,495,000	28.20	22.37
1883	769,740,048	873,749,768	1,643,489,816	413,184,120	1,230,305,696	53,693,000	30.60	22.91
1884	801,068,939	904,385,250	1,705,454,198	461,528,220	1,243,925,969	54,911,000	31.06	22.65
1885	872,175,823	945,482,513	1,817,658,336	525,089,721	1,292,568,615	56,148,000	32.37	23.02
1886	903,027,364	905,532,300	1,808,559,694	555,859,169	1,252,700,525	57,404,000	31.50	21.82
1887	1,007,513,901	892,928,771	1,900,442,672	582,903,529	1,317,539,143	58,680,000	32.39	22.45
1888	1,092,391,690	970,564,259	2,062,955,949	690,785,079	1,372,170,870	59,974,000	34.39	22.88
1889	1,100,612,434	947,738,277	2,075,350,711	694,989,062	1,380,361,649	61,289,000	33.86	22.52
1890	1,152,471,638	991,754,521	2,144,226,159	714,974,889	1,429,251,270	62,622,250	34.24	22.82
1891	1,163,185,054	1,032,039,021	2,195,224,075	697,783,368	1,497,440,707	63,975,000	34.31	23.41
1892	1,232,854,331	1,139,745,170	2,372,599,501	771,252,314	1,601,347,187	65,520,000	36.21	24.54
1893	1,213,413,584	1,109,988,808	2,323,402,392	726,701,147	1,596,701,245	66,946,000	34.70	23.85
1894	1,251,543,158	1,168,891,623	2,420,434,781	759,626,073	1,660,808,708	68,397,000	35.39	24.28
1895	1,260,987,506	1,137,619,914	2,398,607,420	796,638,947	1,601,968,473	69,878,000	34.33	22.93

NOTE 1.—Specie payments were suspended from January 1, 1862, to January 1, 1879. During the greater part of that period gold and silver coins were not in circulation except on the Pacific Coast, where, it is estimated, the specie circulation was generally about $25,000,000. This estimated amount is the only coin included in the above statement from 1862 to 1875, inclusive.

NOTE 2.—In 1876 subsidiary silver again came into use, and is included in this statement, beginning with that year.

NOTE 3.—The coinage of standard silver dollars began in 1878 under the act of February 28, 1878.

NOTE 4.—Specie payments were resumed January 1, 1879, and all gold and silver coins, as well as gold and silver bullion in the Treasury, are included in this statement from and after that date.

ARGUMENT AGAINST FREE COINAGE.

Looking, therefore, at the question from any standpoint, I can not for the life of me see how we were any better off in 1873 in the matter of currency than we now are.

Having, up to this time, considered only the arguments urged in behalf of this measure, I will now discuss, as fully as the time at my command will permit, the reasons which, to my mind, would make it most disastrous to enact this measure into law.

SILVER MONOMETALISM.

My first objection is that the free coinage of silver as proposed would drive out of the country the $625,000,000 of gold which we have. Gentlemen on the other side of this question strenuously assert that this result would not follow; but if we will have any regard for what has universally occurred under similar circumstances in other countries, and also in our own, it seems impossible that there could be any result except that gold would at once disappear.

The universal experience of mankind has been that where one of two coins is overvalued relatively to the other, and both made a legal tender with free coinage to both on the same terms, the coin which is so undervalued will disappear from circulation. Taking up the history of our own country alone, we will find that this result has invariably happened whenever such conditions existed, and in cases even where the difference in value was insignificant. In 1792 we first fixed the ratio between gold and silver at 15 to 1, when in fact the market value was about 15¼ to 1, and the effect of this insignificant overvaluation of silver sent our gold out of circulation, and it continued out of circulation until 1837, when a law was passed changing the ratio to 16 to 1 for the express purpose, as declared by the statesmen of that day, of bringing gold back into circulation.

But in their anxiety to secure this result they undervalued gold to a slight extent, whereupon silver immediately disappeared from circulation and, substantially, we had a circulation only of gold for the next forty years. There is nowhere any dispute about these facts, and we are driven to the conclusion that the same thing will happen again under similar circumstances as has happened in every instance recorded in history. Now, what do our friends on the other side ask us to do in this matter of the ratio between gold and silver? They are insisting that the ratio shall still be kept at 16 to 1, although the market price of silver everywhere in the world to-day shows that the proper ratio should be about 32 of silver to 1 of gold, which would make the enormous overvaluation of silver of 100 per cent.

Can anyone doubt that gold would instantly disappear? Can we, as reasonable persons, believe that what has always happened in the case of a very slight overvaluation will not instantly come about when there is this unheard-of overvaluation? There is no mystery about this law, nothing whatever about it that is not easily understood; there is the very best of reasons at the bottom of it, and hence it is that we find the same thing always occurring under the same circumstances. That reason is that if a man has two kinds of money with which to pay for what he buys, one of them worth much less than the other, he will inevitably pay out that which is of the least value and retain the other. And when everyone in the community does this the necessary effect is that the better money ceases to circulate and is either hoarded by the people or kept locked up in the banks. And this is especially apt to happen when there is agitation about the currency and danger of a crisis in financial matters.

THE CURSE OF FREE COINAGE AGITATION.

It is the belief of many people whose opinions are entitled to the highest respect that the trouble we are now having with our financial affairs—the continual rush on the Treasury to get gold—is due to the agitation of the free-silver question and to the enormous additions we have made to our silver currency, and there is no doubt whatever in my mind that such is the case. Not many years ago there was, as everyone knows, a great deal of gold in circulation—who sees any of it now? It has gone out of circulation; it is hoarded and treasured up and is so eagerly sought after that it is now costing the Government millions of dollars every year to keep enough gold in the Treasury to redeem its notes.

Now, if such a condition exists from the additions already made to our silver currency, all of it maintained by the Government at an equal value with gold, and from the mere apprehension that the country will be flooded with silver through free coinage, what may we not expect if the silver agitators had their way and free and unlimited coinage of silver was an accomplished fact? Undoubtedly we would immediately fall into silver monometallism and be a silver country like Mexico, China, and Japan. Nor do the advocates of this bill deny that such would be the case. On the contrary, so far from denying it they are anxious to bring about just that result.

EFFECT ON THE COTTON PLANTER.

I can not understand, Mr. Chairman, why the representatives of the cotton-producing States of the South should think that this measure will be of advantage to their constituents. With whom do we deal? Where do we send our products—the enormous crop which we yearly make, far exceeding in quantity what this country can consume? Do we deal with silver countries? Do we deal with China, Japan, and Mexico? Why, no.

GOLD COUNTRIES OUR BEST CUSTOMERS.

All of our surplus cotton is substantially sent to the gold countries of Europe, to Great Britain, Germany, and France. When we consider the vast quantity of cotton shipped to those countries I can not understand how gentlemen can maintain that it is to our interest to have a currency system entirely opposed

to that which they are using. During last year we shipped to those countries the following enormous quantities of cotton:

	Bales.	Value.
United Kingdom	3,468,255	$101,696,650
Germany	1,500,309	43,075,399
France	773,734	21,583,890
Total	5,742,228	166,355,939

In addition to this, we sold to France 5,044 bales of sea island cotton, worth $354,323, and to the United Kingdom 33,912 bales, worth $2,404,595; sustantially all the sea island cotton that we sold to foreign countries. This is what we sold to only three of the gold countries, without taking into consideration the sales to the various other gold countries of less importance. Now, what cotton did we sell silver countries during the same period?

SILVER COUNTRIES OUR WORST CUSTOMERS.

It does not appear that we sold a bale to China, and to Mexico and Japan together we sold only 93,261 bales. Now, what would be the result to the cotton farmers of the South if this country is placed upon a silver basis while the countries with which they chiefly deal are on a gold basis? Everybody knows that the price of our cotton is fixed in Liverpool, and that every purchase of cotton made in this country is made on the basis of Liverpool prices, and that not a single cotton buyer in this country bids on cotton until he knows what the price is in Liverpool that day.

But the Liverpool price would be in gold, and the American price would be in silver, and the cotton buyer would not only have to figure on a possible fall in the price of cotton, but on a change also in the price of silver, and there would thus be two chances to be taken in the transaction instead of only one, as there is now. Would the cotton buyer himself assume either of these risks? Certainly not. He would take neither risk, and would make such a difference in the price paid the farmer as would make himself safe in the transaction.

FIGURE ON THE EXCHANGE, FIGURE ON THE FLUCTUATIONS, FIGURE ON THE GAMBLING.

What chance would the farmer stand in business conducted in that way? As Senator STEWART, the great silver leader, said in the speech from which we have above quoted, he would have "to figure upon the exchanges, figure upon the fluctuations, figure upon the gambling"; and in all of this he would be no match for the cotton buyer, whose business it would be to be thoroughly informed on all such matters. How many farmers would have time to spare from their legitimate business to be making all these calculations? And if he had, what information could he get as to the price of cotton and the price of silver in London?

There would be constant worry, friction, and uncertainty, all of which would react against the farmer. In ordinary life nothing is considered more important with a business man than for him to retain his best customers and to make his dealings with them as easy and pleasant as possible; but, if our silver friends are allowed to have their way, this plain and sensible rule would have to be violated by every farmer in the South. Great Britain and the other countries I have mentioned are the farmers' best customers; they generally buy about two-thirds of our whole cotton crop, and it would certainly seem to be to the interest of the farmer to keep these good customers, and to have the business transactions between them made as easy and simple as possible. But if this country were placed upon a silver basis not a bale of cotton could be sold without the farmer being involved in all these difficulties I have mentioned. Has he not already enough to do to raise his crop and prepare it for market without assuming these additional burdens? And by no possibility could he derive any benefit from such a condition of things, for if he got a high price in silver for his cotton he would of course have to pay a correspondingly high price for everything that he bought.

Can the farmer possibly believe that what he has to sell will alone increase in price, while the prices of nothing else will rise? If he gets more for his cotton in silver, will he not have to pay more for everything he buys? And he must bear in mind what is a very sad but nevertheless an undeniable fact, that what he has to buy is always fixed by the seller, while the price of his cotton is not fixed by himself, but by the buyer—a result arising out of the fact that its price is fixed in Liverpool, thousands of miles beyond his reach. And here again he will find the rule operating against him that, whether buying or selling, he will have to pay for all the risks and chances arising out of a depreciating and fluctuating currency.

I have dwelt, Mr. Chairman, at length on the effect this legislation would have on the cotton planter, because he has my deepest sympathies, my interests are all the same as his, and I believe I know enough about his business and his needs to enable me to judge intelligibly what will hurt or help him. No doubt I would please him better for the time being if I were to tell him that the passage of this bill would give him two prices for his cotton, and that I would, therefore, vote for it; but, believing as I do that the free coinage of silver would almost prove his destruction, I feel it to be my duty, as his earnest friend and faithful representative, as my record will show I have always been, to warn him of the danger that is ahead of him and to do all in my power to protect him.

EFFECT ON SALARIED MEN.

If this bill becomes a law, Mr. Chairman, it will at once reduce by one-half the value of the income received by every clerk and every other employee working at stated salaries; of every schoolteacher, of every professor in colleges, and of every minister of the gospel.

WIDOWS AND ORPHANS.

Possibly, after years of privation suffered under this condition of things, and after much contention, their condition may be somewhat ameliorated by an increase of salary, but there would be no such hope for another class, who are entitled to our deepest sympathy and protecting care. I mean the aged, women and children, widows and orphans who are dependent on investments for their income, never very large in our part of the country. What hope would there be for them, with ability to work all gone and with their entire investments and yearly income reduced one-half in value?

LABORING MEN.

I have already referred to the effect that this bill would have on the laboring classes, and have produced tables showing their condition in those countries, to the level of which the advocates of this bill wish to reduce us. Does anyone believe that under free coinage of silver the wages of labor would be increased in proportion to the price of articles that the laborer must have? The statistics of silver countries show that this is never done. In his first message to Congress, in 1885, President Cleveland quoted the following from a speech made by Daniel Webster in the Senate in 1834:

> The very man of all others who has the deepest interest in a sound currency and who suffers most by mischievous legislation in money matters is the man who earns his daily bread by his daily toil.

THE DEBTOR CLASS.

There are a great many people in the country who favor the free coinage of silver solely upon the ground that they are in debt, and that it would be much easier for them to pay off their indebtedness in dollars worth only 50 cents than in dollars worth 100 cents. Conceding, for the sake of argument, that the debtors of the country would be thereby benefited, are we justified in legislating solely in the interest of one class of our people in disregard of the rights of all others? And, especially, ought we to do this when such legislation would deprive many others of our people of just one-half of the money they have invested? For, of course, if the debtors gained by such a law, their creditors must undoubtedly lose exactly in the same proportion. But is it true that the debtors as a class will be benefited? There is, of course, no possibility of this bill passing this House and becoming a law, but let us suppose that, during the coming election, the advocates of free coinage, having now a majority in the Senate, were to carry the House and win the Presidency.

What would be the result on the debtors of the country of this declaration that just as soon as the new Congress could meet and the President take his seat all debts were to be paid in 50-cent dollars? There would be a financial crash such as the world has never seen, and the debtor class would be the very first to be ruined. It would be months before the law could be passed, and instantly every creditor in the country would do his utmost to collect his money before it got to be the fashion to pay debts in 50-cent dollars. As a matter of course no debt would be extended; the instant it became due, if it were secured by collaterals, the collaterals would be rushed upon the market and sold for whatever they would bring, and not only would the uncertainty as to the future keep purchasers from bidding, but enormous amounts of such securities being all at once placed on the market would produce ruinous prices. If the debt were secured by mortgage, suit to foreclose would be at once commenced and pressed to judgment and sale.

Not only would no extension of time be granted, but money to pay the debt could not be procured from other sources. With their property sacrificed under the hammer and their credit all gone, where could the unfortunate debtors look for help? Have we not had an object lesson and warning in what lately occurred? Did we not see that, upon the mere danger of war between this country and Great Britain, there came a crash in New York that in one day is said to have cost debtors over $100,000,000?

WHO ARE DEBTORS?

But, Mr. Chairman, when we speak of the debtors of the country, whom do we mean? Who really are they? Not simply those who owe borrowed money; they constitute a very small part.

RAILROADS, BANKS, INSURANCE COMPANIES.

The great debtors of the country are the railroads, banks, insurance companies, and other corporations. It is estimated that the railroads of the country owe not far from $6,000,000,000; savings banks owe their depositors about $1,700,000,000, the depositors therein numbering over 4,700,000. There were over 1,900,000 depositors in national and other banks whose deposits amounted to $3,000,000,000; building and loan associations owed their members about $450,000,000; cities, counties, and towns owe about $1,100,000,000, and over 7,500,000 persons hold policies in life insurance companies. These enormous sums have either been invested or deposited with these corporations, and every dollar of it has been paid in sound, hard-earned money, and the great mass of it represents the savings of people of moderate means.

If we come down to a silver basis what will be the result as to this vast sum? Silver will be the sole standard of value and these institutions would all have the right to pay every cent of it in 50-cent dollars. Take the savings banks depositors and the holders of life-insurance policies alone and see what a fearful amount of wrong and injustice would be done that most worthy class of people. For years they have been stinting themselves and denying themselves perhaps even the comforts of life in order to make provision against old age or to secure a support for their loved ones after they themselves have passed away, and they would see one-half of it destroyed at one blow. It would seem, Mr. Chairman, as if our friends on the other side, if they have their way in this matter, would be benefiting only the banks and other corporations which they usually denounce in such round terms.

Coin Redemption Fund.

SPEECH
OF
HON. R. W. BLUE,
OF KANSAS,
IN THE HOUSE OF REPRESENTATIVES,
Thursday, February 13, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. BLUE said:

Mr. CHAIRMAN: As the Representative-at-large from the State of Kansas I do not at this time desire to be wholly silent. Absence from this House, enforced by sickness, prevented me from getting the necessary time in general debate. I shall therefore be compelled to content myself with the limited time accorded under the present rule and ask leave to extend my remarks in the RECORD.

The Republicans of the State of Kansas, in their platform adopted in 1894, indorsed the national Republican platform made and promulgated at Minneapolis. By its terms it favored the use of gold, silver, and paper as money, but under such restrictions and regulations as would preserve the parity of the dollars in debt-paying and purchasing power. To that enunciation they added that they favored the coinage of the output of our own silver mines and a tariff upon foreign silver. Taking the whole enunciation upon the question of finance together, it clearly meant that the Republicans of Kansas are in favor of sound money [applause on the Republican side], and as their Representative I propose by my vote and to the extent of my power to carry out their direction. [Renewed applause.]

Florid rhetoric revamped from "Coin's Financial School" proves nothing. [Laughter.] Nor do turgid phrases offer argument. There are a few general principles that underlie this whole money question, and after all the debate, after all the known theories that are presented here on the side of those who favor the free and unlimited coinage of silver, these general principles remain. One is that when there is a difference between money, between the coins, in value, that the cheaper coin invariably drives the dearer out of circulation. In other words, that it has the effect of demonetizing it, and the cheaper coin becomes the measure of value that is invariably used. The other is that whatever may be the value of a coin as fixed by statute it eventually takes its true value as gauged by the laws of commerce and trade in purchasing power.

Soon after the commencement of the present session of Congress this House expeditiously passed and presented to the Senate of the United States two measures intended to meet in a patriotic way the necessities of the country. The first was a revenue measure designed to increase the revenues of the nation by at least $40,000,000 per annum. The other was an amendment to the law of 1875, which authorizes the issuance and sale of bonds for the relief of the Treasury and the protection of the national credit. It is as follows:

That in addition to the authority given to the Secretary of the Treasury by the act approved January 14, 1875, entitled "An act to provide for the resumption of specie payments," he is authorized from time to time, at his discretion, to issue, sell, and dispose of, at not less than par in coin, coupon or registered bonds of the United States, to an amount sufficient for the object stated in this section, bearing not to exceed 3 per cent interest per annum, payable semiannually, and redeemable at the pleasure of the United States, in coin, after five years from their date, and payable in fifteen years after their date, with like qualities, privileges, and exemptions provided in said act for the bonds therein authorized. And the Secretary of the Treasury shall use the proceeds thereof for the redemption of United States legal-tender notes, and for no other purpose: *Provided*, That nothing in this act shall be construed to repeal or modify an act approved May 31, 1878, entitled "An act to forbid the further retirement of United States legal-tender notes." Whenever the Secretary of the Treasury shall offer any of the bonds authorized for sale by this act or by the resumption act of 1875, he shall advertise the same and authorize subscriptions therefor to be made at the Treasury Department and at the subtreasuries and designated depositories of the United States.

SEC. 2. That to provide for any temporary deficiency now existing, or which may hereafter occur, the Secretary of the Treasury is hereby authorized, at his discretion, to issue certificates of indebtedness of the United States, to an amount not exceeding $50,000,000, payable in three years after their date to the bearer in lawful money of the United States, of the denomination of $20, or multiples thereof, with annual coupons for interest at the rate of 3 per cent per annum, and to sell and dispose of the same for not less than an equal amount of lawful money of the United States at the Treasury Department and at the subtreasuries and designated depositories of the United States and at such post-offices as he may select. And such certificates shall have the like qualities, prvileges, and exemptions provided in said resumption act for the bonds therein authorized. And the proceeds thereof shall be used for the purpose prescribed in this section and for no other.

This amendment provides for the issuance of shorter-time bonds at a lower rate of interest, and requires that the disposition of the bonds shall be open to the public and an opportunity afforded our people to become owners of our national loans. In addition it provides for the issuance of bills of exchequer running not to exceed three years in time at low rate of interest, these exchequer bills to be used only for the purpose of meeting any temporary deficit which may exist in the Treasury.

The amendment further provides that the proceeds of bonds hereafter to be issued and sold should be applied only to the redemption of the greenbacks.

A careful examination of this proposed amendment to the law of 1875 will clearly exhibit its merits.

The present Administration, when confronted with an insufficient revenue brought about by its defective economic policy and its growing and continued deficit in the Treasury, invoked the aid of the act of 1875 and issued and sold bonds to redeem United States Treasury notes which the impaired national credit drove to the National Treasury for redemption. With the gold derived from the sale of bonds it has redeemed greenbacks, which were immediately reissued by the Treasury to pay the deficit produced by an insufficient revenue. In that way has been established the endless chain about which the President and his Secretary of the Treasury have so much to say.

Some of the adherents of the President's policy in this House stoutly maintain that there is no lack of money in the Treasury, and no necessity for the issuance of any more bonds. With skillful and adroit sophistry they would argue the deficit away: Should this amendment offered by the House become a law the deficit would be emphasized and pointed out by the requirement which compels the Treasurer to meet the emergency by the issuance of short-time exchequer bills. Thus the endless chain would be impaired and eventually broken, and the use of greenbacks in the payment of the Treasury deficit prevented. It will be observed that this amendment does not in any sense compel the issuance of more bonds, but only provides for an additional class of bonds, shorter in time, cheaper in rate of interest, popularizing our national loans by first offering them to the masses of our own country, and prevents the use of the redeemed greenback in discharging the deficit.

It is apparent to everyone who has given the subject careful consideration that the law of 1875, which provides for the issuance and sale of bonds, has been for some months the only barrier between the National Treasury and the destruction of national credit.

We have seen the gold reserve in the Treasury sink to about $50,000,000, and yet all our money has remained as good as the best and our national credit has been preserved. Why is this? It is due to the fact that the country and the civilized world realize that under the law of the land the Government could issue and sell these bonds for the protection of the national credit whenever necessity compelled it.

It is now apparent that the chief cause for present financial conditions is lack of national revenue. The experience of the past, reaching from specie resumption down to the national election of 1892, abundantly proves that with a sufficient revenue and a gold reserve of $100,000,000 all of our money can be maintained at a parity in value, the national credit preserved, and the confidence of the people so sustained that comparatively few of our greenbacks will be presented for redemption.

When this House measure reached the Senate and was taken up for consideration that body struck out the entire bill and substituted for it the following measure:

That from and after the passage of this act the mints of the United States shall be open to the coinage of silver, and there shall be coined dollars of the weight of 412½ grains troy, of standard silver, nine-tenths fine, as provided by

the act of January 18, 1837, and upon the same terms and subject to the limitations and provisions of law regulating the coinage and legal-tender quality of gold; and whenever the said coins herein provided for shall be received into the Treasury certificates may be issued therefor in the manner now provided by law.

SEC. 2. That the Secretary of the Treasury shall coin into standard silver dollars, as soon as practicable, according to the provisions of section 1 of this act, from the silver bullion purchased under authority of the act of July 14, 1890, entitled "An act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes," that portion of said silver bullion which represents the seigniorage or profit to the Government, to wit, the difference between the cost of the silver purchased under said act and its coinage value, and said silver dollars so coined shall be used in the payment of the current expenses of the Government; and for the purpose of making the said seigniorage immediately available for use as money the Secretary of the Treasury is hereby authorized and directed to issue silver certificates against it, as if it was already coined and in the Treasury.

SEC. 3. That no national bank note shall be hereafter issued of a denomination less than $10, and all notes of such banks now outstanding of denominations less than that sum shall be, as rapidly as practicable, taken up, redeemed, and canceled, and notes of $10 and larger denominations shall be issued in their stead under the direction of the Comptroller of the Currency.

SEC. 4. That the Secretary of the Treasury shall redeem the United States notes, commonly called "greenbacks," and also the Treasury notes issued under the provisions of the act of July 14, 1890, when presented for redemption, in standard silver dollars or in gold coin, using for redemption of said notes either gold or silver coins, or both, not at the option of the holder, but exclusively at the option of the Treasury Department, and said notes, commonly called "greenbacks," when so redeemed, shall be reissued as provided by the act of May 31, 1878.

Amend the title so as to read: An act to restore the coinage of silver dollars, and for other purposes.

IN THE SENATE OF THE UNITED STATES,
January 30, 1896. (Calendar day February 1, 1896.)

Resolved, That this bill pass with amendments.

Attest: WM. R. COX, *Secretary.*

That is the proposition now before us for consideration. It is to be observed that this is the best average judgment of the silver advocates in the Senate of a measure for the relief of the Treasury along the lines for proper treatment of silver. They are the champions of the silver cause. In their hands is the destiny of the white metal. By their conduct in presenting this substitute is their good intent and honesty of purpose to be gauged. The first criticism of this measure is that it is not germane to the subject of the original bill and is wholly at variance with what seems to be good faith and parliamentary practice.

With equal logic a substitute might have been offered by the Senate providing for a system of irrigation of arid America or for the distribution of seed by the Secretary of Agriculture.

It would have been much more in consonance with the dignity and honor of the Senate to have met the question frankly by a germane amendment and an independent bill of its own for a solution of the question. If the friends of the free and unlimited coinage of silver mean to treat the subject fairly, why do they not prepare and introduce in this body or enact and send to us from the other body of this Congress a measure embodying their views?

This substitute as presented to us by the Senate provides for the free and unlimited coinage of the silver of the world on a ratio of 16 to 1. It directs the coinage of the seigniorage of the silver bullion now in the Treasury, purchased under the provisions of the Sherman silver-purchasing act of 1890, and requires it to be used in the payment of the current expenses. For the purpose of making said seigniorage immediately available it authorizes and directs the Secretary of the Treasury to issue certificates against it as if it was already coined. It retires all national-bank notes of a denomination less than $10 and then requires the Secretary of the Treasury to redeem the greenbacks in standard silver dollars or in gold coin, or both, not at the option of the holder, but exclusively at the option of the Treasury Department. I will consider these several sections in inverse order.

It will be observed that the provision for the preservation of the parity of the dollars which was placed in the act of 1890 is omitted. What was that provision?

It being the established policy of the United States to maintain the two metals on a parity with each other upon the present legal ratio or such ratio as may be provided by law.

The provisions of the act of 1893 upon the parity of the dollars is also left out. That provision is as follows:

And it is hereby declared to be the policy of the United States to continue the use of both gold and silver as standard money, and to coin both gold and silver into money of equal intrinsic and exchangeable value, such equality to be secured through international agreement, or by such safeguards of legislation as will insure the maintainance of the parity in value of the coins of the two metals and the equal power of every dollar at all times in the markets and in the payment of debts. And it is hereby further declared that the efforts of the Government should be steadily directed to the establishment of such a safe system of bimetallism as will maintain at all times the equal power of every dollar coined or issued by the United States in the markets and in the payment of debts.

Now, these omissions were doubtless purposely made in order that the descent to a silver basis might be the more certain and speedy.

The expressions of those parity provisions in the laws of 1890 and 1893 were only legislative affirmations of what had been the policy of the Treasury for many years. To omit them now would be an abandonment of the principle.

If the third section of this substitute stood alone, freed from the obnoxious provisions of the other parts of the substitute, I would cheerfully yield it my support, believing it would aid, in a degree at least, in reaching actual bimetallism to the extent of using the silver output of our own silver mines.

There are several serious objections to the second section of this Senate substitute. In the first place, it requires the coinage of the seigniorage of the silver bullion in the Treasury. There can be no seigniorage until the silver is coined under the provisions of the act of 1890. It can not be determined in advance of the coinage. And yet this substitute requires not only the coinage of this supposed seigniorage, but directs the Secretary of the Treasury to issue certificates against it as if "it were already coined." In other words, the Secretary is required to certify that there are so many dollars in the Treasury which have never been coined and have no existence as dollars. Couched in this vicious provision is a doctrine enunciated by a distinguished Populist:

That the Government should estimate the gold and silver in the mountains in the nation and issue certificates against it.

Gentlemen do not seem to recognize the difference between the promise to pay based on the faith of the nation and a gold or silver certificate. A certificate states a fact, that is, that so many dollars have been deposited in the Treasury. The gold and silver coins in the Treasury, against which there are certificates outstanding, are not the property of the Government. They are the property of the holders of the certificates. The Government is simply the trustee of the owners, and has no more right to use such coin than any other trustee has to use trust funds for his own private purposes. When this coin which now rests in the Treasury with certificates outstanding against it is excluded, it leaves about $7,000,000 of free silver remaining in the Treasury which can rightfully be applied to the discharge of the current obligations of the Government.

The first section of the substitute is for the free and unlimited coinage of the silver of the world, pure and simple. How is the free and unlimited coinage of the silver of the world to relieve the Treasury from its present embarrassment? The owner of silver bullion who takes it to the mint to have it coined will carry his silver dollars coined at Government expense away with him. He will leave no dollars behind to aid in the discharge of the deficit in the Treasury.

The advocates of this measure with practical unanimity oppose the issuance of any more bonds to protect the national credit. There has been no gold paid into the Treasury on tariff dues for several months. With the power to sell bonds taken from the Secretary of the Treasury and no gold coming to the Treasury from taxation, what will the word coin in our statute mean? Some gentlemen may say pass an act requiring the payment of dues in gold. Do they realize that such a discrimination in favor of gold would still further widen the space between the metals and aid in demonetizing gold? Has not the distrust bred by the threat of free and unlimited coinage of silver already put Gresham's law into operation? Do not gentlemen find the money in use now very generally silver certificates and silver? Are not gold and greenbacks already retiring from view as the more valuable money?

The momentous question which is before the nation is the free and unlimited coinage of the silver of the world by this nation alone. The friends of this free and unlimited coinage in this House and in the Senate Chamber with practical unanimity discard all belief in the possibility of an international agreement for bimetallism. They insist that this Government alone can maintain the free and unlimited coinage of the silver of the world at a ratio of 16 to 1 and preserve the parity of the dollars. What is there in past experience to justify it? The lawmaking power of this Republic established our first monetary ratio in 1792 at 15 to 1. It was believed at that time that that ratio was the average commercial ratio between the two metals in the commercial world and that the parity of values could be maintained thereon and that the concurrent circulation of silver and gold could be maintained thereby. France at that time maintained a ratio of 15½ to 1. When this Republic began its coinage upon the established ratio it was speedily discovered that gold would not circulate concurrently with silver upon that ratio, because it was more valuable. It was melted down and used in the arts or sought the markets of France or other nations where it was more highly valued.

The force of our statute was overcome by the higher law of commerce and trade, and so long as we maintained that ratio gold refused to circulate as money, and we had silver monometallism. This condition of affairs continued until 1837. Congress then changed the ratio to 16 to 1, believing that it would more nearly approach the commercial parity between the two metals and compel the concurrent circulation of both gold and silver in the country. When the mints entered upon coinage under this ratio and the coins began to be used among the people, it was speedily ascertained that silver had been undervalued by this ratio and that gold was the cheaper money. The inexorable law of commerce and trade, as established by the universal experience of mankind, compelled hoarding and exporting of silver and made

gold the metallic money of account. In 1853 the lawmaking power of the nation, in order to prevent the shipping of our subsidiary silver coin and to keep it at home as change, lightened its weight and fixed the amount of its legal tender at $5.

In 1857, by an act of Congress, the foreign silver dollars in use in this country were demonetized, and by these various statutory provisions silver was demonetized in its use as standard money, and from 1857 to 1861 gold was the standard of value and the money of account.

From 1861 to 1873 metallic money was out of circulation in the nation, the cheaper unit of value, the depreciated Treasury note, having under Gresham's law driven the better money out of circulation.

The so-called crime of 1873, about which we have heard so much and concerning which there has been so many persistent misrepresentations, occurred in 1853 and 1857, rather than in 1873.

The law of 1873, which it is claimed demonetized silver, was simply a confirmation of what the ordinances of commerce and trade had made the business practices of this nation since 1857. Gresham's law of finance, like the law of gravitation in physics, existed for centuries before it was discovered by man, and like the great law of gravitation, its silent and inexorable force controlled everywhere in the commerce and trade of the world. No statute has ever repealed or ever can for any appreciable length of time modify or impair it. If all the statutes in the civilized world should by common consent demonetize gold it would still, under the operation of the laws of commerce, business, and trade, measure values and settle balances between nations until something more acceptable in the judgment of mankind should take its place.

Much has been said in this House and elsewhere about the depreciation of silver by reason of its demonetization by the legislation of the great nations of the earth. Is that assumption wholly sustained by the facts? Is it not in general true that legislation follows rather than precedes conditions? Is it not a fact that laws are enacted to meet the requirements of the changed conditions of society? Are they not generally made to correct inequalities, redress wrongs, or preserve rights under the existing conditions of society? Why was it that silver, by the common consent of mankind, became discredited as a measure of value and a standard money? Was not this condition of things in existence before the legislation effecting the demonetization of silver began? An enumeration and consideration of the causes which brought about these conditions in the commercial world would be an interesting study.

As the debate has progressed the question has occurred to me, why go back in the eternal past and seek to adopt the practices and methods and measures of value established centuries ago? The conditions which confront us deal with the present rather than the past.

We have not been wholly without experience upon this subject in the last twenty years of our national existence. Up to 1878 we had coined 8,000,000 silver dollars. Under the operation of the Bland-Allison Act we organized a system of silver coinage which added to our standard silver dollars something over $2,000,000 per month for many years, averaging something near $30,000,000 per annum until we had added to the $8,000,000 already coined about four hundred millions more.

What is the remedy now? Advocates of free coinage insist that the cure for all our financial ills is to at once enter upon the free and unlimited coinage of the silver of the world upon a ratio of 16 to 1 by this nation alone. They assume that such a course will at once give us a concurrent circulation of both gold and silver at a parity in value, greatly enlarge the volume of money, enhance the prices of all commodities, and produce such prosperity in the land as the world never knew before. What is there in the past history of this nation to justify the assumption? If a difference of two or three cents on the dollar was sufficient to demonetize gold from 1792 until 1857 and demonetize silver from 1857 until 1861, when practically the whole civilized world was sustaining the parity in the metals by ratios very similar to our own, what would be said of our ability alone to sustain the parity of the dollars on a ratio of 16 to 1, when the difference between the dollars on that ratio now is 50 cents and the commercial ratio of the world is 32 to 1? Such a proposition carries with it its own refutation. It is contrary to the experience and common sense of mankind and is unworthy of the support of any sane person.

In 1890 we enacted the Sherman silver-purchasing law, and provided for the purchase by the Government of the estimated annual product of our own silver mines, amounting to about 54,000,000 ounces of silver per annum. Now, this enactment called for an effort on the part of this Government alone to sustain the value of silver. What was the effect of this immense consumption of silver by our Government? During all that time silver continued to fall in price in the markets of the world. At no time during this experiment did the price of silver exhibit a healthy condition. The decline in the price of silver in the markets of the world was not arrested.

If the Government can, by the use of silver in large quantities, impart a value to it above that fixed by the commerce of the world, why did it continue to fall during the entire period from 1878 to 1893? It is claimed by the advocates of free silver that one of the money commodities of the world has been destroyed in its use and the volume of money severed in twain. Is this claim sustained by the facts?

The report of the Director of the Mint shows that all the countries of the world since 1873 have actually coined two billions seven hundred millions of silver. All the coined silver in the world is estimated at $4,000,000,000. Of that sum, something like one-half has been coined since 1873. According to the same authority more silver has been coined during that period than any like period of free and unlimited coinage.

France has been cited as an example of a bimetallic country, and statements have been frequently made that she reserves and exercises the right to pay at least a part of her obligations in standard silver. As an explanation of the financial conditions in France and a refutation of the misstatements frequently made by the advocates of free silver, I beg leave to make use of the statement of the gentleman from Georgia [Mr. TURNER], which is as follows:

France tried the experiment of an international agreement and joined in what was called the Latin Union, a union with Italy, Switzerland, Greece, and Belgium, by which they fixed a ratio between the two metals, and international coins of the same weight and fineness circulated freely in all the countries named. That union has been dissolved; and since France has refused the free coinage of silver the coins of like value in these other parts of the Latin Union that happened to be in France have been rejected by the shopmen everywhere, and in addition to that, the Bank of France has recently returned to Italy, under a sort of Government auspices, two or three millions of dollars in Italian silver coin because in French people would no longer take them, although they were a party to their coinage.

In France the Government has no demand notes outstanding, while we have $500,000,000. France has no such thing as agitation for free coinage at 15½ to 1 by France alone, as a menace to its system of finance. In this country our stock of gold, with a population of over 70,000,000 of people, is $618,000,000. In France the stock of gold, in a country of about 35,000,000 inhabitants, is $850,000,000.

The per capita allowance of gold would be in this country $8.78. In France it would be $22.10.

How is it with silver? In the United States we have a total, including the coinage of limited tender, of $825,000,000 of silver—more of it than gold. In France the silver is $487,000,000. With uncovered paper estimated—for all this enters into the calculation—we have on the basis assumed in the Treasury, which excludes the paper in the Treasury and the Sherman notes, but taking the basis of uncovered paper there after the gold reserve is deducted, we have a per capita of uncovered paper amounting to $5.92, while in France it is only 84 cents.

Now, let us run that out. I here use the figures of the gentleman from Mississippi [Mr. CATCHINGS]. France holds $231,000,000 more gold than we do, and she has only about one-half of the population. France holds $384,000,000 less of uncovered paper than we do. If we had the same per capita of gold as France, we would have $1,567,279,700 of gold. Taking the per capita of silver in France, we would have of that metal $913,952,200. Our excess of gold over silver would at that per capita be $653,227,500. Now, we have more silver than gold. If we had only the same per capita of uncovered paper as France we would have $59,329,200 instead of $416,700,000. With such resources at his command, our Secretary of the Treasury, with such a limited strain for redemptions, would be happier than he has been for many a day.

The Bank of France has a monopoly of note issues, and keeps its paper almost entirely covered with gold and silver. It largely conducts the fiscal operations of the Government, which appoints its president and two of its vice-presidents. But the bank's assets are not those of France. It does not pay out as much silver as does our Treasury Department. All our collections from all sources of taxation are now in silver and uncovered paper; we get no gold, so that we do a great deal more with silver than the French Government and the Bank of France combined. We pay out many hundred millions of silver over the counter at the Treasury, and we receive nearly all our revenues in that currency. We honor silver a great deal more than France. As I have said, France has no demand notes to redeem. If we had none and had her resources in money, there would be no fear of silver such as is now apparent in this country.

It is sometimes said that the Government of France exercises the option to pay in silver or gold as it pleases. It has no demand obligations to meet, and as to Government disbursement we use daily a great deal more silver currency. The Bank of France will frequently pay silver to those who present bills at its counter; but whenever the person who presents the paper will state that he needs the gold for export or for any purpose for which silver is not as good as gold, they will give him the gold; and, as my friend indicates, that is largely a matter of accommodation.

What would be the effect of the free and unlimited coinage of silver at a ratio of 16 to 1 on the business of the country, if it be true that silver monometallism would follow (and about that there can be no reasonable difference of opinion)? The demonetization of gold would inevitably follow. The circulating medium of the nation would be contracted by the amount of the gold which would be driven out of circulation. The use of a cheaper standard of value would enhance the price of all the necessaries of life. The individuals and corporations who have money would reserve the better money for themselves and use the cheaper money in the marts of trade. The laboring man, who has nothing but his day's work to put upon the market, would find that, while all else was appreciating in price, his wages would be the last to rise and the first to fall. With the purchasing power of his day's work constantly sinking and every necessary of life constantly appreciating in price, he would speedily discover that his condition was rapidly becoming worse.

Gentlemen here insist that with the remonetization of silver the price of wheat will be doubled. Will the remonetization of silver double the pensions of the soldiers? Will the remonetization of

silver double the wages of the school-teacher and the fixed salaries of all the other common people throughout the nation? Are we to be forever harassed with expressions of these fallacies in the interest of the country? Is the cheapening of the necessaries of life an unmixed evil? Is not the inventor of the labor-saving machine and the discoverer of unseen forces of nature who reduces them to subjection and makes them subservient to the uses of man a benefactor of his race?

We have been frequently referred to the prosperous condition of the silver monometallic countries of the world. It has been well said by a member on this floor, Mr. GROW of Pennsylvania, that succeeding generations will read in amazement the discussions of these questions on the floor of this House at this time, in which well-informed gentlemen cite the prosperity of the pagan nations of the earth and compare it with conditions in this country to our disadvantage.

Mr. Chairman, the truth is that the most abject condition the people of this Republic have ever experienced would be unexampled prosperity in Mexico or China.

The remedy for existing conditions is a revenue sufficient to discharge the current expenses of the Government and leave an annual balance for the liquidation of a portion of the national debt—a sufficient gold reserve in the Treasury to preserve the parity of all our dollars, using the output of our own silver mines.

The revenues should be derived mainly from tariff dues so gauged as to protect the wage earners of the nation and preserve business prosperity throughout the country.

Mr. Chairman, the people of Kansas are in favor of bimetallism, not theoretical but actual bimetallism. How is that accomplished? There is not a civilized nation upon the face of the globe to-day that has actual bimetallism but is preserving that bimetallism by limiting the amount of standard silver coin, and keeping a gold reserve sufficient to make the cheaper money interchangeable with the dearer. There is no other practical bimetallism under the sun, and every country upon the face of the earth that has free and unlimited coinage of silver to-day, at any ratio, is a silver monometallic country. Their money sinks in purchasing power to its actual value. The stamp of the Government, with the statute behind it, may give it debt-paying power within the Government, but it does not confer purchasing power.

I represent, I undertake to say, a larger proportion of pensioners than any other member on this floor. The gentleman from Pennsylvania, Mr. GROW, with his colleague, Mr. HUFF, perhaps represent a larger number; but divide the number between them, and I still represent a greater number of pensioners than any member in this House.

Adopt this silver substitute that comes to us from the Senate, and we descend immediately to a silver basis with a dollar as the measure of value which is really a 50-cent piece. I represent thousands of pensioners in the State of Kansas. If I were to support this Senate substitute I would help to sever in twain the purchasing power of every pension, so that these pensioners instead of getting on the average $100 per annum of purchasing power would receive each of them only about $50 per annum of purchasing power.

[Here the hammer fell.]

Mr. PITNEY. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Kansas be extended five minutes.

There was no objection, and it was so ordered.

Mr. BLUE. I undertake to say, Mr. Chairman, that no true friend of the pensioner on this floor can vote for the free and unlimited coinage of silver.

Mr. PICKLER (sotto voce). That is a fallacy.

Mr. BLUE. As the gentleman from South Dakota has made that suggestion in an undertone, I ask him to point me to a single country on the face of the globe to-day that has free and unlimited coinage of silver and has not, as its standard of value, a 50 per cent coin, so far as its purchasing power is concerned. If he can point out any such country I will thank him for the information. There is none; and the united experience of mankind is worth more than all the argument that is based upon theory without experience. The truth is that the gold-standard countries and the bimetallic countries have 85 per cent of the commerce of the world, and the pagan nations and others having free coinage of silver control the other 15 per cent. In every gold-standard and bimetallic country on the face of the globe weekly collections are taken up in the churches to send missionaries to the free-silver countries to convert the heathen. [Laughter and applause.]

Now, Mr. Chairman, permit me to say that I voted for both the measures, the revenue bill and the bond bill, as presented by the Ways and Means Committee of this House. In deference to the instruction of the convention which nominated me I shall vote for the amendment offered by my colleague, Mr. LONG, confining the coinage of silver to the American output, but I shall vote for it with the distinct understanding that the platform upon which I was nominated says that the Republicans of Kansas favor the coinage of the American output under such conditions and restrictions as shall preserve the parity of all our dollars in debt-paying and purchasing power.

I shall vote to nonconcur in the Senate substitute as it is presented, and I shall vote to insist on the House bill. In doing so I shall have an approving conscience, and an abiding confidence that I shall have the support of the patriotic and honest people of Kansas. [Applause.]

Coin Redemption Fund.

SPEECH

OF

HON. WILLIAM H. DOOLITTLE,

OF WASHINGTON,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 13, 1896.

The House having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. DOOLITTLE said:

Mr. SPEAKER: Being an American, and a Republican, and a protectionist, I shall vote for concurrence in the Senate amendment now pending.

I shall vote for it because I desire to see progress made in the development of manufacturing, agriculture, mining, domestic and foreign commerce, and in all ways by which the people of the Union can be employed, and because I desire, above all things, to comply with the conditions which alone can bring to this country the great prosperity our people are entitled to enjoy.

I shall vote to sustain this amendment because I am possessed of convictions as firmly embedded as truth itself upon this subject, and do not believe it to be in the interests of the American people, whom we are on this floor to represent, that the single gold standard shall be permanently established in the United States, and so long as I shall cast a vote, simply representing the views of my party, and my own views, at the polls or on the floor of this House as a representative of an intelligent and most worthy constituency, such vote shall at all times be cast on the side where I believe the interests of the people of my State and the masses of the people of the American Union are.

At this time and in this body, and with the dominancy of the present Administration, no man of ordinary information can believe for a moment that success will attend the efforts of those who either speak, vote, or otherwise labor in behalf of the emancipation of the American people from the blighting curse to all our industries, and all American interests, proceeding from the single gold standard of values now prevailing.

That the single gold standard should exist in the United States is unnatural, un-American, unpatriotic, and a thing that should have been resisted by the American people as the American people would to-day resist the invasion of a foreign foe.

In so far as present conditions and those of the future are concerned, it makes no difference, in my judgment, what the history of the past may disclose relative to the demonetization of silver in this country, who engaged in that work, or whose selfishness or greed was the motive culminating in that act.

I wish to see the people of this country inform themselves and well understand the evil results that have come upon us from that demonetization, and that the single gold standard of values has been for the past three years, now is, and ever will be so long as it shall continue, one of the fiercest, most implacable enemies to the development, commerce, and business of this country that the people of the country have ever been called upon to contend with.

The single gold standard and free trade would be the most effective means that could be made use of by the worst enemies of this country and its prosperity, if destruction of everything American which we of this generation have always been proud of were premeditated and designed.

I care not whether a crime was intentionally committed in 1873 or whether it was a criminal blunder on the part of legislators. As to that it makes no difference to the American people, for no one can be brought to justice or made to suffer a penalty. It is a thing of the past. Existing conditions, with a just regard for the future, are the only subjects with which the people of this country and this Congress are called upon to deal.

We do know, however, as we know of our own existence, that the establishment of gold in the United States as a standard of all values is the thing above all things that the holders and owners of money in Europe, and especially in Great Britain, together with

their worshipers and satellites and agents in this country, most desire.

We also know that the banking interests here, dependent in a greater or less degree upon their credit with the great wealth holders of Great Britain, are entirely in harmony with the wishes of those across the water, and are blindly disregardful of the true interests of the masses of our own country.

We also know that the borrowings of this country, both public and private, have been, during the past twenty years of our national development, so enormous that the sum is well nigh incomprehensible to the human mind, reaching many billions of dollars in its total.

We also know that Great Britain is a manufacturing country and a commercial nation, whose hands and footprints are in every part of the world where there is production at the expense of human effort. Her ships are on every sea, her merchants are in every commercial capital, her traders are in nearly every city and hamlet.

The products of the skill, labor, or traffic of her people are, in some form, upon the backs or in the habitations of almost every human being the world over.

She has made herself the banking and commercial nation of the world, and thus stands to-day. She has the means at her disposal through the channels of business she has established and the means of communication and transportation she has builded by various paths and lines, radiating in all ways, to fasten her grip wherever a demand may exist for anything she can handle in trade, or which the skill of her people can produce, and thereafter exact full payment in money of the standard she has exalted or its equivalent.

Whenever that country and its traders and bankers can not use, as profitable in agriculture or manufacturing, the energy and intelligence of her own people on that island, which is more than anything else the seat of the British Government, she ruthlessly brushes aside the demands for labor and employment of her own humbler children, and without hesitation or remorse employs the coolie classes of India and China, or those who are well prepared to compete with the coolie, in the production of the articles she requires for consumption or to be used as the means of profit getting in her trade and traffic about the earth; and her colonies are simply her stepping stones across the seas in her progressive wealth gathering around the world.

The United States is fitted, by reason of its geographical location, the intelligence and skill of its people and their inventive genius, the great extent of territory, its hundreds of excellent ocean harbors, the natural wealth of its fields, forests, and mines, and in all ways, to make itself the more than successful competitor of the present mistress of the seas. Those intelligently engaged in the active supervision of the world's progress, as are those managing the destinies of Great Britian, well realize the truth of this statement, and the continued dominancy of that country can only prevail so long as the influences of that country are sufficient to substantially control the affairs of the United States.

Whenever the people of the American Union can see and understand that they occupy of right the place of vantage of all the earth and can easily be made the greatest of all factors and the greatest of all sharers in all the profits of commerce and business existent, then it will be easy to apprehend and throw off the withering influences which make forever the borrower the servant of the lender and this country, in common with nearly all other countries of the world, subservient to the will and uses of the British money powers.

It has been frequently stated in debate in this House, and is generally accepted as true by the Republican party of this country, that English influences and British gold have at all times been active in behalf of the election to national positions of free traders when elections have come about in the United States.

I have no question as to the truth of this charge.

Free trade and the single gold standard are twins, and hand in hand work in all seasons in behalf of British interests.

The one would open the markets of this country to the products across the water; the other, by its constant appreciation and increasing power to purchase, cheapens the price of the product they must buy.

This statement is in itself an unanswerable argument, and the American man who disregards its truth is, in my judgment, either unintelligent, willfully blind, or determinedly opposed to the welfare of the people of his own nation.

It seems altogether unnecessary that I should here state that which has been stated so often, and with absolute truth, that by cutting out the coinage of silver in the United States the purchasing power of the yellow metal has been enormously increased.

This fact, I think, has been admitted now by nearly every intelligent man in the Union.

Nor is it necessary to say that the values of property have shrunken in the United States during the past three years correspondingly.

You have seen during this time one-half of the values at which real estate was bought and sold ooze out and evaporate, and so it is with nearly all other property, and the people all over the country are rapidly getting to understand and know that this has been and is the direct effect of the same action in all other countries, and thus they reason that neither tariffs, taxation, nor anything of that kind can be solely at the bottom of their difficulties, and that something more universal in this country and all other single gold-standard countries has occurred to bring about such a palpable change in the value of the property of men.

"Loss of confidence," "hard money," "honest, honest" money have been the cries of the claqueurs of the money holders of Great Britain and their servants, the borrowers and dealers in money in the United States, while all these people have been engaged in erecting in this country on a broad, firm foundation and base their single gold standard.

England in the meantime, the keystone of the gold arch of the world, while enjoining upon the United States the sacred duty of supporting that arch to the uttermost morally, and to them in more substantial ways, has availed herself of the abundant opportunity to purchase the silver bullion, crucified and disfigured as it has been through her influence most largely in the United States, coining it with the stamp of her Queen on one side and the Asiatic characters on the other, declarative of the quantity of silver in the coin, then using this in the Oriental countries, unlocking the commerce of the East with it, as unblushingly as though silver were the money of her choice, and thus cutting a cudgel from our own soil with which to break American heads; and to-day British subjects in the city of Hongkong have completed, or have nearing completion, a great mint for the purpose of the coining of this kind of silver money, and the American people blindly shut their eyes and allow themselves to be outwitted, coopered, and controlled, and their opportunities taken from them for profitable trade and business by the bankers and commercial men of the tight little island across the Atlantic, and utter no word of protest, but use their voices to praise in ceaseless hosannas the golden standard of our country's greatest commercial enemy.

What cares England for the fact that fields are rich in production, population enormous, and wages next to nothing in the Orient?

These are factors she turns readily to her own account and profit, as she turns the interest and credulity of the gold bugs infesting this country at the present time.

The chimneys of her factories in Manchester and other cities may be smokeless, the hum of their machinery stopped, and want and destitution everywhere prevail among those who were formerly operatives in English factories in consequence of upbuilding of manufacturing in the Orient.

Her trading can go on in her own ships, whoever is the producer.

Cargoes are as easily purchased and sold whether the black-haired races of Asia or the fair faces of England are over the toil, as the process of production goes on.

Can Americans suppose that had England been the possessor of the silver the Almighty placed in the rugged hills and rock-strewn mountains of this country, or had she continued dominion over this country, expanding as it has, that wise Government would have ever consented to or permitted the demonetization of the sister metal of gold?

Farsighted business sense displayed by English statesmen makes the negative answer as emphatic as was ever the thunderings of her guns on any field of strife.

Great Britain would have said no to such a proposition with indignation and resentment, for silver has always been, during all the generations of men, accepted, appreciated, and eagerly sought for as a money metal in common with gold, wherever trading and business have been known among the children of man, down almost to the present day, save where, as in the case of England and the other now gold-standard countries, some especial and unfair advantage was either sought for or enforced; and I undertake to say here, and in this presence, that no living man or men can furnish the evidence that overproduction of silver has ever been the cause of its demonetization.

Overproduction, as well as the physical weakness of American manhood to carry about some portion of this species of wealth, has been urged by the ignorant and unscrupulous against the use of silver, but that the production of silver has ever been increased over the corresponding production of gold has never been and can never be proven.

Of course, the production of silver has been greater within the past decade at times than it has been at prior periods, but the production of gold has been found to closely parallel that of silver in proportion to its natural ratio.

Both of these productions no more than keep pace with the increase of the world's population.

Now, the use of silver as a money metal has been relegated to Oriental countries and the Latin-American States.

I have heard it asked on this floor repeatedly, during the debates

of the last Congress, whether the people of the United States wished to align themselves with the intelligence of the earth, or did they wish to make their beds with the semibarbarians of the Orient and with the Mexicans and South Americans.

I tell you here to-day, standing in this House of Representatives, that as an American I will cheerfully align myself, and so will my constituents, and intelligent and loyal they are as the citizens of any American State in the Union—we will all align ourselves with the people with whom we can transact business and build up commercial relations to our own profit and the advancement of our interests, rather than will we make our beds, if bed we must make with anyone, with the people across the Atlantic, with whom we can not deal or trade with profit, save as to those lines we produce which they must purchase of us.

They buy our breadstuffs and our meats only as a cold-blooded business proposition and because they obtain them from us at a cheaper rate, the quality of these products considered, than they can buy them elsewhere.

The only fields remaining to-day for profitable investment in the way of commercial venture lie across the Pacific from our western coast and in the Latin States of this and the southern continent.

In those countries the white metal is the money and the yellow metal the commodity, and here I wish to speak somewhat of the development of manufacturing in Japan and among the Japanese people.

That race has always shown itself quickly intelligent.

With all the wisdom of the East, these people possess the shrewdness of the West.

Wages are low, as they are everywhere in the far East, and manufacturing is being developed in that country under the use of silver money with greater rapidity than such industries have ever been developed elsewhere, and to such an extent and perfection is it carried on along many, many lines, and so greatly is the use of silver its protection, that the American people have reason to be apprehensive of a fierce competition speedily between the production of the skill of that people and the output of manufacturing in this country.

In those countries the production is on a silver basis.

As we all know, wages are low, but labor is satisfactorily recompensed.

These people have during the ages past solved many of the questions of life that we are just beginning to discern, and live cheaply and happily on the wages their industry brings.

They are even now invading American markets with many lines of goods.

Last spring I was informed that one and one-quarter millions of cotton spindles were in operation in that little Empire of less than 50,000,000 of people, and that the number would be increased within a year to more than 2,000,000.

The recent fair at Kioto, commemorating the twelve hundredth anniversary of the establishment of that city, the ancient capital of the Japan of the Shogan, the Samuri, and the Ronin, must have convinced the thousands of Western people who visited it of the fact that skillful manufacturing along nearly all lines was well on its way in Japan.

China, with the determination now evident among the leaders of that people to build railways and develop the territory of that most ancient Empire of the world, will soon take her place in the van of progress.

The energies of her people along those lines will be either invoked or compelled by the forces at work.

With China's four hundred and sixty-odd millions of human beings, who can doubt the result, when large portions of her people, adaptive and skillful as they readily are, when once engaged in factories, machine shops, and all the industries of which they are capable, acting as they will in company with Japan and the other silver-using countries, with their production upon a silver basis, if we adhere to the single gold standard, disparaging as it does the value of everything we possess until even now the veins and arteries of commerce everywhere outside of our great cities and Eastern money centers are shriveling and blackening and drying up for lack of money, the lifeblood of trade and business.

Still the cry among you men who believe in the single gold standard is that you heartily, sincerely, and earnestly desire bimetallism in the language of the platforms of the parties, namely, the use of both gold and silver as standard money; and the able gentleman from Maine the other day, at the opening of this debate, adjured us to push forward earnestly, buoyed by hope, toward the goal of an international agreement, of course England to be considered as one of the powers and parties to such an agreement.

You might as well sit yourself on the eternal ice fields forming the grandeur and crown of Mount Tacoma's lofty dome and pray the sun of heaven to melt away the accumulations frost has imprisoned there at that awful height during the ages past, and that verdant fields and orange groves should cluster about the brow of that grandest of all nature's pyramids, as to talk of inducing cold-blooded, regal England to cast aside the gold standard, the source of so much wealth to her and injury to us, and enter into an agreement for the use of American silver at the ratio of 16 to 1.

The American people look to the Republican Congress and to the Republican party for the relief they demand and a restoration—at least, to a fair degree—to the prosperity they have heretofore enjoyed.

That prosperity never can come to them under the single gold standard they either know or will know where this fact is not already known.

The enactment of tariff legislation is assuredly of vast importance, but as I have indicated before, protection must be consistent with itself.

To add to the use of any article, however slightly, either increases the value of such article or stiffens the demand for it, and in that way the tendency is the same.

The coinage of silver does not, as some have here asserted, cheapen the price paid for labor.

That is simply another slander, malicious and intentional. It should never have been uttered at all against the white metal.

The coinage of silver simply means independent, patriotic American action in behalf of one of the great and exceedingly valuable resources of our common country and an increase in the volume of basic money in the United States, indispensable to the essential development and carrying on of the business of the country.

It means the employment of labor in field, mine, forest, and factory, where labor can not now find employment, and the recompensing of such labor satisfactorily and to the extent of fully enabling it to purchase of the necessities and luxuries of life as much as it ever has purchased in the history of mankind.

It means the throwing of a wall of protection about the industries of this country, both direct and effective.

It means, when coupled with wise tariff legislation, the utter reenfranchisement of the American people.

Therefore, as I said at the outset, I shall with satisfaction vote for the Senate amendment.

Unlimited Silver Coinage.

SPEECH

OF

HON. JONATHAN P. DOLLIVER,

OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 12, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. DOLLIVER said:

Mr. CHAIRMAN: If the House will hear me, I will speak for a time on some of the practical phases of the question before us. It is to be regretted that the matter comes here in the form of an amendment to the House bill relating to the coin redemption fund, and that the measure originally sent to the Senate comes back entirely stripped of its subject-matter. Without pausing to consider the invasion of the dignity of this House involved in the action of the Senate, I will only say that we can not submit to it without a loss of the influence which belongs to the House of Representatives under our system of Government. We sent to the Senate a measure the adoption of which would have enabled the Government in borrowing money to have the advantage of a lower rate of interest, a shorter term, and of that publicity which ought always to attend the use of the national credit.

The Senate, without making any effort to amend or to repeal the law of 1875, under which the Secretary of the Treasury had already three times negotiated the sale of bonds at an exorbitant rate of interest and running for an unreasonable length of time, chose to ignore entirely the bill of the House, except for the purpose of attaching to its enacting clause an elaborate scheme for the gratuitous coinage into American silver dollars of every 50 cents' worth of silver which the world might be disposed to present at our mints. The proposition of the Senate raises a question in which the people of the United States have been interested for many years, and to that I propose to direct the attention of the House. I will say, to begin with, that I do not enter the debate for the purpose of scattering dogmatic opinions, foreclosing the opinions of others. It appears to me that the matter is one of such complexity as to make sharp differences of judgment unavoidable. I have never heard the silver question debated, either in this House or among the people, without feeling encouraged by the reflection that this is the only country in the world where difficult questions of economy and finance can be safely submitted to the decision of the whole people.

In other nations these problems are for the exchequer and the cabinet. In our country, from the beginning, they have been left in perfect safety to the conservative judgment of our fellow-citizens. Give the American people a reasonable time for discussion and for reflection and there is no problem in the management of human affairs that may not be submitted with confidence to their wisdom. I think I may say, without offense, that this is especially true of the people of the State which I have in part the honor to represent in this Chamber. Therefore, if I were without convictions of my own resulting from a study of this question, which, whatever its defects, has at least been diligent and faithful, I would feel secure in relying upon the average judgment of the people of Iowa, expressed without a dissenting voice, in the convention of the Republican party of 1895, in these words:

We reaffirm the declaration of the Republican national platform of 1892, adopted at Minneapolis, that the American people from tradition and interest favor bimetallism and the party demands the use of both gold and silver as standard money with such restrictions and under such provisions as will secure the maintenance of the parity of the two metals, so that the purchasing and debt-paying power of the dollar, whether of silver, gold, or paper, shall be at all times equal.

I do not ignore the fact that there are differences of opinion in the Republican party with reference to this matter. When I heard my friend from Minnesota [Mr. TOWNE] the other day, giving the House the result of his patient and conscientious investigation of the subject, I could but feel gratification and pride that the Republican party in the United States is large enough and generous enough for every honest man's opinion upon any of the complicated questions of Government and finance. [Applause.] I rejoice that the opinions of every Republican, based upon sincere conviction, are received respectfully and hospitably in any part of the United States within the ranks of the Republican party. On a question like this, when every man ought to keep his mind open to the new light of larger knowledge, it appears to me that there is no place for taunts and epithets, but a call rather for the exercise of thought, of labor, of research, and above all of neighborly kindness and good will. [Applause.]

There are only a few things in the controversy which any man can be sure of. That is true of this world in which we live. I once bought the book of an eminent Boston divine on Certitudes in Religion in order to find out what the certainties are in that field of inquiry, and after reading it and rereading it I made out that, according to my Boston guide, there are only two things that we can be entirely sure of, one is that we are here and the other is that we are going hence [laughter], and that everything else is a matter for speculation and for faith. It is so in all the practical fields of life where the world's great debates are carried on; there are only a few things that a man can be absolutely certain of.

In reflecting on the money question I have found one or two things in respect of which my mind has been entirely delivered of any doubt. One of them is that whatever kind of money we have in this country it ought to bear the image and superscription of the nation itself, and not the mere authority of some State legislature. It is a matter for congratulation that whatever its views about the money question in general, Congress shows no disposition by any act of national legislation to bring back the half-forgotten promissory-note factories of the last generation. [Applause.]

There is another thing that I think we may rely upon with a reasonable degree of assurance, and that is that whatever kinds of money we have in the United States every dollar shall always be kept exactly equivalent in value to every other dollar, so that if a man happens to have a dollar he may know exactly what he has, and if a man happens to owe a dollar he may know exactly what he owes.

The most of our troubles, in connection with what may be called, without offense, popular heresies on the money question, arise out of a failure to exactly apprehend the nature and office of money. A school of opinion has grown up in the United States which appears to think that the only office of money is to pay debts, and I confess that I have had such a monotonous experience all my life with debts that I have sometimes given a rather ready ear to that view of the philosophy of money. But the truth is that the chief function of money is not to pay debts, but to buy goods. The best definition of money I ever heard I found in the writings of the German jurist, Savigny. I have treasured it in my memory because you can always rely on a German student to come to a sound conclusion upon any matter to which he may apply himself.

It is a tribute to the clearness of German thinking that the German press of the United States is practically a unit in its defense of sound and coherent ideas on the money question. It has furnished neither aid nor comfort to the Populist agitation of these times. For that reason I have always fallen back in seasons of doubt and perplexity on the old German definition of money: "Money is—eine allgemeine vermögen-macht—a universal purchasing power."

If money were only a debt-paying power, then it would be literally true that Congress could declare anything to be money, by providing that it should be a legal tender in the discharge of debts. But the American people are entitled to a money that is not only good to pay with, but good to buy with. Therefore the Republican party refuses to put afloat a dollar differing in value from the coins now outstanding, and depending for its acceptance in the business world upon laws compelling people to take it in discharge of debts.

The silver question is the oldest money question in the world.

Thy silver is become dross, thy wine mixed with water—

thundered the old prophet in that inspired indictment of the crimes of Judah and Jerusalem, contained in the first chapter of Isaiah—words of scripture that were to become the text centuries later for brave Hugh Latimer to threaten the vengeance of God against the debasement and degradation of the coins of the realm of Edward VI.

Thy silver is dross, it is not fine, it is counterfeit. Thy silver is turned. Thou hadst good silver.

The silver question is the oldest monetary problem we have had to deal with as a nation, and we took it up after the Governments of modern Europe had been dealing with it, with varying experiences, for centuries. It has become the fashion to set aside the judgment and authority of writers and students of our own day who teach sound monetary science, as under the influence of what is vaguely called the money power of Europe and America. For that reason it is not without interest to go back far enough in the history of the question to get the authority and judgment of thinkers and teachers who can be accepted without the suspicion that they were influenced by evil surroundings.

I intend to take the writings of three great men, in three separate languages, dealing with the same problem, and see if I can get from them a platform of first principles for our guidance in disposing of the present aspect of the silver question. First, I will take the treatise of Nicholas Oresme, the most distinguished man of France of the fourteenth century, who was a counsellor of Charles the Wise when he had the silver question on his hands, very much as we have to-day. At the request of the King, when he had determined on a reformation of the coinage, Oresme produced his treatise on money, a work of surpassing interest, for the rescue of which from neglect the world is indebted to Professor Roscher, of Leipsic.

So I open the work of Oresme without any fear that Wall street has bought him up. By its side I lay down a volume called The Ratio of Coined Money, of the date 1526, one hundred and sixty years after the date of the work of Oresme. It is the reply of Nicholas Copernicus to Sigismund, King of Poland, who desired him to advise his Government in respect to the management of his mint. The little book has an interest for us because it contains the conclusions of one of the profoundest human intellects, who not only gave his name to the system of modern astronomy, but was one of the founders of an important school of economics. This book, in the handwriting of its author, is preserved in the archives of Königsberg and has been included in the Warsaw edition of the works of Copernicus. So I lay the little book by the side of Oresme with absolute confidence that its author has not been corrupted by the Jews of Lombard street. [Laughter.]

By the side of these two books I will lay a letter addressed to Elizabeth of England, explaining the effect upon the monetary system of the attempt made by Henry VIII and his predecessors upon the English throne to float coins of different weight and fineness at the same time. This letter was written by Sir Thomas Gresham without knowledge of the conclusions of Copernicus and Oresme, so that the three witnesses, speaking three separate languages, if they agree together, make a strong case in favor of that in which they are agreed. We may pin our faith to what they say, and with your permission I will condense their philosophy into two sentences. I put it into two sentences, although it is practically one philosophy, and I am willing to stake this controversy upon the truth and wisdom of these three great students of finance.

The first proposition is that every coin manufactured under free coinage will, in the long run, have the exact value of the material out of which it is made. The second proposition is like unto it, that when a nation creates two coins of the same denomination, differing in value, it stands to lose instantly the circulation of the one which is undervalued. [Applause.] These two propositions express the uninterrupted experience of mankind and are confirmed by the testimony and authority of every great writer upon economical questions in every language of the earth. Our fathers gave diligent attention to the silver question. The first thing they had to do with was a practical inquiry about silver. Some desired to establish a monetary unit of gold and others a unit of silver.

Mr. Hamilton, who was the founder of the American mint, and in my judgment the most productive thinker of Revolutionary times, the greatest intellect that gave the light of its genius to the rising Republic, thought that the double standard, based on gold

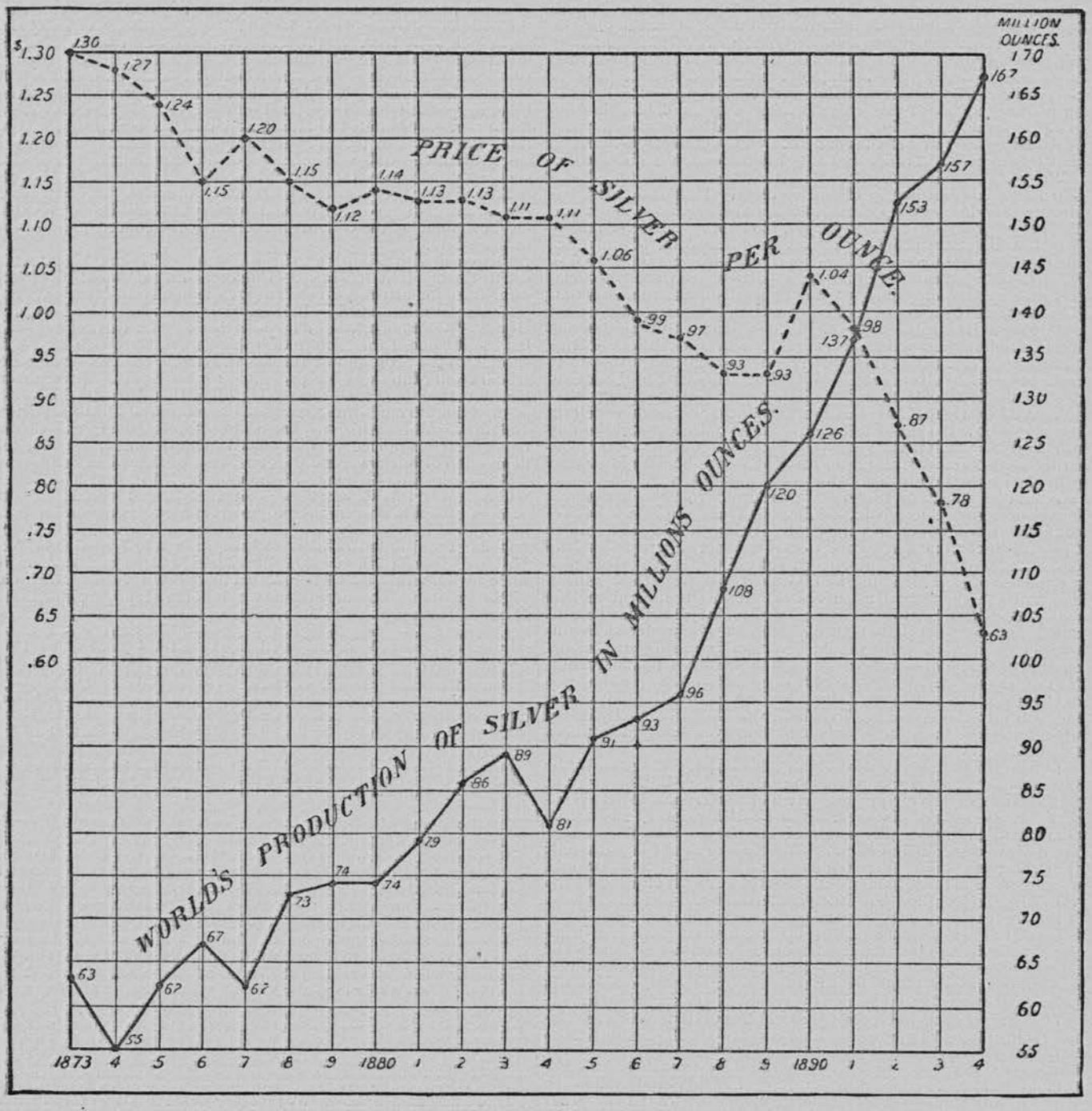
and silver, was reasonable and practicable, and so in establishing the mint he said distinctly that he desired the unit to rest on both the metals, and then set about to determine the ratio at which the coinage should be made. He made diligent inquiry to find out what the commercial ratio between gold and silver was. He never dreamed that the mere act of coinage would operate to produce a correspondence between the mint ratio and the market ratio.

Our fathers opened the mints to the free coinage of both gold and silver at the ratio of 15 to 1, fixing the ratio so as to correspond exactly with the existing market values of the two metals. If there had been a modern free-coinage enthusiast present he would have said: "Now, gentlemen, stand back and watch this mint supply the American people with gold and silver for the transaction of their business." But the experiment did not operate in that way. Before many months the commercial ratio departed slightly from the ratio fixed by the act of 1792, and the business community speedily found itself confronted with the fact that gold had totally disappeared from circulation in the United States.

Then came the old Democratic statesman, Thomas H. Benton, representing the frontier State of Missouri in the Senate, and began the agitation to bring back the use of gold in the coinage and business of the American people. I can recollect reading his speeches in his thirty years in the Senate, and one sentence out of them I have never forgotten. He said that he wanted the humblest workingman in the United States to be paid for his labor with a coin as good as the money of the crowned heads of the Old World. [Applause.] If a man were to get up in Congress to-day and say that he wanted the working people of the United States to have as good a dollar as was used by the crowned heads of Europe, our free-silver brethren would jump up and say that he had certainly sold out to the money power. [Laughter.] And yet what Mr. Benton said was sound doctrine then, and it is sound doctrine now.

APPENDIX 1.

CHART NO. 1.—Report of the Director of the Mint for 1895 (pages 238-249).



So the act of 1834 was passed changing the ratio for the purpose of approaching more nearly the exact commercial ratio between gold and silver. That act cut down the weight of the gold dollar, not, as some have claimed, because silver was the exclusive unit, but because silver being in use and gold being out of use, the American people could change the ratio, by changing gold alone, without disturbing existing business relations and outstanding contracts among the people; and so the ratio was changed, not under a revelation from heaven that 16 to 1 is the correct ratio, but on a careful determination that 16 to 1 corresponded more nearly than 15 to 1 to the commercial ratio existing at that time. Again the mints were open to the free coinage of both gold and silver, and an ordinary free-coinage philosopher would have said, "Now you can all see the blessings of an unlimited coinage of gold and silver in the business of the American people."

But it did not work that way. An insignificant departure of the commercial ratio from the mint ratio caused silver to disappear from use in the United States. From 1834 to 1873 the coinage of silver dollars was only nominal, and the use of silver dollars was practically unknown in the United States. The reason for this is very simple. The coin partook of the exact value of the material out of which it was made. The material being worth $1.03, of course nobody would bring it to the mint for the purpose of having it converted into a dollar, and the few coins that were minted being worth more than a dollar, were hoarded or melted down and exported. We could not even keep a 10-cent piece in circulation. The fractional coins were bought up and reduced to bullion for export, so that in 1853, after a great debate in Congress, the fractional coinage was debased for the express purpose of reducing the value of the coins below the value of the material that was in them, in order that they might remain in circulation.

We hear a good many people say that the act of 1873 struck down one-half the money of the country. That statement has always sounded well as declamation, but it ignores the truth. The act of 1873, whatever it did do, took away no silver money from the American people, for, from the foundation of our mint, the total output of coined dollars was hardly in excess of 8,000,000. I heard one man say the other night that there were fractional coins in circulation. That is true. I heard another man say that there were in use a lot of foreign coins made legal tender by act of Congress from time to time. That is true. But neither the fractional coins nor the legal-tender foreign coins belong in this controversy, since the act of 1873 in no wise affected either their coinage or their circulation. Whatever happened to them happened long before 1873, and is therefore not chargeable to that act. And so when I find a man in this House or elsewhere telling the people how the act of 1873 deprived the business world of any use of silver which it then enjoyed, I set him down as a man who either needs further training in the ethics of public discussion or primary instruction in the history of this question.

What did the act of 1873 do? It dropped from the list of our legal coins an obsolete coin, a dollar that was out of use on account of its difference in value, compared with the gold coin of the same denomination. Thus we see that for seventy years the free coinage of silver dollars, instead of giving the American people the use of silver literally took away its use from the commercial community of the United States. It has been said in this debate that the effect of the demonetization of silver has been to cut in two the prices at which the commodities produced by human labor in this world are sold. Without entering upon a discussion of the tendency of prices since 1873, and without entering, for the present, on a discussion of the connection between the price of silver bullion and the price of other things, I will inquire for a moment into the reasoning by which the United States is called upon to restore the value of silver bullion by opening its mints to free coinage.

I intend to be absolutely candid in this matter. When we know the causes that have cast down the price of silver bullion, we can judge rationally of the process by which the friends of free coinage propose to bring it back. If the fallen value of silver had come from the unfriendly action of the United States, abandoning its free coinage, and from no other cause, then I might admit that the restoration of free coinage in the United States would operate to undo the mischief. All careful students admit that the value of silver bullion has fallen on account of two main causes. First, the extraordinary increment in its production since 1873. Second, the action of the nations of Continental Europe in dropping silver from their standard coinage. So much of the fall of silver as comes from the increase in the annual product of bullion can not, it appears to me, be corrected by an act of Congress. It belongs to a jurisdiction beyond the reach of legislative enactment.

The closing of the mints of the world has undoubtedly contributed somewhat—how much no man can say—to the decline in the value of silver. It seems to me reasonable that the falling away of the consumption of silver involved in the suspension of its free coinage can not be ignored in a discussion of this kind, but I wish to say to this House—and I challenge dispute of what I say—that there is not a serious student of this question in the Old World, writing in any language, who affirms that the action of the United States in 1873 contributed to that result in any respect whatever.

If there is any man in this House who knows the name of a great writer in any language of Europe who attributes to the action of the United States in 1873 any share in the decline in the price of silver bullion, I will pause now to have the name of the writer mentioned. And, Mr. Chairman, I pause in vain, because every student knows that the attitude of the United States toward silver in 1873 was such that they did not, and in the nature of the case could not, abridge its use, in view of the fact that for more than a generation the standard silver dollar had been out of use among the people of the United States, so that the act of 1873, instead of creating a new condition, only recognized the condition which had prevailed in this country for forty years. So it is that the sober students of the question in the Old World agree that it was the unfriendly legislation of the commercial countries of central Europe which depreciated silver in so far as legislation has contributed to its decline.

Mr. Chairman, I listened with great pleasure the other day to my friend from Minnesota [Mr. TOWNE], and I find it possible to agree with much that he said. I find it possible to agree that the action of the commercial world adverse to the use of silver has had much to do with the fall in the value of silver bullion, and if my friend would come to me and say, "Now, then, the value of silver bullion having been disturbed by the action of the whole commercial world, let us bring the commercial nations together in an agreement for the restoration of silver," I would say that his appeal was founded in reason and that his conclusion was at least coherent and logical. But my friend, parting company, I think, with the judgment of most of our Republican fellow-citizens, having shown that the fall of silver is due to the hostile action of many countries, deliberately proposes that our own mints, acting independently, shall attempt to undo the injury that has been done by the concurrent action of the commercial powers of the world.

I listened with attention to his argument. There is no bimetallist in Europe that has not been making an argument along the same lines for fifteen years. The gentleman from Minnesota has paid a great tribute to Mr. Balfour, the Conservative leader of the House of Commons, whom he describes as "an earnest bimetallist" and "one of the profoundest thinkers in Europe." I wish to submit to the profoundest thinker in Europe the facts which my friend from Minnesota has presented to this House. Mr. Balfour has more than once used those facts, all of them, except the charts of my friend from Minnesota. He has employed all the statistics and all the tables which my friend has illuminated in this Chamber by his eloquence in reference to the decline of prices, the depression of business, and the evil aspect of the world's situation.

It is interesting to mark his conclusion. I have it here, and I will read it to this House, because even my friend from Minnesota can not afford to despise the judgment of a conscientious bimetallist, who is also the profoundest thinker of Europe. I ask the friends of unlimited coinage to hear me while I read what Mr. Balfour says as to the wisdom of a single nation undertaking to undo by a hurried bit of legislation an evil which has grown out of the combined hostility of the whole commercial world. In his Mansion House speech of May, 1894, he says:

> Now, the question with which we are concerned is whether it be or be not inexpedient to adopt by international agreement this double standard; and I am far from denying—and I think a bimetallist is a very poor friend of his cause who would deny it—that there are difficulties, difficulties of detail it may be, but still difficulties, inevitably attaching to the solution of this question.

You would not believe that, gentlemen, to hear one of our free-silver brethren make a speech on this floor. [Laughter.] Now, what do you suppose is the first difficulty that strikes Mr. Balfour? He says:

> I have only to mention one of these difficulties, the difficulty, namely, of what shall be the ratio on which the nations of the world are to agree as that which is to govern the future relations between gold and silver in the double standard.

In the name of common sense, is the profoundest thinker in Europe in doubt about the ratio? Why, sir, to hear the debate in this House a man would think the ratio was a part of the original divine revelation to man, and that if anyone denied it or disputed it he ought to be pursued for blasphemy. [Laughter.] Yet here is an "earnest bimetallist," and the profoundest thinker in Europe, declaring that that is the first difficulty confronting the nations of the world in agreeing upon the double standard. What more does he say? I wish to show you his photograph of these brethren in this House whose zeal in the cause of silver has disturbed the even balance of their faculties.

> I believe there are individuals who cherish the dream that currency is a matter for the State to regulate independently and for itself alone, that with its currency no foreign nation has a right to interfere; that it is a matter simply for the citizens of every community in relation to each other, and that the outside world need not be taken account of at all in coming to a decision upon a question which is one of purely domestic policy. Ladies and gentlemen, this is a dream. I will go further and say it is a dream worthy only of a mediæval dreamer. We have long passed that stage in civilization

when each country was a self-contained, or approximately self-contained, national unit, and when it could afford to disregard the internal commercial relations of other countries. Those days have gone by. They have gone by never to return, and I do not think there is a man in this room who regrets it.

This profoundest thinker in Europe seems to hold that the commercial world is a unit. No man liveth to himself alone, the Scriptures have taught us to believe; and no nation in these days lives to itself alone, and that statesman who would undertake to isolate a great commercial community like ours is literally dreaming a dream of days long since gone by in the history of the world's commerce and business. I have up to this point made no dispute in respect to the huge collection of statistical data upon which the argument for the free coinage of silver has long comfortably reposed. My friend from Minnesota presents a lot of tables here purporting to show that the average price of goods, wares, and merchandise has gone down throughout the world in the last twenty years, the argument being that these prices have been dragged down in the fall of silver.

These tables have been before the country ever since the silver question has been up for discussion. I have always had more or less suspicion of figures unless I made them myself, so I always look in a somewhat incredulous frame at statistics which somebody else is handling for my instruction. In the present case my suspicions are unusually active. We all know that there are in this world no large effects which come from a single cause, so that on the face of it, when a man comes to me and tells me that in twenty years the average price of 200 things that enter into the necessities of modern life has gone down 40 per cent, and that it is all due to one transaction which took place in 1873, I look upon him as misusing faculties which Providence intended to be applied to the rational consideration of human affairs.

Is it possible that a result like that can be reasonably attributed to one cause? Why should a man leave out of his calculations the industrial growth of the United States and the progress of Germany and of France since 1870? I have made a somewhat practical study of the growth of the industrial arts within my own memory. I believe that few changes have occurred in the selling price of staple manufactures, such as the products of iron and steel, of textile fabrics, of things made from leather, and of that whole range of products made from the natural resources of the forest, the soil, and the mine, which may not be referred to improved methods of production, of transportation, and of business management.

I look with amazement at the mental process of these apostles of free coinage who leave out of their calculation the infinite variety of causes, which, operating in unseen and complex ways, have gradually reduced the cost of the things which enter into the daily life of the world, and in the same period have gradually increased the earning power of human labor. I have stood in a modern steel mill and watched the manufacture of a steel rail and learned more about the philosophy of the price lists of iron and steel by a half hour's conversation with an intelligent American workingman than my friend from Minnesota will find out by poring over Soetbeer's tables till doomsday.

A thousand causes have operated to affect the cost of modern production. Some things have gone up, more have gone down. Some have gone down much, others little, others not at all. The value of a day's work, a thing which nearly everybody has for sale, has gone steadily up. Could human folly go further than to average pork with pig iron, candles with petroleum, wheat with woolen cloth, and finding the mean decline explain it by reference to an act of Congress that occurred over twenty years ago? We have been taught to believe that if you could make a reasonable reduction in the cost of living and secure a reasonable increase in the wages of labor you would create a condition in this world not altogether open to criticism. We are now beginning to learn for the first time that the interest of American labor requires us to give a fictitious legislative value to the things which a man has to buy in order to live, leaving labor itself to take its chances of securing that increased rate of wages which ought to go with increased expenses of living.

If the people of the United States deliberately give their influence to the creation of a new standard of value in this country the effect of which is, and is intended to be, to increase the expense of living—if they do that before they have made arrangements for the corresponding increase of their wages, they will manifest a lack of common sense that has never characterized the working people of any country in any age of the world. [Applause.] As I have said, some articles have gone up in price and some have gone down. I have endeavored in the years past to talk over with my own people the situation in which we are placed.

The farmers of the Western country are just now at a serious disadvantage. They find the market place in which the great bulk of their products must be sold depressed and broken, not by the crime of 1873, but by the blunder of 1892, which turned the Government of the United States over to the management of the Democratic party. They find their market place opened in Europe and Spanish America by the reciprocity law of 1890 suddenly taken away by the tariff act of 1894. They find that the idleness and poverty incident to the Democratic reform of the tariff in the workshops of America have so lessened the domestic consumption of breadstuffs and meat as to seriously cripple the prosperity of the American farm. But when a cheerful brother from the far West with silver to sell undertakes to tell them that the act of 1873 is at the bottom of their misfortunes and that the true remedy consists in manufacturing every 50 cents' worth of silver presented at our mint into a dollar gratuitously and handing it back to the owner, the great mass of our people is not ready to accept such a scheme of relief. They know that the year 1892 witnessed the largest measure of prosperity on the farm, in the factory, throughout the country, seen in this generation. They know that the great staples of agriculture in the Mississippi Valley have brought better prices in the local markets for the last five years than they did for the year 1873 or for the five years immediately preceding that year.

I wish to present a picture of agriculture in one of the most productive counties in Iowa in 1873, a picture preserved in the annual report of the Iowa State Agricultural Society for that year in a speech by Charles H. Rogers at the Harrison County fair:

> Proud of these aspects and of her progress in practical agriculture, still the condition of the laboring man and farmer is far from what is desirable. They have worked, watched, and waited for an adequate reward until weariness has well nigh turned to hopelessness. Farming has been a financial failure for the past three years. Hard toil has opened up fine farms and brought to the bins the products of unexampled harvests, but the sales have hardly paid expenses and bought cheap clothing until the coming harvest. There is no surplus to improve buildings, purchase thoroughbred stock, and furnish the home with any of the luxuries of art and literature.

That was in the years prior to the crime of 1873, when the whole world was enjoying such benefits as accrue from the free coinage of silver. I undertake to say, Mr. Chairman, knowing as I do the hard conditions that have surrounded the Western farmer since 1892, that if anyone were to make a statement like that in reference to the life of our people in any part of that great State at any time during the last fifteen years he would have been denounced as the author of a libel and an injurious fiction against the credit and surroundings of the community. [Applause.] The annual report of the Iowa State Agricultural Society for 1873 gives the price of corn at the capital of Iowa in December, 1870, at 25 cents; in December, 1871, 21 cents; December, 1872, 16 cents. The price of all our staple products for every month in the year 1873 is preserved in the same report, as follows:

Month.	Wheat.	Rye.	Barley.	Corn.	Oats.	Hay.
January	$0.95	$0.35	$0.40	$0.16	$0.20	$6.00
February	1.10	.35	.45	.17	.20	6.00
March	1.00	.35	.45	.17	.20	6.00
April	1.00	.35	.45	.18	.20	6.00
May	1.10	.45	.45	.22	.22	6.00
June	1.10	.35	.40	.23	.28	6.00
July	.85	.35	.....	.20	.20	6.00
August	.85	.35	.50	.22	.20	5.00
September	.75	.45	.60	.22	.27	5.00
October	.75	.45	.70	.22	.27	5.00
November	.75	.40	.70	.22	.20	5.00
December	.85	.40	.70	.22	.23	5.00

In the year 1873 there were 26 local pork-packing establishments buying hogs in the State of Iowa. The same report shows that the price paid per hundredweight in these 26 Iowa towns averaged $3.74 for the season of 1871–72, and $3.52 for the season of 1872–73. A man has only to take up the market reports of the last five years and make an average of the prices realized by the farmer upon the staples of agriculture to learn that while prices have gone up and down they have averaged above the price levels of 1873. I intend, by the courtesy of my colleague on the committee [Mr. JOHNSON], who represents with courage and ability a constituency that produces one-seventh of the wheat crop of the United States, to append to my remarks a chart showing the movement of prices with respect to the staples of agriculture, and especially with reference to wheat. This chart is correctly drawn from figures made by the statistician of the Department of Agriculture, and is based not on the prices in any one State, but upon the average farm prices throughout the United States. It is worthy of careful study and reflection.

And so our people do not listen with a very perfect patience to the promises and predictions of happiness and prosperity which are to flow from the restoration of silver coinage in the United States. They look rather for the prosperity of the farm, to the recovery of the American market place from the prostration which followed the industrial revolution of 1892. They believe that they have more to gain by a return to the national policy which gave every willing hand work and wages than they can possibly gain

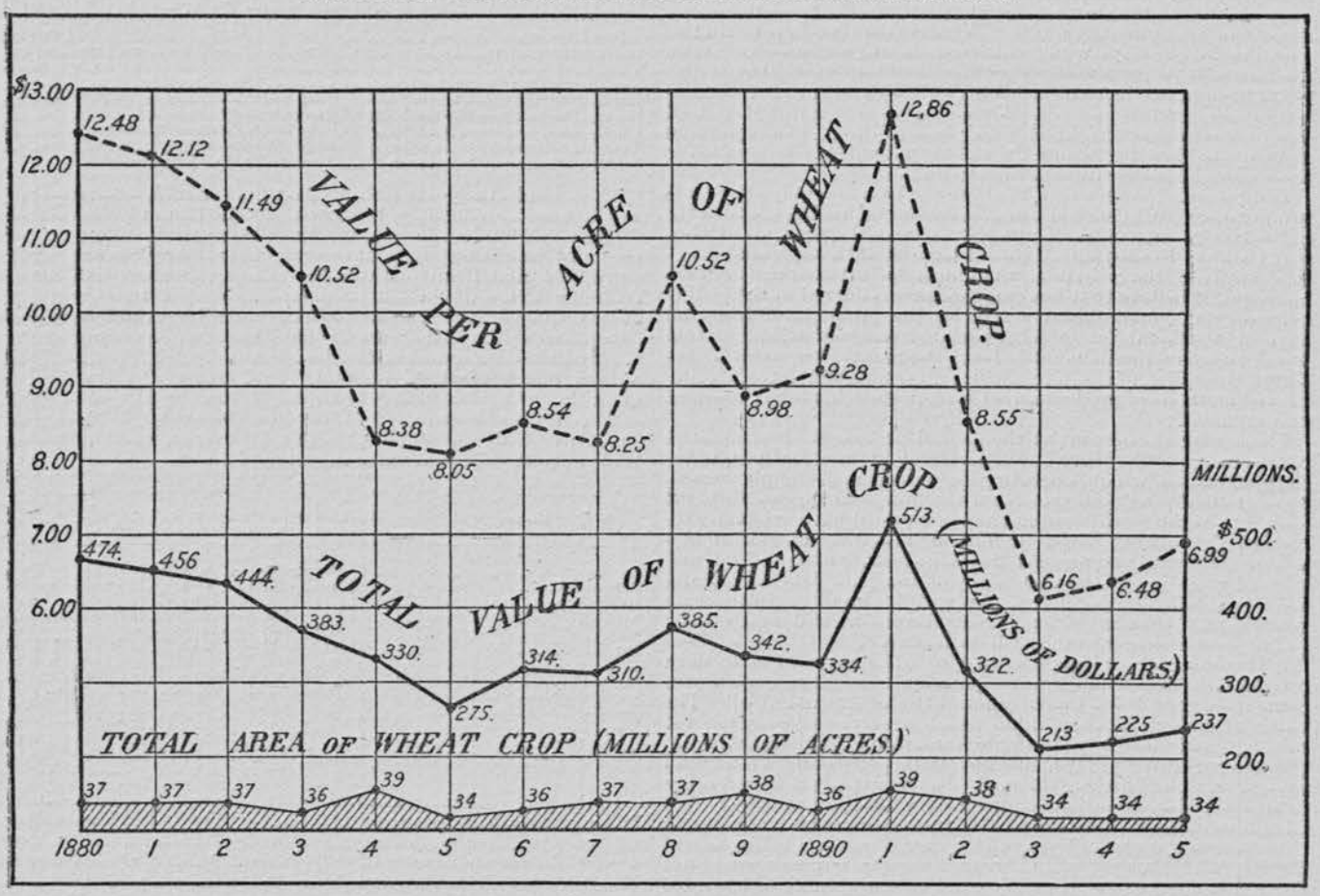
by an experiment which threatens to unsettle all values, disturb all contracts, and put new elements of risk into every department of business. For myself I have made up my opinion in this matter slowly and deliberately, not only contrary to my sympathies, but also to my prejudices, guided at every step by the experience of the nations of the world.

What will be the effect of the free and unlimited coinage of silver? I undertake to say that the immediate effect will be a change in the standard of values. I am not one of those who say positively that it will produce a 50-cent dollar. I do know that 412½ grains of standard silver are now worth in the neighborhood of 50 cents, and that the coin produced would partake of that exact value, unless the opening of the mints changed the existing value of the total silver stock and total silver product of the world. I do not know whether it will produce a 50-cent dollar or a 75-cent dollar. I will admit that the unlimited coinage of silver into standard money will operate to somewhat stimulate the value of silver bullion throughout the whole world. Mexico, under a system of free coinage, succeeds in producing a silver coin which circulates at the precise value of the metal of which it is composed.

In the last Congressional campaign I had the opportunity of talking on a railway train in Iowa with our old friend from Missouri—no longer a member of this House—Mr. Bland. He was up in our country at that time trying to help General Weaver in his campaign against our good Republican friend—HAGER—of the Ninth district. I called his attention to the fact that the free coinage of silver in Mexico appeared to produce a coin corresponding in value to the substance of which it was made. He replied that Mexico was a small country, but that the United States had a great deal of wealth and abundant resources, and that if we permitted the free and unlimited coinage of silver the whole bullion of the world would rise in value, and the future commercial ratio between gold and silver would respond to the ratio fixed at our mint. He did not pretend that anybody could know this with certainty.

APPENDIX 2.

CHART NO. 3.—Crop Report, Agricultural Department, for December, 1895 (page 6).



He only claimed that it was his opinion; that he might be right or might be wrong.

I have never met an advocate of free silver who could do any better than merely offer an opinion on this matter. Hardly one of them to-day recognizes the importance, or even the advantage, of bringing silver to an actual equality with gold at the ratio of 16 to 1. In the minds of most of them the blessing of free coinage consists in the creation of a cheap coin to be used by the people in discharging debts. Their whole object is to subvert the existing standard of values. So far as I am concerned, representing nearly 200,000 people, all their property, all their investments, all their prospects being at stake, I must know with some degree of certainty what the result is going to be.

It is vain to talk of the hardships that now surround us. I know something of them; but hard as the place is in which we stand, nevertheless we are able to stand. And if you ask me what we propose to do, I will assure you that we intend to stay where we are, unless some one can tell with some degree of certainty whether the leap proposed is toward the solid ground or into the bottomless pit. [Applause.] I am looking for somebody who knows what the result of these transactions will be. My friend from Mississippi [Mr. WILLIAMS] thinks he knows. He says that he can stand in the city of Yazoo, with unlimited capital, and make the price of cotton 15 cents a pound in all that country by giving that amount for all the cotton that comes to him. Therefore, he says, open the mints and $1.29 will be the price of an ounce of silver the world over. He thinks that the manufacture of a silver dollar out of material worth 50 cents is equivalent to paying a dollar for that amount of silver.

He is measurably right about the cotton, but he is wanting, it seems to me, in that coherence of faculties which would otherwise enable him to see that his attitude in the market place of Yazoo buying cotton is not the attitude of the mints of the United States gratuitously converting into dollar pieces minute ingots of silver worth 50 cents, and handing them back to the owner to be turned loose on the business community for better or for worse.

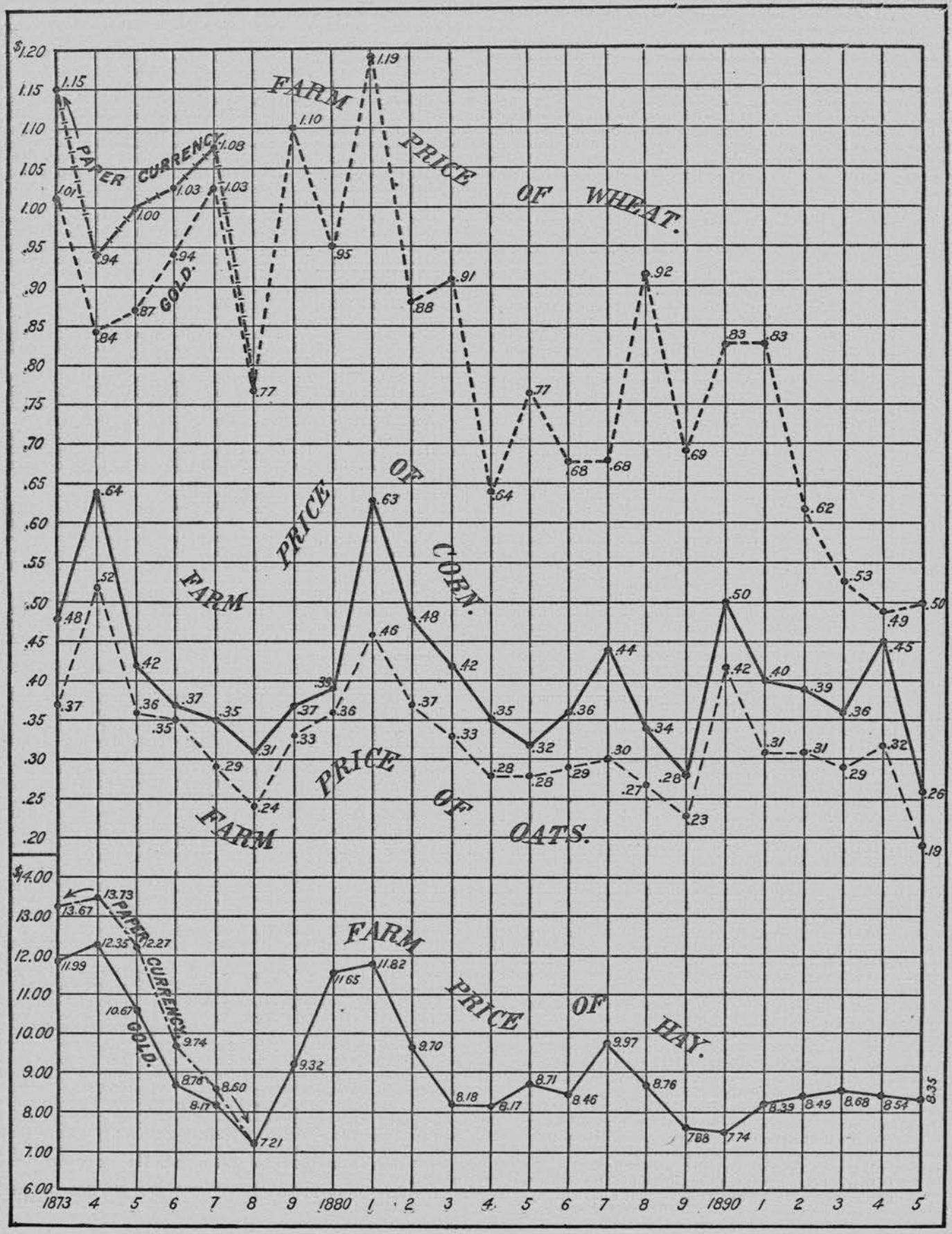
Mr. WILLIAMS. Will the gentleman allow me?

Mr. DOLLIVER. Certainly.

Mr. WILLIAMS. That there is an apparent difference upon the face of the proposition is evident to everybody. But is not the effect just exactly the same as if you were standing here and giving $1.29 an ounce for silver, when by law you make an ounce

APPENDIX 3.

CHART NO. 4.—Department of Agriculture, February 4, 1896.



of silver pay $1.29 worth of debts and do $1.29 worth of tax paying and do $1.29 worth of business, provided you have the business and the tax paying and the debts to overtop the possible supply of silver?

Mr. DOLLIVER. I think I understand my friend, and I regret that he does not perceive a difference between buying a thing and paying for it on the one hand, and simply stamping O. K. upon it and handing it back to the gentleman who brought it to the front on the other.

Mr. WILLIAMS. Suppose I had the power to furnish use for all the cotton after I had stamped it?

Mr. DOLLIVER. If the United States, by simply making a thing available for paying debts and taxes, can juggle 50-cent pieces into dollars, we ought to go back to the old greenback theory and take a piece of worthless paper, make it available for these two purposes, and rely upon Providence to give it value and stability.

Mr. WILLIAMS. Not at all. Because in the one case you are merely stamping it and relying upon the stamp for the value, and the other case you are furnishing a demand for the actual existing valuable material, which increased demand makes the increased price.

Mr. DOLLIVER. That is another theory. Your theory is that we are buying silver at $1.29 an ounce, and that therefore that must necessarily be the market price of it throughout the world. That I will denominate the Yazoo theory. Now, there is another theory just hinted at by my friend from Mississippi, though more elaborately stated by my friend from Minnesota on last Saturday, and that is that if you create this body of coin and have it in the country, there is such an enormous business in the United States, such vast resources, such stupendous horsepower, and such immense uses for money and for credit that they will absorb and give employment to this money and thereby give it a par value. One thing we are absolutely certain of, and that is that it would give it no value in which the material out of which it was made did not participate.

Now, I am just charitable enough to admit that if you create such coins under free coinage, making them available for debts and taxes, it would have a tendency to stimulate the value of silver bullion. I do not know exactly what additional value it would give it. I undertake to say that short of the counsels of supreme wisdom is no intelligence in the world that can predict in advance the value that such a situation would give to the coin. I think the gentlemen in this debate have overestimated it, because it is not true that the vastness of the volume of business calls for a corresponding manipulation of actual coins. On the contrary, it is commonly agreed that the more business is done in this world, the less absorption of actual money there really is. The commercial capitals which do the world's business are not inhabited by the people who carry the world's money in their pockets. [Applause.]

Mr. DINGLEY. Will my friend pardon me for a moment?

Mr. DOLLIVER. Certainly.

Mr. DINGLEY. Have we not had a trial of the effect of an increased demand for 54,000,000 of ounces annually, all the American product and one-third of the product of the world, and of the effect of that demand from 1890 to 1893, and did it not result in lower prices than ever?

Mr. DOLLIVER. I think the experience we have had in the last five years throws a valuable light on this phase of the question.

Mr. WILLIAMS. Will my friend excuse me just a moment? I hate to interrupt him again. In fact, I should not have interrupted him before if I had not jumped to my feet impulsively, but that remark causes me to want to interrupt the gentleman far enough, at any rate, to say that the entire contention of ours is not based upon a limited demand which shall leave a surplus over to be hawked about for a market and thereby to fix the price of the entire bulk of the product, but that my analogy and all of our contention is—and there we may be mistaken, possibly——

Mr. DOLLIVER. If you are mistaken, the country is ruined.

Mr. WILLIAMS. Not at all.

Mr. DOLLIVER. It is, if we go into your enterprise and come out with two kinds of dollars in the United States.

Mr. WILLIAMS. Not at all. When we had the greenbacks in circulation we had one price in gold and another price in greenbacks, and the country was not ruined at all; but to go on, the point I was talking about is that the entire contention is based upon the conviction that the demand for the actual stuff in actual use will overtop the possible supply. We admit that if it does not equal and overtop the possible supply the parity will not be maintained, and no limited coinage can equal and overtop the possible supply. It must be the coinage, and back of the mint the use, which will absorb the possible yearly production.

Mr. DOLLIVER. I will ask the House for an extension of my time in order to enable me to conclude what I have to say.

By unanimous consent, Mr. DOLLIVER's time was extended.

Mr. DOLLIVER. I am greatly obliged to the committee. Going back to the last remarks of my friend from Mississippi, I will say that there seems to be a difference among the defenders of free coinage as to what it is that will double the value of silver bullion, whether it is the act of coining it or the exercise of using it.

If the use of it alone is relied on, then it is pertinent to say that the first real use of silver as legal-tender money in the United States has occurred since its free coinage was abandoned. And the mint reports of the various countries of the Old World show that a larger coinage of silver and a larger use of it for the ultimate purposes of money exists there to-day than ever before. The abandonment of free coinage has not, except in Germany, disturbed the monetary quality of existing coins nor reduced the monetary use of silver, but there is one thing that every man ought to bear in mind, and that is that there is not a country in the world which has the free coinage of gold and silver which enjoys the use of gold and silver—not one. If there is anybody in this House who knows the name of a country which has the free coinage of both gold and silver at any ratio and enjoys the use of both I will stop long enough to have the country mentioned.

Mr. HENDERSON. Go right on.

Mr. DOLLIVER. I will go on.

Mr. UNDERWOOD. I would like to ask the gentleman if it is not a fact that Mexico has the free coinage of both gold and silver and, according to Mr. M. H. Muhleman, a late authority, on page 115 of the Monetary Systems of the World, they have $5,000,000 in gold in circulation in Mexico?

Mr. DOLLIVER. In answer to that I have to say that a secretary of the Mexican legation told me yesterday that Mexican gold coins were not used in Mexico in common circulation, being at a premium of 80 per cent above the corresponding silver coin.

Mr. BRUMM. Permit me to say that when the United States had free coinage of gold and silver for many years, for the greater portion of that time she was more prosperous than she ever was before.

Mr. DOLLIVER. That opens a field for a long discussion. I will dispose of it in a short way. Whatever prosperity the United States had for the eighty years prior to 1873, be the same more or less, was evidently not owing either to the coinage or the use of the standard silver dollar, for in that period its mints produced only 8,000,000 silver dollars, not a million of which remained in the channels of the business of the country.

Mr. LACEY. I wish the gentleman would permit me to state that last summer on my journey through Mexico, a young Mexican about 35 years of age, a very intelligent gentleman, showed me a gold coin and assured me that it was the only gold Mexican coin he had ever seen.

Mr. DOLLIVER. That is perfectly reasonable, with gold at a chronic premium of nearly 100 per cent.

Mr. WILSON of Idaho. When France demonetized silver she had nine hundred millions in gold and seven hundred millions in silver. That was the result of free coinage, even at a ratio of 15½ to 1, and France is one of the greatest commercial countries in the world.

Mr. DOLLIVER. My friend's suggestion leads me to dwell for a moment upon the history of French bimetallism, a history which is always brought into the silver debate, sometimes by word of mouth, and the other day by my friend from Minnesota by a chart, showing in a picturesque way how the French law of 1803, opening the mints to free coinage at 15½ to 1, had preserved for seventy years a substantial correspondence of the market value of silver with that ratio. No man who believes in the unwritten law commonly known as Gresham's law could look at my friend's chart without suspecting that the slight deviations of the market from the mint ratio, indicated upon the chart, would operate to alternately exclude one or the other metal from use.

Mr. WILSON of Idaho. France maintained the parity by opening her mints.

Mr. DOLLIVER. The fact is that the parity existed when France opened her mints, and had existed for more than a century. That is to say, the market relation of gold and silver had long been 15½ to 1, with only slight deviations; so that the action of France in 1803, instead of creating a new condition, only conformed to a condition long existing. Now, I will undertake to show whether France actually enjoyed during that seventy years the use of both gold and silver, which, in my judgment, constitutes the only true bimetallism. Men stand here and tell us that for seventy years the mint ratio at Paris controlled the market ratio, produced an exact parity, and gave the people of France the continuous use of both gold and silver; and they bring in a chart to illustrate these facts. I propose now to throw a cathode ray right through my friend's chart to see what lies behind it in the actual experience of France.

Mr. WILSON of Idaho. Do you deny that she had nine hun-

dred millions of gold and seven hundred millions of silver before she demonetized silver?

Mr. DOLLIVER. I believe the gentleman's figures are approximately correct of the year when the French Republic, after bearing the burden of unlimited silver coinage till it could no longer be borne, retired finally from the experiment. A recent work (1895) on the History of Currency, by W. A. Shaw, a profound and scholarly book, shows clearly that this serene seventy years of French bimetallism was disturbed from year to year, from decade to decade, by movements of gold and silver into and out of France, which gave to the money brokers of London, Paris, Berlin, and Vienna an uninterrupted profit from the fluctuations of the currency of France. On page 178 he condenses the monetary experience of France from Napoleon to Thiers. With your permission, I will read what he says:

The second idea which is commonly entertained with regard to the action of France during this later period [1803-1876], viz, that her action secured for the world at large a fixed and steady ratio, is equally—indeed, still more—fallacious. At no point of time during the present century has the actual market ratio, dependent on the commercial value of silver, corresponded with the French ratio of 15½, and at no point of time has France been free from the disastrous influence of that want of correspondence between the legal and the commercial ratio. The opposite notion, which prevails and finds expression in the ephemeral bimetallic literature of to-day, is simply due to ignorance. From 1815 England has been withdrawn from this action of a bimetallic law, and the modern insular pamphleteer has before his eyes no sign of its working in his own country. He therefore assumes a universality of such experience, and attributes it to the French legislative ratio. It is in no polemic spirit, but simply in the interest of science, that this particular or misapplication of history to the squaring of a theory is to be branded. The plainest facts of history are thereby absolutely misrepresented, and the assumption of cause and effect is so far from being true that the repose of the English currency history in the nineteenth century is to be attributed to the absence of a bimetallic system, or to its despite rather than its presence and influence. (Pages 178, 179.)

If that authority is not regarded as satisfactory, I have here a little volume called Bimetallism, a monograph out of the great work of Henry Dunning MacLeod, of Trinity College, Cambridge, on The Theory of Credit, recently published, which gives a valuable insight into the real experience of France. He says:

The period between 1803 and 1873 is cited by bimetallists as the golden age of bimetallism. But if they imagine that there was during that period a general circulation of gold and silver coin in unlimited quantities, they are under a woeful delusion. The French Government pillaged all the sanctuaries in France of their vast masses of silver plate, and the French liberating armies pillaged all the treasuries and sanctuaries of the countries they came to liberate.

Immense quantities of silver plate were sent to the mint to be coined. The consequence was that, while the legal ratio of silver to gold was 15½ to 1, the market ratio became 17 to 1. No gold coin, therefore, got into general circulation. During the period from 1803 to 1820 there was for eleven years a premium on gold, sometimes as much as 3 per cent, which, of course, prevented gold coming into general circulation. But after 1820 the premium on gold rose very considerably, and between 1820 and 1847 it was usually on an average of 10 francs per mille, but in many years 18, 19, 20, and 21 francs, which, of course, utterly precluded any gold getting into circulation.

I myself can testify that in 1839 there was not to be seen a gold coin in France in common use. But in 1851 a great change took place. The gold discoveries in California and Australia caused floods of gold to be imported into Europe, and in 1851 silver rose to a premium. Then the money in common use changed from silver to gold. I was residing in a seaport town in 1857, and every steamer which came in was loaded with casks of Scotch whisky going to be transmuted into French brandy, and every steamer that went out had its decks piled with silver 5-franc pieces. The same was true at every other seaport. Silver departed from France in floods: every steamer and every diligence that left France carried away loads of these 5-franc pieces.

At last the scarcity of silver became so great that it became necessary to coin those pestilent 5-franc pieces in gold. (Pages 14 and 15.)

The Latin Union was formed in 1865, and within two years a commission sat in France to take into consideration the burdens and embarrassments incident to the alternate disappearance of the coins of the country. The next year a similar commission reported that the prosperity of the French people required that an end be made to the long and unsuccessful effort of France to maintain the concurrent circulation of both metals. Her final action was delayed till 1874. She acted out of no hostility to silver. She acted for the protection of her business community. Her action was not influenced by what happened in the United States in 1873, nor controlled by what happened in Germany in 1871.

It was only the execution of a well-matured advice given in 1868 by a commission of her most famous statesmen and economists in the interest of the orderly and safe management of the industries and business of France. And yet men stand on this floor and say that, without difficulty and without trouble, France maintained the use of both gold and silver at the ratio of 15½ to 1 for seventy years. I wish to ask these gentlemen this very plain question, Why did France stop that transaction? She stopped it, not out of malice against silver, but because the burden of maintaining the situation had grown too heavy for the Latin Union to bear.

Mr. WILSON of Idaho. And yet silver was at a premium.

Mr. DOLLIVER. That was the very hardship of the situation; the alternate premium, first on silver, then on gold, resulting in the alternate loss first of one metal, then of the other, was more than French business could bear, even in those years when the departure of the value of silver from gold at the mint ratio was insignificant and fractional. How is it possible, with silver bearing a market ratio to gold of 32 to 1, that any nation in the world shall undertake to carry the burden unaided and alone, which the Latin Union, under conditions vastly more favorable, laid down in despair more than twenty years ago? [Applause.]

Mr. TERRY. Will the gentleman allow me to ask him a question?

Mr. DOLLIVER. With pleasure.

Mr. TERRY. Are you in favor of the coinage of silver dollars at all?

Mr. DOLLIVER. I stand with a political party that in eighteen years has minted 600,000,000 silver dollars, seventy-five times as many as the mint produced from its foundation up to 1873, and has kept every one of them in circulation, by itself or by its paper representative, and has maintained every one of them equivalent in value to the dollar of gold. [Loud applause on the Republican side.]

Mr. TERRY. That is all very fine, but answer the question. Are you in favor of the coinage of silver dollars; and if so, at what ratio?

Mr. DOLLIVER. I am in favor of the coinage of the silver dollar under such provisions and with such limitations and conditions as will produce a coin agreeing in value with existing standards, and I would have the United States join with the commercial nations in such an adjustment of the ratio, under international agreements, as will enable the entire commercial world without loss to any nation to return to the unlimited coinage of silver.

Mr. TERRY. Oh, that is mere jack-o'-lantern statement. Are you one of those parties who say that I am in favor of the coinage of the silver dollar if you will only put enough silver in it to make it equal in value to the gold dollar? Do you belong to the class that favors that kind of silver coinage?

Mr. DOLLIVER. I do not like to be described by my friend from Arkansas as a jack-o'-lantern philosopher, but I do not mind telling him that I have a very strong prejudice, for reasons which I have tried to explain at length, in favor of having all the dollars in use in the United States equivalent to each other in value. So far as the gentleman is concerned, the controversy is not between gold and silver. It is between the existing standards of value and a standard contrived out of compressed air. [Laughter and applause.] I need not say to this House that I am with the Republican party in favor of the largest possible use of silver that can be had without degrading the existing standards of value and turning loose a depreciated and fluctuating coin upon the American people. [Applause.] That is the position I take.

Whatever standard we have in the United States has existed here for sixty years. We have tried to preserve the existing standard reenforced by the largest use of silver that has occurred in the history of modern commerce. I am for the existing standards of value, not to be disturbed, except under conditions that will produce a real bimetallism. [Applause.] I have listened in every session since I have belonged to this House to the claim that this proposed departure from the basis upon which American business has been done in the past is in the interest of the poor, in the interest of the workingman, in the interest of the farmer, in the interest of those who are burdened with debt.

If I know my own heart, there is nothing in it but sympathy for the burdens and anxieties that have fallen upon the homes of so many of our fellow-citizens. It is because I am solemnly convinced that this proposed measure would be a curse and not a blessing, a calamity and not an omen of prosperity, that I have been moved to say what I have said. By no possible means could a bill for the free coinage of silver become a law without long and ample notice of its enactment. Long before the name of a President of the United States could be signed to such a law its enactment would be anticipated and discounted by the business world. In what position do these volunteer defenders of the poor propose to put those of us who are carrying the burdens of debt? This is an intensely practical question, with very little room in it for campaign oratory. Nor is it a new question in this money-lending and money-borrowing world.

On the 8th of June, 1830, Mr. Attwood brought forward a motion in the House of Commons to restore the coinage of silver, which had been abandoned by the law of 1816, after silver had diminished in value about 5 per cent from the mint ratio of the latter year. In the debate he stated that it was the purpose of his motion to enable persons who had contracted debts to pay them in silver, and he moved that coinage should be restored to its old position of 1797. Mr. Herries, the master of the mint, pointed out to the House that the ratio between the two metals had changed since that year. Nevertheless, Mr. Attwood, who brought the motion forward, said:

Let the two metals be a common tender and let the debtor pay in which he pleases.

The master of the mint replied in words which are not without significance in the present attitude of this matter:

Suppose the resolution of the honorable gentleman to be agreed to, what would be the inevitable result? Why, it would be proclaimed to-morrow from one end of the country to the other that this house had come to a resolution, the effect of which might be shortly stated thus, namely, that every man who had claims payable on demand; every man who held notes of small or great value; every man who had debts outstanding, would, if he secured the amount of what was due to him before the resolution passed into law, get the whole of his money, whereas if he delayed beyond that period he would get only £95 for every £100.

It is terrible to reflect upon the consequences which must follow. What would become of the Bank of England? What would become of every banking house in the Kingdom? What would become of all debtors who were liable to pay upon demand all that they owe? Would not all transactions of commerce be suspended and the whole country present one continued scene of confusion, consternation, and ruin, when the House of Commons proclaimed to all who had debts due to them that if they did not collect them on the instant they would assuredly be losers to the amount of 5 per cent?

Mr. Herries concluded by saying that if the motion succeeded it would result—

before the setting of the sun in creating a panic and confusion such as could not be described, and which it would then be too late to remedy.—*Hansard's Parliamentary Debates, second series*, volume 25, pages 102-162.

He was followed by Mr. Huskisson, who entirely agreed with the opinion expressed by the master of the mint, and added that—

If the House agrees to this resolution to-night there will be a general panic among the people to-morrow, and before the lapse of a week it is probable there will not be a sovereign remaining in the country.—*Hansard*, volume 25, page 168.

Sir Robert Peel followed with the expression of a weighty opinion, in which he warned the House that the adoption of the motion would result in a panic, in the midst of which—

All would turn to confusion, and public ruin must be the consequence.—*Hansard*, volume 25, page 170.

These three men were the ablest statesmen of their day, incorruptible in character and wise in counsel. It is not a vain thing for us to apply their admonition in the House of Commons in 1830 to the situation in which the advocates of free coinage ask Congress to place the business world of the United States. I say here, measuring the full significance of my words, that there is no hardship in the life of the American people at this hour, and never has been any, that could be compared to the misfortunes which would instantly ensue upon the assured prospect that the law was about to be changed in such a way as to authorize the legal payment of debts in a coin inferior to that in which they were contracted. The sacrifice of property and of business would be temporary, and might be repaired, but the loss of individual credit and of national character would be beyond the remedy of time.

You say that you wish to have more money in circulation in the United States. Yet you bring in a proposition here to create a coin without regard to the divergence of its value from the value of existing coins of the same denomination. It will take you fifteen years, working the mints of the United States at their full capacity, to make as many new coins of silver as the enactment of a law for the free coinage of silver will drive out of use in gold in the United States within three months. It is still true, under a law which Congress did not make and can not repeal, that no nation under free coinage can create two coins of the same denomination, differing in value, and keep both of them in circulation. But your proposal will not only drive out of use the existing coins of gold and diminish the purchasing power of all remaining coins and currency, but will destroy an element in the monetary volume of the modern business community more precious than either gold or silver—the character and commercial integrity, without which no business prosperity is possible.

"Credit," said Daniel Webster in the American Senate, warning his countrymen against the "evils of a debased coin," "has done more a thousand times to enrich nations than all the mines of the world." The currency or circulating medium of every country consists, not alone of gold and silver and copper and nickel and paper, but chiefly of the numerous forms of credit, written and unwritten. Credit commands all commodities exactly as the coin itself commands them, and, therefore, must be reckoned as a part of the volume of money in any intelligent estimate of the relation of money to prices. The great economists, from Adam Smith and John Stuart Mill until to-day, admit that credit has substantially the same effect on prices as money itself. Therefore, when I meet a man who thinks that the monetary efficiency of our existing coinage is inadequate for the needs of American business, I seek to impress upon his mind the danger of trying to increase the number of coins by means that tend to impair the exercise of commercial credit. That statesman renders a very poor service to the commonwealth who, in trying to provide more coined money for circulation, breaks down and wastes the character and credit which, finding a thousand expressions in the business of the world, has become at last, in a large sense, the true coin of the realm.

I stand here, therefore, in the discharge of my duties to the people for whom I speak to protect them against the wanton disturbance of the basis on which their contracts have been made and to which their business has become adjusted. I speak for them with confidence in their prudence and in their integrity, and I speak all the more confidently because for years, in their schoolhouses, in their villages, in their great political assemblies, I have submitted these questions to their judgment and to their conscience. They are are not driven from their convictions of what is right and wise on this question by considerations drawn from the unfortunate situation of all business in the United States during the present Administration, for, going back to the years when the Republican party controlled the affairs of the nation, they find hope and courage in the prospect of a speedy return to the prosperity of 1892. [Applause.]

There are people who say that the whole history of the Republican party has been one uninterrupted conspiracy against the American people. I heard my friend from Nebraska [Mr. KEM] who, a few minutes ago, disclaimed a very sensible discourse upon the money question as having been delivered, not by him, but by somebody else—— [Laughter,] I heard him say, in starting out the other day, that this conspiracy against the people began in 1862 when the greenback was manipulated in the interest of Wall street. He then passed on to the time when the national banks were created, then to the time when the payment of the public debt was guaranteed in coin, then to the time when the obsolete silver dollar was dropped from the list of our coins.

Mr. KEM. Will the gentleman permit a question?

Mr. DOLLIVER. Yes, sir.

Mr. KEM. Do you undertake to say that the greenback was not manipulated in the interest of the bankers?

Mr. DOLLIVER. I will answer your question, and I will so display the matter that you can understand it, and that your children can understand it. There is not an act of Congress of which you have complained as a part of the conspiracy, from the law creating the greenback in 1862 to the law providing for the resumption of specie payments in 1875, which does not have upon it the signature of one of two men, either of Abraham Lincoln or of Ulysses S. Grant. [Applause.] If that is not an accurate historical statement I desire somebody to correct it.

Mr. KEM. But is it not also true that President Grant made the statement that when he signed the bill demonetizing silver he did not know the effect of it?

Mr. DOLLIVER. I do not believe there is any truth in it, for if he did make that statement after his Secretary of the Treasury had twice recommended the measure to Congress, and after Congress had debated it through 127 columns of the CONGRESSIONAL RECORD, if after all that he made such a statement, then he must have been wanting in that wisdom which the world, by common consent, has attributed to General Grant. [Applause.]

Mr. KEM. He is not the only man who has made the statement that he did not know the effect of the bill when he voted for it.

Mr. DOLLIVER. In view of the public record it is not important what anybody said about that. I say again that the acts of which you speak, all the acts of which you complain, as parts of a conspiracy against the people of the United States, bear upon them the indorsement and approval of one or the other of these men, and I raise a question here, which the American people are going to press home on every agitator who comes forward as a professor of finance and reformer of monetary systems in the United States. If Abraham Lincoln and Ulysses S. Grant were wanting in intelligence, so that they did not know and could not see the welfare of their country; if these men, called in the order of Providence to defend the life of the Republic in the hour of peril, were wanting either in wisdom or patriotism, so that they wrote their signatures of approval upon a long series of statutes by which the struggling millions of their countrymen have been enslaved, what, in God's name, is likely to happen to us when the Augean statesmanship of South Carolina gets hold of us. [Laughter and applause.]

My fellow-countrymen, let us rise above that level of thought and speech which thrives by false witness against the motives of public men, which teaches the young men and young women of the land that public life is without conscience and rectitude of purpose, and that the Government for a generation has been turned from its beneficent office to become the despicable servant of the rich. There never was an hour in the history of the world when a man taken by himself stood for as much, and when a dollar taken by itself stood for as little as it does to-day. [Applause.] People spend a good deal of time worrying over the plutocracy. I have made up my mind that the Lord in His own good time has methods of scattering the wealth of the world; that no unscrupulous money power can long dominate the human race; that this world will in the end be governed by the manhood and womanhood there is in it, and that no syndicate of avarice can drive the integrity out of American politics and American business. [Prolonged applause.]

Coin Redemption Fund.

SPEECH
OF
HON. W. A. CALDERHEAD,
OF KANSAS,
IN THE HOUSE OF REPRESENTATIVES,

Monday, February 10, 1896.

The House having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. CALDERHEAD said:

Mr. SPEAKER: I do not know that in the few moments I have I shall be able to add very much to the information of the House upon the question that has come before it in this curious manner. I think I can agree about some things with my friend who has just taken his seat [Mr. MCDEARMON]. He says that the Treasury of the United States is in trouble, and that it has appealed to the Republican House of Representatives to relieve it, and that the responsibility of providing such relief is upon the Republican House. I think that is true enough; and at least so much of this responsibility as rested upon the Republican House of Representatives it has been willing to undertake and bear.

In answer to the call of the Secretary of the Treasury announcing to us that there was a deficit in the revenues—a deficit in the Treasury, as he claims—we immediately provided the means by which we might relieve that deficit, and we followed that with a bill which would increase the revenues, so that no deficit should occur in the future until time could be obtained for the consideration of a more permanent policy. Was that meeting the responsibilities that were imposed upon it? Why not? When these measures of ours were sent to the Senate for its consideration and when our friends in that Chamber concurred with us in the effort to furnish relief to the Treasury in the manner that we attempted here, there arises a new set of teachers with a new demand.

Not sufficient in themselves to furnish a policy that will relieve the Treasury or prevent a future recurrence of this deficiency, they are sufficient to say to this country, "We want the free and unlimited coinage of silver at the ratio of 16 to 1, and until we can have that there shall be no relief for the Treasury nor for the country upon any other method." And a gentleman now comes and says substantially in his place here that unless we can have that, unless the Republican majority in this House shall surrender its own convictions, its own judgment upon what is for the interest of the country, to the convictions and judgment of this small fraction, there shall be no relief to the country. We could bear this with some patience if there was any sincerity or hope of success in the policy proposed. But when it was proposed in the other Chamber it was distinctly said and understood that the vote upon this question would not provide the remedy demanded, that it would merely put men upon record on the subject. The debate here proceeds in the same manner.

What for? In order that the CONGRESSIONAL RECORD may be filled with campaign literature to be used during the summer months agitating the minds of the people upon a subject which members know can not be settled now by debate in the House or the Senate. Mr. Speaker, for what other purpose has this discussion proceeded thus far in this Chamber? Can any other purpose be named? I have been unwilling to bring myself to consent to the method of stuffing the RECORD with printed speeches never delivered in this Chamber. I can hardly refrain from saying that I can not conceive how any member of this body can find it proper under the privilege of printing his remarks to add to them whole columns of newspaper literature that have no purpose except the effect they may have as campaign documents during the coming summer. Neither can I understand how any member can admit it to be proper with the privilege that is thus extended to him to impose on the country as his speech delivered on this floor sections of public documents that are for free distribution by the different Departments of the Government.

These things are not designed for the purpose of ascertaining a correct solution of the problem that is given to us, but simply, as I have stated before, for the purpose of furnishing campaign literature to be spread over the country during the next six months. That is evidently the purpose. No member expected that kind of discussion to settle the question here. If the members of the House who believe in the substitute now offered to them had sincerely believed in it and wanted an honest and candid discussion of the question before the House, face to face with the men who think differently, so that there might have been a candid and fair debate, and a vote after the deliberate judgment of the members had been rendered upon it—a final verdict pronounced which would have satisfied themselves and their constituents—they should have presented the bill as an original one to the Committee on Coinage, Weights, and Measures. If they could not have obtained a favorable report from that committee they would at least have obtained an adverse report, and could have brought that before the House for consideration, and so instead of remitting the discussion to evening and morning sessions and then absenting themselves from the floor of the House and having little concern in the actual discussion, they would have been in their seats face to face with those occupying a different position on the question, presenting their arguments on the subject, and at least we would have had a vote after a fair weighing of the different arguments on the basis of their material worth and the strength of the claims presented by either side. But that is not the purpose of the discussion. The purpose of now thrusting this measure before us is to obscure the evil results of evil tariff legislation. It is to turn the minds of the people away from the real cause of the prostration of business by which the revenues are made deficient and the Treasury made empty. It is indeed "a condition that now confronts us, and not a theory."

I am opposed to the substitute presented by the Senate, first, because of the indirect manner in which it is presented to the House for its consideration and because of the evident sinister purpose that is underlying the manner of its presentation. I am opposed to it, next, because it is vicious in itself and does not provide any sort of relief to the Treasury, and ignores the real cause of our trouble.

The gentleman who last addressed the House [Mr. MCDEARMON] said "the Treasury would be instantly relieved by voting for the free and unlimited coinage of silver in this House," and in order to satisfy you of the sincerity of his belief in what he stated, he promised that he would take every dollar of the coinage at 99.9 cents on the dollar. Why, he knows, Mr. Speaker, and the nation knows, that the great Republican party throughout this country stands under the credit of the United States, upholding it; that it has pledged itself to the nation to maintain not merely bimetallism, but the parity of every dollar, the equality of the debt-paying and the purchasing power of every dollar that is issued by the Government. He knows that it is because of the intention of this party to maintain the power of the Treasury to redeem all the dollars which are issued in the money in which they have been promised to be paid, and to maintain every dollar that this Government issues, so that it shall have equal debt-paying and purchasing power with any other dollar, no matter how good it may be, that he makes his offer.

I do not know exactly how I will return to the subject he presented first, but I think I will present it by saying that the act of 1875 authorized the Secretary of the Treasury to sell bonds for the purpose of procuring gold to maintain the reserve, such reserve as was deemed necessary for the redemption of the greenbacks when they should be presented at the Treasury. That act has lain there all of that time, from the time it was enacted up to this time, as the basis of the credit of that money, for the gold redemption of the greenback. I know the act uses the word "coin," but no man then or since expected the payments to be anything less than gold. It was necessary that all the other moneys that came from the Treasury of the United States should also be redeemed in the same manner, so that all the dollars issued might have the same power as money.

Now, so long as the revenues of the country were sufficient for the preservation of the redemption fund there was no question about the value of our dollars or about the power of every dollar as money. So long as the revenues were sufficient to meet the expenditures there was no question about the integrity of our money. It was only when the revenue had begun to fall off that a question arose, and this suggestion took its origin about the parity of the dollars.

Which one of you during this discussion has answered the remarks of our friend from Tennessee [Mr. PATTERSON] about the fact that our revenues are not now and have not for nearly two years been paid in gold? Which one of you has explained how it was that when the fear about the equality of the dollars began to arise in the minds of business men not one dollar of gold was paid into the revenues of the Treasury? Which one of you has explained why it was that immediately when there was a fear the dollar recognized as the cheaper was used for business and the dollar which was recognized as the more valuable—the gold dollar—was at once withdrawn? Why is it that gold and greenbacks are at a little premium to-day? But the value of the greenbacks, the value of the national-bank note, the value of the silver certificate or the silver dollar itself, did not rest upon the silver bullion of the Treasury, nor upon the possibility that Congress might authorize the Treasury to coin that bullion; nor did it rest upon the hundred million of gold redemption fund held in the Treasury.

Their value for business was not affected in any way by the loss of the reserve, but day by day, as the reserve diminished from its full amount, the business of the country went on with this

money at par, and when the reserve fund in the Treasury had fallen as low as $45,000,000, although there was still $900,000,000 of money outstanding in the country said to be dependent for redemption upon the reserve fund of the Treasury, the credit of the Government was not affected in the slightest degree and each dollar issued by the Government was at par with every other dollar. So it was evidently not the amount of the reserve fund in the Treasury that kept this outstanding circulation at par. The country knew better than to believe that the value of the dollar depended on the reserve. They knew that it was the power residing in the Treasury by the act of 1875, to provide the redemption of all that money in gold. It was that knowledge which maintained the value of all of these dollars at a par. What maintains it now?

Do you gentlemen think that it was the withdrawal of silver, or the demonetization of silver, as you call it, that produced the panic of 1893 and the appalling disasters of that year? All the standard silver dollars that have ever been coined in this country were still full legal-tender dollars and at par. Have you forgotten the panics of 1824, of 1837, of 1857? Have you forgotten the fact that prior to each one of them the revenues in the Treasury of the United States were provided upon tariff laws framed precisely upon the principle of the law which you presented to the country two years ago, and that each one of those panics followed the enactment and operation of each one of those laws? Even the panic of 1873 came close after four successive reductions of the tariff. Have you the least conception in the world that it was the enactment of your tariff law of two years ago that produced the condition which has existed from that time to this? Have you explained to the country how it was that while for thirty years the revenue of the country was entirely sufficient, and during all that time, except the internal-revenue tax which was paid directly upon whisky and tobacco and articles of that kind, no man was able to put his finger upon one thing that he bought and used that cost him more by reason of the tax which supported the great National Government than it would have cost if there had been no tariff law in existence at all? Not one man could point to a place where he was taxed to support the great National Government except the man who was paying an internal-revenue tax. Not one man could point to a place where he was paying more for anything that he bought and used for his own use under that system of taxation than he would have paid if there had been no such taxation in existence.

You changed the system. You reduced the tariff upon the articles which we manufactured. You provided for free raw material enough to set all the mills of England at work, to shorten the hours of labor in all our factories, to reduce wages, and discharge the hands. You reduced the freight upon all the railways carrying our great internal commerce, reduced the number of employees and the salaries that they received. Within twelve months from the time when you had the power to make that law—and the nation knew that you would make it—two and a half millions of the laboring men of America were out of work.

Has that law nothing to do with the deficiency of the revenue and the deficiency in the Treasury? Has that nothing to do with the distress among our laboring men? Do you propose to furnish men work by coining the dollars that are now in the Treasury? How will these dollars get out? From whom will workingmen get the money? Who does the work that supplies America with her goods to-day? Why is it that you have provided that every English artisan and manufacturer and mechanic shall be at work at increased wages, while nearly every American artisan and mechanic and laborer shall work at diminished wages or go without work? Has that nothing to do with the revenue or the Treasury? And when we now propose that the tariff shall be so levied as to increase the revenue and set our men at work again, you turn from it with contempt and say, "Give us free coinage of silver or you shall have nothing."

But I have not time to give all the discussion to that side of the question that I ought to. There are some of our friends upon our side of the House who also think that we ought to have the free coinage of silver. Now, I admit that it is a question that is still open for discussion and upon which each man has a right to have his own honest judgment, and all I ask of him is that he shall be sincere. He does not make an answer to me when I say that I am not in favor of it, but he stands up and says, "Oh, then you are a gold bug." That is not argument. That settles nothing.

Among those who made the most eloquent and pathetic plea for the free coinage of silver was our friend from California [Mr. JOHNSON]. I was a little surprised at him. I admit the eloquence with which he made that plea, but I ransacked the RECORD in vain for one statement in it that constitutes a reason why we should have the free coinage of silver except the danger that we might lose the next election if we do not.

That is a remarkable statement to come from California. I can not help remembering that from 1862 to 1878, while all the rest of us were compelled to take greenbacks at whatever the market value was and buy gold at whatever the market value was, the great State of California insisted that the National Government should carry $25,000,000 of bonds in order to enable her to maintain gold payments at every counter and upon every contract. From that day to this California has been upon a gold basis. You will not take a promissory note or check or draft there that is not payable in gold. Will the gentleman now make a contract for California that if we establish free coinage of silver she will accept silver for gold? What nation or people has ever sold gold to get silver? Will California sell her gold and take silver in pay? Does California propose again that the whole nation shall go to a silver basis while she retains her gold basis?

But my friend, the gentleman from Minnesota [Mr. TOWNE], has also some admonitions to give us. He must interpret a section of the great Minneapolis platform for us because we have not hitherto understood it. It is not enough for him that that great declaration proclaims the necessity of maintaining the equal power of all the dollars. It is not enough for him that the people of his State have since then repeated that declaration and added to it in 1894 their remonstrance against any attempt to depreciate our money. He has still more knowledge and light. I admire the accuracy with which he has recited to us Coin's Financial School. I admire the adroitness with which he will, under his "leave to print," insert it, with all its maps and charts and tables, into the RECORD, and so secure some permanence to the history of its fallacies.

Admit it all as true, what then? What proposition does he make? Is it not substantially that we shall pay all existing public debts in gold and at the same time begin doing business with silver alone? What is this but a silver basis? Is this bimetallism? But the gentleman from Wisconsin also, like the gentleman from California, proposes that if this is not done the Republican party shall be defeated next. Is this an argument, or is this a threat?

But waiving political fears and guesses, waiving all controversy about the history of this subject, waiving all contention about the practice of our Treasury, what is it you propose to do with the existing condition? What will the result be if you do what you propose in this Senate substitute?

Remember it proposes to take the existing standard of values away, and it proposes to substitute another standard of value. This is to deal with the interests of every home and of every industry—with the interests of every industry which employs labor as well as with the interests of every poor laborer. You say it will increase the price of every product. Can American agricultural products be sold in any foreign market for more than other countries will sell theirs for? If Egypt will sell her cotton for 6 cents a pound and Argentina sell her wheat for 50 cents a bushel, can America sell her wheat or cotton for more? If not, how then would you raise the prices of agricultural products?

But if you should raise prices, is not that to increase the price of everything the poor shall buy? How will you compensate them? With a dollar made of 50 cents' worth of metal? Oh, you will raise the value of the metal to par, will you? Then how have you helped the poor?

But remember in doing this you are to take a metal that is now admitted to be worth only the daily universal market price, and by your new law make money of it, and, as money, rate it at double that market price. What will the result be? You will take a metal which the judgment of the civilized world has now rated at 67 cents an ounce and give it a value of 129 cents an ounce as money. Will the world raise its market price of that metal to the rate you set on it by law? Which nation will do it? You complain now of the power of England. But you in the same breath propose to double the power of England's money. For while the market value of the world's silver remains as it is, if you adopt this Senate substitute, every $1,000 of England's money will buy as much property here as $2,000 of the money you propose for us. How will that relieve us of the power of England over our finances or our business? What is the experience of Mexico? It is an admitted fact that $1,000 of our money or $1,000 of England's money will buy as many cattle or as much property there as $2,000 of her own money. Who will own her property in the end? If you make this law who will own the great industries of our country in a few years more?

Is is not enough that you have turned over to England the work of our manufactories, or must you also turn over to her the purchasing power? In every country in the world now on a silver basis her dollars will buy twice as much of anything that nation sells as that nation's dollars. Must we put ourselves also under her power in the same way by going to a silver basis?

When did any nation get any advantage by depreciating its money? When did any nation get any advantage by depreciating its coin? What nation ever gained anything by coining either silver or gold for more than its commercial value as rated in the business of the world? In the great speech of Senator JONES in the first session of the Fifty-third Congress, he asserts that, "Of

course with unrestricted coinage the mint value and the bullion value will be the same." But when? Adopt this Senate substitute and you will have unrestricted coinage. Can you expect them to take 16 pounds of pure silver and buy 1 pound of pure gold? What man will take his pound of gold to the mint and take 16 pounds in silver dollars for it when he can take his pound of gold outside of the United States and buy twice as much silver or twice as much of anything else that men sell as he could with the 16 pounds of silver.

I know he lays great stress on the fact that it is the law which makes money. But it is only the debt-paying power among citizens within our jurisdiction which the law gives to money. No law can give purchasing power to money. We tried that with our greenbacks. We could pay debts with them at their face value; but when we went to purchase with them the price of everything went up and the purchasing power of the greenbacks which the law made money went down. We worked from 1865 to 1879 to bring the purchasing power of the greenback to par with the debt-paying power, so that the money paid to laborers and producers on what was due them should have as much purchasing power to buy goods as it had debt-paying power to pay them what was due them.

So well was this understood that the legislature of California, on the 25th of March, 1872, presented the following resolution to the United States Senate committee while it was considering the famous act of 1873:

March 25, 1872.—Referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

Whereas it is of the utmost importance to the workingmen, farmers, and traders of the Pacific States and Territories that the silver coin of the United States should be raised to the value expressed upon its face: Therefore

Be it resolved by the senate (the assembly concurring), That our Senators in Congress be instructed and our Representatives requested to urge upon Congress the early passage of a law raising the weight of silver coin to the standard of the year 1850.—*Senate Journal*, March 25, 1872, second session Forty-second Congress, page 42.

When they sent this we had free and unlimited coinage of silver at 16 to 1. Why did not the distinguished Senator's theorem prevent the fall in silver which brought that resolution forth? If the law could give purchasing power to silver, why did they ask that the weight of silver coins be increased to correspond with their face value? My friend from Wisconsin [Mr. TOWNE] says very plausibly that "value is a relation." He then argues that the law can fix the relation between silver and gold, and then he says both silver and gold will bear the same relation to all other commodities.

But is that true? Then why did the relation of silver and gold change notwithstanding the law of free coinage, so that the legislature of California asked to have the weight of the silver coins raised? They were on a specie basis then and had free coinage. They discovered that it was essential that the coin should have the same real value as the value expressed on the face, so that it should speak the truth to the laborer, farmer, and trader.

Philosophers like my friend may say, and do say, that "value is a relation," but plain business men know that value is a fact. I have not time now and here to enter into an analysis of his aphorism, but if value is a relation, then I assert that as a commercial term applied to money it means the worth of its possession and use as property compared with the worth of the possession and use of other property. That relation is a fact established by commercial usages of men.

The value of money is not a mere legal function. The greenback had the legal function in its poorest days. It had the legal power to pay debts at its face, but the law could not give it purchasing power, and so it took more and more of them to buy things. The primary element of money is not its legal function of paying debts. The primary element of money is that it is property. It is this element which gives it the purchasing power. It is therefore essential that it should have the same real as nominal value. A dollar should be not only a name, but also a dollar in fact. Otherwise it perpetually speaks an untruth. The office of the Government is to "regulate the value thereof," so that its nominal value signifies its real value. The Government now signs a ten-dollar gold piece with its coin stamp, and thus says to the world, "There are 258 grains of standard gold which the Government will redeem with $232\frac{3}{10}$ grains of pure gold." All men know the value of it. The Government also stamps a silver piece of $412\frac{1}{2}$ grains of standard silver, which contains $371\frac{1}{4}$ grains pure silver. We sign it with our coin stamp for $1.

Will the world give back one of our ten-dollar gold pieces for every ten of these silver dollars? Why not? Because the universal commercial usages of mankind have ascertained the value of gold and the value of silver, and no law of man has ever been able to give value to coin. Men do business with coin according to their estimate of its value, no difference what the law may be.

You may write in a book that gold and silver shall be coined and used in unlimited quantities on terms of absolute equality, but that will not make them equal, neither will it make them circulate together. The nations of the earth have all attempted to use the two metals that way and have all failed.

The gentleman from Minnesota [Mr. TOWNE] lays great stress upon the definition of bimetallism given by Mr. M. L. Muhleman in his recent work, Monetary Systems of the World, page 12—

By bimetallism, strictly defined, is meant the free and unlimited coinage of both gold and silver into coins of full debt-paying power.

Then, notwithstanding his anxiety to be free from the dictation of England, he cites the report of the royal commission appointed in 1886 by Queen Victoria:

A bimetallic system of currency to be completely effective must, in the view of those who advocate it, include two essential features: (*a*) An open mint ready to coin any quantity of either gold or silver which may be brought to it; (*b*) the right on the part of the debtor to discharge his liabilities at his option in either of the two metals at a ratio fixed by law.

Again I say this is not bimetallism. This is bi-legal-tenderism. This refers only to the debt-paying function of money. This ignores the purchasing power of a laborer's dollar. The day laborers and the wage earners of America are not the men who are asking a general bankruptcy act of this kind by which men may now pay off at 50 cents on the dollar. This is not the bimetallism which the people are in favor of by tradition and interest. The bimetallism of tradition and interest in America is the concurrent use of both gold and silver at one value for purchasing the necessaries or luxuries of life as well as for paying debts. Therefore it is that—

"We are in favor of the largest possible coinage and use of both gold and silver as standard money, with such restrictions and under such provisions to be determined by legislation as will secure and maintain the parity of values of the two metals, so that the purchasing and the debt-paying power of a dollar, whether of silver, gold, or paper, shall at all times be equal. The interests of the producers of the country, its farmers, its workingmen, demand that every dollar, paper or coin, issued by the Government shall be as good as any other."

This is the bimetallism which the American people by tradition and interest are in favor of. Have these gentlemen been leading their people astray from it? By this large definition, national and all-protecting in its character, American bimetallism is not the "free and unlimited coinage of both gold and silver into coins of full debt-paying power only." The question under it is not whether we shall have gold or silver, but whether we shall have justice. Shall we have money that will maintain justice between man and man? Upon this principle the nation must act in coining money and regulating the value thereof, and when it does not the honor of the nation is questioned.

I know gentlemen answer and say that silver has been forcibly depreciated by demonetization. But that is not true. The demonetization laws of the world were all passed because silver was falling in value before the laws were passed. And it was to prevent the injustice of two dollars of different values that they were passed. All the silver that was in use when they were passed is still in use and we have added to it $500,000,000 in eighteen years.

I know they will answer that gold has appreciated and become more valuable. But is that true? The very tables of Soetbeer, which are quoted to prove this, show that from 1866 to 1892 the world's product of gold exceeded $3,276,000,000. That is $116,000,000 more than the world's product for the three hundred and fifty-eight years from the discovery of America to 1851. The world's product of silver from 1866 to 1893 was $3,063,000,000, making a joint output of $6,339,000,000.

The period of greatest prices was in 1865. The joint product of gold and silver from 1851 to 1865 was greater than ever known in the history of metals to that time. Yet the joint product of gold and silver from 1866 to 1893 was $3,781,000,000 more than the output from 1851 to 1865. All the gold and silver that was then in use remained in use, while this vast sum was added to it. All this increase of the metals is largely in excess of the increase of the population or of commerce in the world during the same time.

If there is anything in the theory that prices are dependent on the volume of money in circulation as compared with the volume of commodities offered in the market there should have been the greatest inflation of prices witnessed in modern times.

I will not now go into the vast productions of other wealth, for the tables of statistics will show the varying prices up and down as supply and demand, good seasons and bad seasons, have surged to and fro for the last twenty years. But I ask your attention to the fact that the metal which you now propose to fix as our money has been steadily falling as we have been increasing all our business and increasing all our instruments and agencies of business. We did the best we could to keep it up.

The United States, since 1878, has bought 459,946,701 ounces of silver, for which $464,210,262.96 has been paid, but its present value is only $309,536,118.17, which shows a loss of $154,674,143.79. And you propose to make up this deficiency by this silver Senate substitute.

My colleague [Mr. LONG] has given notice of his amendment, providing that this free coinage shall apply to the American product only.

I know that many men in our great State earnestly hope that this may be done. The spirit of an American which makes him in favor of a home product and of a home market makes me wish

that I could see how this would be done with safety to all our people. The product of our silver mines from 1834 to 1844 averaged $25,000 a year. From 1845 to 1857 the product averaged $50,000 a year. In 1858 it was $500,000. In 1859 it was $100,000; in 1860, $150,000. In 1861 it was $2,000,000. The next year it was $4,000,000, and the next year $8,000,000, and ever since it has gone on increasing until in 1873 it was $37,300,000 and in 1893 it was $77,575,757. The aggregate production of our own silver mines from 1873 to 1893 was $1,142,700,000, counting it at $1.29 an ounce. It is only worth to-day 67 cents an ounce for payment to anybody outside the United States except for the promise of our statute to maintain the parity of the dollars and the practice of our Treasury in exchanging gold for them or for the silver certificates issued on the deposit of silver dollars in the Treasury. If it is only worth 67 cents an ounce without that action of the Treasury, how would this substitute or amendment make it worth any more? We ought to have a reasonable answer to this question.

The proposition to protect it by a tariff equal to the difference between the 67 cents an ounce and $1.29 an ounce is not a true application of the American tariff. The true application of the American tariff protects American producers from unfair competition from other countries, but it leaves competition free among American producers, and we get the benefit of that free competition. But a free coinage of the American product of silver with a protective tariff that will prohibit foreign silver does not leave free competition among American silver mines. It creates them all into a monopoly of their product at a fixed price and the American people are compelled to take, at $1.29 an ounce, a product which they could exchange wheat or beef for elsewhere at 67 cents an ounce. Would this be right?

It is not opposition to the use of silver as money, nor opposition on my part to the silver producers of my country, that makes me feel it my duty to say these things. I own no gold mines nor gold. I own no wealth of property to be affected by your decision. I highly value the friendship and approval of many men who think this substitute, or at least this amendment, for the free coinage of the American product should be accepted.

But we are here to ascertain the truth about a matter in which every home in the nation is interested. "Let no coward thought of praise or of blame turn by so much as a hair's breadth the fine scales of honor while we weigh this truth and declare the result." When I ask what the result will be, no man makes a definite answer. No proposal is stated here to maintain the parity—the purchasing power equal with the debt-paying power—of all the dollars. No proposal is stated here to fill up the deficiency in the Treasury with a reserve that will maintain the present paper money—the greenbacks and coin notes and silver certificates at par with anything but silver. No proposal is here to provide a revenue that will be sufficient for the expenses of the Government. To these serious questions the whole answer is "free coinage or nothing."

"Nothing" does not mean standing still. It means going on increasing the public debt. It means to go on importing goods while our manufactories rust in idle silence and our workingmen go without work.

I know we must settle this question for ourselves. I do not hope for an international agreement, because no people can afford to alienate its freedom by a monetary treaty. No nation can consent that other nations shall decide how much money it shall have. No nation can do so without subjecting itself to the power of the others.

France chained herself to the other nations in the Latin Union and they obligated themselves to redeem their silver coinage in gold within one year from the notice to terminate that union. None of them dare to serve that notice for fear they will have to settle up. Meantime the national debt of France has increased more than $1,500,000,000 in the last five years. The monetary union has not helped her. We must settle the question ourselves.

From 1878 to 1893 we were paying our national debt. From the day the last tariff law went into effect we have been increasing our national debt. During the last seventeen months the total receipts of the Government have been $429,323,353. The total expenditures have been $502,487,296. The deficit in revenues has been $74,164,296. But the increase of the national debt has been $262,000,000 in bonds.

Where has the other $187,836,804 gone? It has gone to pay the balance of trade account that you have set against us. Our gold has been withdrawn and shipped out of the country to pay for goods which we used to make here and pay for here, and to pay for raw material which we used to produce here and pay for here.

It is the private indebtedness of the country which is turned into a national debt by withdrawing our gold to pay for these things. Will you change the balance of trade account and set it in our favor by this substitute? Turn your eyes from this substitute bill to the record of our exports and imports for the last seventeen months and then tell us, if shame will permit you to speak, what relief for the country or for the Treasury there is in this substitute.

The Silver Question.

SPEECH
OF
HON. JOHN F. SHAFROTH.
OF COLORADO,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 5, 1896.

The House having under consideration the bill (H. R. 2004) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of the revenue—

Mr. SHAFROTH said:

Mr. SPEAKER: This bill, as it passed the House, was for the purpose of creating a coin redemption fund. The Senate has amended the bill by providing a substitute therefor authorizing the free coinage of silver. It is this free-coinage measure that is now before the house for discussion.

The difficulty that has arisen so far in the discussion of this question is, that there has been no data or premises laid down upon which we have agreed as a foundation for our arguments; and yet there are some truths that are generally conceded.

There are two kinds of money in the world.

First. Primary money, by which I mean money of ultimate payment or redemption; and

Second. Credit money, by which I mean promises to pay, based upon the general credit of the Government, redeemable in primary money.

Primary money has two functions: First, as a *measure* of value, and second, as a circulating medium.

Credit money does not act as a measure of value as long as it is redeemable in primary money, because its exact value is fixed by the money in which it is redeemable, but it does act as a circulating medium.

There is one fact that we can all agree upon, no matter what our views may be upon the financial question, and that is, that there is not now and never has been a sufficient quantity of primary money in the world. This truth is demonstrated by the fact that all nations, in order to relieve their necessities for a circulating medium, have been compelled to resort, either directly or through their banking institutions, to the issuance of credit money. No government would undertake the hazards of maintaining credit money unless there was an imperative necessity for the same, and no nation would ever authorize banking institutions to control the currency if there was sufficient primary money in circulation.

There is in existence at the present time in the world $2,469,000,000 of such credit money, and if silver be treated as token or credit money by those nations that have adopted the single gold standard, there is in existence in the world nearly $6,000,000,000 of credit money. This credit money represents the amount of shortage in the world of primary money.

There are two propositions that I first desire to discuss:

First. That in theory by the demonetization of silver there should have been an enormous increase in the value of gold; and

Second. That in actual experience there has been an enormous increase in the value of gold.

APPRECIATION OF GOLD.

Previous to 1873 two metals formed the base upon which was built all the credit and commerce of the world. These metals are designed by nature as money metals on account of their quality of indestructibility, their compactness as compared to value, and the difficulty with which they are extracted from the earth. So evenly has nature stored these metals in the earth that, notwithstanding free coinage of both metals existed in many of the nations for centuries, yet the amount of gold and silver coined in the world previous to 1873 was practically the same. By the demonetization of silver in the various nations of the earth one of these two metal moneys was stricken down as a money of ultimate payment. All the burdens which both metals had borne were thereby shifted on to one. As those metal moneys were, and now are, practically equal in amount, the burden upon that one was thereby doubled. Doubling the burden upon a metal doubles the demand for the same, and doubling the demand for it doubles the value thereof.

If there is any truth in the principle of supply and demand, this conclusion must inevitably follow. It is therefore mathematically certain that if the demonetization of silver had taken place throughout the world simultaneously, the doubling of the value of gold would have surely followed. It is true that demonetization of silver has taken place gradually. One nation after another at intervals of time has adopted the single gold standard. The result has been the gradual shifting of the burdens borne by both gold and silver onto the gold alone, thus making a gradual increase of demand for gold and a consequent gradual increase in the value thereof. It is also true that demonetization of silver has not yet taken place throughout the world, as there are still some nations that relieve

the strain on gold by holding their mints open to the free coinage of silver. It is for that reason gold has not yet doubled in value.

The coinage of silver on government account by standard nations does not relieve the strain on gold, because such nations do not make silver a money of ultimate redemption. Such governments treat silver as token or credit money, and either directly or indirectly offer to redeem it in gold. The silver coin then becomes simply a promise to pay gold. The coinage of silver in that manner makes that many more obligations of the government redeemable in gold, and hence makes that much more burden that gold as the money of ultimate payment must bear. Thus the coinage of silver on government account instead of relieving the strain on gold actually increases the demand for it and consequently the value thereof. As the gold dollar is the unit of measurement in this country, its increase in value can not be estimated in dollars and cents, but only in its increased purchasing power, and its increased purchasing power can only be estimated in the decline in price of everything that gold will buy.

If gold were simply a commodity, and not a standard or measure of value, its appreciation would be of comparatively little consequence; but it is because of its being a *measure for everything else in the world* that it is so important to mankind that it should not increase in value. As the debts of the world are increased by the increase of the measure, doubling the value of the measure doubles the size of the debt calculated by that measure.

Now, Mr. Speaker, what does the doubling of the value of the standard gold dollar mean? It means the doubling of every other dollar redeemable in that coin. It means that the man who has his wealth invested in bonds or notes awakes to the realization that his fortune in purchasing power has been doubled; that the man who has his wealth invested in anything that gold will buy finds that by the doubling of the value of gold what he has to sell will only bring one-half as much as it formerly did.

That legislation is indeed pernicious that in its effect doubles one man's wealth and divides in half the wealth of another. But what is the effect upon the wealth of those men who in order to develop the resources of the country have borrowed money with which to aid in the establishment of their enterprises, or who have been so unfortunate as to mortgage their lands to the extent of one-half their value? Doubling the value of the dollar to such men means the total annihilation of their wealth. As the debts in the United States alone are estimated to be more than $20,000,000,000, it is apparent that the consequences of doubling the value of gold in this country must be most appalling. It is contended that as demonetization of silver by the nations of the earth has taken place gradually, the addition to the stock of gold has relieved this increased demand upon it. That would be true to a certain extent if commerce and debts had not increased during that period. We know that by the increased and ever-increasing facilities of transportation commerce has been increasing at the rate of more than 6 per cent per annum, while the increase in the gold coin of the world has very little exceeded 1 per cent per annum. The production of gold in 1894 was $180,626,100, the highest amount ever reached in any year up to that time.

It has been estimated by Mr. Giffen, the statistician of the London Board of Trade and a gold monometallist, that the arts consumed as much gold as the annual product, and that in the arts there was melted as much gold coin each year as there was new gold coined.

Sir Lyon Playfair, a member of the British Parliament and a gold monometallist, has estimated that at least 75 per cent of the annual product of gold goes into the arts.

Prof. C. L. Fawcett, another gold monometallist, estimated that of the annual product of 1892, viz, $130,650,000, there was consumed in the arts $110,000,000.

We know as a matter of fact that the consumption of gold in the arts has multiplied in recent years. Twenty-five years ago, in a town of a thousand or fifteen hundred population, you could count almost on the fingers of your two hands the number of gold watches, chains, and charms worn by its citizens. To-day at least ten times that number are in use among the people of the same community, and the same rate of increase has been made as to medals and other gold ornaments. The enormous amount of gold used in gilding and in dentistry has increased even in a still higher proportion.

Taking the most liberal of the estimates above referred to, we have no greater sum than $45,377,500 in gold per annum to be added to the stock of primary money of all the gold-using nations on earth. The world's stock of gold coin is about $4,000,000,000. The annual increase in that stock is therefore a very small fraction over 1 per cent. The condition therefore is, that our stock of primary money is increasing at the rate of a little over 1 per cent per year, while it is upholding and bearing the burdens of commerce and credit, which in the past twenty-five years have been increasing at the rate of more than 6 per cent per annum. The inevitable result of such a condition must be the continual increase in the value of gold, occasioned by the continual increased demand on it by commerce and credit. By adhering to the single gold standard, therefore, we are tying ourselves to a metal the production of which does not keep pace with the increase of commerce.

To divide the $45,377,500 in gold among all the gold-using countries in the world would be to add only a few million dollars each year to the primary money of the United States. We know that the demand which the United States alone has made upon gold in order to maintain its reserve during the past two years has been $262,000,000, including the bond issue bid for to-day. This amount is several times greater than that part of the annual gold product that goes into coin for the entire world. Is there any wonder that there is a terrible strain on the gold in the world and that the enormous demand which is being made upon it is continually increasing its value? It is this increased demand for gold that has increased its purchasing power. That is the reason why prices are continually falling. When the measure of value is increasing gradually each year, the result is bound to manifest itself in the diminished price of all the commodities and property that it measures.

Previous to 1873 any person had the right to take silver bullion to the mints of the Latin Union to have it coined, free of charge, into money, just the same as he now has the right to have gold coined. The principal use of silver is for money. Suppose the governments of the world were to conclude that wheat bread was not as healthy as bread made from corn, and should enact laws prohibiting the mills from grinding wheat. Can there be any doubt, if those laws were enforced, that wheat would be worth almost nothing, that it would sink in price to what it would be worth as feed for animals? And can there be any doubt that the price of corn would increase enormously? The mere statement of the proposition is conclusive of its truth. Why should not that same principle of supply and demand apply to gold and silver? Can the nations of the world annul the right to have silver coined into money and leave their mints open to the free and unlimited coinage of gold, unless it increases enormously the value of the latter metal and correspondingly decreases the price of the former?

In 1873, when silver was demonetized by the United States and Germany, there were only three nations in Europe that had the single gold standard. They were Great Britain, Turkey, and Portugal. Turkey at that time was upon an inconvertible paper currency and hence was making little or no demand upon gold. Great Britain at that time had a population of 32,000,000 and Portugal a population of 6,000,000. Thus only 38,000,000 of people were making demands upon gold alone for monetary purposes.

At that time there were six nations in Europe that had a bimetallic standard. They were France, Belgium, Switzerland, Italy, and Greece, constituting the Latin Union, and Spain. There were only two of them, namely, Belgium and Switzerland, that were then on a specie basis.

There were seven nations in Europe at that time that had the single silver standard. They were Germany, Austria, Russia, Sweden and Norway, Denmark, and Holland. All of these were on a coin basis except Russia and Austria. The United States at that time had the bimetallic standard, but was upon an inconvertible paper currency. None of these nations now have a bimetallic standard, but the gold valuation prevails in every one except Russia, Italy, and Greece, which are still upon inconvertible paper currencies. France maintains a very large silver currency, but upon a gold valuation. At the present time the demand upon gold is enormous. Great Britain, with its present population of 38,000,000; Germany, with its population of 50,000,000; Austria, with its population of 40,000,000; Turkey, with its population of 33,000,000; Norway and Sweden, with their population of 7,000,000; Holland and Denmark, with their population of 7,000,000; France, Belgium, and Switzerland, with their population of 47,000,000, and the United States, with its population of 70,000,000, are all in the struggle for gold in order to preserve their redemption funds. Thus 252,000,000 people are now demanding this metal which in 1873 only 38,000,000 were demanding. Is it any wonder that gold, notwithstanding its recent increased annual product, has been going higher and higher in value each year? How can anyone who recognizes truth in the principles of supply and demand claim with reason, in view of this situation, that gold has not increased in value?

It seems to me, therefore, conclusive that, in point of theory, by reason of the demonetization of silver and the shifting upon gold of all the burdens of primary money, which both metals formerly bore, that gold has enormously increased in value.

FALL IN PRICES.

The second proposition is that in actual experience the theory that there has been an enormous increase in the value of gold has proven true.

As the increase in the value of a standard or measure can not be calculated by the standard itself, the only way that it can be measured is by its increased purchasing power. That increased purchasing power in gold is manifested in the fall of the price of everything that gold will buy. When you see one commodity get cheaper, while all others remain of stationary value, in order to ascertain the cause of the decline in price of the one you naturally look to the question of supply and demand as to that one commodity, but when you find that all commodities and properties, except those that are buoyed up by some special advantage, are declining in price year after year you are bound to come to the conclusion that it is not on account of overproduction, but that the fault is in the increase of the measure of value. That there has been a continual fall in the

price of almost all commodities can hardly be questioned. It is always best to take from an undoubted authority the statistics by which a fact is proven.

The tables of Mr. August Sauerbeck, an eminent statistician of London, are perhaps the most complete and reliable of any to be found in the world. They were not framed with any relation to the silver question, and hence any prejudice for or against silver could not have entered into their compilation. These tables show the range of prices in the London market of forty-five of the principal commodities in the world for a series of years. In one set of these tables he takes as his base, or par value, which he designates as the 100 mark, the average price of the commodities for the eleven years between 1867 and 1877. According to this set of tables the average price of those commodities fell in 1895 to 62 per cent of what they averaged in the period above stated. This percentage of decline in the price shows conclusively that gold, since that period, has increased in purchasing power as regards those commodities 61.3 per cent. Another set of tables (deduced from Mr. Sauerbeck's tables), showing the range of prices of the same forty-five commodities, takes as its base, or 100 mark, the average price of the commodities for the year 1873. This set of tables shows that the average price of those commodities in 1895 was only 55.8 per cent of what their price was in 1873, which shows that gold in purchasing power as to those commodities has increased 79.2 per cent.

I ask leave to insert in my remarks the following table:

Mr. Sauerbeck's Index Numbers, to which is added the annual average price of silver in London and to which is added index numbers of the same 45 commodities, taking as their base the average prices of 1873.

Year.	Sauerbeck's Index Numbers of 45 principal commodities taking average price of 1867–1877 as their base=100.	Index Numbers of same 45 principal commodities taking the average price of 1873 as their base=100.	Sauerbeck's Index Numbers of silver taking the price 1867–1877 of 60.84d.=100.	Annual average price of silver in London.
				Pence.
1873	111	100		
1874	102	92	95.8	58 5/16
1875	96	86	93.3	56 3/4
1876	95	85	86.7	52 3/4
1877	94	84	90.2	54 7/8
1878	87	78	86.4	52 5/16
1879	83	75	84.2	51 1/4
1880	88	79	85.9	52 1/4
1881	85	76	85	51 1/16
1882	84	75	84.9	51 5/8
1883	82	74	83.1	50 9/16
1884	76	68	83.3	50 1/16
1885	72	65	79.9	48 5/8
1886	69	62	74.3	45 3/16
1887	68	61	73	44 3/8
1888	70	63	70.4	42 7/8
1889	72	65	70.2	42 11/16
1890	72	65	78.4	47 11/16
1891	72	65	74.1	45 1/16
1892	68	61	65.4	39 13/16
1893	68	61	58.6	35 5/8
1894	63	57	47.6	28 15/16
1895	62	55.8	49	29 13/16
Jan., 1895	60	54	45.1	27 7/16
Feb., 1895	60	54	45.3	27 9/16
Mar., 1895	60.8	54.7	48.9	29 3/4
Apr., 1895	61.7	55.5	49.7	30 1/4
May, 1895	62.5	56.3	50.3	30 5/8
June, 1895	62.4	56.2	50	30 7/16
July, 1895	62.8	56.5	49.7	30 1/4
Aug., 1895	63.3	57	50.1	30 1/2
Sept., 1895	63.5	57.2	50.2	30 9/16
Oct., 1895	63.3	57	51	31
Nov., 1895	62.3	56.1	50.4	30 11/16
Dec., 1895	61.6	55.4	50.2	30 9/16

The fall of price in commodities generally has not been denied, to my knowledge, upon the floor of this House, in this debate. Various members have attempted to explain the causes of this decline, but none have denied the fact itself.

The claim they make is that the decline in price has been caused by overproduction. If this decline had only been for one year, or if the price of a large number of commodities had gone higher, while as to others it had fallen, that theory might be a reasonable explanation; but when this fall in price of almost all commodities has been continuing year after year, you are driven to the conclusion that it is not overproduction that has caused the decline. Man will not year after year continue to overproduce all commodities.

HAS THERE BEEN OVERPRODUCTION OF SILVER?

The theory of overproduction will not account for the decline in the gold price of silver. It is true that in recent years the production of silver has been increasing, but it must be remembered that the annual production of gold has also been increasing. It was not until 1882 that the annual product of silver exceeded that of gold, and yet the gold price of silver had been declining ever since 1873. The table which I hold in my hand, and ask to have incorporated in my remarks, shows the world's production of gold and silver from 1792 to 1894. It was issued from the Treasury Department, Bureau of the Mint, August 16, 1893, and can be found in the Government publication called "Coinage Laws of 1894," at page 103. (It is also verified in the report of the Secretary of the Treasury for 1894 at page 304.) To that table I have added the world's production of gold and silver for the years 1893 and 1894 as estimated by the Treasury Department.

Production of gold and silver in the world, 1792–1894.

Calendar years.	Gold.	Silver (coining value).	Total.
1792–1800	$106,407,000	$328,860,000	$435,267,000
1801–1810	118,152,000	371,677,000	489,829,000
1811–1820	76,063,000	224,786,000	300,849,000
1821–1830	94,479,000	191,444,000	285,923,000
1831–1840	134,841,000	247,930,000	382,771,000
1841–1848	291,144,000	259,520,000	550,664,000
1849	37,000,000	39,000,000	76,000,000
1850	44,450,000	39,000,000	83,450,000
1851	67,600,000	40,000,000	107,600,000
1852	132,750,000	40,600,000	173,350,000
1853	155,450,000	40,600,000	196,050,000
1854	127,450,000	40,600,000	168,050,000
1855	135,075,000	40,600,000	175,675,000
1856	147,600,000	40,650,000	188,250,000
1857	133,275,000	40,650,000	173,925,000
1858	124,650,000	40,650,040	165,300,000
1859	124,850,000	40,750,000	165,600,000
1860	119,250,000	40,800,000	160,050,000
1861	113,800,000	44,700,000	158,500,000
1862	107,750,000	45,200,000	152,950,000
1863	106,950,000	49,200,000	156,150,000
1864	113,000,000	51,700,000	164,700,000
1865	120,200,000	51,950,000	172,150,000
1866	121,100,000	50,750,000	171,850,000
1867	104,025,000	54,225,000	158,250,000
1868	109,025,000	50,225,000	159,950,000
1869	106,225,000	47,500,000	153,725,000
1870	106,850,000	51,575,000	158,425,000
1871	107,000,000	61,050,000	168,050,000
1872	99,600,000	65,250,000	164,850,000
1873	96,200,000	81,800,000	178,000,000
1874	90,750,000	71,500,000	162,250,000
1875	97,500,000	80,500,000	178,000,000
1876	103,700,000	87,600,000	191,300,000
1877	114,000,000	81,000,000	195,000,000
1878	119,000,000	95,000,000	214,000,000
1879	109,000,000	96,000,000	205,000,000
1880	106,500,000	96,700,000	203,200,000
1881	103,000,000	102,000,000	205,000,000
1882	102,000,000	111,800,000	214,800,000
1883	95,400,000	115,300,000	210,700,000
1884	101,700,000	105,500,000	207,200,000
1885	108,400,000	118,500,000	226,900,000
1886	106,000,000	120,600,000	226,600,000
1887	105,775,000	124,281,000	230,056,000
1888	110,197,000	140,706,000	250,903,000
1889	123,489,000	162,159,000	285,648,000
1890	118,849,000	172,235,000	291,084,000
1891	126,184,000	186,447,000	312,631,000
1892	138,861,000	196,459,000	335,320,000
Total	5,663,216,000	5,077,529,000	10,740,745,000
1893	157,228,100	209,165,000	366,393,100
1894	180,626,100	216,892,200	397,518,300
Total	6,001,070,200	5,503,586,200	11,504,656,400

The treatment by the advocates of the single gold standard of the annual production of silver as compared with the annual production of gold has been exceedingly unfair. For instance, take the production of the year 1892—$138,861,000—of gold compared to $196,459,000 of silver (coinage value). They contend that as there was one-third more silver than gold produced in that year there ought to be an equivalent fall in the price of silver. Because the production of silver in any one year has exceeded the production of gold, it does not follow that the decrease in the price of silver should be in proportion to the excess of silver over gold in that year. The man who makes such an argument makes the mistake of treating silver as a commodity which is consumed in the using of it. That principle would apply to wheat or any of the products that are consumed each year. But silver is an indestructible metal and its annual production is but a very small per cent of the total amount of silver in the world, and when produced it does not constitute a separate mass upon which the principle of supply and demand can operate, but forms a part of the total stock of silver in the world.

When silver falls it affects the entire mass of silver, not the annual product only. Hence, on the theory of overproduction, you would have to double the entire mass of silver in order to produce a fall in price of 50 per cent, and if measured in gold you would have to make the increased mass of silver double the mass of gold. It can therefore be readily understood how insignificant must be the effect of the annual increase of production upon the total silver of the world. The way to find the relative increase of silver over gold is to add the annual product of silver to the total silver stock, then add the annual product of gold to the total gold stock and find what per cent the total silver thus found bears to

the total gold thus ascertained. By this calculation you will find that in the year 1891, when the greatest excess of silver over gold ever was produced, when the production of silver exceeded that of gold by $60,000,000 that it represented an increase in the total silver of the world over gold of less than one-half of 1 per cent. On the theory of overproduction no greater change in value could have occurred than that.

But we find that while the percentage of the increase of the total mass of silver over gold has been very small, and has existed only since 1882, that the decline in the gold price of silver has been enormous, although silver in purchasing power of staple products has comparatively kept a steady value. If the annual product is of such an important character, what can be said in defense of that theory (of overproduction of silver causing fall of its price) when the world's product of silver for 1895, as near as can be ascertained at the present time, is less than 5 per cent more than that of gold.

It is manifestly unfair to take the annual product of either metal for a short period of time and attempt to fix thereby their relative value. The history of the production of the precious metals shows that the greater annual product will oscillate from one to the other. It is only by taking the production for a long series of years that any fair conclusion can be deduced therefrom. It is shown by the last table to which I have referred that the total production of gold for more than the past century, namely, from 1792 to 1894, has been almost exactly equal to the total production of silver in the same period. According to the theory of relative supply their value should have remained the same. It is therefore conclusive that the fall in the gold price of silver is not due to the production of more silver than gold, but is due solely to the increased demand upon gold and the decreased demand upon silver, produced by the demonetization of the latter, which caused all the burdens which both metals have borne as primary money to be shifted onto gold alone.

HAS LABOR FALLEN IN PRICE.

It is claimed that labor has not declined in price, and therefore the appreciation of gold is not the cause of the fall in prices. Our opponents usually take the year 1860 as the date of the comparison of wages. In the first place that date is not a fair one, because at that time nearly one-half of our nation afforded a poor market, if any, for labor on account of the existence of slavery therein. The price of labor in the remainder of the Union was most seriously affected by the proximity thereto of the cheap labor that slavery afforded. But the principal reason why there has not been as much reduction in wages of those actually employed as there has been in the price of commodities, is because wages have been held up by all manner of human devices in the shape of trades unions and labor organizations. Labor never had a fair opportunity to compete with capital until within the last few years. But notwithstanding these advantages, if you take into consideration the number of men out of employment, there is a far less total sum paid for labor than if all were employed at greatly reduced wages. It is absurd to say that the products of labor may fall year after year and yet not affect the price of labor.

I hold in my hand a statement compiled by the Secretary of Agriculture in response to a request from Senator HANSBROUGH of North Dakota showing the world's production of wheat from 1885 to 1892, which I ask leave to print in my remarks. Of course, it is not possible to compile with accuracy the world's product of wheat, as the data from various countries are very incomplete, and hence this statement is an estimate only. The following is the table.

Approximate statement of the world's wheat crop from 1885 to 1892, inclusive.

Countries.	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.
	Bushels.	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
United States	357,112,000	457,218,000	456,329,000	415,868,000	490,560,000	399,262,000	611,780,000	515,949,000
Ontario	31,572,931	28,459,322	20,706,452	20,923,709	19,288,983	22,643,193	33,611,074	29,690,129
Manitoba	7,209,479	6,922,723	12,741,050	7,220,640	7,428,511	15,128,034	23,922,598	‡14,909,420
Argentina and Chile	*25,000,000	*28,800,625	*28,000,000	*28,375,000	*24,118,750	*60,271,043	*47,256,500	*47,549,418
Austria	48,281,992	44,644,090	52,351,733	51,843,452	38,376,705	44,059,962	41,070,599	†47,123,526
Hungary	113,805,460	102,846,419	145,906,514	135,859,786	93,520,530	148,017,904	126,268,750	138,223,680
Belgium	18,516,935	18,219,412	19,887,110	15,298,980	19,339,038	19,409,505	14,187,500	20,748,362
Denmark	5,533,355	5,201,640	6,024,672	3,805,465	4,977,875	4,062,599	4,666,445	*4,538,683
France	311,733,033	304,427,095	319,094,204	280,176,816	307,357,350	331,748,810	219,241,787	310,037,795
Germany	95,505,881	97,973,269	104,013,175	92,991,571	87,170,362	104,020,781	85,750,011	*100,057,440
Great Britain & Ireland	82,071,332	65,285,353	78,567,593	76,760,671	78,149,523	78,306,016	77,016,151	62,621,756
Greece	*4,965,625	*4,937,250	*5,000,000	*4,823,750	*5,000,000	*5,675,000	*5,675,000	*3,972,500
Italy	117,027,013	119,793,575	126,223,350	110,095,000	108,934,463	131,433,000	141,455,050	†115,676,431
Netherlands	6,325,545	5,194,702	6,889,532	5,243,700	6,473,217	*6,189,120	*3,713,472	*5,675,000
Portugal	*7,661,250	*8,228,750	*6,000,000	*7,093,750	*8,512,500	*8,252,160	*8,252,160	*6,100,625
Roumania	*22,629,063	*22,629,063	*24,000,000	*51,075,000	*44,784,883	53,607,639	45,672,264	*59,828,160
Russia	178,084,400	163,455,273	278,697,917	313,935,995	197,883,931	213,031,826	169,108,708	241,578,934
Poland	‡14,110,000	‡13,100,000	‡15,600,000	14,369,446	10,052,537	12,629,698	12,680,920	24,440,446
Servia	*4,681,875	*4,525,813	*5,000,000	*4,540,000	*5,000,000	*10,315,200	*7,945,000	*4,951,296
Spain	*113,500,000	*131,660,000	*95,000,000	*101,156,875	75,622,213	*70,143,360	71,349,094	*78,395,520
Sweden	3,974,773	3,867,487	4,370,485	3,853,736	3,809,037	4,048,962	†4,551,350	†4,559,863
Norway	‡280,000	‡280,000	*230,000	*312,125	*283,750	236,602	*412,608	*412,608
Switzerland	*2,057,188	*1,645,750	*2,000,000	*1,702,500	*2,270,000	*2,475,648	4,041,766	*3,300,864
Turkey in Europe	*45,400,000	*41,143,750	*42,000,000	*42,562,500	*39,725,000	*37,134,720	*33,008,640	*24,756,480
India	299,155,584	258,317,622	238,585,947	266,882,112	237,522,133	228,592,000	255,434,667	203,168,000
Asia Minor	*43,200,938	‡37,000,000	‡37,000,000	*38,306,250	*36,887,500	*37,134,720	*37,029,375	*37,134,720
Persia	*26,743,438	‡22,000,000	‡22,000,000	*22,700,000	*22,500,000	*22,693,440	*20,630,400	*18,567,360
Syria	*16,457,500	‡14,000,000	‡14,000,000	*14,187,500	*12,768,750	*12,378,240	*12,343,125	*12,378,240
Japan	12,362,906	16,453,383	15,571,400	15,839,821	16,491,845	12,567,996	18,131,295	*13,857,802
Algeria	*22,700,000	*32,915,000	21,215,718	*19,862,500	*22,500,000	*22,693,440	*21,281,250	19,398,797
Cape Colony	‡3,600,000	*3,666,022	3,692,555	3,932,090	3,776,137	2,045,616	2,748,749	2,813,460
Egypt	*14,187,500	*16,457,500	*13,700,000	*14,187,500	*7,945,000	*8,252,160	*11,140,416	*8,252,160
Australasia	38,412,447	§32,681,648	§45,932,961	§35,733,671	§35,996,836	43,861,853	33,874,000	37,096,221
Total	2,093,859,443	2,113,950,536	2,266,331,368	2,221,519,911	2,075,027,329	2,172,372,246	2,205,251,330	2,217,764,701

*Unofficial.
†Preliminary.
‡Estimated.
§No official figures for South Australia were published for 1886, 1887, 1888, or 1889, and the figures for that colony incorporated in the totals for Australasia for three years were consequently unofficial.

By this table it is shown that there has been a very equal production of wheat each year. The greatest yield of wheat in any one of those years was in 1887, and yet in that period wheat fell far below the price of that year.

HAVE IMPROVED PROCESSES CAUSED THE FALL IN PRICES?

The theory that the introduction of improved machinery and the lowering of transportation charges accounts for the decline in the price of commodities is erroneous. The price of a commodity is not determined by its cost; it is determined by the operation of the principle of supply and demand. If the price of a commodity were determined by its cost, it would never sell for less than cost, no matter how much the market in that line was glutted, and it would never sell for any considerable profit, no matter what scarcity existed in that product. The only influence that the cheapening of the cost of production and transportation has is to make the profit of the farmer greater instead of less, and the very desire to make more profits stimulates production, and thus increases the supply, and in that way only affects prices. These influences of cheapening the cost of production ought to operate to the advantage of the farmer instead of his loss. Yet everyone knows that the farming interests of this country are in a most deplorable condition, and that no adequate return can be made upon a farm investment. But even if there was some truth in the assertion that improved machinery and lower transportation charges has cheapened the price of farm products, it must be remembered that farm products, like everything else, are measured in gold and their price fixed in gold.

There can be no doubt that there have been in the past twenty years improved processes in the treatment of gold ores, in the hoisting apparatus used in mining, in the use of electricity in drilling, mining, and igniting explosives, and in the character of high explosives for blasting, which have lowered the cost of the production of that metal far more than the improved processes in farming have lowered the prices of farm products. As a matter of fact,

the great era of labor-saving machines in farming was from 1850 to 1873, and during all of that time there was a general rise in farm products. People unfamiliar with mining may think that transportation charges constitute a very small per cent of the value of the ores, and hence would affect the general cost of marketing very little; but they are mistaken. The greatest yield and the most constant yield is from the mines that net a very small sum per ton over the cost of mining and shipping to the smelter. And freight charges often determine whether a mine can be worked at all. When we know that there are thousands of tons of ore from the Rocky Mountain regions smelted in Chicago and in Wales, one may realize that the haul is not a short one.

If the cheapening of the cost of raising products and of mining gold ores had been the same, and had controlled prices, the fall in each being the same, there should have been no fall at all when measured by each other. But the cheapening of the cost of raising and marketing farm products in the past twenty years having been less than the cheapening of the cost of mining and marketing gold ores, we are led to the inevitable conclusion that relatively there should have been a rise in farm products measured in gold, instead of a fall. We therefore conclude that this theory is erroneous, that it is the great principle of supply and demand, and not the cost of production, that controls the price of gold as well as that of farm products; that the great fall in the gold price of products is due to the fact that the demand for gold has so enormously increased; that having to bear all the burdens of primary money that both gold and silver bore, gold must have increased in value, and therefore decreased the price of every product measured by that metal.

IS LESS MONEY NEEDED NOW THAN FORMERLY?

It is contended by the single gold standard advocates, and it has been asserted on the floor of this House time and time again, that in the last few years banking facilities have become so perfect that very little money is needed to transact the commerce of the world compared to what was needed twenty years ago. At the first statement of the proposition it is apt to produce a strong impression because of the progress that has been made in the wealth and commerce of our nation. But I most emphatically deny the truth of that assertion. There is no better test of the amount of the business which is done by checks in one period over another than is found in the reports of the clearing house of such a city as New York, which had about the same number of banks twenty years ago as now. I have before me a tabulated statement of the clearings of the New York clearing house from 1869 to January 1, 1895, which I ask to have incorporated in my remarks.

It is shown by this tabulated list that the clearings for 1872 were far greater than for 1894; that those for the year 1873 were in excess of the clearings of 1893: The clearings for 1872 being $33,844,369,568, and the clearings for 1894 being $24,230,145,363; the clearings for 1873 being $35,461,052,826, and the clearings for 1893 being $34,421,380,870.

This list shows conclusively that, notwithstanding the enormous increase in the commerce and wealth of New York City, not as much of it is conducted by checks as in 1872 and 1873.

It is often asserted by the single gold standard advocates that the use of checks in the last few years has become so universal that now 95 per cent of the business of the United States is done by checks. That proposition also I most emphatically deny. This same statement of the clearings of the New York Clearing House shows that it takes 5 per cent in cash to pay the balances among banks, and it must be plain and clear to any one that if it takes 5 per cent in money to settle balances among institutions which are created for the purpose of saving cash transactions, how great must be the per cent of cash in the ordinary retail transactions in city and country. This same statement shows that it requires more money now to settle balances among the banks of New York City than it did twenty or twenty-five years ago; that in 1872 and 1873 it took 4.2 and 4.1 per cent in money, while in 1892 and 1893 it took 5.1 and 4.9 per cent in money to settle balances.

Twenty-five years ago the farmer ran his bill for all he needed at the general merchandise store and made his settlement once a year, and that settlement, often, if not generally, was in the products of his farm. Such a thing as a strictly cash house was almost unknown in those days. To-day there are vast numbers of strictly cash houses, and where credit is obtained the bills must be paid every thirty days. It seems to me that the fallacy of this claim should be settled forever by the admission of the Comptroller of the Currency, Mr. Eckels (who can not be said to favor the silver question in any particular), on page 381 of the Report of the Secretary of the Treasury for 1894. That statement shows that from returns made by national banks all over the United States, that 41.1 per cent of the deposits of retail commercial houses are in money. How much greater then must be the per cent of moneyed transactions with savings banks and among the people!

CAN A PARITY BETWEEN GOLD AND SILVER BE MAINTAINED?

It is claimed by the single gold standard people that there can be no parity maintained between the metals, because there is a variation in the amount of each produced. They seem to lose sight of the fact that, in addition to the question of production, there is an increased demand made for the cheaper metal by reason of the legal tender quality given to the money coined therefrom. The history of the production of gold and silver is directly contradictory to this contention. From the years 1800 to 1841 there was three times as much silver produced in the world as gold, and from the year 1850 to 1873 there was more than three times as much gold produced as silver, and yet during all that time, while the mints of France were open to the free and unlimited coinage of silver, the variation between the market price of both silver and gold did not exceed the difference between the coinage ratio of the various nations. The Paris price, where the mints were situated, was always at a parity. I hold in my hand a tabulated list of the commercial ratio of silver to gold from 1687 to 1892, taken from the Report of the Secretary of the Treasury for 1894, at page 288, which I ask to have incorporated in my remarks.

Commercial ratio of silver to gold for each year since 1687.

[NOTE.—From 1687 to 1832 the ratios are taken from the tables of Dr. A. Soetbeer; from 1833 to 1878 from Pixley and Abell's tables; and from 1878 to 1892 from daily cablegrams from London to the Bureau of the Mint.]

Year.	Ratio.	Year.	Ratio.	Year.	Ratio.	Year.	Ratio.	Year.	Ratio.
1687....	14.94	1729...	14.92	1771..	14.66	1813..	16.25	1854..	15.33
1688....	14.94	1730...	14.81	1772..	14.52	1814..	15.04	1855..	15.38
1689....	15.02	1731...	14.94	1773..	14.62	1815..	15.26	1856..	15.38
1690....	15.02	1732...	15.09	1774..	14.62	1816..	15.28	1857..	15.27
1691....	14.98	1733...	15.18	1775..	14.72	1817..	15.11	1858..	15.38
1692....	14.92	1734...	15.39	1776..	14.55	1818..	15.35	1859..	15.19
1693....	14.83	1735...	15.41	1777..	14.54	1819..	15.33	1860..	15.29
1694....	14.87	1736...	15.18	1778..	14.68	1820..	15.62	1861..	15.50
1695....	15.02	1737...	15.02	1779..	14.80	1821..	15.95	1862..	15.35
1696....	15.00	1738...	14.91	1780..	14.72	1822..	15.80	1863..	15.37
1697....	15.20	1739...	14.91	1781..	14 78	1823..	15.84	1864..	15.37
1698....	15.07	1740...	14.94	1782..	14.42	1824..	15.82	1865..	15.44
1699....	14.94	1741...	14.92	1783..	14.48	1825..	15.70	1866..	15.43
1700....	14.81	1742...	14.85	1784..	14.70	1826..	15.76	1867..	15.57
1701....	15.07	1743...	14.85	1785..	14.92	1827..	15.74	1868..	15.59
1702....	15.52	1744...	14.87	1786..	14.96	1828..	15.78	1869..	15.60
1703....	15.17	1745...	14.98	1787..	14.92	1829..	15.78	1870..	15.57
1704....	15.22	1746...	15.13	1788..	14.65	1830..	15.82	1871..	15.57
1705....	15.11	1747...	15.26	1789..	14.75	1831..	15.72	1872..	15.63
1706....	15.27	1748...	15.11	1790..	15.04	1832..	15.73	1873..	15.92
1707....	15.44	1749...	14.80	1791..	15.05	1833..	15.93	1874..	16.17
1708....	15.41	1750...	14.55	1792..	15.17	1834..	15.73	1875..	16.59
1709....	15.31	1751...	14.39	1793..	15.00	1835..	15.80	1876..	17.88
1710....	15.22	1752...	14.54	1794..	15.37	1836..	15.72	1877..	17.22
1711....	15.29	1753...	14.54	1795..	15.55	1837..	15.83	1878..	17.94
1712....	15.31	1754...	14.48	1796..	15.65	1838..	15.85	1879..	18.40
1713....	15.24	1755...	14.68	1797..	15.41	1839..	15.62	1880..	18.05
1714....	15.13	1756...	14.94	1798..	15.59	1840..	15.62	1881..	18.16
1715....	15.11	1757...	14.87	1799..	15.74	1841..	15.70	1882..	18.19
1716....	15.09	1758...	14.85	1800..	15.68	1842..	15.87	1883..	18.64
1717....	15.13	1759...	14.15	1801..	15.46	1843..	15.93	1884..	18.57
1718....	15.11	1760...	14.14	1802..	15.26	1844..	15.85	1885..	19.41
1719....	15.09	1761...	14.54	1803..	15.41	1845..	15.92	1886..	20.78
1720....	15.04,	1762...	15.27	1804..	15.41	1846..	15.90	1887..	21.13
1721....	15.05	1763...	14.99	1805..	15.79	1847..	15.80	1888..	21.99
1722....	15.17	1764...	14.70	1806..	15.52	1848..	15.85	1889..	22.09
1723....	15.20	1765...	14.83	1807..	15.43	1849..	15.78	1890..	19.75
1724....	15.11	1766...	14.80	1808..	16.08	1850..	15.70	1891..	20.92
1725....	15.11	1767...	14.85	1809..	15.96	1851..	15.46	1892..	23.72
1726....	15.15	1768...	14.80	1810..	15.77	1852..	15.59	1893..	26.49
1727....	15.24	1769...	14.72	1811..	15.53	1853..	15.33	1894..	32.50
1728....	15.11	1770...	14.62	1812..	16.11				

By that tabulated list it is apparent that only in two years up to 1873 did silver fall below the ratio of 16 to 1, and then only by a very small fraction, and that was in the years 1812 and 1813, when European wars disturbed all commercial transactions, and the difference between the London price, where free coinage did not exist, and the Paris price, where free coinage did exist, must have been at its maximum. From the time that the nations of the world began to take away the principal demand for silver, by demonetizing it, silver began to decline in value as compared to gold. The fault in the argument of the single gold standard people is that although they apply the principle of supply and demand to every commodity, they will not apply it to gold and silver. They are continually claiming that silver should not be restored to its lawful place as a money of ultimate redemption, until its commercial value equals that of gold, when they are at the same time denying to silver the very use which creates the demand that gives to it that value.

You can not take away the unlimited demand for a metal that free coinage gives and expect it to retain its equality with a metal to which you give the right of free coinage. Much less can you expect that silver thus deprived of that demand can ever equal in commercial value gold to which you give the right of free coinage. It is the equal treatment of the metals as to coinage that can ever restore their parity.

WHY 16 TO 1?

Why should the coinage ratio between silver and gold be fixed at 16 to 1? Because that is the proportion, as near as can be ascertained, in which the metals are stored in the earth.

I wish to again refer to the table showing the total production of gold and silver from 1792 to 1894. The table shows that there was

produced in that period $6,001,070,200 of gold and $5,503,586,200 of silver (coinage value). That means that for the period of more than a century, ending with the year 1894, there was almost exactly sixteen times as many ounces of silver produced as of gold. There can be no doubt that if equal mintage rights and equal treatment of silver were restored to the world, the safe ratio would be the approximate ratio in which the metals are found in the earth.

INTERNATIONAL BIMETALLISM.

Every advocate of the free coinage of silver by this nation alone would like for bimetallism to be established through international agreement. But the difficulty of the situation is, that there is no hope for such an agreement. As long as it is to the interest of England and other creditor nations to have their foreign bonds and other securities appreciate in purchasing power, and to have the commodities they are compelled to buy from other countries depreciate in price, so long can we never hope for an international agreement. It would be expecting that human nature in the wealthy, who surround, support, and control the thrones, would not be guided by self-interest. The nations have been holding international monetary conferences ever since 1878, and yet the proceedings of the last conference show more determination on the part of England and other creditor nations not to return to bimetallism than ever before. In that conference there was not even asked for a vote on the question whether it was the sense of the conference that there should be international bimetallism. How long, oh, how long will suffering humanity have to wait for relief from such nations? Silver was demonetized without international agreement and it will be restored without such an agreement.

Statement showing by comparison the transactions of the New York clearing house for twenty-six years, and for each year, the number of banks, aggregate capital, clearings, balances, average of the daily clearings and balances, and the percentage of balances to clearings.

Year.	Number of banks.	Capital.*	Clearings.	Balances paid in money.	Average daily clearings.	Average daily balances paid in money.	Balances to clearings.
							Per cent.
1869	59	$82,720,200	$37,407,028,987	$1,120,318,308	$121,451,393	$3,637,397	3
1870	61	83,620,200	27,804,539,406	1,036,484,822	90,274,479	3,365,210	3.7
1871	62	84,420,200	29,300,986,682	1,209,721,029	95,133,074	3,927,666	4.1
1872	61	84,420,200	33,844,369,568	1,428,582,707	109,884,317	4,636,632	4.2
1873	59	83,370,200	35,461,052,826	1,474,508,025	115,885,794	4,818,654	4.1
1874	59	81,635,200	22,855,927,636	1,286,753,176	74,692,574	4,205,076	5.7
1875	59	80,435,200	25,061,237,902	1,408,608,777	81,899,470	4,603,297	5.6
1876	59	81,731,200	21,597,274,247	1,255,042,029	70,349,428	4,218,378	5.9
1877	58	71,085,200	23,289,243,701	1,373,996,302	76,358,176	4,504,906	5.9
1878	57	63,611,500	22,508,438,442	1,307,843,857	73,555,988	4,274,000	5.8
1879	59	30,800,200	25,178,770,691	1,400,111,063	82,015,540	4,560,622	5.6
1880	57	60,475,200	37,182,128,621	1,516,538,631	121,510,224	4,956,009	4.1
1881	60	61,162,700	48,565,818,212	1,776,018,162	159,232,191	5,823,010	3.5
1882	61	60,962,700	46,552,846,161	1,595,000,245	151,637,935	5,195,440	3.4
1883	63	61,162,700	40,293,165,258	1,568,983,196	132,543,307	5,161,129	3.9
1884	61	60,412,700	34,092,037,338	1,524,930,994	111,048,982	4,967,202	4.5
1885	64	58,612,700	25,250,791,440	1,295,355,252	82,789,480	4,247,069	5.1
1886	63	59,312,700	33,374,682,216	1,519,565,385	109,067,589	4,965,900	4.5
1887	64	60,862,700	34,872,848,786	1,569,626,325	114,337,209	5,146,316	4.5
1888	63	60,762,700	30,863,686,609	1,570,198,528	101,192,415	5,148,192	5.1
1889	63	60,762,700	34,796,465,529	1,757,637,473	114,839,820	5,800,784	5
1890	64	60,812,700	37,660,686,572	1,753,040,145	123,074,139	5,728,889	4.7
1891	63	60,772,700	34,053,698,770	1,584,635,500	111,651,471	5,195,526	4.6
1892	64	60,422,700	36,279,905,236	1,861,500,575	118,561,782	6,083,335	5.1
1893	64	60,922,700	34,421,380,870	1,696,207,176	113,978,082	5,616,580	4.9
1894	65	61,622,700	24,230,145,368	1,585,241,634	79,704,426	5,214,611	6.5

* The capital is for various dates, the amounts at a uniform date in each year not being obtainable.

CAN THE UNITED STATES MAINTAIN THE PARITY OF THE METALS?

Can the United States alone undertake the free and unlimited coinage of silver and maintain that metal on a parity with gold at the ratio of 16 to 1?

It is conceded by those who believe in international bimetallism that if the United States can make a greater demand upon silver than there is silver in the world available for coinage, that such demand would establish the parity of the metals, and that the parity would be maintained if the demand thereafter kept pace with the production.

The question, then, must be determined by the greatness of the demand which the United States can make for that metal.

Mr. Mulhall, an eminent English statistician, in an article in the North American Review last June states that the effective force of the United States is equal to that of Great Britain, France, and Germany combined.

Professor Francois, a French economist, has recently estimated that the United States contains one-fourth of the wealth of the entire world.

Such wealth and power backing the legal tender quality given to silver is bound, under free coinage, to create an almost unlimited demand for that metal. But let us analyze this demand.

It is estimated by the Secretary of the Treasury that there is in the United States $636,256,023 of gold stock. The gentleman from Maine [Mr. DINGLEY] stated this afternoon that if free coinage was established and gold went to a premium of 1 per cent that all the gold would leave the country or go out of circulation. Let us assume, for the sake of the argument, that his statement is true. What would follow?

There would be created by that withdrawal of gold an instantaneous demand for silver to take its place. Where would the silver come from to supply that demand?

First. We know that outside of the United States Treasury there is no large quantity of silver available for coinage anywhere in the world. If as much as $25,000,000 of silver bullion were stored any place the public would know it. So it is clear that hardly any part of the demand could be supplied from bullion in existence.

Second. We know that the silver to supply such a demand could not come from the arts, because the workmanship spent on silver articles makes those articles worth more than the coinage value of silver.

Third. We know that the silver coins of Europe would not come to this country for coinage because they are in circulation in Europe on a gold valuation at a lower ratio than ours. The ratio in Europe is 15½ to 1, which makes an ounce of silver worth $1.33 (coinage value); whereas the ratio in this country is 16 to 1, which makes an ounce of silver worth $1.29 (coinage value). It cost the Europeans $1.33 to get an ounce of silver coins, because they maintain the parity of silver coins as we do; then why would any holder of European silver coins, which costs him at the rate of $1.33 an ounce, have them minted into American coins that are worth only $1.29 an ounce? He would not. Therefore the European coins, which constitute the great mass of silver coins in the world, would not be sent to America for coinage.

Fourth. The only countries from which any silver coins might come are from those that are upon a silver basis, namely, Mexico, India, Japan, China, and a few insignificant countries. The stock of silver in all these countries constitutes practically all their circulating medium. It amounts to only $4.38 per capita in Mexico, $2.01 in Japan, $3.31 in India, and $1.80 per capita in China. Can these countries spare any of their coins, especially in view of the great manufacturing development that they are now enjoying? If so, must it not be limited to only a few million dollars? Can anyone with reason maintain that as much as $636,256,023 in silver coins would be shipped from those countries to our mints? It must be borne in mind that if they bring their silver here for coinage they must use it here. It will not circulate in their country any more than a foreign coin will circulate here. In order to use it they will have to buy something with it, and if they purchase our goods or products it is so much to our advantage. All these facts are serious obstacles in the way of anyone sending foreign silver to this country for coinage. I conclude, therefore, that it is hardly in the range of possibility that $636,256,023 in silver would be shipped from foreign countries to our mints for coinage; that therefore there is not a sufficient available supply of silver in the world to meet the demand of the United States for that amount.

But that is not the only demand which the United States can make on silver. There are $346,000,000 of United States notes called greenbacks, and there are $137,000,000 of United States Treasury notes issued under the Sherman Act. The only reason they are kept in existence is on account of there not being sufficient primary money to take their place. The Secretary of the Treasury wants the Government to get out of what he terms the "banking business." The United States could, therefore, make a legitimate demand upon silver for silver certificates for both of these sums, aggregating $483,000,000. Can there be any doubt now that the demand upon silver for $636,256,023 and $483,000,000 would be more than doubly

the possible shipments of silver from foreign countries to our mints. Remember that when there is a demand for silver at 16 to 1 which is unsatisfied that it is bound to establish the value of the metals at that ratio.

But these are not the only demands which the United States can make on silver. There are $212,000,000 of national-bank notes in circulation. There is no excuse for the existence of any of this credit money, except that there is a deficiency in primary money. A legitimate demand upon silver for certificates to take the place of these notes can fairly be made. Thus we have a demand for $1,331,256,023 of silver, which the United States can create without increasing the circulating medium of the nation one dollar. That demand represents an amount which is more than the mines of the world can produce, less the quantity that goes into the arts, in thirteen years.

With such an enormous demand on the limited silver bullion of the world, it could not help but establish and maintain the parity between the metals.

But these are not all the demands that could be made upon silver in this country. There are over $20,000,000,000 indebtedness in this nation, more than one-half of which are obligations payable in lawful money of the United States. The minute that silver would get to a discount of even 1 per cent that minute there would be created a demand by those debtors for that money with which to discharge their obligations, and that very demand would increase the value of silver until it reached a parity with gold. It has been asserted upon the floor of this House that there are credit transactions in the shape of short-time notes, thirty-day credits, and checks that amount each year in this country to $150,000,000,000. All of those transactions are in lawful money and they constitute an exceedingly large demand for the money that circulates.

With all these demands that can be made upon silver for coin or certificates, first, by the greatest and most powerful Government on earth, second, by the people in the payment of the greatest number of obligations of any nation, and third, by the greatest commerce that the history of the world has ever known, it seems that the parity between the metals could be established with as much certainty as it is possible to foretell any future event.

It must be remembered that the commercial value of the two metals would become approximately equal if half the nations in commercial importance had the gold standard and half the silver standard. It can therefore be readily understood what great influence in establishing the commercial equality of the metals a powerful nation would have in withdrawing its demand on gold and making its demand on silver.

When the parity is once established a bimetallic tie acts as an automatic regulator. When one of the metals becomes more valuable the demand is shifted from it onto the cheaper metal and that demand restores the parity.

We have had an experience that ought to teach us the power of this Government in financial matters. The Senate of the United States in 1890 passed a free-coinage bill. It was thought that the House of Representatives was a free-coinage body. Silver rose, in anticipation of that legislation, until it reached $1.21¼ an ounce (within eight points of par), not only in the United States, but in the London markets and throughout the entire world. If silver rose to such a height in anticipation of such legislation, notwithstanding the hazards of final enactment and Executive approval, can there be any doubt that it would have risen to $1.29 per ounce under the legitimate demand that the actual operation of the law would create?

The free coinage of silver in this country, when once established, would be bound to succeed, because it would then be to the interest of the capitalist to make it succeed. It would then become his interest to make the silver money just as dear as he now desires the gold money to be. It is the history of all depreciated currencies that no class has been so active in bringing them to par as the creditor class. We therefore conclude that the demand which the United States can make upon silver is almost unlimited, and that by the exercise of that demand silver can be restored as an equal primary money to gold.

The question of the free coinage of silver is, in my judgment, the most momentous question of the present age. The terrible effects of the increasing gold measure has fallen with crushing force upon all the people of our nation except the creditor class. Business, in the past twenty years, has been compelled to operate on falling markets, which in the long run means ruin and disaster. It is no wonder that Mr. John G. Carlisle, in the House of Representatives, in 1878, said in relation to the destruction by legislation of silver money that "The consummation of such a scheme would ultimately entail more misery upon the human race than all the wars, pestilence, and famine that ever occurred in the history of the world." The remonetization of silver will do more than any other legislation that has ever been suggested to alleviate the sufferings of mankind, to give employment to the laborer, to permit business to be operated upon stable markets, to allow the tiller of the soil to get some little return for his work, and to produce an era of prosperity unequaled in the history of the world.

Coin Redemption Fund.

SPEECH

OF

HON. JAMES C. McDEARMON,

OF TENNESSEE.

Saturday, February 8, 1896.

IN THE HOUSE OF REPRESENTATIVES,

The House having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. McDEARMON said:

Mr. SPEAKER: We are confronted with a very important, grave, and serious duty. An emergency exists which has attracted the attention of every patriotic citizen of the United States, and when this Congress assembled with its overwhelming Republican majority, charged with the conduct of affairs of this great Government, it was officially notified, and in tones almost approaching the pathetic, it was appealed to by the President of the United States and his Secretary of the Treasury to relieve the Treasury from the peculiar and perilous position to which it had been brought. It was well known to every citizen of this country that Mr. Carlisle, in the attempt to execute laws which the Republican party had placed upon the statute books, and in the attempt faithfully to follow in the footsteps of his Republican predecessors, had brought the Treasury of the United States to a grotesque and ridiculous condition; that it was practically held up and looted by a few European and American bankers, and that this humiliating spectacle called the "endless-chain process" was continuing; that it had depleted the Treasury of the United States time and time again, and that the startling condition existed of the necessity of issuing United States bonds in a time of profound peace.

The attention of this Congress was called to the fact that more than a quarter of a billion dollars of thirty-year 4 and 5 per cent bonds had been and would in the near future be issued. The Secretary of the Treasury called attention to the fact that in the redemption of greenbacks and Treasury notes he had followed the policy of Mr. Sherman and others of his predecessors, and had surrendered to the holders of those notes the option which the law had placed in his hands, of redeeming them either in gold or silver, and was paying them in gold alone, and that these dishonest and unpatriotic bankers and speculators had taken advantage of that policy and had exhausted the gold reserve again and again; that $162,000,000 of bonds had already been issued, and that another $100,000,000 was ready to be issued, and that this process was still going on.

The President of the United States placed upon the Republican majority of this House the responsibility of relieving the Treasury of that condition. This boastful party, which had been charging and pretending to believe that the Democratic party did not possess enough patriotism, intelligence, or statesmanship to conduct the affairs of this Government upon its return to power and responsibility in this House, is met face to face by this plain and imperative duty.

By some incomprehensible providence the people of the United States trusted the Republican party and placed in their hands again the power to run the affairs of this Government, so far as this House is concerned. Now, this distressing and alarming condition of affairs stares the Republican majority squarely in the face. The Secretary of the Treasury asks Congress to change existing laws, which he contends make it imperative upon him to pursue the course which has resulted so disastrously.

That responsibility and that duty can be performed. There are two ways by which the issuance of bonds can be stopped. The Secretary of the Treasury points out one, and that is to authorize him to retire the greenbacks and Treasury notes; that is when they are once paid to cancel and destroy them. He points out the fact that $407,000,000 have already been redeemed, but that they have under the law been reissued, and that the volume of notes has not been diminished, but that every solitary dollar of the $500,000,000 is outstanding to menace and threaten and jeopardize the affairs of this Government.

Now, Mr. Speaker, the Republican party can take the advice of Mr. Carlisle and can pass a bill repealing the act of 1878, which requires these notes to be reissued when paid. They can by law provide for their cancellation and redemption when they reach the vaults of the Treasury.

I do not, of course, mean to intimate that I think this the proper remedy, or that I would vote for such a bill, but I desire to call attention to the proposition urged by the President and the Secretary of the Treasury.

And if they possessed a fraction of the wisdom and statesmanship of which they boast, they could devise a plan for the issuance of some safe and good currency to take the place of these retired notes, so as not to contract the volume of currency; but they saw proper not to adopt the recommendation of the Secretary of the Treasury. There is another way to stop the issuance of bonds, and that is by statute to take away from the Secretary of the Treasury the power to surrender the option of redeeming these notes in gold or silver, and to compel him to redeem them in silver as well as in gold, which in my humble opinion is the true remedy. Now, when this Congress met I confess that I came here impressed with the idea that perhaps there was some truth in the statement that there were patriotism, statesmanship, and courage among the leaders of the Republican party.

I expected that perhaps they would rise above partisanship and would address themselves to this plain and simple duty of relieving the Treasury of the United States, and that we would hear no more of issuing bonds in time of peace. And if you will excuse me for referring to it, impressed with that idea, I had the honor, on the 10th day of December, soon after this Congress met, to introduce a bill which, in my judgment, would relieve the Treasury of the United States and would not contract the currency one single cent. That bill simply provides that the tons of silver, piled up like pig iron in the vaults of the Treasury, purchased under the Sherman Act, which cost the Government $155,000,000, for which Treasury notes were issued, and in the purchase of which we made a profit of between $40,000,000 and $50,000,000, shall be coined into silver dollars: and that silver certificates shall be issued upon the coined silver, and upon the silver bullion to the extent of the Treasury notes issued in payment for the silver bullion, and of the seigniorage or profit realized by the Government in the purchases under the Sherman Act; and that Treasury notes and United States notes in an amount equal to the coinage value of all the silver bullion on hand, including the seigniorage, shall be canceled and retired from circulation, thus reducing the volume of the notes outstanding, which are presented for redemption and under the pernicious policy of the Administration paid out of the gold reserve, from about $500,000,000 to about $300,000,000; and the currency will not be contracted at all, for the silver now lying idle in the Treasury would be converted into coin and coin certificates and would take the place of the canceled notes.

I introduced this bill, not as an expression of what I preferred, nor what I would suggest as the proper remedy, but simply as an improvement upon present conditions, and a measure which I thought might possibly be passed by this Congress, so overwhelmingly Republican in its politics.

The gentleman from Maine [Mr. DINGLEY] the other day ridiculed the idea of issuing silver certificates upon bullion, and said such certificates would express a lie, as silver certificates in form certify that "there have been deposited in the Treasury of the United States" so many silver dollars.

Mr. Speaker, gold certificates are now issued upon gold bullion; and if a gold certificate can be issued on gold bullion in the Treasury, I do not see any reason why a silver certificate should not be issued on silver bullion. But I say that that bill, or some bill like it, authorizing and requiring the Secretary to coin the silver bullion, and to issue silver certificates against the seigniorage, at least, as provided for in this bill which the Senate adopted as a substitute and sent back here, would convert in a few hours the seigniorage of $40,000,000 or $50,000,000, a sum which our Republican friends insist the Treasury needs, into available assets. The Republicans of this House say that the Secretary of the Treasury needs more greenbacks, Treasury notes, and silver certificates; and therefore they proceed to levy a tax upon the American people—upon their wearing apparel and other necessities of life—to the amount of $40,000,000 or $50,000,000, when the Secretary of the Treasury thrusts in their faces the fact that he does not need the money, and that he has now a surplus of over $120,000,000 in the Treasury, outside of the gold in the Treasury reserved for redemption of United States and Treasury notes. But suppose they are right. Suppose the Treasury does need the money. Then, I say, you have an asset of $40,000,000 or $50,000,000 lying in the Treasury, not represented by anything, in the way of seigniorage, which can be converted into an asset as quickly as the certificates can be issued.

But, Mr. Speaker, the Republican majority have not addressed themselves to the solution of this perilous problem. They have ignominiously retreated from the duty that lay in their path, and I believe that the American people will not hold them guiltless for this cowardice in shrinking from the performance of a duty. But this discussion will do good. It came like a firebell at midnight. This substitute providing for the coinage of silver came from the Senate when this House by parliamentary skill had steered, as they thought, between Scylla and Charybdis and thought there would be no silver discussion in this House, that we would not hear anything of free coinage of silver at 16 to 1 during this session of Congress.

The Senate, in my judgment, has voiced a sentiment that is in the hearts of more than 60,000,000 of Americans in this country. They have stricken out the proposition to authorize the Secretary of the Treasury to go on with the issuance of bonds ad infinitum, and as a substitute propose that our mints be opened to the coinage of silver and gold.

The bill passed by this House was no response to the appeal made to it by the President and Secretary of the Treasury. They beseech Congress to "relieve the Treasury and remove the cause of its distress by legislation which will stop the redemption of United States notes and Treasury notes in gold and will prevent the issuance of bonds."

The Republican majority by its action refuses to consider the grave problem, and in substance indorses and ratifies the policy of the Administration in paying out gold in redemption of greenbacks and Treasury notes and the issuance of bonds to keep up the gold reserve, contenting themselves with the reduction of the rate of interest which the bonds shall draw. And this is a fraud and a false pretense. There is no difference between a 4 per cent bond sold on a 3 per cent basis and a straight 3 per cent bond.

Mr. SPALDING. But the bonds did not bring 3 per cent.

Mr. McDEARMON. They brought somewhere about that.

Mr. SPALDING. They brought 3¼ per cent.

Mr. McDEARMON. But this bill authorizes the issuance of 3 per cent bonds. Now, I say: What is the difference between issuing even a 6 per cent bond and selling it on a 3 per cent basis and issuing a straight 3 per cent bond? There is none. I say that the Republican party dodges the responsibility and refuses to consider this great problem. They deliberately ratify and confirm the policy pursued by Mr. Carlisle of borrowing gold to keep up the reserve fund, and of paying out gold in redemption of greenbacks and Treasury notes. By the two bills which were hurried through the House posthaste, without discussion and without due consideration, our Republican friends have voted for "high taxes and more bonds."

Mr. Speaker, the American people will not approve of Mr. Carlisle's policy of issuing bonds. I believe they think that he ought to go back and resume the power that the law armed him with and pay these notes in silver as well as in gold.

The newspapers say that when Daniel Manning was Secretary of the Treasury a raid was threatened upon the gold reserve by presenting greenbacks and demanding their redemption in gold, for the manifest purpose of harassing the Treasury, and of compelling the Government to issue bonds for the purchase of gold, as is now being done; and that Mr. Manning called a meeting of bankers in New York and notified them that he would not submit to their villainous game, but would, if they attempted it, exercise the discretion given him by law and would pay the greenbacks in silver or gold as it suited the convenience of the Treasury. And I believe, Mr. Speaker, that any Secretary of the Treasury whose heart beats in unison with the interests of the great mass of the common people of this country would pursue the same policy, and would not be "held up" by these men who are raiding the Treasury like freebooters, and would not be compelled by them to put additional burdens upon the American people, already so heavily laden.

Mr. HILL. You do not honestly believe, do you, that the Republican party will be held responsible for the actions of a Democratic Administration?

Mr. McDEARMON. I believe that you will be held responsible, gentlemen, for your actions in this House, and for this bill, by which you propose to indorse the policy of the Secretary of the Treasury in issuing bonds. He tells you that he has been issuing bonds, that the portentous amount of $162,000,000 has been already issued, making, with the other hundred millions about to be issued, more than a quarter of a billion of dollars, which, with the interest to be paid, will amount to more than one-quarter of the cost of the great war between the States. The gentleman from Missouri [Mr. HALL] stated here on Saturday, on the authority of a prominent official of the Treasury Department, that in all probability the bond issues would reach one thousand million dollars. And why not? Why will not the same causes and the same influences which have emptied the Treasury during the past few months empty it again? What is to stop it, and where is the process to end? I charge upon the Republicans that they have, in a spirit of cowardice, ignominiously fled from the consideration and performance of a plain and solemn duty.

Mr. FOWLER. Has the gentleman from Tennessee ever been connected with any financial institution in any way?

Mr. McDEARMON. I never have.

Mr. FOWLER. If you were trying to find out what you were worth you would try to ascertain what you could get for your property, would you not?

Mr. McDEARMON. I think I would.

Mr. FOWLER. Then, if the United States wanted to find out what that silver was worth, on which you say they made a profit of forty millions, they would better go into the market and find out, and they would then discover that they had lost $75,000,000, would they not?

Mr. McDEARMON. Well, sir, I will agree to take all the silver dollars that the mint will coin out of that bullion at 99.9 cents on the dollar. I say that every dollar that they might coin out of that bullion would pass current, side by side with the present silver dollar and with the gold dollar, and would serve to pay debts, both public and private, and would be a blessing and a benediction to the distressed people of this country. But I did not intend to devote so much of my time to such a small matter as the Republican majority in this House. [Laughter.]

I believe that the Senate did right, and, if we are correctly informed as to their action, I will add that I think they have done right with that other measure, that twin measure, the misbegotten companion bill to this one, the proposition to heap additional tariff burdens on the shoulders of the overtaxed people of this country. That bill was passed in face of the fact that there now rests in the Treasury vaults a surplus of $120,000,000 in greenbacks, Treasury notes, and silver certificates, $120,000,000 over and above the gold held for redemption purposes. The Secretary of the Treasury says—and he speaks upon the authority of experts in the Department, many of whom were appointed by Republican Administrations and have become so expert and efficient by long service that they are, in a sense, indispensable to the conduct of the public business—the Secretary of the Treasury, speaking on the authority of those experts, says that the Wilson-Gorman tariff bill is a success; that in 1897 there will be, according to the estimates of the best authorities, a surplus of nearly $7,000,000, and that therefore this additional revenue is not needed.

The reports of the Secretary of the Treasury show that for the fiscal year ended June 30, 1893, the receipts were $461,716,561.94, and the expenditures $383,477,954.49, showing a surplus of $78,239,607.45; and for the fiscal year ended June 30, 1894, the receipts were $372,802,498.29 (net decrease, $88,914,063.65), and the expenditures $442,605,758.87 (net deficit, $69,803,260.58); and for the fiscal year ended June 30, 1895, the receipts were $390,373,203.30, and the expenditures $433,178,426.48 (deficit, $42,805,223.18).

Net increase in receipts over 1894	$17,570,705.01
Net decrease of ordinary expenditures	11,329,981.54
Fiscal year ending June 30, 1896:	
Estimated receipts	431,907,407.00
Estimated expenditures	448,907,407.00
Deficit	17,000,000.00
Fiscal year ending June 30, 1897:	
Estimated receipts	464,793,120.75
Estimated expenditures	457,884,193.92
Estimated surplus	6,908,926.83

The Secretary in his report for 1895, pages 53 and 54, says:

> The cash balance in the Treasury on the 1st day of December, 1895, was $177,406,386.62, being $98,072,420.30 in excess of the actual gold reserve on that day and $77,406,386.62 in excess of any sum that it would be necessary to use in replenishing that fund in case the Secretary should at any time be able to exchange currency for gold. There is, therefore, no reason to doubt the ability of the Government to discharge all its current obligations during the present fiscal year and have a cash balance at its close without imposing additional taxation in any form upon the people.

The Secretary of the Treasury says and reiterates to this Congress that he does not need any more money. He says in plain terms that no additional taxes upon the American people are necessary or justifiable under the circumstances. Therefore I believe the Senate has done right in taking a pen and striking out every word and every letter of both these bills. It seems, perhaps, a little ridiculous for them to continue to pass free-coinage bills, but I suppose they are actuated by the same spirit that inspired the old Roman Senator, the elder Cato, whose great soul was impressed with the idea that Rome could not exist as long as Carthage prospered, and who closed every public address that he made with the significant words "Delenda est Carthago." And, Mr. Speaker, if the Senate would rise to the importance and the dignity of this great question, and would strike out even every appropriation bill that this House sends to it, and would put in its place a free-coinage-of-silver bill, I think their action would be approved by a large majority of the American people. This brings me to the discussion of the substitute adopted by the Senate.

The problem which we are considering can not be figured out by mathematical rules, nor can it be solved by illustrations on blackboards or charts. The man who delves and gropes in the labyrinths of any exact science, seeking a definite and mathematical demonstration of this stupendous question, will, if he is honest with himself in such research, be sadly disappointed.

Politics is not an exact science, but is, if I may be pardoned for the expression, the science of practical common sense, and rises above any science which has been or can be reduced to precise and arbitrary rules and inexorable laws. In considering and investigating great questions of state and political economy, we must lift our minds above the minute details of pure theory and philosophical exactness, which are necessary in investigating any single branch of human knowledge.

In great questions like these we must go "from headland to headland," and not stop to explore and survey the valleys and hillocks—the nooks and corners that intervene.

Life is too short. If, as the poet has so graphically said—

> Could a man be secure
> That his days would endure
> For a thousand long years as of old;
> What deeds could he do,
> What things could he know,
> And that without worry or care.

But, Mr. Speaker, our life is but a span, and whatever we do, we must do quickly. This subject has been, perhaps, more universally studied and discussed than any which has engaged the thoughts of mankind for the last twenty-two years. About the year 1873 something happened which violently disturbed the financial and commercial affairs of the human race.

A rude and sudden shock was felt which jarred the financial world from center to circumference and sent a paralyzing tremor throughout the civilized world, and extended ultimately to the remotest habitations of man. Disturbances and interruptions of commercial activities are not uncommon. The pages of history are replete with accounts of such phenomena that have occurred before, and we are familiar with those which have taken place since that of 1873. They were natural results of apparent and well-understood causes; such as war, famine, pestilence, overspeculation, and the like.

Intelligent observers and thinkers could easily point out the causes and suggest the manifest remedies for all the financial evils, panics, and disturbances that ever convulsed the financial or commercial world prior to or since that of 1873. All previous troubles were of short duration, and the world soon recovered from their effects and gained wisdom from the sad experience which they afforded. But, Mr. Speaker, the phenomenal evil which befell the world in 1873 has no counterpart in history or tradition. It came at a time when the world was at peace. It fell upon the masses of mankind like a poisonous vapor. Its deadly effects were felt ere its hateful presence was realized. No avant-coureur heralded its approach. It came like the thief in the night.

I do not deny, Mr. Speaker, that there was discussion of the subject long before the complete demonetization of silver was effected, both in Europe and America. It is also true that the great transaction was accomplished by degrees. Step by step was taken through a series of years. The international conference of 1867, held in Paris, on the occasion of the Universal Exposition, recommended the establishment of the gold standard, and successive steps toward that end were taken. One prop after another which supported the double standard and unity of gold and silver as money metals were removed. But the superstructure did not tremble or totter until the great support of the United States of America was taken away. Up to the very day that the act of 1873 went into effect the coinage and commercial value of silver remained at an exact parity with gold. But in less than ten days thereafter, for the first time in all the world's history, gold and silver parted company.

By an act of Congress in 1873 silver was dethroned as a joint standard and a joint measure of values and was placed upon the auction block. It was for the first time made a commodity; an object of barter and sale. Before that it was a measure; in other words, silver was money, in a sense, whether coined or uncoined. The image and superscriptions upon coins are mere certificates that so much coin has been tested as to its purity and weighed by authority of a government.

By law the main ingredient or constituent element of value which silver possessed was destroyed. The principal use to which the metal had been devoted was by law taken away. Men could no longer have money made out of their silver. It was no longer a money metal, but was degraded to a level with copper and nickel, out of which a kind of money is made, but which are in no sense money metals.

When silver was divorced from its ancient partner, gold; when the link connecting gold and silver, which was forged by authority of God Himself, was wickedly severed, and silver became a base metal, a common commodity, it no longer fixed or measured values or prices, but became obedient to the laws of supply and demand, and took its place in the market subject to the vicissitudes of trade and traffic, as other articles of merchandise. Contemporaneous with the demonetization of silver as a money metal, which was in effect reducing the standard by which all possessions were estimated and valued about one-half, the change which

I have endeavored to describe was felt in financial and commercial circles all over the civilized world.

The general level of prices of all things bought and sold began to fall; and, with other commodities, for the first time in all the world's history, silver was discovered in the price list and on the shambles of the market; values continued to sink as months and years rolled by. The cause of the ruinous and alarming state of things was not discovered for a long time. Wiseacres assigned first one and then another theory of the trouble.

The Congress of the United States, in obedience to a powerful public sentiment, in 1876 appointed a commission consisting of able and experienced statesmen to investigate the origin of the universal and continuous fall in prices.

We have the report of that "silver commission" of 1876, which report is in substance that the cause of the general fall in prices was the demonetization of silver, and the only remedy was its remonetization.

Years rolled on, and the strange and unparalleled shrinkage in all values, including silver, continued.

In 1886 the Government of Great Britain, impelled by a public sentiment it dared not ignore or disregard, appointed the "royal commission" to inquire into the causes of the world-wide evil, reciting in the preamble to the commission, "Whereas it has been represented unto us that it is expedient that a commission should forthwith issue to inquire into the recent changes in the relative values of the precious metals shown by the decrease in the gold price of silver." The membership of that celebrated commission, twelve in all, embraces some of the most distinguished statesmen, scholars, and thinkers of Great Britain, the present first lord of the treasury of England, Hon. Arthur J. Balfour, being one of them. The final report of the commission, signed by all, recognizes the continued and phenomenal depreciation in all values the world over, and fixes the date of the beginning of the troubles in 1873. Six members of the commission, including Mr. Balfour, join in a report in which they suggest as the only remedy "free coinage of both metals into legal-tender money, and the fixing of a ratio at which coins of either metal shall be available for the payment of all debts at the option of the debtor."

Mr. Speaker, the dark pall of sinking prices enshrouds the world yet, and will continue until the true remedy is applied.

In the conventions of the two great political parties of 1892 platforms were adopted plainly declaring in favor of a return to bimetallism as the permanent policy of this Government. I will not burden the RECORD or detain the House by quoting them.

However, I hazard nothing in saying that they pledged the Democratic and Republican parties to the policy of bimetallism, including, of course, the parity of both metals, which is declared possible by international agreement or "safeguards of legislation." The great contest for the restoration of silver which began in 1873 still continues. But, Mr. Speaker, a new phase of the contest confronts us. As far as I know or can recall, no prominent man in this country ever openly advocated the single gold standard as the permanent policy of America before the beginning of the year 1895. Three very significant events transpired early last year:

First. The English Parliament adopted a resolution declaring in general terms in favor of the return to bimetallism by Great Britain.

Second. The German Reichstag adopted a similar resolution soon thereafter.

Third. Within a very few days after the latter event Mr. Carlisle, Secretary of the Treasury, left his office in Washington, ascended the hustings and openly and vigorously denounced and ridiculed bimetallism, and in substance advocated the single standard, thus greatly discouraging the powerful advocates of international bimetallism in England and Germany and placing the United States in an unfriendly and positively antagonistic attitude toward the cause of international bimetallism.

The issue is shifting from one as to the best method of securing bimetallism to the square issue between gold monometallism and bimetallism. The present Administration has disrobed itself of all disguises and masks and clearly and boldly assumes the aggressive upon the proposition that the gold standard must be maintained, and that all efforts to return to bimetallism by international agreement, safeguards of legislation, or otherwise must be opposed.

Mr. Speaker, I salute the Administration and congratulate it upon its candor and courageous boldness. I despise shams and false pretenses. I admire the man who has the nerve to say what he means. And I admire the opponent of this substitute who puts his opposition to it upon the high plane occupied by Mr. Cleveland and his able Secretary of the Treasury far more than I do the cowards who ridicule the efforts of the great majority of Americans to restore bimetallism, but pretend to be bimetallists and imagine that they deceive people by advocating international bimetallism while they applaud the policy of the Administration.

Mr. Speaker, I am in favor of the Senate substitute, which provides for free and unlimited coinage of gold and silver, "without discrimination against either metal or charge for mintage."

I believe that, under the blessings of God, nothing is impossible with the United States of America. She has achieved greater things than the restoration of silver as a money metal, and can achieve that. I believe that a great majority of the people are in favor of bimetallism, and desire that this Government shall take the lead in this, as it has in almost every great movement which has resulted in the amelioration of the condition of the human race.

Mr. Speaker, we can not afford to give up the cause of bimetallism. The gold standard is not suited to this age of the world. The stock of gold in the world is not enough with which to do the world's business. The stock of gold coin and bullion of the earth, as estimated by the Director of the Mint in his report for 1895, is $4,086,800,000. The production of gold in the world in 1894 was $180,626,100. It is estimated by high authorities that not less than one-third of the product of each year is consumed in the industrial arts.

I maintain, Mr. Speaker, that the annual net increase of the stock of gold coin in the world does not equal the annual net loss by abrasion, fire, and flood, and other accidental losses, and that the world's stock of gold coin is actually diminishing. But whether I am correct or not in that assumption, I do not hesitate to confidently assert that the net increase of the stock of gold coin is far less than the net increase in numbers of the human family and infinitely less than the annual increase and multiplication of commercial activities and needs for money. Hence it follows that with the single gold standard to measure prices of all other things, we will have a constantly shrinking standard; in other words, steadily declining prices.

The volume of actual money, which, according to all authorities, without exception, measures and regulates prices of all commodities, should be increased and added to in the same ratio that human activities or, in other words, demands or necessities for money are multiplied. Our race is yet in its youth; the human family is increasing in numbers more rapidly than ever before since the creation of the earth. The human mind is developing and expanding most marvelously, as illustrated in the wonderful inventions which almost daily astonish the world. As beautifully said by the poet:

> We are living, we are moving, in a grand and awful time,
> In an age on ages telling, to be living is sublime.

As we move higher and higher to new elevations and conceptions of life and civilization our necessities are varied and multiplied. A person who lives and moves in a community of average intelligence and culture of the present day in this country consumes and is compelled to have probably ten times more of the products of labor and the handiwork of toil than he would have needed fifty years ago. The number of commercial and financial transactions among civilized people, and in consequence the needs for money now, are many hundredfold more than they were even forty years ago, a time within the memory of many of us. The people of this country are the foremost in point of progress, development, and commercial activity of all the nations of earth.

An average live, progressive American consumes more clothing, food, fuel, and other necessaries, and enjoys more of the conveniences and luxuries of life, and needs more money, than perhaps twenty of his salmon-colored brethren of the Orient in the same relative station in society.

Mr. Speaker, we need more money; I mean real money, not paper representatives of money, mere promises to pay money, but more absolute money than can be had under the single gold standard. The remonetization of silver will meet this want and supply this demand. But our friends who oppose the coinage of silver say that the parity between the metals can not be maintained and preserved under free coinage by the United States alone, and that such a course will result in driving gold out of circulation and in establishing the single silver standard and putting this country upon a silver basis. Now, Mr. Speaker, this is mere prophecy and conjecture, a bare assertion, without authority or reason to support it.

I insist that if all the uses and functions which belong to gold were restored to or bestowed by law upon silver it would have the same value as gold at the established ratio, and that the parity of value would immediately be restored. If a law should be enacted by this Congress and signed by the President providing for the unlimited coinage of silver and gold at the ratio of 16 to 1 silver bullion would certainly instantly and constantly enhance and appreciate in market value. No holder of an ounce of silver would take less than $1.2929 for it, because under the law he could have it converted into that much legal-tender money at the mints of the United States. It seems to me that this is a self-evident proposition. And we have, within the memory of us all, I think, a recent occurrence which demonstrates the truth of the proposition. It is this: The average value of silver bullion in the year 1890, as shown by the last report of the Director of the Mint, was 80.9 per ounce in New York. The highest price in London during that year was 54⅛d. and the lowest was 43⅛d.

The Congress of the United States undertook to legislate in behalf of silver. The Sherman Act requiring the purchase of four and one-half million ounces of silver bullion each month was passed. This was an untried experiment, but it was supposed to be legislation in the interest of silver. It had the sanction and support of the great financiers of this country. And pending the trial of the experiment silver began to rapidly advance in market price the world over. It jumped from 80 cents per ounce to $1.21 per ounce in New York, but when the scheme began to be fully understood and its fallacy was demonstrated, of course silver declined. The demand was limited and was not equal to the supply. Holders of silver bullion underbid each other, and bullion as a commodity declined.

Does any gentleman deny the proposition that if, instead of the law requiring the purchase of silver bullion in 1890, a law providing for the conversion of every ounce of silver that might have been taken to our mints into $1.2929 of United States legal-tender money had been passed, silver bullion would have advanced to that figure?

That experiment was tried by the United States "single handed and alone," without the concurrence of any other nation, yet it caused silver to go up in the markets of the world over 40 cents per ounce while it was being tried.

Some of our delightful "gold-bug cranks" in one breath argue that bimetallism can be established by the concurrence of the leading great commercial nations of Europe and America, and then in another they ridicule bimetallism and say it was never a success and that the parity of the two metals was never maintained; and as proof of their assertions point to the apparent but not real discrepancy between the coinage and commercial values of silver and gold prior to 1873. By reference to the Report for 1895 of the Director of the Mint, on page 239, will be found a table showing the "commercial ratio" of silver and gold each year since 1687, which shows that for nearly two hundred years before 1873 there was practically no "commercial price" of either gold or silver; they were both metals out of which money could be made at the different ratios prevailing in different countries from time to time, and they constituted a joint or double standard or measure of all values.

For instance, the "commercial ratio," so called, is fixed in the table referred to in 1687 at 14.94, in the year 1787 at 14.92, in 1873 at 15.92. There is no greater difference in the "commercial ratio," so called, during these two hundred years before 1873 than about 1 cent in the ounce. I assert that no greater difference can be found in the statistics for any period of the world's history before 1687. Now, Mr. Speaker, I insist that this shows that before 1873 neither gold nor silver had any commercial price outside of the amount of money into which each metal was convertible. The mind can not conceive of the idea of buying a dollar. It is absurd, and as said by Mr. Carlisle at Memphis, speaking of the double standard, "It is a physical and metaphysical absurdity."

Silver and gold were both money; that is, the substances of which money was made, at arbitrary ratios established by law.

The apparent rises and falls of the "commercial ratios" simply resulted from a diversity of coinage ratios. Holders of gold or silver bullion would naturally send it to the mints which would coin it upon the most favorable terms. For instance, before 1873 the United States mints had only coined about 8,000,000 silver dollars. The reason is manifest. Silver-bullion holders could have their metal coined in Europe at the ratio of 15½ to 1 and thus save one-half ounce in every 16 by exporting the bullion to Europe more than they would get by having it coined in the United States mints. Our silver bullion was exported and exchanged for gold bullion, and it was brought to our mints and coined into American money. As an absolute demonstration of this statement I call attention to the Report of the Director of the Mint for 1895, page 268, which shows that from the organization of the United States mints in 1792 to the fiscal year ended June 30, 1895, there had been coined $1,755,813,763 of gold and $685,023,701.90 of silver. During the same time the total product of the United States mines was: Gold bullion, $1,587,410,923, and silver bullion, $773,699,708.81, showing that we have coined at our mints about $200,000,000 more gold than the total products of our mines, about one-third of which was consumed in the industrial arts, indicating that over $700,000,000 of foreign gold was sent to our mints for coinage, simply because we coined it upon more favorable terms; in other words, charged less toll for coining gold than the mints of Europe. To state it differently, gold bullion came to our mints to be coined and silver bullion went to the European mints.

The important fact remained that silver was money; that is, could be converted into money at the ratio fixed by law. The holder of silver spoons or plate could convert them into money.

Every ounce of silver bullion which Mother Earth yielded in this country, less that used in the arts, was convertible into money upon better terms at the European than at the American mints. But, Mr. Speaker, it is impossible in a short speech to enter into a satisfactory discussion of this complex subject. It needs no argument to establish the well-known fact that prices have been declining since 1873 and are still declining. We need more money in circulation. Bimetallism will remedy the evils which afflict the world. I believe that true and real bimetallism is possible.

I am not wedded to any particular ratio. My judgment is that it would be wise for this country to adopt the European ratio of 15½ to 1, but I repeat that I care but little as to what ratio is adopted. The great and vital object to be attained is to change the law which demonetized silver, restore to it the functions of which it was deprived by law, and place it upon its true merits at some proper and just ratio with gold as money.

Let us be honest with ourselves and with each other. If a man is a believer in bimetallism let him boldly say so, and let him say what steps he is in favor of this country taking to accomplish it. If he believes in the policy of bimetallism, but has despaired of it ever being again put into practice, and is opposed to any efforts being put forth for its restoration, but favors a supine submission to the inevitable, let him say that. If he believes in "international bimetallism" let him advocate an international conference at once. If he believes with the President that the single gold standard is best for this country, let him be a man and have the courage to come out in plain terms and so declare; but, sir, I submit that it is neither consistent, courageous, nor manly to pretend to believe in some sort of bimetallism based upon the concurrence of certain nations of Europe and America, and in one breath to say that there is no hope for such concurrence, and in another to ridicule bimetallism and charge that it has been tried for centuries and found to be a failure.

Mr. Speaker, I am a bimetallist. I believe that it is the only remedy for the evils which afflict our nation and our race. I believe that it can be accomplished, and I am in favor of the continued, persistent, and unending struggle for it until success shall crown our efforts. [Applause.]

Coin Redemption Fund.

SPEECH

OF

HON. CHARLES L. MOSES,

OF GEORGIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 13, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. MOSES said:

Mr. CHAIRMAN: I have sat here during three Congresses listening to the promises and predictions of these advocates of a sole gold standard. They have always promised prosperity and plenty if Congress would obey them. They said in the Fifty-second Congress, "Kill free coinage." They said in the Fifty-third Congress, "Repeal the Sherman purchasing law, and prosperity will come to all." Just before we take this vote I propose to recall to the memories of these gentlemen some of the prophecies they have uttered in the past. If I had the time, I could show by the record that every prophecy made by the enemies of silver on this floor during the last twenty years has proved utterly false. They have led us to disaster and ruin. Stagnation and death have seized upon all lines of legitimate business and the Government itself has been placed in the hands of a receiver, with the Rothschilds in control.

You have failed to give relief to the people and the country has repudiated you. You have well-nigh destroyed the Democratic party, and when we appeal to you to return to the good old paths our fathers trod, you denounce us as "silver lunatics" and Populists.

BIMETALLISM IS NOT POPULISM.

Those of us who stand on this question as we stood four years ago, and still vote as Democrats have always voted, are now denounced by this gold crowd and by the little editors under their control as Populists. Mr. Chairman, were Jefferson, and Madison, and Calhoun, and Jackson, and Stephens all Populists? Were Mr. Carlisle and the men who voted solidly with him for silver at 16 to 1 in the Fifty-first Congress all Populists? We believe that gold and silver, the money of the Constitution, should be the primary money of the country, and all paper notes are but promises to pay so much of one or the other of these coins. Unlike the Populists, we do not favor silver coinage simply because it increases the volume of currency. The gentleman from Kansas [Mr. BAKER], a leader of the Populist party, said on this floor a few days ago he would have the bulk of the currency to consist of greenbacks. I asked him if he would make the greenbacks re-

deemable in coin, and he said he would not. The Populists advocate an irredeemable paper currency. In the Fifty-second Congress, when it was thought free coinage would pass, Mr. Watson, their leader, announced to his followers that they must not be satisfied with that sop thrown to them; that there was but little in free coinage of silver, and it meant only about 50 cents per capita added yearly to the volume of currency.

WHAT DEMOCRATIC BIMETALLISM IS.

We believe it to be the duty of Congress to establish a standard of values for all the States. The Constitution says gold and silver jointly shall be this standard. If you have the right to reject one you have the right to reject both metals and so leave the people without any money. We declared by law that 412½ grains of silver or 25.8 grains of gold should be a dollar. This is the law to-day. Every outstanding debt in the country was made with the understanding that the debtor could discharge it with either metal. To demonetize silver and make all debts payable in gold would double the burden of the debtor class, because gold would be dearer on account of the increased demand.

BIMETALLISM VERSUS A GOLD STANDARD THE ISSUE.

Mr. Chairman, we have at last the issue squarely drawn between bimetallism and a single gold standard. Heretofore the gold men have loudly claimed to be the true friends of silver and the only true bimetallists.

Following Mr. Carlisle, they now say there can be no such thing as bimetallism. It is a "physical and metaphysical impossibility." We have at least to thank them that they have at last thrown off the mask and made the issue clear.

There are those who favor silver coinage, but are opposed to the ratio of 16 to 1. I say to them the great question now is, Shall we have silver coinage at any ratio? It is their avowed purpose to fasten upon the country the single gold standard.

In the Fifty-second Congress they objected only to the ratio of 16 to 1. They said they would vote for a higher ratio. Knowing the people demanded that this question should be settled some way, we afterwards submitted to them a bill increasing the ratio to 20 to 1. They refused to vote with us; they had changed their minds.

In the Fifty-third Congress they came to us and said, "Let us repeal this Sherman purchasing law. It is nothing but a miserable makeshift. It can not be patched. Let us repeal it outright and follow it up with Democratic silver legislation." Oh, how eloquently they discoursed about "clearing the deck for action." Mr. VOORHEES in the Senate and Mr. Wilson in the House both gave assurance that repeal was to be followed with other silver legislation. I charge here that the repeal of the Sherman law was secured by fraud and deceit. They cleared the deck for action, and then it was found that the Democratic guns had been spiked by these traitors to their party.

SOUTHERN DEMOCRATS WERE BETRAYED IN THE FIGHT FOR THE REPEAL OF THE STATE BANK TAX.

In the Fifty-second Congress it was known that we earnestly desired the repeal of the tax upon State bank issues. Thinking they might divert us from silver, Eastern members urged us to concentrate our energies upon this measure and they would help us. In the preliminary contest of that Congress they spoke for us and voted with us. In the next Congress, when we hoped we were strong enough to win, we found, when it came to the tug of war, that these men had deserted us. One of them had been placed upon the Banking and Currency Committee as our special friend, but he used the power we gave him to defeat our measure. Thus we have ever received Punic faith at your hands. Can you again ask us to accord you our confidence?

The truth itself is not believed
From those who often have deceived.

Mr. Chairman, these advocates of a gold standard have failed to give any relief to the country. They offer none now. They would lead us into hopeless ruin. We say to them frankly if they will restore to the people the free coinage of gold and silver and prosperity does not come to the entire country we will join them in repealing the law. Even a partial recognition of silver has always been followed by rising prices and prosperous times.

We did not rally from the panic which began in 1873 until we began to coin silver in 1878. That act, known as the Bland-Allison law, was denounced as silver coinage is to-day. All manner of evil was predicted as sure to follow its enactment. But the next decade was one of great prosperity. Again, in 1890, when there was a still larger recognition of silver, and the world began to think that the United States would stand by silver, that metal rose to $1.20 an ounce—almost to parity with gold—in all the markets of the world. And well do we remember that the Southern farmer in 1890 and 1891 sold his cotton for 10 and 11 cents per pound.

We also remember the dire results that followed the unconditional repeal of the Sherman law. Instead of prosperity, as was promised, prices began to tumble and the people were plunged deeper into distress and poverty. The Southern farmer sold his cotton for less than 5 cents per pound. By fastening upon us the single-gold standard they have robbed the South of the God-given heritage which it had in cotton. The Southern farmer is forced to sell on a gold basis in competition with his Eastern competitor, who receives his price in silver. Our competitors in silver-using countries now receive about 14 cents per pound, while we are forced to sell at 7 cents measured in gold. How like mockery to Southern ears now sound the beautiful words of Henry Grady, who thus spoke of the cotton plant:

What a royal plant it is! The world waits in attendance on its growth. The shower that falls whispering on its leaves is heard around the earth. The sun that shines on it is tempered by the prayers of all people. The frost that chills it and the dew that descends from the stars is noted, and the trespass of a little worm on its green leaf is more to England than the advance of the Russian army on her Asian outposts. It is gold from the instant it puts forth its tiny shoot. Its fiber is current in every bank, and when loosing its fleeces to the sun, it floats a sunny banner that glorifies the field of the humble farmer; that man is marshaled under a flag that will compel the allegiance of the world and wring a subsidy from every nation on earth. It is the heritage that God gave to this people forever as their own when he arched our skies, established our mountains, girt us about with the ocean, loosed the breezes, tempered the sunshine, and measured the rain. Ours and our children's forever.

Mr. Grady did not anticipate the blighting, withering curse which the gold standard was to bring upon his people. His paper is now begging the people of the South to reduce the acreage of this "royal plant." This will give only temporary relief, because as we reduce our acreage India will increase hers more rapidly. The trouble to-day is not that there is an overproduction of clothing and food. Under the gold standard prices have fallen so low that the masses of the people do not receive wages sufficient to buy even the necessaries of life, and they cease to be consumers.

Mr. Chairman, it is ruinous folly to make gold the only money of final redemption. For thousands of years the world has considered itself fortunate if the annual supply of both gold and silver was found to be equal to the demand for primary money. This is what Mr. Carlisle said upon the subject in 1878:

I know that the world's stock of the precious metals is none too large, and I see no reason to apprehend that it will ever become so. Mankind will be fortunate indeed if the annual production of gold and silver coin shall keep pace with the annual increase of population, commerce, and industry. According to my view of the subject, the conspiracy which seems to have been formed here and in Europe to destroy by legislation and otherwise from three-sevenths to one-half of the metallic money of the world is the most gigantic crime of this or any other age.

The consummation of such a scheme would ultimately entail more misery upon the human race than all the wars, pestilence, and famine that ever occurred in the history of the world. The absolute and instantaneous destruction of half the entire movable property of the world, including houses, ships, railroads, and all other appliances for carrying on commerce, while it would be felt more sensibly at the moment, would not produce anything like the prolonged distress and disorganization of society that must inevitably result from the permanent annihilation of one-half of the metallic money of the world. With an ample currency, an industrious and frugal people will speedily rebuild their works of internal improvement and repair their losses of property, but no amount of industry or economy on the part of the people can create money. When the Government creates it, or authorizes it, the citizen may acquire it, but he can do nothing more.

The stock of gold is not sufficient to do the business of the world.

In the last Treasury report it was announced there were outstanding in this country $499,000,000 gold coin. How much of this is in circulation? At that time the national banks held in their reserves $127,000,000. Since then the Secretary of the Treasury has bought $111,000,000 of it, and to-day, according to the estimates of President Andrews and other eminent authorities, there are not in in free circulation over $150,000,000 gold. No wonder it is easy for the gold syndicates to corner our gold and put us at their mercy.

Silver men want honest money. We want the dollar that is most stable in its value, not a depreciating dollar and not an appreciating dollar. These gold monometallists would deceive us with their cry for honest money. Robbers are often known to rush through the streets shouting "Stop thief!" to divert attention from their own thefts. It is not honest to require the debtor to pay his debts in a constantly appreciating currency. This is what John Sherman said on this subject in 1869 when it was proposed to change immediately from a paper to a specie standard:

A measure to require a debtor now to pay his debt in gold, or currency equivalent to gold, requires him to pay 135 bushels of wheat when he agreed to pay 100; and if this appreciation is extended through a period of three years, it requires him to pay an interest of 12 per cent in addition to the rate he has agreed to pay. The appreciation of currency is a far more distressing operation than Senators may suppose. Our own and other nations have gone through this process before, and always with the sorest distress. It means the ruin of all debtors whose debts are twice their capital, though one-third less than all their property. It means the fall of all agricultural productions without any great reduction of taxes. To attempt this task suddenly by a surprise upon our people, by at once paralyzing their industry, by arresting them in the midst of lawful business and applying a new standard of value to their property, without any reduction of their debt or giving them an opportunity to compound with their creditors or distribute their loss, would be an act of folly without example in modern times.

I submit, Mr. Chairman, a table showing how gold has appreciated during the last twenty years. A gold dollar will purchase more now than it would then by the following amounts:

More wheat by 108 per cent.
More flour by 76 per cent.

More sugar by 60 per cent.
More iron by 64 per cent.
More cotton by 95 per cent.
More lead by 110 per cent.
More wool by 93 per cent.
More leather by 24 per cent.
Average increase on these articles, 78¼ per cent.

This constantly appreciating standard is not an honest one. The Democratic party has always stood for honest money. In our platform of 1884 we find the following;

We believe in honest money, the gold and silver coinage of the Constitution, and a circulation convertible into such coin.

There we have the Democratic definition of honest money. Mr. Chairman, who are the men who are sending out tons of literature from New York to educate the people upon the subject of sound money? They are the same old gang who came to Congress in 1869 with billions of bonds, for which they had paid depreciated greenbacks and which were redeemable in greenbacks. At their command Congress changed the law and said their bonds should be redeemed in coin—gold or silver—at the option of the Government. They went to work at once to discredit silver and cause gold to appreciate, and now in their honesty they come and say, "Strike out this word 'coin' and make the bonds payable in gold alone." These are the men for whose benefit a quarter of a billion of bonds have just been placed upon the overburdened taxpayers of this country. Tell me they are the apostles of honesty! Why, sir, the pirates who sailed under their black flag were honest men in comparison with these bloodthirsty shylocks.

SOME OBJECTIONS TO SILVER ANSWERED.

Now, briefly, in reply to some of the objections to silver which have been urged here: It has been said that silver has greatly depreciated on account of its overproduction. The production of silver to-day is running far behind that of gold. The output of gold in 1895 was $30,000,000 more than silver even at its coinage value. The total stock of silver in the world is much less than that of gold. The silver dollar, even at its bullion value, will buy as much as it ever would. It has not depreciated except in comparison with gold.

Again, they say if we opened our mints the bullion of the world would be "dumped" upon us. Where is the dump to come from? Outside of what we have in the Treasury there is no great stock of bullion in the world. The nations of Europe could not send us their silver money because its current value there is greater than its coinage value would be with us. And we must not forget that Europe is constantly demanding bullion to replenish its subsidiary coinage. But coin the entire output of the United States and draw all you can get from Mexico and you would not add more than $1 per capita to your metallic money annually.

But, Mr. Chairman, they say, "Why do we want silver when all Europe rejects it?" The great masses of the people there would gladly vote to restore silver. They are bound by the shackles of the gold despotism and have no voice in the matter. They say free coinage would Mexicanize this country. Mr. Chairman, Mexico is to-day making greater progress than any gold-standard country in the world. Look at Japan. Under the silver standard she is to-day enjoying marvelous prosperity, and is already shipping her manufactured goods into our Pacific States. As has been said by another, why do you not point us to Turkey and Egypt? They are gold-standard countries, but we hear nothing encouraging from them.

They say if we cut loose from Europe we would have to go it alone. Two-thirds of the population of the globe use silver money exclusively, and our return to silver would give us a tremendous advantage in securing the trade of these nations. I submit an extract from the Financial News of London, showing how apprehensive they are upon this subject:

There is a plain moral in the remark that if the United States would venture to cut herself adrift from Europe and take outright to silver she would have all America and Asia at her back and would command the markets of both continents. The barrier of gold would be more fatal than any barrier of the custom-house. The bond of silver would be stronger than any bond of free trade.

There can be no doubt about it that if the United States were to adopt a silver basis to-morrow British trade would be ruined before the year was out.

Mr. Chairman, we should strike for a bold American policy and not wait for the monarchies of Europe to legislate for us. The people look to us for relief. The gold men stand helpless and suggest no remedy. We offer you no untried experiment. For four thousand years the world has found it safe. Restore silver to the place it occupied in 1873 and if prosperity does not follow we will join you in again repealing the law.

[Here the hammer fell.]

Mr. BLACK of Georgia. I ask that the gentleman from Georgia may be permitted to proceed for five minutes longer.

There was no objection.

Mr. MOSES. I thank the committee for its consideration.

Now, what about the course of the Democratic party? It has been asked, "What are Southern Democrats going to do in the next election?" We answer, we shall preserve the integrity of our party. We will not abandon the money of the Constitution. As long as common honesty is dear to our people they will repudiate this juggling with the currency. They will never consent to legalize robbery. They will never advocate a single gold standard, because they respect the old commandment which says, "Thou shalt not steal."

The States that never go Democratic may force upon us a gold-standard platform and candidate; but you can not drive us from our party. On election day many of our people may take to the woods, but whatever may happen in other sections of the country old Georgia will carry the Democratic banner to triumphant victory.

Coin Redemption Fund.

SPEECH

OF

HON. CHARLES N. BRUMM,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 11, 1896.

The House having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. BRUMM said:

Mr. SPEAKER: I do not propose in the short time that is allotted to me to go into a scientific discussion of gold or silver, or the monetary question. That has been done quite extensively on both sides. I propose to get down to practical facts and practical operations—not so much theories as remedies.

I want to say first that I am not in favor of free silver as understood by the free-silver men, principally because I am opposed to the Government paying more for silver or any commodity than the market value thereof. More than that, I am in no sense a monometallist, and especially a gold monometallist. To me it is entirely incomprehensible that any intelligent man should contend for a moment that we could under our system sustain the single gold basis in this country.

Gentlemen have expressed fears that we might not be able to sustain both. Have they reflected how much harder it will be to sustain the one alone, especially gold monometallism? As to the method and what we should exactly do, I doubt whether there are twenty men on the floor of this House who have their own opinions on this question who would agree. What a Dolly Varden piece of patchwork the various thoughts and methods advocated on this floor would make. They are mostly theoretical, relying upon statistics alone, without knowing what other factors enter in that may make wonderful changes in the practical operation of their theories. If our protectionists would apply the same reasoning and heroic methods to this question that they do to the tariff there would be but little trouble in solving the problem.

My very distinguished friend [Mr. DINGLEY], chairman of the Committee on Ways and Means, insists upon the House bill. Sir, I did not believe there was a member of this House who, under existing conditions, would now favor the bill as it passed the House. The condition that confronted us then was that there was a threatening contingency, and that some relief must be supplied at once; there was a financial crisis pending, and back of that a menace by the Executive that unless we at once came to the relief of the Treasury by passing some kind of a bond bill he would exercise the power he had to issue bonds under authority heretofore given.

The House passed the bond bill, which cured the evil for the time being. By it we stopped the Executive from again entering into a contract through his own law partner to sell to a foreign syndicate at private sale bonds upon higher rates of interest and longer terms than those specified in the bond bill that we passed. The result of the bids, I think, fully showed the wisdom of the passage of the bill at that time. But now the exigency has passed. The bond bill as we sent it to the Senate did its work, and now would be of no use to the country. The moment it passed this House and went to the Senate it was a warning to the President that came like a thunderbolt from a clear sky and forced him to put into practical operation the main feature of that bill, and in my judgment no one was more surprised and disappointed at the successful results than the President and his Secretary of the Treasury.

The other clause of the bill, to issue notes temporarily, is not a crying want at this time; and therefore I contend that it would be wrong to insist upon the House bill. My friend Governor DINGLEY finds fault with the Senate bill, and says it is not germane to the question. I say it is germane to the question.

The issue is how to relieve us from financial distress, and the only question is, which is the better way to do it?

The Senate saw fit to pass a free-coinage bill to help us out of the trouble. I do not believe in their bill as they passed it. I do not believe that they were wise in insisting on so radical a measure; but I do believe, and here I want the attention of my Republican friends to this fact—I do believe that if the Morrill amendment had been passed by the Senate and added to that bill it would have been a wise measure; it would have cured the defect; and it is for that reason that I have offered the Morrill amendment, incorporating in it, however, gold as well as silver, and ask the Republican members of this House to stand with the Republican majority of the Senate and show them that while they could not pass it in a Democratic and Populistic Senate, here, in this Republican House of Representatives, we can pass that amendment; and if we want to redeem our promises we ought to stand by the amendment that I have offered and show the people we are in earnest in this matter, and that the Senators were in earnest when they offered that amendment as a compromise between the extreme free-silver men on the one hand and the extreme gold men on the other.

"But," says the distinguished chairman of the committee, "I believe in a do-nothing policy; do nothing at this time, because we can not accomplish anything." Mr. Speaker, I dispute the proposition. This is a Republican House by a very large majority. There is no power that can stop the Republicans of this House from doing what they believe to be right, and it is their duty to make a record and let it go to the Senate, and if the Senate chooses to take the responsibility not to agree, then let the responsibility rest where it belongs.

But I believe, Mr. Speaker, that if you will pass my amendment, and send the bill back to the Senate with that amendment, the Senate will pass it, and then throw the responsibility on the Executive. Send it there, and let the Executive put himself on record when the chance is given him to relieve the country in a substantial way by establishing true bimetallism, without injury to the country and without any risk of reducing us to a monometallic basis of either gold or silver.

Sir, I believe that if the Senate bill, with my amendment, would be passed the President would not dare to veto it, and if he would carry out the spirit and letter of the law it would eventually settle this question forever, for it would in a short time restore the parity of the two metals, and thus force all Europe to a firm and everlasting bimetallic basis.

Before going into the general discussion of this question I want to say a word to my friend from Massachusetts [Mr. WALKER] who is not here, unfortunately, and it is only for the reason that I can not in my presence allow this error to go by unanswered that I desire to make this statement. He says that the greenbackers asked for an unlimited issue of paper. Why, Mr. Speaker, he never knew what the greenback theory is if he says that any man is foolish enough to ask for an unlimited issue of anything. We only asked for the issue of greenbacks with full legal tender of an amount sufficient to serve as a healthy circulating medium, for the Government would at all times be master of the situation.

No such idea as you were attempting then to gull the people with, that we would start our printing presses and issue paper money in unlimited quantity, was ever advocated by greenbackers. You forget—and it is a question that is a material one in discussing this question—you forget, sir, that the Government is not and ought not to be a bank of issue, to loan its money out on discount or in any other way. The Government is not so paternal that it will give one dollar away for nothing. The Government can only issue its money for value received, and when it is issued, the Government gets 100 cents in value for it, and when that dollar passes into the hands of a man he receives on it a hundred cents, and when it passes around and comes back to the Government, the Government will only receive it by giving a hundred cents for it again.

There it stands, an absolute and positive representative of the value of 100 cents to every dollar every time it passes from one to another. That is only part of the argument that these men have for years been using to hoodwink the people. But again, the gentleman from Massachusetts says that human effort makes the price of all things. Well, I need not stop to answer that now, except to say that the cost of an article is only a factor in making and regulating the price up to the point of healthy competition, and that the law of supply and demand is the greatest factor in making the price of all commodities, especially gold and silver. Indeed, in making or regulating the price or value of gold or silver (like that of diamonds and other purely natural products) the only factor is that of supply and demand.

The cost of production has nothing whatever to do with their price or value. They are products of nature. They are like the waters that flow from the fountains, only not quite so plentiful. They are, like the air we breathe, natural products. You can not manufacture gold or silver. You can not grow gold or silver. You can not create them. You can not change the supply by turning your corn field into a gold field or silver field as you can turn it into a wheat field, and so on. You can only slightly stimulate supply by enhancing their value through enlarged demand. Silver and gold are the two stubborn instruments of nature that have been grasped by the money power for ages to enslave humanity. The idea of the cost of production being a material factor in price of other commodities does not apply to either gold or silver. They are of all things in the world the two things that can be most readily and most positively "cornered" by the rich men of the world. They are of all things the most potential scepter in the hands of tyrannical power to control humanity and to govern individuals as well as monarchies and republics. And when you tell me, sir, that their price depends on the cost of production, you tell me that which is not founded on truth.

"But," says my friend from Massachusetts [Mr. WALKER]—I see that he has just come in, and I am glad of it—"England imports more than she exports, and yet holds her gold." That is true; but how does England hold her gold? Let us see. England proper is not the producer of gold. But she is the great creditor nation of the world. England imports more than she exports, but she pays for much of her importations by the blood and sweat that she draws from her colonial possessions in the shape of taxes, penalties, dividends, interest, subsidies, etc., besides the income from her other creditors, and in that way she takes good care to keep her gold at home.

In support of this I read from page 87 of The American, edited by Wharton Barker:

> It may here also be remarked that as Great Britain's imports much exceed her exports a fall in prices would inure to her benefit, even if the prices of British manufactures exported fell proportionately with the raw materials which she imports. This difference between the volume of her imports and exports, and amounting to a yearly average of not less than $600,000,000, represents the sums due to Englishmen for the use of their ships by foreigners and interest on capital which they have invested abroad, which they take in the shape of merchandise. For 1895 the imports into Great Britain amounted to £416,688,000, and less reexports of produce imported from foreign countries of the British colonies to £356,716,867, while exports of British produce amounted to £226,169,174. This left a merchandise balance against Great Britain of £130,547,693, or approximately $650,000,000.
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> But did England send abroad gold in payment of this adverse merchandise balance? No; on the contrary her imports of gold exceeded exports by £14,736,715, and her net imports of silver amounted to £302,246, a net total of £15,038,961, or $75,000,000. England thus imported $725,000,000 more than she exported. This is the sum that represents the interests on money loaned abroad by Englishmen, the money spent in England by travelers in excess of money spent by Englishmen traveling on the continent or elsewhere, and the freights paid their shipowners for the use of their ships. The further prices fall the greater will be the quantity of goods required to be sent to England in settlement of this immense sum. Is it not apparent that America that suffers the most from falling prices, must take the initiative in restoring bimetallism—not England that suffers the least? It is folly to wait on England, a nation that is ruled by a class that actually profits by the fall in prices.

Although the balance of trade between this country and England proper is in our favor, yet England gets very much of the gold with which she pays the other countries and hoards herself from this country, for we pay tribute to the Old World, most of it to England, to the extent of almost $1,000,000 a day. And yet gentlemen ask us to reason from analogy in this matter and agree that because England imports more than she exports and yet retains her gold, therefore the same rule is applicable to this country. And, Mr. Speaker, let me say just here, that one of the great errors that our people fall into is, that they forget that we are the greatest debtor nation in the civilized world, as well as the greatest consumers. They do not consider this country as the protectionists do, that is, as a country standing, as it were, isolated and alone, peculiar in our institutions, peculiar in our conditions, peculiar in our methods, our wants, and our necessities; so that the rules that are applicable to the countries of the rest of the world ought generally to be reversed when applied to this country.

But the gentleman from North Dakota [Mr. JOHNSON] the other day thought he "proved" everything very conclusively in behalf of the monometallic idea. With his spasmodic figures and charts he attempted to show that the price of silver had no effect at all upon the price of wheat, and yet by that very chart he did show that wheat had jumped and hopped from the lowest to the highest and from the highest to the lowest rung of the ladder almost in the twinkling of an eye, and that silver had jumped in the same way, and his first chart showed that that was the effect in India. Now, does any sane man believe that that sudden spasmodic jump and fall was the cause of the demonetization or of a threat to demonetize silver? Or must he not rather acknowledge the fact that it was caused by the famine in Russia and the cornering, speculating, and robbing that has taken place because we have permitted the monometallists to contract the basis of value to a single commodity—gold—which is the only product that need be affected to bring on a financial spasm in this or any other gold-basis country; but that the steady fall of all commodities is due to the steady fall of silver?

"But," says the gentleman from North Dakota, "oh, the horror, the horror of anything like bimetallism! See the millions

that are deposited in our banking institutions! See the holders of insurance policies! In other words, look at our creditors, have a care for them! Lo, the poor creditor!" Aye, gentlemen, that has been the battle cry for ages; but you seem to forget, when you are stretching a point in behalf of the creditor, that there is another man who is affected, and that is the debtor. There can be no creditor unless there is a corresponding debtor. There is at least one debtor to every creditor, and that debtor owes what the creditor demands. Therefore, if you are so afraid that the creditor will be affected, why do you not have some regard for the debtor? Let me tell you, sir, that besides the creditors of the banking institutions and the insurance companies, you should consider also the men who pay the premiums year after year and semiannually.

Then you have those who get discounts from the banks. The borrowers of money, whether on bond or mortgage; the debtors, whether corporations or individuals, must part with more of their production or labor to liquidate their liability. They must pay back the money with interest, no matter whether money rises or falls. You have, besides those, the taxpayer, who is always in debt. In the taxpayers, from the highest to the lowest, are included every citizen of the land, all affected adversely by a falling market, or cheap prices and dear money. But the worst feature of the case is, that this debtor in taxes, indirectly at least, and in all other forms of debt, owes a large amount of it to the creditor abroad; yet you are more solicitous for the creditor abroad than you are for the debtor at home; you are willing to wring the last drop of blood from the debtor at home for the purpose of establishing what you call "confidence" for the benefit of the creditor abroad. I will speak of this later.

Sir, if there is to be wrong committed, if there is to be robbery of one class for the benefit of another, I would rather rob the rich to pay the poor, than rob the poor man of the little that he has to make the rich richer, and I would rather rob the foreign robber who is trying to rob me than rob from my own flesh and blood. But, sir, both are wrong, and I believe that neither is necessary. Adopt my amendment, and by an easy process things will adjust themselves; there will be a healthy advance in prices, and by checking in a great degree unnatural fluctuations we can with a protective tariff establish such stability as will bring to our people untold progress and blessings.

The gentleman from Missouri [Mr. HALL] is not now in his seat. I am sorry he is not, for I desire to comment on some of his remarks. Of all things that have surprised me in this debate the gentleman's remarks were the worst. Here we have a man who voted for free silver last session, and now he comes here, not as a bimetallist, not trying to right himself and his country, but he has jumped the traces completely, has gone clean over, and is one of the most avowed gold monometallists on the floor of this House. And the only reason he gives (and this is right in the line of my thought) is that he wants "confidence" restored. He says that the credit circulation will contract if you agitate increased basic money. Yes, it will contract, and that is just what we want. We want the credit money to contract, and we want a substitute for it, as far as we can get it, in basic money; that is, we want genuine, honest cash money.

When you tell us that you want confidence, we reply, that is just what we want. But the confidence that you want is a confidence based upon a lie—it is the "confidence" that the gambler wants his victim to have when he leads him to fight the tiger; the "confidence" that the stool pigeon of the "three-card-monte" man or thimble-rigger wants his victim to have when he brings him up to rob him of his money. Sir, the "confidence" that we want is the confidence that has a solid gold *and* silver backing. The confidence that you ask for is confidence with nothing behind it. The "confidence" that we ask for is absolute—a true, living fact, based not upon a mere idea or theory or mere promises, but upon two solid metals rather than upon one. The confidence that you want is the confidence that would ask a man to pass upon a gang plank with but one prop, and that in the center, so that when he passes the center the plank goes down, while you are trying to persuade him that there is no danger; the "confidence" we ask puts the gang plank on two props, one at each end, so that men, women, and children can walk across it in safety. Yet the gentleman from Missouri justifies his action on that false basis alone, and then prides himself on his courage and wisdom, and because of these self-arrogated virtues compares himself with Gladstone. (I am sorry he is not here; I almost hesitate to go on; yet I feel I ought to do so.) For he says, "Yes, I was a free-silver man at the last session, but I have changed my mind; all great men change their minds; Gladstone changed his mind;" from which no doubt he would have us infer that Gladstone, the Grand Old Man of England, changed his mind, and the grander young man from Missouri changed his mind—me and Gladstone! [Laughter.] His modesty is only excelled by his logic. The gentleman's attitude can, in my judgment, be characterized by one word, a word which originated in the Senate—"cuckoo." "And there are others," but none so glaring as they who can give no good reason for their change of faith, but go to the housetops and proclaim and attempt to justify their change by traducing the men with whom they have battled for years and tell them that they are like the Chinese and the lower order of animals, which never change, "while we great and mighty men do change."

Now, I want to say one word to my Democratic friends. The gentleman from Mississippi [Mr. WILLIAMS] says, "Supply and demand regulate the value of money and all products." You are right, my friend. And the gentleman from Alabama [Mr. WHEELER] says.

Falling prices are desired by bondholders and the money power only.

You, too, are right, my Democratic friend. And then he continues:

Our nation ought to be independent of Europe. Like the Numidian lion, we know not our strength. For God's sake let us assert it.

Oh, how I congratulate my Democratic friends that they have at last come over to the protective idea that supply and demand regulate the price; that we ought to be independent of England and the world; that, like the Numidian lion, we have been unconscious of our strength, but, now that we know it, should assert it. I trust our Democratic friends will be ready to assert it at all times, whether we are considering the financial question or the tariff question.

I wish I could say that your Secretary of the Treasury, Mr. Carlisle, had shown the same progressive spirit. He seems still to stand on the old free-trade doctrine, for in his speech in New York, at the bankers' banquet, he said: "We are now getting down to normal conditions, and I am glad of it." Ah, my free-trade brethren, the present doctrines of Mr. Carlisle are what you have been advocating for years, although he, too, vamps "cuckoo" on this question, as shown by extracts from his remarks at end of speech.

Yes, we are getting down to normal conditions and low prices! Why, Mr. Speaker, in the West the farmers are using their corn for fuel instead of consuming our coal; potatoes selling at 15 cents per bushel in Philadelphia, and that is what the Secretary of the Treasury and the gold advocates of the country mean when they say we must come down to normal conditions, namely, low prices, cheap wages, cheap products, cheap men, and cheap women. God forbid!

Sir, I would like some of these gentlemen to designate the standard of the normal conditions they want to drag us down to. Do they mean that we must reduce prices—cheapen all things to the standard of the gold-using countries? And when we have done that we can stop there and all will be well? Sir, that is only one step toward normal conditions, for the next step will be to drag the so-called civilized world with ourselves down to the next standard, to wit, the standard of the silver-using countries, and when we have all gotten down to that standard, the so-called civilized gold countries and the uncivilized silver countries will together go down farther. For not until we get to the standard of barbarism, which is the bed rock, will we have gotten down to normal conditions. Yet this is the logical sequel of the gold monometallist and free trader.

Sir, in a country like ours, being the most heavily burdened debtor nation in the world, with a system that makes our Treasury the medium for exchange of all securities and values for gold, no matter how low the standard at which these values were purchased, it is impossible to maintain gold monometallism. It is infinitely harder to do that than to bring about the parity of gold and silver, single-handed and alone, by a moderate and conservative system of unlimited coinage of both gold and silver at a ratio based upon the natural production of both metals.

Sir, it is absolutely impossible much longer to carry out our present system, for under this system our Government is the only one which has undertaken the impossible task of exercising the sovereign function of coining money and regulating the value thereof and issuing bills of credit redeemable at the option of the holder and at the same time discriminating against one of its redemption metals. There is no nation on the face of the earth, excepting ours, which attempts to perform the function of a bank of exchange and under our system to pay out gold under all circumstances.

Every other nation in the world retains for itself the option in all its payments. In France they pay out from 10 to 100 per cent in silver when demands are made upon the Banque la France. In England they raise the discounts to prevent a run on their gold, and so in Germany and every other civilized nation they protect themselves by always retaining the option. In fact, no Government in the world attempts per se in any instance to exchange one kind of money for another at option of holder except this Government of ours, and in that way we furnish facilities to the gamblers, the speculators, the jobbers, and the robbers to ply their vocation, in comparison with which the gambling hells of Monte Carlo pale into utter insignificance.

Sir, the best evidence of our mighty power and resources lies in the fact that for so many years we have been able to do that which no other country would dare to undertake; but the time is now at hand when the last straw is being placed on the back of the Treasury, which will break it and bring on destruction and ruin unless speedy relief is given. The passage of the Senate amendment, which gives to the Treasury the option and not the holder; which enables the Treasurer to say, "Yes, if you want the redemption of the greenback or Treasury note, here is your silver or gold," just as the Treasury desires, and not as the holder of the security may wish—for no man will contend that they are not redeemable in silver as well as gold—would stop the endless chain and enable us by the passage of my amendment to coin the American product and give to the Government the seigniorage or difference in the market and coin value of the silver brought to the mint.

It would obviate the necessity of passing any revenue laws to prevent the influx and coinage of foreign silver, as no foreign silver would find its way to our mints so long as they could not get more for it at the mints than its market value at home. For remember that the market value of silver is fixed abroad, in London, and not in this country; but I believe that, by the passage of my amendment, in a very short time the market value of silver would be on a parity with gold and that this country could very readily sustain it on that parity, especially if we were to adopt reciprocity measures with the silver-using countries that would enable us to pay our balances to these countries in silver. For, mark you, the balance of trade is in our favor with all gold-using countries, but is largely against us in all silver-using countries, and under our present vicious system, that forces us to make all our exchanges through London, we pay to the silver-using countries the balances not in silver measured in silver prices, but measured by gold values, thus paying 50 per cent more not only for the debts that we have incurred, but the debts that we may incur, and the current balance of trade against us. Change our system, and these silver-using countries, all of whom are our creditors, would drain us of the seeming surplus of silver that our gold advocates claim to be so much afraid of. Yes, it is time that we cut loose from the chains that are forged around us by the monetary system of England and, like the Numidian lion, assert our strength, and I believe in a few years the great clearing house of the world will be in New York instead of London, and America will wield the commercial scepter of the world.

Mr. PICKLER. Let me interrupt the gentleman to ask if that will not still be keeping silver as a commodity and not as a money metal?

Mr. BRUMM. I am treating it as a commodity, just as I treat gold as a commodity, for there is no such thing as dollars or money of the world. And here is the infamy of the false war cry of the goldites, "Money of the world," "Honest money," etc. Sir, it is the old cry of "stop thief," to divert attention from the truth—for what we bimetallists want is honest money of all kinds, not the favored gold dollar that is dishonest to the debtor and begets the unfavored silver dollar which is dishonest to the creditor; but we want the fair-play gold and silver dollar placed on an equal footing under the law, and then make both of them honest dollars for both debtor and creditor, and this can only be done by harmonizing their bullion value. Our foreign exchanges are all made with bullion, and the value of it will only rise and fall as it will be influenced by that grand talisman of power, "supply and demand," which the Rothschilds and their associates so well know how to control, and by their ability to manipulate become the rulers of the world. But the effect of my amendment will be to put a stop at once to the introduction of foreign silver; there will be no inducement to send it here, since they can get no more for it here than they can abroad, as I stated before, and this is another reason why I am opposed to free silver. I therefore beg the attention of the gentlemen who favor bimetallism to the fact that my amendment will prevent the rush of foreign silver, that some of you claim we could not heretofore take care of, and thus bring about bimetallism without creating a ripple on the financial surface.

I maintain, sir, that the question of parity is not controlled so much by the amount of silver or gold that is coined as it is by the equal opportunity for coining. That is, let the Rothschilds and speculators in basic money know that there is no limit to the coinage of either metal. They will at once see how useless it would be for them to attempt to corner either one or the other alone and by these horrible fluctuations bring repeated disasters upon us, for then they would have to corner both metals, which would make it so expensive that it would hardly pay them to do it, for their main implement of war is the antagonism of the two metals, by which they use the one to corner the other; therefore, by harmonizing the two you deprive them of their most potent engine of destruction. The fact that before 1873 there was very little silver coined in this country, though under the laws there was free coinage of gold and silver, and the foreign coinage of silver amounted to comparatively little, yet the metals maintained their parity, strengthens the position that I have taken—that is, that it is not altogether the question of the amount that is coined, but is largely a question as to the opportunity for coining in case a controlling of the supply and demand of the metal is attempted by the money sharks of the world.

Moreover, this would remove all danger resulting from the operation of the so-called Gresham law and thereby getting down to a silver basis, as it would instantly stop the throwing back on our market of our securities whenever there is a flurry in the money market. The reason our securities are thrown upon us at the time we are least able to take care of them is because they can always make the Treasury exchange these securities at par with gold values upon demand. Who ever heard of Canada or Argentina or India or Mexico or any other country having their securities cast back upon them when they are supposed to bring the lowest in the market? Even in the great crisis brought about by the failure of the Barings the securities were not thrown back upon South America, but were held, because there was no Government so foolish as to make of itself the medium that would enable them to exchange the securities at gold values. But, sir, unless some measure like this is adopted we will inevitably be forced into a single-standard country, and that standard will be silver, for our system gives them every opportunity to take from us all our gold and to force upon us all their silver.

For the last century this has been the operation of our cursed system, for proof of which let me remind you of the fact that England and all gold-using countries are not producers of gold to any extent. We are the producers of more than half of all the gold of the world, and although the balance of trade is, and has been for the last century, in our favor largely with these gold countries, yet they have increased their gold reserve, while ours is constantly decreasing. In the last century we have produced in round numbers $2,000,000,000 in gold, and have now at the highest estimates only $500,000,000 in the country, and of this but between $200,000,000 and $300,000,000 is in sight. Where, I ask you, has this gold gone? The arts have taken but comparatively little of it. The balance of it, sir, has gone to England and the gold countries, and is there being used to lash us into submission to their imperial will.

From the year 1849 to the year 1879 we produced in round numbers $1,500,000,000 of the precious metals, of which we exported over $1,000,000,000 in this short period of thirty years, and this, sir, was when there was no agitation of the silver question; but it was drawn from us for the payment of our debts held by foreigners and the interest on them and to settle balances due by us to silver not gold using countries.

Sir, until our foreign debt is paid we can not prevent a draft on our precious metals. Neither would the destruction of every greenback and Treasury note prevent that draft; but if the Treasury paid at its option, it would assist largely in maintaining the parity of the metals and by unlimited coinage and reciprocity would increase our ability to pay it just 100 per cent.

Sir, our foreign indebtedness draws from this country almost a million dollars every day, and is increasing from year to year. This can not last always. The remedy must be supplied, and that in a short time, or discredit, bankruptcy, and ruin must be the inevitable result. We must begin to liquidate our foreign indebtedness, and this can only be done by enhancing the value of our products with which we pay that indebtedness, and not by lowering their value.

All gold-using countries are comparatively fully developed. There is a surplus of wealth seeking investment. They can not have it at home. They will continue to seek undeveloped countries for their investments. None so agreeable, so opportune, and so safe as ours. If there should be a relative increase of investments with high rates of interest and dividends and a relative decrease of the value of products, it will take no great mathematician to tell you what the ultimate result of this must be. But besides this, sir, the evil affects us in another way. The silver-producing countries are threatening our manufacturing and agricultural industries. They produce their commodities at silver prices, and force them at this price upon the markets with which we are in competition at gold prices. Thus they not only lower the prices of the production, but by their cheapness force them upon the European gold-standard countries, thereby crowding the surplus product of the gold-standard countries on our markets as well as their own.

Sir, no tariff can be high enough to protect us against this evil, and I now appeal most earnestly to our protectionists to look at this question from that standpoint. To you I want to say that your attitude is the most incomprehensible and most inconsistent of any. When you talk finance you advocate the single gold standard, which you know means dear money, cheap prices, or the free traders' normal condition, with expansion of credit and a more uncertain basis of confidence. Sir, I am a protectionist, because I am opposed to cheap prices and a system of revenue that forces

me in competition with the foreigner on his so-called normal condition or low standard, and because I want a more isolated and distinctive American system based upon American prices, American conditions, and American civilization, and which can be made as little subject to fluctuation by foreign manipulation as possible, and I apply the same reason, the same rule, the same method, to the financial question that I do to the tariff question because I want the same results.

Why, do you know, sir, that American capital is even now seeking investment in Japan, not only because labor is cheaper in Japan, but because it is paid in silver, the material is bought in silver, it is completed in silver, and they make the profit between the silver and gold prices. Even American industries are abandoned here and taken to these silver countries, whose civilization is increasing and whose progress is recently second only to the progress of our own people; and how, I ask you, can we avert this terrible calamity unless we adopt heroic treatment and tell the gold-using countries we will no longer be made the cat's-paw to enable them to degrade and enslave us by giving both the gold and silver countries undue advantage over us?

How strange it is that so many of our protectionists, who denounce the theoretical free trader, and who are so heroic in adopting practical tariff methods for protection, out-Herod Herod in their devotion to the low-priced financial theory. In other words, they want tariff to raise prices and want monometallism to reduce prices. "Oh, consistency, thou art a jewel, indeed!"

Now, Mr. Speaker, in conclusion I wish to say that if the Republican party would only do this, first pass my amendment that would give the Government the difference in the coin value and the market value, which would enable us to coin only the American product of silver; next adopt that part of the Senate amendment which stops the Government from being the exchange banker of the world—then give us a practical revenue bill with specific instead of ad valorem duties, and such reciprocity as will enable us to pay our debts to silver countries with silver and open the markets of the world to our products; and finally place a healthy limitation on foreign immigration, and the problem is solved. Prosperity and happiness will be restored. Our glorious Republic will then progress and develop into greatness until it illuminates the world with its glory. [Applause.]

Oh, my Republican friends, it will not do to go to the people with mere promises. It will not do to say, "Yes, this is what we will do." Sir, I would rather go to the people with our banner to the front and proudly point to the acts we have done. Then say, with the mother of the Gracchi, "These are our jewels." Now, give us a House that will repeat, a Senate that will concur, and a President that will approve our acts—and the people will respond at the fall election with a mighty voice from all quarters of this great Republic, "Well done, good and faithful servants." [Applause.]

Extracts from speech of Hon. John G. Carlisle, February 21, 1878, in the House of Representatives, on Senate amendments to the bill (H. R. 1093) to authorize the free coinage of the standard silver dollar and to restore its legal-tender character (CONGRESSIONAL RECORD, volume 31, 1878, Forty-fifth Congress, second session, Appendix, page 41):

My position upon this subject is briefly this: I am opposed to free coinage of either gold or silver, but in favor of unlimited coinage of both metals upon terms of exact equality. No discrimination should be made in favor of one metal and against the other, nor should any discrimination be made in favor of the holders of either gold or silver bullion and against the great body of the people who own other kinds of property. A great Government should treat all its citizens alike, and whenever it attempts to do otherwise it will engender a spirit of discontent, which sooner or later must disturb the harmony if not the peace of society.

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I know that the world's stock of the precious metals is none too large, and I see no reason to apprehend that it will ever become so. Mankind will be fortunate indeed if the annual production of gold and silver coin shall keep pace with the annual increase of population, commerce, and industry. According to my view of the subject, the conspiracy which seems to have been formed here and in Europe to destroy by legislation and otherwise from three-sevenths to one-half of the metallic money of the world is the most gigantic crime of this or any other age.

The consummation of such a scheme would ultimately entail more misery upon the human race than all the wars, pestilences, and famines that ever occurred in the history of the world. The absolute and instantaneous destruction of half the entire movable property of the world, including houses, ships, railroads, and all other appliances for carrying on commerce, while it would be felt more sensibly at the moment, would not produce anything like the prolonged distress and disorganization of society that must inevitably result from the permanent annihilation of one-half of the metallic money in the world. With an ample currency, an industrious and frugal people will speedily rebuild their works of internal improvement and repair losses of property, but no amount of industry or economy on the part of the people can create money. When the Government creates it or authorizes it the citizen may acquire it, but he can do nothing more.

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The struggle now going on can not cease, and ought not to cease, until all the industrial interests of the country are fully and finally emancipated from the heartless domination of syndicates, stock exchanges, and other great combinations of money grabbers in this country and in Europe. Let us, if we can do no better, pass bill after bill, embodying in each some one substantial provision for relief, and send them to the Executive for his approval. If he withholds his signature, and we are unable to secure the necessary vote, here or elsewhere, to enact them into laws notwithstanding his veto, let us, as a last resort, suspend the rules and put them into the general appropriation bills, with the distinct understanding that if the people can get no relief the Government can get no money.

Coin Redemption Fund.

SPEECH
OF
HON. HUGH A. DINSMORE,
OF ARKANSAS,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 13, 1896.

The House being in Committee of the Whole, and having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. DINSMORE said:

Mr. CHAIRMAN: I have hitherto refrained from participation in this debate. I have not believed that anything I could say would add to the literature of the subject or would influence the mind of any gentleman of the House on the final vote. It could not be hoped at this time, after so much has been said, after the mature reflection and earnest study of the subject brought forward by the pending measure, that I, or even one more competent to speak, could offer anything for the enlightenment of the committee. I have no such ambition. My only excuse for asking the attention of the committee is the duty which I feel incumbent upon me, representing the people of one Congressional district of this great country, to speak in their behalf, in the expression of their convictions and in contention for their rights as they understand them, upon what they consider the most vital question that engages public attention.

Too much has been said in crimination and recrimination in the division of parties on this subject. It is well known that the Democratic party, as well as the Republican party, is divided into two factions, each holding diametrically opposite opinions. Since the debate has begun gentlemen upon this side have deplored the fact that this discussion has been injected into the deliberations of the committee, and in doing so they are prompted by feelings which I admit are commendable in a measure, since they are hopeful of unity and concord in a party which we all love. But, sir, to my mind these injunctions are vain, and we might as well boldly meet the question which confronts us. It is one which will not down at any man's bidding, and we should at once recognize the fact that it is a battle to be fought out in the party, and I for one have nothing to disguise. So profoundly am I impressed with the importance of the question, and the justness of the contention of those who believe in the free and unlimited coinage of silver, that I hold it to be my duty to announce here and now that it is a question which admits of no compromise; and for one I intend, in my poor way, to strive to the utmost to commit the party to which I belong in its next assembly in convention, as it has committed itself in the past, to the free and unlimited coinage of silver. I am a Democrat and believe that the integrity of my party is vital to the welfare of our people under republican government. I should regret it as a great national calamity if that party should go into disintegration. I shall stand by it; and upon this question I have the more reason to do so in my belief that the best hope of the cause for which I stand lies in its success.

Mutual reproaches have been indulged in by gentlemen on account of recent events in the different States and the transferring of power from the Democratic to the Republican party. Particularly has this been so with reference to the State of Kentucky. Democrats have been charged with abandoning the platform. It has grown quite common all over the country for Democrats to declare that the national platform of 1892 was what they are pleased to term a "sound-money" platform, as opposed to the free-silver view.

Mr. Chairman, I want to enter my solemn protest against the justness of this position. There is nothing in that platform which warrants the assertion; there is not a distinct declaration in it on the subject which does not declare for the free and unlimited coinage of silver. It declares that "we hold to the use of both gold and silver as standard money, and to the coinage of both without charge for mintage, and without discrimination against either metal." These are distinct declarations of the party that are, notwithstanding anything more that was said, susceptible of but one construction. And the subsequent clause in the platform which refers to the maintenance of the parity of the two metals, either by international agreement or by prudent safeguards of legislation, can not be understood to change their meaning, but

only to indicate that by international agreement, if possible, bimetallism should be accomplished; and if not possible, then Congress should provide for it by law in the free and unlimited coinage of both gold and silver, and by safeguards of legislation provide for the maintenance of the parity of the metals.

Now, sir, I wish to ask in this connection if there has been any effort made by anybody in the Democratic party opposed to the free and unlimited coinage of silver, speaking in its behalf and upon its responsibility, to put on foot any legislation looking to the carrying out of the provisions of the platform which irrevocably committed us to the coinage of both gold and silver as standard money without cost of mintage and without discrimination against either metal. Every effort at legislation upon these lines has been met with obstructions, and when a measure passed both Houses in a Democratic Congress which only went the small extent of providing for the coinage of the seigniorage, it was overturned by the veto power of the President.

It is not for me to criticise public officials as individuals and I wish to disavow any intention on my part to do so. Each one must act within his own responsibility, under his own convictions, responsible to his people and to the high court of conscience, for the discharge of his personal duty. As for myself, I am impelled not only by the obligation which my party has assumed but my personal conviction that the welfare of the people of this country who eat bread by the sweat of toil and who are engaged in honorable and what should be fruitful industry demands that the volume of redemption money should not be kept within the narrow limits of a gold basis. We are already living upon this basis, and we have long witnessed the constant narrowing of the volume of money which represents all the property in our country, in proportion to the rapidly increasing interests which demand its use.

The contention of those who believe in the free and unlimited coinage of silver is that the constant downward tendency of prices of all commodities is due almost entirely to the fact of the elimination of silver from our money of ultimate payment, making gold the only money that measures values in trade and commerce at home and abroad.

Having no intention of going into the discussion of the details of this question, I shall only refer to them in passing, in the brief time which I shall occupy. The points are not new. This question has been fought over for so long that there can be nothing new in it; but the forcible presentation of old arguments, which to my mind are irrefutable, it seems to me should be sufficient to convince each and all not only that to continue the present system will constantly increase our distress and ultimately bring us to financial ruin, but also that the remedy is a prompt and resolute opening of our mints to gold and silver at a fixed ratio on terms of perfect equality.

To those who have taken the pains to investigate in a careful way conditions which have resulted from the adoption of the single gold standard by the civilized world, applying their investigations to our own country, it is strange to me that the result is not appalling. Our friends upon the other side, always ready and watchful to attribute everything to the effect of a protective tariff system or the lack of it, have contended that our great difficulty is lack of revenue to defray the expenses of the Government and lack of confidence in the Administration of the Democratic party. They may convince manufacturers that such is the case, but I do not believe the country can be deceived. A surplus of revenue would not arrest the downward sinking of prices, dragging with them the prosperity of the people. The gold people in all parts of the country, particularly Democrats, have told us persistently that the difficulty was a lack of confidence on the part of the people, growing out of the fear that the Government would pay its debts in a cheap and discredited money. The President of the United States and the Secretary of the Treasury have uniformly used this argument, and reiteration of it has been constantly dinned into our ears here.

This was the excuse given by the Government for the contract entered into with the bankers' syndicate for the issuance of the bonds of January, 1895. We were told in a special message from the President, when asking for authority to issue bonds payable in gold rather than in coin, as the law now provides, that he would be driven to this expedient; that capitalists could not be induced to take the bonds on favorable terms when they were confronted by the possibility of having to receive depreciated silver dollars. But only a few days were required to make it obvious to the world that there never was the slightest ground for fear of the credit of the United States. And the quotations for the same bonds, payable not in gold but in coin, immediately afterwards showed beyond question that they could have been sold on such terms as would have saved the Government several millions of dollars that went into the pockets of the shylocks who have from the beginning reaped the benefits of this destructive financial system.

Mr. Chairman, there is no belief stronger in my mind than that the credit of this Government never has for one instant been impaired or shaken in the minds of the people of the world, and every transaction of public business has made this manifest. Every gentleman who speaks for the gold standard in pathetic tints paints the picture of dishonor of this proud Republic repudiating her debts and paying less than her obligations demand. This, sir, is waste of sentiment. There is no man who believes with me on this question who for a moment assents to the idea of repudiation, or that anybody wishes to pay our debts with debased money. We hold it to be the right of the Government to pay its debts in the money of the contract, and that money is coin, either gold or silver, at the option of the Government. Many private contracts have been made for payment in gold. All others, either public or private, have been made, in view of the law authorizing payment in gold or silver, at the option of the debtor, and of the repeatedly expressed purpose of all political parties to return to silver coinage. All the while gold has been rising steadily in value, making each year the dollar of debt harder to pay. Since and by demonetization its purchasing power has been almost doubled; and yet when we insist that the creditor should be compelled to accept the dollar of the contract, which he agreed to take, instead of this enhanced dollar of increased value, we are charged with dishonesty and a willingness to dishonor our country.

We believe, sir, that the very moment the Government of the United States manifests its purpose in good faith to establish bimetallism by the opening of its mints to the free and unlimited coinage of silver the wide hiatus which has been created between the two metals by the policy of governments, by the demonetization of the white metal, will be closed up, silver going up to meet gold coming down. Increased demand for silver as money will send it up in the markets of the world, and the demand for gold being relieved by that much, it will descend to its normal place, side by side with the silver dollar.

I presume at this time that there are very few individuals who will deny that gold has been enhanced in value. I know that the better informed of those people who have advocated the gold standard admit that there has been an enhancement of gold. No less a person than the distinguished Senator from Ohio [Mr. SHERMAN] has committed himself irrevocably to this idea. But they tell us that we are unable by legislation to inject value into a depreciated silver dollar. My friend the able member from Louisiana [Mr. BOATNER] has even now reiterated that oft-repeated statement. Can not legislation undo that which it has already done? If legislation has deprived it of its value, reverse legislation, under like conditions, ought to restore it. It seems to me that is clear.

When we assert our belief in the possibility of restoring and maintaining the parity, the gold-standard advocates cry out with airs of triumphant confidence, "How are you going to do it? You have not told us how it can be done!" The answer has been given to them a hundred times. Open the mints to the free coinage of both metals at the ratio of 16 to 1, thereby creating a demand for every ounce of silver bullion in the world for money use, and the rate fixed for the ratio will fix the price of the bullion wherever it is in existence.

If the answer is not sound, is not correct, it then furnishes ground for argument, for legitimate discussion. But gentlemen are content to waive it aside with contemptuous expression, and do not even attempt argumentative answer. It will not be necessary to have the silver coined to give it the vitalizing growth in value; the fact that it can be coined will impart it.

The theory of overproduction has been so thoroughly and satisfactorily exploded that nobody can stand on it consistently for a moment. If legislation could take its value away, I insist, sir, that reverse legislation can restore the value which has been taken from it. We do not rely upon the force of argument alone that this will be true; we have experience to enlighten our minds. We have witnessed whenever there has been any legislation tending in any wise to increase the use of silver as money that silver as a commodity has responded with sensitive alertness and has invariably gone up in the markets. Was it not so when the Bland-Allison Act was passed providing for the coinage of $2,000,000 worth every month? And when there had been a slight retrogression and the Sherman law was passed in 1890, repealing the provisions of the Bland-Allison Act and substituting the purchase of 4,500,000 ounces instead, was there not an immediate and instantaneous increase in the value of silver in the markets of the world?

Let me give an object lesson on this point. At the time the silver-purchasing law of 1890 was passed I was representing the United States Government at a foreign court. At the time of the passage of the law I happened to be in the city of Yokohama, Japan. Under the regulations of the Department of State I was in the habit of drawing my drafts on the Secretary of State for gold. Gold not being in use in that country, I converted these drafts into silver dollars, Mexican dollars or Japanese yen, which were of about the same value, to defray my individual expenses and the expenses of the legation in my charge. At the time I had some drafts in my possession, drawn on the Secretary of State, for gold dollars, and took them to the Hongkong and Shanghai

bank to convert them into silver dollars. When I presented them the cashier smiled and said, "You ought to have come yesterday." Upon asking why, he said, "The Sherman law. We have just received news that the Sherman law has been passed and silver has gone up, and you lose about 4 per cent on your drafts." Will gentlemen now tell us that legislation does not affect the value of silver, if the legislation which made so slight an increase in the use of silver affected it to this extent, not in the United States, not in the adjacent countries of Europe, but at the other end of the world, whose night is our day and whose twilight our dawn? [Applause.]

Why, sir, it responded instantaneously to our legislation and illustrated the truth of what was said by the Paris commission of 1868, composed of six bimetallists and six monometallists, that any country of sufficient commercial importance could, by the enactment of law, maintain the parity between gold and silver at a fixed ratio, not only in the country passing the law, but throughout the civilized world. But we are answered that silver did not remain up, but again declined. That is true, but not as is claimed. There may have been a slight actual decline in the value of silver, because the increased demand for it was as a commodity, not as ultimate money. But if its increased value had remained steady and stationary, the value of gold did not, but continued to rise steadily higher in comparison with all commodities, silver included, because with increase of business there was a constantly growing demand for it as the only money of final payment, the only measure of values. Silver practically kept its place side by side with all other commodities, the purchasing power of an ounce being as great as it had ever been until the repeal of the Sherman law and the closing of the Indian mints against it in 1893.

Suppose, Mr. Chairman, instead of providing for the purchase of 4,500,000 ounces of silver, our Government had thrown open its mints, increased its minting facilities, and fixed the ratio at 16 to 1, or any other reasonable ratio. The powers of our country are so great, its people so multitudinous, its interests so varied, its energy so unlimited, its wealth so unmeasured, its resources so extended, there can be no doubt that from that moment we would fix the gold price of silver in the United States at a parity with gold, and would thus control its price in every country of Europe and throughout the Orient in accordance with the price in the United States.

Mr. Chairman, America is great—the greatest of nations—I have no disposition to indulge in vaunting adulation of my country, but it has been truly said, and the statement is supported by the testimony of the most enlightened and learned scientists, that America possesses more wealth and greater population and more vital energy than the whole of Great Britain, Germany, and France, to say nothing of the Latin Union. And yet the Latin Union maintained the parity between the two metals and kept silver in the United States at a premium over gold, and for no other reason than the difference in the ratio, France coining it at the ratio of 15½ to 1, while the ratio in the United States was 16 to 1, and this after other nations had dishonored it. I do not admit, sir, that any nation on earth is more capable of accomplishment, of achievement than ours, and to those who declare themselves bimetallists, but are deterred from supporting the principle by fear that we can not maintain the parity, I point to the experience of countries that have put it to the test.

I have followed my friend from South Carolina [Mr. ELLIOTT], who has just taken his seat, who, having responded to his duty, as he sees it, of giving voice to the sentiment of his people, says that they are in favor of "sound money." He insists that we can not leave the gold standard. We must have "sound money." I desire to protest, Mr. Chairman, in behalf of my people against the use of that expression. We, too, want sound money, but we say that that money which is forcing constantly downward the prices of everything our people have to sell and depriving them of the just profits and remuneration of their labor is not sound money. [Applause.] We want the money which has been promised to the people of this country by every party that has dared hope for their support, bimetallic money. We want gold and silver; not silver as used at present. It is no answer to us to say that under the present system of financial affairs more silver dollars have been coined than heretofore in our history. They are not coined as ultimate money, and that is what we demand; that the volume of money which measures the values of things which the people of the country have to sell shall be increased, shall be restored to where it was before silver was "stricken down." I use that expression which has been criticised upon the other side of the Chamber.

Mr. Chairman, my friend from South Carolina says that his people believe in "sound money," meaning gold money, because, he says, our trade is with gold-money-using countries, the countries living by the gold standard; and he says that the people of the South, planters and producers, would be embarrassed by the adoption of gold and silver as standard money if, as the result of that, there should be a confusion of exchanges in the course of the transaction of their business.

The gentleman asks, "With whom do we trade? Do we trade with silver-using China and Japan, or do we trade with the countries of Europe that have adopted the gold standard?" Mr. Chairman, America to-day trades with the world. She does trade with China and Japan, and with Mexico and the South American States; and while she sends her bales of cotton to Liverpool she sends her bales of the manufactured products, her kerosene, and many other commodities to China and Japan, Mexico and South America, which are sold in those markets; and those who export and sell them in those countries receive the profits of their venture. They sell them to silver-using countries at silver prices, having paid gold prices here. But does anybody suppose for a moment that they lose the difference between gold and silver in this exchange? They sell for silver prices; and those are converted into merchandise, which is sold for gold prices in this country. Commerce is maintained in a healthful condition throughout the whole transaction, just exactly as when we had a depreciated currency in this country after the war, when in one of our most prosperous periods we conducted foreign commerce without any detriment, but with profit to our trade.

[Here the hammer fell.]

Mr. WILLIAMS. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Arkansas be extended.

There was no objection.

Mr. DINSMORE. I thank my friend and the committee for further indulgence.

Mr. Chairman, those who worship at the shrine of the golden calf are fond of reasoning thus: They say we can not establish and maintain the parity of gold and silver dollars, and that the result will necessarily be two dollars, a good dollar current throughout the world and a bad dollar good nowhere, but one which our people will be forced to take; that the bad dollar will drive out the good dollar and leave us nothing but debased dollars. But that, nevertheless, many of the debts of the people being made payable in gold, they can pay in no other money; while they can never receive any other than the debased silver dollar for what they have to sell. Illustrations are indulged in. For instance, they say the importer will contract with the planter for 100 bales of cotton at the market price and force him to take payment in depreciated silver dollars. He will then take the cotton to Liverpool and sell it for gold, convert it into silver, and repeat the operation; the gold advocates assuming that the farmer loses the difference between the silver dollar and the gold one and that the importer gains it.

Are these gentlemen sincere? Is that argument ingenuous? Let us say, and I by no means admit it except for argument, that we are mistaken and that we could not create or maintain a parity; that the gold would go out and leave us on a silver basis. What will happen? They tell us that our silver dollars would only have a commodity value measured in gold. If so, they will stand in the same relation to gold as cotton and all other commodities; and the price of cotton on the plantation in the United States will be fixed in silver with reference to the market relation between silver and gold, because the Liverpool market, fixing the price of cotton in gold, will control and fix the silver price of cotton in the United States. Hence the farmer will get enough silver dollars for his bale of cotton to equal the value of gold dollars obtained for it by the exporter less the latter's profit and the cost of handling and transportation. A tyro in business would recognize this fact; yet our friends ignore it and argue otherwise. If it is a fact, what has the farmer lost? And what has the exporter gained? Obviously nothing. But the whole people have received the benefit of an increased volume of money and have lost the benefit of not a single gold dollar, because it is the money in the world and not in the United States alone—ultimate money, money of final payment—that measures our values. Locke expressed it in this way:

> The value of money in general is the quantity of all the money in the world in proportion to all the trade.

Again, it can not be denied—will not be by any intelligent person of fair disposition—that even if we should fail to advance silver to a parity with gold, the value or the purchasing power of the latter metal would be at least greatly reduced, resulting in increased prices and a more just relation between debtor and creditor. Our friends are not appalled by the fact that though our exports of farm products have more than doubled since 1873 they return to us less money than then. They say it is overproduction, yet investigation discloses that consumption is decreased per capita. They say there is an overproduction of wheat, yet it is known and admitted that the wheat-eating people of the world consumed per capita one-sixth of a bushel less than in 1881, when our crop brought high prices in the markets. This is true of other farm products. When confronted with these facts we are told to wait yet a little while longer until "confidence is restored," and that then all will be well. But while we wait for confidence, though in profound peace with all the world, we must issue bonds every few months, imposing a heavy debt upon posterity as a result of our own folly.

The people are tired, Mr. Chairman, awaiting the fulfillment of the prophecies of the gold theorists in this country. We were told that prosperity would follow immediately upon the repeal of the obnoxious Sherman law, but relief has not come. We were promised revival of business and prosperity, but the revival did not revive, and prosperity lagged; and though God has blessed us abundantly in every provision of nature the stagnation of our industries and the languishing of our people cry aloud against the present ruinous system, that fulfills no prophecy of good but every one of evil, and demand the redemption of promises and the consummation of our hopes and ambitions by legislative provision for the promotion of the public weal. Even experiment would be better than the existing vicious system, which stands in the path of our welfare.

Now, in conclusion, Mr. Chairman, I do not deny that the return to the bimetallic standard would lessen the profit of the people who hold the debts resultant from those debts. I do not deny that it would lessen the amount of the toll which the capitalists of the country levy upon those who labor and delve; but the fact of their loss is the gain of the laborer and producer and the debtor. Their loss is but the just relinquishment of unearned gains acquired by the increased value of money. To my mind, sir, it is abhorrent that idle money should draw interest to its holders from poor debtors. Under a healthful and just system no money can earn profit other than active, circulating, invested money.

The justness of our demand, moreover, lies in the terms of the contract and assurances which have been given the people of this country that silver and gold should be the money of final redemption. In the name of my people I demand it. I can submit to the taunts of those who tell us we have not progressed. I have no ambition, sir, to be that kind of a progressionist. I am not a financial progressionist in that sense, nor am I a financial contortionist. I plant myself firmly and erect upon the Constitution of my country, which declares gold and silver to be the money of our people—the Constitution from which Webster said, in speaking of this particular provision of it, that neither any State nor Congress could take anything away. I stand upon the platform of my own party, which has declared for bimetallism and promised its restoration. I hold up the faith of the people in those promises, and in their name demand their fulfillment; and never, Mr. Chairman, will I yield my influence to failure to perform them and carry out our plighted pledge in letter and spirit to a full consummation. [Applause.]

Coin Redemption Fund.

SPEECH

OF

HON. H. ST. GEORGE TUCKER,

OF VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 6, 1896.

The House having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. TUCKER said:

Mr. SPEAKER: I can not give my sanction to the bill now before the House, though I should be very glad, if opportunity presented, to vote for the second, third, and fourth sections of the bill.

I have been unable, with the best thought I could give to the subject, to bring myself to the conclusion that the "free and unlimited coinage of silver at a ratio of 16 to 1" by the United States alone, *under present conditions*, would be of any benefit to the people of the country or consistent with good financial legislation. The key which seems to me should unlock the door to the judgment of every man in this House upon this question is this: Would such a step by the United States alone bring the value of the silver in the silver dollar up to par? For it is admitted that to-day the silver in the silver dollar is worth, commercially, only about 50 cents, while the gold in the gold dollar is worth 100 cents; that is, if a man takes a silver dollar and with a hammer mutilates the eagle or the Goddess of Liberty on its face and takes the mutilated coin into the market he can get only about 50 cents for it; but if you mutilate the gold dollar in the same way and take it to the silversmith you can get 100 cents for it.

Now, if the free and unlimited coinage of silver will increase the value of the silver in the silver dollar or so diminish the value of the gold in the gold dollar as to bring them together at par so that the one would be intrinsically the equal of the other, then indeed would the free coinage of silver be, in my judgment, a blessing to the people of the country. But if such action should fail to bring the commercial value of the two together, as I confidently believe would be the case, its enactment into law would prove equally disastrous to the country; for, Mr. Speaker, it would be putting upon the country two dollars of unequal value, the one worth a dollar and the other less.

What is meant by the ratio of 16 to 1?

When the Government was first organized, after the adoption of the Constitution, and gold and silver were recognized in that instrument as the money of the people, Mr. Hamilton, as Secretary of the Treasury, was called upon to formulate a plan by which gold and silver could be coined. He ascertained that in the commercial world gold was worth about fifteen times as much as silver, and therefore he concluded (in which Mr. Jefferson concurred) that if fifteen times as much of silver was put into a silver dollar as there was of gold in a gold dollar the two must be equal. From the very beginning of our Government, therefore, it was recognized that the gold and silver dollars in order to circulate freely among the people must be of equal intrinsic value.

So primal was this principle that in 1837, when the commercial value of silver and gold seemed to have changed, the Government deemed it necessary to change the ratio from 15 to 16 to 1, and that ratio has remained to this day. The Government, not only in 1790, when the ratio of 15 was first established, but in 1837, when it was changed to 16 to 1, recognized the necessity of the equality of the metals in any sound financial scheme, and yet, with this principle imprinted upon the very first coinage act of the Government and reasserted in 1837, it is now sought to be whistled down by the suggestion that the ratio adopted in 1837 of 16 to 1, when silver was worth $1.29 an ounce, is a proper and suitable ratio to-day for the free and unlimited coinage of silver, when an ounce of silver is worth only about 65 cents.

But some one will ask me, and is now prepared to propound a question, which I will anticipate, "Why should this be? The silver dollar of to-day you have just stated contained only 50 cents worth of silver, and it is recognized on all hands and received in business and all commercial enterprises just as a gold dollar is received. If so, then why would not the dollars which would be coined under a free and unlimited coinage act, though worth only 50 cents commercially and as bullion, be equal to the gold dollar as the silver dollar is to-day?" The answer is plain and evident. We have of silver dollars to-day 430,457,987, and the mints are closed against further coinage of them, except to a very limited extent, and the Government, which pays out about $500,000,000 a year in the conduct of its operations, has agreed to accept and receive each one of the silver dollars now coined at its face value whenever presented to the United States Treasury, and has pledged its faith by law and otherwise to do all in its power to keep the two metals at a parity. In other words, *the Government has gone security for them.*

The dollar has 50 cents of intrinsic value in it, and the Government has practically said by its action, "I will go security for the other 50 cents." If the Government allowed the silver dollar to stand on its own merits or on its own inherent value it would to-day be worth but little more than 50 cents. Take away the Government prop and down it would go. But in order that it may be used among the people, the Government has, in effect, put its name to the obligation, so that wherever it goes in the commerce of the country it promises to see that it shall be worth a dollar to every person that accepts it, and it boldly stands out as the guarantor of its solvency. But such would not be the case under the free and unlimited coinage of silver at a ratio of 16 to 1, for the Government would be no longer the guarantor or responsible for its solvency, and the silver dollar would stand no longer with the Government back of it as its security, as it does to-day as to those we have, but would stand on its own intrinsic worth and its own inherent value, as the gold dollar does. But even if the Government were to undertake the same relationship to an *unlimited* number of silver dollars, as contemplated by this bill, which to-day it occupies toward a *limited* number, its security would not be sufficient to keep them at par, for its plighted faith, however sincere, could never be equal to the unequal task of maintaining at par an *unlimited* number of depreciated dollars with *limited* credit. Every gentleman must understand this distinction.

My friend who sits before me is worth $10,000. He owes me $5,000, and I gladly and willingly take his note for it, knowing it to be good. But can it be said that because the gentleman's note of $5,000 to me is good his note for the same amount to 10, 15, or 20 gentlemen around me would be equally as good? Or could it be contended that because the $5,000 note to me is good an indefinite number of $5,000 notes issued by him would be good? You see at once that there is a limit to his credit, and that limit is gauged by the proportion of his obligations to his assets, and so it is with the Government.

If, as I have said, the Government in effect goes security for the 430,000,000 of silver dollars we now have out, and they are thereby made equally as good as gold, could the Government undertake to carry an unlimited number of silver dollars with only

a limited credit? This being the case, and I think the facts can not be successfully denied, the question again recurs, could the United States alone among the nations of the world by its action maintain the free and unlimited coinage of silver at a ratio of 16 to 1 and keep the two metals at par? Now I do not subscribe to the doctrine so often advanced that if we had the free and unlimited coinage of silver at 16 to 1 the dollar resulting from it would be a 50-cent dollar, but I contend that it would be a dollar less in value than 100 cents.

It can not be denied that if you take from a substance one of its qualities or one of its functions that substance will be diminished in value to the extent of the value of the quality which you have taken from it.

Equally true will be the fact, under like conditions, if that quality or function is put back into the substance, its normal value will be restored. This, it seems to me, is a common-sense principle; and so we are met with the argument that under the act of 1873 the Republican party took away from silver one of its most important, if not the most important, quality it possessed, namely, that of being made into money freely and without limit, and that, therefore, silver has gone down in price until to-day it is worth about one-half of what it was in 1873.

This argument would be conclusive to my mind *if the conditions were the same*, but no student of this question can look at it for a moment without seeing that the conditions are absolutely and entirely changed. In 1873, at the time of the demonetization of silver, the silver in the silver dollar was worth $1.03. Since the act of 1873 it has constantly gone down; but why? Since 1871 Norway, Russia, Sweden, Denmark, France, Greece, Italy, Roumania, Switzerland, Bulgaria, India (who annually consumed $40,000,000 of silver), and the United States, have refused to admit silver to their mints for free and unlimited coinage. If, then, it required the powerful cooperation of those great countries with the United States to keep silver at a par with gold in 1873, how can we expect the United States alone to do to-day what it required them all to do in 1873?

Now, let me illustrate, so that gentlemen may not misunderstand me. If I offer my friend here a horse for $100, and he agrees to take him at that price, and just as the bargain is about to be concluded I say to him, "I sell you this horse on one condition, and that is that you are not to plow him," my friend will answer at once, "I like the horse; I think he is worth $100; I am willing to give you that sum for him; but one of the chief values of the horse is to plow with him, and if you put that restriction on him, that he is not to be plowed, I can not give you the $100 for him, but I can only give you $50."

If, however, I yield to my friend and take the restriction from the horse and say you may plow him, the value which has been taken from him will at once be restored; and so if the United States in 1873, after the demonetization of silver, which tended to destroy one of its most valuable qualities, had immediately or shortly after by the action of the Congress restored it to its original free-coinage privilege I doubt not that the value which had been taken from it by its demonetization would have been immediately restored, at least for the time. But let me carry my illustration a little further: Three years ago a gentleman came to this city with a horse to sell. He went to a dealer who, after examining the horse, agreed to give him $150 for him. During his stay in the city he had noticed the cruelty exhibited toward horses which were working in the street cars, and after the bargain had been struck he said to the dealer, "I must make one condition on the sale of this horse, and that is that he is not to be worked in the street cars." The dealer said, "I can not give you the $150 for your horse, though it is worth that, because one of the chief values of horses in this city is that they can be worked in the street cars," and so my friend took his horse back home. Last week he came back with the horse, and though the horse was three years older, his condition was even better than it was when he first presented him to the dealer, but when he went to the same dealer and told him that he had brought him the horse for which he had offered him $150, and that he was willing to take the restriction from him that had been imposed when he was here before, the dealer at once replied, "Three years ago I was prepared to give you your price for the animal, but to-day *the conditions have entirely changed.* Whereas all of the street-car lines in the city were propelled by horsepower three years ago, to-day there remains but one, as electricity and the cable have supplanted the use of the horse."

This illustration gives the exact condition of silver in 1873, twenty-three years ago, and to-day. The great nations of the world which I have just enumerated, including the United States, all declared against the free and unlimited coinage of silver, which action tended to destroy its value. Now, then, can its value be restored to-day by the action of the United States alone, when the demand for silver has been so circumscribed and cut off by all of the great countries of the world by refusing it admission to their mints? This, Mr. Speaker, is the test which controls my vote on this bill.

If I could believe that the action of the United States alone would bring the intrinsic value of the silver dollar up to par, I should welcome it as one of the most important measures that could be brought to the attention of the American Congress. More than that, sir, I would vote most cheerfully, as I have done before, for any measure looking to the free and unlimited coinage of silver, with the addition of enough silver to the dollar to make it the equal of any other dollar.

I believe that the present bill would tend to increase the value of the silver in a silver dollar. But how much? Can any gentleman here tell how much? Would it go to 60, 65, or 70 cents? No human eye can discern the point, and no human wisdom has been able to fix it. It is all empirical—experimental. It is an untried sea upon which we are asked to embark. The safe, conservative policy is to give to the country only a dollar that is worth a dollar and not one dollar worth 60 or 70 cents running alongside another worth 100 cents.

For ten years prior to 1873 the average amount of silver mined in the world was about fifty millions, and silver then sold at $1.29 an ounce. For the year ended June 30, 1894, the world's product was two hundred and seven millions, and it is a recognized fact that where the supply of an article is increased and the demand remains stationary the price must fall.

What, then, must be said of a condition that shows the annual increase of silver in the world from fifty millions to over two hundred millions, while the great countries which I have just enumerated have declined to use it, and thereby diminished the annual demand for it $40.000,000.

And, indeed, the increase of the production of silver in the world in its relation to gold has been no less instructive, for in 1873 the world's production of silver amounted to $81,000,000, and of gold $96,000,000. In 1894 the world's product of silver amounted to $216,000,000, while that of gold was $180,000,000. That is, while the production of gold increased not quite *double* in that time, that of silver was nearly *trebled;* or if we look only to the product of the United States at those dates we find that in 1873 $35,000,000 worth of silver was produced by our mines and $36,000,000 worth of gold, while in 1894 we produced $64,000,000 worth of silver and $39,000,000 worth of gold—that is, the increase of silver between those dates is nearly 90 per cent, while that of gold is only about 10 per cent.

So that while we believe the demonetization of silver in 1873 by the Republican party of itself did seriously affect its value, it will not be denied that the great increase of silver in the world and in the United States in its relations to gold must be considered among the causes which have produced the decline in the value of silver.

But it is urged by some gentlemen around me that so great and powerful is the United States and so extensive is the development of her resources in various directions that the demand for silver by the United States alone, without the cooperation of other nations, would be such as to restore it to a parity with gold. It must not be forgotten that in 1873, when silver was demonetized, only 8,030,000 silver dollars had been coined in the entire history of our country. It is true this did not represent the entire amount of silver used by this country, because the Spanish dollar was for a number of years in constant use, but it at least represented the demand of our country for our silver bullion for coinage purposes. Since 1873, when silver was denied admission to the mints freely, under the various limited coinage acts which we have had, about 430,000,000 silver dollars have been coined. We have coined and used and are now using about seventy times as many silver dollars as were used in the country from 1790 up to 1873, and in spite of these startling facts the price of silver has fallen from $1.29 an ounce to about one-half of that, or from a ratio of about 16 to 1 to a ratio of about 32 to 1.

EFFECT OF TWO DOLLARS OF UNEQUAL VALUE.

What now, I ask, would be the effect of the adoption of such a measure, which, as I have sought to prove, would result in the circulation of two dollars of unequal value? Who would it hurt? Who would it benefit? I claim, without fear of successful contradiction, that if such a measure should become a law bankruptcy and ruin would mark its adoption, and to every man in the country who is laboring under a load of debt it would be the beginning of the end. The laboring man would be the first to feel it. His wages would be paid him in the depreciated dollar, and his sweat would be coined into poverty and misery instead of comfort and happiness. The farmer would be the next to feel it in the payment to him for his produce in the cheaper money. The merchant would be the next to feel it in the exchange of his goods for a depreciated dollar. The last of all to feel it would be the capitalist and banker, who is always able, in any contention, to take care of himself.

Suppose it were possible next November to elect a President in favor of the free and unlimited coinage of silver at a ratio of 16 to 1, and with him a Congress favorable to his views, what would be the effect? A man who then owed a thousand dollars payable in the gold or silver dollar of to-day would have to meet his creditor at the court-house at the next rule day in his demand for the

payment of the bond because of the creditor's fear that if he waited to collect his debt until the free-coinage bill became a law he would have to accept the depreciated dollar for his debt. No extension of time would be given for the same reason. The election deciding the question would have been held in November, 1896, and the Congress would meet in December, 1897. The whole world would know what such a Congress and such a President would do. Eighteen months, at least, would probably elapse between the election of the President and Congress and the time in which the free-coinage bill could go into effect. That eighteen months would be strewn with the wrecks of bankruptcy and ruin. Every man that holds a bond against his neighbor would endeavor to collect it. Every mortgage upon the home and every trust deed upon the cabin would be enforced. The auctioneer's flag would be hoisted on every stile. No renewals of debts would be thought of. The fear of their payment in depreciated money would stop further indulgence, and the bill which had been looked forward to by many as the solution of all troubles and the panacea for all woes would be the source of their keenest torture and the consummation of their ruin.

The bank or the capitalist who lends money is not actuated by charitable motives in the lending. It is done to make more money. Can anyone doubt, with the fear of loss impending in the payment of his debt, that each creditor would be swift to see that his judgment lien was first upon the docket, while decrees of sale of "the old homestead" in every neighborhood would fill the land with "lamentation and weeping and great mourning"?

The only hope of the debtor class to-day is to tide over the hard times without being compelled to liquidate. Force them to pay up, as this bill would do if enacted into law, and their destruction would be certain.

GREENBACKS OUGHT TO BE REDEEMED IN COIN.

The fourth section of this bill, which I should be glad to vote for, practically requires the Secretary of the Treasury when greenbacks are presented at the Treasury for redemption to pay out gold and silver alike. In round numbers we have to-day $350,000,000 of greenbacks as currency, which are debts against the Government, but, unlike the note given by one man to another for a debt, they are not canceled when redeemed by the debtor (the Government), but by a specific law are required to be reissued. When a man pays his note of a hundred dollars to his neighbor the note is canceled and the debt extinguished. When the Government pays a hundred dollars in greenbacks by redemption they are not canceled, but by law are required to be reissued in the payment of the current expenses of the Government. So that the greenback is, under existing law, a continuing obligation of the Government, which is being continually redeemed and reissued. By paying them the Government is not relieved of its debt, because it is required to reissue them.

These greenbacks, by a law of Congress passed in 1869, are payable by the Government in coin, which means gold or silver, but, by a construction of the Treasury Department, which has existed for some fifteen years or more, the "coin" has been construed to mean gold at the option of the holder, as if an obligation by one man to another to pay a hundred bushels in grain must be paid in wheat, and not in corn or oats, at the option of the holder of the note. This construction of the Treasury Department, in construing the word "coin" to mean gold, at the option of the holder, is sought to be justified on the ground that such action is necessary in order to maintain the parity between gold and silver.

In addition to the greenbacks, under the Sherman law of 1890 (which the Fifty-third Congress promptly repealed), there have been issued by the Government $150,000,000 of obligations, known as Sherman notes, also payable in coin. By the same process of construction these notes are redeemable at the option of the holder in gold. So that there exists to-day $500,000,000, in round numbers, of outstanding obligations of the Government payable in coin, but by said construction held to be payable in gold at the option of the holder.

RAIDS ON THE TREASURY.

The trouble which the Treasury Department is suffering from, and has been suffering from for the past few years in the maintenance of the gold reserve for the redemption of these notes, is due, in my opinion, to the construction put upon the word "coin" by the Treasury Department, first under a Republican Secretary of the Treasury and since uniformly followed by his successors. The process is simple: The greenback is presented to the Treasury, the holder demanding gold for it; the gold is paid, the Treasury loses it, and gains in its stead the greenback for which it was exchanged. If the process stopped there it would be all right, but the law requires that the greenback which has been redeemed at the expense of an equal amount of gold taken out of the Treasury must be reissued, when it speedily falls into the hands of the speculator, and he brings it back to the Treasury to take out its equivalent in gold again, and so the process continues, and becomes an endless chain, or an endless raid upon the Treasury by the speculator, and an audacious attempt to break down the credit of the Government.

To meet this trouble and to preserve the gold reserve it has been earnestly contended that the greenbacks and Sherman notes should be retired permanently by issuing $500,000,000 of gold bonds with which to cancel them.

This proposition is not only one which I believe fraught with great danger to the people, but it is admitted on all hands that it can not in the near future be accomplished by any party. The distinguished Secretary of the Treasury in the last Congress proposed a bill which would have greatly relieved the situation, if not entirely, providing for the retirement of the greenbacks and the substitution of State-bank issues in their place, but it hardly received a respectful consideration from either party in the country, so that it seems to be a settled fact that at least for two or three years, under present conditions, nothing will be done to retire the greenbacks, and we are to stand in the same position in which we find ourselves to-day, for the present Congress seems both unwilling and afraid to suggest any remedy.

THE PRESENT QUESTION.

The question is, Can the country afford to continue its present mode of procedure, issuing bonds to secure gold to put into the Treasury to preserve the gold reserve, which may be in twenty-four hours taken out of the Treasury, and a demand for an additional sale of bonds be made at once to replenish that which is already gone? In other words, can the country stand what may be the unlimited mortgaging of the revenues of the Government for the future to obtain gold which may be taken from us the day after it is put into the Treasury?

The credit of an individual may be lost in two ways—first, in his failure to pay his obligations as agreed, or secondly, in mortgaging his assets or estate so that in the near future he will be unable to pay. The condition presented to-day is just this: If the Government fails to pay its obligations in gold, as claimed above, by reason of the failure to maintain the gold reserve, it may go to protest. If the Government, in order to pay its obligations in gold, mortgages its revenues indefinitely for the future by bond issues, its credit will be as certainly destroyed as if it failed to-day to pay its obligations in gold. The one is just as certain as the other. There is no escape from it. What, then, should be done? What, then, is the remedy for the Treasury Department, the object or plunder by the speculators? It is this, to firmly and positively announce that the raids made upon it for personal aggrandizement at the expense of the public credit must stop; and that a presentation of the Government's obligations, payable in coin, will be met by coin, as agreed upon in the contract—that is, in gold and silver. Such a process under any circumstances could not be considered a breach of public faith. Such a process, as against the studied and settled policy of the speculator to fleece the Government, would be only just and proper.

SYSTEM IN FRANCE.

The Bank of France, until the past few years, has carried more silver than we did, and yet it reserved the right to pay its obligations in both metals, not according to the option of the holder, but according to its own option. A distinguished member of the present House of Representatives has told me that in presenting a £600 note of the Bank of England at the Bank of France, in Paris, he was required, before the gold was paid him, to state for what purpose it was desired, the officer telling him that if the money was desired for domestic purposes he would be paid in gold and silver, but if desired to pay a gold debt, he would be paid in gold.

It is inexplicable to my mind to see how the payment of an obligation of the Government in silver or gold, according to the terms of the contract, could be a departure from the letter or the spirit of the obligation. It has been the boast of our Government that though the intrinsic value of the silver dollar to-day, of limited coinage, amounting in round numbers to 500,000,000 in circulation among the people, is only about one-half of the value of the gold dollar, it has yet been preserved at a parity with the gold dollar, and passes current with it in all exchanges. If such be the case—whatever be the reason assigned for the fact—that the gold and silver dollars are on a parity, which means equality, why should not the silver dollar be paid on the obligations of the Government, which, at least, are in part redeemable in it, according to the letter and spirit of the contract? Why should the Government refuse to pay out on obligations due by it the same money it receives on obligations due to itself? To refuse to pay it is to deny the parity; but the parity is admitted by all, and if admitted, then it should be so paid. On the other hand, to refuse to do so is to launch the Government on the dark sea of bond issues, the limits of which no human eye can discern, and to leave to our children a heritage of debt which "anticipates the labor of coming ages and appropriates the fruits of it in advance; which coins the industry of future generations into cash, and snatches the inheritance from children yet unborn."

Mr. Speaker, I will go with gentlemen in doing everything pos-

sible consistent with sound reason to restore silver to its position as primary money. I would gladly vote for the coinage of the seigniorage in this bill (as I have done before) were it disassociated from the objectionable feature of the bill. To the silver dollar we now have I would give the fullest recognition, and deny to it no power or capacity accorded any other dollar in the land. But I can never vote for a bill that would create one dollar less valuable than another, and I stand ready at all times to vote for any bill to legitimately increase the volume of currency and create a dollar *which shall be the equal of every other dollar in the land.* To do otherwise, with my belief of the result, would be little short of criminality.

Believing, therefore, as I do, that the enactment of this bill into law would result in the impoverishment and bankruptcy of the people whom I represent, and the destruction of the public as well as the private faith, I can not give it my sanction.

Extermination of the Alaska Seal Herd.

SPEECH

OF

HON. MARTIN N. JOHNSON,

OF NORTH DAKOTA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 25, 1896.

The House having under consideration the bill (H. R. 3206) to amend an act entitled "An act to prevent the extermination of fur-bearing animals in Alaska," and for other purposes—

Mr. JOHNSON of North Dakota said:

Mr. SPEAKER: The report (No. 451) of the Committee on Ways and Means on H. R. 3206, "A bill to amend an act to prevent the extermination of fur-bearing animals in Alaska," concludes with the following language:

Your committee therefore unanimously recommend the passage of the accompanying bill.

That is true. There is no minority report, and no opposition, factious or otherwise, to the passage of the bill. It does not follow, however, from this unanimity of conclusion that there is any unanimity of opinion as to whether the effect of the bill, if it becomes a law, will tend to the preservation or the extermination of the seal herd. For my own part, I am frank to say that I believe the effect will be to facilitate the extermination of the herd promptly, "decently, and in order."

I do not know what the chairman believes on this point, but his testimony agrees with my belief.

On page 13 of the official report of the hearings, February 18, 1896, we read:

Mr. HOPKINS. This bill will result in the extermination of the seals?
Mr. DINGLEY. Yes.
Mr. HOPKINS. And put an end to the policing of Bering Sea and that expense?
The CHAIRMAN. Oh, certainly, when the seals are killed.

Neither is there among those who agree in opinion as to the effect of the bill any necessary unanimity of emotion in contemplating the result.

In the Fifty-third Congress the word "decrease" as applied to this herd was preceded by the adjective "alarming." The report now before us betrays no emotion, evidently viewing the inevitable with philosophic complacency. For myself, I must look upon the unavoidable extinction of such wild beasts as the buffalo and the fur seal not entirely without sentimental regret, but yet, after all, as "a consummation devoutly to be wished." I am not sure of the unanimous concurrence of all my colleagues on the committee in these views, but I am sure that my own convictions grow stronger from year to year the more I study the subject.

When a similar bill was under discussion last year I said (page 3323, volume 27, CONGRESSIONAL RECORD):

Mr. DINGLEY. I yield five minutes to the gentleman from North Dakota [Mr. JOHNSON].

Mr. JOHNSON of North Dakota. Mr. Speaker, we have tried and failed utterly to protect this seal herd. You might as well try to restore the buffalo to the Western plains, or to turn the prairies of Illinois and Kansas into wolf pastures, as to try to set aside the Bering Sea as a preserve for this seal herd. The fur seal should have disappeared before man appeared upon the globe. He belongs to the Glacial epoch. His nature is such that it is utterly impossible for him to live in contact with civilization. He can not be tamed. He utterly refuses to touch food in domestication, and when pursued by man, especially on shore, he is incapable of either defense or flight. He has disappeared from every corner of the globe where he has come in contact with civilization.

Nothing but a very curious combination of the late discovery of the land and the almost perpetual fogs at sea in that part of the world has preserved this herd. It is bound to go. You can spend millions on it, but you can not save it. The fur seal belongs with the mastodon, the Irish elk, and the great auk. Instead of trying to struggle against nature; instead of trying to accomplish the impossible; instead of looking with alarm upon the destruction of the seal herd, as the committee say in their report, let us look with complacency upon the government of the universe as we find it.

Not by employing the entire Navy can you preserve that seal herd over five years. Let us not throw away any more good money in resisting the inevitable. We did very well for twenty years under the Alaska Commercial Company's régime. From 1870 to 1890 they took something like 100,000 prime male seals a year without detriment to the herd, and the Government made some $6,000,000 from this source; but there it stopped, and you can never restore that industry again. Last year we only got $500 all told as the revenues of the Government from this business, while our expenditures, if we include the Paris award, were nearly a million. In fact, for the last three years the total receipts of the Government were only $71,000.

It is not an American industry. There are not 500 American people who earn a living out of the business. The company has a contract with the Aleuts, with the natives who were transported to the Pribilof Islands for the sole purpose of working for this company, that they shall have a monopoly of this labor. Not a white laboring man gets employment there. In consideration of their good behavior and doing their work in a certain way they have a contract for the monopoly of the entire labor, and for the last three years we have appropriated about $19,500 a year as a part of the pay of these employees; for it amounts to that. It has appeared in the sundry civil bill as being for fuel, food, and clothing for these natives. These Aleuts are not natives of the islands. They were brought there for the purpose of working for this company, and they have the exclusive right to work for the company. That is all the labor the business furnishes so far as these islands are concerned.

Then, when the skins are removed they are all carried to London. Not one of them is tanned in America. There are in London 50,000 people who find employment in dressing these skins. Mr. Blaine in his letter to the British minister stated that $12,000,000 had been earned in England as wages by the laboring men there in the dressing of these skins.

There are no more laboring men employed in that business in America than there are employed in a single store in this city or on a single farm in North Dakota.

It does not amount to a commercial interest. Instead of paying out another quarter of a million of dollars on an international commission, as we did last year, let us stop negotiation and save what there is left of them by harvesting the entire herd when they go ashore next June. We paid last year $224,000 commission expense, $158,000 (not including pay and subsistence of officers and men) for naval and $40,000 for revenue-cutter patrol of that sea, besides over $50,000 in other expenses. Our only chance to save anything out of the wreck is to kill and skin them all this summer. I propose to offer an amendment, if opportunity is given, to strike out that part about the international commission.

The last section of the bill, which is simply to capture the herd next summer, is all right. For many years that herd was simply seen twice a year, like a flock of birds of passage, as it skipped through the passes of the Aleutian Islands, its summer resort being somewhere in the Bering Sea, to its winter resort in the Pacific Ocean. For many years the Russians employed quite a fleet in trying to find either their summer or winter resort. They were especially anxious of finding their winter habitat, supposing that the furs would be more valuable in the winter than in summer. Finally, about a hundred years ago, a Russian navigator discovered their summer resort in the midst of Bering Sea.

Their winter resort or tour is now known both to us and the English. Our Treasury agents discovered and reported their course prior to 1890, but the Treasury Department very properly refrained from publishing the reports. In 1892 Sir George Baden-Powell employed four English war vessels to follow the herd and discover their winter course. He publicly boasted of his success in a speech on his return to London.

English and Canadian sealers furnished with this knowledge by the English Government now have the herd at their mercy. Exposed as our seal herd now is, the herds in the South Atlantic, South Pacific, Indian Ocean, and Japan Sea have all vanished. Ours is doomed. Let it go without regret. They eat 50,000,000 pounds of fish a day.

What has become of other herds? Captain Cook discovered seals on Desolation and South Shetland Islands, nearly south from Cape Horn. They were stripped of seal life in a few years—320,000 skins being taken in 1820 and 1821.

Kergulen Land, Southern Indian Ocean; discovered in 1772. In twenty-eight years 1,200,000 skins were taken there and the herd exterminated.

Crozett Islands, same ocean, same fate.

Mas-a-Fuera Island, in South Pacific, off coast of Chile; discovered in 1797; herd at that time estimated at 2,000,000 or 3,000,000; 3,000,000 carried to China in seven years and herd destroyed.

South Georgia, in the South Atlantic, produced over a million skins in a few years; herd extinct.

Coast of South America about Cape Horn teemed with seal life when discovered. Now only a few stragglers are found; not enough to pay to hunt.

As late as 1854 a small seal island less than a mile in diameter was discovered in the Japan Sea by Americans. A herd of 50,000 seals was exterminated in three years.

Now, there are only three herds left in the world.

First. A small herd on the Lobos Islands, in the mouth of the River La Plata; capacity, 5,000 to 12,000 skins per annum; protected by Republic of Uruguay.

Second. The herd on the islands of Copper and Bering, coast of Kamchatka; capacity, 40,000 skins per annum; protected by the Russian Government.

Third. Our Alaska herd on the Pribilof Islands; estimated from 6,500,000 in 1887 down to 175,000 in 1895.

It is idle to talk about restoring a seal herd when once broken up. It has never been done. In the Southern Hemisphere there are well-authenticated cases where a depleted herd was not hunted for fifty years—left undisturbed—and yet it did not recuperate. Our Alaska seal herd is an anomaly.

So long as that herd was only exposed to slaughter for a few days in the spring, while rushing between the Aleutian Islands in passing from the North Pacific to Bering Sea, and again for a few days in the fall, while passing the same points going back to the Pacific, so long as no man knew whence they came or whither they went or where they lived either in winter or in summer, they were comparatively safe. But when Pribilof discovered the islands of St. Paul and St. George, in Bering Sea, where the seals resort and stay in summer, then it became possible to exterminate

the herd any summer. They would have been so exterminated in a very few years but for the protection of the Russian Government.

Being safe in summer under protecting regulations and safe in winter under their ancient shield of secrecy as to where they were in the almost boundless Pacific, it was still possible for this herd to exist for a few years. But when the British Government sent four war ships into the Pacific for the express purpose of following the herd all winter and of revealing the route to Canadian sealers—when that expedition succeeded in its plan and published its charts, then the herd was doomed.

In addition to what I said on that point last year I wish simply to add a brief extract from the official report of the hearing of this year before the Committee on Ways and Means, pages 5 and 6.

(Interrogatories by members of the committee; responses by Mr. Hamlin, Assistant Secretary of the Treasury.)

Mr. DALZELL. The treaty was in view of the arbitration proceedings. Is it not under the treaty that award is made functus officio?

Mr. HAMLIN. No, sir; we are proceeding under the decision of the arbitration under that treaty and legislation enacted by both Governments to carry out that award. Great Britain might claim that this bill is practically a violation of the award; that the award was passed to protect the fur-seal herds, and you propose——

The CHAIRMAN. It was to protect them really on the high seas.

Mr. HAMLIN. Certainly. And you propose under this bill to destroy the rest—the subject of the treaty—as soon as the herd reaches the islands. Now they might say, we will thereupon allow our sealers to follow the herd in May and June up to the islands and to kill them in spite of the closed season.

Mr. JOHNSON of North Dakota. Do not they allow them to follow them during the winter, from November until the following spring?

Mr. HAMLIN. Yes, sir; but there is practically no sealing at all from November until about the latter part of January

Mr. JOHNSON of North Dakota. Is it known to the American sealers where this herd is during the winter?

Mr. HAMLIN. We know.

Mr. JOHNSON of North Dakota. You know because you have the reports. Have you published those reports?

Mr. HAMLIN. You mean the charts; we have regular charts.

Mr. JOHNSON of North Dakota. The British Government sent Sir Baden Powell for the expressed purpose of finding the winter habitat of the seals, and that information has been given to their sealers, and, as I understand it, that habitat is known to them, but I understand in the United States the information has never been published as to where that herd is.

Mr. HAMLIN. They are all published in the regular official report of the tribunal at Paris.

Mr. JOHNSON of North Dakota. When did the winter habitat of the seals first become publicly known?

Mr. HAMLIN. I should say that not until just before the time of the Paris award was their course definitely known with precision.

Mr. JOHNSON of North Dakota. That is, the British commission.

Mr. HAMLIN. This Government had a commission, as also did Great Britain. From that time the habits of the fur seal became definitely known. To-day I could almost tell you within a few miles on the chart where the herd is as it is going along up the coast toward Sitka.

With these charts, given first by the British Government to the Canadian butchers and pot-hunters in 1892, and to all the world in the report of the Paris tribunal in 1894, and now accessible to every pirate and poacher on the broad Pacific, with the herd already reduced from six and a half million in 1887 to a beggarly 175,000 in 1895, with "44,000 seals, mostly females, having been killed during the last season by the pelagic sealers," and with 30,000 dead pups, starved to death, counted on the rookeries last fall, does it not occur to members that we are a wee bit late in passing bills for the preservation of the Alaska seal herd?

With thirty-seven times as many seals in the herd in 1887 as we have now, with that herd then safely feeding in secret seclusion from November to June in the Pacific, and under our protection on the islands and in the Bering Sea—which we then held as a closed sea—from June to November again, we have seen this once splendid property almost destroyed.

Now, with only a miserable remnant, one-thirty-seventh, pursued and slaughtered all the year, and with the Bering declared an open sea, it is seriously suggested by some men to undertake to restore that herd! Such an impossibility I do not care to argue.

In this crisis, my countrymen, I regret exceedingly to have nothing better to offer you than the "consolations of philosophy."

THE GRAPES ARE SOUR.

When Ole Bull went to Moscow to play before the Czar he was requested by a pompous official music master of the court to first play a sample piece in order that said official might determine whether the music was really good enough for the Czar.

Mr. Bull replied: "I play either for money or for honor. Playing before you would involve neither."

I take it that Uncle Sam is playing either for money or for honor. Neither has been involved since 1890 in this miserable fur-seal business.

Is either money or honor in sight as far ahead as the lookout from the crow's nest on the ship of state can penetrate the mist of the future with his telescope? Hardly. The report states that—

The Government expended in 1894 about $450,000 in a vain attempt to prevent the killing of seals in Bering Sea.

That is true so far as it goes. We spent about that sum on the Navy alone. It is not mentioned in the report, but it is true, nevertheless, that we also spent in 1894 $56.439 on the Revenue-Cutter Service, $10,308 on salaries of agents, $18,319 on support of natives, $224.514 on Paris Tribunal of Arbitration, and that we never got a red cent of income to the Government from this fur-seal business.

As I figure the balance sheet, so far as money is concerned, for the last five years the account stands about this way:

Expenses.

Year.	Policing Bering Sea by Navy.	Patrol by revenue cutters.	Salaries of agents.	Support of natives.
1891	$133,281	$51,650	$15,896	----------
1892	233,931	66,672	16,071	----------
1893	183,067	47,385	11,168	$11,337
1894	452,768	56,439	10,953	18,319
1895	----------	148,677	10,308	25,563
Total	1,003,047	370,823	63,896	55,219

Total of four items foregoing		$1,492,985
Expense of Paris Tribunal of Arbitration		224,514
Damages tentatively agreed on by Gresham and Pauncefote, and recommended by Mr. Cleveland to be paid		425,000
Total expense for five years		2,142,499
RECEIPTS.		
In 1891	$46,749	
In 1892	23,972	
Total (no receipts in 1893, 1894, or 1895)		70,721
Loss to United States in five years		2,071,778

In addition to what I said last year and in support of the position that not only is there no money in this business now for the Government, but there never was a time in its palmiest days when the business furnished a living for 500 American citizens, I wish to quote from page 7 of the hearings. It was always a British industry, almost as exclusively so as any craft in London.

Mr. HAMLIN. No, sir; the North American Company, which rents the islands——

Mr. JOHNSON of North Dakota. But how many American men do they employ on the islands, for instance?

Mr. HAMLIN. Very few. But they have a force employed in Dutch Harbor and San Francisco.

Mr. JOHNSON of North Dakota. How many men do they employ in London to dress the skins?

Mr. HAMLIN. It has been estimated at from 7,000 to 10,000, but I think that is rather an overestimate. This force is employed by the London brokers and fur dressers.

Mr. JOHNSON of North Dakota. You think 500 Americans make a living out of seals, either by dressing the skins or catching the seals?

Mr. HAMLIN. As regards the North American Company, I should say perhaps not 500, but as regards American pelagic sealers, at least 500.

Mr. JOHNSON of North Dakota. What I want to bring out is that it is a British industry practically, and that 10,000 people in London make a living out of dressing the skins, and not 500 American citizens are lawfully engaged in the matter.

Mr. HAMLIN. I think 1,000 would be a fair estimate. I think it will not exceed 1,000 people.

Mr. JOHNSON of North Dakota. Do you not think these seals eat 50,000,000 pounds of fish a day, and would not these fish be of great benefit to——

Mr. HAMLIN. No, sir; they live largely on cod, and the cod fisheries of Alaska are inexhaustible, practically the greatest cod fishery in the world.

Mr. STEELE. How much a day did you say they ate of fish?

Mr. JOHNSON of North Dakota. They eat 50,000,000 pounds a day, enough to put a pound of fish before every man, woman, and child in the United States every day, if it was diverted from these seals and put on the table of American people.

Sections 1, 2, 3, and 4 of the bill provide for another international commission. I am heartily sick of international commissions, and am against these four sections.

The fifth section provides for killing the whole herd when they land next summer on the islands, selling the skins and covering the money into the Federal Treasury—estimated at $5,000,000—in the event of failure to get international action.

That is practical sense and the only way in the world to ever get back any of your money. I consider sections 1, 2, 3, and 4 harmless surplusage, and therefore support the bill as heartily as those who think only of those four sections, and who scarcely dream of section 5 being put in force. The American people are intensely practical and not given to bluffing. Our neighbors may as well understand that our financial welfare and selfish interests, as well as our sentiments of humanity, prompt us to end this history in one final chapter next summer.

I admit that another international commission might be profitable to a few individual American citizens, statesmen, and others in and out of jobs. I append the following itemized statement of expenses of the Tribunal of Arbitration of Paris:

Baron de Courcel	$2,412.50	
G. W. W. Gram	2,412.50	
G. W. W. Gram, personal expenses	1,737.00	
Marquis Venosta	2,412.50	
Marquis Venosta, personal expenses	2,991.50	
		$11,966.00

Arbitrators.		
John M. Harlan	13,000.00	
John T. Morgan	13,373.75	
		26,373.75
Counsel.		
James C. Carter	15,000.00	
James C. Carter, special appropriation	15,000.00	
E. J. Phelps	16,000.00	
E. J. Phelps, special appropriation	15,000.00	
Henry W. Blodgett	12,698.82	
Frederic R. Coudert	15,427.97	
F. W. Whitridge	3,500.00	
William Williams	5,848.81	
Robert Lansing	5,955.00	
Russell Duane	1,365.42	
A. Porter Morse	500.00	
John B. Moore	100.00	
		106,396.02
Agent.		
John W. Foster		15,000.00
Disbursing clerk.		
E. W. Halford		1,800.00
Clerks.		
John T. Coughlin	1,020.00	
Hubbard T. Smith	1,256.50	
Francis S. Jones	1,312.68	
William H. Lewis	1,824.50	
John W. Hulse	1,955.75	
J. Stanley Brown	1,965.00	
E. H. McDermott	1,421.06	
		10,755.49
Miscellaneous.		
Clerical services	8,967.65	
Traveling expenses, hotel bills, affidavits, etc	6,209.07	
Printing	18,375.53	
Ocean transportation	1,594.00	
Photographs, maps, etc	2,629.74	
Stationery	176.91	
Cablegrams	478.80	
Freight and expressage	951.18	
Hotel Continental, Paris	8,764.72	
Loss by exchange	219.00	
Miscellaneous, including documents, press clipping, cab hire, boxes, books, and office expenses in Paris ($155.53)	3,866.13	
		52,222.73
Total		224,514.39

I append a statement of the number of seals taken for all purposes on the seal islands during the years 1870 to 1890, both inclusive, together with the respective amounts paid by the lessees each year as rental and tax for the privilege:

Year.	Seals taken.	Rental and tax.	Year.	Seals taken.	Rental and tax.
1870	23,773	$101,080.00	1881	105,063	$316,885.75
1871	102,960	322,863.38	1882	99,812	317,295.25
1872	108,819	307,181.12	1883	79,509	251,875.00
1873	109,177	327,081.25	1884	105,434	317,400.25
1874	110,585	317,494.75	1885	105,024	317,489.50
1875	106,460	317,584.00	1886	104,521	317,452.75
1876	94,657	291,155.50	1887	105,760	317,500.00
1877	84,310	253,255.75	1888	103,304	317,500.00
1878	109,323	317,447.50	1889	102,617	317,500.00
1879	110,511	317,400.25	1890	20,995	
1880	105,718	317,594.50			

For purposes of comparison I also give the number annually taken since 1890, as follows:

Year.	Seals taken.	Year.	Seals taken.
1891	13,482	1894	16,031
1892	7,549	1895	15,000
1893	7,500		

Total number of seals lawfully taken on the islands in five years, 58,562.

The following table is also necessary to a complete statement of the case:

Contraband seal skins marketed.

Year.	Seals taken.	Year.	Seals taken.
1885	*13,000	1891	*45,000
1886	*25,000	1892	*46,000
1887	*34,000	1893	28,000
1888	*25,000	1894	55,000
1889	*43,000	1895	44,000
1890	*40,000		

*Includes Asiatic herd.

The report estimates the possible value of the catch at the final "round-up" next summer at $5,000,000. Of course, that is largely conjectural, depending, first, on the number of skins; second, on the price. We think the number would be not far from 175,000.

As to prices, I submit the following table of prices obtained for 124 lots of ordinary mixed skins at the last great annual sale in London:

Public sale of salted fur-seal skins at London, December 4, 1895.

[6,944 skins, salted fur seal, N. W. coast, 22,752 skins, chinchilla, salted fur seal.]

Lot.	Shillings.	Lot.	Shillings.	Lot.	Shillings.	Lot.	Shillings.
1	46	32	39	63	29	94	49
2	49	33	26	64	22	95	48
3	50	34	50	65	46	96	44
4	51	35	49	66	26	97	36
5	42	36	52	67	49	98	25
6	42	37	52	68	52	99	30
7	44	38	43	69	48	100	47
8	35	39	29	70	42	101	51
9	35	40	43	71	36	102	44
10	35	41	39	72	26	103	28
11	26	42	27	73	30	104	31
12		43	40	74	53	105	54
13	37	44	25	75	54	106	52
14	30	45	46	76	54	107	52
15	26	46	49	77	54	108	44
16	51	47	50	78	55	109	32
17	51	48	47	79	56	110	37
18	53	49	40	80	56	111	25
19	53	50	28	81	56	112	51
20	53	51	28	82	56	113	54
21	46	52	22	83	47	114	55
22	36	53	39	84	40	115	57
23	27	54	25	85	27	116	57
24	40	55	49	86	42	117	57
25	27	56	52	87	28	118	57
26	47	57	54	88	47	119	48
27	51	58	46	89	51	120	37
28	52	59	36	90	42	121	44
29	42	60	26	91	27	122	46
30	33	61	46	92	32	123	34
31	25	62	42	93	54	124	28

Average price, 41 shillings, or not far from $9.85 in our money.

As the seals lawfully killed on shore furnish skins very superior to the average—being selected males killed with clubs so as not to rend the skins, as must necessarily be the case where pelagic hunters resort to spears and firearms—I also append the London price of 11 lots of this grade, and give it for 1893 and 1894, in order to show the great fall in price on account of overstock:

Sales in London of Alaska seal skins, November 30, 1894, and November 30, 1895.

	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
November, 1894	72 10	79 0	90 9	89 0	89 9	92 0	{65 0 / 70 0}	61 9	69 0
November, 1893	90 1	100 3	114 6	109 1	108 5	101 0	80 0	72 0	77 0

Perhaps the knowledge that the enormous lot offered next fall by Uncle Sam was a positively closing-out sale to go out of business would enhance prices. Possibly the increased supply might "bear" the market. All that is conjecture. One thing is sure: If we once are rid of these expensive boarders on the bounty of our sea food we would have to ourselves, undisturbed, a shore line of 36,000 miles from Sitka to the Arctic, much of it traversed by the warm Japan current, loaded with seaweed, jelly-fish, and other fish food, swarming with cod and salmon and mackerel heretofore wasted on these wolves of the sea.

The Coin Redemption Fund.

SPEECH

OF

HON. IRVING P. WANGER.

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 8, 1896.

The House having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. WANGER said:

Mr. SPEAKER: The hostility of the American people to an increase of the bonded indebtedness of the nation to meet the ordinary expenditures of the Government is alike reasonable and undoubted. And if the measure which passed the House, in lieu of which the pending bill has been returned from the Senate, had in any sense tended to justify the policy of the present Administration in antagonizing all propositions for supplying by custom-house and internal taxation the revenue necessary to the discharge of the demands on the National Treasury, it would have had united Republican opposition instead of general Republican support.

But as it followed another measure which would have yielded from forty to forty-five million dollars additional annual revenue and have greatly aided the revival of prosperity to agriculture, man-

ufactures, and commerce, and as it provided against the scandalous conditions attending the sale of bonds to a syndicate of foreign bankers, to their great profit and to the exclusion of patriotic American investors, and further provided for a great saving of interest and armed the Treasury with the power of defense in times of emergency it had our hearty support, and we can believe the public interest was not well served any more than the proprieties of legislative procedure were respected by the Senate in wholly changing the character of the measure from one of support to our existing financial system and monetary standard to one for the revolution of the latter.

We have the satisfaction that the negotiations or interviews intended to result in a renewed syndicate contract for the purchase of our bonds at 10 or more per cent below the market rates were abandoned and the opportunity given the American people generally to make an investment satisfactory to them and advantageous to the Government, although not so favorable to the latter as if the law permitted (as we proposed) the issue of bonds bearing a lower rate of interest. Specious as the argument that the higher interest bearing bonds realize an equivalent in premium, it is not borne out by experience, and while our measure was opposed by the Administration and its friends in this Chamber, President Cleveland, in the course of a recent newspaper interview, gave the following evidence substantiating our claim to this merit:

> Seldom, if ever, have I taken so much interest in anything as I have in the success of this bond issue. Both Secretary Carlisle and myself have had it very much at heart. * * *
>
> My preference would have been to have the present loan much more popular than it appears on its face, but we have done the best we could. The people who hoard small savings of gold or the equivalents of gold are unaccustomed to transacting business on the basis of which these bonds had to be issued. They are unused to premiums or to the formalities of making bids.
>
> If we could have sold them a 3 per cent gold bond at par, I think it would have brought out a good deal of this gold; but the only bond the law allows us to issue had to be sold considerably above par in order to keep the net rate of interest within reasonable limits.
>
> As I have said, I wish it could have been obviously still more of a popular loan, but from such information as comes to me from various private sources I am convinced that more small holdings of gold will be drawn into the Treasury by the present arrangement than appears on the surface. The small country banks, for instance, which are buying bonds for their customers, have made their bids through their New York and Boston correspondents, and this gives the loan the appearance of having been taken up by the big financial institutions at the money centers, although, as a matter of fact, not a little of it will ultimately come from the small investors.

The satisfaction of the President in the success of this bond issue is creditable to him, and, it is to be hoped, convinces him that the wealth and strength and patriotism of all the people is greater than that of even the most prominent New York bankers with their foreign allies, and will cause him to place less reliance than heretofore upon the wisdom of these bankers, a firm of whom, having a branch office in this city, said of the then proposed loan, in a circular dated January 9, 1896:

> We do not believe that the total public subscription to the proposed issue will approximate more than one-third of the amount needed, and that in order to save the loan from failure and to preserve the country's credit the Administration will be forced to sell the bonds to Mr. Morgan's syndicate. * * *

In view of the offers, exclusive of that from Mr. Morgan's syndicate, of from four to five times the amount of the loan, an example of persons wholly wanting in judgment of the American public can be found in this firm of bankers.

It has been said that the proposals for the recent one-hundred-million-dollar bond issue were invited before the Senate with the exercise of all dispatch could reasonably have been expected to act upon the measure and that therefore the saving could not have been realized in this issue, but the condition of the gold reserve is so contingent upon the existence of confidence respecting future conditions that with a zeal on the part of the Senate (which lacks a Republican majority) at all commensurate in like defense of financial ability and integrity, the depletion of the reserve fund would doubtless have ceased and with it the occasion for any further bond issue, so that the entire interest charge and the last hundred millions of increased indebtedness might have been saved. So much for our action and its actual and conjectural effect.

THE MEASURE NOW PENDING.

The Senate having substituted for our measure, which might have had Executive approval in view of the new light the President has had, a provision for the free and unlimited coinage of silver, we might resent the action as infringing upon the rights of the House and refuse consideration for that reason, but the proposition may have to be met some time in this Congress, although nothing could be more certain than a veto if it were adopted, and perhaps consideration is as well now as hereafter.

We now have in concurrent use at a parity gold, silver, and paper, and the American people desire this condition to continue with any enlargement of the volume of any or all of these forms of money and currency under national auspices which is safe and practicable.

The advocates of the pending measure claim that it will give us more money and better times, and if eloquence and vehemence were proofs the claim could be entitled to credence. But against it is the experience of all the past and the judgment of all the leading commercial nations of the world. While theorists in this country advocate an unlimited coinage by the United States irrespective of the action of any other nation, the profound thinkers of Germany, France, and England only favor bimetallism through international agreement, and concede that the unity of silver and gold at a fixed ratio can only be restored through that medium.

If I understood the concluding illustration of my friend from South Carolina [Mr. TALBERT], it was that he would not follow the example of the African who proposed to take to the woods rather than go on either of the two roads said to be before him, the one leading to destruction and the other to hell and damnation. It is to be assumed, therefore, that my friend will take one of those roads. [Laughter.]

Mr. TALBERT. Mr. Speaker, will the gentleman yield to me for a moment?

Mr. WANGER. Not at present.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. TALBERT. I simply wish to say to the gentleman——

The SPEAKER pro tempore. The gentleman declines to yield. The House will be in order. The public business will be suspended until order is restored.

Mr. WANGER. Notwithstanding my love for the gentleman, if he contemplates the journey indicated, no matter which way he selects, I am unwilling to bear him company. [Renewed laughter.]

I regard the illustration most apt as applied to the coinage proposition advocated by the gentleman as a way out of the difficulties oppressing the people, and that it would lead to measurable destruction, even if not to the other termination. Now I will yield to the gentleman.

Mr. TALBERT. I just want to say to the gentleman—I do not mean to interrupt him, for I have too much respect for him—I simply wanted to say that I stated that one party claimed if we had free coinage it would ruin the country, and the other party claimed that if we did not get it that would ruin the country. I just used that simile. I did not admit that either way would lead to these destructions at all.

Mr. WANGER. No; and you did not prove that your way would not or that the other way would. [Laughter.] And when it comes to displacing a financial system under which the wonderful development of our resources, wealth, and power has occurred during the last twenty-three years, and the readoption of a system discarded by nation after nation for relief from its disadvantages, the reasoning for the change should be logically unanswerable. [Applause.]

Now, I will take the liberty of returning an interrogatory to my friend. He said this was a question of manhood or of money. My inquiry is: Where does he find the highest type of manhood—in the countries having the gold standard or in the countries which under the law have the free coinage of silver?

Mr. TALBERT. Does the gentleman wish me to answer that?

Mr. HARTMAN. Will the gentleman permit a question?

The SPEAKER pro tempore. Does the gentleman yield to the gentleman from Montana?

Mr. WANGER. If the gentleman from South Carolina does not wish to answer the question.

Mr. TALBERT. I asked the gentleman if he wished me to answer it.

The SPEAKER pro tempore. To whom does the gentleman from Pennsylvania yield?

Mr. WANGER. To the gentleman from South Carolina at present.

Mr. TALBERT. The gentleman asked me a question. I want to say in reply that I think from 1792 to 1873, when we had the free and unlimited coinage of silver, that we had in this country the grandest people upon the face of God's earth, unequaled anywhere in the world.

Mr. WANGER. That is not a reply to my question. We had good times and bad times between 1792 and 1873, just as we have had since the latter period. Now I will yield to the gentleman from Montana [Mr HARTMAN].

Mr. HARTMAN. I believe that the question the gentleman from Pennsylvania put to the gentleman from South Carolina is a very simple one. I suggest to him that that question of citizenship is a very unfortunate one for him to bring up. I take it that the citizens of Mexico, who are to-day enjoying much greater prosperity than many of the citizens of our own country, are at least the equals of the citizens of gold-standard Roumania, gold-standard Italy, gold-standard Spain, and five or six other gold-standard countries of the same kind, which I could mention. Now, I do not mean to say that that argument is worth anything; but it is worth just as much as the suggestion of the gentleman from Pennsylvania that the citizenship of the silver-using countries is inferior.

Mr. WANGER. Possibly. But my friend compares the best examples from a silver-using country with those of possibly the least intelligent and wealthy gold-standard nations, and was very

careful to omit all mention of the citizens of Great Britain, of France, of Germany, and of the United States of America.

Mr. HARTMAN. France is on a bimetallic basis.

Mr. WANGER. Then you do not regard those last three nations as being on a gold standard?

Mr. HARTMAN. Not at all. France is on a bimetallic basis.

Mr. WANGER. Then we have bimetallism and disproof from an authority of the argument that we have only gold as standard money and have demonetized silver.

From 1792 until 1873, when we had the free and unlimited coinage of silver in our statutes, we did not have the concurrent circulation of gold and silver, one or the other leaving us as it was undervalued in the coinage laws in its commercial ratio to the other, as must inevitably be the case when free and unlimited coinage is given to each and a difference exists between the commercial and coinage ratios.

According to the last report of the Director of the Mint, the metal moneys of the United States July 1, 1895, were, in gold coin and bullion, $627,293,201, and in silver coin and bullion, $624,347,757, while no country having its mints open to the unlimited coinage of both metals had at this time any gold in circulation and was suffering from a fluctuating difference in exchange which made business operations in such countries more in the nature of speculation than of stable enterprises.

Now, in reference to this talk about the great prosperity enjoyed in Mexico, there are two stories from that land, one of distressing conditions and the other of prosperity. My friend from Montana, in his admirable address recently delivered on this floor, referred to dividends paid there by some enterprises of, I think, 20 per cent.

Mr. HARTMAN. That is correct.

Mr. WANGER. It may be that those enterprises are like a concern in my neighborhood which some time ago paid a dividend of 33 per cent in one year and in the next called upon stockholders to contribute to its treasury to avoid a sheriff's sale. But assuming there have been instances of success, it does not establish a generally prosperous condition. Does the gentleman from Montana know of any great migration of the citizens of this country into Mexico on account of the superior prosperity enjoyed there?

Mr. HARTMAN. I will say to the gentleman in response to that that one of the distinguished Representatives from the State of Massachusetts on this floor made the statement a few days ago here in private conversation—and it is no breach of confidence to repeat it—that if he himself were going to engage in a manufacturing industry at the present time he would go to Mexico to invest, because of the wonderful opportunities presented by that country.

Mr. WANGER. Did he say that he regarded that condition as attributable to the monetary standard of Mexico?

Mr. HARTMAN. He did not say that they have a monetary system upon which the success is predicated. He did not say it was because of the standard. He was not giving a theory, but simply stating cold, conclusive facts.

Mr. WANGER. It may be that his judgment was a wise one; it may have been a vagary. Notwithstanding the high respect I have for all the Representatives of that grand old State, I must confess that I do not think they are all entirely free from the possibility of error. But, aside from that, there is in the situation of Mexico what accounts far more logically for the improving condition there than the monetary system. We all know that country was for years distracted by revolution and disorder; that there were race prejudices; that there was religious bigotry; that it was not safe for persons to invest capital there and expect either a return of their capital or protection of their persons. Happily there has been a great improvement in conditions there. Order has grown out of chaos. These race prejudices have been largely overcome. They have the cheapest kind of labor. They have great natural resources, the development of which has been retarded by the confusion prevailing. My friend will concede that we can not have prosperity out of chaos, no matter what monetary system we may have, but where you have a condition of that kind—rich natural resources, extremely cheap labor, a young country to be developed—you may find magnificent returns for investments, just as certain as stable government and protection to person and property is assured. And I submit, therefore, that it is not to the monetary system of Mexico that we must look for whatever of prosperity in recent periods there has been, but rather to the improved condition of social order.

Mr. SNOVER. May I ask the gentleman a question?

Mr. WANGER. One moment. I desire to ask my friend from Montana if it is not true that laborers are paid about 20 cents a day in Mexico?

Mr. HARTMAN. It is true in some of the industries, but I want to say to the gentleman that my only purpose—for of course the gentleman understands that I do not wish to embarrass him in his argument——

Mr. WANGER. I understand that.

Mr. HARTMAN. In referring to business there was to show this, that by reason of the growth of the manufacturing industries, which in the last eighteen months or two years have been growing very rapidly, the Mexican manufacturers have been enabled to produce and put upon the market in competition with the products of the manufacturers of the United States large quantities of goods. Certainly, the gentleman from Pennsylvania and myself would never consent to bringing our country to the level of wages with any country which pays so small wages.

Mr. WANGER. Certainly not.

Mr. HARTMAN. And I want to say right in the same connection that while the wages of Mexico are from 20 to 25 cents a day paid to their miners, the wages to exactly the same character of employees in gold-standard Spain are from 18 to 20 cents. Now, then, if it proves in the one instance that the silver basis is responsible for the 20-cent wages, then in the other instance it proves that the gold standard of Spain is responsible for the 18 cents a day; that is all.

Mr. WANGER. I did not contend that the silver standard had anything to do with the rate of wages in Mexico.

Mr. HARTMAN. I thought that was the point of your question.

Mr. WANGER. I believe that the low compensation paid is a reason why enterprises prosper in Mexico which would not prosper with the higher paid labor of the United States.

Mr. HARTMAN. I understand that; and the only reason I suggested it was that it becomes a vital question to the people of the United States as to whether by reason of cheap labor, by reason of the cheaper money, or by whatever reasons you may see fit to conjure up, that the manufacturing industries of the United States should not be driven out of their markets by the manufacturers of Mexico at the present time. That was my point; that is all.

Mr. WANGER. The gentleman and I are heartily in accord upon that phase of the question. I yield now to the gentleman from Michigan for his question.

Mr. SNOVER. Is it not true that free trade in our own country has forced our manufacturers to go to Mexico in order to take advantage of the cheap labor there, and does not that account for a good deal of the business push that is now being exhibited in Mexico?

Mr. WANGER. It has a great deal to do with it, of course. Because of cheap labor there are enterprises in this country—cotton mills throughout the Southern States—which have been declaring 20 per cent dividends and higher than that right along, even during the panic years of 1893 and 1894. I may cite an instance of the manufacture of cotton thread, in which some friends of mine are engaged in the city of Birmingham, Ala., where they have been enabled to earn more than 20 per cent per annum, while at their mill in Pennsylvania they are scarcely able to meet the expenses of operating the establishment, the difference resulting entirely from the fact that they have cheaper power and cheaper labor in Alabama.

Now, Mr. Speaker, my opposition to the Senate substitute is from my conviction that the free coinage of silver by this country alone would not only involve the perils of disordered finances and be no aid to the restoration of the monetary equilibrium, but it would be an obstacle in the way of attaining that end. When gentlemen speak about the ease with which bimetallic France held the two metals together at the ratio of 15½ to 1 prior to 1874, they fail to take into consideration the fact that on one end of the lever was a large number of nations which had free coinage of silver alone, and on the other end but one nation which had the single coinage of gold, while France, the United States, and a few other nations had free coinage of both metals, so that the gold and silver monetary pole was hanging in the balance. Therefore, under Gresham's law, whenever there was a change in the commercial price of either metal differing from the ratio, the cheaper moneys flowed into and took up a part of the field that had been previously occupied by the other money, lessening the demand on the latter and again restoring the equilibrium. Nobody will pretend that such conditions exist now—all the leading commercial nations having gotten upon one end of the pole and standing back from climbing upon the other while they seek to keep it as nearly balanced as possible to the extent that they can not lay the burden upon other shoulders. Much as we may regret the abandonment of silver by Germany and other nations using it until 1872 and later, we must concede the changed conditions.

When it is argued that by this country going on the silver basis and surrendering her gold we would have a cessation of falling prices, we must consider that the greater part of all our obligations are payable in gold and that there is not free room for the operation of the theory. The taunt that it is unpatriotic to contend for an international arrangement is not argument, and the contention for such an agreement is sustained by such bulwarks of the bimetallist faith as Mr. A. J. Balfour and Archbishop Walsh.

The trouble leading to the changing standards of the nations in the use of gold and silver and in the nature of their coins in circulation, before no less than since 1873, was the absence of uniform

mint regulations respecting ratio; the difficulties only became grievous when there was not a sufficient demand for silver for all purposes, money included, to maintain its value commercially toward gold at the ratio fixed in coinage laws.

It can not be denied that it was an ordeal of great cost to hundreds of thousands of our people to get from the inflated prices prevailing when specie payments were suspended to the standard finally reestablished in 1879. But to get upon firm ground was worth much, and none should deny that it is essential to our progress and prosperity to maintain the highest character for financial integrity.

To go upon a silver basis may temporarily raise prices of commodities in our currency, but not to those outside our land, and that basis of faith is too uncertain to justify assuming the movements of prices will not meet retrograde influences, continuing instability and taking from much we would do toward restoring the old-time ratio, for Japan is drifting from the silver standard, and even Mexico and India might gladly welcome the opportunity to exchange places with us unless we precede our action by treaty with them, and we might be in the sorry plight of having lost our good name, lost our standard, which gives confidence to all the world in our strength of resources and purposes, lost our energy and hope, and gained nothing but distressing experience.

If the hope of increased prices should be realized there is no guarantee of stability, and we should likely be plunged into confusion worse confounded. The people who earn bread in the sweat of their brows know how little hope they could have of wages rising commensurate with the increased cost of necessaries. Every disaster could be attributed to the change in financial policy, and the clamor to return to the standard selected by the laws of trade and commerce would probably prevail, and the ascent up the hill is very, very difficult—swift and easy the descent.

Mr. Speaker, I believe in the use of both gold and silver, and their free and unlimited coinage on equal terms whenever and under such conditions that may be safe and will permit the concurrent use of both. Until then let us maintain our present standard and make it to the interest of every other nation on the face of the earth holding commercial relations with us and having the coinage of both metals to keep it, and for the interest of those nations which do not now have it to agree to join with us in resuming the coinage of both metals at a fixed ratio at the earliest practicable period. There is an awful amount of selfish interest lying behind national as well as individual action. European nations will never agree to the restoration of the free coinage of silver simply because the American people want them to agree to it. When they see that it is to their advantage to do it, then, and not till then, will they agree to do it. The distinguished Speaker of this House, in a communication to a public journal, said some time ago that silver and protection were really one question, and to my mind so they are; and we might join with them, if in fact it is not covered by the single word "protection," the restoration of our merchant marine through our efforts to bring other nations to join us in restoring silver to its function as a standard money of ultimate redemption.

There is a way—I do not know that it is the only way—but to my mind it is one way, a perfectly safe way, a way in which there are no pitfalls and no snares, and something from which we can readily return in case we find that its operation is not what we have a right to expect from it—that is, in the collection of our customs duties, to permit on importations from foreign countries the payment of the duties in that standard money which they admit to free coinage at their own mints at the coinage value it has at ours. It seems to me that when monometallic nations found it essential to do that, and found that these United States had set their face steadily toward the accomplishment of this purpose, we should have not only conferences which would meet and discuss this question, but conferences which would avail something, conferences which would bring unity of action among the civilized nations of the earth, conferences which would be beneficent in the results of their action, which would restore and firmly establish the monetary equilibrium, obtain the full benefit of all our currency, all our credit, crown as acts of wisdom the persistence with which we have stood by our standard, and give to the people of this earth for all time to come the advantages of having as standard money gold and silver without prejudice against either at the mints of all nations and in the markets of the world. [Applause.]

Mr. Speaker, there has been considerable talk about the effect of the Gorman tariff bill on the manufactures of the country. All with whom I have conversed who are engaged in manufacturing enterprises are complaining of the difficulties that surround them, and are saying that they really can not hold out much longer if the disastrous competition with European labor now going on is to continue. As I have received some evidence of a place where that law has worked for the encouragement of manufactures, I will send the communication embracing this information to the Clerk, in order that it may be read.

The Clerk read as follows:

A MARKET FOR CHEAP GOODS.

The cloth manufacturers of the Dewsbury and Batley district have had a good year, the latter half having been exceedingly busy. It is almost astonishing to learn what undoubtedly is the fact, that within the last few weeks one firm in Dewsbury was compelled, through pressure o work in the execution of orders almost entirely for the United States, to refuse one of 4,000 pieces. This offer related to president cloths, a class of goods that of late has been produced from very common material at the order of transatlantic merchants. How far local firms are justified in producing a showy but half worthless cloth that will be sold to the American retail buyers—farmers, artisans, and the like—is another matter. The possibility, even a very few years ago, of manufacturing a cloth at 1s. 6d. per yard was scouted, but to-day there are makers to be found able to produce good-looking masses of the poorest shoddy, kept in form by low cotton warp, at from 1s. 3d. per yard. The general classes of fabrics produced in the neighborhood are of course very different from these cloths, and include stout, wear-resisting tweeds; Dewsbury serges, on both light and dark shades of color; fancy cloths, including ladies' mantlings, as well as the old heavy woolens, the making of which at one time almost exclusively occupied the looms of the district, comprising meltons, naps, beavers, and pilots. Manufacturers engaged on these goods have found trade to hang a little, chiefly through the mild, open weather of the late autumn and the winter so far experienced, and have turned their attention, as have their neighbors, to supplying the wants of the United States. The range of goods exported across the Atlantic since the amelioration of the McKinley tariff has been very great, but fancy cloths and Dewsbury serges and curls have taken the lead and are still running.—*Manchester (England) Guardian.*

Mr. WANGER. It is unfortunate that no such improvement can be noted in our own country, which has felt in manufactures, agriculture, and commerce, as it has in finance, the blighting effects of Democratic incompetency in legislation and in administration. Along with the promise of good times and the markets of the world under tariff reform was that of good woolen cloths in place of cotton and shoddy. As we have surrendered prosperity for panic and what markets abroad reciprocity brought us for a large invasion of our home market, so quality has also retrograded.

For all these troubles a remedy will be applied by the wisdom of the Republican party when it is again in control of the National Government, and the gloom and adversity which have been coincident with and largely occasioned by Democratic ascendency and blundering be buried beneath the sunlight and happiness of redeliverance unto Republican statesmanship, the synonym for broad and prosperous Americanism. [Applause.]

[Here the hammer fell.]

The Cuban Resolutions Tested by Precedent and the Traditional Policy of the United States.

REMARKS
OF
HON. RICHARD W. PARKER,
OF NEW JERSEY,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 2, 1896.

The House having under consideration the following resolutions:

"*Resolved by the House of Representatives (the Senate concurring)*, That in the opinion of Congress a state of public war exists in Cuba, the parties to which are entitled to belligerent rights, and the United States should observe a strict neutrality between the belligerents.

"*Resolved*, That Congress deplores the destruction of life and property caused by the war now waging in that island, and believing that the only permanent solution of the contest, equally in the interest of Spain, the people of Cuba, and other nations, would be in the establishment of a government by the choice of the people of Cuba, it is the sense of Congress that the Government of the United States should use its good offices and friendly influence to that end.

"*Resolved*, That the United States has not intervened in struggles between any European Governments and their colonies on this continent; but from the very close relations between the people of the United States and those of Cuba in consequence of its proximity and the extent of the commerce between the two peoples the pre-ent war is entailing such losses upon the people of the United States that Congress is of opinion that the Government of the United States should be prepared to protect the legitimate interests of Americans by intervention, if necessary"—

Mr. PARKER submitted the following remarks:

Mr. SPEAKER: The action proposed by the resolutions is similar to that taken by our Government in the early part of this century as to the South American Republics. From the first we treated their struggle as a civil war and granted belligerent rights to every city or faction that carried a flag, and we traded freely with both sides, even in arms and munitions of war, and admitted them to equal privileges in our ports. Notwithstanding this we preserved the most friendly relations with Spain and publicly and privately exerted our friendly influence with her, at first to obtain self-government and finally to secure independence for these Republics. The President declared this to be our policy in numerous messages. He likewise declared that the interests of the United States must be protected not only against paper blockades and buccaneering privateers, but also against any interfer-

ence by foreign Governments in the struggle between Spain and her colonies.

There is no ground for the suggestion so often made that we are departing from American precedents and traditions in acknowledging the existence of civil war in Cuba, or that these resolutions propose any new thing in American policy.

The action proposed by the first resolution is not only just and equitable, but in accordance with the traditional policy of this Government. There is no unfriendliness in it to Spain. It is merely the declaration that we stand neutral in the contest now waging, and that so far as we are concerned either party may carry on trade and war in the ordinary way.

The resolution proposes that we shall take no sides and shall give no aid, but that we shall put an end to the state of affairs in which our ports, as well as those of the rest of the world, are closed to the one party and open to the other, by which, as it were, one side is boycotted and cut off from human intercourse, by which it is debarred from all trade, by which our merchants render their ships liable to seizure if they attempt to send to that party goods, and by which it is treated simply as a bandit.

To do otherwise is to be forgetful of the traditional policy of the United States. A distinguished Senator from Delaware has called attention to the fact that in the early struggle of the South American Republics against Spain independence was not finally recognized until it had been fully established as to each State in the year 1823 and subsequently, while the war had been going on for years. The fact is noted that as early as 1818 resolutions of sympathy with the insurgents had been decisively voted down in this House, and it is inferred from this that belligerency had not been previously recognized. Nothing can be further from the truth. Belligerent rights, the freedom of our ports, and free and equal commerce had been actually and for years accorded to both parties and all parties among the many warring factions in Spanish America, to single cities that had assumed distinctive flags, and to the various leaderships that from time to time claimed to represent the colonists. The policy of the United States was that of absolute neutrality, allowing unrestrained trade with any and all parties occupying any part of Spanish America and full belligerent rights.

The record as to this is so explicit that it is astonishing that it has been overlooked.

It is true that in September, 1815, James Madison issued a proclamation that, on careless reading, might seem to proclaim a non-intercourse with any of the insurgents, and to forbid commerce in arms, munitions, or even provisions. But it is perfectly plain that the proclamation was directed only against armed and organized expeditions and not against peaceful trade. As early as December of the same year the Spanish Chevalier De Onis addressed to our Secretary of State a communication demanding, among other things, that our ports should be closed to the revolutionists and to the flags of Carthagena, Buenos Ayres, and the Mexican Congress, and that trade with them should be stopped, as being with bandits and pirates. But the answer of the United States was in no uncertain terms. It denied the right of Spain to make this demand, and declared that our ports should not be closed to either or any party, that in the convulsions that were taking place the United States would not discriminate, and that unless our ports and trade were equally open to all it would effect substantial injustice. The correspondence is too important to be omitted. The Chevalier De Onis, as minister from Spain, says in his letter of December 15, 1815:

> The third and last point is reduced to this: That the President will be pleased to give the necessary orders to the collectors of the customs not to admit into the ports of the United States vessels under the insurrectionary flag of Carthagena, of the Mexican Congress, of Buenos Ayres, or of the other places which have revolted against the authority of the King, my master, nor those coming from them. That they should not permit them to land; or to sell in this country, the shameful proceeds of their piracy or atrocities, and much less to equip themselves in these ports, as they do, for the purpose of going to sea to destroy and to plunder the vessels which they may meet with under the Spanish flag. This tolerance, subversive of the most solemn stipulations in the treaties between Spain and the United States, and diametrically opposed to the general principles of public security and good faith, and to the laws of nations, produces the most melancholy effects on the interest and the prosperity of the subjects of His Catholic Majesty. Certain it is that neither Carthagena nor any other place in the Spanish dominions in this hemisphere which has revolted can be in communication with any power friendly to Spain, since neither on its part nor on that of any other Government has their independence been acknowledged, and it is consequently an offense against the dignity of the Spanish Monarchy, and against the sovereignty of the King, my master, to admit vessels from other places manned and commanded by insurgents, and armed in the dominions of this confederation, particularly as they are all pirates, who do not respect any flag, are justly considered the disgrace of the seas, and are execrated by all nations.

The Secretary of State says in reply, under date of January 19, 1816:

> In reply to your third demand, the exclusion of the flag of the revolting provinces, I have to observe that in consequence of the unsettled state of many countries and repeated changes of the ruling authority in each, there being at the same time several competitors, and each party bearing its appropriate flag, the President thought it proper some time past to give orders to the collectors not to make the flag of any vessel a criterion or condition of its admission into the ports of the United States. Having taken no part in the differences and convulsions which have disturbed those countries, it is consistent with just principles, as it is with the interests of the United States, to receive the vessels of all countries into their ports, to whatever party belonging and under whatever flag sailing, pirates excepted, requiring of them only the payment of duties and obedience to the laws while under their jurisdiction, without adverting to the question whether they had committed any violation of the allegiance or laws obligatory on them in the countries to which they belonged, either in assuming such flag or in any other respect.
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> In the differences which have subsisted between Spain and her colonies the United States have observed all proper respect to their friendly relations with Spain. They took no measure to indemnify themselves for losses or injuries; none to guard against the occupancy of the Spanish territory by the British forces in the late war, or to occupy the territory to which the United States consider their title good, except in the instance of West Florida, and in that instance under circumstances which made their interposition as much an act of accommodation to the Spanish authority there as of security to themselves. They have also prohibited their citizens from taking any part in the war, and the inhabitants of the colonies and other foreigners connected with them from recruiting men in the United States for that purpose. The proclamations which have been issued by the governors of some of the States and Territories at the instance of the President, and the proclamation lately issued by the President himself, are not unknown to your Government. This conduct, under such circumstances, and at such a time, is of a character too marked to be mistaken by the impartial world.
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> What will be the first result of the civil war which prevails between Spain and the Spanish provinces in America is beyond the reach of human foresight. It has already existed many years, and with various success, sometimes one party prevailing and then the other. In some of the provinces the success of the revolutionists appears to have given to their cause more stability than in others. All that your Government had a right to claim of the United States was that they should not interfere in the contest or promote, by any active service, the success of the revolution, admitting that they continued to overlook the injuries received from Spain, and remained at peace. This right was common to the colonists. With equal justice might they claim that we would not interfere to their advantage; that our ports should remain open to both parties, as they were before the commencement of the struggle; that our laws regulating commerce with foreign nations should not be changed to their injury. On these principles the United States have acted.

The President by whose direction this reply was given was James Madison, one of the fathers of the Constitution, and joint author of the Federalist. That reply was given immediately after the struggles and sorrows of a war which had been in many respects disastrous and in which our Capitol had been burned. Our people were then in no frame of mind for further trials, and no jingo spirit prevailed then. It was the conservative action of a careful and most prudent statesman, and it was what we are asked to do to-day.

The President directed this act, but the Secretary of State who indited the letter was no less a man than James Monroe, he who defined American diplomacy in its widest American sense, and declared that the United States would not suffer foreign colonization or conquest on this side of the water, as the corollary and complement of the doctrine of Washington's Farewell Address, that we should not interfere upon the other side of the Atlantic.

It is from Monroe's messages also that we discover that the policy and action by these letters was no mere diplomatic correspondence, but the definite and settled policy of our country. In November, 1818, he declared in his second annual message that the civil war continued between Spain and the provinces in South America, and there was cause to be satisfied with the course theretofore pursued.

The description given of the confused state of the various revolts is interesting:

> The civil war which has so long prevailed between Spain and the provinces in South America still continues without any prospect of its speedy termination. The information respecting the condition of those countries which has been collected by the commissioners recently returned from thence will be laid before Congress in copies of their reports, with such other information as has been received from other agents of the United States.
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> It appears, from these communications, that the Government of Buenos Ayres declared itself independent in July, 1816, having previously exercised the power of an independent government, though in the name of the King of Spain, from the year 1810; that the Banda Oriental, Entre Reos, and Paraguay, with the city of Santa Fe, all of which are also independent, are unconnected with the present Government of Buenos Ayres; that Chile has declared itself independent and is closely connected with Buenos Ayres; that Venezuela has also declared itself independent, and now maintains the conflict with various success, and that the remaining parts of South America, except Montevideo and such other portions of the eastern bank of the La Plata as are held by Portugal, are still in possession of Spain, or in a certain degree under her influence.
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> By a circular note addressed by the ministers of Spain to the Allied Powers, with whom they are accredited, it appears that the allies have undertaken to mediate between Spain and the South American provinces, and that the manner and extent of their interposition would be settled by a congress which was to have met at Aix la Chapelle in September last. From the general policy and course of proceedings observed by the Allied Powers in regard to this contest it is inferred that they will confine their interposition to the expression of their sentiments, abstaining from the application of force. I state this impression that force will not be applied with the greatest satisfaction, because it is a course more consistent with justice, and likewise authorizes a hope that the calamities of the war will be confined to the parties only, and will be of shorter duration.

In his fourth annual message of November 14, 1820, he describes the gains of the colonies and concludes that it has been the uniform policy of the Government to promote an adjustment on the basis proposed by the colonies by friendly counsels with other powers, including Spain herself. How near to the policy proposed by the second resolution of the House this is need not be remarked.

> The contest between Spain and the colonies, according to the most authentic information, is maintained by the latter with improved success. The unfortunate divisions which were known to exist some time since at Buenos Ayres, it is understood, still prevail. In no part of South America has Spain made any impression on the colonies, while in many parts, and particularly in Venezuela and New Grenada, the colonies have gained strength and ac-

quired reputation, both for the management of a war in which they have been successful and for the order of the internal administration. The late change in the Government of Spain, by the reestablishment of the constitution of 1812, is an event which promises to be favorable to the revolution. Under the authority of the Cortes, the Congress of Angostura was invited to open a negotiation for the settlement of differences between the parties; to which it was replied that they would unwillingly open the negotiation provided the acknowledgment of their independence was made its basis, but not otherwise. Of further proceedings between them we are uninformed. No facts are known to this Government to warrant the belief that any of the powers of Europe will take a part in the contest; whence it may be inferred, considering all circumstances which must have weight in producing the result, that an adjustment will finally take place on the basis proposed by the colonies. To promote that result by friendly counsels with other powers, including Spain herself, has been the uniform policy of this Government.

I anticipate that suggestion will be made that the correspondence already referred to only provides for the admission of ships of the insurgents into our ports, and not to our carrying on trade with such parties, and certainly not to trade in contraband of war. Such a construction is not fairly to be drawn from the ringing statements of Monroe. But fortunately we do not have to argue this question, for on the 4th day of March, 1821, in his second inaugural address, President Monroe declared distinctly that both Spain and the insurgents had had equal privileges with us in trade and in obtaining munitions of war.

The passage is of the utmost importance.

This contest was considered at an early stage by my predecessor a civil war, in which the parties were entitled to equal rights in our ports. This decision, the first made by any power, being formed on great consideration of the comparative strength and resources of the parties, the length of time, and successful opposition made by the colonies and of all other circumstances on which it ought to depend, was in strict accord with the law of nations. Congress has invariably acted upon this principle, having made no change in our relations with either party. Our attitude has therefore been that of neutrality between them, which has been maintained with the strictest impartiality. No aid has been afforded to either, nor has any privilege been enjoyed by the one which has not been equally open to the other party, and every exertion has been made in its power to enforce the execution of the laws prohibiting illegal equipments with equal rigor against both.

By this equality between the parties, their public vessels have been received in our ports on the same footing; they have enjoyed an equal right to purchase and export arms, munitions of war, and every other supply, the exportation of all articles whatever being permitted under laws which were passed long before the commencement of the contest; our citizens have traded equally with both, and their commerce with each has been alike protected by the Government.

Respecting the attitude which it may be proper for the United States to maintain hereafter between the parties, I have no hesitation in stating it as my opinion that the neutrality heretofore observed should still be adhered to. From the changes in the Government of Spain, and the negotiations now pending, invited by the Cortes and accepted by the colonies, it may be presumed that their differences will be settled on the terms proposed by the colonies. Should the war be continued, the United States, regarding its occurrences, will always have it in their power to adopt such measures respecting it as their honor and interest may require.

Resolutions for acknowledging the independence of the Spanish provinces were adopted by the House only in the spring of 1821.

December 3, 1821, President Monroe noticed the success of the colonies during the past year, the extension of their territories, strength, and harmony. He believed that Spain could not retain them by force, and that no condition short of independence would be satisfactory to them, and hoped that Spain, guided by liberal counsel, would consent thereto, stating that it would be the object of the Government of the United States to promote this result by friendly counsel with the Government of Spain.

It is understood that the colonies in South America have had great success during the present year in the struggle for their independence. The new Government of Colombia has extended its territories and considerably augmented its strength; and at Buenos Ayres, where civil dissensions had for some time before prevailed, greater harmony and better order appeared to have been established. Equal success has attended their efforts in the provinces on the Pacific. It has long been manifest that it would be impossible for Spain to reduce these colonies by force, and equally so that no conditions short of their independence would be satisfactory to them. It may therefore be presumed, and it is earnestly hoped, that the Government of Spain, guided by enlightened and liberal councils, will find it to comport with its interests and due to its magnanimity to terminate this exhausting controversy on that basis. To promote this result by friendly counsel with the Government of Spain will be the object of the Government of the United States.

By special message of March 8, 1822, he favored the recognition of the independence of the southern Republics, and gave again historically the policy which had been pursued by the Government:

The revolutionary movement in the Spanish provinces in this hemisphere attracted the attention and excited the sympathy of our fellow-citizens from its commencement. This feeling was natural and honorable to them, from causes which need not be communicated to you. It has been gratifying to all to see the general acquiescence which has been manifested in the policy which the constituted authorities have deemed it proper to pursue in regard to this contest. As soon as the movement assumed such a steady and consistent form as to make the success of the provinces probable, the rights to which they were entitled by the law of nations as equal parties to a civil war were extended to them. Each party was permitted to enter our ports with its public and private ships, and to take from them every article which was the subject of commerce with other nations. Our citizens, also, have carried on commerce with both parties, and the Government has protected it with each, in articles not contraband of war. Through the whole of this contest the United States have remained neutral and have fulfilled with the utmost impartiality all the obligations incident to that character.

In his annual message of December 3, 1822, he still cherished this hope, but sets forth definitely that the United States has remained neutral, allowing each party equal rights, and claiming from each the suppression of piratical practices and marked blockades.

A strong hope was entertained that peace would, ere this, have been concluded between Spain and the independent Governments south of the United States in this hemisphere. Long experience having evinced the competency of those Governments to maintain the independence which they had declared, it was presumed that the considerations which induced their recognition by the United States would have had equal weight with other powers, and that Spain herself, yielding to those magnanimous feelings of which her history furnishes so many examples, would have terminated, on that basis, a controversy so unavailing and at the same time so destructive. We still cherish the hope that this result will not long be postponed.

Sustaining our neutral position and allowing to each party while the war continues equal rights, it is incumbent on the United States to claim of each, with equal rigor, the faithful observance of our rights according to the well-known law of nations. From each, therefore, a like cooperation is expected in the suppression of the piratical practice which has grown out of this war and the blockades of extensive coasts on both seas, which, considering the small force employed to sustain them, have not the slightest foundation to rest on.

Finally, in 1823, the Holy Alliance for the reestablishment of the power of Spain over her colonies rendered it necessary that the President should proclaim the doctrine so often cited, and which can not be quoted too often, in which, after stating the friendly sentiment of our citizens to their fellow-men across the Atlantic, and that we are unwilling to take any part in their own wars, he states that we owe it to candor and to those friendly relations to declare as to the Governments who have declared their independence and maintained it that "we could not view any interposition for the purpose of oppressing them or controlling in any other manner their destiny by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States."

In the war between those Governments and Spain we declared our neutrality at the time of their recognition, and to this we have adhered and shall continue to adhere, provided no change shall occur which in the judgment of the competent authorities of this Government shall make a corresponding change on the part of the United States indispensable to their security. * * *

It is impossible that the Allied Powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can anyone believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition in any form with indifference. If we look to the comparative strength and resources of Spain and those new Governments, and their distance from each other, it must be obvious that she can never subdue them. It is still the true policy of the United States to leave the parties to themselves, in the hope that other powers will pursue the same course.

On December 7, 1824, he refers to the fact that we have ministers residing in Colombia and Chile, and have received ministers from Colombia, Guatemala, Buenos Ayres, and Mexico, and in the same message he states that they are settling their own Governments; that we have not interfered in their instituting such government as might suit them best in the expectation that other powers will pursue the same policy.

The deep interest which we take in their independence, which we have acknowledged, and in their enjoyment of all the rights incident thereto, especially in the very important one of instituting their own governments, has been declared, and is known to the world. Separated as we are from Europe by the great Atlantic Ocean we can have no concern in the wars of the European governments, nor in the causes which produce them. The balance of power between them, into whichever scale it may turn in its various vibrations, can not affect us. It is the interest of the United States to preserve the most friendly relations with every power, and on conditions fair, equal, and applicable to all. But in regard to our neighbors our situation is different. It is impossible for European governments to interfere in their concerns, especially in those alluded to, which are vital, without affecting us; indeed, the motive which might have induced such interference in the present state of the war between the parties, if a war it may be called, would appear to be equally applicable to us. It is gratifying to know that some of the powers with whom we enjoy a very friendly intercourse, and to whom these views have been communicated, have appeared to acquiesce in them.

It is unnecessary to point out that our policy throughout was one of strict fairness and equality. No acknowledgment of independence was made until that independence had been thoroughly established. President Jackson, in his message in relation to Texas, on December 21, 1836, protested rightly that an acknowledgment of independence is an act of great delicacy and responsibility, and that all questions relative to the government of foreign nations, whether of the Old or New World, had been treated by the United States as questions of fact only, and that his predecessors had cautiously abstained from deciding upon them until the clearest evidence was in their possession, to enable them not only to decide correctly, but to shield their decisions from every unworthy imputation. He proceeds:

In all contests that have arisen out of the revolutions of France, out of the disputes relating to the Crowns of Portugal and Spain, out of the separation of the American possessions of both from the European governments, and out of the numerous and constantly occurring struggles for dominion in Spanish America, so wisely consistent with our just principles has been the action of our Government that we have, under the most critical circumstances avoided all censure and encountered no other evil than that procured by a transient estrangement of good will in those against whom we have been by force of evidence compelled to decide.

It has thus made known to the world that the uniform power and practice of the United States is to avoid all interference in disputes which merely relate to the internal government of other nations, and eventually to recognize the authority of the prevailing party without reference to our particular interests and views, or to the merits of the original controversy.

But we have seen that in making this statement the President was referring to the recognition of independence and not to the granting of belligerent rights and privileges. He is speaking of the fairness of the United States, and that fairness had actually

consisted in granting equal rights of war and peace to all of the contending parties. He was not asked to prohibit trade with Texas, or to deny the rights of war, and never did so.

The accord of belligerent rights is an act. It is necessary for fairness when war is really being carried on. If any party really carrying on war is to be blockaded, or rather embargoed, by every civilized nation, its condition is wretched indeed. It is not neutrality, but taking sides, to refuse to give to each of two belligerents the rights of war and peace. When we consider that two years ago the Administration allowed the Navy of the United States to open a blockade which had been established by one party in Brazil against the other as to the city of Rio Janeiro, and that we did this upon the ground that the blockaders had not been recognized as belligerents and therefore could institute no blockade, it becomes idle to pretend that refusal to recognize belligerency is not taking sides. That interference of our Navy absolutely crushed the party against whom it was taken.

This resolution proposes an act of fairness, that we shall stand off and help neither side, but that each shall be free to fight it out with equal privileges in our ports and trade. It means no unfriendliness to either; it means that we will give fair play to both. We do not speak here of barbarities, cruelties, oppressions, and reprisals otherwise than to deplore the horrors of war. We are not arbiters as to which side is responsible, but we do say by this resolution that in accordance with the traditional policy of our Government, the ordinary rights of war, including such trade as may lawfully be carried on with a belligerent according to the law of nations, shall not be denied to either of the contestants. And in so doing we rely not only upon the law of nature and nations, the rules of fairness and equity, but upon the expressed declarations and example of a father of the Constitution and of the great captain and guide who formulated and established the American policy and the American law of nations.

Coin Redemption Fund.

SPEECH

OF

HON. JOSEPH WHEELER,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 6, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. WHEELER said:

Mr. CHAIRMAN: The very distinguished gentleman, the chairman of the Committee on Ways and Means, the premier of the House of Representatives [Mr. DINGLEY], who has just concluded his remarks, most unquestionably made an eloquent, able, and very forcible argument upon the question now before the House, and his speech appeared to be so plausible that men who have for a long time been favorable to silver legislation murmured around me that the arguments of the gentleman from Maine were unanswerable. They presumed, of course, that the premises laid down by the gentleman from Maine [Mr. DINGLEY] were correct; but I assert, without fear of contradiction, and I shall prove it, that every statement made by him tending to support his advocacy of the gold standard, so far from being founded on fact, was directly the reverse; and I further assert that every correct premise laid down by him, so far from sustaining this gold-standard argument, had the contrary effect.

UNQUESTIONED TRUTHS.

Before I proceed with my argument I will lay down the following unquestioned truths:

Every law ever enacted by this or any other country which tended to enlarge the money of ultimate redemption was followed by a period of great prosperity.

Every law ever enacted which tended to reduce the money of ultimate redemption has been immediately followed by panic and distress.

The laws enacted by the Roman people which reduced the amount of money were followed by poverty, misery, degradation, and serfdom which prevailed throughout that period called the "Dark Ages."

The introduction of the enormous production of gold and silver from the mines of South America was followed by an era of prosperity and a new civilization. When we come to our country we find that the same causes were followed by like results. The free-and-unlimited-coinage laws which were enacted prior to 1850 and the bounteous supply of gold which commenced at that period were followed by a period of great prosperity. The law of 1857, which deprived foreign silver of its full legal tender, was followed by a money panic. The law of 1873, demonetizing silver, was followed by panic, falling prices, and distress. The act of 1878, providing for silver coinage, was followed by an era of almost unparalleled prosperity. The acts of 1890 repealing the coinage law and the acts of 1893 which stopped all increase of money were followed by panic, falling prices, and distress, from which we are still suffering.

MY DUTY TO MY PEOPLE.

My investigation of this question has imbued me with a deep-seated conviction that silver coinage is essential to the prosperity of the people I represent. I regret very much that my duty impels me to differ on this question from men very high in power and for whom I have the most profound regard and esteem. Their associations have been very largely with the moneyed people of New York and other commercial centers, and no doubt they are right that the wealth and prosperity of that class of people would be enhanced by maintaining the gold standard; but just in proportion as they are benefited the great farm producers of the South and West are made the sufferers.

The history of the world shows that all countries which legislate for those who have wealth or fixed salaries is certain to decline and decay, and that all countries which have legislated for the benefit of the producing and industrial classes have been blessed with progress, happiness, and prosperity.

I shall now, as heretofore, concede to those who take a different view from myself the most unquestioned integrity of purpose, and my only regret is that they do not realize the effect of the gold standard upon that most worthy class—the farmers of the United States—who grow the cotton and wheat which we export in competition with the silver-producing countries.

I shall also comply with the request of the distinguished gentleman who preceded me, and shall not, to use his language, spend my time—

in mere assertions and declamations about the importance of bimetallism.

But, to again use his language, I shall endeavor to—

present to the House and country the grounds on which I assume that such coinage would result in giving us such bimetallism.

LORD MACAULAY ON THE AVARICE OF WEALTH.

Lord Macaulay, in one of his writings, in referring to the cupidity of the creditor and the money class, said:

If large financial interests were interested in denying the law of gravitation, that proposition would be ably disputed.

If Macaulay had lived until to-day he would have seen a remarkable exemplification of the truth of this in the speeches and arguments of the gold-standard advocates.

PROSPERITY A STRONGER FORCE THAN GRESHAM'S LAW.

Mr. DINGLEY asserts as positively as is possible to be done in the English language that silver coinage would speedily drive all gold from its use as money in this country. His exact language was:

For myself, I never was more confident of any fact in finance than I am that such coinage of silver as is proposed would speedily drive gold from its use as money in this country and leave us with nothing but silver. I shall listen attentively and with a receptive mind to any facts and arguments which may be adduced to maintain otherwise.

This is precisely the argument which was made by every advocate of the gold standard when the silver bill was being discussed in 1877 and 1878. The gentleman read tables similar to those we find on page 294 of the Report of the Director of the Mint, which show that during the sixteen years prior to 1878 the United States exports of gold exceeded our imports of gold by $583,831,117; in other words, the United States had lost gold to that amount. The reports of the Secretary of the Treasury also state that in 1878 the Treasury Department estimated the specie in the country at $102,-047,907. This included both gold and silver, and the voices of the gold-standard men resounded through this Hall proclaiming that if we enacted the silver-coinage law then pending every dollar of gold would leave us.

SILVER COINAGE BRINGS GOLD TO THE UNITED STATES.

Notwithstanding this scarecrow talk, we enacted the silver-coinage law of 1878, and instead of gold leaving the United States, as was so emphatically predicted, it commenced coming to our country; and during the twelve years of the existence of the silver-coinage law of 1878, so far from losing any gold, we gained gold to the amount of $165,254,995. As this is a very important point, I give below the exact figures of imports and exports of gold to and from the United States from 1861 to 1878, during which we had practically no silver coinage of standard silver money, the total coinage of silver dollars during that period being but $3,462,-180. I also add a table giving the total amounts of exports and imports of gold during the twelve years' existence of the silver-coinage law of 1878.

Table showing the value of gold coin and bullion imported into and exported from the United States from 1862 to 1877, the sixteen years before the passage of the silver-coinage act.

Year ending June 30—	Exports.	Imports.	Excess of exports over imports.	Excess of imports over exports.
1862	$35,439,903	$13,907,011	$21,532,892	
1863	6,169,276	5,530,538	638,738	
1864	100,661,634	11,176,769	89,484,865	
1865	58,381,033	6,498,228	51,882,805	
1866	71,197,309	8,196,261	63,001,048	
1867	39,026,627	17,024,866	22,001,761	
1868	73,396,344	8,737,443	63,658,901	
1869	36,003,498	14,132,568	21,870,930	
1870	33,635,962	12,056,950	21,579,012	
1871	66,686,208	6,883,561	59,802,647	
1872	49,548,760	8,717,458	40,831,302	
1873	44,856,715	8,682,447	36,174,268	
1874	34,042,420	19,503,137	14,539,283	
1875	66,980,977	13,696,793	53,284,184	
1876	31,177,050	7,992,709	23,184,341	
1877	26,590,374	26,246,234	344,140	
Total, 1862-1877	762,704,090	188,982,873	583,831,117	

This is unquestioned proof that in a period of sixteen years during which we did not coin silver we lost $583,831,117. It is true that gold was at a discount all that time, and that, of course, is one reason why we lost gold. I now give a table which I have prepared, showing that during the twelve years of silver coinage we gained $165,254,995 of gold. Bear in mind that during that twelve years we coined silver to the amount of $382,318,867, an annual average of $31,859,905.58. The table is as follows:

Table showing the value of gold coin and bullion imported into and exported from the United States from 1878 to 1890, while the silver-coinage act was in force.

Year ending June 30—	Exports.	Imports.	Excess of exports over imports.	Excess of imports over exports.
1878*	$919,861	$1,623,266		$703,405
1879	4,587,614	5,624,948		1,037,334
1880	3,639,025	80,758,396		77,119,371
1881	2,565,132	100,031,259		97,466,127
1882	32,587,880	34,377,054		1,789,174
1883	11,600,888	17,734,149		6,133,261
1884	41,081,957	22,831,317	$18,250,640	
1885	8,477,892	26,691,696		18,213,804
1886	42,952,191	20,743,349	22,208,842	
1887	9,701,187	42,910,001		32,208,814
1888	18,376,234	43,934,317		25,558,083
1889	59,952,285	10,284,858	49,667,427	
1890	17,350,193	13,097,146	4,253,047	
July 1 to 14, 1890	1,396,876	802,454	594,422	
Total	263,379,215	421,235,210	94,974,378	260,229,373

*From April to June 30.

Now, to show how thoroughly this was the free-coinage period of our country, I will call attention to the fact that during this twelve years we coined more silver than during the remaining ninety-four years of the existence of our Government under the Constitution, our entire silver coinage during those ninety-four years being only $329,665,546.25, an annual average of $3,507,080.25. This shows that during the period to which I have alluded our average annual silver coinage was ten times as great as during the other years of our history.

With the numerous evidences of the beneficence of silver coinage before us, the Republican party in 1890 repealed the silver-coinage law of 1878 and enacted the disgraceful bullion law called the Sherman Act. This stopped the coinage of silver, and gold immediately commenced to leave our country just as it did prior to the passage of the silver-coinage act. I now present a table which I have prepared showing the exports and imports of gold from July 1, 1890, the time of the repeal of the coinage law, to July 1, 1895. The table is as follows:

Table showing value of gold coin and bullion exported from and imported into the United States during the years 1890 to 1895, and showing excess of exports over imports during those years.

Year ending June 30—	Exports.	Imports.	Excess of exports over imports.
1891	$86,462,880	$18,516,112	$67,946,768
1892	50,305,533	50,162,879	142,654
1893	108,966,655	22,069,380	86,897,275
1894	77,162,228	72,989,563	4,172,665
1895	66,502,136	36,384,760	30,117,376
Total	389,399,432	200,122,694	189,276,738

This shows that during the five years since the repeal of the beneficent and wise silver-coinage act of 1878 we have lost $189,276,738 of gold. But the real condition is worse than that, because during that time we have exchanged interest-bearing bonds for $182,000,000 of gold to replenish the constantly diminishing gold in the Treasury, and it is contended that most of this came from Europe; so that during this period of legislation which Democrats denounced we have lost gold to an amount exceeding $300,000,000; and most of this has been lost since the repeal of the purchasing clause of the Sherman Act, on November 1, 1893. I predicted such a result in my speeches upon that bill.

GOLD GONE TO EUROPEAN TREASURIES.

I will now present a table showing that the gold we have lost since November, 1893, has gone to European banks.

Table showing amount of gold in eight principal banks of Europe at the date of the repeal of the Sherman Act and at recent dates.

Bank.	November, 1893.	Recent reports.
Bank of England	$126,416,000	$224,800,000
Bank of France	330,620,200	402,795,335
Austro-Hungarian Bank	51,954,400	124,250,000
Imperial German Bank	189,238,700	249,369,193
National Bank of Belgium	19,918,500	26,074,707
Netherlands Bank	13,923,000	21,903,985
Bank of Spain	38,536,900	40,020,000
National Bank of Italy	43,232,000	56,433,200
	813,839,700	1,144,646,420

LOSS OF GOLD TO THE TREASURY SINCE SILVER DEMONETIZATION.

I will now present a table which I have prepared showing the gain of net gold to the Treasury during the silver-coinage period, 1878 to 1890; also the loss of gold from July 4, 1890, to November 1, 1893; also the loss from November 1, 1893, to the present time.

Table showing the gain of gold to the Treasury during the silver-coinage period, and the loss of gold since the enactment of the law of July 14, 1890, repealing the silver-coinage law.

	Net gold.
Gain of gold to the Treasury from June 30, 1878, to date of coinage repeal, July 14, 1890	$86,669,872
Loss of gold to the Treasury during operation of Sherman law, from July 14, 1890, to November 1, 1893	105,847,543
Loss of gold to Treasury from November 1, 1893, to date	235,765,151
Loss of gold to Treasury since the act of July 14, 1890, which repealed the silver-coinage law	341,612,694

On February 1, 1896, the outstanding obligations payable in coin, any or all of which may be presented at any time for redemption, were as follows:

United States notes, called greenbacks	$345,745,840
Treasury notes, act July 14, 1890	110,221,185
National-bank notes	203,086,897
	559,053,922

I have included the national-bank currency in the above because this currency can be presented at the counters of the national banks for redemption, or it can be presented in the reserve city where the banks located out of cities keep their accounts.

These reserve banks would of necessity redeem the national-bank currency in either greenbacks or gold or standard silver dollars, but practically they would redeem them in either greenbacks or gold, because there are only $56,629,676 standard silver dollars in circulation, and nearly all of these are in the hands of the people and not in possession of the banks.

INEVITABLE ALTERNATIVES.

It must be clear to anyone that if we continue to pay out gold when these obligations are presented (any one of which can be just as well paid in silver) that this drain upon the gold in the Treasury will never cease. The one way to stop it is to provide for silver coinage and pay the obligations in silver as is authorized by law. If we do not do this, it can only be stopped by retiring the entire $559,000,000 of obligations, and this would bring about such a contraction of the currency as would cause a distress never before experienced by the American people. These propositions can not be denied. I call upon any member of this House to attempt to controvert them. Congress may resort to makeshift after makeshift, but they will finally find that we are reduced to one or other of the two alternatives which I have announced.

Mr. DINGLEY says:

The people of this country, in my judgment, will never consent to the adoption of any policy which will deprive us of gold.

I respectfully ask if the evidence I have produced does not show that the Senate bill will tend to bring gold to us and not to deprive us of that metal?

During all this period of twelve years of the existence of the silver-coinage law of 1878 the gold in the gold dollar was worth on an average about 20 per cent more than the silver in the silver dollar, and the Gresham law, a law or principle the force of which I fully admit, was constantly acting upon our gold and driving it, or tending to drive it, in a steady current from our shores; but this driving force of the Gresham law during the twelve years' existence of the silver-coinage law of 1878, was met, counteracted, and overcome by a force so far exceeding the strength of the Gresham law as to more than meet and neutralize its power, and that force was the energizing effect of the silver-coinage law of 1878.

This law told the world that this, the greatest silver-producing country of the world, had entered upon a field of bimetallism.

The owners of money throughout the world knew that this law, if executed in good faith, would practically double the money of ultimate redemption in the United States.

The businessmen of this country and the moneyed men of other countries who invest in the United States believed that a law enacted by so nearly a unanimous vote would be executed in good faith by the executive branch of the Government, and they believed that it would energize every industry and cause all products and all other property to rise in value.

This presented a most inviting field for the investor, and almost immediately after the passage of that law the falling prices and lethargy which had characterized our history since 1873 underwent a change. Industries of all kinds were inaugurated; labor was all employed and wages were increased; property took a steady rise, and an era of great progress and prosperity commenced.

If I had time I would show the effect of demonetization and remonetization upon all kinds of property, but it will sufficiently illustrate my argument to show the effect upon the leading railroad stocks as quoted in the New York market.

GREAT PROSPERITY FOLLOWS COINAGE ACT OF 1878.

In order to show at a glance the marvelous decrease in the value of property caused by the demonetization of silver in 1873 and the phenomenal increase in values by the partial remonetization of silver in 1878, I ask the attention of Congress to the following figures taken from the Financial Review of 1882, published under the shadows of Wall street, New York.

I place in the first column the selling price of the principal railroad stocks just prior to the demonetization of silver in February, 1873. In the second column I put the selling price of the same railroad stocks after the people had realized the baneful effects of the iniquitous act of 1873. I then put in a third column the selling price of the same stocks after the country began to feel the effect of the restoration of silver by the act of 1878.

	Price just prior to demonetization of silver, 1873.	Price after the demonetization of silver.	Price after the remonetization of silver, 1878.
Albany and Susquehanna	95	58	133
Chicago and Alton	122	85	156
Chicago, Burlington and Quincy	155	78	182
Chicago and Rock Island	118	63	148
Columbus, Chicago and Indiana Central	95	2	28
Cleveland, Columbus, Cincinnati and Indianapolis	94	32	101
Cleveland and Pittsburg	92	72	142
Delaware, Lackawanna and Western	103	30	131
Dubuque and Sioux City	63	39	88
Erie	69	4	75
Erie preferred	82	14	82
Harlem	122	118	250
Illinois Central	126	40	146
Lake Shore	97	45	135
Louisville and Nashville	79	29	109
Marietta and Cincinnati first preferred	28	2	24
Memphis and Charleston	55	4	93
Michigan Central	110	36	126
Missouri, Kansas and Texas	40	3	54
Morris and Essex	92	51	131
New Jersey Central	106	6	112
New York Central and Hudson River	106	85	155
Ohio and Mississippi	49	3	60
Ohio and Mississippi preferred	75	4	126
Panama	130	80	280
Pittsburg, Fort Wayne and Chicago	95	81	142
Rensselaer and Saratoga	104	87	146
St. Louis and Iron Mountain	97	5	86
Union Pacific	40	25	130

These figures show that the demonetization of silver in 1873 caused the withdrawal of money from the markets and a fall in the value of all kinds of property. It shows that railroad stocks fell in many cases to a mere fraction of their value prior to 1873, and it also shows after the remonetization of silver in 1878 all property rose in a remarkable degree in value. It is no doubt true that the prices of these stocks were affected in some degree by other causes than the demonetization and remonetization of silver, but I insist that that was by far the most potent of all influences that bore upon them.

Other things besides stocks were affected in the same way. Wheat sold for $2.25 a bushel just prior to February, 1873, and after 1873 fell as low as 83 cents a bushel, and after the remonetization of silver it rose, selling as high as $1.59 a bushel.

We have seen that cotton was 26 cents just prior to demonetization and that it fell to 8¼ cents after the demonetization, although the slight increase in the crops was by no means equal to the increased demand.

Now, after the remonetization of silver, cotton rose to 12¾ cents in the face of the fact that crops increased from 4,800,000 bales in 1876–77 to 6,992,234 bales in 1882–83.

This is another proof of the detrimental effects of demonetization of silver and the energizing and beneficial effects of its remonetization. [Applause.]

I think the unquestioned evidences which I have presented not only fully refute Mr. DINGLEY's argument that silver coinage will cause gold to leave our country, but also prove precisely the contrary. The fall in prices after demonetization in 1873 shows that this caused money to be withdrawn from investments and from this country, and also shows that the silver-coinage act of 1878 caused money to come to this country to seek investment.

The reason why silver coinage caused gold to come to our country is perfectly clear to any man who has given this subject proper investigation and study. The enactment of the silver-coinage act of 1878 informed the world that the United States had adopted the policy of coining substantially her entire silver product into standard silver dollars, which were to be receivable in payment of all dues and debts. This was understood to mean that silver was to be treated the same as gold, and that the money of ultimate redemption was to be doubled, and every moneyed man in the world understood that this would cause a rise in the value of all products and property, or, which is the same thing, a fall in the value of money. This of necessity caused everyone who had money to seek to invest it in property or in manufacturing and other enterprises. This of necessity energized every industry, and money was sent to America to enjoy a profitable investment in enterprises and the general enhancement of property. During this twelve years of silver coinage the value of silver in the silver dollar was on an average worth in the markets about three-fourths as much as the gold in the gold dollar, and therefore the Gresham law was constantly working with full force on all the gold in the country, and the reason why it did not cause gold to leave the country was that the energizing effect of silver coinage upon our industries was such and the profit in all investments was so great that all the force of the Gresham law was overcome, and the current of gold was toward our country and not from it.

ANOTHER MISTAKE OF MR. DINGLEY AS TO EFFECT OF SILVER COINAGE.

After stating that the value of 371¼ grains of fine silver bullion would be substantially the same as the silver when coined into a standard silver dollar, the distinguished gentleman makes the assertion that it follows that if we enacted a silver-coinage law gold would not be brought to our mints for coinage, and that even the gold already coined would be withdrawn from use as money, and gold bullion and coined gold would become merchandise.

Mr. DINGLEY's language was:

> It must be conceded that under free and unlimited coinage of private silver bullion there could be no material difference in market value between 371¼ grains of fine silver in the form of bullion before coinage and 371¼ grains of silver coined into a standard silver dollar.

Mr. DINGLEY also stated in his speech:

> It is idle to claim that if the mints of the United States could be opened to the free coinage of silver on the basis of 16 to 1 the old relative value of silver and gold which existed before these new conditions came in would be restored.

These two assertions by Mr. DINGLEY show that his contention is that unlimited silver coinage would not enhance the value of silver.

On the contrary, we insist that if our Government coined and treated silver the same as gold, the silver in the silver dollar would rise in value, and as the discrimination in favor of gold would cease and gold would no longer be the only money of ultimate redemption, the value of the silver in the silver dollar and that of the gold in the gold dollar would rapidly approach each other.

MR. DINGLEY'S ARGUMENT REFUTED BY HISTORY.

Now, Mr. DINGLEY seeks to combat this position, and, contrary to all precedents and teachings of history, asserts that it would follow that no gold would be brought to our mints. His words were:

> It follows from this that gold would not be brought to our mints for coinage on the basis of regarding 1 ounce of gold as the equivalent in coinage of only 16 ounces of silver—

And he insists this would be the result unless this coinage doubled the value of silver as measured by gold. And unless this

result was attained, which he contends would not be possible, Mr. DINGLEY says:

Gold would not be taken to our mints for coinage, and even that already coined would be withdrawn from use as money, and both gold bullion and coined gold would become merchandise and be sold and exported as such.

A BRAND-NEW SCARECROW.

This, Mr. Chairman, is a brand-new scarecrow which the gold-standard advocates have thrust upon the people, and it is as fallacious and unfounded and untrue as their many other arguments and assertions which they make to substantiate their position. In utter refutation of this position taken by Mr. DINGLEY I appeal to history and experience.

In 1877 the House passed a free silver coinage law, and in 1878 a law which was substantially a free-coinage law was enacted by Congress. Now, if the gentleman was correct in the statement that the passage of a free-coinage law would have the effect to stop gold being carried to the mints, then that law of 1877 and 1878 would have stopped gold being carried to the mints for coinage; but quite the contrary. The year preceding the passage of that law the coinage of gold in the United States was but $43,999,864, while in the year after the passage of the law it rose to $62,308,279, and the next year to $96,850,890. So that the very reverse took place, and instead of gold not being carried to the mints it was carried to the mints in increased ratio.

It is true that in 1883 and 1884 there was a falling off in the coinage of gold, but the reason for that was that there was a falling off in the production of gold, and the additional reason that the demand for gold for the arts was so largely increased that in 1883 $14,458,000 and in 1884 $14,500,000 was used for the arts in the United States, and the gentleman will see from the Report of the Director of the Mint that every dollar of gold produced in America after the passage of the free-silver laws of 1877 and 1878, that was not used in the arts, was carried to the mints for coinage.

The fact that the law of 1878 provided for the annual coinage of nearly $40,000,000 of silver of necessity largely occupied the capacity of our mints, and therefore very naturally, to some extent, impeded gold coinage; but it appears that even this impediment was overcome and gold coinage rapidly increased.

THE REFUTATION COMPLETE.

I respectfully ask the gentleman from Maine, does he want any more thorough refutation of his statement than that? I can easily add additional evidence. If the logic of the gentleman is correct, that the coinage of silver would prevent the coinage of gold, then by the same logic a law which repeals a silver-coinage law and demonetizes the metal would cause a great increase in the coinage of gold; but we find on examination that when we demonetized silver in 1873 gold coinage did not increase, but actually decreased. In 1873 we coined $57,032,747.50 in gold. The year after demonetization, instead of the gold coinage rising, it fell to $35,254,630, and the next year it fell to $32,951,940. We thus see that Mr. DINGLEY is refuted on all sides.

Gold-standard advocates tell us that the gold, silver, and paper money which now exists in the United States is much greater than it was during the period of great prosperity from 1850 to 1861. I do not doubt this; but no one denies that, notwithstanding this large increase, nearly all of it is concentrated in the banks of New York and other large cities.

CAUSE OF MONEY FAMINE IN RURAL SECTIONS.

The money in the rural sections has been gradually decreasing until there is a money famine in all the rural sections of the United States. The reason for this is apparent to everyone, and to remedy this unnatural condition is the effort of the Democratic party. Prior to 1861 the States of the entire Union in exercising their soverign power enacted banking laws, which were gradually improved and perfected. Under this system banks were established in all parts of the United States, the vault of each bank being the point of issue and redemption of its currency. The consequence was that the financial and business needs of every locality determined the amount of currency which was issued by the banks of each section of our land. When the war commenced, Congress enacted what are called the national banking laws. They were framed and dictated by the moneyed men and the bankers of New York, who took special pains to so frame the laws as to give them the monopoly of banking and the substantial control of the money of the United States. By these laws all bankers other than national bankers were prohibited from issuing any currency by the attachment of a penalty of 10 per cent on every dollar issued. This gave the national bankers the monopoly of issuing currency. These men possessed vast amounts of personal property, and in order to give them the monopoly of borrowing from these banks they secured the enactment of a provision which prohibited national banks from loaning money unless it was secured by the kind of property which they had and which the mass of the people did not have. This made it impossible for the great mass of our people of the United States, whose property consisted of land or other real estate, to borrow one dollar from the national banks, which under the law were the only banks of issue allowed to exist. This monopoly, of course, resulted in the northeastern moneyed men becoming owners of substantially all the money and bonds issued by the Government.

REPUBLICANS LEGISLATE FOR BONDHOLDERS AND CAPITALISTS.

In 1869 the currency of the country was at a discount of 30 or 40 per cent, and all bonds stated upon their face that they were payable in this currency. The bondholders were so powerful that in March, 1869, they induced a Republican Congress to enact a law stating that their currency bonds should be paid for in coin. At that time the silver in a silver dollar was worth as much and even more than the gold in a gold dollar, and therefore they did not designate the kind of coin that they were to receive; but, realizing that to reduce the amount of coin would enhance its value, in 1873 they again exercised their influence over Congress and secured the enactment of a law demonetizing silver, which, of course, enhanced the value of gold and at the same time necessitated the payment of their bonds in that metal. The depression and distress which followed this enactment brought about a revolt, which resulted in the passage of the silver-coinage laws of 1877 and 1878. At that time the House of Representatives was overwhelmingly Democratic, but this same moneyed power induced the Republican Congress in July, 1890, to repeal this law, and from that time to this the struggle has continued between the moneyed power to maintain the gold standard and the people to restore bimetallism.

It was this same influence which secured the repeal of the purchasing clause of the Sherman Act. This moneyed power has become possessed of substantially all the gold in the United States, and they are here insisting that this gold which they own, and which could be put into one large iron safe, shall be the money of ultimate redemption in the United States.

ALL GOLD NOW CENTERED IN NEW YORK.

I have heretofore illustrated how the financial legislation of the Republican party has concentrated the wealth of the land in New York and other money centers. The bank clearings of New York City last week were $560,862,293, while the bank clearings of all the rest of the United States were only $439,044,111, and those of the South were absolutely insignificant.

In this same line, the newspapers of to-day publish the list of the successful bidders for the $100,000,000 of bonds, showing that substantially all the gold in the United States is concentrated in New York, Boston, and Philadelphia. The entire amount to be paid for the bonds is $111,378,836, and of this $97,196,477 is to be paid in the city of New York, while all the States south of the Potomac and Ohio rivers only secured $196,600 of the bonds, for which they are to pay $222,086. In other words, New York City alone was able to purchase 450 times as much as all the States south of the Ohio and Potomac.

The population of New York City is 1,515,301, while the population of the States south of the Potomac and Ohio is 18,327,704, more than 12 times the population of the city of New York, and therefore the gold per capita of New York City is 5,400 times the per capita in these Southern States, and this is the result of the financial legislation which I denounce.

A THREADBARE GOLD-STANDARD SCARECROW.

The distinguished gentleman [Mr. DINGLEY], in referring to the Senate substitute, which provides for silver coinage, says:

If this substitute should become law there is not a man in this country who has money to loan to the Government but would take alarm if such legislation should be had at this time.

Now, Mr. Chairman, this is one of the threadbare scarecrows which the gold-standard men have been reiterating for the last twenty years. To show its utter fallacy I have only to state that less than five days ago the Senate of the United States by a very decided majority passed the substitute we are now considering, which provides for the free and unlimited coinage of silver and also provides that the Secretary of the Treasury shall redeem obligations which are payable in—

either gold or silver coins or both, not at the option of the holder, but exclusively at the option of the Treasury Department.

Now, with this decisive action of the highest branch of the law-making power of our country, we see by this morning's paper that the people of the world are offering to buy $100,000,000 of coin bonds at a premium of more than $11,000,000, and that the anxiety to take this loan is so great that 44,640 persons or syndicates have applied for the loan, and the total applications aggregate $558,269,850. This shows conclusively that the enactment of this law would not alarm persons who have money to loan, and it is an overwhelming argument that the financial men of the world believe as I do, that if this great and powerful Government enacts this law and reaffims the determination which was expressed in the Democratic platform of 1892—

To hold to the use of both gold and silver as the standard money of the country, and to the coinage of both gold and silver without discrimination against either metal—

it will establish and maintain a parity between gold and silver and cause the financial men of the world to be indifferent whether the payment of these bonds is made in one metal or the other.

During years of service with Mr. DINGLEY I have been deeply impressed with his great learning and superb ability, and the fairness and logical trend of his arguments, and when we see that this distinguished man, the premier of the House of Representatives, has been betrayed into laying down as the premises upon which he based his argument a series of fallacies and unwarranted assertions, we naturally look in astonishment to find how such a phenomenon has been accomplished.

Anyone who has watched the press of the Northeast during the last few years must have been forcibly impressed that some gigantic power was exercising itself in an effort to convince the people of the United States that the interest of our country could be best served by the establishment of the gold-standard policy.

GOLD STANDARD LITERARY BUREAU.

Not willing to trust this matter to the influence of the great dailies of the Northern cities alone, the bankers and money monopolists established what they denominated a reform club, the purpose of which is to publish documents in advocacy of the gold standard, which documents for the last two years have been spread all over the United States. I hold in my hand a report of the committee of the club, which is engaged in this work. We find by this report that prior to its publication they had distributed 9,700,000 of these documents and were sending them out on an average of about 1,000,000 documents a month. It seems to me that this report shows that they have exercised every conceivable means which the use of money could by any possibility exercise to influence public opinion in favor of the gold standard.

1. They employ and pay public speakers.
2. They send out what they call sound-currency periodicals.
3. They advertise in newspapers throughout the country that this sound-currency literature will be supplied from the newspaper offices free of charge.
4. They supply, free of charge, any and all papers of the United States, which will accept them, broadside supplements of type and form similar to the papers to which they are sent, filled in with gold-standard arguments.
5. Plates containing gold-standard arguments are also sent to all the papers that will accept them.
6. A special bureau is established which employs a corps of contributors of articles advocating the gold standard.
7. They have a cartoon bureau which distributes cartoons intended to be arguments for the gold standard.
8. They then have a general distributing bureau to aid all the other bureaus.
9. They inaugurate plans for conventions to pass resolutions in favor of the gold standard, and adopt any and all means to exercise influence over political conventions.

These are only some of the methods adopted by this bureau, and they express their determination to place the documents they have prepared advocating the gold standard before every reader in the United States, and as everything distributed by them is prepared by men of the highest possible literary attainments, it is not surprising that they are so plausible as to deceive and mislead the general public, and therefore we are not surprised that they have misled as thoroughly an informed man as we all know Mr. DINGLEY to be.

COINING SILVER AND PAYING IT OUT THE SAME AS GOLD IS NOT BAD FAITH.

The gentleman from Maine [Mr. DINGLEY] had much to say about "honor and good faith," "discharging debts in inferior money," "distrust in our good faith," "honesty," "straightforward dealing," "bad faith," etc., repeating these expressions several times, the apparent effort being to create the impression that opponents of the gold standard do not desire to act in good faith with the creditors of the Government.

Let us look into the matter and see what the strictest good faith demands. There are two parties to these transactions, the people on the one side and the creditor on the other. We are the trustees of the people, and it is our duty to keep good faith with them, and as their agents it is our duty to keep good faith with their creditor, and see that he is paid every dollar to which he is entitled under, either the letter or the spirit of his contract.

To give him less or to give him money less valuable than is due him under the contract would not be honest; and on the other hand we would be dishonest to the people to pay the creditor more than was due, or to give him more valuable money than was nominated in the contract.

Let us examine the tenor of the contract. The contract which the creditor presents designates that it is payable in coin.

THE MATTHEWS RESOLUTION FOR SILVER.

A few days before the passage of the silver-coinage act of 1878, by a two-thirds vote in both Houses, Congress adopted the following resolution:

Resolved by the Senate (the House of Representatives concurring therein), That all the bonds of the United States issued, or authorized to be issued, under the said acts of Congress hereinbefore recited, are payable, principal and interest, at the option of the Government of the United States, in silver dollars, of the coinage of the United States, containing 412½ grains each of standard silver; and that to restore to its coinage such silver coins as a legal tender in payment of said bonds, principal and interest, is not in violation of the public faith, nor in derogation of the rights of the public creditor.

Mr. Carlisle voted for the resolution and was one of its strong advocates. This certainly shows that every man who has come into possession of a Government obligation since 1878 knew that it was redeemable in silver dollars. The bankers and moneyed men, however, contend that the Sherman law, enacted July 14, 1890, gave them a right to demand gold. Mr. DINGLEY recites the expression they rely upon, which is in these words:

The established policy of the United States to maintain the two metals on a parity with each other upon the present legal ratio, or such ratio as may be provided by law.

I insist that if this stood alone, unqualified, it would not give them the right to demand gold.

SHERMAN LAW AS IT REALLY IS.

The expression, as it really stands in the law, is as follows:

That upon demand of the holder of any of the Treasury notes herein provided for the Secretary of the Treasury shall, under such regulations as he may prescribe, redeem such notes in gold or silver coin, at his discretion, it being the established policy of the United States to maintain the two metals on a parity with each other upon the present legal ratio, or such ratio as may be provided by law.

It will be seen that the law expressly authorizes the Secretary of the Treasury to—

redeem such notes in gold or silver coin at his discretion—

but these controlling words are seldom, if ever, quoted or alluded to by gold-standard advocates.

REPEAL LAW OF NOVEMBER 1, 1893.

I wish also to call to the attention of those who assert that Congress has committed itself against the coinage of silver that the act of November 1, 1893, which repealed the purchasing clause of the Sherman Act, contained these words:

And it is hereby declared to be the policy of the United States to continue the use of both gold and silver as standard money, and to coin both gold and silver into money of equal intrinsic and exchangeable value, such equality to be secured through international agreement, or by such safeguards of legislation as will insure the maintenance of the parity in value of the coins of the two metals, and the equal power of every dollar at all times in the markets and in the payment of debts. And it is hereby further declared that the efforts of the Government should be steadily directed to the establishment of such a safe system of bimetallism as will maintain at all times the equal power of every dollar coined or issued by the United States in the markets and in the payment of debts.

MR. DINGLEY'S STATEMENTS SHOW THAT BIMETALLISM CAN BE MAINTAINED.

Now, Mr. Speaker, I will give another reason why bimetallism could be maintained, if we should now enact laws for the coinage of silver, which I think will appeal to my friend, Mr. DINGLEY. The Report of the Director of the Mint for 1892, pages 56 and 57, says:

According to the revised figures, the world's production of gold and silver for the last three years has been as follows:

World's production.	Gold.	Silver.
In 1890	$113,149,600	$172,234,500
In 1891	120,518,800	186,733,000
In 1892	130,816,600	196,695,200

It will therefore be seen that during the three years prior to the meeting of the Republican national convention in 1892 the production of gold was less than two-thirds the production of silver. With that condition staring them in the face, the Republican party, of which our chairman, the very distinguished premier of this House [Mr. DINGLEY], was a prominent member, declared with all possible emphasis in favor of silver coinage.

The silver plank in the Republican platform of 1892 was in these words:

SILVER AND CURRENCY.

The American people, from condition and interest, favor bimetallism, and the Republican party demands the use of both gold and silver as standard money—

These were their precise words, and the following language did not lessen the force of this pledge for bimetallism—

with such restrictions and under such provisions, to be determined by legislation, as will secure the maintenance of the parity of the values of the two metals, so that the purchasing and debt-paying power of the dollar, whether of silver, gold, or paper, shall be at all times equal.

Their candidate, President Harrison, in his letter of acceptance indorsed all that had been said by his party and used this emphatic and unmistakable language:

COINAGE AND CURRENCY.

The resolution of the convention in favor of bimetallism declares, I think, the true and necessary conditions of a movement that has, upon these lines, my cordial adherence and support. I am thoroughly convinced that the free

coinage of silver at such a ratio to gold as will maintain the equality in their commercial uses of the two coined dollars would conduce to the prosperity of all the great producing and commercial nations of the world.

And the New York Tribune, in speaking of this plank of the Minneapolis platform, said:

The declaration of the silver question is free from ambiguity.

The Republicans realized that these propositions were so self-evident, and they so fully appreciated that the people would not support a party which did not subscribe to them, that they incorporated in their campaign book a distinct announcement in favor of these principles.

I read from the Republican Campaign Book, page 157:

Some money lenders who are money monopolists want scarcer money that it may be dearer. The honest wage earners, the tillers of the soil, and other producers who would rob no man want more money, but good money. More money, they believe, is required by the constant growth of commerce and industry.

In the next paragraph, the same page, the book says:

No party has ever favored money monopolists, a contraction of the currency, or an unchanged volume of circulation which, with growing business, would involve a relative contraction.

In the great anxiety of the Republican party to secure votes they proceed in the next paragraph of their campaign book to use these expressions.

The subhead of this paragraph is as follows: "The Republican a bimetallic party."

The book then says:

Nine-tenths of the people are bimetallists. They want both money metals used, because they believe both needed to sustain the world's commerce. The Republican party intelligently and honestly answers their wishes. President Harrison is a bimetallist, as his official papers and his speeches plainly show. The Republican platform declares for bimetallism, and in that respect faithfully represents the course of the party.

The Republican pledges in favor of silver in 1890 were quite as emphatic as they were in 1892. From page 19 of the Republican campaign book of 1890 I read as follows:

In its last national platform the Republican party declared this doctrine: "The Republican party is in favor of the use of both gold and silver as money, and condemns the policy of the Democratic Administration in its efforts to demonetize silver."

AN UNANSWERABLE ARGUMENT FOR SILVER.

Now, bear in mind that these declarations and pledges of Mr. DINGLEY'S party to the people, in which he heartily joined, for the equal coinage of both gold and silver, were made at a time when the gold production of the world was less than two-thirds the production of silver. Now, the distinguished gentleman tells us that the production of gold this year will be $250,000,000, while we know the production of silver will be but little, if any, more than $200,000,000.

Mr. DINGLEY'S language was—

Since 1890 the increase of [gold] production has been greater than ever before, rising from $118,000,000 in 1870 to $205,000,000 in 1895, with the probability that the production this year will reach $250,000,000.

Mr. DINGLEY also added that this production—

Is almost twice the production of any year of the Californian period.

Now, if Mr. DINGLEY felt justified in promising the people bimetallism by the free coinage of both gold and silver when the production of silver was nearly double that of gold, how can he state that free coinage of both metals would not give us bimetallism when the relative production of gold and silver is reversed and the production of gold is now one-quarter more than the production of silver. I think this is a very complete compliance with our distinguished premier's demand—

That we present to the House and country the grounds on which we assume that silver coinage will result in giving us bimetallism.

PLEDGES OF THE DEMOCRATIC PARTY FOR SILVER.

Having shown that the pledges of the Republican party bind them in honor to support bimetallism, I will now show that the pledges of the Democracy bind them with double—yes, even treble—force to vote for and sustain bimetallic legislation.

The Democratic Campaign Book for 1890, page 374, says:

DEMOCRATIC PARTY ON SILVER.

The records of the Fifty-first Congress show that the Democratic Senators and Representatives are practically a unit in support of the free and unlimited coinage of the white metal.

The Democratic platform of 1884, reaffirmed in 1888, spoke as follows on the coinage:

"We believe in honest money, the gold and silver coinage of the Constitution, and a circulating medium convertible into such money without loss."

The Republican platform of 1888 spoke thus:

"The Republican party is in favor of the use of both gold and silver as money."

The meaning of these declarations can be best learned from the history of silver-coinage measures in Congress.

In all its years of power the Democratic party never enacted a law to demonetize silver, but constantly and unceasingly maintained its free and unlimited coinage from 1792 to 1873, when the Republicans, being in a large majority in both Houses of Congress, and having all departments of the Government, enacted a law in February prohibiting the coinage of the standard silver dollar.

In November, 1877, a Democratic House of Representatives enacted a free silver coinage bill, which went to its grave in a Republican Senate.

The book then proceeds to give the vote upon silver, showing that the Democratic vote in the House in 1877 was 97 votes for the free coinage of silver and only 10 against it. Various other votes upon the silver question are then given, including the vote of June 7, 1890, at which time the House gave a direct vote upon the question of free coinage. The Democrats in the House were almost solid for free coinage, only 13 Democrats voting against the bill, and all of them were promptly retired to private life.

Among those who voted for free coinage I recall Breckinridge of Arkansas, Breckinridge of Kentucky, Bynum, Caruth, CATCHINGS, CLARKE of Alabama, Crain, CRISP, Edmunds, MCCREARY of Kentucky, Montgomery, Oates, O'Ferrall, Outhwaite, Springer, Stone of Kentucky, TUCKER, TURNER of Georgia, WASHINGTON, and the distinguished gentleman from West Virginia, Mr. Wilson.

With this overpowering expression of the Democracy in favor of free coinage fresh in the minds of the people, the election of 1890 took place and resulted in the great Democratic victory which gave this House 150 Democratic majority.

This vote in favor of free coinage was made a very prominent feature in the campaign. It was made very noticeable in the campaign books, and it was regarded as a declaration and pledge on the part of the Democracy for free coinage.

Two years later, in 1892, the Democratic party again went before the people on the positive declaration in favor of the free coinage of silver.

The platform promised the people—

Coinage of both gold and silver without discriminating against either metal.

The only conditions imposed were that—

The dollar unit of coinage of both metals must be of equal, intrinsic, and exchangeable value.

This plank of our platform closes with these words:

We insist upon this policy as especially necessary for the protection of the farming and laboring classes, the first and most defenseless victims of unstable money and a fluctuating currency.

THIRTY-ONE STATE PLATFORMS FOR SILVER.

Not only did the Democratic platform promise the people free silver, but in addition to that, thirty-one States, in their conventions, adopted free-silver platforms, and substantially all of the Congressional districts which expressed themselves on the subject were emphatic for free coinage. The New York Tribune of June 21, 1892, refers to this subject in these words:

Behind Cleveland is a party which in the last three years has declared for free silver in thirty-one State platforms, and in two Congresses has voted for free-silver bills with substantial unanimity.

One of those thirty-one States was the State of Alabama, which in the State convention expressed itself unequivocally for silver.

I read from the fourth plank of the Alabama State platform of 1892.

That the Democratic party of Alabama expresses its condemnation of the Republican party for their administration of the finances of the country, under which the demand of the people for a sufficient circulating medium has been ignored, and silver has been driven from its time-honored and rightful place and uses under the Constitution of the United States, where it was maintained so long as our party had control of the national legislation.

Every public man knows that in 1873, when the Republican party was in control of every branch of the Government, that party demonetized silver. Every public man knows that after the Democratic House had, in 1877, passed a free silver coinage bill at 16 to 1, the bill was defeated in a Republican Senate.

The bill I refer to passed the House on November 5, 1877, just twenty days after the meeting of that Congress and one week after the committees were appointed.

It was passed by the Democratic party, such grand Democrats as Blount, Carlisle, Forney, Sunset Cox, Garth, Herbert, Kelly, Hewitt, R. Q. MILLS, and Reagan voting for and supporting the bill.

ANOTHER GOLD STANDARD ERROR.

Mr. DINGLEY then speaks of—

A change in the conditions of mining causing the remarkable decline of silver.

He then puts in a subhead, "The overshadowing cause of silver decline," and says:

It is this abnormal increase in the production of silver.

VALUE OF GOLD INCREASED—SILVER HAS NOT DECLINED.

The gentleman is wrong when he tells us that silver has fallen in value. I have prepared tables showing the production of silver and its value in 1873, 1892, 1893, and 1894, and the same with regard to the staple products of America, and these tables show that the increase in the production of silver has been less than that of any of the staples, and the decrease in price of silver has been also less than that of any of these staples, showing conclusively that silver has not fallen in value, but that gold has increased in value.

Table showing increase in production of silver and various other staple American products from 1873 to 1892, their value in 1873 and 1892, also their value in 1892 compared with that of 1873.

Articles.	Production in 1873.	Production. in 1892.	Increase of production, 1873 to 1892.	Value in 1873.	Value in 1892.	Value in 1892 compared with 1873.
			Times.			*Per ct.*
Silver .....ounces..	27,650,000	58,000,000	2 1/11	$1.298	$0.87 16/100	67
Cotton .....bales..	2,974,351	9,035,379	3	100.70	35.85	35
Pig iron.....tons..	2,560,963	9,157,000	3 1/2	42.75	15.75	37
Steel rails....do....	115,192	1,551,844	13 3/4	120.50	30.00	25
Coal.....do....	50,512,000	150,505,745	3	4.84	2.50	52
Wheat ...bushels..	281,254,700	*611,780,000	2 1/4	1.12	.62	55
Corn .....do....	932,274,000	*2,112,892,000	2 1/4	.59	.39	66
Wool .....pounds..	154,000,000	296,000,000	2	.70	.30	43

*1891.

In order to refute the statement that the fall in values has been caused by excess in production, I have prepared another table showing the production of these articles in the United States, so far as I could get the data, for the years 1892, 1893, and 1894. The table also shows the value in 1892 and the value in 1894; also, the percentage of value in 1894 to what it was in 1892.

Table showing production of silver and various other staple American products in 1892, 1893, and 1894 and their values in 1892 and 1894; also their value in 1894 as compared with that of 1892.

	Production in 1892.	Production in 1893.	Production in 1894.	Value in 1892.	Value in 1894.	Value in 1894 compared with 1892.
						Per ct.
Silver .....oz..	58,000,000	60,000,000	49,500,000	$0.87 16/100	$0.60	68
Cotton .bales..	9,035,379	6,717,142	7,527,211	35.85	30.00	83
Pig iron.tons..	9,157,000	7,124,502	6,657,388	15.75	11.50	73
Steel rails.do..	1,551,844	1,133,458	1,014,034	30.00	22.00	73
Coal.....do..	150,505,745	162,770,102	148,000,000	2.50	2.20	91
Wheat .bush..	*611,780,000	395,131,725	460,267,416	.62	.53	85
Corn .....do..	*2,112,892,000	1,619,496,131	1,212,770,052	.39	.41	105
Wool .....lbs..	296,000,000	303,000,000	298,057,384	.30	.14	46

*1891.

One reason why money has been hoarded and prices have declined since the repeal of the purchasing clause of the Sherman Act is that every step taken by this Government which helps to fasten upon this country the gold standard has a tendency to reduce the amount of money of ultimate redemption, which must lower prices; and when this tendency exists, all those who have money see that its purchasing power will increase, and therefore their interest is best served by holding and hoarding, instead of investing.

ANOTHER GOLD-STANDARD ERROR.

The gentleman from Maine then states:

It is significant in this connection to recall that the United States has used five times as much silver as money in the seventeen years since 1878 as it used in the first seventy years of the existence of this Government under the Constitution.

This is another of the many errors into which the gold-standard men have fallen and which they reiterate as a standard antisilver argument. If they had taken the trouble to look into the history of our country, they would have found that during the first seventy years of our Government we did not depend upon American silver. In fact, during that period our entire silver coinage was $122,832,462, and the entire production of silver of the United States was only $1,500,000, and the silver money of the United States was almost entirely foreign silver.

In 1847 the Secretary of the Treasury estimated the amount of specie in the country at $120,000,000, and as this was before the discovery of gold in California, the most of this was silver and was mostly foreign silver, and this $120,000,000 of course only included the specie which was visible and could not include that in the hands of the people, of which no account could be taken. The excess of foreign coins over those from our mints was so great that contracts for payment of money very frequently stipulated that the payment was to be in so many Spanish milled dollars, and the statutes of some of our States also mention Spanish milled dollars as the money in which contracts were to be liquidated. Now, all this Spanish money was used, and it shows that the gentleman from Maine [Mr. DINGLEY] was fearfully in error when he stated that the United States has used five times as much silver in the seventeen years since 1878 as it used in the first seventy years of the existence of our Government. If he had used the word "coined" instead of "used" he would have been practically correct.

ANOTHER ERRONEOUS GOLD-STANDARD ARGUMENT.

The distinguished gentleman [Mr. DINGLEY] also says:

The suggestion that France compels the holders of the French paper currency to sometimes accept silver in part payment, at least, of notes presented for redemption, and yet preserves the parity of these notes with gold, overlooks the fact that it is not the Government of France that issues circulating notes, but a corporation distinct from the Government, known as the Bank of France, which maintains a coin reserve of nearly $634,900,000 (of which nearly $385,000,000 is gold) against a note circulation of only $675,000,000.

In reply to this I will say that the liabilities of our Treasury Department, which are payable in coin, are much less than this, and if we had adopted the same policy which is acted upon in France the gold in our Treasury would have far exceeded that which is now held by France.

At the end of Mr. Cleveland's first term the net gold in the Treasury was	$197,874,423
Received from sale of bonds	182,000,000
Received from banks	10,000,000
And the amount the Treasury is now receiving from the late bond sale	111,378,836
Total	501,253,258

And I very much fear that under our policy in a few months there will be another cry that the Treasury reserve is being exhausted.

FRANCE MAINTAINS HER GOLD RESERVE BY A METHOD CONTRARY TO THAT ADOPTED BY THE UNITED STATES.

The reason why France is able to maintain this reserve of $385,000,000 of gold is that the holders of obligations know that when they present them they may get silver and not gold; and the reason we have lost nearly $400,000,000 of gold is that holders of our obligations, which are payable in either gold or silver, know they will be unjustly favored and given gold for obligations which the law authorizes the Secretary to pay in silver. And yet in the face of these facts, which are known to the whole world, our distinguished chairman, the gentleman from Maine, tells us that France—

Maintains her full legal-tender silver at a parity with gold precisely as the Government of the United States maintains our silver.

Now, I assert, and everybody in the House knows, that we maintain our parity by a method exactly contrary to the one adopted by the French nation. France maintains her parity by honoring silver and treating silver precisely as that nation treats gold. We, on the contrary, exercise all the powers of our Government in discriminating in favor of gold and against silver, and then we maintain the parity by selling bonds for gold, thus mortgaging the earnings of honest bread earners for years to come. Including the present loan, we will, for this purpose alone, during only two years, have incurred an obligation for interest amounting to $244,000,000, and both principal and interest amounting to $506,000,000.

Mr. BOATNER. Would it interrupt the gentleman if I were to ask him a question at this point?

Mr. WHEELER. I will answer it with pleasure.

Mr. BOATNER. Can you inform us whether France gave any pledge to redeem paper circulation, such as the greenbacks or the silver certificates?

Mr. WHEELER. It has six hundred and seventy-five millions of paper circulation, and they pay it in coin, silver or gold, as they see fit.

Mr. TUCKER. But is not that the circulation of the Bank of France?

Mr. WHEELER. I will explain that.

Mr. BOATNER. The question I wanted to ask of my friend, if he had any knowledge on the subject, is whether the French Government has not retired all of its pledged obligations, so that it has no obligation of this class that may be presented for redemption?

Mr. WHEELER. Well, but even if that be so, I submit to my friend that this very paper circulation which is issued by the Bank of France has the same relation to that country as our notes and obligations have to ours. The gentleman's argument is that the $675,000,000 of French paper currency, to which the gentleman from Maine referred, is not issued by the French treasury itself, but by the Bank of France, and therefore the gentleman contends that the action of the Bank of France in paying out gold and silver at its discretion is no reason to justify the United States in adopting the same plan. Now, the gentleman himself has insisted, and all the gentlemen who advocate the gold standard insist, that the United States Treasury has, under the laws which now exist, become a banking institution, as they say our Treasury is just like the Bank of France, and that being the case, it follows that

the system adopted by the Bank of France is applicable in all respects to our Treasury.

If we had retained in the Treasury the gold which was in it when Mr. Cleveland turned over the Government to Mr. Harrison and added to it the $182,000,000 which we have obtained by selling bonds since, we would have more gold in our Treasury than France has in hers.

Mr. BOATNER. Will it interrupt the gentleman to ask him a question right there?

Mr. WHEELER. No, sir.

Mr. BOATNER. If France, by the payment of silver partially, sustains it at a parity, why can not Mexico, Japan, China, and other silver-using countries, which pay it altogether, maintain it at a parity in those countries?

Mr. WHEELER. Because those countries are what are called silver countries, and they do not pay out any gold at all. France is a bimetallic country, and that is what we want to be. We do not want to adopt the plan of Japan, China, or Mexico. I say that we ought to adopt the plan of France, a plan which meets the full approval of the gentleman from Maine, a plan which I am confident would establish us on a bimetallic system.

Mr. BOATNER. Yes; but the gentleman will admit that his argument is that the United States discredits silver by refusing to pay it out.

Mr. WHEELER. Yes, sir.

Mr. BOATNER. And thereby discriminates against it?

Mr. WHEELER. Yes, sir.

Mr. BOATNER. And France, by paying it out only partially, you say does not discredit it; then why is it that the payment altogether in that money which is to give it an appreciation over gold—how is it that silver in all silver-using countries is exactly at the same disparity that it is everywhere else?

Mr. WHEELER. The gentleman is mistaken.

Mr. BOATNER. How does the gentleman account for that?

Mr. WHEELER. I account for it by saying that it is not true. My friend from Louisiana is mistaken in his premise. [Laughter.] Silver in all those countries has almost the same purchasing power that gold has in gold-standard countries.

The Secretary of Agriculture tells us that the average price of wheat in the United States in 1893 was 54 cents, which of course meant gold. The same year the average price in India in silver, taking the average of twelve different localities, was 67 cents. We thus see that when the London merchant wishes to buy wheat he can buy silver with his gold and buy almost 2 bushels of wheat in India for the same money for which he can buy 1 bushel in the United States.

Mr. GROSVENOR. Will the gentleman explain to the House the difference between the treatment of the United States and the treatment of France of silver as money?

Mr. WHEELER. I am sorry that the gentleman did not hear me. I was explaining it.

Mr. GROSVENOR. What is the difference?

Mr. WHEELER. The difference is that France pays out gold and silver at its option or discretion. We pay out gold in redemption of obligations which the law says are payable either in silver or gold.

Mr. GROSVENOR. How long is it since France coined silver?

Mr. WHEELER. The Latin Union was virtually dissolved in 1876, and that is the date generally given; but France has coined a great deal of silver since that time. The report of the Director of the Mint shows that last year France coined half as much silver as gold, and the French coinage prior to 1876 was very great.

Mr. GROSVENOR. We have coined more than France in proportion to our gold.

Mr. WHEELER. I can not tell exactly what the amount of our gold is, but I think it is largely overestimated, because we see that one or two great houses like the Rothschilds and the Morgans have "cornered" the gold of the world; and we also see that the gold to purchase the $100,000,000 of bonds came almost entirely from New York City.

Mr. GROSVENOR. Ah, now you are getting onto another proposition entirely.

MR. DINGLEY'S ERROR AS TO THE EFFECT OF BIMETALLISM.

Mr. WHEELER. The distinguished chairman of the Committee on Ways and Means then asserts:

It is said that somehow or other, by the adoption of free coinage of silver at the ratio of 16 to 1, we will furnish a fund for redemption.

He then asks how the Government is to get such silver dollars, and says:

Even with such coinage, the only way the Government can get such silver dollars for its greenback-redemption fund is by issuing bonds.

It will be seen here that Mr. DINGLEY assumes that we desire silver coinage only for the purpose of using the dollars so coined to redeem the greenbacks.

No bimetallist has ever made any such suggestion. If we enact the Senate substitute, or if the Secretary of the Treasury would commence now to pay out silver in part payment for greenbacks presented, which he has a right to do, it would immediately stop the raid which is now being made on the Treasury.

The only reason why the greenbacks are now presented is that we have discriminated in favor of gold and made it more valuable than silver, and the holders of greenbacks know that by demanding gold they can compel the Government to repeatedly issue bonds.

Mr. DINGLEY then tells us that the report of the Secretary of the Treasury of February 4 shows that of the 353,000,000 silver dollars in the Treasury, 346,000,000 are represented by outstanding silver certificates, leaving but 7,000,000 available to pay coin obligations.

Mr. DINGLEY then says:

Only 7,000,000 of silver dollars outside of the fund under the act of 1890 are in the Treasury to-day, belonging to it in such a way as to be made available for the redemption of the greenbacks. Therefore what is proposed is to disturb confidence in this country still more—to create the impression that we propose to repudiate something whether we do or not—all because of simply $7,000,000; and every one of these silver dollars can be used for other purposes, instead of greenbacks.

Mr. DINGLEY speaks of increasing distrust, and says:

The end of using these $7,000,000 for redemption purposes does not justify the means.

Mr. DINGLEY here tells Congress that the purpose sought to be obtained by the bill before the House is simply to require the Secretary of the Treasury to pay out these 7,000,000 silver dollars for the redemption of coin obligations.

THE REAL PURPOSE OF BIMETALLISM.

It is surprising that a gentleman of Mr. DINGLEY's learning and intelligence should make such an assertion. The advocates of bimetallism know it can only be accomplished by treating silver the same as gold, coining it the same as gold and paying it out for the redemption of coin obligations the same as gold; in other words, complying with the pledge which is contained in the platform upon which this Administration was placed in power.

The advocates of the bill as it passed the Senate believe that if the measure becomes a law it will finally have the effect of doubling the money of ultimate redemption, and that this would cause a rise in prices of all products of American toil and energize every industry in our land.

VALUES AFFECTED BY AMOUNT OF MONEY.

The history of the world shows that an increase in the amount of money of ultimate redemption in any country has the effect of increasing the value of all products and property; and that a reduction in the amount of money of ultimate redemption has the effect to reduce the value of all products and property, is asserted in all works on political economy which have ever been published; and I believe that no one has ever denied this unquestioned truth.

It rests upon the principle of supply and demand. When the supply of money is small, the demand for it is such that it requires more property to procure it; and when the supply of money is large, the reverse of this proposition obtains.

Mr. Cleveland fully realizes the force of this unerring principle. In his last message he said:

Everyone who receives a fixed salary would find the dollar in his hand ruthlessly scaled down to the point of bitter disappointment, if not to pinching privation.

This means that silver coinage would result in reducing the purchasing power of a fixed salary; which, of course, means that it would cause products and all property to rise in value. Mr. Cleveland contends, however, that the reduced price which the gold-standard farmer receives for his products finds a compensation in the reduced price which pays for the articles he purchases.

The experience of the farmer has taught him the error of this contention. He makes 10 bales of cotton and 400 bushels of wheat. Under silver coinage prior to 1873 he received $1,200 for his cotton and $700 for his wheat. He supports his family, educates one or more children at a first-class institute or college, sends the others to a neighboring school, pays his taxes, gives his family an annual excursion to a neighboring city, subscribes to his church, and lays up $300.

Under the gold standard none of the expenses that I have mentioned are materially reduced.

He sells his 10 bales of cotton for $250 and his 400 bushels of wheat for $160. Instead of laying up $300, he falls behind about $1,000, and in two or three years his home is sold by the sheriff.

Some farmers, seeing the inevitable fall in prices, took their children from school, and denied themselves and family all the comforts they had before enjoyed. But even with the utmost pinching and economy very few have been able to meet their annual expenditure.

When Mr. Rothschild, a delegate to the Brussels conference, was reminded of the effect of the single standard on the price of products he said:

I hold that wheat at 30s. a quarter instead of 45s. is rather a blessing than otherwise.

Secretary Morton in a recent interview, in referring to the same subject, said, that he wanted the American dollar—

to have the largest possible purchasing power.

For the last two years Mr. Morton has been surrounded by people who draw fixed salaries, and no doubt their comforts would be increased just in proportion as the purchasing power of their salaries is enhanced. This would evidently cause the wheat, cotton, corn, and other products of the farm to be sold at the least price possible, which means the utter destruction and ruin of the most valuable interests in our land.

SILVER COINAGE BENEFITS FARMERS.

Only yesterday Mr. Balfour, first lord of the British treasury, said (as it appears by a cable dispatch) that agriculture suffered doubly owing to the present condition of the currency, and expressed his personal belief that the reduced prices were largely due to the artificial appreciation of gold which followed the demonetization of silver.

I quoted similar expressions in my last speech from the editor of the London Economist. He said:

The effect of a depreciation of silver as against gold is to give a bounty on exports from India and the other silver-using countries.

Mr. Nicholson, an eminent Englishman, said:

India wheat is the very wheat that is complained of by Secretary Manning as having lowered the price of European and American wheat.

The effect on wheat applies in the same way to cotton and enables India to disastrously compete with us in all markets in the sale of cotton goods.

ALL GREAT STATESMEN WERE BIMETALLISTS.

The greatest statesmen that this country has produced, from Alexander Hamilton to that noble Roman, Allen G. Thurman, have insisted that the coinage of both gold and silver—bimetallism in its fullest sense—is essential to the best interests of the people of this country.

JEFFERSON, HAMILTON, WEBSTER, AND HUNTER WERE BIMETALLISTS.

In 1791 Alexander Hamilton said:

To annul the use of either of the metals as money is to abridge the quantity of circulating medium, and liable to all the objections which arise from a comparison of the benefits of a full with the evils of a scanty circulation.

In February, 1792, Thomas Jefferson wrote to Hamilton:

I concur with you that the unit must stand on both metals.

Daniel Webster, in his great speech of December 1, 1836, said (I read from the Boston edition of his speeches, Volume IV, page 80):

I am certainly of opinion, then, that gold and silver, at rates fixed by Congress, constitute the legal standard of value in this country; and that neither Congress nor any State has authority to establish any other standard or to displace this.

Forty-three years ago Senator Hunter said:

The mischief would be great indeed if all the world were to adopt but one of the precious metals as a standard of value. To adopt gold alone would diminish the specie currency more than one-half, and the reduction the other way, should silver be taken as the only standard, would be large enough to prove highly disastrous to the human race.—*R. M. T. Hunter*, 1852.

BLAINE, GARFIELD, AND CARLISLE WERE BIMETALLISTS.

Hon. James G. Blaine made a very able speech upon the free-coinage bill February 7, 1878. I read from the CONGRESSIONAL RECORD, page 820. This great statesman said:

I believe gold and silver coin to be the money of the Constitution; indeed, the money of the American people anterior to the Constitution which that great organic law recognized as quite independent of its own existence. No power was conferred on Congress to declare that either metal should not be money. Congress has therefore, in my judgment, no power to demonetize silver any more than to demonetize gold; no power to demonetize either any more than to demonetize both.

Mr. Blaine also said:

Few persons can be found, I apprehend, who will maintain that Congress possesses the power to demonetize both gold and silver, or that Congress should be justified in prohibiting the coinage of both; and yet, in logic and legal construction, it would be difficult to show where and why the power of Congress over silver is greater than over gold; greater over either than over the two. If, therefore, silver has been demonetized, I am in favor of remonetizing it. If its coinage has been prohibited, I am in favor of ordering it to be resumed. If it has been restricted, I am in favor of having it enlarged.

I now read from his speech, page 821:

The responsibility of reestablishing silver in its ancient and honorable place as money in Europe and America devolves really on the Congress of the United States. If we act here with prudence, wisdom, and firmness, we shall not only successfully remonetize silver and bring it into general use as money in our country, but the influence of our example will be potential among all European nations, with the possible exception of England. Indeed, our annual indebtedness to Europe is so great that if we have the right to pay it in silver we necessarily coerce those nations by the strongest of all forces—self-interest—to aid us in upholding the value of silver as money.

I read further on the same page:

I believe the struggle now going on in this country and in other countries for a single gold standard would, if successful, produce widespread disaster in the end throughout the world.

The destruction of silver as money and establishing gold as the sole unit of value must have a ruinous effect on all forms of property except those investments which yield a fixed return in money. These would be enormously enhanced in value, and would gain a disproportionate and unfair advantage over every other species of property.

Further on Mr. Blaine also says:

I do not think that this country, holding so vast a proportion of the world's supply of silver in its mountains and its mines, can afford to reduce the metal to the "situation of mere merchandise." A vast source of wealth to this entire country is destroyed the moment silver is permanently disused as money. It is for us to check that tendency and bring the Continent of Europe back to the full recognition of the value of the metal as a medium of exchange

On February 1, 1878, President Garfield spoke in the House of Representatives upon this subject.

I read from volume 28 of the CONGRESSIONAL RECORD.

Mr. Garfield said:

Every man who is opposed to the use of silver coin as part of the legal currency of the country I disagree with. Every man who is opposed to the actual legal use of both metals I disagree with.

Mr. Garfield also said:

I would endow the two dollars with equality and make the coinage free.

Secretary Carlisle also advocated unlimited coinage of silver with great force.

Mr. BOATNER. In which he said something about a "gigantic crime"? [Laughter.]

Mr. WHEELER. Yes. Mr. Carlisle characterized the attempted legislation against silver as—

the most gigantic crime of this or any other age.

I read from Mr. Carlisle's speech, page 42 of the Appendix to the RECORD. Mr. Carlisle said that—

he was in favor of unlimited coinage of both metals upon terms of exact equality. No discrimination should be made in favor of one metal and against the other; nor should any discrimination be made in favor of the owners of gold and silver bullion and against the great body of people who own other coins or property.

He continued, on page 43:

I know that the world's stock of the precious metals is none too large, and I see no reason to apprehend that it will ever become so. Mankind will be fortunate, indeed, if the annual production of gold and silver coin shall keep pace with the annual increase of population, commerce, and industry.

In 1878 the United States produced $51,200,000 of gold and $45,200,000 of silver, the total being $96,400,000. The property in the United States was about $38,000,000,000. Therefore the property of the United States was about three hundred and ninety-five times the production of gold and silver. The property of the United States to-day is estimated at $75,000,000,000.

Last year we produced $39,500,000 of gold and $64,000,000 of silver, the total being $103,500,000. We therefore see that the property in the country now is seven hundred and twenty-five times greater than the production of gold and silver, and we also see that the proportion of precious metals to property is now about one-half what it was when Mr. Carlisle made his speech, and consequently that the reasons for coining silver are now twice as strong as they were when Mr. Carlisle made his able argument upon this subject.

Mr. Carlisle then says:

According to my views of the subject, the conspiracy which seems to have been formed here and in Europe to destroy, by legislation and otherwise, from three-sevenths to one-half of the metallic money of the world is the most gigantic crime of this or any other age.

It will be here seen as just stated by Mr. Boatner, that to strike down silver, as is now proposed, was denounced by Mr. Carlisle as a gigantic crime—the most gigantic crime of this or any other age.

Mr. Carlisle then proceeded in the following emphatic language:

The consummation of such a scheme would ultimately entail more misery upon the human race than all the wars, pestilences, and famines that ever occurred in the history of the world. The absolute and instantaneous destruction of half the entire movable property of the world, including houses, ships, railroads, and all other appliances for carrying on commerce, while it would be felt more sensibly at the moment, would not produce anything like the prolonged distress and disorganization of society that must inevitably result from the permanent annihilation of half of the metallic money in the world.

This language by the present distinguished Secretary of the Treasury is stronger and more emphatic than any expression I can use; but he does not stop with these words, he goes on to express his emphatic advocacy of silver coinage, not by law alone, but he demands that it be made permanent by a constitutional amendment. I read from Mr. Carlisle's speech on page 44 of the RECORD.

I am in favor of every practicable and constitutional measure that will have a tendency to defeat or retard the perpetration of this great crime, and I am also in favor of every practicable and constitutional measure that will aid us in devising a just and permanent ratio of value between the two metals, so that they might circulate side by side, and not alternately drive each other into exile from one country to another. Our ratio, as recognized by the present bill, is 15.98 to 1, while the ratio established by the states composing the Latin Union—France, Belgium, Switzerland, Italy, and I believe Greece also, is 15½ to 1. We therefore undervalue silver, as compared with the valuation put upon it by those countries.

Mr. Hewitt of New York moved to lay the bill and amendments on the table. I read from page 1283. But Hewitt's motion was defeated by a vote of 205 to 71. Mr. Carlisle and his colleague, Mr. Herbert, in the present Cabinet, both voted against Mr. Hewitt's motion and for the largest use of silver.

The Senate amendments limited silver coinage to not more than $4,000,000 a month, and Carlisle and Herbert both voted against these amendments, thus declaring themselves in favor of unlimited silver coinage.

Mr. DINGLEY reiterates the assertion which has been so frequently made by gold-standard men that silver fell slightly in value during the existence of our silver coinage of 1878, and insists that this proves that a silver-coinage law could not now diminish the difference in value between gold and silver.

UNFAIR DISCRIMINATION AGAINST SILVER CAUSED ITS DECLINE WHILE SILVER-COINAGE LAW WAS IN FORCE.

My reply to this is, that President Arthur and his Cabinet exercised all their power to defeat the silver-coinage law of 1878 while it was pending in Congress. Notwithstanding their efforts, the law was enacted by a vote of almost three to one. President Arthur then vetoed the bill, and both the Senate and House passed it over his veto by much more than a two-thirds vote. President Arthur and his Cabinet then commenced a war upon silver, discriminating against it and in favor of gold in every way possible. From the day of the passage of the silver-coinage acts the Republican Secretary of the Treasury paid all coin obligations in gold, thus declining to use silver for one of the principal purposes for which Congress directed it to be coined. At that time the Secretary did not have the parity clause in the act of 1890 to justify this action, because not only did the act of 1878 contain no such expression, but within a few days of the passage of the silver-coinage act Congress passed a resolution by a very large majority declaring that the Government obligations referred to were—

Payable, principal and interest, at the option of the Government of the United States, in silver dollars containing 412½ grains each of standard silver.

And they also declared that the coinage of silver for that purpose—

Is not a violation of the public faith, nor in derogation of the rights of the public creditor.

I repeat that in the face of this almost unanimous declaration of Congress the Republican Secretary of the Treasury under President Arthur refused to use silver dollars for the purpose indicated, and did everything in his power to discriminate against and degrade them.

We have the testimony of our present Secretary of the Treasury, Mr. Carlisle, that if the policy of the Government, as expressed by the laws of Congress, had been followed by the Secretaries of the Treasury, the difficulties under which we are now suffering would have been obviated. Just a year ago, in referring to this subject, Mr. Carlisle said:

If the policy of reserving to the Government at the beginning of resumption the option of redeeming in gold or silver all its paper presented, I believe it would have worked beneficially, and there would have been no trouble growing out of it; but the Secretaries of the Treasury from the beginning of resumption have pursued the policy of redeeming in gold or silver at the option of the note holders.

We see here that we are sustained by Secretary Carlisle in our statement that the slight fall in the price of silver while the silver-coinage law was in force was due to the policy of discrimination against silver inaugurated by the Secretary of the Treasury, Hon. JOHN SHERMAN.

Mr. DINGLEY then proceeds with his argument against silver coinage, and says:

Notwithstanding this country purchased, between 1890 and 1893, 54,000,000 ounces of silver per annum—substantially the American product and one-third of the product of the world—yet after a temporary boom silver began to fall more rapidly than before.

DEMOCRATS OPPOSED SHERMAN LAW BECAUSE IT STOPPED SILVER COINAGE.

The reason why Democrats voted solidly against the Sherman law in 1890 was because that measure did not make silver coinage imperative, and we knew that to pile up unused silver in the Treasury until the world was gazing on one bulk greater than the yearly production of the whole world, and with a full knowledge that this great bulk of unused silver could be thrown upon the market at any moment, was a menace to the price of silver which could have no other effect than to cause the depression which resulted. The temporary boom to which Mr. DINGLEY refers was due to section 3 of the Sherman Act, which was incorporated by the influence of Democrats, which made it imperative upon the Government to coin 2,000,000 ounces of silver a month until July 1, 1891, and the accumulation of unused silver did not commence until after that date.

WHY DEMOCRATS OPPOSED THE REPEAL OF PURCHASING CLAUSE IN 1893.

The reason why Democrats who love the people opposed the repeal of the purchasing clause was because that was one of the least objectionable of the features of the Sherman bill, and those who were persuaded into casting their votes in this Hall for that repeal in August, 1893, were deceived by assertions of the gold-standard men—

1. That the repeal would immediately restore confidence throughout the country.

2. Would immediately cause hoarded money to flow into the channels of trade.

3. Would immediately cause gold to flow into the Treasury.

4. Would immediately cause gold to flow from Europe to America.

5. Would immediately cause cotton to rise to 10 cents, and wheat to $1 a bushel.

6. That the proposed repeal of the purchasing clause would be immediately followed by the enactment of a law providing for the unlimited coinage of silver.

FOREBODINGS REALIZED.

In each of the speeches that I made on this floor on August 11, 12, 25, and November 1, 1893, I asserted that the repeal of the purchasing clause of the Sherman Act would have an effect exactly the reverse from that which was promised us, and my prediction has been more than verified, for the moment of the passage of that act cotton and wheat commenced to fall until they dropped down to little more than half their value at the time the repeal was enacted. Money commenced to fly from our shores to Europe, and to pour out of the Treasury almost like water through a sieve.

I also warned my fellow members that even if two-thirds of the members of the House favored a free coinage bill, the northeastern Democrats could, together with the Republicans, filibuster and prevent its passage.

As I feared the falling prices caused money to be hoarded and shun the channels of trade, and as I predicted, when we attempted to pass a bill to coin the seigniorage which lay useless in the Treasury, the northeastern Democrats and Republicans filibustered against that just and proper measure.

COTTON SHOULD BE SEVENTEEN CENTS.

Gold standard advocates now tell us that cotton has risen in value during the last year notwithstanding the gold standard.

In reply, I will say the general tendency has been downward since the date of unconditional repeal, November 1, 1893. At that time cotton was 8.31 in New York, and now it is only 7.40 cents in the face of a falling off of supply unprecedented in the history of the United States.

A New York cotton circular of February 1, which I hold in my hand says, that the deficiency at that date was 2,463,871 bales.

This indicates a deficiency in the crop of at least 3,800,000 bales, a much greater deficiency than has ever before occurred.

In 1872 our deficiency was 1,377,966 bales, about ⅓ of the deficiency this year and cotton rose from 16 to 21 cents.

The crop of 1866 was 1,580,153 bales less than the crop of 1860 to 1861 and cotton rose from 13 cents to 44 cents.

I insist that were it not for the financial legislation under which we are suffering, the present deficiency in the crop would cause cotton to sell for at least 16 or 17 cents instead of less than one-half that figure.

OUR LOSS OF EXPORTS OF MANUFACTURED COTTON GOODS.

I had the honor very recently to give the expressions of eminent economists which illustrated how we suffered great disadvantage in our competition with silver countries and in the wheat and cotton markets of the world.

Seven years ago Hon. J. Shields Nicholson said, in addressing the royal commission on gold and silver:

Now, it seems to me probable if the price of silver rose to its old level *wheat could not be profitably exported from India until prices rose in a corresponding degree.* For India, being a silver country, the price of wheat there *is independent of the relative value of gold and silver.* An exporter to England at present will give the Indian price in silver, and he can buy his silver for less gold, and thus competition will lower the price. If the price of silver rose the exporter from India must get more gold. Thus *a rise of silver would, on this view, raise the price of wheat to a corresponding degree.*

This was in reply to the following direct question by the chairman of the commission:

Indian wheat is the very wheat that is complained of by Secretary Manning, Secretary of the United States Treasury, as having lowered the price of European and American wheat, and he attributes it all to the divergence of gold from silver. You do not think tying gold and silver again would raise the price of English and American wheat by 25 per cent?

A work recently written by Mr. Bagehot, editor of the London Economist, on page 54 said:

The necessary effect of a depreciation of silver as against gold is to give a bounty on exports from India and the other silver-using countries to England. An English merchant can now buy many more rupees than he formerly could with the same number of sovereigns, and therefore he can import from India, though prices at Calcutta are not at a level at which it would have paid him to operate if he had not had that novel facility in getting rupees.

These gentlemen were Englishmen, but their remarks referred more to the effect of the gold standard upon the United States than England.

Our distinguished Speaker, Mr. REED, in discussing the subject very recently, said:

* * * It is evidently important for debtor nations, on which list we stand first, to raise the price of silver and thereby reduce that bounty on exports which Asia now enjoys.

I have heretofore shown that India and other silver countries are rapidly usurping our foreign market for American products.

I showed from official reports that our exports of wheat had fallen from $210,000,000 to be as low as $43,000,000, and that India and other silver countries had sold their products in the market which we had lost.

The cotton farmers of the South suffer from India's taking from us our foreign trade for manufactured cotton goods.

I have prepared a table showing the exports of manufactured cotton from British India and from the United States during the ast eight een years. It is as follows:

Table showing value of exports of manufactures of cotton from British India for the years ending March 31, 1877–1894, inclusive, and the same for the United States for the same years ending June 30.

Year ending—	Exports by sea from British India.	Total exports from the United States.
1877	$9,417,641	$10,235,843
1878	11,169,002	11,438,660
1879	12,564,442	10,853,950
1880	13,324,068	9,981,418
1881	15,125,209	13,571,387
1882	16,231,169	13,222,979
1883	19,308,374	12,951,145
1884	21,695,185	11,885,211
1885	22,933,170	11,836,591
1886	25,452,640	13,959,934
1887	29,272,060	14,929,342
1888	34,727,925	13,013,189
1889	40,956,225	10,212,644
1890	42,867,415	9,999,277
1891	49,439,665	13,604,857
1892	44,829,330	13,226,277
1893	49,621,790	11,809,355
1894	39,842,270	14,340,886

We therefore see that eighteen years ago our exports of cotton goods exceeded those of India, and they also show that during the last five years their exports have been nearly four times ours.

Our coinage of silver during the period from 1880 to 1890 helped the general prosperity of the United States, but the refusal of the Secretary of the Treasury to use silver as money of ultimate redemption tended very much to put us at a disadvantage in the cotton and wheat markets of the world, which is shown by the figures that I have given.

GOOD FINANCIAL LAWS WOULD MAKE US PROSPEROUS.

I believe if we should treat silver the same as gold, as was contemplated by the Constitution, and repeal the unconstitutional 10 per cent tax upon the circulation of banks other than national banks, and thus restore to the States their constitutional rights, and again allow them to enact laws for the establishment of banking systems, we would soon be blessed with an era of great prosperity.

In 1860 most of the States had perfected banking systems as good as any that ever existed. An extreme advocate of the present national banking system, Mr. Horace White, has recently published a book on money and banking. He speaks of the State banks of Louisiana, South Carolina, and New York as being perfect.

From 1854 to 1861, during which occurred the panic of 1857, the entire losses by discount on bills issued by New York banks was only $12,351, all of which resulted from the failure of the following-named 18 banks, which were the only bank failures in that State during that period:

Tabular statement of data as to failed banks of New York State from 1854 to 1861.

Banks.	Failed.	Circulation outstanding.	Rate.	Loss.
Bank of Carthage	1854	$53,643	Par	.....
Empire City Bank, New York	1854	110,464	Par	.....
Exchange Bank, Buffalo	1854	17,235	Par	.....
S. Bank, Sacketts Harbor	1856	48,462	Par	.....
Island City Bank	1857	99,528	Par	.....
Hamilton Exchange Bank	1857	43,016	84	$6,882
Ontario County Bank	1857	49,063	Par	.....
Pratt Bank of Buffalo	1857	31,000	94	1,860
Chemung County Bank	1857	58,167	Par	.....
Pine Plains Bank	1857	66,956	Par	.....
Dairymen's Bank	1857	91,470	Par	.....
Agricultural Bank, Herkimer	1857	80,528	Par	.....
Lake Mahopac Bank	1859	40,400	Par	.....
Cataract Bank	1861	51,556	93	3,609
Bank of Albany	1861	65,673	Par	.....
Bank of the Capitol	1861	73,449	Par	.....
J. W. Rumsey & Co.'s Bank	1861	31,150	Par	.....
National Bank of Albany	1861	64,150	Par	.....
Medina Bank	1861	100,168	Par	.....
Brockport Exchange Bank	1861	41,516	Par	.....
Total	.....	1,217,144	.....	12,351

THE PEOPLE DENOUNCE THE GOLD STANDARD.

The disapproval of the mass of the people of the position taken by certain Democrats against silver coinage has been expressed by the people at the polls in thundering tones that have never been heard in any government before since the beginning of civilization. In 1892 they voted for Mr. Cleveland upon a platform which pledged—

The coinage of both gold and silver without discrimination against either.

And the Democratic press were emphatic in declaring that this meant free and unlimited coinage of silver. Congress and the Administration refused to redeem this pledge, and in 1894 the States which appear in the following table went before the people with gold-standard candidates upon gold-standard platforms. The result was that these States with silver-coinage candidates and silver-coinage platforms gave 221,469 majority in 1892, and in 1894 with gold-standard Democratic candidates and gold-standard platforms the Democratic party in these same States was defeated, the majority against the Democratic party being 566,769, a Democratic loss in two years of 788,238 in only nine States.

I give below a table the first column of which shows the Democratic majorities in nine States in 1892 with silver-coinage candidates upon silver-coinage platforms, the second column showing Democratic defeat, the defeat of Democratic gold-standard candidates upon gold-standard platforms or Republican majorities against them. The third column shows the Democratic loss in two years.

Table showing Democratic majorities with silver-coinage pledges in certain States in 1892 and the defeat of Democratic gold-standard candidates in 1894, and the loss to the Democratic party during two years.

States.	Democratic majority, 1892.	Republican majority, 1894.	Total Democratic loss in two years.
New York	45,518	156,108	201,626
Illinois	26,993	123,427	150,420
Kentucky	40,020	*8,912	48,932
North Carolina	32,609	20,751	53,360
Ohio	50	137,087	137,137
Wisconsin	6,544	53,900	60,444
Indiana	7,125	44,673	51,798
Maryland	21,130	*18,767	39,897
Missouri	41,480	3,044	44,524
	221,469	566,669	788,138

*1895.

Now, in marked contrast, let me call attention to the fact that in every State where the Democratic candidates and platform were favorable to silver the Democratic party was triumphant. It is true that when the Democratic candidate for governor of Kentucky saw the tendency of the people he attempted to save his party by speaking against the gold standard.

The advocates of high tariff cannot attribute this revolution on the part of the people to tariff legislation, because the revolution was manifested in 1893, before a tariff bill was introduced, McKinley's majority over Neal that year being 80,995 and the Republican majority in New York in 1893 ranging from 19,924 to 101,064.

Before I conclude, there is one feature of the Senate substitute to which I wish to call attention. Three years ago the gold-standard men very generally expressed a willingness for free coinage of silver, provided a clause be inserted which would prohibit national banks from issuing bills of less denomination than $10. We have that provision in section 3 of this bill, and to our surprise the gold-standard men are just as implacable as ever.

I think the gentleman who preceded me will admit that I have not indulged in mere "assertions and declamations," but that I have presented to the House some grounds to prove not only the great advantage that would follow the coinage of silver, but that it would make the United States a bimetallic country.

ENGLAND WILL NOT LEAVE THE GOLD STANDARD.

That France will not consent to free coinage unless joined by Germany is becoming apparent. That Germany will not act unless joined by England is also becoming evident, and anyone who has watched the British Government must have learned that the moneyed power which controls that nation will hold to the gold standard.

At the conference in Paris, 1878, the English delegation—

Declared that England would not recede from the monetary legislation of 1816, establishing the "single gold standard."

Mr. Goschen, the English delegate, said:

England had plainly stated her intentions of maintaining her gold standard.

Mr. Gladstone, in a late speech in Parliament, asserted that England was the greatest creditor country of the world, and that foreign countries owed her $10,000,000,000. He then spoke strongly against silver coinage, and said:

I think under these circumstances it is rather a serious matter to ask this country to consider whether we are going to perform this supreme act of self-sacrifice.

And in speaking of debtor countries he said:

We have nothing to pay to them; we are not debtors at all; we should get no comfort, no consolation out of the substitution of an inferior material, of a cheaper money, which we could obtain for less and part with for more. We should get no consolation, but the consolation throughout the world would be great. [Loud laughter.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. WHEELER. I did not commence until twenty-five minutes after.

The CHAIRMAN. The time of the gentleman has expired. The gentleman has had sixty minutes.

Mr. CULBERSON. I ask unanimous consent that the gentleman may have time to conclude his speech.

Mr. WHEELER. I ask for just three minutes.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Alabama be allowed to have three minutes more to conclude his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. WHEELER. I thank my friend and the House for this courtesy. I shall close in a very few moments.

WE SHOULD HAVE AN AMERICAN POLICY.

Although our distinguished chairman of the committee knows that we can not induce either England or Germany to join us in silver coinage, he nevertheless reiterates the oft-repeated assertion of gold-standard men that we can not coin silver without the concurrent action of European nations.

Mr. DINGLEY then says:

It is for this reason that international free coinage of silver becomes the hope and safety of full bimetallism.

Mr. Blaine, in advocating silver coinage, said:

The influence of our example will be potential among all European nations.

And in referring to the tendency of Europe to discriminate against silver, Mr. Blaine said:

It is for us to check that tendency and bring the Continent of Europe back to the full recognition of the value of the metal as a medium of exchange.

As a patriotic American, as an American who loves his country, I applaud the statesman-like expressions from Mr. Blaine and I deprecate the unpatriotic, un-American expressions which we now hear on the floor of this House.

One hundred and twenty years ago, when we were but 3,000,000 people, did we not declare ourselves independent of the greatest of European nations? And after seven years of battle, blood, and suffering the efforts of our patriotic forefathers were crowned with victory.

The brave spirit which actuated the patriots of 1776 descended to their children, who have made the United States the greatest, the most powerful, and the richest country on earth.

Now we stand in the family of nations like the imperial Numidian lion of the forest unconscious of our almost omnipotent power. Every patriotic American believes that we should proclaim and maintain our own financial system and our own policy with regard to foreign nations. That alone will give to us the prestige and respect throughout the world which a nation like ours should enjoy.

Now, Mr. Chairman, in closing I desire to say that the people of the South, a part of whom I represent, have no desire for the enactment of any law which can have a detrimental effect upon the country at large. They realize that this great question is sectional in its character and that this country has become, by the financial legislation of the Republican party, divided into two great classes—the great millionaires, so few in number that they could be covered by the roof of this building, who now own three-fourths of the wealth of the land, while there are 70,000,000 toilers working to support and educate their children. Most of them own no home, many of them are without decent clothing or shelter, and some of them are suffering the pangs of hunger.

When Europeans visit our country they are invited to gilded palaces, and they are dined upon plates of gold, and on their return to Europe they speak in glowing terms of the prosperity of this land of liberty. Europeans read of the charming American farm life which we enjoyed under forty years of Democratic government, and they do not know that the American farmer has become the victim of the Republican legislation which has transformed this country into millionaires on the one side and struggling farmers and laborers on the other. If these people could see the homes of the producers of wheat and cotton, be told of the falling prices, of the fall in the value of land and products of the farm, they would appreciate how a people once happy and prosperous are now suffering from the financial enactments which we denounce, and they would say to the people at home, "America is following in our trail. They are rapidly dividing, like ourselves, the suffering laboring masses on the one side and a moneyed nobility on the other. If the financial laws of that country are continued their Government will be as monarchial and imperial as that of any other nation on earth." [Applause on the Democratic side.]

Coin Redemption Fund.

SPEECH
OF
HON. JOSEPH WHEELER,
OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 13, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. WHEELER said:

Mr. CHAIRMAN: When I made my speech in reply to the chairman of the committee upon this question a few days ago, I referred to the extraordinary and unwarranted statements which were made by the gold-standard advocates in their frantic efforts to sustain their position. I quoted an expression from the great Macaulay, who, in referring to the cupidity and avarice of the moneyed class, said:

If large financial interests were interested in denying the law of gravitation, that proposition would be ably disputed.

As the debate has continued the gold-standard men seem to vie with each other in their extravagant assertions. While I was prepared to hear a great many statements which were entirely without foundation, I admit that I was astonished when my old and highly esteemed friend of more than a third of a century and once fellow-soldier, Colonel PATTERSON, asserted that during the period from 1850 to 1860 and the period from 1880 to 1890 our country was on a gold standard.

My friend Colonel PATTERSON is a man of great ability, profoundly learned, and is an eminent lawyer, and to see him fall into such an error is a vivid illustration of the extent to which the advocates of the gold standard have been misled by the pamphlets which emanate from the club which is sending out gold-standard documents.

Although this same statement has been made by others, I do not hesitate to assert that it is hardly possible for a man to make a more erroneous or unwarranted assertion.

The report of the Secretary of the Treasury tells us that from 1850 to 1860 our visible specie averaged about $250,000,000, which by no means included all the specie in the country, and of this it is very evident that more than $100,000,000 was silver, the greater part of which was foreign silver. And in my speech the other day I quote from reports of the various Secretaries of the Treasury which referred to the vast amounts of silver money brought from Mexico to the United States, of which the Government had no record or account.

UNLIMITED COINAGE OF SILVER FROM 1850 TO 1860.

The act of 1806, 1819, 1823, 1834, and 1843 made nearly all foreign coins, both gold and silver, legal tender of the United States. The laws of 1792 and 1837 made both gold and silver coins of the United States legal tender, and also provided for free and unlimited coinage of both metals. These were the laws in force January 1, 1850, and they continued in force from 1850 to 1860, except that in 1853 a law was passed providing for the coinage of half dollars and smaller silver pieces of reduced weight, and providing that these coins of light weight, coined in conformity with this law, should be legal tender for all debts not exceeding $5; but this law did not deprive minor coins issued before that date of their full legal-tender power.

The effect of this law was rather to increase the silver in circulation than to reduce it, because it checked the tendency to export silver, which was at that time of relatively more value than gold, and these small silver coins were so much needed for business purposes that they were readily received in payment of all debts. In fact, the purpose of reducing the amount of silver in these coins was to cause them to be more certainly retained in circulation as money.

In 1857 a law was passed providing that certain foreign coins of 25 cents and less should be received at the Treasury at 20 per cent less than their face, and that they should be recoined, and this silver when recoined into silver dollars immediately became full legal tender for all debts and dues. It is also true that this law repealed former acts which had made foreign coins a legal tender at their full face value. The purpose of this law was to compel the recoinage of foreign silver, but to show how sensitive the business interests of the country are to any reduction of the money of ultimate redemption, I will call the gentleman's attention to the fact that the enactment of this law was almost immediately followed by the great panic of 1857. This was the first check to the tide of prosperity which had rolled over our country between 1850 and 1860.

This shows that the laws of our country from 1850 to 1860 provided for unlimited coinage of both gold and silver, and that during a part of the time all coins, foreign and domestic, were full legal tender, and the greater part of the coins were full legal tender during all of the period.

A FORCE STRONGER THAN THE GRESHAM LAW.

It is true that during that time the production and coinage of gold was very great, the world's production being almost four times that of silver, and the silver in the silver dollar was worth in the market about 4 cents more than the gold in the gold dollar. The Gresham law therefore acted upon all silver, tending to drive it abroad, but this tendency was neutralized by the great prosperity of our country, which was due to the unlimited coinage of both metals, which instilled such life into all industries and caused such a rise in prices as to invite money to the many profitable investments. This met and counteracted the force of the Gresham law, and both gold and silver circulated side by side.

GOLD-STANDARD MEN REFUTE THEIR OWN ARGUMENTS.

But if the gentleman from Tennessee [Mr. PATTERSON] was right in his contention that we were on the gold standard from 1850 to 1860, and that it caused the great prosperity of that period, he, by this assertion, destroys with one blow the most cherished and valued argument of his gold-standard friends, because he asserts that the great prosperity of 1850 to 1860 was due to the adoption by this country of the cheaper me al as our standard, and therefore to be logical and fair he ought to insist that the same great prosperity would result now by following the same plan and adopting the cheaper metal, silver, as our standard.

During that ten years the world's production of gold was $1,332,981,000, and the world's production of silver was $372,261,000; and in order to enhance the value of their money the Rothschilds and their associates demanded the demonetization of gold, and that silver, the scarcer and relatively more valuable metal, should be the only money of ultimate redemption.

They succeeded in causing the enactment of laws demonetizing gold in Holland and also in Germany, but England refused to change the standard from gold to silver, because her colonies were then enormous producers of the yellow metal.

During that period, both in this country and in Europe, men who thought and spoke like the gold-standard men of to-day were loud in demands for the demonetization of gold, alleging as the reason that the gold dollar was only worth 96 cents as compared with silver, but our country was then under the control of true Democrats, and single-silver-standard men were unable to accomplish their purpose.

This shows how utterly devoid of reason and logic are the arguments of gold-standard advocates.

They blow hot and cold in almost the same breath. In one breath they say that the unlimited coinage of silver will double the value of the product of the silver mines of America, and that the only effect will be to double the profits of silver miners, and in the next breath they assert that unlimited coinage of silver will enable every debtor to cancel his debt by paying it in dollars which are actually worth but 50 cents each. Now, both of these assertions can not be true. If one is true, the other is absolutely false.

Having shown that Mr. PATTERSON was utterly in error in asserting that we were on the gold standard from 1850 to 1860, let us examine his assertion that we were on the gold standard during the other prosperous period, from 1880 to 1890.

SILVER COINAGE, 1880 TO 1890.

During this period our silver coinage was $382,318,867, of which $312,529,000 was standard silver dollars, which were full legal tender for the payment of all debts and dues, but the silver-coinage law of 1878 provided that—

All silver dollars heretofore coined by the United States shall be legal tender, etc.

The coinage law which was in force during all this period required the coinage of practically all the silver produced in the United States. In fact, the coinage at that period consumed every ounce of silver that was not exported or used in the arts, and it was this substantially unlimited coinage which caused the great prosperity which we enjoyed during all that period. The reason why this law did not bring silver and gold to a parity was, as I have before illustrated, that the Secretary of the Treasury, the Hon. JOHN SHERMAN, discriminated against silver in favor of gold and refused to use these silver dollars for the purpose contemplated in their coinage, and that discrimination against silver and in favor of gold has been continued by the Treasury Department up to this time.

FROM 1880 TO 1890 WE WERE FARTHER FROM GOLD STANDARD THAN AT ANY OTHER PERIOD.

To show how far we were from the gold standard at this period, I will call attention to the fact that the $382,318,867 of silver exceeded the amount of silver coined by our mints during all the remaining ninety-six years of our Government.

During those ninety-six years our total coinage was $329,665,546, an annual average of $3,434,016; while the average during the ten years from 1880 to 1890 was $38,231,886. This is another illustration of the fearful errors which appear in the statements of our gold-standard friends.

They even go so far as to assert that we were on the gold standard during the ten years in which all silver dollars were full legal tender for all debts and dues, and during which our annual silver coinage was more than ten times as great as the average of other years.

MY FRIEND'S ILLOGICAL POSITION.

Now I want to call attention to another illogical position of my distinguished friend. Only about four years ago my friend was an ardent advocate of silver coinage and maintained that it would bring about bimetallism.

The excessive production of silver was then the argument against silver coinage. At that time the United States produced two and one-third times as much silver as gold, and the world produced one and one-half times as much silver as gold. Mr. DINGLEY asserts that last year the world produced $205,000,000 of gold, which is about the same as the silver production. Mr. DINGLEY also asserts that this year we will produce $250,000,000, and my friend [Mr. PATTERSON] himself says in his speech that we will soon produce $300,000,000. In other words, that the gold production in the world will exceed that of silver, and yet——

Mr. PATTERSON. My friend is mistaken in that statement. I said no such thing. I said that the estimate was that in 1900 it would reach that amount.

Mr. WHEELER. The RECORD says so.

Mr. PATTERSON. You are mistaken as to the RECORD also.

Mr. WHEELER. Well, the gentleman now says that by 1900 we will produce gold to the amount of $300,000,000. Now, if my friend believes that gold will so increase, and the gentleman says it will increase, that shows that the production of gold would soon so far exceed the production of silver that bimetallism would be eminently possible.

Mr. PATTERSON. Will my friend inform me at what time and place I made a speech four years ago advocating the free coinage of silver?

Mr. WHEELER. I think my friend made a great many such speeches when his friends insisted he should be a candidate for governor of Tennessee. His able arguments aided in strengthening my views as a bimetallist. [Laughter.]

Mr. PATTERSON. You are mistaken.

Mr. WILLIAMS. Does the gentleman from Tennessee deny that he made free-coinage speeches?

Mr. PATTERSON. Yes, sir. I made no speech advocating the free coinage of silver four years ago.

Mr. WHEELER. The gentleman who has just taken his seat has——

[Here the hammer fell.]

Cuba.

REMARKS
OF
HON. CHARLES W. WOODMAN,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,

Monday, March 2, 1896.

The House having under consideration the following resolution:

"*Resolved*, That, in the opinion of Congress, a state of public war exists in Cuba, the parties to which are entitled to belligerent rights, and the United States should observe a strict neutrality between the belligerents.

"*Resolved*, That Congress deplores the destruction of life and property caused by the war now waging in that island, and believing that the only permanent solution of the contest equally in the interest of Spain, the people of Cuba, and other nations would be in the establishment of a government by the choice of the people of Cuba, it is the sense of Congress that the Government of the United States should use its good offices and friendly influence to that end.

"*Resolved*, That the United States has not intervened in struggles between any European Governments and their colonies on this continent; but from the very close relations between the people of the United States and those of Cuba in consequence of its proximity and the extent of the commerce between the two peoples, the present war is entailing such losses upon the people of the United States that Congress is of opinion that the Government of the United States should be prepared to protect the legitimate interests of our citizens, by intervention if necessary"—

Mr. WOODMAN said:

Mr. SPEAKER: There are periods in the existence of men and of nations when it becomes proper that they be protected against

themselves—protected against that abuse of themselves and their kindred which is the overflow effect of unrestrained and senseless passion.

Of all the civilized countries of the world, Spain now has most need of such protection, because it is by every possible means endeavoring to commit national suicide. Time was when Spain was one of the greatest powers of the world—great in the operations of her explorers; great in the accomplishments of her armies of conquest; great in her successes in the reduction of savagery and the upbuilding of civilization where had before only reigned chaos. Spain conquered the intricacies of navigation and gave us a new world; Spain waged warfare against natives, and turned the golden trinkets which were captured into good Spanish coin; Spain opened up territory to the commerce of the world, protected the missionaries which were sent by the church for purposes of Christianization, and Central and South America stand as monuments of her historical greatness. Spain was great. For three hundred years she held a leading place among the nations of the earth in wealth, in territory, and in intelligence.

True greatness, however, must involve, besides all other elements, the spirit of progress in intelligence and in virtue. An eminent historian has ascribed the decline of the Roman Empire to its lack of Christianity and to its seeking after gods which were new and strange and speculative. But the wisdom of the world has called the historian wrong. It has considered that its lack of virtue and its lack of progressiveness, engendered by the satiety of immediate desires and a blind faith in the future, were the responsible elements leading to its destruction. It is not difficult to draw the parallel with modern Spain. From a nation of the first class she has ceased to be more than formally respected by the nations of the world. Her boasted intelligence, while perhaps great for the fifteenth century, dwindles into comparative insignificance when placed in comparison with that of the world in the time when the nineteenth century is getting ready to put on its shroud. Spain's supremacy is a thing of the past, a matter of history, perhaps, but that is all.

Among the most marked evidences of the degeneracy of this once great State is the fact that her colonial territories are constantly withdrawing from her. South and Central America long since tired of her rule and set up and maintained Governments, generally Republics, of their own. The progressiveness of the Western half world was theirs, and so well did they exercise it in the appropriation of advantages which nature produced that Spain finds herself with but the one territorial possession of any importance on the western side of the Atlantic Ocean, and it is entirely an open question whether or not she can do more than simply "claim" that.

The people of the Island of Cuba have been in a state of almost continuous revolt against Spanish domination for almost a hundred years, and it has been the policy of Spain during all these years to as promptly as possible kill those engaged in fighting for the right to live.

Back in 1823 the subject was one of elaborate diplomatic correspondence, but at that time the question was more one of changing sovereigns than of acquiring absolute independence. The yoke of Spain was a hard one, one that galled the necks of an intelligent and industrious people. But in the wisdom of such statesmen as Monroe, Adams, and Clay it was better that Cuba remain a province of Spain than that it should pass into the hands of any other European power. In 1852 President Fillmore considered it desirable to allude in his annual message to the uneasy condition of affairs on that island. This uneasiness grew to such a degree that in 1854 the President appointed a commission, consisting of the ministers of this Government at London, Paris, and Madrid, to confer with each other and to carry on negotiations with and at the several courts to which they were accredited, looking to the satisfactory adjustment of affairs with Spain in regard to Cuba. The report of this commission contains—after reciting the fact that the Government of the United States had never acquired a single foot of territory, even after a successful war, except by purchase or by reason of the voluntary application of the people—the following statement:

> Our past history forbids that we should acquire the Island of Cuba without the consent of Spain, unless justified by the great law of self-preservation. We must, in any event, preserve our own conscious rectitude and our self-respect. While pursuing this course, we can afford to disregard the censures of the world, to which we have been so often and so unjustly exposed. After we shall have offered Spain a price for Cuba far beyond its present value, and this shall have been refused, it will then be time to consider the question, Does Cuba, in the possession of Spain, seriously endanger our internal peace and the existence of our cherished Union? Should this question be answered in the affirmative, then by every law, human and divine, we shall be justified in wresting it from Spain, if we possess the power; and this upon the very same principle that would justify an individual in tearing down the burning house of his neighbor if there were no other means of preventing the flames from destroying his own home. Under such circumstances, we ought neither to count the cost nor regard the odds which Spain might enlist against us. We forbear to enter into the question whether the present condition of the island would justify such a measure.

Mr. Buchanan, one of the members of that commission, who had in the meantime become President of the United States, said in his message to Congress in 1858 that the Island of Cuba, commanding as it does the mouth of the Mississippi, with the large and increasing trade of that noble river, then embracing half of the sovereign States of the Union and now more than two-thirds, that this trade, of vital importance to that great region, was constantly exposed to the danger of being destroyed in time of war, and had hitherto been subjected to perpetual injury and annoyance in time of peace. He further states that "our relations with Spain, which ought to be of the most friendly character, must always be placed in jeopardy while the existing colonial government over the island shall remain in its present condition."

Why did President Buchanan feel it necessary to make so strong a statement regarding Cuba at that time? It was before the rebellion in the United States was seriously thought of. There could have been no reason, except that Mr. Buchanan was actuated by the ideas of the preservation of our own noble Government and the interests of its people, and that leading to a cessation of that brutality which, then as now, the Spanish Government visited upon those engaged in rebellion against its authority.

Again, in 1870, President Grant, in his message to Congress, calls attention to the lamentable disregard of human life which prevailed at that time, and to the violation of those rules of warfare which modern civilization has prescribed in mitigation of the necessary horrors of war. The subject was one of almost constant diplomatic correspondence with Spain, largely relating to the rights of American citizens on that island, but constantly deprecating the manner in which the strife was conducted, the reckless and wanton and cruel disregard of human life, of material wealth, and the established rules of civilized warfare.

That war continued, with all of its murders and massacres, for nearly ten years. The avowed intention of Spain, as set forth in the proclamation of the Count de Valmaceda, dated April 4, 1869, was to murder every male individual above the age of 15 years found away from his habitation, and to destroy with the torch every habitation found unoccupied, or which failed to float a white flag. Regarding this proclamation, on May 10, 1869, Secretary Fish presented this note to Señor Lopez Roberts:

> In the interest of Christian civilization and common humanity. I hope that this document is a forgery. If it be indeed genuine, the President instructs me in the most forcible manner to protest against such mode of warfare.

And on the day following Secretary Fish sent a note to Mr. Hale, minister at Madrid, with instructions to him to protest "against the infamous proclamation of the Count of Valmaceda."

In spite of protests, in spite of the humanity of the age, in spite of the decrees of modern civilization, Spain continued to wage a cruel and relentless warfare. As nearly as can be ascertained, up to the close of 1873 5,986 political prisoners—not prisoners of war, but those who had claimed the right to do their own thinking—had been executed in cold blood under what Secretary Fish had referred to as the "infamous order" of the Count of Valmaceda. Nearly 6,000 inoffensive citizens murdered by reason of the fact that they dared to think after having been commanded not to do so. Those captured in battle, or with arms in their hands, were summarily executed to the number of some 37,000, besides over 13,000 Cubans killed in battle, making a grand total of more than 57,000 persons slaughtered in that sanguinary conflict.

When it is taken into consideration that large numbers of those so disposed of were women and children the monstrosity and heathenishness of the matter become still more apparent and conclusive. Outrages on females were frequent, and the murderous machete completed the work with all—men, women, and children. But for all its cruelty, its murderousness, its lack of the mercy of Christian civilization, the war kept up. Spain could not subdue Cuba.

Finally the war was brought to a close and the republican government of Cuba disbanded under articles of peace signed by Captain-General Martinez de Campos, and approved by the Government at Madrid, providing a measure of self-government to the people of the unhappy island. The whole cost of the war, over a thousand millions of dollars, was to be borne by Cuba. The Cubans assented. They were willing to pay the bill if thereby freedom should result. Not actual freedom, not entire freedom—they did not even exact that—but such a degree of freedom as would secure to them the rights of person and of property and the pursuit of happiness.

But the freedom did not come. New captain-generals and new officers came over from Spain with new schemes for political reorganization, but not one contained any element of relief. It was the same old story year after year. The promises of Spain were not fulfilled. There were the same enormous taxes imposed by Spain, amounting almost to confiscation of property; there was the same old-time disregard of personal rights; there was the same enormous stealage on the part of petty officials, adding to the burdens under which the people labored. Oppression ran riot. Cuban happiness was out of the question. Their rights—they had none. They were as completely slaves as though the whip of the master cracked over their heads in physical as it did in moral and mental and financial fact.

There was no relief but in independence, and independence meant war. From past history the Cubans were aware that that war would be most horrible, would be conducted on a basis of murder and assasination and wanton cruelty, but they did not hesitate. A million and a half of people decided, as did our forefathers in 1776, that there were no hazards too great to be undertaken looking to the removal of the unbearable load from their shoulders.

From 1776 to 1783 Americans had their fill of cruelty. The hordes of ruthless savages at the West, armed and let loose, and urged by the Government from which we had separated, swarmed down on the inoffensive settlements, murdered and outraged the women, children, and old men left in them; and the soldiers, the able-bodied men who were at the front fighting the enemy, found on their return to their homes only bones and ashes and desolation and ruin. Gone were the wives and daughters, either to death or dishonor; if perhaps it were mercifully death, the skeletons lay bleaching on the greensward or blackened in the ashes of the burned habitations; gone were the little ones, their innocent prattle forever hushed; gone were the homes which had been prepared with such care for those loved ones, and gone was every element that made life worth living, except the one of freedom—the right to pursue happiness, which could be transmitted to future generations.

And in the transmission of that freedom our forefathers left us not only the enjoyment of its rights, but an appreciation of its sentiment. At no time in the history of this country or in any of its wars has there been cruelty practiced by those who were to the manner born. Mercy and honor and a recognition of the rights of combatants have always characterized our people. Even in the war of the rebellion, when millions of men were pitted against each other, there is a record of but a single instance of continued and wanton cruelty, and that by an alien who subsequently reaped his reward. No American on either side, either in the passion and heat of battle or in the coolness of spirit which comes from long marches, would so far do violence to his own nature, to his Americanism, to practice methods which, by the principles of heredity, it was his nature to look upon with horror and disgust.

A year ago the Cubans, having found all their hopes, not only of freedom from the enthrallments which surrounded them, but also their hopes for justice at the hands of Spain, founded on the promises of 1878, unfulfilled and frustrated; having found that no longer might they look for justice, but only be the slaves of a colonial conspiracy for plunder; having found that the faith of Spain had been entirely forfeited and that its promises of justice, made by itself, had only been made as a matter of deception, to be set at naught without even recognition—a year ago these million and a half of people decided to be free.

Since then Cuba has been in the throes of conflict. Beautiful, sun-kissed Cuba, the garden spot of creation, has again been deluged with blood. The gentle winds which waft over her surface have, from hundreds of fields of conflict, absorbed the blood of humanity. The waves which caress her shores have lapped up the blood of patriotism and oppression alike. The soil of that magnificent island, whence most of the sweetness which we assimulate is derived, is fertilized by the blood of thousands.

Originally, Mr. Speaker, Spain sent over some boys to quell what they called an insurrection. The boys, not being acclimated, died of disease. Then more mature soldiers were sent, the flower of the Spanish army, led by the greatest of Spanish generals, he who had negotiated and arranged for peace eighteen years ago. This man, Martinez de Campos, went to Cuba at the head of a great army to put down and again enslave the people of that island. In spite of the fact that the promises which he had made were, after all these years, unfulfilled, it was evidently expected that more promises, more deceptions, accompanied by a show of great armed force, would make the people hunt their habitations, and with their heads concealed, like the bird in Æsop's fable, consider that they were shielded from the wrath of the expected visitation.

Such was not the result. Instead of subduing Cuba, General de Campos was obliged to withdraw his troops into the very strong garrisons of the island. Up to and around these garrisons the armies of the Republic of Cuba roamed at will, and the general of the Spanish forces found himself powerless.

On the 19th of September, 1895, the Cubans had perfected the organization of the Cuban Republic, under a constitution previously adopted at a convention held at Camaguey. There were then elected the following officers:

President, Salvador Cisneros Betancourt; vice-president, Bartolomé Masó; secretary of war, Carlos Roloff; secretary of foreign affairs, Rafael Tamayo; secretary of the treasury, Severo Pina; secretary of the interior, Santiagos Cañizares; general-in-chief of the army, Maximo Gomez.

These gentlemen are all of the highest standing in the island for intelligence, social rank, and means. The president is the same person who as president laid down the scepter of government in 1878 in response to Spanish promises to the people which were destined to be dishonored. He comes of a family which has furnished many examples of greatness in the legal and scientific history of Cuba. His estates were confiscated in 1868, and he then renounced his title of nobility.

Bartolomé Masó, the vice-president, is a tried patriot, who has rendered valuable services to the cause of liberty. A sincere republican, he has always been highly respected and esteemed for his liberal ideas and his sterling character.

Gen. Carlos Roloff, secretary of war, was born in Poland, but went to Cuba when a mere youth and established himself at Cienfuegos, where he attained a distinguished position for his intelligence, industry, and integrity. In 1869, at the head of a number of young men from the most prominent families of that city, he joined the revolution, and until the end of the war in 1878 occupied the first rank, both for his bravery and military talents.

It may be well to add in this connection that the assistant secretary of war is Mr. Mario Menocal, so well known in this country on account of his distinguished work with the Nicaragua Canal engineer corps.

Rafael Portuondo y Tamayo, secretary of foreign affairs, is a distinguished member of one of the most prominent families of Santiago de Cuba, both for social rank and wealth, no less than for the talents of some of the individuals belonging to it, who have distinguished themselves in the liberal professions.

Severo Pina, secretary of the treasury, is a prominent citizen of Sancti Spiritus. He belongs to an old and wealthy family.

Joaquin Castillo Duany, assistant secretary of the treasury, is a gentleman not unknown in this country, having been one of the physicians who took part in the *Jeannette* relief expedition to the North Pole. No names stand higher in Santiago de Cuba for wealth, respectability, and integrity than those of Duany and Castillo.

Santiago Cañizares, secretary of the interior, is as prominent a citizen of Remedios as the others are of those cities and States mentioned.

The general-in-chief, Maximo Gomez, although born in Santo Domingo, is as much a Cuban in feelings, ideas, and aspirations as the best of them. As to his military talents nothing need be said, for they are too well known.

These men, Mr. Speaker, compose the Government of the Republic of Cuba. They are of the same class of gentlemen, in statesmanship, in material wealth, in intelligence, and compare favorably with those of our ancestors who in 1776 signed the document which made the great Bell of Liberty send out its peals of emancipation from foreign domination, and of whose intelligence and honor and patriotism there has never been question.

This Republic of Cuba, headed by the men whose names have just been given, have waged a war of self-preservation. The people of that Republic have fought and are fighting for the protection of their homes and their families; they are fighting for the privilege of tilling the soil and harvesting and enjoying its increase; they are fighting for the lives of their sons, the virtue of their wives and daughters, the protection of their homes, and their own lives, all of which, under present rule, is sacrificed.

To quell this desire on the part of Cubans—as well might they try to dam Niagara or flood Popocatapetl—the Spanish Government the other day withdrew General de Campos from his position as captain-general of Cuba and sent in his place the most ferocious butcher among all its leading officers, or who ever disgraced military standing, in the person of one General Weyler. This distinguished individual has arrived, has taken command, and among the first of his official proclamations is a practical duplicate of that which President Grant and Secretary Fish regarded as "infamous" when it was enunciated by the Count of Valmaceda in 1868. General Weyler orders that every male person over 15 years of age found away from his habitation shall be shot. He orders that all unprotected women shall retire to the garrisoned towns—perhaps to be the playthings of his soldiers! He orders that all houses found uninhabited are to be burned, and that all persons engaged in trade shall turn their effects over to his officers.

Can anyone imagine an order more far reaching and cruel?

The same order authorizes subordinate officials of the army to carry out the directions for butchery and make reports to him—the chief butcher. It is apparent that the same methods will and do prevail—as to the absolute inhumanity of its practices—which caused the war of twenty years ago to be the most horrible blot on the escutcheon of Americanism—a stench in the nostrils of Christendom. Shall the present generation permit a repetition of those horrors? is the question now before us. Shall we, as the embodiment of the spirit of freedom, as the representatives of that regard for human existence and that respect for the inherent dignity and justice and excellence and righteousness and even Godliness, of the right of the individual, male or female, to virtue, to intelligence, to property, and to physical safety, permit this?

We are faced with the question now, and it is one that burns, Shall this great Government, holding the ideas and sentiments of mercy it has always practiced and which the world of civilization has practiced since we came into being as a nation, permit those ideas, which are also the ideas of the world at large wherever the Stars and Stripes are known—shall it be permitted by us that

this monstrous wrong continue? Shall the fury of the soldiers of Spain be permitted to devastate humanity without protest? Shall the slaughter of the innocents be permitted to be resumed? If this war lasts for ten years, as did the former one, shall there be a record of blood, covering 6,000 people unarmed, noncombatant, untried and unconvicted, who will have been murdered? I think not.

Mr. Speaker, in order to give an adequate idea of affairs in Cuba it becomes necessary to go over a little more ground. The republican armies have been in the field for more than a year. The Government of the Republic has been in existence since the 19th of September last. This republican Government and its armies hold and have held control of all the territory of the island except that adjacent to a few seaports, for months past. That they have not control of seaports is due only to the fact that the guns from Spanish men-of-war are of sufficiently heavy caliber to reduce those cities to ashes should they come into the control of the Republic. To avoid this slaughter and this wanton destruction, Cuba has refrained from taking permanent possession of any of the cities of the seaboard. The railways of the interior are entirely within its control. The means of subsistence and existence belong to it so far as they are not dependent upon the outside world. The lines of warfare now consist of little semicircles drawn about the seaport towns, and in those towns are the soldiers of Spain, ready to do their alleged duty of shooting and hanging citizens, outraging, maltreating, and murdering their wives and sisters and daughters, and shooting down in cold blood their little sons. An embargo is placed upon the tongue, on the pen, and would be upon the brain, if the famous X rays of modern science had been sufficiently developed to enable the tyrant in charge to discover the thoughts of those who surround him.

These conditions prevail, Mr. Speaker, within 60 miles of our coasts, almost within sight of our shores. The Island of Cuba, which is the scene, controls the gateway to the Gulf of Mexico and the enormous trade of that section of the United States. I do not allude to the enormous interests of the citizens of the United States on the island; they are being protected mainly by the Cuban Republic.

Cuba, free and enabled to make her own laws of offense and defense, of revenue, and of duty, will be a most valuable neighbor. Of her subsistence, American flour, now admitted under a duty of one and one half times its value here, would find an open market, and its consumption by a million and a half of people will greatly relieve a pressure existing among our growers of wheat. The American producers of a thousand other articles of commerce would find an open market, subject only to such duties as might be decided upon for revenue purposes. The trade of this country in every direction will be enhanced by the freedom of Cuba. Not only will our commerce be relieved of the disagreeable and often prohibitive restrictions placed upon it by Spain, but we, by reason of proximity and by reason of commercial nearness, will be in the position of the "most favored nation," as it is known in diplomacy. Apparently, and from every standpoint of judgment establishable in the human mind, it is to the interest of the United States that Cuba should be free. Humanitarianism, self-protection, the lives and properties of our citizens, the openness of our commerce, all demand it; the rights of our own citizens are involved; the echoes of the grief and the enforced dishonor of thousands, wafted to our near-by shores on the winds of eternal humanity, demand that Cuba be free.

There can be no argument, from our standpoint, successfully made against the freedom of the unhappy island off our coast. Only the promise that Spain would take care of and protect her own prevented President Grant from taking definite action more than a quarter of a century ago. Those promises have been unfulfilled, and it becomes our duty, not only as Representatives, but as citizens of this great Republic, to see that this carnage ceases; to see that every man, woman, and child on the great Continent of America and its adjacent islands have the right to "life, liberty, and the pursuit of happiness."

We should not merely accord to Cuba belligerent rights—we should recognize her independence. What has Spain there? Only a few seaports and a standing army which keeps under the guns of the military posts. What has the Republic of Cuba? The whole island except those few seaports. The armies of the Republic keep the forces of Spain hemmed up in their garrisons like a lot of chickens driven to roost, yet we hesitate to recognize the fact. They can escape, but they can not conquer. The Cubans, being Americans, are unconquerable.

The only objection ever urged to the recognition of Cuban independence is that it would be a blow aimed at a friendly power. This I deny. No power can be or should be friendly to this Government, or to the people of this country, whose principles permit the enunciation of orders for murder and assassination, and which orders can be readily twisted by subordinates into license for untold evils and cruelty. No friendliness can exist between humanity and savagery, between mercy and butchery, between the civilization of the end of the present century and the cruelty and torture of the Dark Ages.

And yet the Government of Spain desires to insist that no condition of war exists in Cuba. "Only a few roving bands of persons dissatisfied with the present administration of affairs." But those same roving bands have driven the Spanish soldiers into their holes—the protected seaports—every time. All that Cuba requires to drive the last Spanish soldier from the island, the last element of Spanish control from its soil, is the recognition of its independence, or even a declaration of neutrality by the great nation nearest and most affected by it—the United States of America. It is not necessary to allude to the action of Spain previous to and during our late war; that is too well known.

The United States is under the same obligation to Spain that it is to any other nation—under the implied obligation to observe neutrality between it and the nations with which it may be at war. Spain does not desire that we observe that neutrality in her war with Cuba, but insists that we resolve ourselves into a nation of detectives to capture and imprison such of her enemies as may be found upon our soil, upon her unsupported statement that no war exists. The position she takes is in itself an insult to the intelligence of America and Americans—a position so full of self-evident fallacies that it can best be characterized by the somewhat vulgar but infinitely expressive term—"bosh."

This is the situation, Mr. Speaker: Shall we, as independent and free Americans, recognize the independence of our next-door neighbors, thereby placing them in a position whereby they may defend themselves and their families and possessions like men, or shall we sit supinely quiet and thereby give countenance to the unspeakable horrors and atrocities which mark the conduct of the Spanish arms on that island? Action has already been delayed too long. The record of murder and assassination and outrage and incendiarism, to say nothing of the oppression and the gags put upon free thought and free speech, is already too long. It is time for us to act, and we should act quickly.

In such case, Mr. Speaker, I can see in my imagination a few years hence a magnificently fertile and productive island lying a few leagues off our coast, possessing all the blessings and advantages which constitute the happiness of its people. As I see it in my mind's eye, it flows with milk and honey, as did the land of Canaan when Moses looked down at it from a high place. Its fields are well tilled and productive; its children are being educated by a system of public schools equal to those which our own children enjoy; reciprocal trade relations with their nearest neighbor and an honest and economical administration of public affairs place no embargo upon the accumulation of wealth; and the diffusion of intelligence, the free expression of thought, and the glorious rays of God's sunlight shining into hearts as well as upon fields, make it a land of peace and happiness and plenty.

The struggles of the past are remembered only as a sad, troubled dream. All present and future are surrounded by the luminous halo of supreme joyousness and love.

Do you like the picture? Compare it with the one you see at present, the one reflected by the page of every current newspaper, and then—vote.

Coin Redemption Fund.

SPEECH

OF

HON. NICHOLAS N. COX.

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 11, 1896.

The House having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. COX said:

Mr. SPEAKER: There is one thing we are all agreed on. That is, that the finances of this country and its business are in a most deplorable condition. That this has been the state of things several years there is no dispute. It is useless to charge each other with being responsible for the trouble when we all have or should have the same desire and patriotic motive to cure the evils we are laboring under. I have not heard a speech made or a statement uttered that denies the unfortunate condition we are in, and that remedial legislation is imperatively demanded. If we then shall be able to reach a broad, liberal conclusion and fully meet the question, we shall have done our full and patriotic duty.

The Republican majority of this House offers a remedy in what it terms an emergency bill. This bill, in any aspect you may take it, is a bill that looks to the borrowing of money. True, when the money is borrowed part of it is to be used one way and a part another way. Unlimited power is given to the President to borrow

money for the purpose of maintaining the so-called gold reserve. A limited power is given to borrow money to pay the expenses of the Government. Fifty millions is the limit for the latter purpose; no limit as to the former. In either case it involves the Government in debt. The proposers of this bill insist that it will be needed but for a short time, if by proper legislation the revenues of the Government are increased. This they propose to do by increasing the tariff. This, I may say in passing, is the universal remedy of that party for all political woes. The President meets this proposition by saying that such legislation as is proposed would be a complete failure. He answers the proposition to borrow money for the purpose of paying the expenses of the Government by saying that there is no need of it; that there is not only enough collected to pay our expenses, but more, and that he has a large surplus remaining idle already collected for that purpose.

As to the other proposition, the President insists that if carried into law it could not and would not protect the gold reserve unless you go a step farther and use the money as contemplated, and when so used every United States note, or any other kind of note that preys and eats upon the reserve, be destroyed when paid with the money so borrowed. To this last idea of the President the entire House, almost unanimously, and without reference to parties, dissents. These are the precise questions and differences between the President and this House as to this legislation. It ought not to escape attention that in the bill offered by the Committee on Ways and Means the use of two kinds of money is recognized. In the sale of bonds to protect the gold reserve, these bonds would have to be sold for gold. Although the bond is payable in coin on its face, it can not furnish gold to protect a gold reserve unless sold for gold. The other section authorizing certificates of indebtedness to be issued, as they are called, payable in lawful money. I desire to emphasize this distinction in showing the advantage given to one class of creditors of the Government over another. The holder of greenbacks obtains gold on his note, now at a premium, and the shipbuilder or other creditor receives silver, which you say is only worth 50 cents on the dollar. This is the position the Republicans occupy in passing this bill.

But, Mr. Speaker, let us compare the policy of the Administration with the bill proposed. No one will contend that to extend the authority to issue bonds and borrow gold and pay "greenbacks" and immediately put in circulation these paid greenbacks, will stop the raids for gold. There is not the least remedy in that to check or break the repeated withdrawal of gold from the Treasury; it only affords greater facilities to run the Government in debt and furnish the very best securities for the loaners of gold.

This is the view of the President, and certainly correct. No one doubts this position as being correct. The President, therefore, says that when you once borrow the gold and pay the greenbacks when presented, destroy them. This bill, taken alone and disconnected with the proposed tariff bill, says no, borrow the gold on a new kind of bond, and when you pay or redeem the greenbacks turn them out in circulation at once and borrow more gold, issue more bonds, and perpetually redeem and pay without end. This is exactly what is being done now. We have borrowed two hundred and sixty-two millions in a very short time, and not one dollar of the greenbacks has been destroyed. Under the policy recommended by the President, that is, the destruction of the greenbacks when redeemed, a contraction of the currency equivalent to the amount of the greenbacks destroyed must occur.

The tariff bill introduced, of course, is to be considered as a part and parcel of the proposed bond bill. This bill, considered with the other, proceeds on the idea that, notwithstanding the statements of the President and Secretary of the Treasury, the whole trouble grows out of the insufficiency of the revenue, that the Government is really borrowing money to pay necessary expenses. I confess that I do not see much difference in the Government borrowing gold to pay greenbacks and then using these greenbacks to pay necessary expenses and in borrowing gold to pay expenses. It does, however, make the greenbacks absolute gold securities. But how is the tariff bill to assist the policy and break what is called the endless chain? If the President is right, that is, the President assuring us he has ample revenues to pay expenses, and this tariff bill increases the revenue forty millions annually, then there would be placed in the vaults of the Treasury forty millions annually not needed. A contraction annually of the currency forty millions; this sum is not far from the amount of dollars our mints could coin in a year in silver.

But suppose the President is wrong, and that we are going in debt because of want of revenue in paying expenses, and that it will require this forty million annually to keep our accounts square. Now, how will this additional money collected in the least protect the gold reserve? If you say it will create a fund larger than is needed for expenses, and therefore there will be no demand for gold, you assume a position that the President and Secretary are either seriously mistaken in, or do not understand what they are saying about the matter. That is exactly the condition they claim surrounds them, and yet it does not stop the demand for gold. But suppose that the assumption of the committee is right and that a surplus of revenue will stop the demand for gold, I ask any gentleman present to tell me how this can be the result?

Under this idea of increased revenue by increased taxes you bring about the same burdens substantially as if the greenbacks were canceled and interest-bearing bonds placed in their stead. You tax the people to obtain surplus revenue; you tax the people to pay interest on bonds. But taxation for either purpose will not stop the raid on the gold reserve so long as the Government continues the present policy of selling bonds for gold, and then pay gold for greenbacks. If it is said that through an excess of revenue the dangerous greenbacks could be collected in and held in the Treasury, and in that way stop the gold operation, then it must be admitted that to get them into the Treasury they must be brought there by increased taxation, or at least by taxation, and when so obtained and held you have as completely contracted the circulation as would the plan of the Administration. The plan under the present bill, to protect the gold reserve, if it can have such effect at all, is to hold the greenbacks when they reach the Treasury, and thus destroy the means used to deplete the gold reserve. This must necessarily contemplate an excess of revenue over expenses at least equal to the amount of the greenbacks held in the Treasury.

The proposition is to my mind intolerable. It means, tax the people and take from their circulating medium, and when you have obtained it lock it up in the vaults of the Treasury, for fear that this money, this circulating medium, may be used to reduce what you term a gold reserve. How long do you propose to hold it in prison? How much do you propose to put in prison? If you leave out one hundred millions, yes, fifty millions, the reserve can with perfect success be depleted and your difficulties remain just as they are. So to chain this paper money that is used to obtain gold from the Government in effect destroys that much of our circulation, and you are guilty of increasing taxes and contracting the means to pay these taxes at the same time. The same results will be reached and the same effect had on our finance under this plan of the committee as the one proposed by the Executive.

Contraction of the currency and increased taxation are for one purpose only; that is, to hold this country to a gold standard.

But, Mr. Speaker, suppose this bill becomes a law, or that the policy of the Executive is put into legislation, and every dollar of greenbacks is destroyed or locked up in the Treasury, what have you got? One hundred millions of gold locked up, and over four hundred millions of greenbacks locked up or destroyed, and your circulation contracted at least one-third.

You are left with a paper circulation of national-bank notes and silver certificates.

It is conceded that we are on the basis of a gold standard; that property, labor, and all our currency used as money must be as good as the standard. There being but one standard, gold, all questions as to parity at once cease. The money is gold, and gold only, and it carries the paper and the silver dollar with it because they are convertible into gold. Every speaker on your side of the question claims that he is for the use of silver so far and no farther, as long as a silver dollar is as good as a gold dollar. No difference how many silver dollars you have, if they are convertible into gold dollars, the silver dollar will be but the representative of a gold dollar, gold being your single and only standard. But suppose the coined silver dollar can not be converted at will into a gold dollar; then you have reached that terrible calamity you refer to, of having two dollars of different values.

Let me make this point plain to show what I think is the absurdity of some positions advanced. Assume that under the proposed bill, or the idea of the Administration, the greenbacks are locked up or destroyed. Do you then propose to hold a gold reserve or abandon it? If the reserve is abandoned, and you hold no reserve whatever, will you tell me how the Government is going to keep its dollars all of equal value? Suppose A demands of the Government gold for his silver dollars, and the Government declines to exchange with him. Is not the value of the silver dollar lessened and the equality of the dollars destroyed? Suppose a certain amount of bank notes are sent in to the Government for redemption, the greenbacks all destroyed, will the Government redeem them in gold or silver? If in gold, then a gold reserve is again necessary, and the raid is on again through bank notes; and, as I see it, the same with silver dollars.

After the bank notes have been redeemed by the Government and the banks called to make good the redemption made by the Government in the first instance, will the Government demand of the banks to return the gold used for the redemption of the notes in the first instance? If so, then the demand for gold by the banks will send it to a premium at once. But suppose the bank declines to return the gold to make good the redemption made by the Government, but offers to return the silver when the Government has paid out gold, and the Government accepts it, how long will the Government be able to redeem in gold? But suppose the

Government declines to take the silver for the redemption and demands that the gold shall be returned, then the silver dollar has again parted company with the gold dollar, and you have dollars of different values.

The plain truth plainly told is that every dollar of paper and silver circulation outstanding is depending on gold for its value. There is no bimetallism or any question of parity. It is a question only how much silver and paper can be redeemed in gold, and that redemption to be made by the Government. Let me suggest here in regard to bank notes that while the banks may ultimately redeem their notes in gold, the Government must first redeem them, and this does not in the least lessen the demand for gold. Can it be expected that the banks under the circumstances will take out circulation when every note is a gold-demand note on the bank?

Mr. Speaker, just in this connection let me call the attention of the House to the absurdity of this financial system. It is settled by law that we have three kinds of money that are legal tenders, full and complete between individuals. A tender in court is a full response to any contract made between individuals when the contract is payable in dollars. Gold, silver dollars, and greenbacks are these moneys. When you assume that silver and greenbacks are redeemable in gold, then every contract is a gold contract whether named in the contract or not. A sues B, B tenders in court silver dollars; this satisfies the contract. A takes the silver dollars and demands of the Government the gold. The Government refuses to redeem; then the metals have again parted company. But suppose B tenders greenbacks; this satisfies the contract, and A presents the greenbacks, you pay him in gold. Now, is it not plain that the debtor will tender on the contract the cheaper money, and thus the silver dollar becomes less valuable than the greenback? How is the Government to preserve the equal value of these different dollars unless all are redeemable in gold if the gold standard is to be maintained? I would be glad to hear from any gentleman who will announce his willingness to vote and declare by law that every contract, private and public, is dischargeable alone in gold. This is exactly the effect of a single gold standard.

Say that I hold in my hand five dollars in gold, five dollars in silver, and five in greenbacks. Is the $5 in value the same? I can buy the five silver dollars with the gold. I can buy the five in greenbacks with the gold. The five in greenbacks will buy the five in gold, or the five in silver. What will the five in silver buy? It will not get the gold or the greenback, the equivalent of gold. I speak with reference to the operations of the Government. Then I ask if the Government itself has not created dollars different in value? But it has been repeated over and over again that the silver dollar is equal to the gold dollar. I deny it. The gold will buy the silver, but the silver will not buy the gold. Its purchasing power of commodities between individuals is a totally different thing, to be seen hereafter. So I conclude this proposition by saying that if the Government fails to redeem silver in gold just as it does greenbacks, which it virtually does, then silver is not the equivalent of gold. If it decides to redeem silver in gold, then the raid on the gold reserve can be made with silver if every greenback was burned up. Then tell me what relief this proposed bill gives, leaving both greenbacks and silver to attack the gold reserve by simply authorizing more bonds to be issued, leaving both the silver and greenbacks full sway to reach the gold reserve? What relief does it give if the greenbacks are still left to repeat their perpetual raids on the gold?

It was never expected that this bill would become a law. It was never expected that this bond bill and its running mate, the tariff bill, would either of them become laws. The object is to make a show of relief, when neither of them can have the least effect in changing our conditions, except to make them worse by increased taxation.

If I have been able to show that this proposed legislation will be an utter failure in preventing the Government from going in debt, and the present policy is to be continued of borrowing money under an unlimited authority to issue bonds, I ask, in all candor, where will this stop?

In times of profound peace and the Government in full operation, with all its power to tax, shall we continue to involve ourselves in debt at the rate of near one hundred millions a year, with no end to this scheme in sight? Are we to be the gold purchasers for the world and load our people with debt to accommodate the foreign gold gambler and the avarice of gold sharks? Shall we absolutely surrender our Treasury and our system of finance to the banking houses, money traders, and speculators in our securities at the sacrifice of one hundred millions annually of debt imposed on the labor of our country?

Will any gentleman on this floor tell me what has become of the proceeds of the bonds already sold? We have sold our credit to the amount of two hundred and sixty-two millions. We have received that sum in gold. What has become of the gold we got? The Treasury has it not, and will be again selling our credit for more gold. What has become of the greenbacks bought with this gold, if the gold was expended for greenbacks? Have we the greenbacks? The answer is no. The Secretary of the Treasury tells us that his receipts for expenses are more than ample. If so, where are the two hundred and sixty-two millions of gold borrowed or the greenbacks bought with the borrowed gold? Was there ever such a system devised or invented to absolutely cover this nation with an enormous debt? Will the credit of our Government be maintained by involving it in enormous debts? Does an individual business man maintain his credit by going in debt? I thought the way to maintain credit was to keep out of debt. But a new financial idea is born, and we now see the old mark rubbed out and learn that the way to have credit is to continually burden that credit with debt.

After weeks of labor and thought the Senate of the United States has proposed legislation that in its judgment will effectually cure these burning evils, and that leads this House up to the consideration of the soundness of the views expressed by that great body. It is beyond question that if the legislation suggested by the Senate is defeated, and I have no doubt it will be, then we are exactly at the place we were when Congress met, with the addition of one hundred millions more of debt. May we not well say to ourselves that although the Senate's proposition may not fully concur with our views, yet there can be no danger of making matters worse than they are? We should try something, even if doubtful.

There are three ideas in the Senate amendment I desire to discuss for a short time and keep as clear as possible from the array of figures and statistics that have been so fully used in this debate.

The great proposition is the free coinage of silver, and upon this the other two propositions mainly rest.

I assert confidently as a constitutional question that the money metals of this country under that instrument were recognized, and that the idea of money was based on the metals gold and silver. It was never intended to give to Congress the right to coin money out of either gold or silver. The proceedings of the convention in making that great organic law show beyond dispute that when the restriction was put on the States that nothing but gold and silver should be made a legal tender, the two money metals were placed exactly in the same position. If we should read the Constitution in its plain meaning and the meaning developed by the constructors of that instrument, connecting the two clauses in their meaning, you would have that Congress shall have the power to coin money out of gold and silver and regulate its value, and no State shall make anything else a legal tender in the payment of debts.

True it is that questions have arisen as to how much of one metal shall be equivalent in law to a given quantity of the other, but until very modern times it was never contemplated that money coined out of one metal should be the money of the country, and the other used for money only to the extent that its value was made equivalent in an amount under commercial, commodity regulations to the other. Some such value may be considered in fixing the value of the two, but never is that an argument that one is worth only what its commercial value would be as a commodity compared with the other. There would be no sense in following that abstraction alone. If 15 ounces of silver is worth as much as 1 ounce of gold—the latter coined into money, the former not—then by the coinage of the silver you could only get the ounce of coined gold, which you do without the trouble of coining. But when you fix gold as the standard money alone, and deprive silver of its greatest value, to wit, that of money, and then say you can not coin silver until its commercial value is equal to the money value of gold, you have simply announced a position in effect that gold money must control and govern silver as a commodity. But this theory or position does not answer the constitutional point that Congress must coin money out of both metals, and if Congress can destroy silver in use for money it can destroy gold; if it can destroy one it can destroy both, and make the money of the country anything that Congress wills. Then the States are left with no silver coined, no gold coined, but must have these metals, and nothing else, to make legal tenders. That means the States shall make nothing but gold and silver legal tenders, and Congress responds, we will not coin either gold or silver, or, that we will coin gold and deprive the States of the use of silver as legal tenders, in open violation of the Constitution. Mr. Webster's views are certainly conclusive on this point. He says:

> I am certainly of opinion that gold and silver, at rates fixed by Congress, constitute the legal standard of values in this country, and neither Congress nor any State has authority to establish any other standard or to displace this standard.

Can language be plainer, more distinct or conclusive? But, just in this connection, let me quote from the father of Democracy. Mr. Jefferson says:

> If we adopt the dollar our unit we should strike four coins—a golden piece equal in value to $10; a unit or dollar itself of silver.

This was his language before the Constitution was adopted. Now, can any reasonable man say that our fathers in the Consti-

tution left it to the caprice of Congress to make legal-tender money out of anything a Congress might decide? Where would be the stability? Do not let it escape from the mind that the moment you recognize in Congress the right to make gold the only standard of money you recognize the right to make silver the only money. When you recognize the power to destroy either, both are at the mercy of Congress, and paper fiat money may be the result. There are no stronger constitutional arguments for paper fiat money than the single gold-standard men advance.

But I hope I may close this point of my argument with what Jackson said about it. Please remember always that the Constitution fixed the money metals of this country, and did not leave it to Congress.

He says:

> Congress having established a mint to coin money and passed laws to regulate the value thereof, the money so coined, with its value so regulated, and such foreign coins as Congress may adopt, is the only currency known to the Constitution.—*Veto Message United States Bank.*

I challenge the history of our country to find a single statesman, or even a politician, that ever contended that our standard money should be gold alone until the power of capital, gold capital, asserted itself in our legislation in Government securities. Name the man; name the legislator.

I can not stop here to go over in detail the votes in Congress of my party showing its construction of the Constitution and its advocacy of silver as a constitutional money metal. Suffice it to say that in every vote cast on this subject, with the exception of one vote, the repeal of the purchasing clause of the Sherman Act, an overruling majority of Democrats have stood by the constitutional money metals of gold and silver. With them has been a large element of the other parties, standing firmly by the same plain and convincing construction. I admit, with sorrow and regret, that men of my party have forsaken the doctrine of our fathers. I admit that men have tacitly confessed that after ten years, twenty years, thirty years of teaching the people for gold and silver as constitutional money metals they now in effect confess that while so engaged they now know they were wrong, and when they leap from that chasm of ignorance, as they seem to think, they leave their old followers, with rather a sorrowful sigh, in pitying the ignorance they have for a lifetime been engaged in formulating. Such expressions as "Fools never change," "Chinamen never change," and the "beasts never change," seem to be absolute consolation to them that they have escaped from an ignorance they were never able to observe, until at last the blandishments of power and flattery of patronage tore away the veil from their benighted, honest, ignorant conceptions. How easily are they consoled. May it not be well here to revive in our memories a familiar scene? You may furnish the characters:

> "Do you see yonder cloud that's almost in shape of a camel?
> By the mass, and 'tis like a camel, indeed.
> Methinks it is like a weasel.
> It is backed like a weasel.
> Or like a whale?
> Very like a whale.
> Then will I come to my" Grover.

If I have been able to show that our money should be under the Constitution made of gold and silver, and that has been the doctrine of the Democratic party without any change, then there must be some serious and momentous reason why we should abandon our faith, and there can be no justification for violating the Constitution. But suppose I am mistaken as to the constitutional question, then there must still exist great cause for our party to be justified in reversing its time-honored doctrine. We had both metals as money metals for over eighty years, and no greater prosperity ever blessed a people. If while we adhered to that idea we were blessed, and when we abandoned it we were cursed, certainly it is fair to assume that the money question has much to do with our present condition. In a short time after we inaugurated the gold standard our public men and the approaching depression admonished us trouble was coming on us.

What were the reasons that led up to the act of 1873? The arguments now used did not sustain the action then. Silver was not at a discount compared with gold. It was at a premium. Then, it was not demonetized because it was a cheap dollar. It was the best dollar. It was not to the mine owners then that such importance was attached as is now. Stop and think when this legislation commenced. What reason was there for it? None, except to increase the wealth of the gold holders and bow submissively to the dictates of England. It is said all the great commercial nations have stopped its coinage, but we were the first, excepting England, that so legislated. Let the country fully understand that the price of silver as compared with gold never had any difficulty until the United States stabbed it.

With great display of supposed statesmanship the query is now put, Would you make a dollar out of 50 cents? Let me inquire, what is the difference in effect on the people between making 50 cents a debt-paying dollar and making 50 cents of gold purchase what before required a dollar? You refuse to legislate silver up, but every hour of the day, by every means you can, you legislate gold up. It has gone to a premium, not only in purchasing power, but in actual selling price. Your boasted parity has been destroyed, and the whole country is suffering a loss in prices absolutely shocking.

Again, it is said if you open the mints to silver it will drive out the gold and you will be on a silver standard. If the mints were put in full operation they could not coin in a year 50 cents per capita. Would an increase of 50 cents per capita in our circulation drive out our gold? Would any man contend that even 50 cents per capita of bank issue would inflate the currency? Does not our population increase heavily every year, and does not the demand for more money increase as industry and population increase? Is it not proposed and recommended that the banks be permitted to take out circulation to the par value of their bonds? Is not that for the very reason that more circulation is needed?

Suppose we assume that free silver will drive out gold. I ask in candor if gold is not already driven out of circulation? The last loan showed biddings of five hundred millions, it was claimed, for one hundred millions of bonds. Who had the gold, and what had it been doing? It was locked up and absolutely out of circulation, and never showed its head in business enterprises that employ labor, but rises in its might when the Government, to obtain it, pledges its taxing power as security for it. It is just as certain to hide again and sleep until invited out by the offer of bonds—gold interest-bearing bonds, and in effect gold bonds, interest and principal. Can any intelligent man expect business will revive, when the standard money of the country absolutely shrinks from productive industries? If free silver drives out gold, pray tell me how it is, when our mints are closed to silver, and you confess you are on a gold basis, that your gold not only refuses to circulate but is absolutely driven out of the country? We can not with accuracy tell how much gold is in our country, but we do know that in about three years we have lost over one hundred and fifty millions, and increased our home debt two hundred and sixty-two millions. As our gold leaves us we increase the demand for it. Did our silver money drive out of the country this gold? Did the silver dollars move gold from this country? Will anyone dare answer yes?

If this system continues, it is only a question of time when we will be destitute of gold and the premium beyond our knowledge.

In every speech of the gold-standard men—sound-money men—the scare is held up that we will go to a silver basis. So the President argues. For the sake of this argument, let us assume that such a result will follow. Will this destroy this country or its prosperity? Gold, you say, will go to a premium and leave the country. It is at an enormous premium now, and leaving the country every day to find itself locked up in the war chests of European and other powers. Is it to be supposed that a man will seize his gold and fly from the country with it because we freely coin silver? What will he do with it when it reaches its place of safety? Invest it or lock it up? If he invest it, he will do so for profit. Can he not invest here much better than abroad? Where is the inducement to carry it away? If he locks it up, silver will take its place. Demand for silver increases, its purchasing power increases, until the two metals substantially reach a level. Both metals then become circulating money. If one rises in value over the other, readily the other takes its place, and the equilibrium is restored. In our business transactions 95 per cent is in our own borders. Shall this home interest be ruined to satisfy the avarice and gold love of only 5 per cent of foreign transactions?

Our opponents point to Mexico as a silver country and warn us of our fate. At the same time they say a dollar in silver coined at our mints is worth more than a Mexican dollar with more silver than ours. If silver destroys our manhood, energy, and enterprise, then I suppose you mean gold will elevate us. Decide for yourself as to manhood between silver Mexico and gold Egypt; decide between gold Turkey and silver Japan. Money does not make the man.

Another statement is made that if we open our mints to silver that our country becomes the dumping ground of all the silver in the world. Now, this assumes almost unlimited power in this country to absorb all the silver in the world. But how fallacious is such a position. Where will the silver come from, and why will it come? You answer, Mexico will rush her silver to our mints. If you mean her coined legal-tender silver dollars, then I ask what will be her legal-tender money? Will she adopt our American dollar as her legal tender? If so, that would wonderfully increase the demand for our silver dollar. If you mean she would coin her silver into our dollars and not make them her legal tenders, then what will Mexico have as a legal tender?

If you mean she would coin her silver into our dollars, depriving herself of her standard of money, and leave such dollars with us—certainly you do not mean that after she has her silver coined into American dollars the holder will make some American a present of them, when the same silver can be coined in Mexico into legal-tender dollars. But if you mean the silver will be left here in investments, in the purchase of our products and com-

modities, this could be no misfortune, but a blessing. The American would know the value of his property, and no purchase could be made without his consent. He would be goverened by the price of his commodities the world over. If the price offered in our silver would purchase more here than anywhere else, immediately the silver price of commodities would advance at other places and increase the demand for silver, bringing about the equilibrium of both metals. The very idea that silver would flow to this country and remain here presupposes that it would be worth more here in purchasing power than at home.

One more thought as to dumping silver here. Would an American dollar coined at the ratio of 16 to 1 bring French silver here, which is coined at 15½ to 1, and is equivalent to gold in France? If so, then the French silver, although the ratio is larger here than there, when coined here must be worth more than it is in France. This destroys again the idea of a 50-cent dollar. Would the silver of Japan be dumped here? She has her silver as her standard money; about $3 per capita circulation. If brought here it would be because it would be worth more here—it would purchase more than in Japan. If so, then her silver would advance in price in Japan equal to what it would be worth here, less cost of transportation. So the argument contradicts the conclusion of cheap fiat money. But does anyone think Japan would destroy her money system for a freak?

If these premises are correct, where is the force of the argument that the United States can not proceed alone?

Mr. Speaker, may I not inquire when shall we be stronger? How long until we shall bend the knee again to England? What a humiliating condition we are in. In this House speech after speech is made to prove that we must have the approval of England to make a financial policy for these United States. We beg her to assent, she declines, and holds the purse strings of this country. In a patriotic outburst we are ready to declare war against her on an American doctrine, and while these bugle notes of combat are sounding over our land, and great military chiefs are tendering their services, the Treasurer of the United States is on his knees borrowing English gold. Truly to an English statesman our position is one of weakness and humiliation, and to an American sorrowful.

Two hundred millions of our products at gold prices, or, rather, two hundred millions' worth of American labor at gold prices, must be given to foreigners every year to pay their interest. Foreigners own our railroads, mills, breweries, and millions of acres of American lands; their interest, dividends, and profits must be paid in gold, and these incomes clear of taxation. Yet America confesses she is too weak to have a financial system of her own. How long, oh, how long shall England dominate our financial policy and in this dominate our Government?

Will you before you declare war against England stop and negotiate to get her gold to fight her with? She holds our purse, and the idea of war was really never a serious matter. England is succeeding better with us without war. She is making our labor tributary to her wealth. She is taking charge of our carrying trade. If our Republican friends are to be trusted, she is destroying our manufactures, and doles us out money at her own price. How long shall we wait? How long hold down the heads of Americans, when as such we twice defeated her and brought her to terms regardless of a gold standard? Every war of the United States has been fought with silver and gold as our standard money. The soldier suppressing the Indian, the soldier defeating the Mexican, and the Union soldier offered his life for his country and rejoiced when he even heard of a silver dollar. The Confederate displayed gallantry and devotion, if ever equaled has never been excelled, and received his pay in a scrap of half-made paper, and so badly printed could hardly be read. But now gold, the coward in war and usurer in peace, is attempting to convert the American people to the idea that I, gold, am supreme, and you can not dethrone me until my great supporter and protector, England, shall say so. This she will never do.

Again, it is said that it is true depression is all over the country. Manufacturers are idle, labor is unemployed, and the great agricultural interest is prostrate. This is conceded. But gold says the reason is, we through improved machinery have destroyed the demand for physical labor and are producing too much. If it is true that our great inventions are making paupers, filling our prisons, and spreading want, every machine of that kind is a curse. If it is true we are making too much, and therefore getting no price for our productions, it would be wise to offer a premium on laziness and inflict a punishment on industry.

Mr. Speaker, the great trouble on this line of thought does not lie in overproductions. There can not be an overproduction that will injure the people as a whole; it lies in the fact that the means to procure the articles needed is destroyed and underconsumption follows. Let me illustrate this with one fact. When wheat was $1.25 per bushel and we had approximately a full circulating medium, each inhabitant of this country consumed about 5 bushels of wheat. When you got to your sound-money idea, with wheat at 60 cents per bushel, consumption per capita fell to about 3 bushels per capita. The farmer sold to his neighbor $6.25 worth of wheat, on a good free circulating medium, and when the gold power took control he sold $1.80 worth. I repeat, you have destroyed the means to obtain, therefore can not consume.

Our tramps can not consume in amounts as much as when employed. Unemployed labor has no choice as to its wants; it has to take what it can get, and with the decline in prices, every man, farmer, mechanic, or anyone with moderate means, in the last four years, I have no doubt, has reduced his consumption of articles he had to purchase at least one-third.

It is also asserted by the advocates of the gold standard that our laborers receive more pay and in money of more purchasing power than any laborers on earth. If it were true that the labor of the country was better paid, and that our labor was employed, then there could be no such conditions of adversity as now surround us. Prosperity always follows industry and employment where just compensation is received for labor. No nation can be in peril from internal causes when everyone has plenty to do and is fairly paid for it. That is prosperity itself. But the position assumed leaves out of sight the unemployed. It does not take into consideration that laboring days are shortened by law, so as to divide the labor. It does not consider the organizations for the benefit of labor that are continually fighting against conditions for its own protection. I repeat that if labor could all be employed and properly paid, no greater blessing could be bestowed on a nation.

I have as hurriedly as possible passed over these matters, and have given my sincere conviction on the same, leaving out many points to save time. But one more point of the single-standard devotees do I desire to advert to. They assume the very ambiguous name of sound-money men, and are all full of what they term good faith in business and sound morals in contracts. They assume to say that if a contract is discharged in silver after free coinage is established that it is in the nature of repudiation.

You are again in a dilemma. Are not the contracts of our citizens dischargeable in silver? Is not a silver dollar a perfect legal tender? Does not the debtor have the full right to pay in silver, gold, or greenbacks? Certainly. How is it with the Government, the great debtor of all the people? No liberty is given it to select its money in which to pay. By law you lock up its mints to silver; by law you make greenbacks a legal tender between citizens. But the Government stands dumb before all its creditors and submissively yields to their demands and pays in borrowed gold. Will any "sound-money" man tell me why a silver dollar is good enough for all purposes between man and man in business and is not equally good between the Government and its creditors? If you answer it is, then tell me why you object to coining 56,000,000 silver dollars lying dead in bullion belonging to the Government and use it in paying expenses in place of increasing taxation or borrowing.

Let us put this question of good faith and honesty, so-called by gold men, to pay our debts in gold so every man can understand it. There is not a note or bond of the Government that provides on its face or in its promise to pay gold. Every promise is to pay in coin, with no guaranty in any law that one dollar of these obligations should be paid in anything but coin. Congress by an overwhelming vote refused the power to the President or Treasurer to issue a gold bond. Why, then, by construction, in open opposition to the will of the people, expressed through their representatives, make them gold bonds? Do you expect to preserve a parity between the metals by a nonuser of one? There can be no parity with but one standard. Parity is between two or more, not with one. Yet by construction the contracts are changed against the people, and the difficulty in paying is doubled. Is this good morals? Does not the very highest public faith exist in the servants of the people being loyal to them? Do you think you have brought about a great blessing to this country in doubling their liability and doubling their taxes? Is it true that high morals demand that a debtor, to be honest, shall pay twice as much as he promised?

Then truly is taxation a blessing and confiscation a paradise. But it is insisted that the now-existing debts were contracted on a gold basis. One moment's reflection dispels this. Every dollar of the debt of Tennessee was contracted to be paid in gold or silver. Untold millions of debts are the growth of debts contracted on that basis, and by this most oppressive and unjust system the labor to discharge these debts is doubled. Does that not take away one-half of labor for the creditor, with no compensation to him? Does not that deprive labor of half its value and cut it off from the privileges of making life more comfortable and stimulating industries? Is this what you mean by high morals and public good faith?

Mr. Speaker, let me inquire if expenses of Government have been reduced in proportion to the high value of the money? Have regular incomes and interest been reduced? Has business been stimulated? These questions are answered in one word, no, and no man can deny it.

In conclusion, let me say with this system of finance the Government has left the constitutional requirements. In doing so it has transferred to the money power of the world one of its greatest

functions of government. It surrenders its great power, in fact, of coining money and regulating the value thereof to the gold gamblers to regulate its value. They demand the greatest amount of labor for their gold, and the Government is powerless to arrest their avarice. They demand gold from the Government at will, and this great country of ours, ready for war on any proper cause, willing to contend with the world for the right, when approached by these shylocks, bows its head and with humility says, "Thy will I will obey."

Democratic friends, look at our condition. Just a short time ago the people said to us, "We will try you"; and they filled this House to overflowing with professed Democrats. We met here, wrangled, and adjourned. We appealed for support again, and it was like talking to stones. We had substantially left them where we found them. They answered back no. We try something else, and we hardly have enough to call a quorum. The same is true of the Republican party. You think now you have an unlimited lease of power. Let me say to you you have had our experience. You are walking on thin ice. You will do nothing this session. The ball of taxation will roll on. Bond after bond will be issued, and the gold hoarders of the world will eat out our subsistence. These convulsions in politics show as much against one party as the other. Discontent, stagnation in business, fear of investments, premiums on the only standard money, broken pledges, and fear will again bring about their results.

The Democratic party was invincible until it destroyed itself. It has not been your Republican legislation and statesmanship that have brought you here in such great ascendency. It is because of our departure from our immortal principles. The Constitution has been violated, our policy of over a half century abandoned, and in this we have abandoned our great and impregnable fortress. Our friends once were the farmer in the field, the mechanic at his bench, the hired labor in all the pursuits of life. These were our friends. We carefully watched and fostered their prosperity. This being done, the merchant, the banker, and carrier received reasonable compensation for their efforts. No tramps infested the country, and such a scene of prosperity and success was never seen on earth. Now it is the rich gold holders we are running—rather they are running us. Even foreign gold lenders are consulted. They are provided with opportunities to make more wealth. The taxing power of the Government is mortgaged to them.

Gold, the unconstitutional and undemocratic standard, is doubled in value, and the old friends and champions of Democracy are left to do the best they can under such oppression. We left our friends and they are not to blame. Let us again return to the doctrine of our fathers. Let us make industry and labor the great objects of our creed, and stay with that unselfish, honest, plain, industrious people, and our party will again be invincible. [Applause.]

Cuba.

REMARKS
OF
HON. JAMES R. HOWE.
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,
Monday, March 2, 1896.

The House having under consideration the following resolution:

"*Resolved by the House of Representatives (the Senate concurring)*, That, in the opinion of Congress, a state of public war exists in Cuba, the parties to which are entitled to belligerent rights, and the United States should observe a strict neutrality between the belligerents.

"*Resolved*, That Congress deplores the destruction of life and property caused by the war now waging in that island, and believing that the only permanent solution of the contest, equally in the interest of Spain, the people of Cuba, and other nations, would be in the establishment of a government by the choice of the people of Cuba, it is the sense of Congress that the Government of the United States should use its good offices and friendly influence to that end.

"*Resolved*, That the United States has not intervened in struggles between any European Governments and their colonies on this continent; but from the very close relations between the people of the United States and those of Cuba in consequence of its proximity and the extent of the commerce between the two peoples, the present war is entailing such losses upon the people of the United States that Congress is of opinion that the Government of the United States should be prepared to protect the legitimate interests of our citizens, by intervention if necessary"—

Mr. HOWE said:

Mr. SPEAKER: Subjugation or annihilation is the decree that has gone forth from Spain to Cuba. The spirit of liberty is to be strangled in the interest of tyranny, and the question for us to consider is, Shall this decree of slavery or annihilation prevail? The heroic Cubans await our answer. Let us reply with emphasis, that it shall not be while the spirit of the men who founded this Government continues.

Mr. Speaker, war at all times is to be lamented, and the way to put an end to this struggle is to accord belligerent rights to the Cubans. The century now closing has been spattered with blood and full of heroic struggles for justice in Cuba. Once we recognize and accord them the rights of belligerents, we will have accomplished at a single stroke that which they have been unable to obtain through three hundred years of slavery. Statistics show that $26,000,000 is exacted in a single year as sweat money on the part of Spain from Cuba, 75 per cent of which has gone to sustain purple royalty.

Mr. Speaker, had I a thousand votes, I would cast them all in favor of this struggling people. I would be untrue to the promptings of my nature did I do less, for theirs is the same spirit that animated and nerved the men of the Revolution, from whose giant strokes went forth a spark that has set the world aglow with the light of human liberty, and its radiance has encompassed Cuba with a burning flame that will not be extinct until tyranny lies strangled at its feet and the Gem of the Antilles shines forth brilliant and glorious in freedom's light.

Mr. Speaker, we may well look upon the Cuban struggle with anxiety and fear lest the iron heel of tyranny crush to the death the spirit that animated them and postpone to some distant day the time when Cuba shall be free.

Mr. Speaker, we are making history to-day. Shall it be on the lines of progress, on the lines of the elevation of mankind and in the spirit of liberty, or shall we go back to the dark-lantern methods of the Middle Ages? Ah, no; it can not be, for it would be contrary to the spirit of the age in which we live. A nation that has liberated 4,000,000 slaves from bondage must not, will not, take the side of the despot by inactivity, nor stand idly by and witness this inhuman and barbarous warfare.

Mr. Speaker, we would not interfere with the sovereign rights of Spain; but, sir, this is not a riot, it is a revolution on the part of a long-suffering and brave people, a people whose wrongs are of the same character as were those of the men of 1776. Shall they be subjugated or annihilated and America fail to exercise a lively interest in their behalf? We are unworthy of the privileges which we enjoy if we fail to heed the cry that comes to us from the Island of Cuba. Captain-General Weyler would reenact in Cuba the barbarous and fiendish atrocities that have been committed by the Turks in Armenia. Is it not our duty to put a quietus on this inhuman butchery at once? It can not be possible that 70,000,000 freemen will allow these struggling patriots to be slaughtered, as have been the Armenians, without giving them recognition. This beautiful island, Nature's paradise, should not longer be blighted by the despotic hand of tyranny.

Shall chains and scourge and strangler's noose,
Rapine and outrage grim, await
Their bloody and accustomed use
For those given o'er to Spain by fate?
Nay: by the bones of James Monroe,
And by a million freemen slain,
Speak out, and let the whole world know
Columbia guards the Western main.

Let us give notice to Spain that from this day belligerent rights are accorded to these heroic defenders of the God-given right to govern themselves, and as sure as the sun rises on the coming morrow Cuba will be free.

Against the Recognition of Belligerent Rights in Cuba under Present Conditions.

SPEECH
OF
HON. WILLIAM F. DRAPER.
OF MASSACHUSETTS,
IN THE HOUSE OF REPRESENTATIVES,
Monday, March 9, 1896.

The House having under consideration the following resolutions:

"*Resolved by the House of Representatives (the Senate concurring)*, That, in the opinion of Congress, a state of public war exists in Cuba, the parties to which are entitled to belligerent rights, and the United States should observe a strict neutrality between the belligerents.

"*Resolved*, That Congress deplores the destruction of life and property caused by the war now waging in that island, and believing that the only permanent solution of the contest, equally in the interest of Spain, the people of Cuba, and other nations, would be in the establishment of a government by the choice of the people of Cuba, it is the sense of Congress that the Government of the United States should use its good offices and friendly influence to that end.

"*Resolved*, That the United States has not intervened in struggles between any European Governments and their colonies on this continent; but from the very close relations between the people of the United States and those of Cuba in consequence of its proximity and the extent of the commerce between the two peoples, the present war is entailing such losses upon the people of the United States that Congress is of opinion that the Government of the United States should be prepared to protect the legitimate interests of Americans, by intervention if necessary"—

Mr. DRAPER said:

Mr. SPEAKER: I know that only a small minority of the Foreign Affairs Committee agree with my views, and I presume that the same is true of the House to-day. There is, therefore, a greater necessity than usual why I should state the reasons which have caused me to differ with my colleagues of the committee.

This is a question of serious import and not simply an oppor-

tunity to make sympathetic or spread-eagle speeches without responsibility. It seems to me that we are in danger of yielding to a popular clamor that will not be sustained by the sober second thought of this nation.

In considering these resolutions we should remember that we are officials of the United States Government, bound by our oaths of office to consider American interests, and that no mere desire for the success of the one party or the other in Cuba should lead us to disregard them.

We may subdivide our national interests in this matter into the general interest and the personal interests of American citizens in Cuba.

Taking up the general interest as the most important, we have the statement of Senator MORGAN, of the Senate Foreign Relations Committee, who, in introducing similar resolutions a few days since, said that he believed their adoption meant war with Spain.

He said (I quote from page 2231 of the CONGRESSIONAL RECORD of February 20, 1896):

When the petitions had to be considered and had to be reported adversely, with a request that we might be discharged from their further consideration, or else we had to take the other side of the question and find that we could and should pass a resolution in some form recognizing belligerency in Cuba, I said to the Committee on Foreign Relations, "I contemplate war at the end of any resolution that we pass in that direction." * * * I therefore accepted the situation whenever I took a step in that direction—it made no difference how long or how short it was—that it would ultimately result in war.

He also said (page 2232):

Therefore I hope the Senator from Maine will understand that in all I have done about this Cuban imbroglio I have acted with great reluctance. I have acted with the reluctance of a man who, with his associates, is compelled to take a very important position, what under ordinary circumstances might be called a very hazardous position, in the contemplation of actual war, without giving any just cause of offense to Spain. I have acted in full view of the fact that at the beginning of this controversy it was our business to discount the future, and to draw our sword and lay it upon the table and say to Spain, "If you want to take it, take it up."

Now, we may not agree with the distinguished Senator in full, but there is no doubt that these resolutions carry with them the danger of war, and no doubt that the gentlemen who have brought the special pressure upon us to take this step sincerely hope that it will be the first step toward our taking active part against Spain in Cuba and elsewhere.

Already we begin to hear from the organs and sympathizers of the Cuban Junta complaints that our Government is enforcing its own laws in interfering with the fitting out within our territory of hostile expeditions against a friendly power. They will not be satisfied with neutrality, which is what a declaration of belligerent rights is supposed to mean. They want us to intervene in favor of the Cuban insurgents, who have little chance of success without our intervention.

Are we ready for this? Do we want war, or the chance of war, for any such object?

No one avows the intention of conquering Cuba and annexing it to the United States, so I will not discuss that proposition; but outside of that possibility have we not everything to lose and nothing to gain by the proposed action?

If war comes we should doubtless succeed as we did in Mexico, as we are stronger than Spain; but are we ready to increase our debt, to disturb or derange our finances, now on none too secure a basis, and to slaughter thousands or tens of thousands of our own citizens for any interest that we have in this controversy? I am not, for one, and I believe that the sound sense of the American people is with me.

Here I will digress a little from my general line of thought to call the attention of our sound-money men to the danger of our action.

We spend months of time and fill the CONGRESSIONAL RECORD with speeches detailing the troubles which a depreciated currency would bring upon us, and yet we rush through without debate—as my friend MCCALL says, with the speed of a lynching party—resolutions which, in the view of eminent men like Senator MORGAN, would bring these troubles upon us.

Does anyone doubt that in case of war with Spain gold would go to a premium at once? We are borrowing largely in time of peace. Our revenue is less than our expenditure. We have a powerful body of Senators who will not agree to an increase of revenue without adding to it the free coinage of silver.

The financial road is difficult enough at the best. What will be the result if we impose upon ourselves the burden of hundreds of millions of dollars in addition for military operations and coast defense?

This seems to me a time for considering these practical questions, rather than for being carried away by sentiment, and by sentiment, too, largely manufactured for the occasion.

Returning to my argument: On the second point, American citizens own nearly or quite $30,000,000 worth of property in Cuba—mostly in sugar plantations and mines. Some of this has already been destroyed by the insurgents (none by the Spaniards), and all the rest is only preserved from destruction by the presence of Spanish guards. Under present circumstances it is for the interest of Spain to protect this property, as she is responsible to the owners and the United States for payment if damage is done. Acknowledge belligerency and under international law this responsibility ceases, and with the guards removed it is easy to foresee the results. If we are to move at all, instead of thus abandoning our countrymen we ought to take some additional measures to protect them.

Coming, now, to the reasons urged for action, I notice that not one is based on American interests; all are on grounds of sympathy for a struggling people who are alleged to be endeavoring to establish a republic. Without saying (what I believe) that the success of the insurgents would mean anarchy rather than republican government, what real good will these resolutions do the revolutionists? You may reply that they want them adopted; but many people want what is not good for them.

To grant belligerency gives no assistance. Strict neutrality goes with it, and the American Government will be just as much bound to enforce neutrality with these resolutions passed as it is now. More than this, an acknowledgment of belligerency by us gives to Spain the right to search our vessels for articles contraband of war, a right that she does not now possess, and that would operate directly against the insurgents' interest as well as make great opportunities for irritation between Spain and the United States. As stated before, this latter point is probably the real reason why the Cuban Junta and their active sympathizers desire us to take this action.

They hope for some occasion of trouble between Spain and ourselves on account of the exercise of this right of search, and that thus we may become active participants in the hostilities, as I have before stated.

It is said that we ought to interfere in this contest because of the cruel manner in which the war has been carried on on the part of the Spaniards. Now, war is cruel, but so far as I can learn from the official correspondence submitted to us there is more evidence of cruelty and destruction of property on the part of the insurgents than by the Spanish forces.

Witness the case of the planter Iglesias, who was taken from his bed by an insurgent band and hanged because he was grinding cane on his plantation.

Witness the letter of Gomez on page 30 of the official correspondence, where he says:

With respect to myself as director of the war, I consider that the first thing to do is to root out every hindrance, however small it may appear, to the progress of the revolution, without heeding either much or little the judgment that may be formed of such measures by those who live in ease and repose under the shade of the Government we combat, for such can not be considered as our friends, and neither by the state of their spirits can they be competent to judge our acts.

To not let provisions enter that city (Puerto Principe); because the persons, families, rich or poor, may suffer is no fault of the revolutionists, it is the fault of Spain, who deprives the Cuban of his rights. * * *

Men who face death on the battlefield can not occupy themselves about the scarcity of milk and fuel in that city.

The orders are given, and I, who signed them with the pen, will make them effective with the sword. Tell that and much more, Doctor, to your friends, who must also be mine.

Yours, M. GOMEZ.

Witness the general conduct of the so-called war, which seems to consist on the part of the revolutionists in destroying the property of noncombatants and showing their backs when any considerable detachment of Spanish troops appears. When they take a town they first plunder the stores; then burn the houses; and meantime they amuse themselves by destroying the resources of the island—the sugar plantations and tobacco factories—when they are not under Spanish guard.

This is not the kind of warfare that, if successful, will lead to order under liberty; and it is not worth our while to interfere to make Cuba a second San Domingo.

I am well aware that our action is not final—that the President has full power in this matter whatever resolutions we may pass. I hope that he may be more conservative than we seem to be, but whether he acts on our recommendation or not, it is our duty to act with a full sense of responsibility.

One point more and I will close. It is said that belligerency is a matter of fact to be recognized when it exists, and not before. Now, while there is undoubtedly fighting in Cuba, the insurgents have not established themselves so as to warrant recognition under the ordinary rules. They fight, destroy property, and plunder, but they have not an established government in any proper sense. They have no courts, no seat of government except in the saddle, no seaports, no regular system of taxation, no protection of life and property; but the reverse.

A quotation from the message of President Grant, considering this same question with relation to the Cuban insurrection of 1869, is most pertinent to-day. He said:

During the whole contest the remarkable exhibition has been made of large numbers of Cubans escaping from the island and avoiding the risks of war, congregating in this country at a safe distance from the scene of danger, and endeavoring to make war from our shores, to urge our people into the fight which they avoid, and to embroil this Government in complications and possible hostilities with Spain. It can scarce be doubted that this last result is the real object of these parties, although carefully covered under the deceptive and apparently plausible demand for a mere recognition of belligerency. * * *

The question of belligerency is one of fact not to be decided by sympathies

for or prejudices against either party. The relations between the parent state and the insurgents must amount, in fact, to war in the sense of international law. Fighting, though fierce and protracted, does not alone constitute war. There must be military forces acting in accordance with the rules and customs of war, flags of truce, cartels, exchange of prisoners, etc.; and to justify a recognition of belligerency there must be, above all, a de facto political organization of the insurgents sufficient in character and resources to constitute it if left to itself a state among nations capable of discharging the duties of a state, and of meeting the just responsibilities it may incur as such toward other powers in the discharge of its national duties.

Applying the best information which I have been enabled to gather, whether from official or unofficial sources, including the very exaggerated statements which each party gives to all that may prejudice the opposite or give credit to its own side of the question, I am unable to see in the present condition of the contest in Cuba those elements which are requisite to constitute war in the sense of international law.

The insurgents hold no town or city; have no established seat of government; they have no prize courts; no organization for the receiving and collecting of revenue; no seaport to which a prize may be carried or through which access can be had by a foreign power to the limited interior territory and mountain fastnesses which they occupy. The existence of a legislature representing any popular constituency is more than doubtful.

In the uncertainty that hangs around the entire insurrection there is no palpable evidence of an election, of any delegated authority, or of any government outside the limits of the camps occupied from day to day by the roving companies of insurgent troops. There is no commerce; no trade, either internal or foreign; no manufactures.

As a conseqence of these facts, he declined to accord the insurgents belligerent rights.

The same statements and the same arguments apply to-day.

The insurrection of to-day stands in the same position as that of 1869, with the exception that the property-owning classes largely favored that movement, while they oppose this one.

No other nations have given them this recognition, and nothing but our national sympathy for anything called freedom, and the active pressure of certain gentlemen who, while calling themselves American citizens, are stirring up this trouble in the territory of a friendly power, is behind this strong movement in our Congress.

I may not be able to influence the action of the House, but I am so certain that I am right that I desire to be placed on record as opposing these resolutions.

Against Unrestricted Coinage of Silver.

SPEECH

OF

HON. JAMES T. McCLEARY,

OF MINNESOTA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 12, 1896.

The House having under consideration the Senate amendment to the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. McCLEARY of Minnesota said:

Mr. CHAIRMAN: It is no derogation of the ability and no disrespect to the personality of any of the very able and eloquent gentlemen who have spoken on the "free-silver" side of this controversy to say that high-water mark was reached on that side of the discussion last Saturday by my distinguished friend and colleague [Mr. TOWNE]. This has been conceded on all sides. Some have even gone so far as to say that his speech is the greatest, not only of this session but of any session, that has been made on that side of the question. As a friend of the speaker, I rejoice with him in the honors thus bestowed upon him; and as a citizen of the great North Star State, I am proud of the fact that he is a son of hers of whom these things have been said.

This speech of my colleague has made a profound impression on this floor, arousing with its clarion tones the drooping spirits of the free silver cohorts, and causing many a sound money man to pause in doubt. It will be printed in immense quantities and scattered broadcast over the land. And therefore, Mr. Chairman, as a lover of truth and of my country, I deem it to be my duty to expose the fallacies and refute the conclusions of my colleague's argument.

PERSONAL.

It is proper to say at the outset, Mr. Chairman, that my personal concern in the result of this discussion is simply that of any other citizen of the Republic; we are all greatly interested in securing an early, righteous, and final decision of this question. Nor are my personal fortunes in any special way at hazard. Through two campaigns this has been the leading question in my district; all the arguments now advanced by my colleague have twice been soberly weighed by the good people whom I have the honor to represent. Before my colleague had begun seriously to think on this question the citizens of the Second Minnesota district had, with their characteristic foresight and intelligence, given it full, frank, and thorough consideration, and had twice, I am proud to say, rendered their verdict by increasing majorities in favor of a sound and stable currency.

It is but fair to myself, Mr. Chairman, to say that, in view of the facts just stated, it had been my purpose to address the House briefly on another and more advanced phase of the money question. But complying with the urgent requests of some of my friends in the House, who are familiar with the fact that we have thought this question out pretty thoroughly in the Second Minnesota district, I have concluded (although the time for preparation has been very short) to make the speech of my colleague the basis of part of my remarks.

THE BLIND MEN OF INDOSTAN.

In this connection, Mr. Chairman, I am reminded of the poem of that wittiest and wisest, that keenest and kindest of men, John G. Saxe, a poem that we all read in our boyhood, entitled "The Six Blind Men of Indostan," who "went to see the elephant, though all of them were blind." Their curiosity had been aroused in relation to the famous animal, and each was anxious to learn what it was "like." In groping around, one grasped its tail and thought the elephant "like a rope"; the next embraced its giant leg, and thought it "like a tree"; another seized its writhing trunk, and thought it "like a snake"; and each of the others happening to come in touch with a different part of the elephant's anatomy, had a different idea of the animal's appearance. And over those differences, the poet tells us,

> They argued loud and long;
> Each being partly in the right,
> Though all of them were wrong.

To us who are blessed with eyesight their petty contentions seem almost pitiable. It is easy for us to see where their differences arose. No doubt each was sincere in his opinion and each was in possession of a portion of the truth. Had each been modest enough to realize his own narrowness of information and earnest enough to push his investigations as far as possible before venturing an opinion, the contention would have been less and the conception of truth on the part of each would have been much greater.

Had one of these blind men examined not only the tail, but also one or more of the other parts of the elephant, no one will deny that his opinion as to the appearance of the animal would have been more nearly correct than that of any of the others. And similarly in this discussion, the value of a man's opinion depends upon the breadth of his view and his ability to see things in their proper relations and proportions.

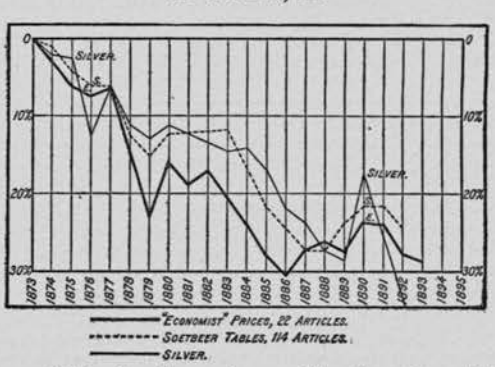
If I were called upon to characterize in a sentence the speech of my colleague, I should say that it lacks comprehensive grasp of the several topics considered. It offers a superficial view of many things, but does not indicate thorough study of any. We are given a little (and sometimes *very* little) of the truth on many points, but not enough of the truth on any of them to warrant one in drawing important conclusions. To carry out the figure of the poet, we are asked to judge of the appearance of an elephant by grasping its tail; to form our conception of a camel by seizing its leg; and so on through the menagerie. And in lieu of further information on any point, we are regaled by having a flower of rhetoric held beneath our nose, under the soothing influence of whose fragrance we temporarily forget that we are long on fancy and short on fact.

By the courtesy of my colleague, I am permitted to use this afternoon some of the charts used by him in his speech last Saturday. And I shall show that his fundamental positions are based on half-truths, which everyone knows are more dangerous and misleading than utter falsehoods.

SILVER AND PRICES.

I now ask the attention of the committee to my colleague's chart which shows the relation in price between silver and other commodities.

TOWNE'S, A.



By means of this chart he endeavored to show three things:

1. That, beginning with 1873, there has been an "unexampled and ruinous fall" in the prices of commodities.

2. That there has been during the same years a practically parallel fall in the price of silver; and that silver is, therefore, an almost ideal measure of value.

3. That this "fall in prices" has been the result of the so-called

"demonetization" of silver; and, by inference, that "remonetization" of silver would "restore prices" to their former level, or thereabouts.

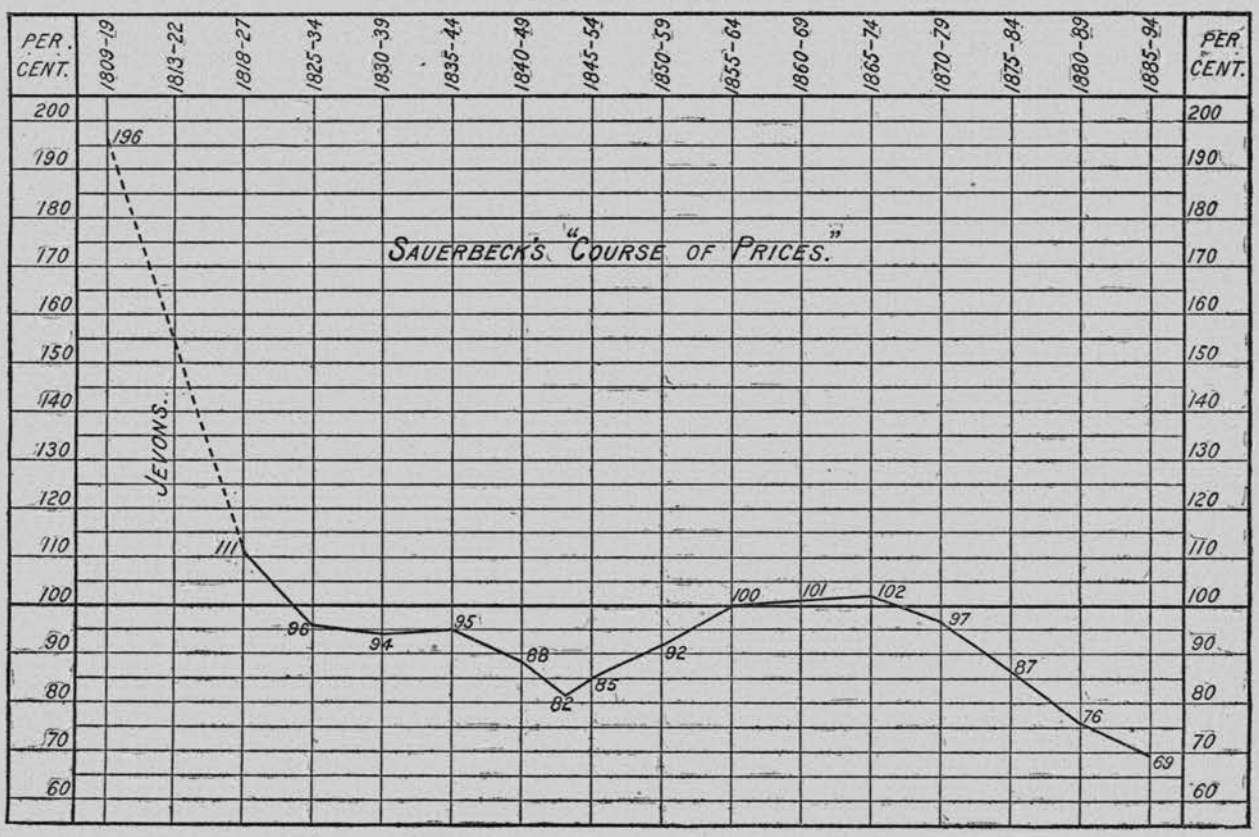
As we look upon the chart, our first impulse is to say that, unless its allegations are untrue, the inferences of my colleague are fully established. But when we look farther into the matter, we shall find that such a conclusion is wholly unwarranted. We may admit that there has been within the last twenty years a fall in the *average* price of commodities (the extent of which is, however, exaggerated to the eye by the method of drawing the chart); and we could admit that there has been during the same period a fall in the price of silver *roughly* parallel thereto. Indeed, I do admit (with an exception to be noted later) the substantial correctness of these two allegations; for my colleague would not knowingly make any statement of fact without having what he conceived to be good ground for doing so. The errors of my friend all arise from the fact that he is drawing important conclusions from premises that are too meager; he is trying to get an idea of the elephant by examining its tail only.

The trouble with my colleague is one that is common to the whole tribe of free-silver men: *the year 1873* is to them what the year of the hegira is to the Mohammedan, it is the point of time from which everything is reckoned. But no legitimate inference can be drawn in relation to these matters without examining also the course of events *before* 1873, and making a fair comparison of the two series of facts. If upon making such examination we find that there was never during the period of so-called "bimetallism" a marked fall in prices, and if we find also that the price of silver kept even pace with the average price of commodities before as well as after 1873, then indeed would candor compel the admission that the gentleman's inferences are well founded. But if, on the other hand, such investigation reveals a fall in prices during the so-called "bimetallic" period as great as that since 1873; and if the rough parallelism between the price of silver and that of commodities in general did not exist before 1873, then will frankness force my colleague to confess that his inferences are not tenable, and that in common honesty they must be abandoned.

LET US APPLY THE TEST.

The chart to which I now invite the attention of the committee is one that I drew since the speech of my colleague was delivered. It shows the course of average prices by ten-year periods from 1818–27 to 1885–94, inclusive. The table from which it was drawn was prepared by Augustus Sauerbeck, one of the authorities quoted by my friend in another part of his speech. Indeed, in the first rehearsal of this speech, as delivered by him in Duluth last August, and afterwards in other places, the gentleman printed this table. But by a singular oversight *he did not put it into chart form*. This was a very unfortunate omission. For had my friend appreciated the great importance of those figures; had he given them enough study to become impressed with their real significance, and had he then put them into chart form and placed the chart in juxtaposition with the one considered by us a moment ago, he would have saved himself and his readers from grievous error.

McCLEARY'S, A.



Mr. Sauerbeck's standard of comparison, or 100 per cent line (represented on the chart by the horizontal line A—A), is "the average prices in London of forty-five principal commodities for the period 1867–77"; that is, for a ten-year period having 1873 as its middle point.

THE GREAT FALL IN PRICES FROM 1809 TO 1849.

Even the most casual examination of the chart will reveal three facts which are exceedingly important in this discussion, namely:

1. That in the period extending from 1818–27 to 1843–52, twenty-five years, *the fall in average prices was practically the same* as that which has taken place since 1873. And had the table extended back ten years further the former fall would be seen to have been *much the greater*, for prices ranged much higher for some years before 1818 than in that year. A glance at the chart will substantiate this statement, for the price line in 1818 shows that it marks, not the beginning of a fall, but one which had been for some time in progress.

In further substantiation of the foregoing statement, and as my authority for the course of prices before 1818 (as shown by the dotted line), I quote one of the most scientific and impartial writers on money, one whose authority on matters of fact is unquestioned, the late Walter Stanley Jevons, author of Money and the Mechanism of Exchange. Discussing the varying value of money as related to goods, he says:

Between 1789 and 1809 it fell in the ratio of 100 to 54, or 46 per cent—

That is, Mr. Chairman, the average prices of commodities *rose* enormously during those years. The committee will kindly note this fact, as I shall revert to it in another connection. But for the present I desire special attention to the succeeding statement of Mr. Jevons:

From 1809 to 1849 it [the value of money] rose again in the extraordinary ratio of 100 to 240, or by 140 per cent.

That is, Mr. Chairman, there was an "*extraordinary*" *fall in*

prices—a fall at the ratio of 240 to 100—a fall which in extent and duration far exceeds that since 1873.

Thus we see, Mr. Chairman, that our recent fall in prices is by no means "unexampled" in either scope or duration. It was greatly exceeded by the fall in prices near the beginning of the century, during the so-called "bimetallic" period. And thus disappears the chief foundation of my colleague's entire argument and of the whole free silver contention.

THE IMPOTENCE OF SILVER TO AFFECT PRICES.

2. The chart is equally severe on another very touching argument of the free silverites. Silver and its advocates are very sympathetic, very anxious to ameliorate the sad condition of men; silver is claimed to be able and willing to "restore prices." But it is well worthy of note, Mr. Chairman, that during the long period from 1809 to 1865, a period marked first by a tremendous fall and then by a great rise in prices of commodities, *the price of silver varied but slightly.* Though silver advocates frequently boast of this uniformity in the price of silver they *never put it in connection with this other fact.* Thus, it is never revealed by them that during this long period, when silver had "free access to the mints," it held itself aloof from other commodities, impotent alike to prevent their fall or to promote their rise. It seemed in its palmy days to have none of the spirit of sympathy and helpfulness ascribed to it now by the advocates of free coinage.

Mr. Chairman, "we know of no way to judge the future but by the past"; and judging by that past I ask gentlemen what there is in the record of silver when it had "free access to the mint" that gives basis for the hope, so often expressed by gentlemen on the other side of this contention, that silver would under free coinage not only rise in value itself, but that in doing so it would "help the friends of its lowly days." Judging it by its past, even if free coinage could perform a miracle and restore silver to its ancient lofty state (on which point I shall speak later), are we not warranted in saying that it would then, as in days gone by, separate itself in proud disdain from the commodities whose company it now professes to keep, and prove itself incompetent if not unwilling, in the future as in the past, to affect in the slightest degree the prices of other commodities? Are not its present humility and willingness to promise "all manner of good things" aptly characterized by Shakespeare in the lines:

> Lowliness is young ambition's ladder,
> Whereto the climber upward turns his face;
> But when he once attains the upmost round,
> He then unto the ladder turns his back.

THE RECENT FALL IN PRICES DID NOT BEGIN IN 1873.

3. We note, in the third place, that the recent fall in prices *did not begin in 1873* but in 1865.

When (for reasons varying with the persons from the purest patriotism to the most dangerous demagogy) those who are trying to foist upon this country the unlimited coinage of silver as a panacea for all our ills, real and imaginary, seek to establish their position by statistics of average prices and by giving the prices of certain great commodities like wheat and cotton, why, in the name of candor, do they not go back at least a few years further and show that, in relation to some of the most important items quoted, the fall in prices between 1865 and 1873 double discounted anything in the way of a fall that has taken place since 1873; that it was greater in those eight years than in *all* the years since? Why, for example, don't they remind the cotton planter that the price of middling cotton fell (Statistical Abstract for 1894, page 408) from $1.015 a pound in 1864 to less than 17 cents in 1871? Do they not possess adequate information on vital points? Or are they willfully suppressing a portion of the truth, having a lively appreciation of the fact that this simple statement would be sufficient to overturn their entire contention?

And now, Mr. Chairman, having shown by my colleague's own figures that the fall in prices about which he and other free-silverites say so much is not the only one or even the great one of this century; that it did not begin in 1873, and hence is not due to the cause to which they ascribe it; and that "free silver," having demonstrated in the past its incompetency to affect prices (even if that had been shown to be desirable), can not reasonably be expected to affect them in the future—these things having been proved, Mr. Chairman, our side could fairly rest our case and demand the judgment of all candid men.

But, Mr. Chairman, men are often misled by nonessentials. If the other alleged "arguments" of my colleague were to be passed by, the reason for silence might be misunderstood. Moreover, they constitute a part of the ground of my colleague's faith. And, sir, I have so high a regard for my friend personally, so much admiration for his native ability, and so bright a hope for the future that is before him if he renounces what he himself is reported to have called in the last campaign "this free-silver lunacy," that I shall, with the indulgence of the committee, proceed now to examine the other items of my colleague's speech.

THE FALLACY OF THE METHOD OR ARGUMENT BY "AVERAGES."

A favorite device of the gentlemen on the other side of this controversy is to draw conclusions from tables of "*average* prices." Most of the rank and file do this in entire good faith, never dreaming of the fallacies that lie unrevealed by the very nature of the method itself. But the leaders (who have the time, and are presumed to have the talent, to investigate all important phases of the question to a finality) owe it to the confidence which their followers repose in them to seek earnestly and report honestly the *whole* truth, so far as human ken is able to discover it.

The real-estate boomers of a certain State (*not* Minnesota) used to announce in their circulars to prospective immigrants that the "average annual rainfall" was so many inches—a normal fall. The settler who went there on the strength of that statement found that, while it was literally true, it was totally misleading. The "*average* annual rainfall" was indeed as stated; but the rain all came in a deluge within the period of a few weeks, and during the rest of the year the country was so dry that the crops parched and perished, and not even a warranty deed would hold the land itself.

The very idea of an average implies *differences*, while at the same time it hides their nature and extent.

In order to get at some of the facts concealed by the so frequently quoted tables of average prices, I invite attention now to a few charts showing graphically the prices year by year of a number of individual articles. Even an analysis into *groups* of articles will enable us to avoid some of the errors incident to a general average table.

These charts have been carefully prepared under my own supervision from the famous tables of Dr. Adolph Soetbeer, the great German statistician, than whom there is no higher authority. By the way, I wonder how many of the free-silver men who so often and so glibly quote statements alleged to be founded on the Soetbeer tables ever even saw those tables. Probably not one in ten thousand! Here are the famous tables themselves [holding up a book]. They are given in the Consular Report for December, 1887. I feel abundantly repaid for the solid month that I spent last summer in careful and painstaking study of them.

WHAT SOETBEER'S TABLES SHOW AS TO CERTAIN IMPORTANT ARTICLES.

These tables are based on the prices of 100 principal articles at Hamburg, and 14 leading articles of British manufacture, and cover the time from 1851 to 1885. The prices are taken from the official records of the city of Hamburg, which Dr. Soetbeer declares to be "material which is complete and trustworthy to a higher degree than any known to us."

The method is by index numbers, taking the average prices of the several articles from 1847 to 1850, as the base or 100 per cent.

Mr. BRUMM. Was not 1847 a year of great financial depression?

Mr. McCLEARY of Minnesota. No, sir. My friend is probably thinking of 1837 or of 1857. Dr. Soetbeer, whose preeminence as a statistician my friend will not question, and whose tables he has no doubt quoted, chose the years aforesaid as the very best available for the purpose.

The attention of the committee is now invited to my Chart B (see page 3604), showing the prices of wheat and rye, the great food grains of Europe. The average price of all grains is given also.

The standard price, explained above, is represented on this and the succeeding chart by the heavy horizontal line A—A.

The two special points to which the committee's attention is invited in this connection are:

1. The fact that the average price of grain after 1873 (which year is indicated, for the sake of prominence, by the heavy vertical line B—B) *never fell as low* as the average in the "bimetallic" days of 1847–1850.

2. The fact that the price of silver (which was, as has been said, quite uniform up to 1873) had very plainly no relation to the prices of grain. Any man who in the fifties had insisted that there was any such relation would have been barred from standing among sane and sober-minded people.

Leaving grains, your attention is next invited to the course of

PRICES OF ANIMAL FOODS.

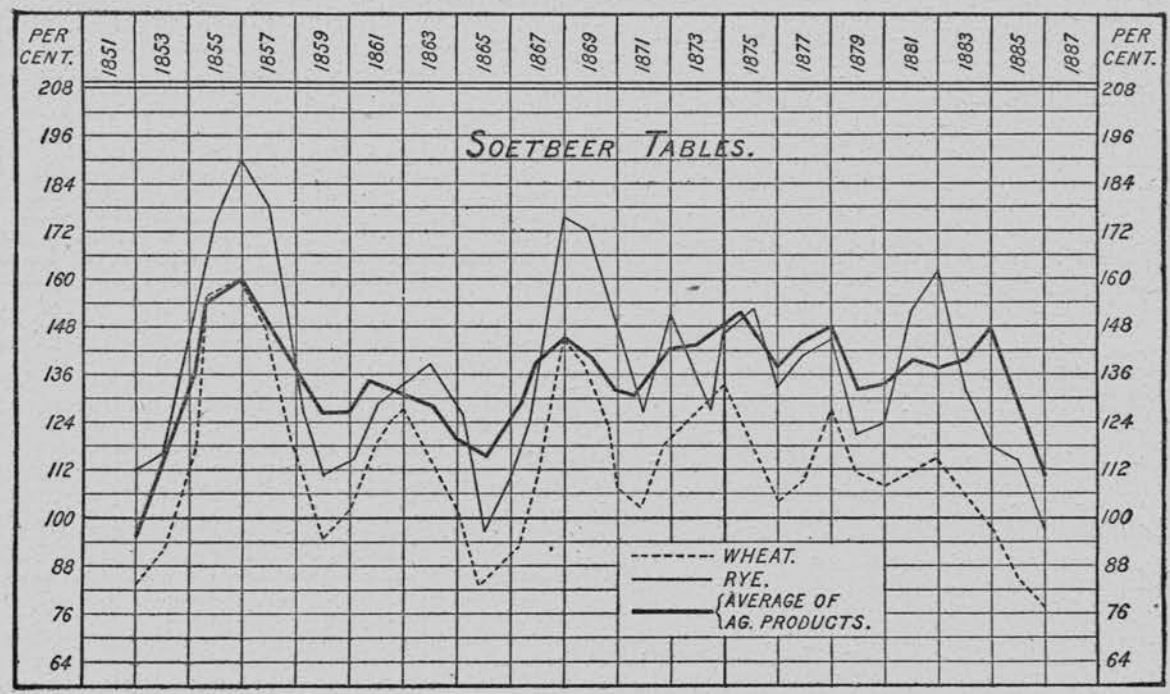
[See McCleary's Chart C, page 229.]

These charts (which exhibit the Soetbeer figures for the chief animal food products individually) show that the price of each fluctuated sharply throughout all these years, each according to the circumstances peculiar to itself; but that *never since 1873* did the price of a single one of them fall as low as in the so-called "bimetallic" days at the close of the first half of this century. And it is probably true, as my friend from Iowa whispers, that the butter and egg business of the country outweighs in importance its silver industry.

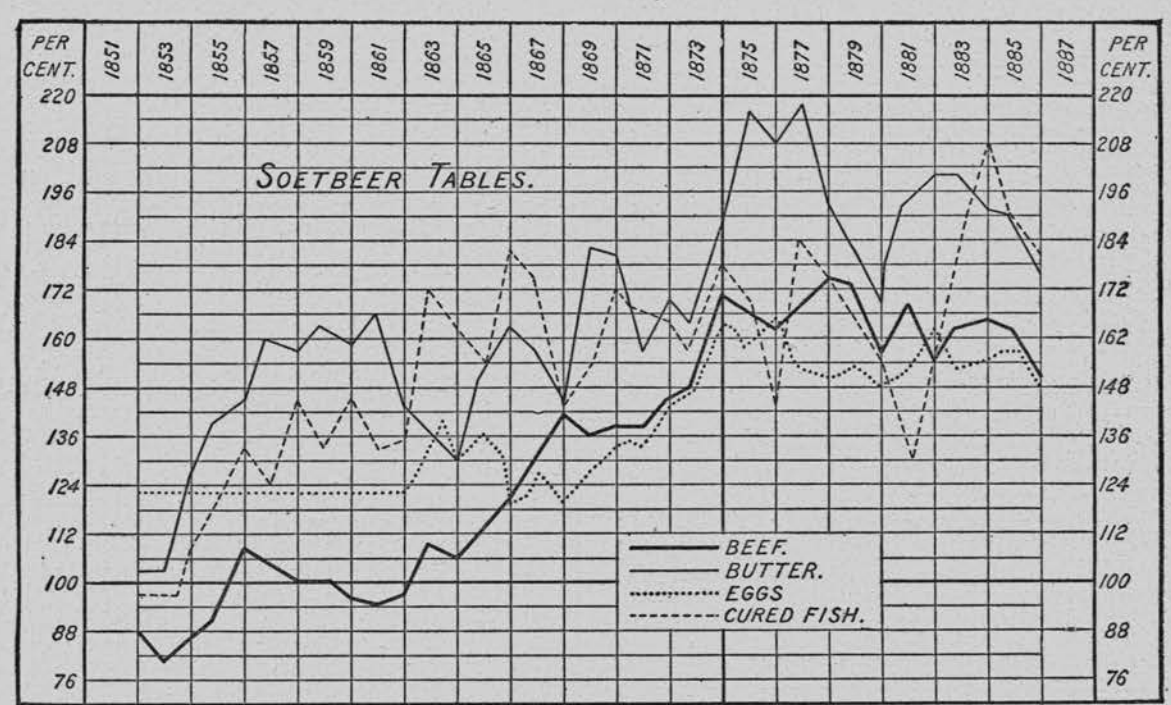
A MEMBER. Did Mr. TOWNE use these charts?

Mr. McCLEARY of Minnesota. No; these reveal a portion of

McCLEARY'S, B.



McCLEARY'S, C.



the elephant which, so far as the record shows, my colleague never saw. [Laughter.]

As I said when I began to discuss this section of my colleague's speech, I take exception to one portion of his Silver-and-Prices chart. The chart gives Soetbeer as authority for prices down to 1892. But the Soetbeer tables *end with 1885*, and no one has any authority to extend them. Nor do I believe that my colleague intended to do so. As a matter of fact, my colleague's chart is almost an exact facsimile of one used in a speech two years ago by the Senator from Nevada [Mr. STEWART]. It was afterwards published in the appendix to the last edition of the Coinage Laws, and it was probably there that my colleague found it. He is not the first young man, Mr. Chairman, who has been led into error by following blindly the patriarchal-looking Senator from the State of deserted mining camps. [Laughter.]

WHAT CAUSED THE TWO GREAT FALLS IN AVERAGE PRICES.

Taking the century as the period for investigation, and reverting again to my Chart A for the course of prices, let us try to discover the reasons for those mighty changes in the level of prices.

We note first of all that there have been in this century *two* periods of very high prices and *two* periods of gradual fall in prices. Can any principle or law be discovered in accordance with which these changes in price levels took place? If so, it is very pertinent to this discussion.

Let us see if the two periods of high prices have anything in common. The first of these periods extended from 1789 to 1814, with its highest point at 1809. It is very important to remember that *these were the years of the* NAPOLEONIC WARS, which cost Europe so much in blood and treasure. It is noteworthy, also, that the second period of very high prices covers the *years of* GREAT

WARS: the Crimean in the early 50's, our own mighty conflict in the early 60's, followed in the later 60's by the war between Prussia and Austria, and in '70 by Franco-Prussian war.

Now, war is a great destroyer of property, while at the same time it takes from the productive industries vast numbers of their best workmen. It is a time of abnormal demand coincident with abnormally restricted supply, hence a period marked by great wars is *always a period of abnormally high prices.*

Mr. SHAFROTH. Was not the rise in prices in the fifties due chiefly to increased gold production?

Mr. McCLEARY of Minnesota. No, sir. That statement has often been made, but it is clearly not true. The increased gold production may possibly have had some small influence. But that it was very small may be seen when we remember the following facts:

1. The rise in prices began *before* the great output of gold began, as will be seen by referring to the Sauerbeck chart above. The prices were influenced no doubt by the insurrectionary disturbances in Europe and by our war with Mexico.

2. There was a marked *fall* in prices in 1857–1860, as we all know, *when the gold production of the fifties was greatest.*

And corroborative of my conclusion from the foregoing I note:

3. During the great rise in prices from 1789 to 1809, above mentioned, the production of silver was practically uniform, while the production of gold *fell off more than 50 per cent.* And furthermore—

4. The production of gold for the last three years has *increased far beyond anything ever known before in history,* yet prices have fallen.

To continue my argument. As I had just said when my friend interrupted me with his very pertinent question, a period of war is a period of abnormally high prices. What, on the other hand, is the natural and legitimate effect on prices produced by a long period of peace?

Every person within the sound of my voice has as one of his proper ambitions the acquirement of a competency for his old age. Now, Mr. Chairman, what is the rational basis of such a hope? In its ultimate analysis it is this: That each month and each year the person entertaining such a hope shall *produce more than he consumes.* This is the basis of increase in wealth, personal and national.

Now, price depends chiefly on two things: 1, the relation between demand and supply; and, 2, cost of production. It therefore follows that in a long period of peace, when production naturally exceeds consumption and when the wit of man is free to exercise its ingenuity in devising new and better methods of production, *prices naturally fall.* Thus it has been through all the ages, and thus will it ever be. Following the Napoleonic wars at the beginning of the century, and following the Franco-Prussian war of 1870, came long periods of peace, accompanied by the usual fall in average prices.

If peace conditions are normal, three incidental results should appear:

1. There should be improvement in the standard of living. This implies

2. That a given amount of labor should bring larger returns in the comforts of life; and

3. The demand for more and better things to eat should show itself in sustained prices for those better foods whose production can not be increased indefinitely.

WHAT SOETBEER'S SUMMARY SHOWS.

Pushing this investigation a little further, let us find out what articles have been most affected by the fall in prices.

And as we have been following Soetbeer, let us look at what his tables show when considered, as he himself sums them up, by *groups.* The numbers in the following table are his index numbers, with 1847–1850 prices as a base or 100 per cent.

Group.	1866–1870.	1881–1885.
Products of agriculture, etc	137.74	130.77
Animal and fish products	136.35	150.65
Southern products, etc	121.54	134.41
Tropical products	118.32	119.91
Minerals and metals	95.47	81.55
Textile materials	129.17	96.65
Miscellaneous	105.90	91.11
Fourteen British manufactured articles	123.57	103.28

The Soetbeer tables evidently do not warrant the statement so often made, with them as alleged authority, that "There has been a *general* fall in prices," if by that expression is meant that *all* articles or groups of articles have fallen largely, and in a measure equally.

Dividing the above table into two equal parts, we observe that the prices of the first four (which are chiefly food products) were marvelously sustained; while the prices of the second four (in the production of which labor-saving machinery could largely be used) show a marked fall.

SOME PRICES THAT DO NOT NEED "RESTORING."

The United States Statistical Abstract deservedly ranks high as an authority. Opening the latest edition (1894) at page 417, I find the export price of mess beef quoted at 7 cents in 1872, at 8.9 cents in 1882, and 5.7 cents in 1892. Butter in 1872 is given at 19.4 cents, in 1882 at 18.6 cents, and in 1892 at 19 cents. Prices of eggs for the same dates are 20.3 cents in 1872, 20.9 cents in 1882, and 23.2 cents in 1892. Other great staples, like corn, pork, and lard, show equal firmness. The prices of these articles don't seem to need any "restoring."

But perhaps the free-silver men would like to apply their "restorer" to the price of refined sugar, which cost 12.6 cents a pound in 1872 and only 4.6 cents in 1892. Or perhaps they would like to relieve the poor, suffering oil magnates, whose product was quoted at 23.5 cents a gallon in 1872 and had "fallen" to 5.9 cents in 1892. It may be that their tender sympathies go out to the manufacturers of bar iron, whose product (Abstract, page 412) commanded $97.63 a ton in 1872 and only $29.96 in 1894.

Perhaps they don't want poor men to be squandering their substance in building homes, and to that end would "restore the price" of nails, whose Philadelphia price fell from $5.46 a keg in 1872 to $1.08 in 1894; and of window glass, which fell from $3.40 a box in 1873 to $1.70 in 1891. And possibly their philosophic souls rebel at the idea of a poor man having a carpet on his floor, so they would remove temptation by "restoring the price" from 48 cents a yard in 1890 to $1.14, as it was in 1873. Then, if the poor fellow in whose interest they are working is not completely happy, they might restore the price of his wife's calico dress from 6 cents a yard in 1892 to 12 cents, as it was in 1873.

And while they are in the restoring business they might come to the rescue of the poor manufacturer of steel rails, whose product began to be made here in commercial quantities in 1867, at which time it commanded $166 a ton, but in 1894 had fallen to $24 a ton. This would enable the railway companies to find some justification for restoring their freight rates from .92 of *one cent* per ton per mile in 1891 (the lowest rate in the world) to 2 cents per ton per mile, the "good old rates" that prevailed in 1873. Nor would these restorers of prices overlook the steamboat men who, though they now haul wheat by lake and canal from Chicago to New York at a profit for 4.44 cents per bushel, were in the habit of receiving 24.47 cents per bushel in 1873.

Here is revealed, Mr. Chairman, the delusiveness of an argument founded on "averages"; it fails to discriminate the individual facts that go to make up the average. [Applause.]

THE INCREASE IN WAGES.

There is another serious omission in my colleague's allegations of fact. There is one commodity which stands out by itself so preeminent that even his disdain of details should not have ignored it, a commodity which is the truest and best measure of value ever discovered, surpassing in this respect wheat or cotton, iron or copper, silver or gold, and that is a *given unit of human labor.* And my colleague was somehow blind to the fact, though it is exhibited in one of the tables to which he referred, that the wages of labor have been on the average largely increased in the last third of a century, the increase from the old "bimetallic" wages of 1860 to those of 1890 being *58 per cent in money and 72 per cent in purchasing power.*

In 1892 a day's work of skilled labor would buy more of any staple commodity of human desire, more and better food, more and better clothing, more and better transportation, more and better tools and machinery, more and better heat and light, more comforts and luxuries of every kind, more silver *and more gold* than at any time before 1873 in the history of the world. [Applause.] More than that, there never was a time in the history of the world when a man who really wanted work could more easily find it than in 1891 and 1892. [Applause.] One evidence of this is the high wages paid, as above shown. And during the fall of 1892 I examined, day by day, the want columns of the St. Paul Pioneer Press and the Minneapolis Journal, two representative dailies of the Great Northwest, and I found on the average four times as many places seeking persons to fill them as there were persons seeking employment. [Applause.]

Mr. HUTCHESON. Why, then, did the people condemn the Republican party in the November elections of that year?

Mr. McCLEARY of Minnesota. My friend forgets the aphorism of the poet:

> In order to appreciate Heaven well,
> One must have had about fifteen minutes of—

well, the other place. [Applause.]

I have tried in this discussion, Mr. Chairman, to preserve my judicial-mindedness. I have studiously refrained from all appeals to prejudice or passion. I have not allowed myself to use the occasion for partisan advantage. But, since my friend from Texas has insisted that I shall for a moment speak as a partisan,

let me remind him that the real flood-tide of defeat for the Republican party was *in 1890*, when there was only a corporal's guard left on this side of the House. In 1892 the number of Republicans on this floor was more than doubled. In 1894 the people of the country did all that they could to return power to the Republican party by giving it the magnificent majority in this House which now greets the eye of my Democratic friend. And if my friend will abide in patience the next election he will have opportunity to see what, viewed in the light of comparative *experience*, the people think of the principles and the practices, the men and the measures of the Republican party. [Applause.] And he will have the comforting assurance that not in a generation, not until a new crop of voters grow up who can not *remember*, will the Democratic party be again called upon to assume any responsibility in the administration of the affairs of this Government. [Loud applause.]

As I was proceeding to say, Mr. Chairman, when my friend diverted my attention [laughter], any honest and intelligent man who has the time to study in detail any reliable table of prices covering the last forty years will find that the prices of those things in the production of which anything like the same amount of labor must be expended have held their own or have increased; while things, and these are very numerous, in the making of which labor-saving inventions and machinery have been introduced have greatly fallen in price. This accounts for the fall in "*average* prices," about which so much has been said.

Mr. HOPKINS. Your argument, then, is that the things which ought to have been reduced in price since 1873 have been reduced, while the things that ought to have increased in price have increased.

Mr. McCLEARY of Minnesota. My friend from Illinois has with his usual clearness stated the case tersely and well.

Fifty years ago the average New England mill hand, with the machinery then in use, and working fourteen hours a day, produced 9,607 yards of cotton cloth. In 1892, with improved machinery and working only ten hours a day, the average mill hand produced 30,000 yards. "Working five-sevenths the time, and under vastly improved sanitary conditions, the wages are more than doubled, while the product has been greatly cheapened."

And while we are on this subject, here is something new and fresh in the same line. An article in a recent number of the Iron Age gives the statistics of one of the copper mines, the Quincy mine, in the Lake Superior district. These show that the production commencing with 2,498,574 pounds in 1864, had increased to 15,484,014 in 1894—the yield per fathom and the average richness being about the same. But the cost of production had decreased from 26.71 cents per pound in 1864 to 5.68 cents in 1894. So that the production in thirty years had increased almost sevenfold, while the cost of production is but one-fifth of what it was in 1864. Meanwhile the *monthly wages of the miners have increased from $38.76 in 1864 to $50.70 in 1894*. "The lowering of cost," says the Iron Age, "is of course due to the multiplicity of improvements in every department." It mentions some of them. High explosives, machine drilling, modern stamps for crushing the rock, more economical engines for hoisting and pumping, improved means of transportation, cheaper supplies, and more economical processes generally.

These are two illustrations of what has been going on in every department of industry and field of production. The lower prices result from the reduced cost of production. There is not the slightest evidence that the so-called "demonetization" of silver had anything to do with it. And the sure proof is that in this, as in nearly all other cases, the reduction of cost of production has been accompanied by an increase in the wages of the producer.

THE CAUSE AND RESULT OF LOWER PRICES.

The great staples of the world are cheaper because it takes *less human labor to produce them*. "Every new railroad and steamboat, every labor-saving machine and improved process of manufacture, increases the grasp which labor holds on the desirable things of the world."

And thus we see, Mr. Chairman, that the great fall in prices of manufactured articles during the last third of a century has been in the main perfectly legitimate, and that its ultimate result will be most beneficent. Taken in connection with the rise in wages, it *measures man's vastly increased command over the forces of nature*. Through it the world is helped in its grand march onward and upward, being blessed with increased abundance of the good things that minister to human comfort. The workingman of 1892 enjoyed comforts and luxuries which only nabobs could afford forty years ago. A larger proportion of our people in 1892 had a carpet on the floor and a musical instrument in the parlor, silver and fine linen on the table and springs on their beds, good clothes to wear and good food to eat, a carriage to ride in, and papers, magazines, and books to read than ever before in any age or country in the world. [Applause.]

These wonderful results have come as the beneficent fruitage of man's inventive genius in devising labor-saving machinery, of the marvelous new forces which men are harnessing for the service of the human family, of the remarkable improvement in modern facilities for transportation, and of the stoppage of the tremendous and cruel waste of war.

What will a day's work produce? This is the true test of progress. As prices decline compared with the reward of human labor the condition of the people is elevated. This is a process of natural law and a phase of evolution. Men struggle against it only because they do not understand it. Like all movements onward, it brings temporary hardship to individuals here and there. But for the vast mass of humanity it is bringing emancipation from want and the promise of that golden future when a minimum of time will be required to provide for the necessities that are simply physical and temporal, thus leaving time and opportunity for the cultivation of those elements in our nature that are spiritual and eternal. [Loud applause.]

A MEMBER. I thought Republicans believed in high prices.

Mr. McCLEARY of Minnesota. The gentleman is evidently not a Republican and has little conception of Republican doctrine. Republicans believe in high wages for labor and low prices for manufactured articles. But Republicans do not believe that any prices are low that leave American resources undeveloped and American workmen unemployed. [Applause.] Republicans point with pardonable pride, sir, to two undeniable facts, namely, that under Republican rule the prices of manufactured goods have greatly fallen, while on the other hand the wages of workmen have greatly risen. [Applause.]

Mr. PICKLER. How about wheat?

Mr. McCLEARY of Minnesota. My talented friend from North Dakota [Mr. JOHNSON] answered that question so ably last week that it seems unnecessary for anyone else to discuss that subject again this session. But there are a few points related to the subject which I had planned to consider in another connection. This matter is important, and in the hurry I might forget it. So, as my friend from South Dakota [Mr. PICKLER] has brought the matter up, and as it has a certain relevancy here, I shall ask attention to it now.

CHANGES IN WHEAT PRODUCTION.

I have here Senate Ex. Doc. 91, of the second session of the Fifty-third Congress, prepared by the Treasury Department, showing the imports and exports of certain countries by years for the last quarter of a century.

This report shows that the quantity of wheat exported from Russia in 1873 (and thus coming into competition with our wheat) was 6,957,164 chetverts; while in 1891 her export of wheat had risen to 16,206,000 chetverts, or considerably *more than double*.

The wheat exported by India in 1873 was 394,010 hundredweight; while in 1892 it had risen to 30,306,700 hundredweight, or *almost eighty times* as much.

But the report from the Argentine Republic is even more startling. In 1873 she exported not a bushel of wheat. She began to compete with us in 1876, in which year she exported 20,868 kilos. But by 1892, Mr. Chairman, her export of wheat had risen to 470,109,617 kilos, or more than *twenty-two thousand times* as much as in 1876!

Moreover, Mr. Chairman, the production of wheat in this country has grown enormously and its methods have been revolutionized.

Taking the States by groups, we find that the annual wheat crop of Maryland, New York, and Pennsylvania increased from 22,272,000 bushels in 1872 to 39,604,000 bushels in 1891, or about 80 per cent.

The production of the second group, comprising the States of Wisconsin, Michigan, Illinois, Indiana, Ohio, Kentucky, and Tennessee, increased during the same time from 116,690,000 bushels to 201,418,000 bushels, or over 70 per cent.

Taking as the third group California, Oregon, and Washington, we find that the production of this group has increased from 28,006,000 bushels in 1872 to 61,960,000 bushels in 1891, or about 120 per cent.

And in the fourth group, comprising Minnesota, the Dakotas, Iowa, Nebraska, Kansas, Missouri, and Texas, the increase during the same time is from 58,067,000 bushels to 269,851,000 bushels, the enormous increase of more than 210,000,000 bushels, or *nearly 400 per cent!*

And in these years have come mighty changes in the methods of producing and handling wheat. My colleague may make light of these changes; he simply shows thereby how little he knows from actual experience what these changes have really been. His statements would provoke a smile from anyone who has had actual experience in wheat farming during the last quarter of a century.

He speaks of the threshing machine as having been "brought to perfection in 1853." I am charitable enough to believe, Mr. Chairman, that my colleague really read that statement somewhere. But every man who has been around threshing machines very long

knows that even as late as the seventies they had as a rule 28-inch cylinders, were driven by horse power, and had a capacity of about 500 bushels of wheat per day, if the horse power did not bother too much. Now, the thresher is driven by steam, works untiringly, has a 40-inch cylinder or larger, and a capacity of 1,600 to 2,000 bushels of wheat per day.

It is true that the fundamental idea of the reaper had been invented before the war, but the reaper itself had not come into general use even in 1870. A large part of the wheat was then "cradled," another large part was cut by the old "hand-rake" reaper, and the rest by the "wonderful self-rake" reaper, then beginning to come into use. *All the binding was then done by hand.* Even after the self-rake reaper came into use, in the later seventies, it took four horses and five men to cut and bind as many acres as three horses and one boy can now cut cleaner, bind more firmly, and leave in better shape for shocking.

By the use of labor-saving machinery wheat raising has almost ceased to be farming and has become in large measure manufacturing.

The wonder is not that the price of wheat has fallen somewhat (though the actual farm price has not fallen so much as we are sometimes led to believe); the wonder is that the price has not fallen much farther. That it did not, up to 1891, is evidence that the standard of living had been rising. More people were eating wheat bread than formerly, and they ate it in larger quantities.

(I may be pardoned for remarking in this connection, that the chief cause for the lower prices during the last three years is that people have been eating less and poorer food.)

THE NET RESULTS OF 1871 AND THOSE OF 1891.

And now, Mr. Chairman, let us compare the actual net results of wheat raising in 1871 (the last year whose crop was marketed before the act of 1873) with those of 1891 (the last year whose crop was marketed under Republican rule).

The average export price of wheat in 1871, as shown by the reports of the New York Produce Exchange, was $1.367. (It had been only $1.142 in 1869 and $1.126 in 1870.) The average export price in 1891 was $1.094. This is the kind of statement that the average free-silverite likes to make, and *then stop*, leaving the impression that it marks the difference in net proceeds to the wheat raiser. But it is very far from doing so.

In the first place, as shown by the Statistical Abstract, page 360, it cost from 14 to 16 cents a bushel less in the latter year for freight between Chicago and New York. And, as shown on the same page, it cost only three-fifths as much for handling (elevators, insurance, etc.) between the same points. Taking the freight rates of the several years (Abstract, page 362), the reduction in rates from St. Paul or from Omaha to Chicago was at least 9 cents a bushel, or a reduction in cost of marketing between St. Paul or Omaha and New York of at least 25 cents. Subtracting this from $1.36 we have left $1.11. And this allows nothing for the difference in expense in getting the grain to St. Paul or Omaha. So that when the difference between the kinds of money has been allowed for (gold prices being taken in both cases), it is seen that the selling price in 1871 was practically the same in 1891 In fact, when reckoned in the same kind of money, the Chicago price of wheat in 1889 and 1890 was higher than in 1869 and 1870. We are sometimes deceived as to this by recalling to mind the *greenback* prices, and forgetting that greenbacks were then at a large discount.

But, Mr. Chairman, when we consider how much less it now costs to raise wheat than it did then; how a man and a boy can now harvest 120 acres as quickly and well as five men could then, thus saving entirely on an ordinary farm the "harvest wages" then paid; how the rate for threshing is only about half or less what it then was, we can see that even from a money standpoint it was just as profitable to raise wheat in 1891 as in 1871.

But when we consider how much more of the necessaries and comforts of life a bushel of wheat will buy now than then, it is easily seen that wheat raising was much more profitable in 1891 than in 1871.

THE SITUATION OF FARMERS IN 1873.

So much has been said by free-silver orators to mislead farmers into the idea that everything was prosperous with them before 1873 and nothing has been since, that I submit now a paragraph that I have copied from the Report of the Iowa State Agricultural Society for 1873. It is from an address delivered by C. H. Rogers at the Harrison County fair, and gives a faithful picture of the situation at that time in that mighty State:

> Proud of these aspects and of her progress in practical agriculture, still the condition of the laboring man and farmer is far from what is desirable. They have worked, watched, and waited for an adequate reward until weariness has well nigh turned to hopelessness. Farming has been a financial failure for the past three years. Hard toil has opened up fine farms and brought to the bins the products of unexampled harvests, but the sales have hardly paid expenses and bought cheap clothing until the coming harvest. There is no surplus to improve buildings, purchase thoroughbred stock, and furnish the home with any of the luxuries of art and literature.

As shown by my eloquent friend from Iowa [Mr. DOLLIVER], the Annual Report of the Iowa State Agricultural Society for 1873 gives the price of corn at the capital of Iowa in December, 1870, at 25 cents; in December, 1871, at 21 cents; in December, 1872, at 16 cents.

The price of all our staple products for every month in the year 1873 is preserved in the same report (the *greenback* prices, be it remembered) as follows:

Month.	Wheat.	Rye.	Barley.	Corn.	Oats.	Hay.
January	$0.95	$0.35	$0.40	$0.16	$0.20	$6.00
February	1.10	.35	.45	.17	.20	6.00
March	1.00	.35	.45	.17	.20	6.00
April	1.00	.35	.45	.18	.20	6.00
May	1.10	.45	.45	.22	.22	6.00
June	1.10	.35	.40	.23	.23	6.00
July	.85	.35	.....	.20	.20	6.00
August	.85	.35	.50	.22	.20	5.00
September	.75	.45	.60	.22	.27	5.00
October	.75	.45	.70	.22	.27	5.00
November	.75	.40	.70	.22	.20	5.00
December	.85	.40	.70	.22	.23	5.00

The average price of pork in Iowa for the season of 1871–72 was $3.74, and for the season of 1872–73, $3.52.

Let any man turn to the files of his local paper during the Administration of President Harrison and see how actual farm prices compared with the above.

The famous Senate report of 1893 on wages, transportation, and prices, which covers more items (223) than were ever before covered by such an investigation, shows that from 1873 to 1891 food products as a class had fallen less than 10 per cent, while clothing had fallen 32 per cent, building materials about 20 per cent, house furnishings 27 per cent, and implements 35 per cent. (And as compared with those of 1860, it appeared from this investigation that the price of food products as a whole had advanced 18 per cent.)

I am thoroughly of the opinion, Mr. Chairman, that if Omnipotence would vouchsafe to turn us back for just one month to the conditions of 1873 it would be an experience as fruitful in sound financial instruction as have been the experiences of the last three years in economic doctrine. [Applause.]

PROGRESS OF INVENTION.

Before leaving this branch of the subject, I desire to put into the RECORD, in answer to the remarkable statement of my colleague that "the inventions of the last quarter of a century have not been relatively so numerous or important as those from 1850 to 1873," the table from page 402 of the Abstract, showing the number of patents issued in the United States on inventions (every one of which must be for something "new and useful"), by years, from 1842:

Period before 1873.		Period after 1873.	
1842	517	1873	12,864
1843	519	1874	13,599
1844	497	1875	14,837
1845	503	1876	15,595
1846	638	1877	14,187
1847	569	1878	13,444
1848	653	1879	13,213
1849	1,077	1880	13,947
1850	993	1881	16,584
1851	872	1882	19,267
1852	1,019	1883	22,383
1853	961	1884	20,413
1854	1,844	1885	24,233
1855	2,013	1886	22,508
1856	2,505	1887	21,477
1857	2,896	1888	20,506
1858	3,695	1889	24,158
1859	4,504	1890	26,282
1860	4,778	1891	23,244
1861	3,329	1892	23,539
1862	3,552	1893	23,769
1863	4,184	1894	20,867
1864	5,025	1895	22,057
1865	6,616		
1866	9,458		
1867	13,026		
1868	13,410		
1869	13,997		
1870	13,333		
1871	13,056		
1872	13,613		

That is, Mr. Chairman, the inventions of the last six years alone exceed in number those of the period to which my colleague refers. And even to our minds, accustomed though they are to the wonderful march of invention, the character of recent discoveries is actually startling.

And the progress of invention in other lands has been relatively almost as great.

SOME OF THE FRUITS OF TWENTY YEARS.

And now, sir, let us take a glimpse at some of the mighty accomplishments of the years 1872 to 1892.

Turning to the Abstract before cited, pages 6 and 7, we find that the public debt was reduced from $1,814,794,100 in 1872 to $585,029,330 in 1892, or to less than one-third; while the annual interest charge was reduced from $103,988,463 to $22,893,883.20, or to about one-fifth what it had been twenty years before. Putting this statement into the "per capita" form, which is so much affected by some of our friends, the public debt was reduced from $52.96 per capita in 1872 to $12.86 in 1892; while the per capita interest charge was reduced from $2.56 to 35 cents. Such a tremendous reduction in public debt, sir, was never before accomplished in history. It is an achievement in which every American may justly take pride. [Applause].

Turning to page 43 of the Abstract, we find that the deposits in national banks rose from $673,400,000 in 1873 to $1,118,600,000 in 1882, and to $2,022,500,000 in 1892. And turning to page 46 of the Abstract, we find that in the *ten* years, 1883 to 1892, or half the time above considered (I have no data for the other ten years, but the increase was no doubt equally great), the increase in savings banks was the enormous sum of almost $800,000,000. That is, sir, in addition to building better homes and furnishing them better, wearing better clothes and spending more money in living, the actual increase in money saved and deposited in savings and national banks alone, without considering the increased deposits in State and private banks and in the stock of building and loan associations—the increase in actual money savings of our people was almost $2,000,000,000 in the *ten* years ending in 1892.

Turning now to page 379 of the Abstract, we find that the assessed valuation of the land has increased from $9,914,780,825 in 1870 to $18,956,556,675 in 1890, or almost double. And although the amount of local and State taxes increased from $280,591,521 in 1870 to $471,365,140 in 1890, the *rate* of taxation fell from $1.98 on the $100 in 1870 to $1.85 on the $100 in 1890.

And so we might go on, Mr. Chairman. These facts are simply typical of numberless others that might be instanced to show the mighty achievements of the twenty years ending in 1892, achievements which have challenged the wonder and admiration of the world. [Applause.] And in another connection, in seeking to show that this country could alone undertake the task of "restoring silver," my colleague himself bore eloquent tribute to these same accomplishments.

It is very plain that those were not years of "ruin."

A MEMBER. How about increase in private indebtedness?

Mr. McCLEARY of Minnesota. Ah, Mr. Chairman, if the gentleman will take the trouble to investigate, he will find that it was not the act of 1873 but the *boom* in city lots in 1883 and in farm lands in 1891 that caused most of the private indebtedness under which so many are now struggling. It is the evidence of the debtor's faith in the future; a faith, sir, which that future will abundantly justify. [Applause.]

And, while we are on this point, let me give the committee the facts revealed by the investigations of the labor commissioner of the State from which my colleague and I both hail.

The report for 1893 shows that the total farm debt of Minnesota was in round numbers $39,000,000, an *increase* in ten years of $4,000,000. But, sir, during those ten years there was an increase in the value of—

Farm machinery	$3,826,000
Live stock	26,860,000
The land	146,000,000
Total increase in farm wealth	176,686,000
Increase in debt	4,000,000
Net increase in farm wealth	172,686,000

Moreover, Mr. Chairman, the mortgage foreclosures in our State in 1892 and 1893, as compared with those of 1880 and 1881, show a *decrease* of 12.5 per cent in acreage, 33.1 per cent in number, and 34.4 per cent in amount. [Applause.] The people of Minnesota know that her farm lands are constantly and rapidly increasing in value, and so they have bought and still continue to buy more than they can now pay for, in the full faith that the future will reward them for the self-denial and risk of the present. And those who have not gone in too far will find ten years from now that they have done wisely and well. What they need especially to be warned against is the counsel of men who would influence them through their present necessities rather than their permanent advantage. On this point I shall speak later, if time permits.

THEORETICAL BIMETALLISM.

And now, Mr. Chairman, having shown that the years from 1872 to 1892, so far from being years of disaster, have, by my colleague's own testimony, been years of mighty achievement, we have reached a point in this discussion where confessedly it is not a condition but a theory that confronts us, the theory which my colleague cherishes under the delusive name of "bimetallism"; a recently conceived theory, born of recent needs and hopes and fears; a theory which never came into existence as such until time was ripe for its utter refutation; a theory so new that even the name of it can not be found in the latest edition of Webster's Unabridged Dictionary, except in the supplement; a theory which is "almost the only instance in history of a theory growing not out of practice, but the failure of practice; resting not on data verified, but on data falsified and censure-marked."

The theory is this: A country, by opening its mints to the unlimited coinage of gold and silver at a fixed ratio and making the coins of both full legal tender, will secure thereby the *concurrent circulation* of both as money. This is the essential part of the theory, though it has, as stated by its different advocates, numerous minor addenda. One class of so-called "bimetallists" claim that "the open mint absolutely fixes the parity of the two metals at the legal ratio"; while another class of them claim no more than that it "*tends* to do so," and then they add the gratuitous statement that "thus the two metals become one mass for money purposes," whatever that may mean. To the man who is interested in silver production, the view that free coinage would "enhance the price of silver" is held up, and much is made of alleged "rights" of silver, forgetting that neither silver nor gold has any rights, being simply instruments to be used by man in such ways as shall best serve his purposes. With the man whom they believe to be desirous of repudiating his just obligations under cover of law, they take the opposite tack, claiming that free coinage would lower the unit of value, thus giving a fictitious enhancement of prices and thus enabling debts to be paid more easily.

I propose to show, Mr. Chairman, that free coinage of both metals would not result in their concurrent circulation; and that so far as debtors are concerned it is true here as elsewhere that honesty is indeed the best policy. I propose to show that the thing dubbed by them "bimetallism" is in fact monometallism of the worst kind; and that, so far from giving us more money for the transaction of business, it would give us less money and poorer money.

HOW "FREE COINAGE" REALLY WORKS.—THE GRESHAM LAW.

It seems very natural to expect that if both metals *may* be coined, both metals *will* be coined; and that if both are coined, both will circulate as money. This view is so natural that it is not to be wondered at that persons having little time to devote to the careful study of the subject should believe it to be correct. A little investigation and study, however, will reveal the utter fallacy of the claim.

There is a Lawmaker higher even than Congress—One whose decrees, like Himself, are unchangeable. One of His laws—written in the fibers of every human soul; one which no act of Congress can abrogate or change—is that which prompts every human being to do in a business way that which he deems to be for his own best interest. If a farmer who is equally near to two markets finds that he can get for his barley or his wheat, his eggs or his wool, a better price in one market than in the other, he will, other things being equal, take his product to the place where he is offered the better price, even though the difference per unit be quite small. This holds good also with the producer of gold and silver.

I need not explain to the committee what is meant by coining at the ratio of, say, 15 to 1. It means, of course, that at the mint 15 ounces of silver are treated as equal to 1 ounce of gold.

But silver and gold are both used in the arts, and the goldsmiths and silversmiths get their gold and silver by buying it. This fact gives rise to what is known as the market ratio between the metals as distinguished from their mint ratio. Now, if gold or silver is worth more as bullion than as money, if the market price of either is at any time greater than the mint valuation, it is clear that the metal thus undervalued at the mint will be disposed of in the market as bullion and will cease to circulate as money.

The famous law of money, that "with unlimited coinage of both metals at a fixed ratio, the metal that is overvalued at the mint will go to the mint and will circulate as money, while the metal that is undervalued at the mint will retire from circulation," was first discovered by Oresme, of France, councillor of Charles the Wise, who was having trouble with his money in consequence of having unlimited coinage of both metals. The same conclusions were reached 160 years later by the independent investigation of Copernicus, the eminent astronomer, when he was called upon by Sigismund, King of Poland, to formulate a plan for the reform of the intolerably disordered money system of that ancient monarchy. And in the latter part of the 17th century it was again discovered and formulated by Sir Thomas Gresham, adviser of Queen Elizabeth of England, in honor of whom it has been called the Gresham law. This fundamental principle or law of coinage has been found true in all ages and countries, whenever and wherever the experiment has been tried.

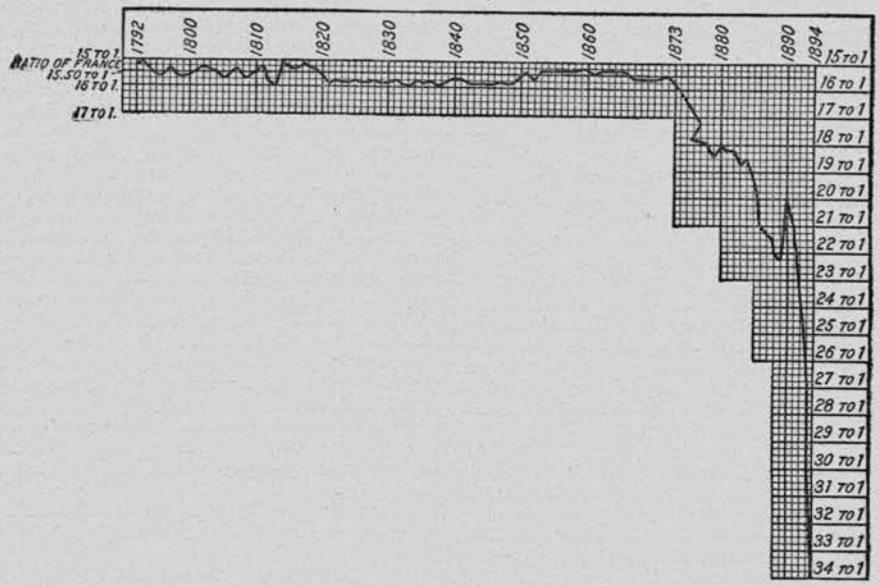
THE EXPERIENCE OF FRANCE.

My colleague, as is common with men who desire to sustain the wisdom of this theoretical "bimetallism," has appealed to the experience of France for justification. Let us see what the experience of France really was.

The points which my colleague seeks to establish by the chart, to which I now invite your attention, are:

1. That France by establishing, in 1803, her mint ratio at 15½ to 1 "sustained for 70 years single-handed and alone her legal ratio as the commercial ratio of the world."

TOWNE'S, B.



2. That during these years France had real bimetallism; that is, that she enjoyed the concurrent circulation of both metals.

3. That the fall in the price of silver is solely due to unfriendly legislation on the part of many nations. But, nevertheless,

4. That the United States can now fix the ratio where we please, and maintain it there regardless of the action of other nations.

Reverting now to my colleague's first claim as stated above, I would say that, as usual, his chart exhibits *too little* of the truth. Had he carried his exhibit back far enough, he could have shown that *the ratio was just as steady for nearly 120 years before the French act of 1803 as during the 70 years following its passage*, as will be seen by the following table of average ratios taken from the latest report of the Director of the Mint, page 239:

Commercial ratio of silver to gold for each year since 1687.

[NOTE.—From 1687 to 1832 the ratios are taken from the tables of Dr. A. Soetbeer; from 1833 to 1878 from Pixley and Abell's tables; and from 1878 to 1892 from daily cablegrams from London to the Bureau of the Mint.]

Year.	Ratio.	Year.	Ratio.	Year.	Ratio.	Year.	Ratio.	Year.	Ratio.
1687	14.94	1729	14.92	1771	14.66	1813	16.25	1854	15.33
1688	14.94	1730	14.81	1772	14.52	1814	15.04	1855	15.38
1689	15.02	1731	14.94	1773	14.62	1815	15.26	1856	15.38
1690	15.02	1732	15.09	1774	14.62	1816	15.28	1857	15.27
1691	14.98	1733	15.18	1775	14.72	1817	15.11	1858	15.38
1692	14.92	1734	15.39	1776	14.55	1818	15.35	1859	15.19
1693	14.83	1735	15.41	1777	14.54	1819	15.33	1860	15.29
1694	14.87	1736	15.18	1778	14.68	1820	15.62	1861	15.50
1695	15.02	1737	15.02	1779	14.80	1821	15.95	1862	15.35
1696	15.00	1738	14.91	1780	14.72	1822	15.80	1863	15.37
1697	15.20	1739	14.91	1781	14.78	1823	15.84	1864	15.37
1698	15.07	1740	14.94	1782	14.42	1824	15.82	1865	15.44
1699	14.94	1741	14.92	1783	14.48	1825	15.70	1866	15.43
1700	14.81	1742	14.85	1784	14.70	1826	15.76	1867	15.57
1701	15.07	1743	14.85	1785	14.92	1827	15.74	1868	15.59
1702	15.52	1744	14.87	1786	14.96	1828	15.78	1869	15.50
1703	15.17	1745	14.98	1787	14.92	1829	15.78	1870	15.57
1704	15.22	1746	15.13	1788	14.65	1830	15.82	1871	15.57
1705	15.11	1747	15.26	1789	14.75	1831	15.72	1872	15.63
1706	15.27	1748	15.11	1790	15.04	1832	15.73	1873	15.92
1707	15.44	1749	14.80	1791	15.05	1833	15.93	1874	16.17
1708	15.41	1750	14.55	1792	15.17	1834	15.73	1875	16.59
1709	15.31	1751	14.39	1793	15.00	1835	15.80	1876	17.88
1710	15.22	1752	14.54	1794	15.37	1836	15.72	1877	17.22
1711	15.29	1753	14.54	1795	15.55	1837	15.83	1878	17.94
1712	15.31	1754	14.48	1796	15.65	1838	15.85	1879	18.40
1713	15.24	1755	14.68	1797	15.41	1839	15.62	1880	18.05
1714	15.13	1756	14.94	1798	15.59	1840	15.62	1881	18.16
1715	15.11	1757	14.87	1799	15.74	1841	15.70	1882	18.19
1716	15.09	1758	14.85	1800	15.68	1842	15.87	1883	18.64
1717	15.13	1759	14.15	1801	15.48	1843	15.93	1884	18.57
1718	15.11	1760	14.14	1802	15.26	1844	15.85	1885	19.41
1719	15.09	1761	14.54	**1803**	**15.41**	1845	15.92	1886	20.78
1720	15.04	1762	15.27	1804	15.41	1846	15.90	1887	21.13
1721	15.05	1763	14.99	1805	15.79	1847	15.80	1888	21.99
1722	15.17	1764	14.70	1806	15.52	1848	15.85	1889	22.09
1723	15.20	1765	14.83	1807	15.43	1849	15.78	1890	19.75
1724	15.11	1766	14.80	1808	16.08	1850	15.70	1891	20.92
1725	15.11	1767	14.85	1809	15.96	1851	15.46	1892	23.72
1726	15.15	1768	14.80	1810	15.77	1852	15.59	1893	26.49
1727	15.24	1769	14.72	1811	15.53	1853	15.33	1894	32.50
1728	15.11	1770	14.62	1812	16.11				

Not even the boldest free-silver man will claim that the famous Napoleonic law could have acted *by anticipation* for more than a century. As that law did not affect the years before it was passed, yet the ratio was just as steady then as after it was enacted, the burden of proof rests upon the free-silver advocates to show that the law referred to had anything to do with the steadiness of ratio after it was passed.

FRANCE DID NOT HAVE CONCURRENT CIRCULATION.

Now let us examine the second claim, namely, that during this period France enjoyed the concurrent circulation of both metals. This is the supreme test of their philosophy.

It will be seen on a close examination of my colleague's chart that the waving line (representing the commercial ratio) is part of the time above and part of the time below the straight line representing the legal ratio, *but that it never remained*, even for a single year, *coincident* with it; nay, they can not show that for *a single month* during all those seventy years did the legal ratio control the commercial ratio and keep the two coincident. And now let us consider the consequences of this.

Looking carefully at the chart, we note that during the thirty years from 1820 to 1850 the commercial ratio remained persistently below the legal ratio, and that during the next fifteen years the commercial ratio continued almost as steadily above the legal ratio. In plain English, what does that mean? It means that from 1820 to 1850 silver was *worth more* at the mint than in the market, or, in other words, it was worth more as coin than as bullion, while the opposite was true of gold. What might we expect as the natural result? Why, of course, that each metal would go where it was most profitable to take it; that is, the silver to the mint, to be coined and used as money, and the gold to vaults for hoarding, to other countries, or to the melting pot of the goldsmith. And during the following fifteen years, from 1850 to 1865, we should naturally expect the reverse process, namely, that gold (being overvalued at the mint) would be coined for use as money, while silver (being undervalued at the mint) would go to the melting pot or be exported. And that this was precisely what did take place can be shown by abundant and unimpeachable testimony.

My first authority is Henry Dunning MacLeod, who, on pages 14 and 15 of his book entitled "Bimetallism," says:

> The period between 1803 and 1873 is cited by bimetallists as the golden age of bimetallism. But if they imagine that there was during that period a general circulation of gold and silver coin in unlimited quantities, they are under a woeful delusion. The French Government pillaged all the sanctuaries in France of their vast masses of silver plate, and the French liberating armies pillaged all the treasuries and sanctuaries of the countries they came to liberate.
>
> Immense quantities of silver plate were sent to the mint to be coined. The consequence was that, while the legal ratio of silver to gold was 15½ to 1, the market ratio became 17 to 1. *No gold coin, therefore, got into general circulation.* During the period from 1803 to 1820 there was for eleven years a premium on gold, sometimes as much as 3 per cent, which, of course, prevented gold coming into general circulation. But after 1820 the premium on gold rose very considerably, and between 1820 and 1847 it was usually an average of 10 francs per mille, but in many years 18, 19, 20, and 21 francs, which, of course, utterly precluded any gold getting into circulation.

I myself can testify that in 1839 there was not to be seen a gold coin in France in common use.

But in 1851 a great change took place. The gold discoveries in California and Australia caused floods of gold to be imported into Europe, and in 1851 silver rose to a premium. Then the money in common use *changed from silver to gold.* I was residing in a seaport town in 1857, and every steamer which came in was loaded with casks of Scotch whisky going to be transmuted into French brandy, and every steamer that went out had its decks piled with 5-franc [silver] pieces. The same was true at every other seaport. Silver departed from France in floods; every steamer and every diligence that left France carried away loads of these 5-franc pieces.

At last the scarcity of silver became so great that it became necessary to coin those pestilent 5-franc pieces in gold.

And, not to weary the committee with needless repetition of statements all showing the same thing, I now cite the statement of the French Monetary Commission of 1867 itself, made six years before 1873:

It is well known by all that this ratio (of 1803), by the simple reason of its being fixed, could not remain correct. There was quickly a premium on gold, and silver remained almost alone in circulation until near 1850. The discovery of the mines of California and Australia suddenly changed this situation by throwing into the European market a very considerable quantity of gold. There was a premium on silver to the extent of 8 per mille, and it disappeared almost completely from circulation, yielding place to gold.

And thus we see, Mr. Chairman, that the French legal ratio never succeeded in holding the commercial ratio coincident with it, and that France during those much-vaunted years did *not* enjoy the concurrent use of both metals.

FRENCH COINAGE TABLES.

And even the tables of French coinage introduced by my colleague to prove concurrent coinage and circulation will, upon careful examination, help to repudiate his claim and overturn his theory. Here is his table:

Coinage of France.	Gold (average per annum).	Silver (average per annum).
1806–1810	£1,201,136	£1,184,737
1811–1815	3,299,503	5,208,029
1816–1820	1,951,604	993,111
1821–1825	465,748	3,526,432
1826–1830	293,976	5,032,004
1831–1835	826,149	6,576,120
1836–1840	589,857	3,048,189
1841–1845	159,326	3,033,286
1846–1850	1,294,337	4,311,276
1851–1855	12,669,263	1,431,755
1856–1860	21,605,465	666,651
1861–1865	7,667,357	175,008
1866–1870	9,546,561	3,402,020
1871–1875	2,475,213	2,742,776
Total coined	322,993,410	217,640,234

The committee will note how very small was the coinage of gold from 1820 to 1845 (the table should show that it continued very small until 1849) and how large the coinage of silver during these same years. Then, on the other hand, notice how enormous the gold coinage was from 1850 to 1870 (amounting to over $250,000,000) and how insignificant was the silver coinage from 1850 to 1865. And remembering our own experience from 1861 to 1879, when we coined vast quantities of both metals, but had neither in circulation, we can easily understand that the coinage of gold from 1820 to 1849 was almost entirely for purposes of hoarding or sale, as shown by the statements of MacLeod and the French Commission, quoted above. And similarly we can understand that even the small coinage of silver from 1850 to 1865 was not for purposes of circulation.

THE LATIN UNION.

All the countries having the French system (France, Belgium, Switzerland, and Italy) had this same experience. Silver for change became so scarce there in the later fifties and the early sixties as to embarrass business. In a year or two this condition became unbearable, and in 1865 these countries formed what is known as the Latin Union. The object of the Union was *not to maintain* the "bimetallic" system (as is so often stated), but to *provide a defense against it.* We are told that at the preliminary conference of delegates, "Belgium proposed the single gold standard—the silver pieces, including the 5-franc pieces, to be lowered by an agio, and made divisional money. Italy and Switzerland were of the same opinion, but their scheme failed before the opposition of France." But by the convention of December 23, 1865, which instituted the Latin Union, "the hitherto full-valued silver coinage from 2 francs down was *changed into token money,*" and the coinage and tender of these coins was *limited.* This was clearly, as I said before, not the maintenance of the "bimetallic" system, but a defense against its operation; that is, it was a measure to prevent the loss of the small silver needed for "change." In order to put this fact beyond all controversy, I quote the French Monetary Commission of 1867, which, in speaking of the intention in forming the Union, says:

This convention places in the front rank gold money and reduces the pieces of silver of two francs and less to the rôle of *token money.* It therefore definitely determines the ascendency of the gold francs, and *solves practical difficulties arising from the double standard.*

But the 5-franc silver piece was left undisturbed, with "free coinage" and unlimited tender. The folly of this was not long in making itself apparent. By 1867 the production of silver had greatly increased, and its commercial ratio had fallen below its ratio at the mints of the Latin Union; that is, it had by that time again become more profitable to coin silver and dispose of it as money than to sell it as bullion, while the opposite was true of gold. The result is plainly shown in the coinage table of my colleague, quoted above. The committee will note that in the five-year period ending 1870 the coinage of silver increased enormously over that of the preceding five years; and, on the other hand, beginning with 1870 (it really began in 1868) the coinage of gold fell off very greatly. This was the result of continuing the "free coinage" of the silver 5-franc piece. Seeing that, in consequence of the fall in silver, which had then begun, they were in danger of losing their gold coin if their mints were continued open to the "free coinage" of the silver 5-franc pieces, the Union first limited their coinage of them; and then, the menace still continuing, closed their mints entirely to coinage of silver on individual account. Thus it appears, Mr. Chairman, that silver did not fall because of the closing of those mints; but *the mints were closed to silver because of its fall.*

Mr. Leon Say, then the French minister of finance, in giving the "motifs" of the act of 1876 (which suspended entirely the coinage of these 5-franc silver pieces), said:

The theory of the double standard, on which our monetary law of the year XI (1803) reposes, has been called in question ever since its origin.

It is, to our conception, *less a theory than the result of primitive inability* of the legislators to combine together the two precious metals otherwise than by way of an unlimited concurrence—metals, both of which are destined to enter into the monetary system, but which recent legislators have learned to coordinate by leaving the unlimited function to gold alone and reducing silver to the rôle of divisional money. *From 1857* the French Government has studied the question, and it may be stated that since that date the principle of the gold standard has won increasing favor through our several administrations.

From this we see that the action of France and the Latin Union (and indeed of nearly all civilized nations) in discontinuing the effort to maintain so-called "bimetallism" was not a notion suddenly conceived in the early 70's, but a course of action whose wisdom had continually grown upon their financial leaders for many years; emphasized by the loss of their silver money in the 50's, and then about 1870 again emphasized by the threatened loss of their gold money, this alternate loss of one or the other money metal having by that time become recognized as a necessary and legitimate consequence of having unlimited coinage and tender of both metals. And the tremendous increase in gold production had made it plainly practicable to apply the remedy.

Summing up, we have seen that the existence of the French legal ratio did not even for a single month hold the commercial ratio coincident with it; that, as a consequence, France had at first silver monometallism for a long period, then gold monometallism, and then the danger of a return to silver monometallism, which she prevented by abandoning her so-called "bimetallic" law; that the Latin Union was formed not to perpetuate that kind of "bimetallism," but as a defense against its action; and that the closing of their mints to silver was not the cause but the consequence of the fall in silver. [Applause.]

THE QUESTION OF RATIOS.

By inference we are led to believe that this recent fall in the price of silver has no counterpart in history. Some free-silver advocates speak as if the relation of 16 to 1 was something fixed by divine decree, and which until 1873 had existed through all the ages. Indeed, the great leader of the Populists in Minnesota, a man of wonderful eloquence but scant information on these subjects, speaking in his paper of the length of time during which silver has been used as money, referred to Abraham's purchase of the field of Ephron for 400 shekels of silver, and then added, "Yes, my friends, and even in those days *the ratio was 16 to 1.*" [Laughter.] He evidently had not recently been reading the Book from which he drew his illustration. For had he turned to Genesis xxiii, 16, where this famous transaction is recorded, he would have read: "And Abraham *weighed* to Ephron four hundred shekels of silver, * * * current money with the merchant." The shekel there referred to was a Jewish *weight*, not a Jewish coin. There is no mention of gold as money at that time, and no mention of coining. Silver was money by weight, just as gold was in the early days of California. And no one can tell what the ratio of the metals was then and there, if any.

But Alexander Del Mar, whom free-silverites so often quote as authority, tells us in his History of Monetary Systems that in the Archaic Period the ratio was 1 to 1, that is, silver was esteemed as highly as gold. By the Vedic Period the ratio had, for some reason, fallen to 2 to 1, that is, silver had fallen 50 per cent in relation to gold. *Then* was taken the momentous step; gold and silver separated then, never again to be united. After that it was simply a question of degree. In the Brahminical Period the ratio had fallen to 5 to 1, a further fall of 60 per cent in the price of silver. In the Buddhic Period the ratio was 6½ to 1. Through the Middle Ages, according to Marco Polo, the ratio varied from 4 to 1 in some countries to 10 to 1 in others.

About 1150 the average ratio of Europe was 8 to 1; and according to Munch's History of Norway this was the ratio in that country a century later. At the time of the discovery of America the average ratio was 10¾ to 1. But by 1600, according to Soetbeer, the ratio had fallen to 12½ to 1. And between 1620 and 1650, according to the same authority, the ratio had fallen to 15 to 1. This remarkable fall of nearly 25 per cent in about as many years, Soetbeer explains as being caused by the vast increase in the production of silver, "the great influx of silver that took place after 1545 from Peru, Potosi, and Mexico," and by the increased demand for gold, "due to continuous wars," and later to a "great growth in international trade," for which, as he says, "gold was a better medium than silver." But the statement of Soetbeer in this connection to which I desire the special attention of the committee is this:

Nor can we believe, after repeated examination, *that the rise* in the value of gold *is to be ascribed chiefly to mint regulations.* On the contrary, these regulations are generally *based on changes in the price of gold that had already taken place in the open market.*

And a few pages farther on Soetbeer uses this language:

Beginning with 1873, the ratio changed still further in favor of gold. This is the event, *analogous to the phenomena of the years 1620–1650*, which has attracted so much attention from governments, economists, and business men.

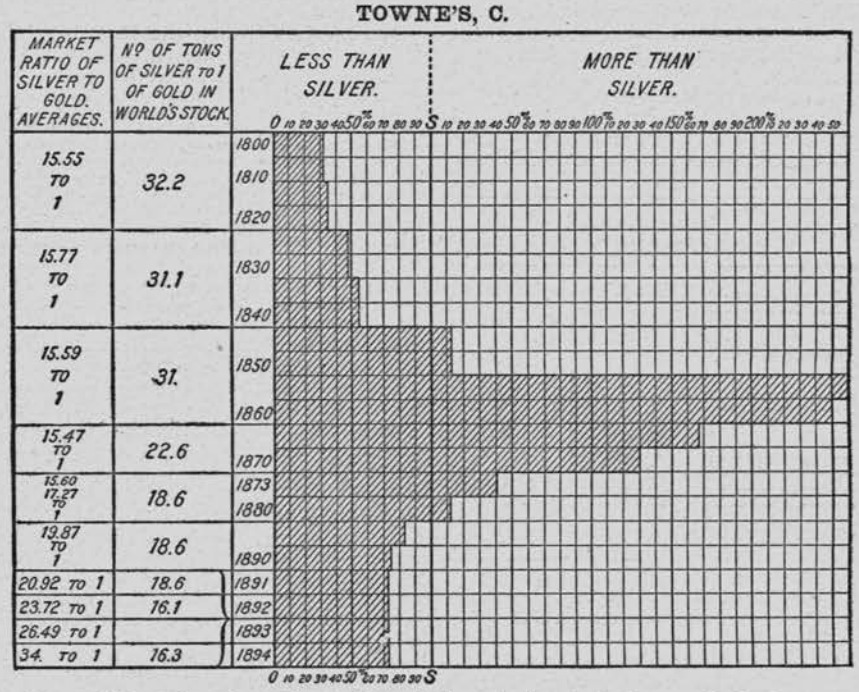
Regarding the former change in ratio, Soetbeer said that it was "not to be ascribed chiefly to mint regulations." And this later change he declares to be "analogous," or similar, to the former—that is, according to Soetbeer, the fall in silver since 1873 is "not to be ascribed chiefly to mint regulations." On this point Dr. Soetbeer, the most eminent statistician of Germany and one of the foremost students of this century, is so unfortunate as not to agree with my colleague; but I have an idea that the sober business sense of the country will indorse the view of the former, even though it is set forth without any effort at rhetorical display, but with the single purpose of historical accuracy.

THE "COMPARATIVE BULK" PROPOSITION.

And now we have reached what my colleague virtually announced to be the citadel of his strength, the exhibit which he vauntingly declares to be "absolutely unanswerable."

This "thing wonderful," this last reliance of my colleague's cause, is exhibited to the eye in the following chart:

TOWNE'S, C.



One's first impulse on looking at it is to inquire, What is it, and what does it mean? After a little study, the former question can be answered pretty definitely. But in declaring its "meaning" and the conclusions to be drawn from it my colleague becomes sadly mixed and contradictory.

The *fact* which the chart is intended to exhibit is, in plain terms, this: At the beginning of the century there were 32.2 times as many tons of silver in the world as there were tons of gold, but at that time the value of a ton of gold was only 15.55 times the value of a ton of silver. In other words, when the bulk ratio was 32.2 to 1 the value ratio was 15.55 to 1. After 70 years had passed by the bulk ratio had fallen to 22.6 to 1, yet the value ratio had remained almost unchanged, being then 15.47 to 1. But by 1894, when the bulk ratio had fallen to 16.3 (that is, when there were only 16.3 times as many tons of silver in the world as there were tons of gold) the value ratio had fallen to 34 to 1 (that is, a ton of gold is worth as much in the market as 34 tons of silver).

My colleague gives high authority for these estimates, and we shall accept them as true (though the method of drawing the chart is misleading, as I shall show later). Then arises the question, *What of it?* Here my colleague's confusion begins. It is very difficult to discover what inferences he does really draw. The statements of his speech are not at all clear on this matter. But as nearly as I can make out, he wishes us to infer two things; namely:

1. That, since in the first seventy years of the century the bulk ratio of the metals changed greatly, yet the value ratio changed very little, both metals having during all that time "free coinage," their relative value depends *not upon their relative quantity but upon mint regulations.*

2. That, since the bulk ratio is now about 16 to 1, the mints should be opened to the "free coinage" of both at that ratio.

No other statement of my colleague's speech, Mr. Chairman, has been received with such hilarious joy by the free-silverites as this last. They have been groping around for some time trying to find some reasonable way to justify the special ratio 16 to 1. They have been trying to find some kind of an answer to the question, "If 16 to 1 is good and can be maintained by simple legislative enactment regardless of the commercial value of silver, why would not 8 to 1 be better, and 4 to 1 better still? And while we are at it and can do it just as well as not, why not make the ratio straight 1 to 1, giving silver precisely the same treatment as gold?" These very reasonable questions have perplexed our free-silver brethren very greatly. They saw plainly that, reasoning from their premises, the conclusion of 1 to 1 was inevitable. Nor could they see any way to avoid the further conclusion that, on this ground, copper at 1 to 1 was also inevitable. And from that to absolutely fiat money is but a step. Their good sense told them that this last conclusion could not be defended; nor the one before that, providing for copper coinage; nor the one for coining gold and silver on absolutely equal terms—1 to 1. Yet these absurd conclusions were logically inevitable unless they could find some seemingly *natural* reason for choosing the ratio of 16 to 1, regardless of the commercial ratio. Hence their hilarity when my colleague assured them that this is to-day almost the exact bulk ratio of the two metals.

"Drowning men will clutch at straws," and the inherent weakness of the free-silver argument is clearly seen in the feverish eagerness with which its advocates, even the most prominent of them, grasp at this *temporary* coincidence of the bulk ratio with their proposed *permanent* mint ratio. In their hilarity they forget that my colleague, just before showing this courage-inspiring coincidence, had demonstrated by his chart that the relative value of the two metals *does not depend on their relative bulk.* And when in this connection my colleague intimates that the relative value therefore depends on mint regulations, he evidently forgets that he himself in another part of this same speech declares:

The Government stamp can not create value. Whether a coin when stamped shall be effectual to pass at the value it claims to represent will depend upon the use it can command.

WHAT IS THE TRUTH IN REGARD TO THE RATIO?

When my colleague shows that the relative value of the two

metals is not determined by their relative bulk, he wastes time in proving what every well-informed student of the subject already knows: he is simply "striking a man of straw." What he shows is, however, as usual, only a part of the truth. And in drawing his conclusions, he becomes, as we have seen, strangely mixed and contradictory. Let us try to discover and state the whole truth in this matter, both as to facts and conclusions.

The value of wheat does not depend on the value of oats. The value of each depends on conditions of its own, on the size of the crop, the demand for it, and the cost of production. Wheat and oats may both be high at the same time; they may both be low at the same time, or one may be high when the other is low—their relative value is not determined by their relative bulk. The value of each having been determined *independently*, as suggested, their relative value or ratio may then easily be computed. And so it is with silver and gold; the value of each depends upon conditions peculiar to itself—the value of silver upon the supply of and the demand for silver, taken in connection with the cost of its production; and the value of gold being similarly determined. The value of each having thus been independently determined, their relative value or ratio becomes a mere matter of arithmetic.

THE WORLD'S PRODUCTION AND USE OF SILVER.

My colleague's chart, probably without any such intention on his part, is very misleading on two points of vital importance, in that it represents the production or average bulk of *silver as constant* and that of *gold as having greatly diminished* since 1870. How very misleading this is will be seen by the following table, taken from the latest report of the Director of the Mint, pages 248–9:

Production of gold and silver in the world since the discovery of America.

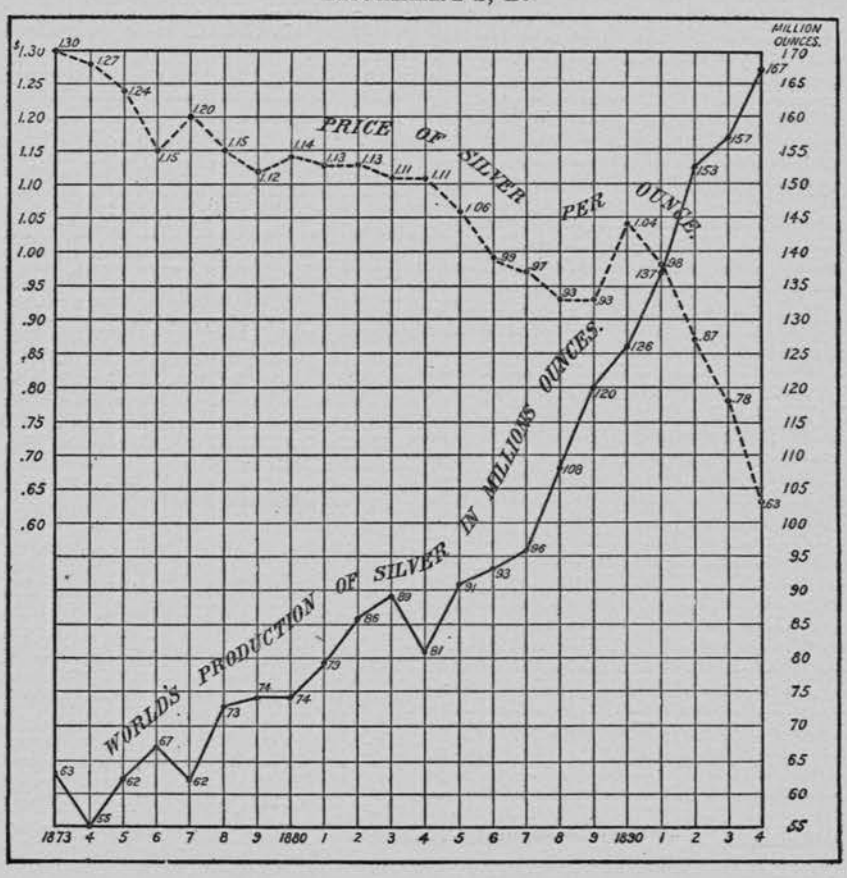
[From 1493 to 1885 is from a table of averages compiled by Dr. Adolph Soetbeer. For the years 1886 to 1894 the production is the annual estimate of the Bureau of the Mint.]

Period.	GOLD. Annual average for period.		SILVER. Annual average for period.	
	Ounces, fine.	Value.	Ounces, fine.	Coining value.
1493–1520	186,470	$3,855,000	1,511,050	$1,954,000
1521–1544	230,194	4,759,000	2,899,930	3,749,000
1545–1560	273,596	5,656,000	10,017,940	12,952,000
1561–1580	219,906	4,546,000	9,628,925	12,450,000
1581–1600	237,267	4,905,000	13,467,635	17,413,000
1601–1620	273,918	5,662,000	13,596,235	17,579,000
1621–1640	266,845	5,516,000	12,654,240	16,361,000
1641–1660	281,955	5,828,000	11,776,545	15,226,000
1661–1680	297,709	6,154,000	10,834,550	14,008,000
1681–1700	346,095	$7,154,000	10,992,085	$14,212,000
1701–1720	412,163	8,520,000	11,432,540	14,781,000
1721–1740	613,422	12,681,000	13,863,080	17,924,000
1741–1760	791,211	16,356,000	17,140,612	22,162,000
1761–1780	665,666	13,761,000	20,985,591	27,133,000
1781–1800	571,948	11,823,000	28,261,779	36,540,000
1801–1810	571,563	11,815,000	28,746,922	37,168,000
1811–1820	367,957	7,606,000	17,385,755	22,479,000
1821–1830	457,044	9,448,000	14,807,004	19,144,000
1831–1840	652,291	13,484,000	19,175,867	24,793,000
1841–1850	1,760,502	36,393,000	25,090,342	32,440,000
1851–1855	6,410,324	132,513,000	28,488,597	36,824,000
1856–1860	6,486,202	134,083,000	29,095,428	37,618,000
1861–1865	5,949,582	122,989,000	35,401,972	45,772,000
1866–1870	6,270,086	129,614,000	43,051,583	55,663,000
1871–1875	5,591,014	115,577,000	63,317,014	81,864,000
1876–1880	5,543,110	114,586,000	78,775,602	101,851,000
1881–1885	4,794,755	99,116,000	92,003,944	118,955,000
1886	5,125,679	105,963,900	93,297,290	120,626,800
1887	5,116,851	105,774,900	96,123,586	124,281,000
1888	5,330,775	110,195,900	108,827,606	140,706,400
1889	5,973,790	123,489,200	120,213,611	155,427,700
1890	5,749,306	118,848,700	126,095,042	163,032,000
1891	6,320,194	130,650,000	137,170,919	177,352,300
1892	7,102,180	146,815,100	153,151,762	198,014,400
1893	7,009,242	157,297,000	165,165,876	213,547,800
1894	8,705,836	179,965,600	166,601,995	215,404,600

From the foregoing table it will be seen that the production of silver in the whole world never but twice reached $30,000,000 a year before 1841; that by 1866–70 the annual production of silver had become almost double that amount; that by 1876–80 it had passed the $100,000,000 mark; and that now the annual production of silver is more than *seven times* what it was half a century ago. During that time the population of the world has not quite doubled. That is, sir, while the world's population has increased at the rate of about 2 per cent a year, the annual production of silver has increased by 600 per cent! In other words, to use a favorite method of theirs, the "per capita" of silver has increased enormously; so we would naturally expect an enormous fall in its price.

The following chart, prepared by my good friend from North Dakota [Mr. JOHNSON], exhibits to the eye the increase in its production and the decrease in its price since 1873:

McCLEARY'S, D.



From this (remembering also that the cost of production has greatly decreased) we see that the fall in the price of silver has not been as great as we would naturally expect. How is this accounted for? This wonderfully sustained price of silver can be accounted for in only one way, namely, by an *enormous increase* in the *use* of silver. This has taken place in two directions:

1. *In the arts.* It is a matter of common information that in conditions of life where plated silverware was a luxury twenty-five years ago, solid silver is now common; and excellent plated silverware is now used in conditions of life where such a thing as silverware of any kind was not dreamed of then. The use of silver in the arts has increased in the last quarter of a century several hundred per cent; which is, by the way, another evidence of a higher standard of living among the people.

2. *As money.* In this connection I invite attention to the following letter from the Director of the Mint:

TREASURY DEPARTMENT, BUREAU OF THE MINT,
Washington, D. C., February 11, 1896.

SIR: Replying to your verbal inquiry of to-day, I would make the following statement:

The value of all silver coins used as money in the world in 1873 I estimate to have been $1,816,565,657, and in 1894 about $4,000,000,000.

The amount of gold coin in the world in 1873 was estimated to have been $3,044,547,800, and in 1894 about $4,250,000,000.

Respectfully, yours,

R. E. PRESTON,
Director of the Mint.

Hon. J. T. MCCLEARY,
House of Representatives, Washington, D. C.

And, as the latest report of the Director of the Mint shows (page 41), of this vast amount of silver now used in the world as money $3,439,300,000 has *full legal tender!*

That is, Mr. Chairman, there has been added to the *full-tender* silver money of the world in the last 22 years *an amount equal to the accumulations of all the ages up to that time!*

In view of these facts, it is simply trifling with words to say that silver has been "demonetized"; and to say that "half our money has been struck down" is, plainly, to tell an unmitigated falsehood.

PRODUCTION AND COINAGE OF SILVER IN THIS COUNTRY.

On page 242 of the report above cited will be found the production of gold and silver in the United States by years since 1834, the production for the forty-two years before then being bulked. For the forty-two years from 1792 to 1834, our production of silver is given as "insignificant." Up to 1860 it aggregated $1,650,000, or about $61,000 a year! Think of it! The total production of silver in the United States through all our history as a nation up to 1860 was less than $2,000,000! We produce now *three times as much silver every month* as we produced *altogether* in all the years before the war, and yet there are those who "sit and grieve and wonder" at the fall in the price of silver! Our annual production of silver is now and has been for years more than *a thousand times* as great as it was before the war, and yet there are leaders among the silverites who find it necessary to malign human nature and attack the memory of good men in order to explain why an ounce of silver is not worth as much now as then! Oh, Mr. Chairman, it is pitiful, that men should be robbed of that which more than anything else brightens and sweetens life, faith in our fellow-man, in order to afford the free-silver cause even the slightest reason for existence!

And now let us see what the United States has done in the way of using silver as money. The total coinage of silver in our mints from 1792 to 1834 was $43,009,000 (or about $1,000,000 a year), about one-third of which remained in the country in 1834. In the next thirty-eight years, up to 1873, our silver coinage was $103,570,000, or about $2,600,000 a year. Up to 1853 scarcely any of the silver that was coined remained in circulation in this country, because the coins could be disposed of to better advantage elsewhere. And both silver and gold retired from circulation in 1861. During the five years when the act of 1873 was the law we coined silver to the value of $79,120,771. This was at the rate of almost $16,000,000 a year, or more than six times the highest average annual coinage before that time. This was under the much-discussed act of 1873, mind you! Our total coinage of silver since 1873, up to and including 1894, has been (above cited report, page 49) $538,444,467. This is an average of almost $25,000,000 a year, or *ten times* the highest average annual coinage before 1873! And of this coinage, the vast sum of $431,320,457 is in the form of dollars, *every one of which is full legal tender.* Such an enormous coinage of silver was never dreamed of in the world before.

And yet the producers of silver are not satisfied; but to-day, with an arrogance that even they themselves must despise us for enduring, they declare that no important legislation shall be enacted unless the nation's representatives bow down before them and obey their behests. Claiming to possess superior patriotism, they are using their best endeavors to destroy the nation's credit, which is the breath of its nostrils; and they boldly declare that until they get what they want the country shall be denied the income demanded by its daily needs. Realizing the utter weakness of their alleged arguments, knowing that their opportunity for mischief will soon be gone forever, they are revealing by their acts, sir, the extent of their desperation. [Applause.] If I had not determined, Mr. Chairman, to preserve throughout this presentation a judicial frame of mind, I would like to characterize in fitting terms this flagrant abuse of a sacred trust.

Why, sir, if we were not accustomed to such exhibitions of their recklessness and selfishness, our people would rise and demand that these representatives of a wealthy and insolent private interest be relegated to the positions of obscurity and impotence which they have so amply earned. [Applause.] And, sir, if the issue shall be squarely made at this coming election (as I trust that it will be) the free-silver cause will meet its Waterloo, and will no longer embarrass our onward march in prosperity and peace. [Applause.] Perhaps they fancy, sir, that they can force another "compromise," by which the Government, at their dictation, shall undertake to furnish a market for their entire product, as was attempted by the silver act of 1890. But, sir, the day of such folly has gone forever. [Applause.] But if the principle that the Government may properly engage in the warehouse business and undertake to furnish a market for the product of any class of people is again to be recognized, I shall insist, sir, that the miners now stand aside and let the farmers have whatever benefit there may be in such enactments. [Applause.] But, sir, the farmers are too intelligent and independent to ask for such legislation, and the miners must get along without it, as other people do.

THE GREAT INCREASE IN GOLD PRODUCTION, AND WHAT IT MEANS.

But some one might properly ask in this connection, "Has not the output of gold increased also?" The answer is, "Yes, enormously." Let us see how great the increase has been, and what conclusions are to be drawn therefrom.

By reference to the table showing the production of gold and silver in the world since 1492, given above, it will be observed that the production of gold was very small up almost to the close of the first half of this century. Up to 1848 the world's annual production of gold never but once reached $14,000,000; while in this last half century it never but once fell below $100,000,000. *The world now produces more gold every month than formerly in a year!* In other words, sir, the world's production of gold in these last fifty years exceeds by far its entire production for the preceding four hundred years! This is the fact hinted at in my colleague's chart, but not clearly brought out. And the annual production of gold alone is now more than four times as great as was the production of *both* gold and silver up to 1840! This is the fact, sir, which has sounded the death knell of the free coinage of silver. This is the mighty fact partially brought forward by my colleague as his final reliance in this controversy, but which will be to his cause, sir, like the mighty sword carried into battle by Goliath, the foreordained instrument of its destruction.

In order that this may be thoroughly established, it will be necessary for us to turn aside for a few minutes and consider one or two related matters.

"MONEY OF FINAL REDEMPTION."

The advocates of silver free coinage have a great deal to say about "primary money," "ultimate money," and "money of final redemption," by all of which terms they mean the same thing. Let us briefly consider these expressions. In a monetary sense, *redemption is final when the man in possession of the money, or about to receive it, has or gets the kind of money that he prefers.* To illustrate: If you have five cents coming to you in change, and can have it in gold, silver, or nickel, which will you take? Gold in such a case is out of the question; the piece would be so small as to be hardly visible, and it would require too much care to prevent losing it. And so, in a less degree, with silver. Your choice and mine and everyone's would be nickel. Up to five cents, then, nickel is money of final redemption. How about twenty-five cents? If you were offered five nickels in change, would you accept them without protest? Probably so. But we are plainly reaching the sum where, if compelled by necessity to accept nickels, you would avail yourself of the first good opportunity to convert them into a more convenient form of money. To review: Up to five cents nickel is *the* money of final redemption; that is, no desire is felt to exchange it for (or have it "redeemed" in) any other form of money. But at twenty-five cents, it is simply *a* money of final redemption; one will accept it willingly and hold it until used to buy something. And beyond that sum we soon reach a point where nickel will not be willingly accepted, and if accepted from necessity it will at the first opportunity be changed into (be "redeemed" by) a more convenient form of money.

Following a similar investigation as to silver, we shall find that it is *the* preferred money in sums ranging from about twenty-five cents up to, say, five dollars. Within these limits *we prefer it* to any other form of metallic money; that is, within these limits we make no effort to exchange it for (have it "redeemed" in) any other money. In other words, sir, up to five dollars silver is pri-

mary money both in law and in fact. Suppose, however, that you had a hundred dollars coming to you, say at a bank in payment of a check, would you like to have one hundred silver dollars counted out to you? The most ardent free silverite would resent an attempt of the bank to make such a payment. *The law of the land authorizes* it, for silver dollars are legal tender to any amount; but the higher law of human preference and business courtesy forbids the banker to avail himself of his legal right. What I desire to emphasize, Mr. Chairman, is this: If silver is not "money of final redemption" beyond five dollars, it is not any fault of the law, for in law silver dollars have unlimited legal tender. It is due to that principle in human nature which makes people prefer something more convenient. And this preference, sir, is something beyond Congressional control. The banker above referred to, because he desires to retain your custom, makes it a point to furnish you the kind of money which will best suit your convenience. Because of this natural preference for the most convenient money, for these purely business reasons, the coin used in all large payments requiring the use of metallic money is gold, because it is much more convenient than silver to count and to carry. We *need both* silver money and gold money, each to perform the work for which by its nature it is best fitted. That is what we on this side are contending for.

THEORETICAL VERSUS PRACTICAL BIMETALLISM.

This brings us to the consideration of a matter on which my colleague lavished a good deal of valuable time. He tried to establish a definition of bimetallism that would give his case some standing in court. And then in a brave tone of voice he declared that "a large majority" of the "common people" (whatever is meant by that expression) favor "bimetallism." As usual, he fails to tell the whole truth, namely, that every person favors bimetallism; that is, everyone desires to have both gold money and silver money in circulation, each performing its natural and proper function. We differ only as to the means or method of attaining the desired end. The advocates of the unlimited coinage of silver say, "Open the mints to the free coinage of both metals, then they will both be coined, and both will circulate as money." But though every country in Europe and America has tried this experiment, though some are still trying it, the advocates of this method can not point to a single instance in which their method has ever succeeded. As we have already seen, France had, with her mints open to both metals, first a circulation of silver up to about 1850, and then a reversal to gold only. Our own experience here in the United States has been the same. Our coinage ratio of 15 to 1, from 1792 to 1834, overvalued silver and undervalued gold, so during those years, at least the last twenty of them, our circulation consisted of silver and no gold. The change of ratio in 1834 and 1837 to 15.98 to 1 (commonly spoken of as "16 to 1") overvalued gold and undervalued silver, and silver gradually retired from circulation as money. No one would part with 371.25 grains of silver (the amount of pure silver in a dollar) for 100 cents as money when he could sell it for 103 cents as bullion.

And this has been the experience of every nation that has ever tried the experiment. A double standard is, therefore, an alternating standard. It is not bi-metallism, but one-at-a-time-metallism.

OUR COINAGE ACT OF 1853.

In the later forties and early fifties this country was so stripped of its silver coin that there was serious embarrassment in business from the lack of "change." Trying to supply this lack of change, Congress in 1849 authorized the coinage of gold dollars; but the pieces were too small for practical use. So great was this embarrassment that farmers, merchants, and all classes of business men petitioned Congress to devise some way to secure the concurrent circulation of both gold and silver coin, for that is what the people want. After much discussion of the subject Congress succeeded in 1853 in framing a law which gave for the first time in our history the circulation of both metals side by side. The method was this—the only method ever devised by the wit of man that has succeeded:

1. That one of the metals (gold) should have unlimited coinage and tender. Gold was chosen for the simple reason that, as before indicated, it is the coin in which people prefer to make all large payments.

2. That the coins for fractions of a dollar (halves, quarters, etc.) should be reduced in size (so that there would be no temptation to melt them down or sell them for bullion), their coinage to be on Government account only, and their legal-tender quality limited to five dollars.

It may be noted, parenthetically, that nothing was done with the silver dollar. It was not mentioned in this bill. It was out of use, and no one seemed to care anything about it.

This gave us the concurrent circulation of both metals up to the breaking out of the war, when both gold and silver retired from circulation.

What the people want is the *use* of both metals, each in the way that will best serve their purposes. They want the *actual circulation* of both, not simply the promise of it. You free silverites offer them a method that has always failed, and in the nature of things always will. We offer a method that has never failed, and that is why it has been adopted by all the leading nations of the world. You offer a law *permitting* both to be coined, hoping that both will be. We offer a plan whereby the desired result is secured with certainty. Yours is the bimetallism of the statute book. Ours is the bimetallism of the countingroom. Yours is theoretical bimetallism. Ours is practical bimetallism. [Applause.]

AN ILLUSTRATION AND ITS APPLICATION.

To illustrate in another way: We all want the navigation of *both* Lake Erie and Lake Ontario. You can get from Erie to Ontario by either of two courses—by the Niagara River or by the Welland Canal. One of these routes is "free," natural, ever flowing. It has beautiful scenery, and the motion is swift and exhilarating. The other was dug out laboriously by the hand of man, guided by experience. It is plain, simple, commonplace. There is no poetry about it. *But it is safe.* It may be claimed that the sailing is just as good below the falls, but what craft could survive the trip? And if it should, how could it get back to Lake Erie? By the "free," "open" route, where the water flows without let or hindrance, it may be possible, though exceedingly hazardous, to get from Erie to Ontario. But it is only by the second route, by the "artificial" canal, where the water is confined and controlled, that we can go in either direction at will and in safety.

The illustration is apt. In no country where there is an "open" mint, "free and unlimited" coinage of both metals, is there any gold in circulation. These countries have silver money only, with all the attendant inconvenience and disadvantages. On the other hand, in every country where there is unlimited coinage of gold and limited coinage of silver, both gold coins and silver coins circulate, each performing the service for which it is by nature best fitted.

And it is a singular fact, worthy of notice in this connection, that in countries where the coinage of silver is limited by law silver is used more largely in proportion to population than in those countries where its coinage is by law unlimited. The former countries not only have and use *more money*, they have and use *more silver* money than the latter countries. And, moreover, they have and use more money of both kinds than they themselves did when they had their mints open to the unlimited coinage of both metals. In other words, sir, the plan now practiced by all enlightened nations gives the use of more money and better money than the old, discarded method of unlimited coinage of both metals, based, as Leon Say stated, on "primitive inability" to devise a better way.

THE ESSENTIAL FACTS ABOUT THE ACT OF 1873.

This brings us to a subject about which there has been a great deal of misunderstanding, one on which unscrupulous men have endeavored to stir up the passions of the people. I am glad to note that my colleague held himself above such action. Indeed, no well-informed, self-respecting man now casts aspersions on the methods or motives of the men who passed the act of 1873. But the leader of the Populist party in Minnesota, thereby confessing that he is out of arguments, has recently begun again the effort to stir up the people's passions on this subject. So I shall now give the essential facts, facts which no one fully conversant with the subject denies, in relation to the nature and passage of the much-discussed act of February 12, 1873.

The original bill was prepared in the Treasury Department by John Jay Knox, then deputy comptroller of the currency, under the general direction of George S. Boutwell, then Secretary of the Treasury. The laws relating to the mint had not been revised for more than a generation, and much confusion existed. This bill was largely a codification of existing law, with such improvements as experience suggested. It was introduced in the Senate April 25, 1870, accompanied by a report giving the reasons for the bill, the method of its preparation, and an explanation of every section in it. Here in my hand I hold a volume of the Executive Documents, second session Forty-first Congress; and here, in Mis. Doc. No. 132, is the original bill and the report accompanying it.

The bill, though not very long, covered the whole subject of mints and mintage. There has never been any controversy over any but two or three of the sections. To these I now invite attention.

Section 14. This section of the bill specifies the weight and fineness of the gold coins, and begins with these words:

SEC. 14. That the gold coins of the United States shall be a one-dollar piece, which, at the standard weight of twenty-five and eight-tenths grains, shall be the unit of value, etc.

Sections 15 and 18 were as follows:

SEC. 15. *And be it further enacted*, That of the silver coin, the weight of the half dollar, or piece of 50 cents, shall be 192 grains; and that of the quarter dollar and dime shall be, respectively, one-half and one-fifth of the weight of said half dollar. That the silver coin issued in conformity with the above

section shall be a legal tender in any one payment of debts for all sums less than $1.

* * * * * * *

SEC. 18. *And be it further enacted*, That no coins, either gold, silver, or minor coinage, shall hereafter be issued from the mint other than those of the denominations, standards, and weights herein set forth.

The report accompanying the bill discusses these sections fully, saying, among other things (page 11):

SILVER DOLLAR—ITS DISCONTINUANCE AS A STANDARD.

The coinage of the silver-dollar piece, the history of which is here given, is discontinued in the proposed bill. * * * The present gold-dollar piece is made the dollar unit in the proposed bill, and the silver-dollar piece is discontinued.

And the discontinuance of the silver dollar is specifically pointed out in three other places in the report.

Throughout all the discussions of the bill, and in every form of the bill, these two provisions (that making the gold dollar the unit of value and that omitting from coinage the silver dollar of 412½ grains) remained unchanged. Sections 14 and 18 of the original bill remained absolutely unchanged, and were in the bill as finally passed exactly as they appeared in the original bill. Section 15 of the original bill was changed from time to time, as follows:

In the original bill, S. 859, introduced April 25, 1870, and favorably reported at the following session, December 19, 1870, it was as given above. The bill in this form passed the Senate by a vote of 36 to 14, on January 10, 1871. And the records show that Senator SHERMAN voted against the bill, while Senator STEWART voted for it. It did not, through lack of time at the close of the Congress, pass the House at that session. But the bill was amended in the House February 25, 1871, in several ways, among which was an amendment to section 15 raising the legal tender of silver coins to *five dollars*, as under the act of 1853.

In the first session of the Forty-second Congress, on March 9, 1871, Mr. Kelley reported the bill as H. R. 5. Section 15 of that bill was as follows:

SEC. 15. *And be it further enacted*, That of the silver coins the weight of the half dollar, or piece of 50 cents, shall be 192 grains; and the quarter dollar and dime shall be, respectively, one-half and one-fifth of the weight of said half dollar; which coins shall be a legal tender, at their denominational value, for any amount not exceeding $5 in any one payment.

This is an exact reproduction of sections 1 and 2 of the act of February 21, 1853, except that it omits the silver 5-cent piece. On January 9, 1872, this bill was brought up in the House for discussion. Then it was found that some members wanted a dollar piece, though all agreed that it should be simply the equal of two half dollars, *with limited coinage and tender*. And so, when the bill as a whole had been thoroughly discussed and various amendments suggested, it was referred back to the committee January 10, 1872.

When on February 13, 1872, the bill was reported back to the House by Mr. Hooper as H. R. 1427, it contained the following provision:

SEC. 16. That the silver coins of the United States shall be a dollar, a half dollar or fifty-cent piece, a quarter dollar or twenty-five-cent piece, and a dime or ten-cent piece; and the weight of the dollar shall be 384 grains; the half dollar, quarter dollar, and the dime shall be, respectively, one-half, one-quarter, and one-tenth of the weight of said dollar; which coins shall be a legal tender at their denominational value for any amount not exceeding $5 in any one payment.

The bill containing this provision passed the House May 27, 1872. It will be noted that the dollar introduced into the bill, as just shown, contained *only 384 grains*, exactly the weight of two half dollars, and like the half dollars it had only *limited coinage and tender*. *It was not the old standard dollar of 412 1-2 grains*, and did not have "free coinage" or full tender. This is the dollar which was afterwards dropped out of the bill, and in place of which the trade dollar of 420 grains, with *unlimited coinage* but limited tender, was substituted.

The fourth and final form of the bill, which passed the Senate January 17, 1873, and the House February 7, 1873, and was signed by the presiding officers of the two Houses February 12, 1873, contained the following provision:

That the silver coins of the United States shall be a trade dollar, a half dollar or fifty-cent piece, a quarter dollar or twenty-five-cent piece, a dime or ten-cent piece; and the weight of the trade dollar shall be 420 grains troy; the weight of the half dollar shall be 12½ grams; the quarter dollar and the dime shall be, respectively, one-half and one-fifth of the weight of said half dollar; and said coins shall be a legal tender at their nominal value for any amount not exceeding $5 in any one payment.

THE OLD STANDARD DOLLAR WAS NEVER IN THE BILL.

Ask the first twenty free silverites that you meet, "Did the act of 1873 ever contain the old standard silver dollar of 412½ grains"? and nineteen of them, if not all, will promptly answer, "Why, certainly, and it was *surreptitiously* dropped out just before the passage of the bill." Many a good man has had his righteous indignation aroused by being told this tale. And very frequently it has been told by men who sincerely believed that such was the case. The free silver leaders are responsible for this erroneous impression. They have, with a few honorable exceptions, scattered this impression broadcast, for the purpose of stirring up the resentment which would be natural if the story were true. But, as we have seen, the story is not true. *The 412½-grain dollar was never in the bill from first to last!* Its omission was carefully pointed out in the report accompanying the original bill, and the reasons for the omission were plainly given. The dollar for which the trade dollar was finally substituted was a 384-grain dollar, of limited coinage and tender; and the change was made for the benefit of the silver producers, to enable them to find a market for their silver in the East.

DISCUSSIONS SHOWING WHY IT WAS OMITTED.

That the matter was fully discussed in Congress may be seen by the following extracts from the debates.

On January 9, 1872, in reporting H. R. 5, which (like the original bill S. 859) contained *no silver dollar of any kind*, Mr. Kelley, chairman of the committee in charge of the bill, said:

The Senate took up the bill and acted upon it during the last Congress and sent it to the House; it was referred to the Committee on Coinage, Weights, and Measures, and received as careful attention as I have ever known a committee to bestow on any measure.

* * * * * * *

We proceeded with great deliberation to go over the bill, not only section by section, but line by line, and word by word; the bill has not received the same elaborate consideration from the Committee on Coinage of this House, but the attention of each member was brought to it at the earliest day of this session; each member procured a copy of the bill, and there has been a thorough examination of the bill again.—*Congressional Globe*, volume 100, page 322.

For reasons not particularly related to the question of silver coinage (one of the points of contention being the substitution of the nickel for the old silver half dime, which experience had shown to be too small a coin), H. R. 5 was recommitted to the committee. On February 13 it was rereported by the committee as H. R. 1427, and contained a silver dollar of 384 grains, as shown above. On April 9, 1872, this bill came up in the House for consideration. Mr. Hooper, in a carefully prepared speech of ten columns, explained the bill, section by section. The speech may be found on pages 2306–8, volume 102, of the Congressional Globe. Discussing the silver coins, he said:

Section 16 reenacts the provisions of the existing laws defining the silver coins and their weights, respectively, *except in relation to the silver dollar*, which is reduced in weight from 412½ to 384 grains, thus making it a *subsidiary coin* in harmony with the silver coins of less denomination to secure its concurrent circulation with them. The silver dollar of 412½ grains, by reason of its bullion or intrinsic value being greater than its nominal value, long since ceased to be a coin of circulation, and is melted by manufacturers of silverware. It does not circulate now in commercial transactions with any country, and the convenience of these manufacturers in this respect can better be met by supplying small stamped bars of the same standard, avoiding the useless expense of coining the dollar for that purpose.

On the same day Mr. Stoughton made a speech of seven columns, in which he said (same volume, page 2308):

The silver coins provided for are the dollar, 384 grains troy, the half dollar, quarter dollar, and dime, of the value and weight of one-half, one-quarter, and one-tenth of the dollar, respectively; and they are made a legal tender for all sums not exceeding $5 at any one payment. The silver dollar, as now issued, is worth for bullion 3½ cents more than the gold dollar, and 7½ cents more than two half dollars; having a greater intrinsic and nominal value, it is certain to be withdrawn from circulation whenever we return to specie payment, and to be used for only manufacture and exportation as bullion.

Mr. Potter, in discussing this part of the bill, said:

Mr. Speaker, this is a bill of importance. When it was before the House in the early part of this session I took some objections to it which I am inclined now to think, in view of all the circumstances, were not entirely well founded, but after further reflection I am still convinced that it is a measure which it is hardly worth while for us to adopt at this time. * * * This bill provides for the making of changes in the legal-tender coin of the country and for substituting as legal-tender coin of only one metal instead as heretofore of two. I think myself this would be a wise provision, and that legal-tender coins, except subsidiary coin, should be of *gold alone;* but why should we legislate on this now when we are not using either of those metals as a circulating medium?

The bill provides also for a change in respect of the weight and value of the silver dollar, which I think is a subject which, when we come to require legislation about it at all, will demand at our hands very serious consideration, and which, as we are not using such coins for circulation now, seems at this time to be an unnecessary subject about which to legislate. (Page 2310, volume 102.)

And Mr. Kelley (who is reported as having said afterwards that he "did not know that the bill omitted the standard silver dollar") said on this same day (Globe, volume 102, page 2316):

I wish to ask the gentleman who has just spoken [Mr. Potter] if he knows of any government in the world which makes its subsidiary coinage of full value? The silver coin of England is 10 per cent below the value of gold coin, and, acting under the advice of the experts of this country and of England and France, Japan has made her silver coinage within the last year 12 per cent below the value of her gold coin, and for this reason: *It is impossible to retain the double standard.* The values of gold and silver continually fluctuate. You can not determine this year what will be the relative values of gold and silver next year. They were 15 to 1 a short time ago; they are 16 to 1 now.

Hence all experience has shown that you must have one standard coin which shall be a legal tender for all others, and then you may promote your domestic convenience by having a subsidiary coinage of silver, which shall circulate in all parts of your country as legal tender for a limited amount and be redeemable at its face value by your Government. But, sir, I again call the attention of the House to the fact that the gentlemen who oppose this bill insist upon maintaining a silver dollar worth 3½ cents more than the gold dollar and worth 7 cents more than two half dollars, and that so long as those provisions remain you can not keep silver coin in the country.

In another place in the same speech Mr. Kelley said:

Every coin that is not gold is subsidiary. I repeat it, sir. Every coin that is not gold is subsidiary.

Speaking on another subject a few months afterwards, Mr. STEWART, then as now a Senator from Nevada, said (page 1392, volume 2, part 2, CONGRESSIONAL RECORD):

I want the standard gold, and no paper money not redeemable in gold.

And about two weeks later, on February 20, 1874, the same gentleman said (same volume, page 1677):

By this process we shall come to a specie basis, and when the laboring man receives a dollar it will have the purchasing power of a dollar, and he will not be called upon to do what is impossible for him or the producing classes to do, figure upon the exchanges, figure upon the fluctuations, figure upon the gambling in New York; but he will know what his money is worth. Gold is the universal standard of the world. Everybody knows what a dollar in gold is worth.

These are the words of Senator STEWART before he became simply the representative of a special interest. [Applause.]

[Here the hammer fell.]

Mr. BAILEY. I ask unanimous consent that the gentleman from Minnesota [Mr. MCCLEARY] be permitted to conclude his remarks.

There was no objection.

Mr. MCCLEARY of Minnesota. As it is now the usual time for adjournment, I assure the committee that I appreciate very highly this exceptional action in granting at such an hour unlimited extension of time. I shall try, as heretofore, not to waste words.

SOME EXPERT OPINIONS.

The bill was submitted to the leading experts in this country and to some in Europe. Their answers are given in Ex. Doc. H. R. No. 307, second session Forty-first Congress, a copy of which I hold in my hand. Not to weary the committee, I will give only one or two of the opinions. The document from which I take them was transmitted to the House as a supplementary report on the bill.

Mr. J. Ross Snowden, formerly superintendent of the mint at Philadelphia, opposed the proposition to reduce the size of the silver dollar, saying:

THE PRESENT SILVER DOLLAR SHOULD NOT BE DISCONTINUED.

I see it is proposed to demonetize the silver dollar. This I think inadvisable. * * * It is quite true that the silver dollar, being more valuable than two half dollars or four quarter dollars, will not be used as a circulating medium, but only for cabinets, and perhaps to supply some occasional or local demand; yet I think there is no necessity for so considerable a piece as the dollar to be struck from the metal which is only worth 94 cents.

Dr. Linderman, formerly Director of the Mint, discussing the provision for the 384-grain dollar (which was in the preliminary draft of the original bill presented to him), said:

Section 11 reduces the weight of the silver dollar from 412½ to 384 grains. I can see no good reason for the proposed reduction in the weight of this coin. It would be better, in my opinion, to discontinue its issue altogether.

The gold dollar is really the legal unit and measure of value. Having a higher value as bullion than its nominal value, the silver dollar long ago ceased to be a coin of circulation, and, being of no practical use whatever, its issue should be discontinued.

The judgment of nearly all the experts being against the useless coinage of silver dollars "only for cabinets" of curious coins, it was omitted from the bill sent to Congress, as before shown.

THE TRUTH ABOUT THE ACT OF 1873.

From the foregoing, all of which is substantiated by the contemporary records, it is clear that the bill was before Congress for about three years; that it was printed eleven times separately and twice in reports of the Comptroller of the Currency; that it was considered at length by the Finance Committee of the Senate and by the Coinage Committee of the House during five different sessions; that it was carefully debated in both Houses, the debates in the Senate occupying 66 columns, and those in the House occupying 78 columns of the Congressional Globe; and it finally passed substantially as it was originally introduced. Every feature of the bill was thoroughly explained in the original report accompanying the bill, and repeatedly afterwards in the debates on the bill itself. There doubtless were persons in both Houses who did not pay attention to either the report or the discussions, for at that time such subjects were regarded as of interest only to experts, but it certainly can not be truthfully said that they did not have full opportunity to know all about it.

So far as concerns the coinage of gold and silver, there were just two important provisions in the act of 1873, namely, the unlimited coinage of gold and the limited coinage of silver. Both of these provisions have endured and will endure; because, as I have shown already, this is the only way in which we can have the use of both metals as money at the same time. And though some very excellent gentlemen in Congress in 1878, when the wave of "free silver" threatened to overwhelm everyone opposed to it, may have said some foolish things about the act of 1873, it is a significant fact, Mr. Chairman, that *not a single Republican* of those quoted as saying these things, unless he lives in a silver-producing State, *has ever voted to repeal the essential provisions* of the act of 1873 above cited. Except as to the trade dollar (which was inserted as a special concession to the silver producers), the act of 1873, based upon the experience of centuries, framed by men pre-eminent for ability and integrity, discussed in all its phases during the three years when it was before Congress, will be recorded in history as one of the wisest and best pieces of legislation ever enacted by the Congress of the United States. Its details may be changed, but its fundamental principles will endure. [Applause.]

WHY DIDN'T THE NEWSPAPERS SAY MORE?

Occasionally we hear a man ask, "Why didn't the newspapers say more about the act at the time of its passage?" The answer is plain. It was because of their being *news*-papers, not ancient histories. There was nothing new in principle or practice in the bill. It was largely a reenactment of existing law, properly codified. Why did the bill give gold unlimited coinage and tender? Because all mint laws in existence did so. Why did it restrict the coinage of subsidiary silver and limit its tender to five dollars? Because these were the provisions of the act of February 21, 1853. Why did it omit from coinage the old standard silver dollar? Because that had been the intent of the act of 1853. In 1853 the dollar was entirely out of circulation, and no attempt was made to bring it back into circulation. Why did it make the gold dollar the unit of value? Because it had really been the metallic unit since 1834. And this was the avowed intention of the act of 1853, as is shown by the following extracts from the Congressional Globe, selected from many that might be given.

In discussing the act of 1853, when it was before Congress, twenty years before the act of 1873 was passed, Mr. Skelton, of New Jersey, said, among other things:

Gold is the only standard of value by which all property is now measured; it is virtually the only currency of the country.—*Congressional Globe*, volume XXVI, second session, Thirty-second Congress, page 190.

And on the same point, Mr. Dunham, who had the measure in charge in the House, said (volume and page above cited):

Another objection urged against this proposed change is that it gives us a standard of gold only. * * * What advantage is to be obtained by a standard of the two metals, which is not as well, if not much better, attained by a single standard, I am unable to perceive; while there are very great disadvantages resulting from it, as the experience of every nation which has attempted to maintain it has proved. * * * Indeed, it is utterly impossible that you should long at a time maintain a double standard. * * * Gentlemen talk about a double standard of gold and silver as a thing that exists and that we propose to change. We have had but a single standard for the last three or four years. (Gold had really been the standard since 1834, but the fact was emphasized about 1850 by the sudden and enormous increase in gold production.) That has been, and now is, gold. *We propose to let it remain so, and to adapt silver to it, to regulate it by it.*

These remarks on the act of 1853, at the time of its consideration in Congress, show that the principles of the act of 1873 had been enunciated and enacted into law twenty years before. And the remarks of Mr. Kelley in the House in 1872 ("We can not maintain the double standard," etc.) and those of Senator STEWART in 1874 ("I want the standard gold," etc.) show that at that time, before the tremendous output of silver turned men's heads, there was practically undivided opinion on the subject. The bill had been before Congress three years, it had been repeatedly discussed, there was nothing new or startling in it, and hence there was no call for any extended notice of its passage. Why, sir, the very fact that the papers made no extended report of its passage is the very best evidence, if any more were wanted, that the act was neither novel nor vicious. The Reporters' Gallery has always included men representing all shades of opinion, men nowhere surpassed for intelligence, honesty, and alertness. Had there been anything wrong in either the matter of the bill or the method of its passage, these things would surely have been discovered and reported by some of these gentlemen. No, no, Mr. Chairman; the bill was passed openly and honestly. It embodies the principles of sound mintage, and it undoubtedly saved us from going to a silver basis on the resumption of specie payments. And, therefore, sir, the men who framed it and those who passed it deserve and will receive the grateful thanks of ourselves and our posterity.

A SHORT HISTORY OF COINAGE.

In the evolution of money the metals gradually superseded all other commodities as the medium of exchange. Iron and copper came to be produced in such quantities that they ceased to be "precious metals," and gave way to silver. In the course of time, as civilization and the demands of trade required it, gold was introduced into one country after another. In this evolution a nation's needs and progress can be pretty accurately determined by noting the kind of money used by it.

At first the metals passed by weight. To save the trouble of carrying scales and the danger of being cheated by means of alloys, the custom gradually grew up of having the ruling prince cut the metals into pieces of convenient size and shape, and stamp on one side of the piece its weight and fineness (and later on its worth), and on the other side the features of the prince as the author of the stamp. This was the origin of coinage.

But princes were sometimes tempted by their greed or their need to put into the coins less of the metal than they should. Then, in order to compel people to accept these debased coins in payment

of obligations, the princes decreed that the coins *must* be accepted. This was the origin of what is known as "legal-tender" laws.

For hundreds of years the money of Rome was copper. We have a memento of that time in our English word "estimate." The Latin for copper is "aes," and to *estimate* literally means to *give the value in copper*. About 300 B. C. copper was dethroned and silver became the standard money. About 150 B. C. gold began to be used in Rome as money. With the fall of Rome, Europe was for about five centuries almost entirely without gold money, the currencies of mediæval Europe being of silver and copper. The reintroduction of gold coinage began at Florence, Italy, in 1252, with the coinage of the florin. As a result of the Crusades, the commerce of Florence, Genoa, Venice, and other states lying along the Mediterranean had so increased as to demand the use of a more convenient money than silver. Gradually other nations, as their commerce became great enough, introduced the use of gold money with silver money. The Crusades not only enlarged trade along the Mediterranean, but they also opened up to Europe the then only gold-yielding districts—the Crimea—so that the demand for gold money and the source of supply came together. The use of gold was thereby both necessitated and made possible.

Then began the coinage of both metals. Then began, too, as a consequence, the monetary troubles with which the history of the next five centuries abounds: the alternation of silver money and gold money, the frequent changes in the ratio in the vain attempt to keep both, the edicts against shipping out either kind of coin, the execution of prominent merchants for seeking gain by exporting the metal undervalued in the mints of one country and overvalued in the mints of another. These "open mints for both metals" were not in consequence of any theory of "bimetallism," but of what Leon Say, quoted before, so aptly characterized as "the primitive inability of the legislators to combine together the two precious metals otherwise." Oresme, Copernicus, Gresham, and others had at different times and in different countries pointed out the source of the trouble, but the "primitive inability of the legislators" left the countries without a remedy. And the supply of gold and silver was so small (as will be seen by reference to the table showing their annual production) that the nations kept on, hoping against hope (as we are apt to do when we see no alternative) that *somehow* the open mint for both metals would give the circulation of both. But, as we have seen, these hopes were indulged only to be disappointed. England cut the Gordian knot in 1816, and was freed from the financial embarrassments on this score that had afflicted her. But other nations kept on in their old way, with the old results of alternating standards, losing at one time their gold and at another time their silver.

The flood of gold at the middle of this century opened the way for relief. Our own country, as might be expected from the enterprise and intelligence of our people, was the first to act. As we have seen, Congress as early as 1853 passed an act limiting the coinage and tender of subsidiary silver. France began to move in 1857, and in 1865 the countries composing the Latin Union adopted the principle of limited coinage and tender of silver. Germany followed in 1871–1873. And the principle has now been adopted by nearly all the civilized nations of the world.

BIRTH OF THE THEORY OF "BIMETALLISM."

By reference to the table showing the production of gold and silver, it will be seen that shortly after 1870 the production of silver began to increase enormously, leaping from an average of $55,663,000 in the period of 1865–70, to an average of $81,864,000 in the period of 1870–75. It was at this time that the theory of so-called "bimetallism" was born. As I said before, it came into being "born of recent needs and hopes and fears." The production of silver was becoming so large that it was becoming hard to find a market for the product. This was the reason for the insertion of the "trade dollar" in the final edition of the act of 1873. The necessities of the silver producers were not yet so great that they had the audacity to propose what they did afterwards. About 1876 they began to talk about "bimetallism" and its beauties.

My friend wants a definition. Let us take the Century Dictionary, than which there is no higher authority on the meaning and history of words:

Bimetallic.—This word and its derivatives are of recent origin, M. Cernuschi having been the first to use "bimetallique" in 1869 and "bimetallic" in 1876. Of or pertaining to two metals; specifically, pertaining to the use of a double metallic standard in currency.

Bimetallism.—Bimetallism pertains to the use of two metals as money at relative values set by legislative enactment; the union of two metals in circulation as money at a fixed rate. Specifically, that system of coinage which recognizes both coins of silver and coins of gold as legal tender to any amount, or the concurrent use of coins of two metals as a circulating medium at a fixed relative value.

By the first paragraph above it will be seen that the theory and the name for it were first hinted in 1869 in France, and that it did not become current as a name until 1876, when, as I said earlier, "time was ripe for its utter refutation." The definition of bimetallism given by the dictionary shows its essence to be "the concurrent *use* of two metals as a circulating medium at a fixed relative value." This is the kind of bimetallism for which we contend, that method which gives the actual "concurrent use" of both metals. This is the kind that we have and which we shall keep, notwithstanding the threats or the promises of those who would have us return to an experiment that has been tried and found wanting.

It is worthy of note that the silver miners who are behind this movement do not stop with the request for the opportunity to have their product converted "free of charge" into the form of money. They go further and demand (for "demand" is the word of the only party that has allowed itself to be used for the accomplishment of this scheme)—they demand that the silver coins shall have full legal tender. In plain language, they want us to arrange legislation that will permit the producer of silver to take fifty cents' worth of silver to the mint, have it labeled "one dollar," and then enable him to *force* his creditors to accept it as one dollar. These silver barons have now grown so bold as to want us to so legislate that they can "out-Herod" the petty princes of bygone days in debasing the currency and then forcing the people to accept it as of full value. Shall we allow ourselves to be flattered, or cajoled, or bullied into becoming their humble instruments in this nefarious scheme?

Silver dollars are now full legal tender, but they are coined on Government account only. The Government thus gets whatever profit there may be in the coinage, and in return undertakes to keep the two kinds of coin at a parity.

THE "OPEN MINT" WOULD CREATE NO DEMAND.

One of the favorite claims of a certain class of free silverites is this: "The open mint would create an unlimited demand for silver, and that would restore it to its price before 1873 and hold it there. This would restore the parity of the metals, and that would result in their concurrent circulation." There are three very direct answers to these claims:

1. There is no such thing as unlimited demand for anything in the world, and no way to create such a demand. Even the fabled King Midas, who seemed to have an insatiable desire for gold, and who was granted the power of turning everything he touched into the yellow metal, soon satiated himself and prayed to have the magic power removed from him. It must be remembered, too, in this connection, that mere *desire* for a thing is not "demand" for it in a business sense. I see things every day that I would very much like to have; but, as I can not afford to buy them, my desire for them does not constitute a business "demand" for them.

And furthermore, inasmuch as there is only a limited supply of anything, if an unlimited demand for it could in any way be created, the price of the thing would soon be "out of sight" and the thing itself would be out of reach. This talk of an "unlimited demand" is simply childish.

2. Even if silver could, by opening the mint to its unrestricted coinage on private account, be "restored to its price before 1873," that would benefit no one but the producers of silver. As we all know, for more than a quarter of a century before 1873 standard silver money was not coined for purposes of circulation.

3. But the fundamental fallacy on this point, sir (and it seems to be entertained even by some who do not believe in the independent free coinage of silver), consists in taking it for granted that free coinage would create some demand for silver. It can easily be shown that it would not create any demand whatever. Let us examine the matter.

What does "free coinage," as it is called, mean? It does not mean that the Government would *buy* any of the silver, not an ounce. The Government would simply receive the silver from its owner, stamp it, and hand it back to him. Does that create any demand for the silver?

Buckwheat flour is now used to a limited extent for food. The demand for buckwheat flour is entirely due to this fact. Would opening a new buckwheat flour mill create any demand for buckwheat flour? Certainly not, any more than the reaping and threshing did. These are all simply *steps in preparing the supply*. The market must still be found in competition with other kinds of flour.

And similarly the "open mint" would create no demand whatever for silver any more than the smelting or the mining does; these are all simply steps in preparing the supply. The demand is in the need of money of various kinds with which to make exchanges. The owner of the coin would still have to go forth and find a market for this kind of money in competition with other forms of money. The minting would, therefore, not create any demand for the silver, but would simply put it into shape to meet whatever real demand there might be for silver coin in the channels of trade *in competition with other forms of money*.

And, sir, because of the bulkiness of silver in proportion to its value, the demand for silver *coin* in actual business is very limited. As a matter of fact there is more silver coin in this country to-day

than can be used *as coin*. Experience has shown that the business of the country needs about $125,000,000 in silver coin of all kinds, including minor coins. But we already have a stock of silver coin amounting to over $500,000,000. So there is absolutely no trade demand for more silver coinage for some time to come.

And this the producers of silver well understand. Indeed, the men who framed this free-coinage amendment have embodied in it their admission of this fact. The very first paragraph of the amendment contains the following clause:

> And whenever the said coins herein provided for shall be received into the Treasury, certificates may be issued therefor in the manner now provided by law.

What does this clause show? Why, sir, a moment's thought will reveal its meaning. It is an open confession, sir, on the part of these most rampant advocates of free coinage of silver that they fully understand that no demand exists in the channels of commerce for more silver coin than we now have, and that if more silver were coined it would soon be returned to the Treasury to be stored at public expense. This clause stultifies their whole contention. [Applause.]

THE IMPORTANCE OF MAINTAINING THE PARITY.

What I have just said about silver coin coming into "competition with other forms of money" suggests the need of saying a few words about the great importance of preserving the parity or equality of our various forms of money, to which my colleague referred in such sneering terms.

The Gresham law, so often referred to, is, of course, not a law enacted by any person or legislative body. It is simply the observed result of a principle of human nature. For wise reasons our Creator has endowed each of us with the instinct of self-preservation. This is the basis of the Gresham law. A short way of stating the law is this: "Poor money drives out good money." Why is this true? To illustrate, let us suppose a case: You owe me $10. You also owe $10 to a man in Chicago. In your pocket you have two ten-dollar bills. Let us suppose that one of these bills is good only locally; that is, it will be received without discount only in the neighborhood where you and I live; the other bill we will suppose to be good anywhere. Under these circumstances which of the bills would you naturally give to me? You would naturally give me the one having only a local value; the other bill you would reserve to send away to Chicago. Of these two bills, in other words, you would naturally send away the good one. So would I. So would anyone. And in consequence our community would send away its good money, "good anywhere," and have left only the poorer money, "good locally." This illustrates what is meant by the Gresham law.

But it is time, Mr. Chairman, for some one to embody in terse, lucid language another law of money, covering another ground. As no one else, so far as I know, has stated it, I shall offer a tentative statement, to wit: *With all forms of money at a parity all will be used, each for the purpose which it will best serve.*

The law just stated, like the Gresham law, rests on a principle of human nature. Since "self-preservation is the first law of nature," a little child is by nature blindly selfish. Training and experience, however, gradually teach it that due consideration of the rights and desires of others is the surest way of securing its own rights and having its own desires gratified. Even if prompted by no higher motive, it will gradually reach the plane of "enlightened selfishness." One of the forms of this is business courtesy. By reason of this courtesy, if all forms of money are kept equal in value, "at a parity," each person doing business will make it a point to pay out the kind of money which will be most acceptable to the person receiving it.

And therefore, Mr. Chairman, because we believe that each kind of money—silver, gold, and paper—has a function to perform in our business life which it can perform better than either of the others can, we on this side of the question are determined to keep them all in use. This is why we attach so much importance to maintaining the parity of all our forms of money. And because this gives us the safest, the most convenient, and the most economical means of accomplishing our exchanges, we feel that we have a right to designate it "sound money."

THE SILVER LOBBY IN WASHINGTON.

The silver barons maintain here, as is well known, a large and well-organized lobby. It is under the direction of "Gen." A. J. Warner, who devotes his whole time to and receives a large salary for publishing pamphlets, addresses, circulars, etc., to advance their interests.

I know little or nothing of their methods, Mr. Chairman, aside from the fact that vast sums of money are being furnished from some source to pay for printing and publishing the literature that is poured in upon us all and distributed broadcast over the country. But I think that as a rule it is safe not to trust a man who lacks faith in others. A reasonable prudence in dealing with strangers is, of course, perfectly proper. But the men who are constantly casting aspersions upon other people are, as a rule, pretty good folks to look out for. "Doubt the doubter" is an old and wise proverb. And the amount of vilification indulged in by these men, in words and in pictures, leads one to question the uprightness of their purposes and the character of their methods.

Knowing that they can not hope for success unless they can secure the cooperation of two great classes of people, the farmers and the workingmen, they have prepared a lot of special circulars for distribution among these two classes of people. They are also trying to make out that there is a "debtor class" among us, and are sending out circulars to try to convince men that it is all right for them to repudiate their obligations, provided they can do so under cover of law. They are insidiously trying to undermine the sense of honor that prevails in men's hearts and consciences. By deliberate falsehoods and misleading half truths about men and measures they are seeking to convey the impression that a wrong was perpetrated some quarter of a century ago, and are trying thereby to justify men to themselves for desiring to commit a wrong now. Still the majority of men will agree with the late lamented Bill Nye in the opinion that "The promise of a good man may be written in snow, but no ironclad agreement engraved on brass can avail against the intangible soul of a nimble liar." [Applause.]

Let us now examine briefly a few of their *argumenta ad homines*.

THE INTEREST OF WORKINGMEN.

Everyone will admit that, so far as legislation can affect the matter, that system is best under which those who earn their daily bread by their daily toil receive the best returns for their services.

The gentleman from Texas [Mr. BAILEY], who has just spoken, points to Mexico as "prosperous" in consequence of having the free coinage of silver. He quotes from an article in a recent number of the North American Review, written by the Mexican minister, Mr. Romero. This distinguished representative is naturally loyal to his own country and desirous of making as strong a statement as possible as to her prosperity. He claims that manufacturers are making large profits. But what does he find to say about the wages of workingmen in Mexico? Listen:

> Although our wages are low, there has been in recent years a marked tendency to their increase.

Their wages are "low," even in silver. What about increase in wages? The most that he can claim is that there has been a "tendency" in that direction; no real increase worth mentioning specifically. Workingmen will do well to "ponder on these things."

The following statement appears in Bulletin No. 9, 1891, of the Bureau of the American Republics:

> One of the greatest evils (referring to Mexico) at the present time is the existence of a scale of wages which defies all power of reduction; which robs the laborers of all sense of dignity or feeling of association with the rest of their fellow-citizens; and having reduced them to a condition of abject abasement, deteriorates to a like extent their productive power and the measure of their ability. They are content to regard themselves as a plant or machinery which moves by extraneous aids only, and has no power of volition, and no desire to exercise it if it had.

And yet Mr. Romero finds it impossible to claim more than that there has been "a tendency" to improvement in wages.

We have before us, Mr. Chairman, a special message from the President asking us to make an appropriation to pay certain railroads for carrying certain people from the Mexican line to various parts of the United States. What is the story behind this? Simply this, sir. Some of our workingmen, having been told how fearfully they were being abused under our system, and being assured that things were "booming" in Mexico, became the victims of their misplaced confidence in free-silver orators and *went to Mexico*. Then they learned the truth, finally coming home at public expense. How many more of our workingmen will allow themselves to be made victims of similar tales?

WHAT ABOUT JAPAN?

The awakening of Japan during these last thirty years from her sleep of ages is one of the noteworthy events of the century. She has reformed her Government, changing it from the most stringent autocracy to a constitutional monarchy, with a legislature chosen in part by the people. She has inaugurated a system of public education. China will bear prompt though not cheerful witness to the fact that she has made great advances in the art of war. Would it not be rather singular, sir, if she did not also make advancement in the line of manufacturing? For years she has had companies of her brightest young men studying in this country and in Europe the most advanced ideas in all lines of knowledge and art. She has already adopted many of our inventions, and may become a serious competitor of ours. Therefore what, Mr. Chairman?

Before answering, let me direct attention to two facts that the advocates of free coinage never tell when they are discussing the growth of Japan:

1. *Japan does not have free coinage of silver.* There is no coinage of silver in Japan except on Government account. (See Muhleman's Monetary Systems of the World, page 93.) Why, then, do the advocates of free coinage of silver in this country refer to Japan as an illustration of their proposed plan? Do they not know the facts in the case?

2. But Japan had an "open mint for both metals" long enough

so that she is now *really on the silver basis.* Her workingmen receive their pay in silver. Her employers of labor are said to be prospering, to be declaring "very large dividends." But what about the wages of her working people? Let us see.

I have here the January Bulletin of the Department of Labor, which shows the condition of labor in Japan. Here are the wages paid, translated into our standard:

Daily rates of wages, Japan.

Occupation.	Highest.	Lowest.	Average.
Blacksmiths	$0.60	$0.18	$0.30
Bricklayers	.88	.20	.33
Cabinetmakers (furniture)	.53	.17	.30
Carpenters	.50	.20	.30
Carpenters and joiners (screen making)	.55	.17	.30
Compositors	.83	.10	.29
Coolies or general laborers	.33	.14	.22
Cotton beaters	.45	.13	.23
Dyers	.60	.05	.25
Farm hands (men)	.30	.16	.19
Farm hands (women)	.28	.06	.19
Lacquer makers	.58	.15	.29
Matting makers	.50	.20	.30
Oil pressers	.34	.16	.25
Paper hangers	.60	.20	.31
Paper screen, lantern, etc., makers	.55	.20	.31
Porcelain makers	.50	.13	.29
Pressmen, printing	.70	.11	.26
Roofers	.60	.20	.29
Sauce and preserve makers	.40	.10	.24
Silkworm breeders (men)	.50	.10	.22
Silkworm breeders (women)	.25	.05	.17
Stonecutters	.69	.22	.36
Tailors, foreign clothing	1.00	.25	.49
Tailors, Japanese clothing	.56	.15	.28
Tea makers (men)	.80	.15	.31
Tobacco makers	.50	.11	.26
Weavers	.40	.07	.15
Wine and sake makers	.50	.15	.29
Wood sawyers	.50	.13	.30

Here are the monthly wages paid in certain lines:

Farm hands (men)	$1.44
Farm hands (women)	1.20
Silkworm breeders (men)	1.92
Silkworm breeders (women)	.96
Weavers (women)	.96

And the report tells us further:

Factory labor is paid even less than these prices. Middleton & Co., one of the most prominent tea-shipping houses in Japan, employ in their establishment a large number of persons, men and women, who work from 5 o'clock in the morning until 6 o'clock at night, with three intervals, at 8, 12, and 3 o'clock, respectively, when they eat their rice and what other refreshments they bring with them and rest for twenty minutes or a half hour. The highest wages paid by the Messrs. Middleton are 42 sen a day, which is equivalent to 21 cents in United States currency. This is received by men who are experts in handling tea and have acquired their proficiency by natural ability and long years of experience.

The lowest wages are paid to young boys and girls who pick over the tea leaves to remove the stems and other foreign substances. They receive 13 sen (6½ cents) a day for about twelve hours' work, not including their resting spells.

Of the entire force in the establishment, 20 are paid 21 cents (United States currency) a day, 90 are paid 18 cents, 50 are paid 15 cents, 335 are paid 12 cents, 278 are paid 10 cents, 5 are paid 9 cents, and 30 are paid 6½ cents—and they board themselves.

Mr. E. J. Smithers, our consul at Hiogo, says, in the Consular Report for June, 1894, that the insuperable obstacle to the introduction of American flour is that the great mass of the Japanese are *too poor to buy it.* This reveals their situation. And this is what free-silver advocates "point to with pride" as the fruit of their system. This is the feast to which they invite American workingmen.

HOW ABOUT AMERICAN WORKINGMEN?

And now let us see how the situation of workingmen in this country compared in 1890 with that during the so-called "bimetallic times."

From the famous Senate report on Wholesale Prices, Transportation, and Wages, before referred to, I take the facts for the following table of wages in leading occupations every tenth year for some time before the war, when we had our mint "open to the free coinage of both metals," in comparison with wages in 1890, a sixth of a century after we finally adopted our present system of unlimited coinage of gold and limited coinage of silver:

Occupation (per diem).	1840.	1850.	1860.	1890.
Plasterers	$1.50	$1.75	$1.75	$3.50
Blacksmiths	1.50	1.50	1.50	3.00
Blacksmiths' helpers	.83⅓	.83⅓	.83⅓	1.75
Painters	1.25	1.25	1.25	2.50
Wheelwrights	1.25	1.25	1.25	2.50
Carpenters	1.29	1.41	1.52	1.94
Engineers	2.00	2.25	3.00	4.25
Firemen	1.25	1.37	1.44	1.65
Laborers	.81	1.04	.99	1.25
Machinists	1.45	1.55	1.76	2.19
Watchmen	1.10	1.06	1.00	1.55
Railroads (per diem).	1840.	1850.	1860.	1890.
Baggagemen	$1.53	$1.53	$1.91	$2.11
Brakemen, freight	1.00	1.00	1.16	1.85
Brakemen, passenger	1.15	1.15	1.25	2.00
Carpenters	1.22	1.33	1.30	2.00
Conductors, freight	1.66	1.68	1.61	2.57
Conductors, passenger	2.11	2.30	3.19	3.84
Engineers, locomotive	2.14	2.15	2.30	3.79
Firemen, locomotive	1.06	1.15	2.00	2.00
Foremen, masons	2.50	2.50	2.50	4.10
Painters	1.50	1.43	1.32	2.17
Average, according to importance, for all occupations, 1860 being reckoned as 100	87.7	92.7	100	168.6

There are in almost every community men who worked by the day before the war. Any young workingman who is at all taken by the glowing promises of the free silverites would do well to ask one of these old gentlemen how much he really was paid in those "bimetallic" days, and how much he could buy with his daily pay in the way of necessaries and comforts.

WILL THE AMERICAN WORKMAN ALLOW HIMSELF TO BE DECEIVED?

We have seen that the condition of American workingmen has vastly improved since the days when we had free coinage of silver. It has been shown, also, that opening our mint to coinage of silver on private account would at once send us to a silver basis. How would this affect wages and the men who earn them? Every man who earns his daily bread by his daily toil owes it to himself and those whom he holds dear to think this over carefully.

Any man who will examine daily quotations of prices as reported in the newspapers will soon discover that they change from day to day, and sometimes change very greatly in the course of a month. But every man who earns wages is familiar with the fact that they change slowly, an increase of 10 per cent in a year being quite a gain.

Now, let us grant what the advocates of free silver claim—that going to the silver basis would "double the prices of commodities." Does any workingman believe that wages would be doubled, too? Even if they should be, how much would the wage earner profit by the change? But no intelligent workingman believes for a minute that his wages would be increased by more than a small per cent—that is, while his wages might be *nominally* increased somewhat, the prices of the things he has to buy would be increased very much more. So the real purchasing power of a day's work would be greatly diminished. Any wage earner who now finds it hard to save a little money would find it much harder if we should go to a silver basis.

All experience shows that any debasement in the money system of a country raises prices faster and farther than it does wages. This might influence employers to consider the propriety of debasing our currency, but it is precisely the reason why workingmen should oppose it.

Let us consider for a moment why certain manufacturers are lending an ear to the silver-tongued orators.

Sir Henry Meysey Thompson is one of the leading free-silver advocates of England. He offered a large prize for the best essay on why Japan, India, and certain other silver-standard countries are pushing England so hard in her sales of manufactured goods in the East. The prize was won by Mr. Jamieson, the British consul at Shanghai, China. Here is a copy of that prize essay. Let me read a few sentences, which contain the pith of it: "Wages in the gold-using countries have, through the appreciation of gold, become 100 per cent dearer than they were relatively to silver wages, and the manufacturer in the silver-standard countries *can obtain his labor at half the cost which he formerly paid.*" And it is, therefore, seriously proposed by Sir Henry and his ilk to go to the silver standard *in order that labor may be obtained cheaper*, the idea being that if the workmen receive the same nominal wages, or perhaps a small increase, they will not discover what has happened. Certain manufacturers in this country have had this same little scheme whispered into their ears. There are evidences, too, that some of them are thinking seriously of adopting the idea.

So far as workingmen are concerned, the whole silver question is to be summed up in one query: Do you want your wages cut down? If so, vote for the free coinage of silver.

England has no defense, sir, no choice, except to cut down the wages of her workmen. I see no other way, unless she abandons her present fiscal system, for her even to prevent her Japanese and Indian rivals from invading England itself and competing with the manufacturers of Manchester right in the streets of their own city.

But we have the best market in the world, Mr. Chairman; and, sir, we know how to keep it. [Applause.] It is the plain duty of every wage earner in the United States, his duty to himself, to his family, and to his country, to resolve firmly on two propositions: First, to sustain the protective tariff; and second, to oppose with all his power the free coinage of silver. "Protection and sound money"—this should be our watchword. [Loud applause.]

THE INTEREST OF FARMERS.

Except the natural desire of every American to see all of our industries prosper, and our natural anxiety to do everything reasonable and proper to bring about that result, what possible interest can farmers have in this move of the silver miners for their own special benefit? Our broad acres yield no silver, and we have no personal interest in the problem of finding a market for it. And when in 1890 we were driven to a compromise with these men (who then as now controlled the Senate), whereby we undertook as a nation to do what we never have done for any other industry, namely, furnish a market for the *whole product* and more, what was the result?

These same men assured us then that the act of 1890 would "restore the price of silver and sustain it." By that act this nation obligated itself to *buy* every month 4,500,000 ounces of silver, or 54,000,000 ounces each year. This exceeded by far the entire product of the country; so that we really undertook to furnish a market not only for what was then being produced, but also for all that they believed the country *capable of producing*. Such supreme audacity was never before exhibited, though it is equaled by what we have seen them do this session as exhibited in the action which brought to us the pending amendment.

What was the result of the act of 1890? There were two:

1. After a short-lived increase in price, due to speculation based on the *hope* that silver would advance, the price of silver (as is shown by my colleague's own chart) *fell faster and farther than ever before in history*. Why was this? Simply because our production of silver, which had averaged annually 34,000,000 ounces for the ten years just preceding the passage of the act, leaped to 54,000,000 in 1891 and to 62,000,000 in 1892, and seemed capable of almost indefinite expansion.

2. The second and immensely greater result was the financial panic of the spring and summer of 1893. The repeal of the purchase clause of the act in August, 1893, ended the *panic*, though other causes have continued with us the *industrial depression*. In the spring and summer of 1893 it was almost impossible to borrow money on any kind of security. After the repeal of the purchase clause men with good security could borrow all the money that they wanted. No one now desires to borrow for the purpose of investment, or to invest even when they do not need to borrow therefor. As I said, the panic subsided, but the business depression still continues. There is plenty of money for investment, but no one dares to risk it.

These were the deplorable results of yielding to the dictation of the silver barons in 1890. And similar in kind, but far worse in degree, would be the result of yielding to their present demands.

To come back to my question, What possible interest can farmers have in this problem which the silver miners are trying to solve, namely, of finding a market for their silver? What inducements do the silver producers hold out to the farmers to get them to cooperate in this scheme? They promise the farmers *higher prices* for their products. The sensible question which every thoughtful farmer will naturally ask is, Could they and would they keep their promise? Let us see what the chances are.

They claim that "silver would increase in value, and would carry with it the prices of farm products."

To say that there is any relation between the price of a metal dug out of our Western hills (depending for its value upon conditions peculiar to itself) and the price of any of the vegetable products of our fields (each of which depends for its value upon a set of conditions peculiar to itself)—to tell men that there is any relation between the prices of things so different in their nature and uses, is to insult the intelligence of those who are addressed.

But looking at it from another standpoint, let us see what the probabilities are that the promise could be kept.

One would think to hear these gentlemen talk that silver production is one of the overshadowing industries of this country. Let us make a few comparisons.

The total value of the silver product of the United States in 1892, even when reckoned at the price before 1873, was $82,101,000, and this was the greatest yield in the history of our silver production (Mint Report, page 242).

According to the Statistical Abstract, page 267, the *farm* value of the cotton crop of this country in 1891 was $350,000,000; that of the wheat crop was, in round numbers, $400,000,000, and that of the corn crop was over $800,000,000. The value of our *corn crop alone* was *ten times* the value of the silver crop of this country, and *four* times the value of *all the silver produced in the whole world* that year. Why, sir, the clucking hens of our farms produce more wealth every year than these silver miners, who so patronizingly tell the farmers what they will do for them. [Applause.]

Now, let us look at some actual results. Take, for example, cotton, about which these gentlemen have so much to say. Let us compare the prices of that staple under conditions as fair as possible. To compare prices that had been inflated by a period of war (as those in the early 70's were) with those at the end of a long period of peace, is not a method by which the truth can be established. Let us compare the prices for some years at the end of a long period of peace, when we had "free silver" with those during a similar period now. Let us compare the prices from 1841–1849 with those from 1885–1894.

The following table is made from data furnished by the Agricultural Department. Material for further study of the subject may be had by applying to the Department for its pamphlet on Production and Prices of Cotton for 100 Years.

Production and prices of cotton in 1841–1849.

Year.	Prices in New York.			
	Crops.	Lowest.	Highest.	Average.
	Bales.	*Cents.*	*Cents.*	*Cents.*
1841	1,634,954	7	11¼	9.50
1842	1,683,574	5	10½	7.85
1843	2,378,875	6½	8¼	7.25
1844	2,030,409	5¼	9¼	7.73
1845	2,394,503	5	6¼	5.63
1846	2,100,537	7	9½	7.87
1847	1,778,651	8¼	13½	11.21
1848	2,439,786	6	13	8.03
1849	2,866,938	5¾	10¼	7.55

Production and prices of cotton in 1885–1894.

1885	5,706,165	9.7	10.7	10.54
1886	6,575,691	9½	10	9.44
1887	6,505,087	9½	11⅛	10.25
1888	7,046,833	9½	11	10.27
1889	6,938,290	9 1/16	11½	10.71
1890	7,311,322	10½	12⅛	11.53
1891	8,652,597	7 5/16	10⅛	9.03
1892	9,035,379	6 1/16	8⅛	7.64
1893	6,700,365	7 7/16	10	8.24
1894	7,549,817	6⅝	8 9/16	7.67

Even a very brief examination of the above figures will reveal several significant facts. Though the size of the crop was immensely greater each year of the second period than in the first, the price in the latter period never fell so low as in the former, while the average prices in the second period were much higher than in the first. These are New York prices; and, as it cost less for the planter to get his cotton to New York in the second period, the farm price was thereby increased still further. Cotton, therefore, commands a better price to-day than when we had similar conditions under free coinage.

Farmer friends of mine in Minnesota have told me that before the war they have hauled wheat 50 miles to market with an ox team, occupying days in each trip, and got 45 cents a bushel for it in wild-cat money, which was in danger of being worthless when they got home. Yet in those days the mint was open to the "free and unlimited coinage of silver." [Applause.]

And so I might go on, if there were time, showing the utter fallacy of the patronizing pretensions of these gentlemen.

There is but one way in which the free coinage of silver could possibly affect prices, and that is by lessening the value of the dollar. This could be accomplished in exactly the same way by calling half-dollars dollars. (If a man will feel any better over it, there is nothing to prevent him now from doing his computing in half-dollars.) This would plainly not benefit anyone, because it would affect the prices of things that farmers and others have to buy, as well as the prices of what they have to sell.

We have already seen that free coinage of silver would put the workingmen of this country at a great disadvantage. And farmers have learned in the last three years, if not before, that they can not sell if the workingmen can not buy. So that farmers as well as workingmen owe it to themselves to sustain the protective system and oppose free coinage of silver. [Applause.]

THE INTEREST OF MEN WHO ARE IN DEBT.

"But," says someone, "would not this cheaper dollar be of advantage to men who are in debt?"

Probably every man within the sound of my voice knows from experience what it means to be in debt. It is quite probable that most of us know exactly what it means to struggle on for years and then lose valuable property in consequence of debts. Every one of us has no doubt often wished that we never had borrowed a dollar or bought a thing that we could not pay spot cash for. But when one can buy to-day, on the faith that men have in him, something that he believes will surely be much more valuable in the future (say farm lands in Minnesota or real estate in Duluth), he is apt to yield to the temptation, and buy more than he should. This is the chief reason why so many men are in debt in this great and growing country. Most of us have discounted the future. What is the manly thing to do under these circumstances? Shall we try to defraud the men who trusted us, if we can devise some way to do it legally? The instinct of honesty in every man's soul shouts back the answer, No.

But someone may ask, "Have not the burdens of debt been made greater by legislation?" The answer is most emphatically, No. The treatment of debtors has grown constantly kinder, especially in the last half century. In days gone by the debtor became the slave to the creditor. The State stepped in later and said that slavery of that kind should end, and as a substitute it put the debtor in prison. But in no part of this country can anyone now be imprisoned for debt, unless the goods were obtained by fraud. (In this case the man is being punished for committing the fraud, not for being unable to pay his debts.) Some States are now so lenient to debtors as to almost make the law itself a temptation to repudiate one's just obligations. The property exempt from execution is so large as to enable a person to retain quite a snug estate and yet snap his fingers at his creditors. This fact is well known to almost everyone, yet it is not always thought of in this connection.

THE SO-CALLED "APPRECIATION OF GOLD."

"Well," some one says, "but hasn't there been an appreciation of gold, due to the legislation of 1873?" This is the favorite claim with free silverites, and it is probably the statement which more than any other has given their cause the recognition which it has received among men who intend to be absolutely just in all things. Let us examine this claim, therefore, fairly and squarely.

There are three phases of it:

1. That the act of 1873 was passed without due discussion, and that the discontinuance of the coinage of the silver dollar was done "surreptitiously"—that it was dropped out of the bill during its passage through Congress. The utter falsehood of this allegation I have already shown. The act of 1873, let me repeat, *never contained* a provision for the coinage of the standard silver dollar, and this fact and the reasons for it were fully pointed out. I am glad to note that no man in either House, so far as I can learn, has in this debate allowed himself to refer to this story. It is repudiated by every one who has ever really investigated the matter.

2. That silver has been "demonetized," driven out of use as money. This statement sometimes takes the form of "Half our money was struck down, and this doubled the purchasing power of the other half."

It seems strange, sir, that men will believe a story that is refuted by daily observation.

The coinage of subsidiary silver never was suspended; and the reports of the Director of the Mint show that more silver was coined into *dimes alone* in the *five* years from 1873 to 1878 than had been coined into standard dollars in *all* the years of our history before 1873. The coinage of standard silver dollars was resumed in 1878, and has continued from that day to this. Moreover, every one of those dollars (over 400,000,000 of them) is full legal tender, *precisely as they would be if we had "free coinage,"* unless the debtor voluntarily waives his right to pay in that form of money. So this phase of the free silverites' story has no substantial foundation, and has been dropped by all those whose statements are entitled to respect.

3. The third phase of the statement is the only one that is really worthy of serious consideration. "Has there not been an appreciation of gold, and is not this the cause of the recent fall in prices?"

Even if the answer were yes, that would siginfy nothing for the advocates of free silver, for as I have already shown there was a much greater fall in prices, from 1809 to 1849, when we had the "free and unlimited coinage" of silver. So-called "bimetallism" was impotent to affect the matter then, and would be now. But what is the whole truth in this matter?

Briefly stated, it is this: The price of each commodity depends upon *conditions peculiar to itself*, subject very slightly to modification by the price of some closely allied product. For example, the price of oats depends primarily and almost exclusively on the supply of and demand for oats, and the cost of raising them. But the demand for oats may be influenced somewhat by a very large or a very small crop of corn.

Anyone who will take an extended table of prices, showing the prices of many articles for a long period, month by month or even year by year, will discover the truth of what I have said. The charts used by me here this afternoon, though limited both in number of articles and extent of time, illustrate what I mean. A glance at them will show that the lines indicating the prices of different articles cross and recross each other, showing that there was no common influence governing them all, except the one pointed out by me, namely, that in times of war average prices go up while in peace the general tendency is down.

Now to the question. Since some things have fallen in price, while others have just about held their own, and the great one of all (labor) has advanced, it can not be truthfully claimed as a general proposition that there has been an appreciation in gold. Speaking of things whose prices have fallen, it may be proper (though somewhat confusing) to say that money has risen. This would be just as true with silver money as with gold money. But it is *absolute error* to say that the rise in the value of money is the *cause* of the fall in price. It is simply the *result*. This view is confirmed by that of the eminent German economist, Dr. Helferich (quoted as high authority by Soetbeer), who says:

> In earlier times, when there was no other medium of exchange than that which was also the measure of value, when insecurity of property and scanty development of trade prevented the use of credit, then changes in the only existing medium of exchange, a medium which stood by itself because no other commodity was in universal demand, necessarily exercised a great effect on prices. The situation is *essentially different* at the present time. * * * The greater the range of commercial transactions, the less is the influence exercised in the movement of prices by gold as a medium of exchange, and the more independent is the movement of prices. * * * The prices of commodities are fixed only by causes inherent to themselves (nach deren eigener Wertbestimmung) and gold is called cheap or dear according as the level of prices is high or low. Variations in the value of money are *consequences* of changes in the value of commodities, and *not their cause*.

WHAT WOULD CREDITORS NATURALLY DO?

There are some men now struggling with debt who have felt themselves tempted to support the free coinage of silver just because it would debase our currency, or, as they say, would give us a cheaper dollar and enable those who are in debt to pay more easily. In answer to the chidings of conscience they have said: "The dollar has been raised in value by legislation, now let it be lowered for a while in the same way." If the first part of their statement were true there would be both justice and reason in their demand; but as the premises are false the conclusion is unwarranted. There is only one way for an honest man to do, and that is, exactly as he agreed to do. His moral obligation is discharged only when he returns the kind of money that he borrowed.

But if there is any debtor who fancies that the election of a free-silver President and Congress would be of advantage to him, let him not be deceived.

The men chosen this fall will not take their seats until the 4th of March next, four months afterwards. Unless convened in extra session, the Fifty-fifth Congress will not assemble until nine months later still.

Let us suppose that the advocates of free silver sweep everything before them, capturing the Presidency and the House, and continuing to control the Senate. What would be the natural thing to expect? What would you do if some one owed you and you were not protected by a gold clause in the contract? You would demand what was coming to you. Every man having an obligation coming due would, in self-defense, demand all that might be coming to him while he could still get paid in money of full value. Debtors would be compelled to pay up at once or give new and better security, with a promise to pay in money of the present standard. On the maturing of their obligation they would certainly have to pay an enormous premium for the kind of money required. They would not escape making payment in money of the present standard, and would have to take their chances of getting enough more for their products to enable them to make the payment without actual loss. They certainly would not gain anything, and would take all the risk of losing—losing not only the premium which they would surely have to pay, but depending upon the forbearance of their creditors not to lose all they possess.

And what is the probability of the creditor being able and willing to grant concessions? Depositors in banks would withdraw their deposits. This would compel the banks to call in their loans. The four months between election and inauguration would be strewn with the wrecks of business houses now giving employment to millions of people. Gaunt ruin would stalk through the land, visiting every city, every village, every neighborhood, carrying down to destruction the bravest and best of the captains of industry. Panic, unreasoning panic, would seize the people. We know what even the possibility of going to the silver basis did in 1893; who can compute the effect that would be produced by the absolute certainty of its early arrival? The financial storm that swept over this country in 1893 would be a gentle zephyr compared with the cyclone which would then overtake us.

Creditors, as a rule, would therefore be unable, no matter how well disposed, to grant concessions to those who were owing them. Ninety-nine per cent of those who are in debt would be swept away. We who are in debt, sir, are the ones most vitally interested in the defeat, the overwhelming defeat, of every proposal for the free coinage of silver.

QUALITY OF MONEY MORE IMPORTANT THAN QUANTITY.

The plan of the free silverites, as all experience shows, would subtract from our volume of money a very large and exceedingly valuable part of it. It would diminish our money by the amount of our gold and its representatives, say $600,000,000. Its disappearance would be immediate. What could we get in its place? The total capacity of our mints is less than $90,000,000 a year. But we coined in 1894 about $30,000,000 of gold alone. For the last quarter of a century our gold coinage has averaged over $40,000,000 a year. At this rate it would take us a dozen years to catch up to our present volume of money, without allowing anything for growth. If there were nothing else to consider, sir, would not this strike any reasonable man as a foolish waste of time and energy?

Moreover, sir, we would have poorer money. The silver money

would be bulkier and less convenient than what we have now. And it would lack in stability. And, while "money makes the mare go," we should not forget, sir, that it must be *stable* money. [Laughter.] Silver has become so abundant that its value can not be depended on, as we have seen especially from 1890 to 1895.

So we would have less money and poorer money. And I now propose to show that the loss in quality would be the greater evil.

AN ILLUSTRATION AND THE INFERENCE FROM IT.

When I was a small boy I saw something that I shall never forget. It was at a circus. The clowns and some other employees arranged themselves in a circle. Let us say that there were twenty of them in all. Number 1 said to number 2, "I owe you two dollars; I'll pay up as soon as I can." Number 2 made this statement to number 3, number 3 to number 4, and so on around the circle, number 20 saying it to number 1. Number 1 shoved his hands into his pockets, and with a look of pleased surprise pulled out a dollar. Turning to number 2, he said, "I didn't know that I had that dollar; here's so much on account." Number 2 took the dollar, and with similar language passed it on to number 3, and so it went around the ring. Number 20 passed it to number 1, who received it with a smile and started to put it into his pocket, but instead he turned to number 2 and said, "I didn't expect to be able to pay you the balance so soon, but here it is." And so it went around the ring, finally coming back to number 1, who with a satisfied smile put it into his pocket.

To the little boy who looked, as I did thirty-odd years ago, this was simply the funny work of clowns, to be laughed at and forgotten. It was not forgotten, however; and to the man older grown and charged with the serious consideration of the affairs of a great nation it illustrates the profoundest truth in finance. What is that truth? It is this: *Under proper conditions, the working power of a dollar is beyond all human computation.*

I was very much surprised to hear this afternoon a man so prominent as my friend from Tennessee [Mr. McMILLIN] speak as if money paid for taxes was lost to circulation. I have often heard men speak as if there must be as many dollars in existence as there are dollars' worth of business to be transacted. What would a farmer say to an agent for bushel baskets who should attempt to convince him that he needed as many baskets as he expected to raise bushels of crop. The farmer would feel that his intelligence had been insulted, and justly so. He knows that he can use the same basket over and over again, and the quantity measured in a given time will depend on the speed with which the one handling it works. And then, if properly used, it is ready to do as much more.

So with the yardstick, the pound weight, and the dollar; each can do an almost infinite amount of work if properly used. What are the conditions of highest efficiency in money—under what conditions can a given amount of money do the most work? Let us examine our illustration.

The dollar in the circus ring did the work of forty dollars in five minutes, and was just as capable of accomplishing as much more in the succeeding five minutes. Why was this? Simply because *it moved promptly.*

Now, let us examine the matter a little more closely. *Why* did it move so? Why was each one so prompt to pass the dollar on? Because he felt good; that is, he felt honest. He felt that when he owed money and had it in his pocket the only proper thing for him to do was to pay up. Moreover, *each had confidence in the other.* There was a feeling of respect and good will among the men in that ring. This is one of the conditions under which money does its work most effectively.

What is the other condition? Why was each man willing to *accept* the dollar in payment of what was coming to him? Because he knew that it was a *good* dollar. He knew that whenever he wanted to use it, whether it might be that day or not for ten years, it would be *just as good as when he accepted it.*

Suppose, on the other hand, that each of the men had a dollar in his pocket, but that they distrusted each other, each fearing that if he let go of the dollar that he had he might not soon get another, although money was due him; and suppose that each was afraid to accept the money of the other, fearing that it might not be good when he wanted to use it; that it would depreciate on his hands—what would be the result? Why, of course, each would keep in his pocket what money he had and each would continue to owe the other; that is, the money would accomplish nothing.

In other words, sir, with good money and mutual trust one dollar did the work of forty, while with questionable money and distrust twenty dollars could accomplish nothing. In other words, sir, *the quality of money is immensely more important than its quantity.*

And, sir, a set of men who make it part of their plan to malign human nature and then offer us a debased currency would not only deprive us of part of the money that we now have, but they would paralyze the working power of what remained. [Applause.] They are not only morally wrong, but financially unwise. They and their policy are alike condemned. They offer poor money and distrust; we offer abundant money of the best quality and well-founded confidence. Is there any doubt as to which the American people will approve? [Applause.]

To employ a figure of speech, we contend that our body politic needs in its circulation *both* kinds of corpuscles, and that it needs them both *all of the time.* The best that is promised by the gentlemen on the other side is that their plan will furnish them alternately; one at a time, first one and then the other. That is, sir, they offer us a sort of chills-and-fever system, which would produce distress in life and would result in early death to business enterprise. Our plan secures to our circulation all the elements needed for the health of the system, including both kinds of corpuscles, all of the time, and in the proportions demanded by the most vigorous life. And behind this good financial blood, to prevent stagnation, to propel it in life-giving circulation, we place the great heart, *confidence*—confidence in our system and in each other, confidence in our system based on approved experience, confidence in each other based on the knowledge that, after all, men would rather do right than wrong. [Applause.]

THE DUTY OF THE HOUR.

I am profoundly grateful to the committee for its undivided and long-continued attention. Encouraged by your kindness, I have gone far beyond the scope of my original plan.

And now, in conclusion, I desire to emphasize the gravity of the situation and the necessity for plain speech. There is a kind of shrewdness, allied to cunning, which sensible and right-minded people have neither sympathy with nor respect for. It inspires in them only distrust and aversion. "What will Congress do?" is being asked all over this country and even beyond its confines. It is our evident duty to the people and to ourselves, to answer that question so plainly that no one need misunderstand our meaning.

Stripped of all the sophistries by which many good men have been misled into supporting it, this project of "free and unrestricted coinage of silver on private account" is simply a bold and reckless attempt to promote a private interest at the expense of the financial peace and business prosperity of the country at large. Let us show by our vote that we fully understand this and as heartily condemn it.

And then [turning to the Republican side] next summer, in our national convention assembled, let us speak the word of truth so clearly as to show that our great party, born of noble purposes and glorified by great names and mighty achievements, is worthy now as in the past to control the destiny of the country so dear to us all. [Long-continued applause.]

Cuba.

REMARKS

OF

HON. GEORGE H. NOONAN,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 2, 1896.

The House having under consideration the following resolutions:

"*Resolved by the House of Representatives (the Senate concurring)*, That, in the opinion of Congress, a state of public war exists in Cuba, the parties to which are entitled to belligerent rights, and the United States should observe a strict neutrality between the belligerents.

"*Resolved*, That Congress deplores the destruction of life and property caused by the war now waging in that island, and believing that the only permanent solution of the contest, equally in the interest of Spain, the people of Cuba, and other nations, would be in the establishment of a government by the choice of the people of Cuba, it is the sense of Congress that the Government of the United States should use its good offices and friendly influence to that end.

"*Resolved*, That the United States has not intervened in struggles between any European Governments and their colonies on this continent; but from the very close relations between the people of the United States and those of Cuba in consequence of its proximity and the extent of the commerce between the two peoples, the present war is entailing such losses upon the people of the United States that Congress is of opinion that the Government of the United States should be prepared to protect the legitimate interests of our citizens, by intervention if necessary"—

Mr. NOONAN said:

Mr. SPEAKER: I wish to state as briefly as possible my reasons for supporting the resolutions of the Committee on Foreign Affairs.

Spain is justly tenacious of her colonial rights, and she has proudly referred to Cuba as the "ever-faithful isle."

On the other hand, the citizens of Cuba have of late years become restless and dissatisfied with their political status; so much so that they do not disguise the fact that the present struggle is to sever their fealty to the parent country and to become an independent state.

It is true the movement was at first considered merely an insurrection—only one of those political eruptions that have hitherto

become chronic in Latin America. This contest, however, can no longer be considered in that category. The vast multitude of news-reading people of this country, in view of the facts published during the past year, are unanimous in their conclusion that real war exists upon the island; that it has acquired such proportions as to resist with armed forces the movements of the troops sent to subdue them, and those troops have been frequently defeated.

The people of this country are appalled at the bloody, cruel deeds daily committed in the cities and towns of that once prosperous and peaceable country. Now, while no one will question the right of Spain to force submission to her rule, I contend that we as Americans have the right to protest against all kinds of savagery invoked to accomplish that purpose. When we are satisfied from all of the facts connected with this revolt that the people of Cuba have repudiated Spanish rule and have established for themselves a government, such a condition of affairs ought to be considered a revolution, and should warrant the assumption by the Government of the United States that the revolutionists are entitled to all of the rights and privileges accorded to belligerents. Such a course adopted by the United States is due to the people of any country similarly situated. It is simply the recognition of a fundamental rule respecting combatants that brought our nation into existence. It should be acquiesced in by Spain without equivocation or reservation, and can not be deemed an unfriendly act. We have no grievance with Spain, and would not be a party to any injustice or to the exercise of any doubtful authority with respect to her colonies.

The history of the acquisition of this and adjacent territory is our heritage, and the incident related by early writers of that grand drama where the generous Isabella assists the great navigator of the New World is cherished by every American as one of the noblest acts of royalty. On this question we are not called upon to decide the vital issue between the Government and its people. We see the inhabitants of that country, speaking the same language and professing the same religion, have announced their intention to repudiate the rule of the Cortes on account of wrongs and misrule inflicted upon them, and they claim that their contest is for the exercise of self-government, and all that they ask from us is to have conferred upon them the same privileges that were conceded to us in our struggle with Great Britain. It is useless to multiply words on this topic; the whole world is familiar with the tragic events of the past year, and it has been clearly demonstrated to every candid person that the Cubans are entitled to all of the rights of belligerents.

Coin Redemption Money vs. Irredeemable Paper Money—Practical Bimetallism vs. Silver Monometallism.

SPEECH

OF

HON. WILLIAM E. ANDREWS.

OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 13, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. ANDREWS said:

Mr. CHAIRMAN: I am in favor of the coinage of the silver product of the mines of the United States into standard money side by side with gold, upon such conditions as will firmly maintain the parity of values between gold and silver dollar with dollar. If a clear and distinct proposition looking toward this result were before us, I would most gladly cast my vote in favor of its passage. But the measure that is before us now, in the form of the Senate substitute and the amendments proposed thereto, would, in my judgment, fail to accomplish the result to which I have referred. If the coinage could be limited to the product of our own mines and then the amendment offered by the gentleman from Pennsylvania [Mr. BRUMM] could be made to apply thereto, and the other portions of the Senate substitute should be stricken out, I could cheerfully accord my support to that kind of a bill when properly drawn and presented to the House. But the Senate substitute, in my judgment would, render the result to which I have referred absolutely impossible.

The title of this Senate amendment may be appropriately and correctly expressed in these words: "An act to increase the wealth of the silver speculators of the world and compel the plain, common people of the United States of America to pay the bill." [Laughter.] If the logical title to this Senate amendment should be expressed in words, it would read as follows: "An act to establish silver monometallism, to retire gold from use as money, to reduce all of our silver money to its commodity value, to depreciate all forms of our paper money almost 50 per cent on the dollar, to contract the volume of our money more than $1,000,000,000, and to introduce a reign of financial ruin at the ratio of 16 grains of adversity to 1 of prosperity." [Laughter and applause.] Hence, Mr. Chairman, believing it to be my duty to vote for what is in keeping with the welfare of the American people, I am compelled to record my vote against this Senate amendment.

But let us review the circumstances which brought this amendment before us in its present form.

On the 20th of last December the President called upon Congress for speedy relief in behalf of the National Treasury.

This House responded to that appeal on the 26th and 28th of the same month by the passage of two emergency measures which were designed to furnish the necessary relief.

The first bill was entitled—

An act to temporarily increase revenue to meet the expenses of the Government and to provide against a deficiency.

The second was entitled—

An act to maintain and protect the coin redemption fund and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

The first is still in the dissecting room at the other end of the Capitol, but the second has escaped with barely life enough to return to the House for treatment.

The original House bill and the Senate substitute therefor involve the consideration of two important provisions of our national Constitution—

First. Congress shall have power to borrow money on the credit of the United States.

Second. Congress shall have power to coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures.

Acting under the authority delegated by the first provision, Congress has frequently authorized the borrowing of money to meet emergency demands and to strengthen and protect the credit of the Government. Accordingly, in 1875 an act was passed providing for the resumption of specie payments.

Through the operation of that law the nation made its peaceful transition from the shadows of depreciated paper money to the clear light of financial triumph, restored national credit, and commercial prosperity. Shall we perpetuate the policy of specie payments or shall we return to the basis of credit money from which we departed in 1879? If we answer in favor of a specie basis, the protection of the coin reserve becomes an imperative necessity to the safety and value of all forms of existing credit money. If we should answer in favor of a paper-money basis, we must prepare ourselves to accept all the penalties of an irredeemable paper money. Believing as I do that the interests of the American people will be best served by a financial system based upon metallic money, I cheerfully give my support to such measures as contribute wisely and necessarily to that result. That law has been the foundation upon which we have preserved the equal purchasing and debt-paying power of all forms of our money from 1879 to the present time. The country moved onward from 1879 to 1893 so prosperously and peacefully that the people had almost forgotten that the law of 1875 was still in force. During those years there was no occasion to invoke its operations, because the wise management of public affairs by the Republican party rendered the issuance of bonds unnecessary.

In this connection I desire to call attention to the fact that the financial statistics of the United States show that the coin value of our paper money in 1867 was about 71 cents on the dollar, and that our national debt, less cash in the Treasury, was then $69.26 per capita, and the interest paid annually thereon was $3.84 per capita. In 1873 this country was still on a paper basis, with its money at a discount of nearly 14 per cent. We were not then on a coin basis, although the silver monometallists frequently assume that we were. Please note the conditions of 1892, when our national debt, less cash in the Treasury, was only $12.86 per capita, and our annual interest payment was only 35 cents per capita, and every dollar of our paper money was worth 100 cents on the dollar throughout the commercial world. Please note the additional facts that in 1861, when the Republican party came into power, we had a volume of money amounting to $452,000,000, with nothing but a ruined national credit and a bankrupt Treasury behind it, and that in 1892, when the Republican party was voted out of power in both the legislative and executive branches of the Government, we had a volume of money amounting to $2,300,000,000, and every dollar, whether coin or paper, was worth 100 cents on the dollar—an average annual increase of nearly $60,000,000 from 1861 to 1892.

We had a population of 32,000,000 in 1861, and 65,000,000 in 1892. Thus it appears that, while our population had increased twofold, our volume of money had increased fivefold. Twice as many people in 1892 as in 1861, but five times as much money in 1892 as in 1861. These and similar facts of our financial history prove

conclusively that the Republican policy has always been, even under the most embarrassing circumstances, a debt-paying, credit-restoring, and money-producing policy.

It is very evident that the people see the grave mistake that was made in 1892 and will correct it at the earliest opportunity. It is firmly believed that the sale of bonds would have been unnecessary during the past three years if the Republican party had been continued in power. But the Republican party, although not responsible for that mistake and its consequent misfortunes, is called upon to undertake the task of repairing the damage wrought thereby.

The revenue measure passed by this House on the 26th of last December was intended to increase receipts to an equality with the current expenditures of the Government. The House bill for which this Senate substitute is offered was designed to supplement the law of 1875 and the revenue laws to be amended by the proposed revenue bill. If there had been a Republican majority in the Senate and a Republican President in the White House, there would have been no necessity for the introduction of these emergency measures. Under such circumstances we could have swept the Gormanized Wilson law from the statute books by the enactment of a genuine Republican tariff measure which would furnish revenues adequate to the current expenses of the Government. Thus the way would have been wisely prepared for proper currency and coinage legislation. But with the Senate under the control of a majority composed of Democrats and Populists and a Democratic President in the White House it was manifestly impossible to enact Republican measures. Hence the Republicans of the House waived party measures and came promptly to the relief of the National Treasury and the national credit by introducing emergency measures on nonpartisan grounds. The expenses were exceeding the receipts by nearly $43,000,000 per year, and when that distress message was sent to the House Congress and the country knew that the Secretary of the Treasury was bound to issue more bonds, whatever action Congress might or might not take. But nobody knew whether they would be sold publicly to the people of this country or secretly to a foreign syndicate. The proposed revenue bill would, if enacted into law, prevent a deficit and thus help to avoid the necessity of issuing bonds. But the Populists and Democrats who voted against that bill went upon record in favor of the continuance of the deficit and the issuance of more bonds to pay current expenses, while the Republicans who voted for that bill went upon record in favor of wiping out that deficit by an increase of tariff duties and also in favor of discontinuing the policy of issuing bonds to secure funds to pay current expenses. As bonds were bound to be issued, it was considered wise to amend the law of 1875 so that the Government could take advantage of the improvement made in its credit during the past twenty years. Accordingly, on the 28th of last December this House passed a bill to protect and maintain the coin redemption fund. That bill, for which this Senate substitute is offered, made the following provisions:

First. It simply authorizes the issue of bonds whenever it becomes an absolute necessity to protect the credit of the Government, but it does not order the sale of a single dollar of bonds.

Second. It would have enabled the Government to use short-time, low-rate bonds instead of long-time, high-rate bonds, if it should ever become necessary to issue bonds.

Third. It proposes to place our bonds with our own people instead of foreigners.

Fourth. It prevents the sale of bonds under the resumption law to pay current expenses.

Fifth. It guards against the retirement of the greenbacks.

Sixth. It strictly prohibits the secret sale of bonds to foreign syndicates or anybody else.

Seventh. It provides for the issue of certificates of indebtedness to meet any temporary deficiency of revenues.

Nevertheless, the Populists and others who oppose these bills have gone upon record—

First. In favor of continuing the deficit which their votes in the Fifty-third Congress helped to create.

Second. In favor of continued sales of bonds to pay current expenses.

Third. In favor of long-time, high-rate bonds instead of short-time, low-rate bonds, even when the sale of bonds becomes necessary to protect the credit of the Government.

Fourth. In favor of borrowing money under the resumption law to pay current expenses.

Fifth. They went upon record in favor of indorsing and permitting the continuance of secret sales of bonds to foreign syndicates.

The central purpose of the House bill and the law of 1875 is to authorize the Secretary to preserve in the Treasury "coin redemption money" sufficient to protect and maintain all forms of our paper money at par with coin. The defeat of that purpose would lead directly to a policy of "irredeemable paper money," whatever our system of coinage might be. Unless the Secretary has the necessary coin at hand to redeem the credit money of the Government, how long would such money remain at par? Our mints might be coining millions per day for the owners of gold and silver bullion, but that would not help the Government in any way to protect its credit money. Whenever the expenses of the Government exceed its income, a depleted coin redemption fund can be replenished only by borrowing money. Fortunately, from June 30, 1865, to June 30, 1893, a period of twenty-eight years, the revenues exceeded the expenditures every year and enabled the Government to reduce the public debt within those years nearly $2,000,000,000, an average reduction of about $70,000,000 per year. That was Republican administration.

But the deficit from June 30, 1893, to June 30, 1894, was $69,803,260.58, and the deficit for the next fiscal year was $42,805,223.18. The deficit from July 1, 1895, to February 13, 1896, amounts to $23,102,845.48. Thus it appears that the expenditures have exceeded the receipts since June 30, 1893, $135,711,329.24. During that same period the interest-bearing debt has been increased by the sale of bonds amounting to $262,315,400. This is Democratic administration.

Although the pending amendment is not germane to the House bill for which it has been substituted by the Senate, let us briefly consider it upon its merits in the light of the financial history of this country.

Acting under the second constitutional provision mentioned, Congress formulated a monetary system and established the Government mint. In the evolution of that system, the dollar was made the unit of value or measure. That unit was to contain 100 cents of actual commercial value. Up to that point it was immaterial whether that unit should be represented by metal or some other valuable substance. But, when the act of 1792 was drafted, it became necessary to select the substance or substances that should represent that unit of value. Quite naturally gold and silver were selected as the money metals, because and solely because of their inherent qualities and practical utility for such purposes. At this point, let us observe that those metals came into use as money in this country by statutory selection and not by constitutional mandate. After it had been decided that this unit, the dollar, should be composed of either silver or gold, two important questions arose, to wit:

How much silver must be put into the silver dollar? How much gold must be put into the gold dollar? These questions were answered by putting 100 cents' worth of uncoined silver into the silver dollar, and 100 cents' worth of uncoined gold into the gold dollar. Thus the gold dollar did not control the silver dollar, neither did the silver dollar control the gold dollar, as to the quantity of pure metal that each should contain. That matter was determined by the commercial and financial forces which made 1 grain of gold equal in value to 15 grains of silver, and 1 ounce of gold equal in value to 15 ounces of silver. From these facts it is evident that the commercial ratio determined the coinage ratio of 15 to 1, adopted by the coinage act of 1792. It is assumed here and elsewhere by the silver monometallists that the coinage ratio controls the market ratio. Alexander Hamilton spoke plainly on this point after he had carefully reviewed its national and international bearings. He said:

> There can hardly be a better rule in any country for the legal than the market proportion, if this can be supposed to have been produced by the free and steady course of commercial principles. The presumption in such case is that each metal finds its true level, according to its intrinsic utility, in the general system of money operation.

That rule is founded upon solid truth and can not be violated with impunity. It meant that the Government should receive a dollar of commercial value every time it coined a gold dollar or silver dollar for whose monetary value it thus became responsible. Then we had international bimetallism; now we do not.

But, whatever our system of coinage may be, we should faithfully observe this principle which was embodied in the act of 1792, and has been reaffirmed in all of our subsequent coinage legislation. A correct understanding of this important principle will avoid serious misfortune and correct many false notions concerning this question of coinage. The eloquent gentleman from Iowa [Mr. DOLLIVER] expressed this principle tersely and correctly when he said he was willing to stake this controversy upon two great principles:

> First. Every coin manufactured under free coinage will, in the long run, have the exact value of the metal out of which it is made.
> Second. When a nation creates two coins of the same denomination, differing in value, it stands to lose instantly the circulation of the one which is undervalued.

Turn upon this subject the light of history and philosophy, and you will have a demonstration of the correctness of his statement that these "two propositions express the uninterrupted experience of mankind and are confirmed by the testimony and authority of every great writer upon economical questions in every language of the earth." We may adopt convention resolutions and enact statutes, but they will vanish like the dew before the noonday heat of a July sun unless they are drawn in harmony with the natural

forces of the commercial world. A few facts cited from the financial history of our own country will illustrate this principle. Section 11 of the act of 1792 says:

That the proportional value of gold to silver in all coins which shall by law be current as money within the United States shall be as 15 to 1, according to quantity in weight of pure gold or pure silver; that is to say, every 15 pounds weight of pure silver shall be of equal value in all payments with 1 pound weight of pure gold, and so in proportion as to any greater or less quantities of the respective metals.

The meaning of this section is so plain that it can be easily understood.

Thus all coins, whether domestic or foreign, were to be recognized according to the principle that 1 grain of gold was equal in commercial value to 15 grains of silver, that 1 ounce of gold was equal in commercial value to 15 ounces of silver, and that 1 pound of gold was equal in commercial value to 15 pounds of silver. But notwithstanding the care with which Hamilton and his associates determined this coinage ratio of 15 to 1, it was soon discovered that both metals did not seek the mint readily, especially after 1805. About that time the divergence of the market from the mint ratio brought Gresham's law (the overvalued money metal always drives out the undervalued money metal) into operation, and before 1820 it had virtually driven gold out of use as a medium of exchange in this country. Then many began an agitation against the so-called "silver bugs" and the great conspiracy against gold, although our mints were then open to the free coinage of both metals at a fixed ratio. "What should be done?" "What could be done?" These were the burning questions of that day. Why had gold left our mints? The answer was soon found in the fact that gold could secure a better price in the open market and at the mints of other countries than it could secure at our mint. A careful examination disclosed the fact that even with international bimetallic coinage the commercial ratio had become almost 16 to 1, and that the ratio of 15 to 1 undervalued gold at our mints. Accordingly the act of 1834 was passed, making the coinage ratio approximately 16 to 1 by reducing the weight of the gold dollar from 24.75 to 23.2 grains of pure gold and from 27 to 25.8 grains of standard gold.

1834–1853.

At this point we meet a very important question, a question which underlies this whole problem. If, when we had international bimetallic coinage, the comparatively slight difference of less than 1 grain between the coin and market ratios drove gold away from our mints and out of circulation as a medium of exchange in this country, what would be the result if, in the absence of international bimetallic coinage, this Government alone should open its mints, as proposed by this Senate substitute, to the free, unlimited coinage of gold and silver at the ratio of 16 to 1, when the difference between the coin and market ratios is approximately 16 grains instead of 1 (slightly less) grain? If a difference of less than 1 grain between the coin and market ratios produced a "silver period" prior to 1834, what would a difference of 16 grains produce now? The history, the philosophy, and experience of the world answer with a unity of testimony, "Irresistible silver monometallism." Hence a vote in favor of this Senate amendment is a vote for silver monometallism, and those who favor its passage are silver monometallists and not bimetallists. Believing that the interests of the people of this country will be best served by the concurrent use of both gold and silver, with equal purchasing and debt-paying power, dollar with dollar, I am compelled to cast my vote against this Senate amendment, which would, if enacted into law, result in irresistible silver monometallism. But this act of 1834 did not settle the question permanently.

Within this period of forty-two years preceding 1834 our mints had coined $11,900,000 of gold and $36,400,000 of silver, three times as much silver as gold, but the gold had gone out of circulation because of its former undervaluation at the coinage ratio of 15 to 1. Now note the effect produced during the next twenty years by the coinage ratio of 16 to 1. From 1834 to 1853, inclusive, the coinage was $264,000,000 of gold and $52,000,000 of silver, five times as much gold as silver. Silver found a better price in the open markets and at the mints of other countries, and hence did not readily seek our mints for coinage.

1853–1873.

In 1853 Congress passed a measure containing the following provision:

That from and after the 1st day of June, 1853, the weight of the half dollar or piece of 50 cents shall be 192 grains, and the quarter dollar, dime, and half dime shall be respectively one-half, one-fifth, and one-tenth of the weight of said half dollar.

Under this law two half dollars contained 345.6 instead of 371.25 grains of pure silver, the ratio for this subsidiary coin thus becoming 14.9 to 1, while the ratio for the coinage of the silver dollar remained at 16 to 1. This change gave a profit to the coinage of silver bullion into subsidiary coin and consequently brought silver to the mint and returned such coins to the circulation of the country. The coinage during the next twenty years was as follows:

Gold	$575,900,000
Silver dollars	5,400,000
Subsidiary silver coins	53,600,000

Total silver coinage during this period, $59,000,000. The ratio (14.9 to 1) for the subsidiary coinage was about 1.1 grains less than the ratio (16 to 1) required for the coinage of the silver dollar. But note the vast difference between the amounts, $48,200,000. This change of ratio was the chief cause of that difference. If a difference of 1.1 grains produced such a difference then with respect to one metal, what would a difference of 16 grains between the market and coin ratios of two metals produce now? Every correct, candid judgment can give but one answer, namely, "Silver monometallism."

1873.

The law of 1873 made the following provisions:

SEC. 15. That the silver coins of the United States shall be a trade dollar, a half dollar or 50-cent piece, a quarter dollar or 25-cent piece, a dime or 10-cent piece; and the weight of the trade dollar shall be 420 grains troy; the weight of the half dollar shall be 12 grams (grammes) and one-half of a gram (gramme); the quarter-dollar and the dime shall be respectively one-half and one-fifth of the weight of said half dollar, and said coins shall be a legal tender at their nominal value for any amount not exceeding $5 in any one payment.

SEC. 17. That no coins, either of gold, silver, or minor coinage, shall hereafter be issued from the mint other than those of the denominations, standards, and weights herein set forth.

These sections are quoted from the coinage act which has played an important part in public discussions during recent years. Those discussions have led many people to believe that the coinage of silver was suspended entirely by that act. But what does the report of the Director of the Mint show on this point?

1874–1878.

From 1874 to 1878, inclusive, the gold coinage amounted to $208,500,000, and the silver coinage amounted to $103,600,000. Thus it appears that the silver coinage during this period of five years immediately succeeding the act of 1873 was almost as much as the total silver coinage of the preceding forty years and nearly three times the total silver coinage of the first forty years. The average annual coinage of silver from 1792 to 1878 was $2,600,000.

The act of 1878 authorizing the coinage of the standard silver dollar and restoring its legal-tender quality contains the following provision:

SECTION 1. That there shall be coined, at the several mints of the United States, silver dollars of the weight of 412½ grains troy of standard silver, as provided in the act of January 18, 1837, on which shall be the devices and superscriptions provided by said act, which coins, together with all silver dollars heretofore coined by the United States of like weight and fineness, shall be a legal tender, at their nominal value, for all debts and dues, public and private, except where otherwise expressly stipulated in the contract. And the Secretary of the Treasury is authorized and directed to purchase from time to time silver bullion at the market price thereof, not less than $2,000,000 worth per month, nor more than $4,000,000 worth per month, and cause the same to be coined monthly, as fast as so purchased, into such dollars; and a sum sufficient to carry out the foregoing provision is hereby appropriated out of any money in the Treasury not otherwise appropriated. And any gain or seigniorage arising from this coinage shall be accounted for and paid into the Treasury, as provided under existing laws relative to the subsidiary coinage.

This law has not been repealed with respect to the legal-tender quality of the standard silver dollar, and hence all standard silver dollars are still legal tenders as provided in said act. Nevertheless, the silver monometallists continue to ring the changes on the word "demonetization." But what is the meaning of that term? Demonetization means the act of withdrawing from use as money something which has already been made into money. Of course it is evident to every rational mind that it would be impossible to demonetize gold or silver bullion which has never been coined into money, for how can a thing be demonetized which has never been "monetized" or made into money? A correct understanding of the true meaning of that word will show that much of the talk about "demonetization" is an idle waste of time and worse than meaningless folly, because it is deceptive and misleading.

1878–1892.

During a period of fourteen years, 1878 to 1892, the gold coinage amounted to $550,300,000, and the silver coinage was $428,679,000, an average annual silver coinage of $30,600,000, making a net increase of $28,000,000 per year over the average annual coinage of silver for the first eighty-five years. From 1792 to June 30, 1895, our mints had coined $1,755,800,000 of gold and $685,000,000 of silver. The report of the Treasurer of the United States shows that our stock of gold on June 30, 1895, was $636,000,000 and that our stock of silver on the same date was $625,000,000. Thus it appears that we have less silver by $60,000,000 and less gold by $1,119,800,000 than our mints have coined since 1792.

It is also very evident that the forces of the commercial and financial world have drawn upon our gold and silver circulation respectively in the ratio of 18.6 to 1, so that we have lost $18.6 of gold to $1 of silver from 1792 to 1895. These brief references to our financial history suggest some very important lessons:

First. That our paper money will always go to a discount whenever the Secretary of the Treasury does not have at command a coin reserve sufficient to redeem outstanding credit money according to the terms of its issue. Hence it becomes an imperative necessity to maintain and protect the coin redemption fund unless we desire to adopt a financial policy based upon irredeemable paper money.

Second. That a coinage ratio which undervalues one of the metals included in a bimetallic system will ultimately retire the undervalued metal from use as money. If the undervaluation is slight, the retirement may be gradual; if it is great, the retirement will be speedy. When we correctly test this Senate amendment by this universal and inexorable law of bimetallic coinage, we are forced to the conclusion that, under existing circumstances, with a market ratio of 32 to 1 and a coinage ratio of 16 to 1 gold would be immediately driven out of use as money in this country. Hence the passage of this Senate amendment would defeat the will of the people who earnestly desire the concurrent use of both metals as money.

Third. That every coinage law enacted by the American Congress has been based upon the common-sense principle that every coin issued by our mints, whether it be gold or silver, should be, and, in justice to the interests of the people, must be, supported by a commercial value equal to the face value of the coin. Nevertheless, this Senate amendment provides in effect that every silver dollar to be issued by our mints under existing conditions should be supported by a commercial value equal to only one-half of the face value of such coin.

If enacted into law, it would invite the speculators and money brokers of the world to bring to our mints the silver product of 1894, for instance, amounting to 167,752,561 fine ounces, whose market value is quoted at $106,522,900, and compel the common people of this country to pay them $216,892,200 for it. A donation of $110,369,300 for only one year—a premium of more than 100 per cent according to the present value of our money!

Now, where is the justice and the business discretion in demanding that the farmers, the laboring men, the merchants, in short, the common people of this country, shall be compelled by law to pay this premium? It has been stated in this debate that there are about $65,000,000 of seigniorage now in the national Treasury? Where would that seigniorage, $65,000,000, have gone if the advocates of the "free-unlimited-16-to-1" theory could have had their way? They would have put it into the pockets of the mine owners and silver speculators. But, as they have not had their way, it is now a resource to the Government and belongs to all the people of this country and not merely to the few. In this connection, it should be remembered that Congress has no right to coin gold simply because it is gold or to coin silver simply because it is silver. It has a right to coin these metals into money solely because such coinage facilitates business transactions and thus promotes the "general welfare" of all the people.

DOMESTIC SILVER.

While I shall vote against this Senate amendment because it means silver monometallism, I would be glad to vote for a measure providing for the coinage of domestic silver on a plan of practical bimetallism. In my judgment this could be accomplished by the enactment of laws embodying the following provisions:

1. The duties on all imports from countries whose mints are closed to the coinage of silver should be made payable in gold. They demand gold from us and we can well afford to demand the same from them.

2. Upon all foreign silver we should levy a duty at least equal to the difference between the market and coinage ratios of gold and silver at our mints, and make that duty payable in gold. The revenues thus received would strengthen the Government for a larger use of silver. The silver product of foreign mines for 1894 was 118,252,561 fine ounces, whose commercial value was $75,100,900 and whose coinage value at our mints was $152,892,200. Now, if that foreign bullion had come to our mints under such conditions and under the rule which I have just suggested, its owners would have been compelled to pay into our national Treasury a duty in gold amounting to $77,791,300, the difference between its coinage and commercial values for that year; but the "free-unlimited-16-to-1" theory of the silver monometallists would have compelled the common people of this country to donate that difference to the silver speculators of foreign countries.

3. In the coinage of American silver there should be deposited with the Government a seigniorage equal to the difference between the market and coinage ratios of the two metals. Thus the owner of gold or silver bullion would receive the market price of his commodity, a dollar for a dollar, and the Government would receive 100 cents of commercial value for every dollar issued from the mint whose monetary value the Government must sustain. If the market and the mint ratios should become one and the same, no seigniorage would be required, and hence the coinage would be free. Under the operations of this rule, the Government would receive 100 cents in commercial value for 100 cents in coin; but it would receive only 50 cents in commercial value for 100 cents in coin according to the "free-unlimited-16-to-1" theory of the silver monometallists. This rule would have paid virtually from the national Treasury $31,422,000 for 49,500,000 fine ounces of silver, the American product for 1894; but the silver monometallists would have paid, under their "free-unlimited-16-to-1" theory, $64,000,000 for the same silver, or a bonus of $32,578,000 to the bullion owners. Thus it appears conclusive that the essence of the financial reforms proposed by these silver monometallists consists in compelling the common people to pay large premiums to speculators and money brokers.

A financial policy based upon such a great inequality of values would be like the house which was built upon the shifting sands. By a duty on foreign silver and a seigniorage on domestic silver we can protect the Government from financial risk and loss and at the same time realize all the benefits that can be secured from silver coinage. Whenever there is a difference between the coin and market ratios of the two metals that difference should be deposited with the Government, because we should insist at all times that every coin issued from our mints shall be supported by a commercial value equal to the face value of the coin. A financial policy based upon this principle of equal values will stand amidst the storms and tempests of the financial and commercial world like the house that was built upon the solid rock.

With such an import duty upon foreign silver and a seigniorage on domestic silver, I would gladly vote to open our mints to the coinage of the silver product of the mines of the United States at the present legal ratio, as the duty and seigniorage thus required would equalize the market and mint ratios whenever there is a difference between them. Thus we could safely continue the present legal ratio and avoid the confusion and expense incident to a recoinage of existing silver circulation. The people want and need good money sufficient in volume to meet the demands of business. They earnestly desire a gradual increase in the volume of money so that it will wisely keep pace with the increase of population and the increase in the volume of business. These are the things that I shall work for and vote for to the very best of my knowledge and ability, and I will not yield my support to a policy of financial ruin on the one hand or of financial stringency on the other.

Now, to the benefits of an adequate coin reserve and a practical bimetallism add the benefits of a Blaine reciprocity and a genuine protective tariff measure drafted upon the lines of the McKinley law, with its schedules wisely adjusted to present conditions of commerce and business, and prosperity will again return with a glorious emancipation of the financial, commercial, agricultural, and industrial interests of the country. Capital will then forsake its hiding places and labor will flee from its enforced idleness to receive its just rewards in the reopened channels of business and trade. Then hasten the election day of 1896, at which time the voters of this country will surely win this splendid victory by returning the Republican party to full power in both the legislative and executive departments of the Government.

Cuban Belligerency.

REMARKS

OF

HON. LUCIEN J. FENTON,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 2, 1896.

The House having under consideration the following resolutions:

"*Resolved by the House of Representatives (the Senate concurring)*, That in the opinion of Congress a state of public war exists in Cuba, the parties to which are entitled to belligerent rights, and the United States should observe a strict neutrality between the belligerents.

"*Resolved*, That Congress deplores the destruction of life and property caused by the war now waging in that island, and believing that the only permanent solution of the contest, equally in the interest of Spain, the people of Cuba, and other nations, would be in the establishment of a government by the choice of the people of Cuba, it is the sense of Congress that the Government of the United States should use its good offices and friendly influence to that end.

"*Resolved*, That the United States has not intervened in struggles between any European Governments and their colonies on this continent; but from the very close relations between the people of the United States and those of Cuba in consequence of its proximity and the extent of the commerce between the two peoples the present war is entailing such losses upon the people of the United States that Congress is of opinion that the Government of the United States should be prepared to protect the legitimate interests of Americans by intervention, if necessary"—

Mr. FENTON said:

Mr. SPEAKER: I esteem it a valued privilege to have the opportunity of lifting up my voice and casting my vote in favor of the resolutions now under consideration touching the recognition of the belligerent rights of the struggling Cuban patriots.

Even had any doubt heretofore existed in my mind as to the absolute right of this Government to recognize the new Republic as a belligerent power, the action of the Committee on Foreign Affairs, after careful consideration of the gravity of the subject, would have dispelled such doubts.

I take it from what I can learn from precedents that there will

be no infringement of international law in the adoption of the pending resolutions. But the facts are that so-called international law is largely the product of monarchical governments, and has been formulated chiefly with a view to their interests, and especially with reference to their colonial possessions. There is, however, a higher law—a law of humanity, which appeals to that deep sense of justice innate in the hearts of the masses of civilized men, and which calls loudly for intervention when the "iron heel of tyranny" attempts to crush to earth those who seek only the exercise of those inherent rights and privileges which are the natural and rightful heritage of all races and tribes of the human family.

Whatever may be the subtleties of international law which would seem to legalize the butchery of helpless human beings made slaves by a relentless despotism, there should be no delay in thrusting them aside in order that substantial sympathy may be extended by the greatest Republic of the earth to the heroic and long-suffering people of Cuba.

In the barbarous warfare now being waged by Spain against the Cuban insurgents we, as one of the greatest nations on earth, are confronted with conditions so appalling and so revolting that to withhold our protest against a revival of the modes of warfare practiced in the Dark Ages would either be a confession of weakness on our part or a tacit approval of the war of extermination recently inaugurated by General Weyler and his hordes, without discrimination as to age, sex, or condition.

This Congress will not fail to enter a protest, but will voice the sentiments of 70,000,000 of freemen by sending greeting from the oldest and greatest actual Republic in existence to the newest, the beautiful Queen of the Antilles.

Popular Education and Religious Liberty.

SPEECH

OF

HON. THOMAS C. McRAE,

OF ARKANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 2, 1896.

The House, in Committee of the Whole, having under consideration the bill (H. R. 7664) making appropriations for the sundry civil expenses of the Government for the fiscal year 1897, and debate being in progress touching an item in the bill for the support of Howard University—

Mr. McRAE said:

Mr. CHAIRMAN: I am opposed to the proposed amendment, and I will briefly state some of my reasons.

I regret very much that some gentlemen have seen fit in the discussion of this question to erroneously charge the Southern States with unfair treatment of the colored people in the matter of educational facilities. I do not intend to be led into a discussion of that matter at this time, but I do want to say that I heartily join the gentleman from Texas [Mr. SAYERS] in denying these misrepresentations of our tax-ridden people. The negroes have been fairly treated in the State of Arkansas, and I believe they have been in the other Southern States; but if they have not been it is no reason why we should make this appropriation of $32,000 to a private denominational colored university located in this District, when we all know that they have the same opportunities to attend public free schools here as the whites have.

To my mind there is no theory consistent with our institutions upon which this appropriation from the general revenues of the Government, collected by taxation from all the people, can be justified. That the colored people need education in the South can not be denied; but it does not follow that Congress should take the money from the people of the States, black and white, and give it to a private university located in this city. I make no war on the Howard University. There is evidently a necessity for it, or it would not exist. I have nothing but words of praise and encouragement for its promoters and supporters; but I insist that Congress should not aid any educational institution except those which offer to the youth of our country an opportunity for a common-school education free of cost. If we have the power to aid the cause of education, we should help the public and normal schools in the States and Territories and not subsidize private universities, however deserving and philanthropic they may be. One of the great mistakes of the past in this and other countries has been that the aid to colleges and universities has been out of proportion to that extended to the public schools. The result has been that knowledge, that great agent, so powerful and dignifying to human nature, has been and is confined to a few master spirits, who, constituting the repositories of moral and mental power, have given laws, literature, and religion to the world and shaped the destinies of mankind.

> For just experience tells in every soil,
> That those who think must govern those who toil;
> And all that freedom's highest aims can reach,
> Is but to lay proportioned loads on each.

In the most remarkable period in the history of learning, when all that was beautiful and grand in conception, all that was sublime and powerful in thought or chaste in imagery, we find ignorance is the basis for human usurpation. This has always been and always will be the case. The mind is the ruling and controlling power of the intelligent few, to whose patient labor and systematic study the world is indebted for the thousand improvements and successful discoveries which are the pride and ornament of the nineteenth century.

This mind, which, when cultivated, adds so much to the dignity and happiness of the human family, dwells not alone with the favored few who are able to purchase for their children admittance in the great universities, but with the mass of mankind. This being true, there should be a wider dissemination of knowledge, that its rays should penetrate and expand the minds of the multitude.

Popular education is important in the sense that it tends to inculcate the principles which guarantee to everyone the noble and unconditional inheritance of freedom. The love of this freedom is implanted in man by divine hand, but the history of the human race in every age and in every condition of existence shows that it can not be propagated where ignorance is permitted to rule.

Just in proportion to the enlightenment of the mass of the people of any country will they be free—free to think, to expand, to grow and develop their powers and usefulness. Many illiterate freedmen believe that freedom consists alone in the right of franchise. The avaricious plutocrats who have grown rich by the favoritism of the Government think it consists in the rights of property. This is physical freedom—freedom of body—but not freedom of the mind. Real freedom embraces other principles—rights to the esteem and regard of society. It is the privilege of pursuing happiness in the path of light. What is this worth to one who has no power of mind to comprehend the nature of freedom? The splendor of the noonday sun, the gorgeous blazonry of the firmament is starless and rayless to the blind. Again, it is not out of place to consider this question with reference to our institutions. Our Government recognizes but one class—the people; and has but one legitimate aim—the interest and advancement of the people. Its protection rests in the hands of the people, and is the counterpart of themselves; and it must rise or fall according as the character of the people is elevated or debased. Its theory is equality—equality of power; and that implies an equality of knowledge. Then, should not the whole people be educated, so as to have a proper sense of their rights, to discern their true interests, and to know the important functions of our complex government and their duties under it? Popular education is the best security for popular liberty, in the neglect of which the knowledge accumulated by the few favored wealthy classes will sooner or later perish "like dry grass in the fire of popular fury."

If, then, Mr. Chairman, we are to remain a great and powerful nation, whose influence will be felt and whose intellectual preeminence will be acknowledged, the great body of people must be educated. That is the great mission of the public free schools in the States, and it is for the poor struggling States, where 50 per cent of the people can not read and write the language they speak, that I raise my voice as against Federal aid to colleges and universities in the great centers of wealth designed to prepare men and women for the professions. It is only through the aid of the public-school system that we can throw the light of civilization and intelligence into the hovels of the poor and give them exalted ideas of nature, man, and government.

I shall not take up the time of the committee to prove that the university in question is sectarian, for the amendment admits this by providing that no part of the money "shall be paid to any teacher or professor of theology or religion, or to any chaplain in said university." If you aid any department, you help the entire institution.

Mr. Chairman, I do not wish to be understood as opposing church schools and colleges, nor should I underestimate their great benefit to the cause of education and civilization. I affiliate with a Protestant denomination which believes in and advocates the highest education for its ministers, and its institutions of learning stand in the front rank of sectarian schools. It maintains an institution for the education of colored ministers in the State of Alabama, but, sir, it does this by private and voluntary contributions, and it will deserve to die when it asks Congress to aid it. The various churches in the South are doing as much for the cause of higher education as any other agency. I take pride and pleasure in saying that all of the religious denominations in the State which I in part represent are bending all their energies to arouse the aspirations of the people and to bring them to a realization of the dangers that threaten our institutions by the great mass of ignorance that surrounds them. They are lighting up the minds of the people with the torch of knowledge. In their own hopeful, faithful way and under their own independent con-

trol they are accomplishing what was not dreamed of thirty years ago. They have had many hardships and disappointments to encounter and overcome, but they have never thought of asking aid of the Government. May God speed them in the great work they have undertaken!

As a believer in the Christian religion and not opposed to sectarian education, and for the good of the churches themselves, I stand here to warn them as well as my countrymen of the danger of Government aid to any school, college, or university under church or private control. I say this in the interest of that pure Christianity which I believe exists in the hearts and homes of the great body of the people of this country, as well as for the regard I have for that charter of our liberties which provides that no religious test shall be prescribed for office. Let us keep the state and church forever separate and independent of each other. Let us keep the wall between the two, which was so wisely erected by the fathers of this Republic, so high and so strong that intolerance and fanaticism will never be able to overleap it. No church that has a proper regard for the holy work committed to its care would accept aid from a State or the Government.

Mr. Chairman, I think this a fit occasion to refer to some of the utterances of that great lawyer, statesman, jurist. and champion of the Christian religion, the late lamented Judge Black, of Pennsylvania, upon the question of religious liberty. I shall now ask the attention of the House to some of the thoughts suggested by him in 1856, because the principles are stated more forcibly and more strongly than I can possibly hope to state them. I wish I could burn the great truths he has so eloquently expressed in the minds and hearts of the members of this House and the people of our great country.

"We habitually use certain words and phrases, imported from the other side of the water, which are calculated to mislead us. One of these is the word 'toleration' as applied to matters of faith. It implies that we derive whatever religious freedom we have from the concessions of the Government; that the king in a monarchy and a majority of the people in a republic permit those who differ from them to live unmolested. This notion is wholly untrue. It is not a political privilege, but a natural and indefeasible right, which human government may protect but can not either give or withhold. If we are permitted to enjoy it, our thanks are due, not to any popular majority, but to Him who gave us being.

"Deus nobis haec iria fecit.

"Again, we hear it continually said by the wisest men among us that Christianity is part of our common law. No one has ever attempted to explain how this is to be understood. The law and the gospel are, in fact, wholly dissimilar in nature and essence, in origin, operation, and object; as different as the purity of the one must necessarily be from the coarse and vulgar machinery of the other; so different that they never can be mingled together without corrupting both. Christianity, they tell us, is a part of our law; that is, we have adopted the rules of the Divine Lawgiver to regulate our civil conduct, but, finding them very defective, we have made certain valuable additions. The Connecticut settlers resolved that they would live according to the laws of God until they had time to make better. So we profess to have taken a system formed in the councils of Omniscience, which came from the hands of its Author round and perfect like a star, filled with all forms of moral beauty and radiant with miracles of light, and we boast that we have adopted this system with such amendments as our superior wisdom has found it necessary to make. The proposition is blasphemous, and every Christian man should frown upon it.

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"The manifest object of the men who framed the institutions of this country was to have a state without religion and a church without politics—that is to say, they meant that one should never be used as an engine for any purpose of the other, and that no man's rights in one should be tested by his opinions about the other. As the church takes no note of men's political differences, so the state looks with equal eye on all the modes of religious faith. The church may give her preferment to a Tory, and the state may be served by a heretic. Our fathers seem to have been perfectly sincere in their belief that the members of the church would be more patriotic and the citizens of the state more religious by keeping their respective functions entirely separate. For that reason they built up a wall of complete and perfect partition between the two.

"Their theory was one of absolute and unlimited freedom—a freedom 'as broad and general as the casing air.' It was their aim to take away every possible pretense which could be made by any human being to erect himself into a tribunal for the purpose of deciding matters supposed to be at issue between his fellow-creatures and their God. They thought they had succeeded in guarding the rights of conscience so that no majority would ever invade them. They gave to bigotry no possible chance for thrusting herself into civil affairs without doing so in flat rebellion to the Constitution.

"This liberty to think and do what they please extends to all manner of wrong-headed people, so long as they do not interfere with the rights of others. The widest departure from the faith of the majority is permitted as fully as the most trifling difference of opinion. The Baptist may safely confess his belief in immersion, and the Quaker, with equal impunity, may disregard all outward forms. The Catholic may celebrate the mass, the Jew may eat the passover, and even the Mohammedan may turn his face toward Mecca when he prays. Some very good men are disgusted at a liberality so excessive that it stands neutral between the purest truth and the grossest error. Their righteous souls are vexed from day to day by the fact that their Government is such a Gallio as to 'care for none of these things.' If it be wrong it can not now be mended. For those who are not content with it there is no help, except in emigrating to some place where persecution is not forbidden; and even then their comfort may depend very much on whether they are permitted to inflict the persecution or compelled to suffer it. A British officer, just returned from India, was asked what he thought of lion hunting. 'The sport,' said he, 'is excellent as long as you are hunting the lion; but it gets rather disagreeable when the lion begins to hunt you.'

"Heterodox people in this country are protected not only from burning, hanging, maiming, and imprisonment, but it is provided that even political disabilities shall not be imposed on them for their erroneous faith. One sect shall have no advantage whatever over another. You shall not reward the true believers by giving them all the public employments and punish heretics by a total exclusion. There shall be no religious test as a qualification for office. Make what other test you please. Exclude a man, if you like, for his political sentiments, or his moral conduct, for his wealth or his poverty, for his youth or his age; make war on him for the color of his hair, the length of his legs, or the shape of his nose; but let him alone about his religion; that is consecrated ground; that is a point on which the Constitution has refused to trust you with one particle of power; and wisely, too, for mortal men are not fit to be trusted with such power. They have never had it without abusing it grossly.

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"The man who would enforce religious truth by penalties of any kind is not only cruel and inhuman but he is 'a fool as gross as ever ignorance made drunk.' He descends from his vantage ground, disgraces his cause as well as himself, and makes his adversaries hug their errors with more affection than ever. The logic of blood is just as powerful for the wrong as it is for the right, and Truth, in such a contest, is disarmed of her intrinsic and natural power. By a thousand arguments you can show that Christ was God and Mohammed an impostor; but the rack will prove as much for one as the other. It is possible to convert the most obstinate misbeliever by an appeal to his reason, but what progress will you make by burning his church?

"The experiment has been thoroughly tried both ways, with what success you know very well. When the church had no sword but the sword of the Spirit, when her disciples knew nothing of persecution except what they suffered, her influence was irresistible. But on the evil day when she joined herself to political power her 'invincible locks' were shorn away and she was compassed round with danger and darkness. Christianity, like the oak, will thrive only in open air. It grows and flourishes, and strikes its roots deep into the earth, and stretches its branches to the skies, and spreads them over the plain, while the free winds are permitted to play among its leaves and the sunshine of heaven to settle on its head. But it never was meant for a hot-house plant. It withers and dies when placed under the forcing glass and exposed to the stimulus of an artificial heat.

"The author of the Christian system has lent no sanction to any deed of hatred or violence which has been done in his name. When the prophet Elijah came out from the cave and stood on the mountain there passed in succession an earthquake, a fire, and a mighty wind, but the Lord was not in either. After these had gone by there came a still, small voice, and Elijah knew that the Lord was there. In the history of the Christian world we have seen the earthquake produced by the encounter of nation with nation, the fire of legal persecution, and windy storm of political disputation. It needs no inspired prophet to tell us that in none of these was there any sign of His presence who rules in justice and mercy. If He is not heard in the still, small voice that speaks to the reason and the conscience, then are we without God in the world, and consequently without hope.

"Let us not be self-complacent enough to suppose that we are in no danger of being tempted to repeat what others have done before us. This age is wiser than former times. We know more; but I am not sure that we feel any better. American, Republican, Democratic nature is still human nature, and has its full share of old Adam. Everywhere and at all times the spirit of persecution is the most insidious as well as the most deadly foe to public tranquillity, safety, and peace. It may steal imperceptibly over the popular heart at any moment, for its approaches are always noiseless and rapid. There is nothing less alarming in infancy, nor nothing more terrible in maturity. Its first whisperings are as

gentle and soft as the summer breeze; but its murmurs grow louder and stronger and wilder, until you have it in the crash and roar of the tempest. The whole heavens may be darkened to-morrow by a cloud which to-day is not bigger than a man's hand.

"*Facilis descensus averni.* If our judgments could once be obscured by a strong feeling of hatred and contempt for those who profess a false faith, how easy might it be to convince us that there is nothing either legally or morally wrong in using our numerical power to strip them of their share in the civil Government! We do that, and then come slander and insult of the injured party by way of excuse for the injury. Resistance—perhaps retaliation in some form or another—would almost certainly follow; and this would be an excuse for still further inflictions. The combat deepens every hour; our hatred grows stronger and more intense at every stage of the contest, until we are completely blinded by it; and—

> "Masterless passion sways us to the mood
> Of what it likes or loathes.

"The final issue would be the enactment of inhuman laws to suppress the religion of the minority, or else inhuman riot, bloodshed, incendiarism, perpetrated in defiance of law. 'You begin,' said Roger Williams to his opponents at Boston, 'you begin by reviling your erring brethren; you will end by taking their lives, for you are on a path where there is no hiding place.' He knew the philosophy of the subject exactly. It is idle folly to let loose the war dogs of religious bigotry, hiss them on their victims, and then expect them to be content with barking. It is their nature to tear the flesh and mangle the limbs and lap the lifeblood, and if you desire them not to do so, keep them chained up."

"Besides this natural tendency of the passions, the reason of the thing is altogether opposed to stopping after you begin. There is an argument in favor of killing heretics which you can never answer, except by totally denying all power to molest them. If it be our mission to propagate religious truth, as we understand it, by punishing those who refuse to accept it, why do we trifle with the great work intrusted to our hands? If we are responsible for the faith of others as well as our own, how dare we allow the God of the universe to be mocked and insulted by a false worship? We know very well that such errors are not to be eradicated except by destroying all who believe them. Nothing but the most thorough work will crush them out. If such be the service that God requires of us, let us perform it as men who know that we are working under our great Taskmaster's eye. Subdue the sentiment that might make you revolt against duty. Gird every man his sword upon his thigh; go through the camp and slay every man his brother and his friend. Feed the eagles with the flesh of all who dare to misbelieve; give their roofs to the flames, and let not one stone of their churches remain upon another. This reasoning is perfectly sound, if you concede the premises. Once let go your hold upon the true doctrine of perfect equality, and logic, as well as passion, will carry you irresistibly to the other extreme.

"The tendency of bigotry to run into wild extravagance is partly accounted for by its singular gullibility. Its capacity for swallowing falsehood is absolutely unlimited.

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"This evil spirit of persecution is indeed very far from confining itself to the ignorant and depraved. It has often brutalized the kindliest natures, and under its influence the man of genius drivels like an idiot. I think no one can read the writings of St. Francis Xavier without being touched by the deep tone of his personal piety, yet he was the author of that diabolical invention, the Spanish Inquisition. That Calvin was the profoundest thinker of his age everybody admits; to deny the sincerity of his devotion would be simply absurd; but his name is inseparably linked with one of the foulest murders that ever blackened the face of the sky. Even the matchless intellect of Milton was subdued to the service of the same demon. When all his faculties were roused in defense of free conscience, there was one class of his opponents that he gave up without hesitation to the sword and the fagot. The great heart which conceived all the glories of the Paradise Lost had no drop of pity in it for the sufferings of the Irish. The loftiest hymn of his praise was sung to the man who carried the 'curse of Cromwell' through that devoted island.

"It not only nourishes those violent passions which lead to bloodshed and tyranny; it is almost equally objectionable for its meaner vices of treachery and fraud. It seldom approaches you in fair hostility, with its weapon drawn and its visor up; it hides its hideous face under some plausible disguise, and surrounds itself with all the machinery of false pretenses. It takes its adversary by the beard and affectionately inquires, 'Art thou in health, my brother?' while it stabs him under the fifth rib. Charles IX invited the leading Protestants of his Kingdom to a royal wedding, and took such order for their entertainment during the night that their mangled and lifeless bodies were scattered next morning through all the streets of Paris. This and other outrages were committed on the absurd allegation that Protestants were not, and could not be, faithful subjects or sound in their private morals. The statesmen of England, meanwhile, with a disregard of truth equally base, made the same accusation against Catholics, and on that hypocritical pretense compelled them, for more than a century, to groan under oppression compared to which the bondage of Egypt was mild and merciful.

"It engenders dissimulation of another kind. It pays an enormous premium for hypocrisy and crushes out all independence and truth from the hearts of the people. Sincerity, even when it clings to an erroneous faith, is the first of virtues. But the brave, true men, who would rather suffer than belie their honest convictions, are hunted down and sent to the stake, or at least are banished in disgrace from the public councils, while the knave or the coward, who is willing to profess whatever creed is safe or profitable, is rewarded for his baseness with influence, power, and place. Bigotry applies an infallible test to the merits of men. With unerring certainty she divides the chaff from the wheat, but the wheat she condemns to the unquenchable fire of her hatred, while the chaff is carefully stored away in her garner. Therefore it is that, when bigotry reigns, the public service is always crowded with the worst men. Hostility against an unpopular religion is easily simulated. When you make that a virtue, the infidel and the ribald scorner can be as virtuous as anybody. When that becomes a passport to the sovereign's favor, the state will be served, not by religious men, but by 'hireling wolves, whose gospel is their maw.'

"It is useless to describe any further the features of this monstrous demon. It is the Moloch of the earth, who sits on his shrine up to the ears in blood and compels the children of men 'to pass through fire to his grim idol.' It corrupts the morals, it pollutes the religion, it endangers the safety of any people who permit it to gain a foothold among them.

"But we may safely felicitate ourselves upon one thing. Our establishment of perfect religious liberty and equality has not only given happiness and peace to ourselves, but it has revolutionized the sentiments of the Christian world. We have led the grandest reform that has ever been seen since the days of the Apostles. England, under the admitted influence of our example, has in a great measure knocked away the shackles from the minds of her people. She has removed one political disability after another, until at last she welcomes men of every creed to her service. A Jew is sheriff of London, Catholics sit in her Parliament, and a Presbyterian was, not long ago, at the head of her cabinet.

"France has made a progress still greater. No one there thinks of excluding a man from office on account of his religion. For many years the prime minister, who mainly wielded the power and patronage of the kingdom, was the zealous defender of a creed which the king and four-fifths of the people rejected. Even the fund raised by taxation for purposes of religious instruction is distributed to preachers of the Protestant as well as the Catholic faith. In those parts of Germany where the religious wars were conducted with the greatest ferocity the Catholic and the Protestant sit side by side at the same council board and even worship alternately in the same churches. The inquisition has been abolished in Spain and autos-da-fé are heard of no longer in Portugal. Each Government in Europe still supports what it chooses to call the national faith, but offenses against the religion of the State are nowhere visited with those cruel and sanguinary punishments which used to disgrace the Christian name. The great light of religious freedom, which was seen at first only from the mountain ranges of the intellectual world, has already illumined the hillsides and promises soon to expel the deep darkness from the lowest valleys. May the time be speeded when the whole earth shall be bathed in its radiance!

"That America should now give up the proud position she occupies in the front of the world's great march, and skulk back like a recreant into the rear, is a thought which can not enter an American mind without causing a blush of insupportable shame. She stands pledged to this principle in the face of the world; she has solemnly devoted herself to its championship; she has deliberately promised it—not only to her own people, but to all others who should fly to her for protection—and, if she breaks her faith, it will be such perfidy as never blackened the brow of any power before.

"To avert a calamity so grievous, and to prevent a disgrace so indelible the country looks to her educated men. The unbroken and uncorrupted heart of the people will be always with you on the right side. But you are the bodyguard of freedom, and it is your special duty to carry her oriflamb in the van of every battle. Perhaps no dangerous service will be needed soon. You may safely sit still while your enemies merely talk against the equal rights of all the people. But if at any time hereafter, during the long lives which I hope you will all enjoy, some great combination should arise to stir up the bitter waters of sectarian strife, and to marshal ignorance, prejudice, and selfishness into a body compact enough to endanger the bulwarks of the Constitution, then let your flag stream out upon the wind."

> * * * Then stand you up,
> Shielded, and helmed, and weaponed with the truth,
> And drive before you into uttermost shame
> Those recreant caitiffs.

Retirement of the Treasury Notes and the Free Coinage of Silver.

SPEECH

OF

HON. CLAUDE A. SWANSON,

OF VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 13, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. SWANSON said:

Mr. CHAIRMAN: There are two propositions pending before us for acceptance or rejection. The first proposition is the one passed by this Republican House last December, authorizing the Secretary of the Treasury to sell $500,000,000 of 3 per cent bonds, with which to redeem all the outstanding Treasury notes, impound them in the Treasury, and thus contract the currency of this country to that extent.

When this proposal was first before the House I earnestly opposed it in a speech, and did my utmost to defeat it. I then pointed out that if this bill should ever become law, and the currency should be contracted to the extent designed, the actual money in circulation among the people would be less than half the annual taxes collected from them, less than half the annual interest paid, and would not be one-fortieth of the aggregate indebtedness of this country; yet this House, with its immense Republican majority, by a large majority vote passed this bill to destroy this vast amount of money that had been preserved to the people by a Democratic House of Representatives.

This bill went to the Senate and there the Democratic Senators, led by Senator JONES of Arkansas, aided by a few Republican and Populist Senators, defeated that iniquitous measure and substituted in its place a free-coinage bill, which that sterling Democrat from Georgia, Judge CRISP, now proposes that this House shall adopt instead of the bill it formerly passed.

Thus these two measures embody clearly and distinctly the two ideas struggling for supremacy in our financial system.

The proposal to sell bonds and to retire the Treasury notes, or greenbacks, is the only relief offered by the gold monometallist to remedy the present distressed situation, I am unalterably opposed to this. In the last Democratic House, when the friends of the present Administration sought to have a bill similar to this passed and the vast amount of paper money destroyed, I earnestly spoke and voted against it. I am glad to say that the bill practically similar to this was defeated in the Democratic House by a large majority.

This bill, indorsed nearly unanimously by the tremendous Republican majority in this House, commits this party in the future, without doubt and without question, to the maintenance of the gold standard in this country.

The Republican majority in this House exceeds 100, and the proposal for free coinage will be defeated by a vote equal to that majority.

The Republican party during the last canvass denounced the present Administration for selling bonds, and yet its first advent to power is marked by passing in this House, and insisting upon its enactment into law, a proposition to sell $500,000,000 of bonds and the retirement from circulation of that amount of money. The Republican policy, as here disclosed, shows a complete alliance with the gold monometallists of this country. It shows that the Republican party still adheres to the financial teachings of Senator JOHN SHERMAN, who in 1873 demonetized silver without cause, without excuse, and when it was at a premium over gold of 3 per cent. It shows that this party's policy is a contraction and not an expansion of the currency. It proves to the country what I have always known, that the party that wantonly destroyed silver will never consent to its rehabilitation.

In the future no one need be deceived. If he believes in and desires the remonetization of silver, he must vote for and form alliances with a party different from the Republican party.

I shall not go over the ground that I did in my former speeches and point out the great disasters that must and will inevitably follow if this Republican measure becomes law and one-third of the legal-tender money of our country be destroyed without substituting anything in its place. In them I have pointed out how this would be followed by further stagnation in business and by a further fall in the prices of all products and property.

These two measures, as I have said, present clearly the two methods existing for the settling of our financial troubles. One is the solution offered by the single-standard gold man, and the other is the solution offered by those who believe in bimetallism. The solution of the gold man, clearly stated, is: We have a currency of about $500,000,000 of Treasury notes, about $210,000,000 of national-bank notes, and about 425,000,000 of standard silver dollars, with only about $600,000,000 of gold. They claim that all this currency is kept in circulation and at par by being practically redeemed in gold. They claim that there is a "want of confidence" in our ability to redeem this in gold, and that "to restore this confidence" we should destroy or retire all of our Treasury notes. To retire these Treasury notes they propose to sell bonds either for them or for gold with which to redeem them. When redeemed they propose that the Treasury notes shall be either destroyed or locked up in the Treasury and kept out of circulation.

That this is their solution is shown by the recent sale of bonds and by the present proposition. When the Treasury notes have been destroyed, they propose to destroy the 425,000,000 of standard silver dollars in circulation. They claim that this is only fiat money, and that all fiat money should be retired. Their determination to destroy this large amount in silver dollars is clearly shown by the veto of the bill directing the coinage of the silver bullion in the Treasury, and the refusal of this single gold standard Republican House to permit us ever to vote on that proposition.

They are opposed to repealing the tax on State banks and giving us a local currency to supplement our national currency. This was disclosed when the vote was taken upon this question in the last Congress, when every single gold standard member, whether Democrat or Republican, voted against it.

Their determination is to destroy all the legal-tender money in the country except gold and national-bank notes redeemable in gold. They claim that when this is done, while the currency will be greatly contracted, yet confidence and credit will be restored. This is the entire relief offered by them to remove the present difficulties and bring back to the country the general diffusion of wealth and of prosperity.

I believe these remedies will but intensify and make greater the evils and distress which overshadow us to-day.

The "want of confidence" in our country to-day is not a want of confidence in our currency, but a want of confidence in the solvency and ability of the producing classes to meet their obligations.

I have yet to see a person who, when he refused another credit, debated in his mind whether the person would pay him in silver, gold, or greenbacks. The question in his mind is whether the person will be able to pay him at all. The want of confidence, if it exists, is because he is afraid the person could not pay in any kind of currency.

This want of confidence in the ability of the debtor to pay will be greatly increased if the single gold standard men should succeed in reducing by more than half what can be used in payments. Activity in business, credit, confidence, and prosperity can not be revived until the value of all products and property is restored. People will not trade nor buy on a declining market. A person will not buy goods on Monday when he expects they will be lower on Friday. A man will not purchase a lot, house, or farm this year when he sees them declining in value, as he expects to be able to do so for less the next year. Thus a declining market means losses, stagnation in business, and a paralysis of all activity.

Falling prices also create distrust among creditors, and hence a collection of their debts. A creditor will not extend time to a debtor when he perceives the property upon which he depends for payment each year lessening in value. Thus falling prices necessarily create a liquidation of all debts.

The aggregate minimum indebtedness of this country in 1890 amounted to $20,227,170,546. The collection of this vast indebtedness is proceeding not from any want of confidence in our currency, but from a want of confidence in the security and value of the property pledged for its payment. The truth of this is witnessed each day.

A bank loans money to a man of large business and great property. At the time of the loan the value of the property was far in excess of the amount loaned. The bank, seeing the great depreciation in property, refuses to extend the loan, forces collection, sells the property at a greatly reduced price, and the man who was rich finds himself bankrupt in the shrinkage of values.

Let us trace business in its actual ramifications and see if the sources of the present troubles do not arise from the low price of all products and property.

A bank in New York loans money to a country bank. That bank, at a greater rate of interest, loans it to merchants and business men. These buy or manufacture goods which they sell to farmers or the producing classes. The wheat, corn, oats, tobacco, hay, horses, and cattle raised by them sell so low that they are unable to pay the merchant or manufacturer. The merchants and manufacturers, not being paid, are unable to pay the bank from which they borrowed. This bank, not having its outstanding notes paid, is unable to meet its own notes with the New York bank. The bank in New York, knowing the conditions, becomes

uneasy. It forces the country bank to settle. This in turn forces the merchants and manufacturers to settle, who in turn force the farmer. The farmer, having disposed of his crop for less than cost of production, is compelled to have his farm and other property sold to pay his indebtedness. The value of his crops having been greatly reduced, his land and property engaged in the business are correspondingly reduced. Thus the sale, when made, fails to pay the merchant; the merchant, being unpaid, can not pay the home bank, and this bank can not pay its depositors or the New York bank. Thus we have a bankrupt farmer, a failed merchant, a broken manufacturer, unemployed laborers, and a suspended bank, with all its evils and losses. Hundreds of cases like this have occurred and continue to occur.

The single gold standard man is blind enough to tell you that all this arises from a lack of confidence in our currency, resulting from the greenbacks in circulation. His remedy is to contract the currency, and further lower the prices of all products and property. This remedy is as stupid as the old blood-letting process in medicine, which, when a patient was dying for want of blood, the ignorant doctors would bleed him. It is said that George Washington was killed by this remedy. It seems a strange fate that the country of which he was the father should now suffer from the same pernicious mistake.

It is evident to any thoughtful and reasoning mind that these deplorable conditions arise from the great, unnatural fall in the prices of all products, and that if the prices of them continue to decline these evils will be greatly increased. Relief from these ruinous conditions will not come until we witness an advance in the prices of products and of property.

David Hume, the noted philosopher and historian, long ago said:

> If prices rise everything takes a new face; labor and industry gain life; the merchant becomes more enterprising, the manufacturer more diligent and skillful, and even the farmer follows his plow with greater alacrity and attention. If prices fall the poverty, begging, and sloth that must ensue are easily foreseen.

What occasioned this present great fall in prices was the cause of our existing troubles. Whatever will restore these prices will remove debt, will revive credit and confidence, give employment to labor, bring back business activity and enterprise, and bless the land with plenty and prosperity.

We who advocate bimetallism—that is, the free and unlimited coinage of both gold and silver at the mints at a fixed ratio—believe that the great fall in prices results from the demonetization of silver and the adoption of gold alone as the standard of value. We believe that, this being the cause, prices will be enhanced or restored when we remonetize silver and let our standard of value rest, as formerly, upon both gold and silver. We claim that the value of everything is regulated by the great law of supply and demand. That this great and universal law of supply and demand regulates the value of money when exchanged for commodities.

We claim that as society has progressed, wealth increased, commerce enlarged, and tremendous new enterprises been undertaken, taxes, interest, and all fixed charges been augmented, the demand for money has become greater; that while the demand for money has greatly increased, yet the supply of it has been reduced half since 1873, when silver was demonetized and gold made the standard of value or money of final payment; that the demand for money of final payment having increased and the supply lessened by half, the value of things exchanged for it, or measured by it, must necessarily be reduced correspondingly.

Thus the natural result of destroying half of the money of the world would be to greatly appreciate the value of the remaining half and reduce to that extent the value of all products and property exhanged for or measured by it.

John Locke, the greatest of all English thinkers, many years ago said:

> For the value of money, in general, is the quantity of all the money in the world in proportion to all the trade.

This is a profound truth and but emphasizes what I here insist upon, that as our trade has wonderfully increased since 1873 and as one-half of our primary money was then destroyed, the result has been to double the price of gold, and hence reduce by half the value of everything sold for gold.

John Stuart Mill, the great thinker and writer upon this question, has well said:

> That an increase in the quantity of money raises prices and a diminution lowers them, is the most elementary proposition in the theory of coinage, and without it we should have no key to any of the others.

This self-evident truth must show that the destruction of half of the money of the world must result in an equal reduction in the price of all commodities.

This vital truth was recognized by the fathers of this Republic when our Government was organized.

Alexander Hamilton, in his famous report of 1791, said:

> To annul the use of either metal as money is to abridge the quantity of circulating medium and is liable to all the objections which arise from a comparison of the benefits of a full with a scanty circulation.

The immortal Jefferson, who had the interest of the people at heart more than any American leader and who was the father of the Democratic party, in February, 1792, in a letter to Hamilton, said:

> I concur with you that the unit must stand on both metals.

I stand here to-day as a Democrat, receiving my inspiration from Jefferson and not from the latter-day saints of the party, and repeat that "the unit of value must stand on both metals." That is Democracy. That is bimetallism.

In 1852 R. M. T. Hunter, one of the most talented and distinguished sons of Virginia, in a report made to the Senate as chairman of the Committee on Finance, said:

> But the mischief would be great, indeed, if all the world were to adopt but one of the precious metals as the standard of value. To adopt gold alone would diminish the specie currency more than half, and the reduction the other way, should silver be taken as the only standard, would be large enough to prove highly disastrous to the human race. We require, then, for this reason, the double standard of gold and silver, but above all do we require both to counteract the tendency of the specie standard to contract under the vast increase of the value of the property of the world.

Thus forty-two years ago, when we had the double standard and were blessed with unexampled prosperity and progress, this wise statesman and sage of Virginia prophesied the great mischief and evils which would inevitably follow if we should ever adopt but one metal as our standard of value. The Republican party in 1873 did just what this wise Democrat had over twenty years before warned them against. The debt, the misery, the failures, the stagnation in business, the unemployed labor, the low price of all products and property, and the scarcity of money bear evidence to-day of the complete fulfillment of this prediction. Thus we can trace back, clearly and distinctly, our present distress to the existence of the gold standard. Relief can not and will not come until we abandon this and again put our standard of value upon both gold and silver. But I will not stop the investigation of this question here.

I have proven that the present ruinous conditions result from the prevalence of this great fall in the price of everything and that relief will only come from a rise in prices.

I will now investigate the history of the rise and fall in the price of commodities, so that we can also ascertain the cause of the present low prices by historical data.

The London Economist, a paper of world-wide fame for ability and statistical knowledge, has compiled the average prices of 22 leading commodities on the 1st of January of each year from the year 1845, which is very instructive and significant. This compilation shows that the price of these 22 leading commodities increased in value from 1845 to 1873 and that from 1873 to the 1st of January, 1892, they had fallen about 33 per cent.

Augustus Sauerbeck, of the London Statistical Society, a man of eminence and ability, has investigated the prices of 45 leading and representative commodities on the London market, with the same astounding results, that the average price of these gradually increased until 1873, when the increase ceased and a decline commenced, which amounted, with the 45 commodities, to about 34 per cent in 1892.

Dr. Soetbeer, statistician for Hamburg, Germany, and a famous economic authority, compiled the prices of 100 leading articles on the Hamburg market and 14 of British exports with the same astounding result, that commencing with 1873 the average price of these had gradually declined, until in 1891 their decline amounted to 22 per cent.

In 1891 a committee of the United States Senate investigated the prices in this country of 223 articles, and in a report to Congress shows that since 1873 the average price of these has declined 28 per cent.

In 1872 the price of wheat was $1.24 per bushel; in 1894 it was 49 cents per bushel. In 1873 the price of cotton was 20.14 cents per pound; in 1894 it was 6.94 cents per pound.

Statistics will exhibit the same great fall in the price of tobacco, corn, oats, cattle, and horses, as well as in other commodities. These statistics are undisputed even by the gold monometallists. They are gathered from sources so reliable, presented by men of such reputation and authority, so in accord with our own knowledge and experience, that they can not and will not be denied. They all agree in one thing—that, commencing with the year 1873, the world over, prices have fearfully declined. Consequently it is evident that at that time something must have occurred to occasion a condition so world-wide.

We examine and we find that in 1872 Norway and Sweden substituted the gold standard for the silver standard. We find that in 1873 the United States abandoned the double standard of gold and silver and adopted the single gold standard. We find that the same year Germany went from the silver standard to the single gold standard. We find that in a very short time after Germany does this France and the Latin Union suspend the free coinage of silver and substitute the gold standard. Thus about this time occurred a convulsion in the financial world surpassing any which ever transpired in the physical world. The great com-

mercial nations of the world at this time went from the double standard of value to the single gold standard.

It is impossible to point out anything else that happened at this time to precipitate a fall in prices.

Why should prices be on an ascending plane until 1873 and then suddenly take a declining plane, which becomes greater each year? There were no great inventions in that year to cheapen production and hence to reduce prices. That year marked no overproduction so as to account for the sudden change.

Any thoughtful mind, bent upon the ascertainment of the truth, must be convinced beyond doubt that the low prices the world over, commencing with the demonetization of silver, must have been caused by that and nothing else.

I have proven that all the accepted authorities upon financial questions agree that when you lessen the amount of primary money you lower the price of everything exchanged for money. I have shown that the wisest of statesmen and thinkers years before prophesied that if the world should ever discard either of the two money metals and adopt only one lower prices would result and the very disastrous conditions that now confront us would inevitably come. I have traced from facts and statistics, undisputed by anyone, that the fall in prices commenced, as foretold, precisely at the time that the world destroyed silver as one of the money metals. Can arguments or facts be more conclusive? I have shown that this fall in prices commenced in 1873, and resulted from demonetizing silver and destroying its monetary functions. Thus the proper relief from the present distress is plain and unmistakable.

The relief which will restore prices, revive business, encourage industries, inspire confidence, give employment to labor, and pay debts is the restoration of silver as one of the money metals, as it existed prior to 1873.

We must right the crime of that year. We must leave the darkness in which we are now groping and return to the light and sunshine we then left.

We do not know where this new departure on the gold standard will take us. We do not even know that prices have touched the bottom. We have no experience behind us to tell us what will be the ultimate effect of the gold standard. The world never tried the gold standard prior to 1873. Since its adoption, in falling prices, in the vast accumulation of debt, in the numerous and immense failures, in the frequent and great panics, in paralyzed business, in the mistrust and wretchedness which overshadow the country, we witness its ruinous effects.

I am no alarmist, but thought and reflection teach me that if the gold standard is to be permanently maintained and the policies and designs of its advocates, as here disclosed, to be carried out that we will witness a yet greater fall in the prices of all commodities, and a further shrinkage in all values, with their attendant evils. It is inevitable.

We have just completed a reassessment of the land in my home county, Pittsylvania, and in the city of Danville, situated therein. The lessons taught by it are significant. It presents how frightfully the gold standard is shrinking the value of lands. In 1890 the real estate in Pittsylvania County was assessed at $4,012,464. In 1895 the assessment amounted to only $3,115,938, being $846,526 less in 1895 than in 1890. With all the buildings and improvements put upon the lands their value was reduced in five years over 20 per cent. The supply of land did not increase during the five years, while the demand did on account of increased population. Thus, under natural conditions, we should have expected an increase instead of a decrease in its value from 1890 to 1895. The lands there will now scarcely bring half as much as they would prior to the demonetization of silver.

The assessment for the city of Danville presents the same remarkable conditions. In 1890 the real estate assessed in Danville amounted to $5,170,928. In 1895 it amounted to only $4,650,406, being a reduction of $520,522. Here is a city with great improvements and buildings during this time, with increased population, yet, including all these, a reduction in five years of over half a million of dollars in real estate values.

When we ponder these startling figures, we can readily understand how farmers and business men who were formerly prosperous and rich find themselves bankrupt and impoverished. They have been ruined not by any fault of their own, but by the shrinkage in the value of their property. This shrinkage continues under this single gold standard, and no one knows when it will cease.

The world's supply of gold is too small to give value to its immense amount of property. Each year witnesses a greater struggle for its possession, and hence a greater sacrifice of property to obtain it.

The only way to remove the present evils and prevent the greater ones which await us is to again give silver the right of free and unlimited coinage at the mints.

This is the relief proposed by us in opposition to the Republican measure to sell five hundred millions of bonds and retire that amount of paper money. We are prepared to appeal to the country upon the two methods of relief here presented.

The gold monometallist can not deceive the people by a pretended friendship for silver in advocating an international agreement. There is not the remotest chance of an international agreement. The last hopes of one have disappeared. We were told to wait only until Lord Salisbury and the Tory party of England should come into power and soon an agreement would be reached. They have attained power by an immense majority and have distinctly stated that England has no intention of changing her present gold standard or entering into any international agreement for the coinage of silver. France and Germany have distinctly stated that they would be parties to no agreement without England. Thus there is no hope for any international agreement. It is useless to discuss an international agreement which will never come. The people who advocate delaying action upon the silver question until an international agreement can be reached are not friendly to silver and only indulge in it to delay action by creating hopes which will never be realized. The people of the United States must continue the present gold standard or must alone adopt the double standard of gold and silver. This is plain and clear. It is an issue which must be met, and which politicians may try but they can not dodge nor deceive the people upon.

If one favors the gold standard then he must approve the recent sales of bonds, the present Republican measure to sell $500,000,000 worth of bonds to retire that amount of paper money, and finally to destroy all the standard silver dollars. If the gold standard is to be maintained all of this will inevitably follow. It can not and will not be prevented. If one is opposed to all this and believes that it will bring disaster and not relief, then he should advocate that the United States should again reopen its mints to the free and unlimited coinage of silver and again make silver money of primary payment.

I believe this. I am opposed to any sale of bonds. I am opposed to retiring the greenbacks and contracting the currency. I believe that the coin notes should be redeemed in either gold or silver, at the option of the Government and not of the holder. I believe that a continuance of the gold standard will precipitate a continued and a frightful fall in the prices of all commodities. I believe that it has more than doubled all debts, taxes, interest, and fixed charges. I believe that when our mints are opened to silver prices will advance and the present troubles will disappear.

Being convinced that there is no chance for an international agreement, I am prepared to vote for this country at once to resume the free and unlimited coinage of silver.

No evils which the distorted imaginations of those who oppose this have presented can equal those which I am convinced will come if we continue the single gold standard.

I am convinced that the United States is able to do this and maintain all the silver coined at a parity with gold. I believe that when this is done silver bullion will rise in value until it is worth the coinage value. Every silver dollar coined to-day is at par with gold. It is only the uncoined silver that is not at par. All that will be coined at our mints and be made a legal tender will circulate at par with gold. We have experience in the past that should convince us that the United States is able to do this.

France, from 1803 to 1873, by having her mints open to the free coinage of both gold and silver at the ratio of 15½ to 1, maintained that parity between them the world over. She was able to do this despite the great disparity existing during that time in the production and quantity of gold and silver. We to-day are more prepared to do this than was France when she maintained it.

Statistics in 1870 show that France had about 10 per cent of the imports and exports of the world. In 1889 the United States had nearly 10 per cent of the imports and exports of the world. Mulhall, the world's greatest statistician, shows that the productive power of the United States is three times as great as was that of France in 1870 in proportion to the rest of the world. In 1870 France furnished less than 12 per cent of the world's great agricultural products, while to-day we furnish about 20 per cent of the world's supply. France in 1870 produced about 13 per cent of the world's manufactures, and the United States to-day furnishes almost 31 per cent of the world's entire product. In 1870 France had about 7¼ per cent of the world's railway mileage, while the United States now has about 44 per cent of the world's entire mileage. In 1870 France's banking power in comparison with that of the world was 4 per cent, and the United States to-day has 32 per cent of that of the world. In internal commerce and business we greatly exceed the proportion that was then possessed by France. Our wealth to-day in comparison with that of the world far exceeds what France's was in comparison with that of the world in 1870. Thus, by whatever test measured, the United States is able to do more than France did at that time. Yet from 1803 to 1873 France was able to maintain the parity between gold and silver the world over at the ratio of 15½ to 1. She did this despite the fact that at that time the average number of ounces of silver in the world was thirty times as great as the

average number of ounces of gold. To-day the number of ounces of silver in the world is about sixteen times as great as the number of ounces of gold—the ratio at which we propose to resume coinage. Thus to resume coinage as proposed the United States, with all its greater ability and power, would only have to do half as much as France accomplished for seventy years. There should be no question that we can do this. We are safe in making the venture. Success will crown our efforts. All we need is the courage and the resolution to establish our own financial system, suited to our wants and needs. I am convinced by thought and study that the United States is amply able to resume the coinage of silver and maintain its parity. I am convinced that when this is done prices will be restored and general prosperity and progress will return. I am convinced that the paths that the single gold standard men are trying to entice us into will but carry us further into the night of darkness and plunge us deeper into the abyss of sorrow and distress.

Mr. Chairman, this great issue is now before the American people and they are stirred upon it as they were never stirred before. They recognize the vast importance and the far-reaching consequences which will result from the proper settlement of this vital question.

The coming great conflict, which will be fought to the finish, is the battle of the standards. The people have become tired of the miserable makeshifts and the temporary policies which the politicians have devised to avoid the settlement of this great question. The people can be no longer deceived.

The great masses of the people are convinced that the continuance of the gold standard only benefits the capitalists and money lenders and is destructive of the interests of the laborer, farmer, merchant, and the business man. Politicians may try, but they can not create false issues. Issues exist in the condition and in the minds of the people, and they must be met. This great problem can not be brushed aside. Each year it rises into more and more importance.

The intense struggle of the people for this reform is but a supreme effort on their part to release themselves from the greed, avarice, and domination of the moneyed classes.

The boast of the Democracy in all the years of its history has been that it is the party of the common people; that it is the champion of the rights of the toiling laboring masses. It has never espoused the cause of classes seeking to enrich themselves by depredation upon the masses. It is too late for it to do so now. It can not climb upon the gold-standard platform without trespassing upon ground long since occupied by and belonging to the Republican party.

The issue is clear. The duty of Democracy is plain. It should make common cause with the people, remain true to its traditions and history, and carry the country back to that system and to those principles which our fathers founded and which gave us great prosperity and wealth, and the departure from which has brought us to our present woes and distresses. [Applause.]

War in Cuba.

SPEECH

OF

HON. WM. C. ARNOLD.

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 2, 1896.

The House having under consideration the following resolutions:

"*Resolved by the House of Representatives (the Senate concurring)*, That in the opinion of Congress a state of public war exists in Cuba, the parties to which are entitled to belligerent rights, and the United States should observe a strict neutrality between the belligerents.

"*Resolved*, That Congress deplores the destruction of life and property caused by the war now waging in that island, and believing that the only permanent solution of the contest, equally in the interest of Spain, the people of Cuba, and other nations, would be in the establishment of a government by the choice of the people of Cuba, it is the sense of Congress that the Government of the United States should use its good offices and friendly influence to that end.

"*Resolved*, That the United States has not intervened in struggles between any European Governments and their colonies on this continent; but from the very close relations between the people of the United States and those of Cuba in consequence of its proximity and the extent of the commerce between the two peoples the present war is entailing such losses upon the people of the United States that Congress is of opinion that the Government of the United States should be prepared to protect the legitimate interests of Americans by intervention, if necessary"—

Mr. ARNOLD of Pennsylvania said:

Mr. SPEAKER: Being in hearty sympathy with the spirit of the resolutions which have been submitted to the House by the chairman of the Committee on Foreign Affairs, Mr. HITT, as a substitute for the concurrent resolutions of the Senate, with reference to a recognition of belligerent rights by the Government of the United States to the people of Cuba, who have maintained for the past year and who are at the present moment engaged in a manly struggle to throw the yoke of Spain from off their necks and enjoy the blessings of a free and liberty-loving people, I gladly avail myself of the privilege accorded members of this House to submit a few remarks as to why, in my opinion, the subject-matter as contained in this substitute should become the expressed sentiment of the people of our Republic.

Mr. Speaker, while it might be urged on the part of well-meaning members of this House that a policy of nonintervention between the contending forces on the part of the Government of the United States is the safest policy to pursue, yet there are certain circumstances in connection with this warfare between Cuba and Spain that would make it seem almost criminal to keep silent when liberty is being assassinated at our very doors. History furnishes abundant precedents for this step, and we only need refer to the act of Spain itself, which was swift to recognize the late Southern Confederacy. But, Mr. Speaker, I would not favor the adoption of this substitute in a narrow spirit of retaliation, but upon the high, broad, and sacred ground of humanity.

Gentlemen may say that by provision of international law we can not recognize the belligerency of the Cuban patriots. I deny it; and not having the time to refer to "case law," or precedents, I will content myself with the proposition that any so-called law which does not rest on the broad foundation of right, justice, and humanity has not and can not have the force of law. The Cubans for a long time have been surprisingly successful against the combined naval and military forces of Spain. They have in the field to-day a larger force of men than had the American colonies when recognized by foreign powers, and they are to-day engaged in the same kind of a struggle for their rights and liberties. They are absolute masters of a very large, if not the greater, part of the island, and have organized a government—provisional, it is true, but necessarily so—and have appointed ministers with authority to treat with foreign nations. What more will we ask? Shall we wait until the soldiers of Spain are exterminated or driven into the sea?

Again, the allegation of Spain that the insurgents are only a few bandits or guerrillas, and that a vast majority of the inhabitants of Cuba are loyal to the Spanish Government, can not be true, else why should Spain send thousands and tens of thousands of troops to the island?

But, Mr. Speaker, what does our neglect and failure to recognize as belligerents mean? It means that Spain can purchase of us any and all munitions of war, but Cuba can not have a musket or a cartridge; it means that if Cuba should obtain armed vessels and send them out on the high seas to attack the Spanish marines they would be adjudged pirates, and would have no protection or right of asylum in our ports; it means that every Cuban insurgent captured in battle will not be treated as a "prisoner of war," but will be killed by the edict of a Spanish court-martial; it means that the recall of that humane Spanish general, Campos, and the appointment in his stead of one Weyler, is to be followed by savagery and murder, as certainly indicated by Weyler's orders already published; and it means that the bright pages of the history of civilization of the nineteenth century shall be blackened by deeds dark as any that have ever disgraced the history of human government. And for this accomplishment the Spanish Government is most competent and eager. The gross illiteracy and dense ignorance and brutish savagery of a very large majority of her people make her indeed the Turkey of Western Europe, and Spain is the only country on the globe claiming civilization whose morals, habits, and aspirations have remained unchanged throughout the instructive years of many centuries. But, it may be asked, have we in our keeping the rights and liberties of the Cubans? Ah, Mr. Speaker, thousands of years ago the question was asked by Cain, "Am I my brother's keeper?" and from that day down to this very hour every lover of right and justice and liberty has with eager lips responded, "I am my brother's keeper," and by tradition, history, and principle the United States, in a certain degree, is the protector and keeper of their brethren, and this nation is to-day—let Spain and England know it—the natural guardian of the rights and liberties of every nation and every people on this continent.

Cuba should be and will be free; she will not always submit to the gross injustice and tyranny of Spain. Though terrible the travail, liberty will be the offspring of tyranny. It will not be the policy of the United States to make war on Spain to capture Cuba. England (which now strongly advises us and other nations to refuse recognition), with its usual greed, captured Habana in 1762, together with about $4,000,000, and only surrendered it in exchange for Florida. But, as I have said, this is not our policy, though the manifest destiny of the "Pearl of the Antilles" is a place in our crown.

From the days of the "Black Eagle," in 1829, down to this time, not twenty-five, not twenty, years have elapsed in which an effort has not been made by the Cubans for freedom. The torch of liberty, once lighted, never ceases to burn, and Cuba will yet be free.

In conclusion, shall we give them some hope by this action, or shall we follow the suggestion of our Attorney-General [Mr. Harmon], who said: "It behooves all American citizens who have respect for the laws or obligations of their country to be neutral in word as well as in deed." Let us decide it now. Let us say now, authoritatively, by the adoption of this measure, what I believe 90 per cent of the American people have already said. For struggling Cuba scattering words of pity have but little value. Let us now, in Congress assembled, show to the Cuban patriots and to the world that we still worship at the shrine of liberty and that freedom will not call on us in vain.

Shall tongues be mute when deeds are wrought
Which well might shame extremest hell?
Shall freemen lock the indignant thought?
Shall Pity's bosom cease to swell?
No; guided by our country's laws
For truth, and right, and suffering man,
Be ours to strive in Freedom's cause,
As Christians may, as freemen can,
Still pouring on unwilling ears
That truth oppression only fears.

"The fatherhood of God and the brotherhood of man" move us to delayed duty; common humanity demands action. Let it be flashed around the world that the United States of America hears and heeds the cry of liberty—Cuba must be free.

Cuba.

REMARKS

OF

HON. JONATHAN S. WILLIS,

OF DELAWARE,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 2, 1896.

Mr. WILLIS. I ask that the Clerk read the pending resolutions.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That in the opinion of Congress a state of public war exists in Cuba, the parties to which are entitled to belligerent rights, and the United States should observe a strict neutrality between the belligerents.

Resolved, That Congress deplores the destruction of life and property caused by the war now waging in that island, and believing that the only permanent solution of the contest, equally in the interest of Spain, the people of Cuba, and other nations, would be in the establishment of a government by the choice of the people of Cuba, it is the sense of Congress that the Government of the United States should use its good offices and friendly influence to that end.

Resolved, That the United States has not intervened in struggles between any European governments and their colonies on this continent; but from the very close relations between the people of the United States and those of Cuba, in consequence of its proximity and the extent of the commerce between the two peoples, the present war is entailing such losses upon the people of the United States that Congress is of opinion that the Government of the United States should be prepared to protect the legitimate interests of Americans by intervention, if necessary.

Mr. WILLIS said:

Mr. SPEAKER: We are confronted with the alternative of interfering in the affairs of a friendly nation, so called, or seeing unchecked tyranny despoil one of our neighbors whose struggles and sacrifices for liberty have for generations challenged the admiration of the world. The question is, How far and how long can we be justified in bartering human rights and human life through international treaty for the good will and smiles of enthroned despotism?

How long is it our duty to stand by the highway and see the heart crushed out of the helpless by the foot of superior power for the sake of having it said that we have not broken our truce? If a strong man stops before your gate to rob and murder a feeble wayfarer how are you bound to tolerate the tragedy because of a former contract with the oppressor? How long shall we at our very doors permit the evening of the nineteenth century to be cursed with the horrors of the sixteenth?

How long ought the United States, the land of Washington and Jefferson, of Madison and Adams, of Monroe and Lincoln, which has put before the world the embodied formula that "All men are created equal"—which has sacrificed millions of lives and billions of treasure for the vindication of that principle—which has set itself in the forefront of the right wing of national progress—which has looked back on the laggard nations and beckoned them up with the right hand of fraternity; this land where there is no throne but the ballot box, and no king but the voter; the land of the free home, and the free press, and the free school, and the free Bible, and the gray eagle and the starry flag—the oriflamme of liberty—America! How long must she stand idly by and witness the cold and studied cruelties of half-civilized tyranny inflicted on an enslaved people within 150 miles of her coast?

We were shut out of Armenia by the Monroe doctrine, and there are those who would exclude us from the consideration of Cuban affairs by the cry of "treaty rights" and "neutrality." But, sir, is it neutrality? Sir, the neutrality asked of us is but an alternation between the salaams of organized atrocity and the wailing appeals of human agony. It requires a guaranty of the bloody domination of the one and a merciless denial of relief to the other; an indifference to the strokes of the murderer and an insensibility to the cries of the victim. Sir, there are times when exigent right rises above the realm of politics, and even of statesmanship, and reaches the realm of philanthropy; and this is one of those times.

There is enough in the Cuban problem to warrant our interference from the standpoint of commercial interest and national self-protection.

If the case of Cuba were transferred from America to Europe, we should soon see the military power of all the leading nations of that continent drawn up in battle line at the frontier of contention, and their squadrons of gunboats lying at the nearest offing waiting to be assured that no detriment came to their trade relations nor peril threatened their dominion. We have as much at stake—yea, more than Europe could have in such a contest. To say nothing of the destruction of our Cuban commerce and the material loss in that direction, we are imperiled by the possible issues of the conflict unless they be directed toward Cuban independence. That is the only sane, as it is the only merciful, solution of the problem. Spain must lose Cuba. That is inevitable. She has already exerted her utmost power, and exerted it in vain. Her army drafts have reached their possible practical limit. Her treasury is bankrupt, and her credit impaired almost to exhaustion. And yet the insurgent bands still have possession of five-sixths of the island, and hang daily on the flanks of the Spanish forces. The best general of the Kingdom has given up the cause as lost and gone home, and in his place Spain has sent over a military monstrosity; a half-demon representative of the times of Cortez, and Pizarro, and Torquemada, a being with a devil's head and a tiger's heart, that, like a sea monster struck by the lancers, she may make her death flurry her greatest jubilee.

Spain must lose Cuba. But into whose hands shall Cuba fall? Suppose Spain, realizing the impossibility of holding her, should bargain for her transfer to some foreign power in order to replenish her bankrupt treasury. The United States would not submit to that, and a war would be the result—probably a great and devastating war. This country would be blind and mad to permit any other foreign power to hold the key to the trade of Central and South America by way of the Caribbean Sea and Gulf of Mexico and the Mississippi. This country would be blind and mad to allow any great foreign power to set up a vast naval emporium within 200 miles of her coast, especially in addition to Jamaica, Bermuda, and Halifax. We are already virtually shut out from the seas. The gates of the Pacific have been practically closed against us. With the exception of Hawaii and Samoa, there is scarcely in that vast ocean a volcanic mound as big as a kitchen garden over which has not been raised a foreign flag; and unless we intend to content ourselves with our coastwise trade and interstate commerce, unless we intend to abandon the water and take to the woods, we must preserve our rights against the encroachments of the maritime nations of the world.

I say, sir, there is enough in this Cuban problem on the plane of merely material rights—the filthy lucre of national interests—to warrant our interference. But in a contention like this these are scarcely worth naming. When weighed against a human life, a human soul, all the sordid treasures of avarice are as a dust of the balance. In the providence of God, if there is one thing for which the American Republic above all other things was intended, it is to teach the world the value of a man. With this idea as the central thought, it will be possible at last to mitigate and eliminate the despotisms of earth and lift the multitudes into the light of freedom.

Sir, the resolution under consideration is as kindly as friendship should require, as moderate as statesmanship should ask, as little as truth can demand, and even less than humanity would dictate.

We have no disposition to provoke Spain, and we will not do it needlessly. We want her friendship. Her prosperity would give us pleasure. We should love to see her do honor to her ancient privileges and take her place among the civilizers of modern times. In such a posture we could forgive, if not forget, her old record of the past. If she would learn the lesson that to retain power she must use it prudently; if she would cease to believe that cruelty strengthens the State, that the sacrifice of the helpless can stifle the cries of liberty, that injustice and robbery and torture can create respect for her authority; if she would take counsel of such men as her Castellar and her Campos; if she would disclaim by a new régime the dread misrule and butcheries of four centuries, then we stand ready to go hand in hand with her to make better the condition of the race and to augment the happiness of the world.

Sir, it can not be fairly charged against the United States that

we have an itching palm for conquest. We spurn the idea that we seek territorial extension. We laugh at the thought that our policy is based on commercial greed. It is a libel. Every decade of our existence disproves it. Our whole history gives it the lie. Our ideal is that of diligence, intelligence, thrift, and morality. These we promote, and we promote them for the sake of justice, humanity, and happiness. These are the essentials of good government, and beyond these we desire not to go. We rejoice in our attitude; we are proud of our principles. And there is no just nation on the face of the earth which may not live with us in a state of uninterrupted peace. Sir, it is because of these views and this spirit that I give my support to this resolution. In my own heart I feel like taking a step even beyond this. I could vote for the immediate recognition of Cuban independence. I think such a step might be warrantable in the present conditions. But I am willing to stop here and wait for a time the issue of events. And mark my prediction, the independence of Cuba is the inevitable outcome. It will be achieved by the insurgents, sustained by the nations, and in a short time Spain herself will cease to regret it.

In the discussions of this question at the other end of the Capitol extensive quotations have been made from the history of the last Cuban insurrection, when the notorious Valmaceda was governor and commander of the Spanish army and Weyler, the present incumbent, was one of his subordinates. If those accounts are true, then they are enough to "turn the cheek of darkness pale." If those accounts are true, then the devil was holding carnival in the guise of a Spaniard. If those accounts are true, then there is a hell, and it has visited Cuba. But are those accounts true? I trust not. The gentleman from Georgia [Mr. TURNER] has in his remarks in this Chamber denied them—not because he could disprove them, but because his own just and gentle nature instinctively repels their possibility. I trust his noble impressions are a true interpretation of the facts, for it would be an unspeakable calamity to be forced to admit that there are within the bounds of Christendom beings called men so utterly lost and imbruted as to perpetrate deeds too damnable for other men to believe.

But there are about this case some facts well calculated to create doubt. When General Campos was recalled, for the asserted reason that he proposed to conduct the Cuban conflict upon the principles of civilized warfare, the Spanish Government failed to find anyone suited to succeed him save this same Weyler, against whom all these nameless enormities had been charged. And to show the spirit of the case and the policy to be pursued, I introduce two proclamations with which this person has inaugurated his reign:

PROCLAMATION NO. 1.

First. Those who invent or circulate by any means whatever news or information directly or indirectly favorable to the rebellion will be considered guilty of acts against the security of the country, as defined by article 223 of the Military Code, as they thereby facilitate the operations of the enemy.

Second. Those who destroy or damage railroads, telegraphs, or telephones, or interrupt the operations of the same.

Third. Those who are guilty of arson.

Fourth. Those who sell, carry, or deliver arms or ammunition to the enemy, or in any other way facilitate their introduction through the custom-houses. Parties failing to cause the seizure of such arms or ammunition will incur criminal responsibility.

Fifth. Telegraph operators delivering war messages to other persons than the proper officials.

Sixth. Those who by word of mouth, through the medium of the press, or in any other manner shall belittle the prestige of Spain, the army, volunteers, firemen, or any other forces operating with the army.

Seventh. Those who by the same means shall praise the enemy.

Eighth. Those who shall furnish the enemy with horses or other resources of warfare.

Ninth. Those who act as spies will be punished to the fullest extent of the law.

Tenth. Those who shall act as guides to the enemy and fail to surrender themselves immediately and give proof of their loyalty and report the strength of the force employed by the enemy.

Eleventh. Those who shall adulterate the food of the army or alter the prices of provisions.

Twelfth. Those using explosives in violation of the decree of October 17, 1895.

Thirteenth. Those who shall use pigeons, rockets, or signals to convey news to the enemy.

PROCLAMATION NO. 2.

First. All the inhabitants of the country within the jurisdiction of Sancti Spiritus and the provinces of Puerto Principe and Santiago will present themselves at the headquarters of a division, brigade, or column of the army, and provide themselves with a document proving their identity inside of eight days from the publication of this order in their respective townships.

Second. To go into the country within the radius of the columns operating therein, it is now necessary to obtain a pass from the mayor or military commander. Those failing to comply with this requirement will be detained and sent to Habana subject to my orders. In case of doubts as to the genuineness of a pass, or if there are reasons to suppose a party to have sympathy with the rebels, or to aid them in any way, due responsibility for the same will be placed upon the officer issuing the pass.

Third. All stores in the country districts must be vacated at once by their owners. Chiefs of columns must also decide as to the disposition of such property which, while being unproductive to the country, may at the same time serve as the habitation or hiding place for the enemy.

Fourth. All passes issued prior to this date are hereby canceled.

After reading these proclamations is it hard to believe the stories of his performances in the former war? Is he not a type of his illustrious predecessors, who devastated Mexico, ravaged South America, and swept the Netherlands with a tornado of fire and blood and butchery? And what may be said of the treatment of Cuba in the present and during the former insurrection may be said of her treatment from the beginning. The very first governor that set foot upon her soil, Diego Velasquez, met the full measure of the Spanish policy of blood. So unrelenting was his despotism, so terrific his cruelties, that the old aboriginal chief Hatuei said, in the extremity of agony, before he closed his eyes upon his torturers and upon the world, that if there were Spaniards in Heaven he preferred to go to hell.

A Spanish constitution was formed in 1812, intended to apply alike to the home provinces and to the ultramarine as well. It was the product of the remaining spirit of the Aragonian Kings which had not quite died out. But before it materialized Ferdinand VII regained the throne, and at once tore it into shreds and flung it to the winds. It was revived in 1836 by the Cortes, but despotic intrigues prevailed, and it was only applied to the home provinces while denied to those beyond the sea, and Cuba was again left in chains. Her brave people rose in 1868 and waged an earnest war for ten years, and were at last wheedled into submission by promises that were never kept. Once more they have struck for liberty. They have held in check for more than a year a Spanish army of a hundred thousand men. They are in possession of four-fifths of the island. They have organized a government. They have been brave in battle, courageous in suffering, and undismayed in the face of Herculean obstacles. And now they cry to us in the language of a common humanity to recognize them as men, as soldiers, as heroic strugglers for freedom.

To America they cry! the great sister in the family of the world's Republics, the advance guard in the immortal host of liberty. Shall we refuse them? We dare not! Justice would reprehend the refusal, humanity would frown upon it, God would curse it. Let us take warning of our privileges; let us use well our divine charter. We are not our own; we belong to the world. All mankind have property rights in our exaltation. Our national life is the product of impartation, and will only live by the same law. Let us beware. The Hindoo fanatic holds his arm above his head until it stiffens in the air and becomes useless. The pure and purling stream may be dammed up until it rots into a miasmatic and pestilential pool, holding poison in its waters, breathing death from its bosom. Virtue is vital, and action is essential to its life. Philanthropy must make reprisals or it will die, and philanthropy is the soul of liberty. Let America see to it that inanition and corruption come not to her in her high estate as the legacy of a criminal indifference to the agonizing appeals of a neighbor in distress.

Against Filled Cheese.

REMARKS
OF
HON. SAMUEL A. COOK,
OF WISCONSIN.
IN THE HOUSE OF REPRESENTATIVES,
Wednesday, April 15, 1896,

On the bill (H. R. 8008) defining cheese, and also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of "filled cheese."

Mr. COOK of Wisconsin said:

Mr. SPEAKER: Under leave to print given by the House I hereby submit the following as an appendix:

THE FARMERS' TRADE-MARKS—"BUTTER" AND "CHEESE."

[Extract from the speech of Hon. NELSON DINGLEY of Maine.]

This is exceptional legislation. It is an appeal to the taxing power of the General Government for the purpose of accomplishing indirectly an end that is in the nature of the exercise of the police power, which belongs to the States. That, I think, must be conceded. While the measure is constitutional, under the decision of the Supreme Court of the United States, as an exercise of the taxing power of the General Government, yet I am frank to concede that the purpose had in view beyond the raising of revenue involves indirectly the exercise of a police power which, in general, should be exercised by the States.

Now, what are the circumstances which justify, from the point of view I have suggested, such legislation as the oleomargarine law and such legislation as is proposed in this bill? It seems to me that the circumstances to be considered are these: A great and overshadowing interest in this country, the most important interest in the country, has been seriously interfered with illegitimately by the discovery of certain methods of imitating products which have belonged to the farm. In my judgment, the name "butter" and the name "cheese," though not legally trade-marks, are, to all intents and purposes, from the point of equity, trade-marks that belong to the farmers of this and other countries; and any attempt on the part of anyone to palm off on the community imitations of these products and to sell them as the genuine products is contrary to the public interest, and so contrary to the public interest that if this illegitimate interference can not be reached efficiently and effectively by the States there is a justification in an appeal to the General Government to exercise its taxing power for the purpose of saving to the farmers of this nation the rights which properly and equitably belong to them in the trade-marks "butter" and "cheese."

Now, if it were possible for State legislation to accomplish all the ends proposed to be accomplished by this legislation, then this subject should be left to State legislation. But experience has shown that it is not possible for legislation by the States to reach the evil which is complained of; and it is an evil of gigantic importance, affecting the most important interests in this country.

RESOLUTIONS OF THE NEW YORK PRODUCE EXCHANGE.

NEW YORK, *January 30, 1896.*

SIR: I have the honor to transmit to you the following resolutions, which were unanimously adopted at a meeting of the members of the cheese trade of the New York Produce Exchange held yesterday, namely:

"Whereas the Hon. S. A. COOK, member of Congress from Wisconsin, has introduced in Congress a bill known as House bill No. 3010, providing for the regulating of the manufacture and sale of an article called 'filled cheese'; and

"Whereas the members of the New York Produce Exchange engaged in the cheese business recognize the great harm inflicted on the manufacturers of and dealers in pure full cream cheese, as well as the consumers of the same throughout the entire country, by the manufacture and sale of an article made of skimmed milk and filled with lard oil and other fats to imitate the pure full cream cheese, and to deceive the consumers of the same: Therefore,

"*Be it resolved*, That the members of the New York Produce Exchange heartily indorse the bill offered by the Hon. S. A. COOK, of Wisconsin, and earnestly urge the prompt action of the members of the House of Representatives and the Senate of the United States on this measure and its speedy passage, that the manufacturers and consumers of pure full cream cheese throughout the country may be protected against the injury inflicted on them by the rapidly increasing manufacture and sale of an article which has the semblance of the pure full cream cheese, but which is a mixture and compound of skimmed milk, lard oil, and other fats to imitate the genuine goods, thus deceiving the intending purchaser of full cream cheese, to the detriment of the manufacturer of the pure product of the dairy."

Respectfully,

FRED'K H. ANDREWS, *Secretary.*

Hon. S. A. COOK,
House of Representatives, Washington, D. C.

NOTE.—The foregoing resolutions were also passed by the New York Mercantile Exchange on January 29, 1896.

NEW YORK, *January 7, 1896.*

SIR: We have read with much satisfaction the bill (H. R. 3010) relative to "filled cheese," introduced by you in the House, and we are sure we express the unanimous feeling of the merchants in our city who are engaged in the butter and cheese business when we say that the provisions of this bill meet with their views in every way, and we would all be pleased to see it passed and become a law without any delay.

The adulteration of cheese has assumed enormous proportions in the last few years, and through its agency we can see our principal markets for pure goods being closed against us. The exports of cheese from our city from May 1, 1894, to January 1, 1895, were 45,479,000 pounds; from May 1, 1895, to January 1, 1896, 22,897,875 pounds, showing a loss this year as compared with last of 22,581,125 pounds. While we are not prepared to state that all of this loss of exports is occasioned by the prejudice which exists in England against our cheese by reason of the adulteration of the article, we have no hesitancy in saying that a very large percentage of the loss can be ascribed to the want of confidence on the part of English buyers in the purity of our product.

With the assurance of our hearty appreciation of your efforts, we are,

Yours, truly,

GEORGE B. DOUGLAS & CO.

Hon. S. A. COOK.

—

FORT ATKINSON, WIS., *February 22, 1896.*

DEAR SIR: I have the honor to inclose herewith copies of a memorial and a resolution which were adopted at the recent convention of the Wisconsin State Dairymen's Association held at Chippewa Falls. We had a large and enthusiastic meeting there, with representative men from various parts of the State, and there was no division of sentiment as to the desire to have Congressional legislation along these lines. * * *

I have the honor to be, very respectfully, your obedient servant,

GEO. W. BURCHARDS.

Hon. S. A. COOK,
House of Representatives, Washington, D. C.

MEMORIAL TO CONGRESS.

To the honorable the Congress of the United States:

The memorial of the Wisconsin State Dairymen's Association respectfully represents to the Senate and House of Representatives of the United States that it is assembled in its twenty-fourth annual convention in the city of Chippewa Falls, with dairymen and farmers in attendance literally from all parts of the State; that it is now and for many years past has been the accredited representative and exponent of the dairymen and dairy interests of the State of Wisconsin, and receives from the State treasury by annual appropriation a considerable sum of money to assist it in promoting the objects which are committed to its supervision.

Your memorialist therefore prays that the statements and the petition contained in this appeal may be accepted as though signed in person by the owners of the nearly 1,000,000 cows in the State, and an equally large number of persons who are desirous of securing pure dairy products for use on their own tables and at the tables of the hotels, eating houses, and restaurants where they are obliged to eat when away from home.

Wisconsin has an annual cheese product of over 50,000,000 pounds, all manufactured under the most efficient laws to prevent its adulteration or sophistication, but in the markets of the world, both foreign and domestic, this cheese has to come in competition with an adulterated article made from skim milk and lard and other cheap and unwholesome fats, and so shaped, colored, trimmed, and even marked as not to be distinguished from the genuine product. The result is, not only that every pound of this filled cheese displaces a pound of pure cheese, but its unsavory and unsatisfying quality disgusts the would-be consumer, and he forbears thereafter to purchase cheese of any kind. It results further that the demand for cheese being thus lessened, more and more milk is turned to the production of butter, and the production of this article is thereby abnormally increased.

State legislation has proven itself inadequate to reach and correct these evils, and your memorialist would represent that Congress can at once and with great propriety provide additional revenue, and at the same time subserve the cause of good morals and afford a measure of much-needed protection to the producing dairymen of the country, by laying a moderate tax upon filled cheese and placing its manufacture and sale under the supervision of the Treasury Department of the United States.

Your memorialist therefore respectfully urges early and favorable consideration for bill No. 3010, H. R., known as the Cook bill.

A true copy.

D W. CURTIS,
Secretary Wisconsin Dairymen's Association.

MEMORIAL OF CITIZENS OF NEENAH, WIS., MOBILE, ALA., AND OTHERS, FAVORING PASSAGE OF H. R. 3010.

To the Chairman and Committee of Ways and Means, to whom was referred House bill 3010, to regulate and control the manufacture and sale of the article known to the trade as "filled cheese":

We, the undersigned, feeling the great injury this article is doing to the market for dairy products and the ruinous effect it is having on the great dairy industry of the United States, especially in the manner in which it is placed on the market, branded as "cream cheese," "full cream," etc., do earnestly ask that you will do all in your power that the bill may be enacted into law.

Signed by N. Simons & Co., of Neenah, Wis.; W. F. Abrahams, of Mobile, Ala., together with names of 478 citizens of the cities of Mobile, Ala., Neenah, Menasha, and the towns of Clayton, Manchester, Winneconne, and Vinland, Wis., consisting of merchants, manufacturers, cheese makers, farmers, and tradesmen, introduced by Mr. Cook.

FEBRUARY, 1896.

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VAN DYNE, WIS., *January 30, 1896.*

DEAR SIR: Please find inclosed petitions signed by our milk producers and manufacturers. Every man that I approached on the subject was only too glad to sign it. Owing to the stringent law now in existence in Wisconsin, I believe there is but little, if any, manufactured in this State. The trouble that now exists is this: We are virtually boycotted from the English market on the ground that we are still manufacturing filled cheese, which we have every reason to believe is not a fact.

I remain, as ever, yours, truly,

JAMES B. WATSON.

Hon. S. A. COOK, *Washington, D. C.*

To the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, engaged in the dairy industry of the United States, believing that this great industry is being ruined by an article that is manufactured from materials other than milk or cream, known to the trade as "filled cheese," but which is sold without brand or register to show the real character of the article, and is placed upon the market as American cream cheese, thereby causing serious damage to legitimate dairying interests:

Therefore, we, the undersigned, do respectfully petition your honorable body that bill (H. R. 3010) relating to the manufacture and sale of "filled cheese" may be enacted into law.

And your memorialists will ever pray, etc.

James B. Watson, general store; Charles Nable, Humphrey L. Williams, Werner Disch, Richard Price, Fred Bladow, Albert Wilke, farmers, and carry milk to cheese factory; E. Hoyt, stock buyer; Gustav Wilke, John McArdle, Chas. Tonk, Herman Schultz, John J. McGowan, H. Bamtrock, Carl Knaik, Hermann Marth, farmers, and carry milk to cheese factory; Tim Bergin, farmer and milk producer; Robert Gralaff, Ferd Freiberg, Henry Rickert, Robert Fox, Charles Finder, David Price, Julius Wachholz, Willie McMonagle, D. R. Watson, farmers and dairymen.

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NEENAH, WIS., *February 1, 1896.*

DEAR SIR: Yours of the 30th to hand and noted. I see that you are getting support by the New York Produce Exchange, and also other States that are interested in honest dairy products are supporting your bill. I have no doubt but what your bill will go through, but it will be hard work, as is the case with any honest bill that is brought before Congress; but I hope that the committee will give it due consideration and will report favorably upon it, and if they do so they certainly will do a great deal of good to the whole country.

We see that gold is going out of the country, and if we had made honest products we could have had $3,000,000 or $4,000,000 of this gold in this country. As it is we are about this amount of money short on cheese alone, to say nothing about other dairy products. And if this law is passed it will have a great effect upon the dairy products in this country for the coming year, and there is no doubt but what all the foreign nations will be looking this way for a good share of their cheese and will have a great deal more confidence in them than they are having at the present time.

Hoping that you will get the bill through, I remain,

Yours, very truly,

N. SIMON,
Manufacturer and Dealer in Cheese and other Dairy Products.

Hon. S. A. COOK, *Washington, D. C.*

—

FEBRUARY, 1896.

To the Senate and House of Representatives in Congress assembled:

In regard to House bill 3010, to regulate and control the manufacture and sale of the article known to the trade as "filled cheese," we, the undersigned, feeling the great injury this article is doing to the market for dairy products, and the ruinous effect it is having on the great industry of the United States, especially in the manner in which it is placed on the market, branded as "cream cheese," "full cream," etc., do earnestly ask that you will do all in your power that the bill may be enacted into law.

Signed by Otto Funk and 124 others, farmers, cheese makers, and dealers of Calumet County, Wis.

—

BERLIN, GREEN LAKE COUNTY, WIS., *April 10, 1896.*

I and all the neighbors want your antifilled-cheese bill passed.

Dairying is the principal business in this locality.

Yours, very truly,

WM. L. WILLIAMS.

Hon. S. A. COOK, *Washington, D. C.*

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BRILLION, WIS., *January 27, 1896.*

DEAR SIR: Your letter regarding the bill (H. R. 3010) defining cheese and also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of filled cheese at hand. As I am not able to be present at the hearing of said bill, I will do as you requested, state my opinion on same in writing.

As far as I have learned, the people in this vicinity are heartily in favor of said bill, as I am myself.

Very respectfully,

PETER REUTHER.

Hon. CHARLES H. GROSVENOR, M. C.,
Washington, D. C.

CHILTON, WIS., *January 3, 1896.*

MY DEAR SIR: I write you in regard to the bill (H. R. 3010) "defining cheese," etc. Now, I do hope your committee, to whom the matter is referred, will do all it can to see that the rights of the dairymen of this country are protected against this humbug, "filled cheese," which honest dairymen have had to contend with in the last few years. It has almost ruined our Wisconsin cheese, so much so that the dairymen have become discouraged. This is an important matter, one of vital interest to the country, and I hope that something may be done to protect us against this gigantic fraud.

Yours, very respectfully,

GEO. D. BREED,
President of the Calumet County Dairy Board of Trade.

Hon. JAMES A. TAWNEY, M. C.,
Washington, D. C.

BRILLION, WIS., *January 21, 1896.*

DEAR SIR: Hope the bill to regulate the manufacture and sale of filled cheese will become a law. This is also the feeling around here.

Yours, truly,

W. V. McMULLEN.

S. A. COOK, *Washington, D. C.*

CATO, MANITOWOC COUNTY, WIS., *January 23, 1896.*

Copy of filled-cheese bill, H. R. 3010, received. I consider it a good bill, and every dairyman in Wisconsin will sign a petition favoring it, and they will say the tax and license in your bill is not too high. If you can get the bill through you will have done a great work for the dairymen and farmers of Wisconsin and all other States. The filled-cheese manufacturer is in no wise a dairyman. He is getting rich out of the honest farmer in a dishonest way.

Yours, truly,

C. W. SWEETING.

Hon. S. A. COOK, *Washington, D. C.*

Uniform Law on the Subject of Bankruptcy.

REMARKS
OF
HON. JOSEPH E. WASHINGTON,
OF TENNESSEE,
IN THE HOUSE OF REPRESENTATIVES,

Tuesday, April 28, 1896,

On the bill (H. R. 8110) to establish a uniform law on the subject of bankruptcy throughout the United States.

Mr. WASHINGTON said:

Mr. SPEAKER: It has been said by some who are opposed to bankruptcy legislation that the Torrey bill reported from the Judiciary Committee is unfair to debtors in that it could be made a cruel instrument of oppression in the hands of their creditors. The provisions of the bill contradict this statement.

EFFECT OF A BANKRUPTCY LAW.

Under existing State laws creditors individually have their rights and remedies against their debtors; they will continue to have them just the same even if this bill should pass. Under existing laws debtors must respond so far as they can to all of their legal liabilities to individual creditors; they must continue to do so whether this bill pass or not. The elements added to present conditions by the passage of this bill, broadly stated, are simply these: A debtor may be a defendant at small expense in one suit in which the judgment if rendered against him will be for the financial benefit of his creditors collectively, and he will secure a discharge, if honest, instead of being a defendant at large expense in many suits in which the judgments if rendered against him will be for the selfish financial benefit of only the one, two, or three creditors instituting suit, and without securing a discharge.

"The greatest good to the greatest number" is the principle invoked by this bill.

Usually, under the present State laws, when the lawsuit is over among his creditors, in their individual capacities, the debtor is without property, a considerable part of what he had has been spent in costs, and he owes all of his debts, except such as may have been paid by a sacrifice sale of his property. Pursuant to the proposed bill, both the debtor and his creditors will be in a better condition than under present laws. In the event of dishonesty on the part of a debtor or of his becoming insolvent and unable to prevent protracted defaults upon payments due or a distribution of his estate other than ratably among creditors of the same class, he will be adjudged a bankrupt after a fair and impartial trial. In that event he will receive his exemptions according to the laws of the State in which he lives and be discharged if honest. If dishonest he will not be discharged, and may be punished. Those who contributed at least a part of his estate will collectively receive, promptly and at small cost, a share of it, according to their equities, instead of having it at great cost, divided between only a few of them.

The bill under consideration does not contain any provisions by which business or enterprises will be originated or conducted, but in its general character, so far as it relates to the estate, is approximately to those who buy, to those who sell, and to those who labor what a probate law is to those who die. In its relation to the honest individual it means a bright, hopeful future instead of the never-ending burden of misfortunes which must be continuously borne under present laws.

THE NUMBER WHO BECOME BANKRUPTS.

At the request of the chairman of the Judiciary Committee the Statistician of the Treasury Department has furnished a table of the commercial failures of the last seventeen years, which I will publish as a part of my remarks.

These tables are very interesting, in that they furnish an unerring index to the commercial and industrial importance of the several States; indicate where business and enterprise are on the increase; and point out with unerring aim the States in which the laws are the most effective in preventing the debtors on the one hand from imposing upon their creditors, and on the other hand preventing creditors from taking undue advantage of their debtors and of each other. One of the most interesting facts shown by these tables is that only a little over 1 per cent fail per annum of all the individuals, firms, and corporations engaged in all classes of business and all sorts of enterprises—the little and the big, the old and the young, the experienced and the inexperienced, and the honest and the dishonest in every State and Territory of the United States.

One would think from remarks which have frequently been made by those opposed to bankruptcy legislation that the passage of a bankruptcy law was designed to do great damage to a very large percentage of all the business and industrial concerns in the country; but it is apparent from these figures that they are mistaken.

The number of suits under a bankruptcy law, after the voluntary cases in bankruptcy arising from failures which have occurred prior to the passage of this bill shall have been disposed of, will be very small indeed as compared with the great number of persons, firms, and corporations engaged in commercial and industrial transactions. About ninety-nine out of every one hundred of those engaged in all lines of business and every sort of enterprise in the whole country will have absolutely nothing to do with the bankruptcy law except in so far as they may have claims against the other one of the one hundred who may become a bankrupt. The percentage of those who fail in small places will be very much smaller than the average for the whole country. That the proportion of failures in large places is greater than in small places grows out of the fact that in the smaller places and in the country the surrounding conditions are very much less complex than in the larger places.

These tables show that since the repeal of the last bankruptcy law—that is, during the last seventeen years—171,389 persons, firms, and corporations have failed. These are the known figures as recorded by the mercantile agencies. The probabilities are that a very large number of failures have really occurred which have not been included in this list—failures which for one reason or another were not made public. It seems to me that the demand upon us to give to this great number of people their constitutional rights is imperative.

At all times in the future let us hope that this bill, as it may be wisely amended from time to time, will be upon the statute books to the end that bankruptcy cases may be disposed of as they occur. All of our citizens have their rights under the Constitution; they should be available to them at all times; they ought not to have to wait seventeen years for relief. It is to be hoped that there will never again be such a great accumulation of bankruptcy cases as at present.

THE COMMERCIAL AND INDUSTRIAL FAILURES IN TENNESSEE.

The tables furnished by the Statistician of the Treasury Department as above include one relating to my State, which, being of great local interest, I will print in full, as follows:

Year.	Number of failures.	Number engaged in business.	Per cent of failures.	Liabilities.
1879	152	8,738	1.74	$1,569,671
1880	105	9,865	1.07	1,051,219
1881	187	11,886	1.50	1,393,353
1882	164	12,217	1.34	1,632,864
1883	220	13,143	1.68	974,326
1884	238	14,321	1.06	1,654,851
1885	282	12,414	2.27	1,806,619
1886	154	12,605	1.22	1,679,639
1887	198	12,875	1.53	1,480,664
1888	206	13,553	1.52	1,555,921
1889	219	13,982	1.56	2,080,527
1890	257	14,474	1.78	6,144,020
1891	426	14,874	2.86	6,394,298
1892	299	14,631	2.04	2,241,390
1893	416	14,275	2.91	6,755,640
1894	347	14,108	2.46	3,141,249
1895	273	14,371	1.90	2,646,632
Totals and average	4,143		1.83	44,182,893

I am anxious that so many of the persons and firms as have failed in Tennessee during the last seventeen years and are honest and have not secured a settlement shall be discharged without unnecessary delay. This bill will secure to them that humane privilege.

The percentage of those engaged in conducting business and promoting enterprises who fail annually in Tennessee has been larger during the last seventeen years, I regret to note, than the average for all of the States. Our average for the whole term is 1.83, while for the whole country it is only 1.02. I am at a loss to know why this should be so. It can not be that our people are less honest than in other States; it can not be that our business enterprises are less remunerative than in other States, or that our enterprises are more difficult to conduct. The figures are, without doubt, reliable, and they show conclusively that our people

are at a disadvantage under present laws. I therefore am compelled to conclude that a just law, operating alike in all of the States, must result in removing our disadvantages, from whatever source they may come, and in promoting our general welfare.

In the absence of a bankrupt law every train load of goods which is transported to any State represents not only the cost and a percentage of profit to those who send them, but in addition a percentage as an insurance against wrongdoing under imperfect laws, which seem neither to adequately protect the debtor from the avarice and greed of his creditors nor the creditors from the chicanery and wrongdoing of their debtor. Every draft which is sent from a State to pay for the goods received contains an amount greater than it ought to. This added amount has been collected as a tax upon the honest people of the State for the wrongs of the dishonest and the misfortunes of those who have honestly failed. The same is true of every State in the Union. It is greatly to be regretted that this additional cost of commodities should have to be borne by the honest consumers. This additional percentage is charged by the manufacturers and wholesalers to the retailers; the retailers in turn charge it to the consumer, so that in the end the great mass of honest consumers pay for the wrongs, chicanery, and frauds of the dishonest few and those who are honestly unfortunate.

Let us, then, join in the enactment of a good, safe, humane bankrupt law which will remedy the foregoing evil.

THE FAILURE OF OLD BANKRUPTCY LAWS.

It is true that our bankruptcy laws have not heretofore proven entirely successful; the same is true of other important laws. When other laws have not proven satisfactory they have been amended. What would have been thought of Congress in the early days of the Government if it had repealed all laws which did not give entire satisfaction, instead of amending them from time to time as wisdom and the demands of the people indicated?

The present bill is superior in all respects to the old laws, and its passage is demanded by the whole country. I will print with these remarks some newspaper clippings which voice this demand.

THE STATUS OF THOSE WHO HAVE HERETOFORE FAILED.

This bill embraces both voluntary and involuntary bankruptcy. Those who have suffered failures in the past may go voluntarily into bankruptcy, but can not be proceeded against by their creditors.

The commission of an act of bankruptcy will alone be a ground for the commencement of proceedings by creditors against a debtor. The acts constituting bankruptcy are prescribed in the bill. It follows, therefore, that acts of bankruptcy can not be committed nor proceedings commenced on account thereof until after the bill shall have gone into full force and effect.

THE SCOPE OF THE TORREY BANKRUPTCY BILL.

Ordinarily, when a grant of power is given to a legislative body there is a tendency to strain the grant to the utmost, to the end that all the powers possible may be exercised. It affords me pleasure to say that this bill is not open to this criticism. The language of the Constitution is:

> The Congress shall have power * * * to establish * * * uniform laws on the subject of bankruptcies throughout the United States.

This bill seeks rather to confer upon the United States courts as little, rather than as much, power as possible. In the practice under the last bankruptcy law it was frequently desirable to force a man into or keep him out of bankruptcy, because to make him amenable to such law would change the rule relating to the taking of evidence, or otherwise change his status or vary his rights or those of his creditors. One of the provisions of that bill was that the wife of a bankrupt might be required to testify, and hence it was frequently very desirable to have a debtor adjudged a bankrupt in States where the wife could not be compelled to testify if it was thought she knew anything detrimental to her husband in the management of his property. This bill does not seek to distort given conditions, but simply to furnish an equitable rule for working them out in a way that will not constitute a hardship on the parties in interest.

There was no discussion in the constitutional convention as to the propriety of granting to Congress the right to enact uniform laws on the subject of bankruptcies. None of the States, when considering the Constitution, objected to that provision.

Both the provisional and permanent constitutions of the Confederate States contained a similar provision.

No matter whether we agree that the power to pass a bankruptcy law is a proper provision in the Constitution or not, it is there, and Congress alone can do so, and the Federal courts alone can be compelled to enforce it. It has been repeatedly held that State courts can not be required to enforce a Federal law. If it could be done, and the law were to be enforced entirely in the State courts, there would be such a diversity of constructions that the law in its application would certainly be very far from uniform. If it were possible to have the law enforced partly in the State and partly in the Federal courts, and we should attempt to do so, there would be great danger of unfortunate conflicts between such courts.

When the States surrendered to the United States the right to pass a bankruptcy law *they also surrendered the right to have such a law construed by and enforced in the United States courts.*

Any gentleman who thinks he is wiser than the men who framed the Constitution is welcome, so far as I am concerned, to try to circumvent the Constitution by any kind of a State-National law which his fancy may dictate, but for myself I am unwilling to be a party to any experiments.

I accept the Constitution as I find it and am willing to carry out its provisions in a plain, simple way for the benefit of the people, and therefore I heartily favor this bill.

VOLUNTARY BANKRUPTCY.

I deem it almost unnecessary to state that voluntary bankruptcy means that a man may file his own petition and ask for relief under this bill, and that involuntary bankruptcy means that the creditors of a debtor may in like manner file a petition against him and ask for relief under this bill, and that each kind of bankruptcy after the adjudication is precisely the same; that the bankrupt would retain his exemptions and, if honest, is entitled to a discharge, and the creditors holding valid liens are entitled to have them satisfied, and then the unsecured creditors are entitled to the balance of the estate *pro rata*, and that irrespective of whether the petition was filed by the creditors or by voluntary bankrupts in every case a compromise can be secured expeditiously and at small cost.

This talk about a voluntary law is, I think, largely a legislative theory. It is not demanded by any considerable number of people, so far as I can learn. I do not believe that debtors demand that the laws shall be made unduly favorable to them or unfavorable to the creditors; or, on the other hand, that the creditors wish that the law should be made unduly favorable to them or unfavorable to the debtors. My experience has been that debtors and creditors are always inclined to be fair with each other, and I therefore am convinced that they want a perfectly fair law applicable to and comprehensive of all of their rights. The facts are that our largest debtors are in turn our largest creditors, and *vice versa*.

It has been well said that approximately all debts are voluntarily created except those incident to the exercise of the principle of eminent domain and the commission of torts. It has been pointed out by the report from the committee on this bill that the amount which the debtor owes is in every instance exactly balanced by the claim of the creditor. It therefore follows that if all the debts of all the debtors of the world were added up the grand total would exactly equal the sum of all the claims of all the creditors in the world. We should not, therefore, legislate for either the one class or the other, but for them both alike.

Let us pass a fair law while we have the subject under consideration. If we pass an unfair law, or one not comprehensive of the rights of all parties to transactions on credit, we are likely to be compelled to repeal it in a shorter time than any of the other bankruptcy laws have been repealed heretofore.

The people are fair minded, and they will not tolerate any one-sided, incomplete, voluntary law.

WILL NOT CONCENTRATE LEGAL BUSINESS.

I would be glad, for the purpose of this bill, if there was a United States district court in every community in the country. The greatest inconvenience in connection with this proposed law grows out of the fact that in a comparative sense the United States courts are few in number by comparison with our State courts. These inconveniences have been overcome as far as possible, and to a very large degree by this bill. They will be felt by very few, since only about one in every one hundred of those engaged in business and enterprises fails per annum as shown by the tables of which I have heretofore spoken.

The bill, instead of providing that the bankruptcy court shall exercise jurisdiction to hear and determine all controversies relating to the administration of the bankruptcy estate, provides that the trustee of a bankrupt estate who desires to bring suit concerning the affairs of the estate shall do so in the court in which the bankrupt would have of necessity brought suit had not the bankruptcy proceedings intervened, unless the defendant consents to come into the court of bankruptcy. For example, if two citizens of my State should have a transaction on credit, and one of them should become a bankrupt, his trustee would not be permitted, except by consent, to bring suit in the court of bankruptcy, and thereby require the other citizen to perhaps go a long distance to court, but he would, under the provisions of this bill, bring suit in the State court where the bankrupt would have necessarily gone to institute such suit if misfortune had not overtaken him.

The first meetings of creditors will be held at the county seat of the county in which the bankrupt resides, unless such place would be manifestly inconvenient as a place of meeting for the parties in interest.

Each county is to be at least one district, within which a referee will be appointed. These referees are judicial officers, and will do a large part of the bankruptcy business. They will not have jurisdiction to try the original suit in bankruptcy, unless there is a default and the judge is absent, because a jury might be demanded,

and of course it would not be desirable to intrust referees with a jury trial. It would be manifestly unwise to have them consider the confirmation of a composition or the setting aside of a composition which had been confirmed, or the granting or revoking of a discharge. But in the proof of claims, the hearing of evidence, the sale of property, and other matters connected with the administration of the estate they will have adequate jurisdiction, but always subject to a review by the judge. In order to secure such a review it will not be necessary to give a bond, as is usual in cases of appeal.

Depositories for funds and newspapers in which notices must be published will be designated with particular reference to where the trustees and parties in interest reside.

The foregoing provisions will bring the administration of the law to the homes of the people as nearly as possible.

THE DECREASE OF LITIGATION.

Litigation which is ordinarily a part of the conducting of business and the promotion of enterprises has fallen off greatly in late years. While it has no doubt been affected materially by the general depression which has been felt all over the country, it has been very seriously diminished by the fact that under present laws a debtor usually subjects himself to very great danger by contesting in court even the unjust claims of his creditors, since the institution of a suit against a debtor ordinarily results in the bringing of other suits by frightened creditors, and leads to his being ruined irrespective of his honesty or solvency.

If this bill be enacted into law the conditions of which I have just spoken will be reversed, as there will then be no occasion for creditors to be frightened simply because a debtor has been sued. The result will be that the business of the courts will resume its normal conditions and justice will be meted out to litigants without fear or favor.

THE NECESSITY FOR A BANKRUPT LAW.

If I were to state on this floor that a constituent of mine was in distress beyond his control, and that the State of Tennessee could not relieve him, but that Congress could, that he was a deserving man and wished to be relieved, everyone of you ought to cheerfully and readily assist me in giving him relief and enabling him to continue his pursuit of happiness in accordance with his own inclinations.

Every member here has a number of constituents who are in trouble because of circumstances over which they have no control; they are beneath burdens of debt and suffering all of the tortures which that condition inflicts, and it is impossible for them to be rescued except by the assistance of Congress.

It is not possible to rescue these people by State law, because at the foundation of the Government it was provided in the Constitution, upon motion of a distinguished gentleman from South Carolina, that the power to enact uniform laws upon the subject of bankruptcy should be exercised alone by Congress. The same instrument contains a provision prohibiting the States from impairing the obligation of contracts. It is therefore impossible for the State, now or henceforth, without an amendment to the Federal Constitution, to grant relief to those thus unfortunately situated.

In some of the States it has been provided that a discharge shall be granted to the unfortunate debtor, but such relief can not be granted as against citizens of other States. In Tennessee the legislature has not even gone to this extent, and as a result there is a very great need for this legislation—for a bankrupt law by which my constituents and those of my colleagues may be rescued from their condition of debts and distress and restored to one in which they may be better able to support their families and educate their children.

I know, and all of you know, cases in which honest men who were solvent became frightened by the importunities of creditors, and in an endeavor to provide against "times of need" justified attachments, and as a result have had their property swept away and have been left penniless and hopelessly in debt. If the bill now under consideration had been heretofore the law such men would have been allowed the very liberal exemptions of our State, and upon surrendering their assets above their exemptions their estates would have been ratably divided among their creditors and they would have been discharged and encouraged to begin life with renewed energy.

There are cases known to all of us in which an endeavor to prove rascality, chicanery, and fraud has proven insufficient to satisfy the jury on the subject, and as a result decrees have been entered which were but acts legalizing robbery of the most pernicious sort. If the present bill had been in force then I confidently believe that the result would have been that the beneficiaries under the decrees would have been exposed, their creditors would have received their just part of the estate, and they would have been appropriately punished for the wrongs they perpetrated; such wrongs were not only injurious to those who were financially interested in their affairs, but to competitors in business.

THE ADVISABILITY OF GRANTING DISCHARGES.

There was a time when imprisonment for debt could be exacted under the laws and was supported by the conscience of the people. For the most part it has been abolished by law, so far as actually keeping the debtor in custody is concerned. One of the worst features of that condition is as yet maintained. It was a humane consideration to imprison a debtor and furnish him sufficient heat to drive away the frost of physical discomfort and sufficient food to prevent starvation, as compared with the system of not furnishing to the debtor shelter, not furnishing him heat, not protecting him from, but subjecting him to, all the prosecutions of avaricious creditors.

The condition of the insolvent debtor has been greatly ameliorated by the enactment of the State homestead and exemption laws, and the abolition of actual imprisonment meets comparatively the requirements of their condition. But these exemptions are not at present of a substantive value.

It is true that a man of family may have exempt from the demands of his creditors the furniture necessary to prevent squalid want; he may have the rude utensils with which to pursue his chosen avocation; and under the laws of many of the States he may have a limited supply of provisions for the daily wants of the family.

If he is so fortunate as to possess a limited area of real estate, he may retain it as a place upon which to put these small belongings; but if, as the result of unceasing daily toil, he acquires for the comfort of the woman who shares his lot an additional piece of furniture to that allowed by the merciful exemptions of his State it may be torn from him by the sheriff.

If the soil, in response to his diligent husbandry, shall yield a partial harvest in excess of that which has been allotted to him for the sustenance of his family, it, too, may be seized under execution.

If the homestead happens to lie upon a waterway, and by the ever-changing currents there shall be embanked against his shore earth in addition to the cubic yards of it which are protected by the exemption laws of the State, that, too, may be seized and sold to satisfy a part of his burdens, which are ever increasing by the accumulation of interest.

In other words, while under the humane provisions of the various State exemption laws we have in pursuance of a wise and humane public policy allotted to our several citizens homesteads and exemptions calculated to keep them and their dependents out of the poorhouses, we have not protected them from being surrounded by the gaunt specter of unpaid debts which stands as a menace to enterprise and thrift beyond the narrow confines with which we have inclosed them.

These exemptions are justified, as I have said, by a wise public policy. The same public policy justifies the position that the debtor who has not done wrong, but who has incurred debts in good faith, and who has acted the part of an honest man with regard to them, should not be confronted by the specter of which I have spoken, but should be granted a discharge, absolute and unconditional, and be given an opportunity to make the greatest and best use of the powers which have been given him by his Creator.

The discharge of a debtor is not of necessity in actual practical derogation of the rights of the creditor, because if the debtor thus released uses his opportunities to the best advantage, he may become able to pay his debts; if not inclined to do so under these circumstances, he would not do so in any event, so that the right of discharge will benefit the debtor, and does not necessarily destroy but may promote the interests of the creditor.

The Constitution provides for a bankruptcy law under which an honest bankrupt may procure an honorable discharge under such careful restrictions as shall be just to his creditors. Is it not the duty of Congress to make that right available to honest debtors instead of leaving them to the charity of their creditors?

CORPORATIONS.

Under the provisions of this bill, corporations may be adjudged involuntary bankrupts upon exactly the same terms as individuals and firms. They can not go voluntarily into bankruptcy.

Such corporations as may become bankrupt will not be discharged; it was feared that the granting of a discharge to a corporation might affect the liabilities of stockholders, who, according to the laws under which they exist, might be liable for their debts.

Trust companies may be elected by the creditors to be trustees of estates.

Companies organized for the purpose of giving bonds may be accepted as bondsmen for trustees and referees.

These provisions are thought to be consistent with the objects of the bill, and to do justice to corporations without doing injustice to individuals.

PROCEEDINGS.

The district courts of the United States and the Territories, the supreme court of the District of Columbia, and the United States court of the Indian Territory are courts of bankruptcy, and have original jurisdiction in bankruptcy cases.

Any debtor except a corporation may voluntarily file a petition in bankruptcy and be adjudged a bankrupt.

A suit in bankruptcy may be brought against any debtor who owes over $1,000, and has committed an act of bankruptcy, except a national bank, a person engaged chiefly in farming or the tillage of the soil, or a wage earner.

Acts of bankruptcy by a person shall consist of his having (1) concealed himself, departed or remained away from his place of business, residence, or domicile with intent to avoid the service of civil process and to defeat his creditors, and shall not have returned at least forty-eight hours before the filing of a petition in bankruptcy, and before the rights of creditors shall have been impaired, altered, or interfered with; (2) failed for thirty days and until a petition is filed while insolvent to secure the release of any property levied upon under process of law for $500 or over, or if such property is to be sold within such time under such process then until three days before the time fixed for such sale; (3) made a transfer of any of his property with intent to defeat his creditors and has not regained the ownership and possession of such property before the rights of creditors have been altered, impaired, or changed by reason of such transfer and at least ten days before the commencement of a proceeding in bankruptcy; (4) made an assignment for the benefit of his creditors or filed in court a written statement admitting his inability to pay his debts; (5) made, while insolvent, a transfer of any of his property or suffered any of it to be taken or levied upon by process of law or otherwise for the purpose of giving a preference, and has not regained the ownership of such property or released same from such levy before the rights of creditors shall have been altered, changed, or impaired by reason of such transfer, taking, or levy and at least ten days before the commencement of a proceeding in bankruptcy; (6) procured or suffered a judgment to be entered against himself with intent to defeat his creditors, and suffered same to remain unpaid until ten days before the filing of a petition in bankruptcy, provided that a payment or satisfaction of such a judgment by a sale of any of the debtor's property or from the proceeds of such a sale shall not be deemed a payment of such judgment under the provisions of this section; (7) secreted any of his property to avoid its being levied upon under legal process against himself and to defeat his creditors, and has not surrendered such property to such legal process at least ten days before the filing of a petition in bankruptcy; (8) suffered while insolvent an execution for $500 or over, or a number of executions aggregating such amount, against himself to be returned no property found, unless the amount shown to be due by such executions shall be paid before a petition is filed; or (9) suspended and not resumed for thirty days and until a petition is filed, while insolvent, the payment of his commercial paper for or aggregating $500 or over.

Such suit may be brought within four months after the commission of an act of bankruptcy, or conditionally thereafter when the commission of such an act shall have been concealed.

Since a suit in bankruptcy is filed for the benefit of all of the creditors, it is required that three must join in the petition who have collectively unsecured claims amounting to $500 or over. If all the creditors of such a person are less than twelve in number, one creditor holding an unsecured claim amounting to that sum may file a petition.

Upon the filing of a suit in bankruptcy a copy of the petition, with a writ of subpœna, shall be served upon the defendant in like manner as in a suit of equity, except that the process shall be returnable within fifteen days. The bankrupt or any of his creditors may plead to the petition within ten days after the return day. The time for the service of process and the filing of pleadings may be extended by the court when necessary in the interests of justice.

The defendant may have a jury in the trial if he so desires.

If the judgment is for the defendant the case will be dismissed at the cost of the plaintiff. If it is against the defendant he will be adjudged a bankrupt. If he desires to appeal he may do so.

The defendant in a bankruptcy suit will not be at any greater disadvantage than the defendant in any other suit; that is to say, he will have full possession and control of his property, and can proceed with his business just as any other defendant. If the creditors desire to secure an attachment they may do so by giving bond and filing affidavits sufficient to convince the court that the defendant has committed an act of bankruptcy. If, after an attachment is levied, the defendant wishes to give a forthcoming bond, he may do so and still retain full control of his property.

In cases in which voluntary petitions are filed and in which default is made in answers to petitions in involuntary cases the judge of the United States district court will consider the petitions and either dismiss them or adjudge the defendants bankrupt. If the judge is absent the petitions will be referred to and will be considered and disposed of in the same manner by the referee.

It is immaterial whether a defendant is adjudged a bankrupt upon his own petition or the petition of creditors, so far as his rights as a bankrupt and those of his creditors are concerned.

It is the duty of the bankrupt to attend the first meeting of his creditors if required to do so; to make out schedules of his property and lists of his creditors, and if attempted frauds on the part of creditors come to his knowledge it is his duty to inform his trustee, etc.

An individual or partnership may apply for a discharge subsequent to the expiration of two months and within the next four months after the adjudication. If the application is not made within that time and the court is convinced that it was impossible for the applicant to make it, it may be filed within but not after the expiration of the next six months.

The terms upon which a discharge may be granted are as follows:

A person, not a corporation, may, after the expiration of two months and within the next four months subsequent to being adjudged a bankrupt, file an application for a discharge in the court of bankruptcy in which the proceedings are pending. If it shall be made to appear to the judge that the bankrupt was unavoidably prevented from filing it within such time, it may be filed within but not after the expiration of the next six months.

The judge shall hear the application for a discharge, and such pleas as may be made in opposition thereto by parties in interest, at such time as his convenience will permit and as will give parties in interest a reasonable opportunity to be heard, and discharge the applicant unless he has (1) been convicted of having committed an offense punishable by imprisonment as herein provided; (2) given a preference as herein defined, under an assignment for the benefit of creditors, or otherwise, and within six months prior to the filing of the petition against him, which has not been surrendered to the trustee; (3) obtained property upon credit which has not been paid for or restored at the time the petition is filed against him upon a materially false statement in writing made by him to any person for the purpose of obtaining credit or of being communicated to the trade or to the person from whom he obtained such property on credit; (4) made a transfer of any of his property which any creditor who has proved his debt in the proceedings might, at the time of the bankruptcy, have impeached as fraudulent if he had then been a judgment creditor, unless such property shall have been surrendered to the trustee; or (5), with fraudulent intent and in contemplation of bankruptcy, destroyed or neglected to keep books of account or records from which his true condition might be ascertained.

The confirmation of a composition shall discharge the bankrupt from his debts, other than those agreed to be paid by the terms of the composition and those not affected by a discharge.

A discharge in bankruptcy shall release a bankrupt, not a corporation, from all of his provable debts, except such as (1) are due as a tax levied by the United States, the State, county, district, or municipality in which he resides; (2) are judgments in actions for frauds or willful and malicious injuries to the person or property of another; (3) have not been duly scheduled in time for proof and allowance, with the name of the creditor if known to the bankrupt, unless such creditor had notice or actual knowledge of the proceedings in bankruptcy; or (4) were created by his fraud, embezzlement, or defalcation while acting as an officer or serving in any fiduciary capacity.

A discharge may be revoked upon application made within one year after being granted if it transpires that it was fraudulently procured.

I apprehend that one of the most useful provisions of the bill is the one relating to settlements which debtors may make with their creditors after the petition is filed, and either before or after the suit has been tried.

Under existing laws, if a creditor sees fit to pursue a debtor to final execution and sale, he may do so without let or hindrance; there may be delays in the courts, but the time will surely come when there will be a trial, and if it results in a judgment against the defendant the creditor may persevere until the red flag of the sheriff waves over the property of the defendant, or other property which it may be thought that the defendant has an interest in. An honest debtor may be protected from such extremities under the provisions of the bankruptcy bill, provided the interest of all of the creditors will be served thereby; that is to say, he may secure a settlement as against the wishes of some of his creditors, but nevertheless with all of them. Such a settlement may involve an extension of time within which to pay his debts, or a reduction of them with or without security for the payment of the balance.

An individual creditor may consider it a hardship to be compelled to settle with his debtor upon terms which he does not consider advantageous. Requiring him to do so can be justified only on the ground that the interest of other creditors must be considered quite as well as his, since it is for the best interest of the most of the creditors to make such a settlement.

A settlement can not be offered by a debtor against whom a petition has been filed or who has been adjudged a bankrupt until after he has submitted to an examination in open court or at a meeting of his creditors. This examination is designed to enable the creditors to learn the reasons for the difficulties in which the debtor finds himself and to enable them to judge whether he is or is not a competent, honest man. He must file a schedule of his property and a list of his creditors. An examination of them will enable the creditors to determine the value of their claims.

After these preliminaries he must submit his proposition in writing to his creditors and secure the acceptance of it by at least a majority in number of his creditors, and such majority or number must also represent more than half of his indebtedness. Before this proposition can be filed in court he must deposit, subject to the order of the judge, the money with which to pay the costs of the suit and the preferred claims. He must also file, subject to the order of the court, whatever he is to pay to his creditors in the settlement; that is, if he is to give notes, he must execute them and place them where the court can have them distributed to creditors in the event his settlement is confirmed; if he is to pay part cash and part in notes, he must deposit the cash so that it as well as the notes may be distributed to the creditors. A compliance with these conditions will probably be of great inconvenience to the debtor in many cases, but they are necessary in order to have the settlement confirmed and adjusted without friction or delays and with absolute certainty.

Under the old law frequently the bankrupt trifled with his creditors by offering settlements which he could not make, and later on offering less favorable settlements, the only result being to annoy the creditors.

A composition which has been fraudulently obtained may be set aside upon an application made within six months after it was confirmed.

A debtor who has acted dishonestly can not secure a composition, the reason being that the confirmation of a composition secures to the debtor a discharge from all debt which he does not agree to

pay in the composition, and it is not proposed by this bill to enable any dishonest persons, firms, or corporation to secure any advantage pursuant to its terms.

In cases in which the estate is to be administered the creditors will meet and elect one or three trustees and fix the amount of their bond.

The trustee or trustees will reduce the estate to money under the directions of the court and distribute it in dividends to the creditors.

Creditors have only to make oath to the claims and send them by mail or deliver them in person to the court or referee. They will be allowed as of course, but may be suspended or examined if there is any suspicion that they are fraudulent. The trustee may bring suit to set aside any fraudulent transfer of property which was made by the bankrupt prior to the adjudication.

Liens given for a present consideration in good faith will be upheld. Such liens as are fraudulent will be set aside.

Preferences which have been given within four months prior to the filing of the petition may be recovered by the trustee. Advantages obtained by the institution of suits within four months prior to the filing of the petition can not be made available by the plaintiffs in such proceedings. This provision is simply to prevent an inequitable distribution of the estate of the bankrupt.

Under the old law the compensation of officers was unduly large, and was payable so that they were all interested in prolonging the proceedings. This bill provides for the payment of only a reasonable compensation, and it is to be so computed and paid that every officer is interested in securing prompt and economical administrations. That is to say, the clerk secures a single fee of $10 in each case; he will, therefore, be interested in having the case disposed of as quickly as possible. The referee will receive a ten-dollar filing fee in each case and a commission of 1 per cent on the net result of the estate, and one-half of 1 per cent on amounts paid in composition. The trustee will receive a five-dollar fee in each case and a commission of 5 per cent on the first $5,000 to be paid in dividends, 2 per cent on the second like amount, and 1 per cent on all over $10,000. Neither the filing fees nor the commissions of the referees or trustees will be paid until the estate is closed and the records returned to court.

The expenses of administering the estate will be reported in detail under oath, and will be paid in the event only of their being found to be necessary and reasonable by the court.

Those who may act dishonestly in contemplation of bankruptcy or with reference to the property of bankruptcy estates or commit forbidden acts will be liable to punishment.

The bill contains such additional provisions as are necessary in order to make it a perfectly well-considered and carefully framed bankruptcy code.

When a bill similar to this was under consideration in a former Congress I opposed its enactment. My opposition grew partly out of my want of information as to its true scope and purposes and partly out of the fact that my constituents were prejudiced against any bankruptcy bill because of the unfortunate administration of the old one in the South. Since then great changes and improvements have been made in the bill and my people have felt the want of such a law.

I, therefore, am very glad not only to give this bill my vote but a hearty support.

It is an absolutely fair measure in all of its provisions to both debtors and creditors and is calculated to promote the best interests of all of those whose rights will be affected by it.

I invite your attention to the following:

TABLE OF COMMERCIAL AND INDUSTRIAL FAILURES IN THE UNITED STATES.

The number of failures by those engaged in commercial and industrial pursuits, the total number of those so engaged, the percentage of the former to the latter, and the total amount in dollars of the liabilities of those who have failed from 1879 to 1895, inclusive, are shown by States and Territories, as follows:

Year.	Number of failures.	Number engaged in business.	Per cent of failures.	Liabilities.
ALABAMA.				
1879	24	5,483	0.44	$202,109
1880	47	6,597	.71	759,694
1881	104	7,050	1.46	2,041,340
1882	85	7,364	.15	1,188,276
1883	55	8,159	.67	650,710
1884	68	8,388	.80	1,453,311
1885	39	8,616	.45	1,017,135
1886	118	9,018	1.31	1,878,716
1887	99	9,587	1.03	1,637,477
1888	161	10,172	1.58	1,692,622
1889	134	9,886	1.35	1,368,252
1890	186	10,315	1.80	2,226,300
1891	258	10,229	2.52	3,396,365
1892	228	10,287	2.22	2,108,675
1893	178	10,290	1.73	2,439,200
1894	190	10,261	1.85	2,944,309
1895	140	10,280	1.36	1,320,250
Totals and average	2,114		1.26	28,324,741

TABLE OF COMMERCIAL AND INDUSTRIAL FAILURES, ETC.—continued.

Year.	Number of failures.	Number engaged in business.	Per cent of failures.	Liabilities.
ARKANSAS.				
1879	48	4,349	1.10	$425,427
1880	26	5,227	.50	340,072
1881	102	6,096	1.67	952,532
1882	95	6,593	1.44	754,724
1883	84	6,853	1.21	596,723
1884	121	7,092	1.70	1,149,164
1885	94	7,734	1.22	818,325
1886	100	7,627	1.31	1,178,651
1887	90	9,817	.92	837,900
1888	156	8,880	1.76	1,245,546
1889	173	9,452	1.82	994,322
1890	212	10,267	2.06	1,817,305
1891	185	10,575	1.75	2,203,819
1892	211	10,672	1.99	1,962,697
1893	164	10,641	1.54	3,655,881
1894	170	10,711	1.59	1,383,010
1895	154	10,552	1.46	1,046,700
Totals and average	2,185		1.47	21,902,868
CALIFORNIA.				
1879	472	17,343	2.72	7,967,854
1880	295	18,409	1.60	2,919,400
1881	275	19,345	1.43	2,790,000
1882	375	20,007	1.88	3,747,000
1883	429	21,105	2.03	4,431,900
1884	573	21,836	2.62	6,166,900
1885	672	23,174	2.90	5,086,100
1886	554	24,278	2.28	4,300,400
1887	455	26,522	1.71	16,943,306
1888	647	28,141	2.30	7,975,800
1889	713	29,531	2.42	4,299,800
1890	641	30,365	2.11	4,224,400
1891	698	30,875	2.26	4,742,300
1892	585	33,250	1.76	4,526,600
1893	747	34,319	2.17	7,456,718
1894	587	35,330	1.66	5,399,998
1895	573	35,673	1.61	2,883,099
Totals and average	9,291		2.09	96,861,570
COLORADO.				
1879	47	3,572	1.31	335,661
1880	78	5,932	1.32	540,500
1881	97	7,657	1.26	687,479
1882	169	7,825	2.17	1,260,191
1883	182	7,157	2.52	1,986,664
1884	139	6,911	2.01	2,259,385
1885	62	6,850	.89	765,182
1886	82	6,975	1.18	698,520
1887	79	8,216	.96	479,398
1888	149	9,060	1.64	1,204,647
1889	165	11,580	1.42	817,001
1890	169	12,287	1.38	981,894
1891	264	13,496	1.96	1,544,525
1892	202	13,854	1.46	2,374,088
1893	426	14,069	3.03	9,356,853
1894	141	14,263	.99	2,083,257
1895	138	14,523	.95	1,760,224
Totals and average	2,589		1.56	29,195,439
CONNECTICUT.				
1879	158	13,188	1.20	2,474,844
1880	178	14,640	1.21	1,073,817
1881	130	14,475	.90	836,788
1882	88	14,411	.61	898,963
1883	119	14,202	.83	744,242
1884	169	14,718	1.14	1,464,396
1885	176	15,882	1.11	1,714,486
1886	122	16,842	.78	1,906,684
1887	117	16,920	.69	3,500,484
1888	137	16,970	.81	1,265,103
1889	137	17,562	.78	1,624,657
1890	176	18,281	.96	1,447,617
1891	193	18,696	1.03	2,719,020
1892	160	18,979	.84	1,053,464
1893	234	18,980	1.23	3,095,148
1894	253	19,473	1.30	1,821,143
1895	254	19,622	1.29	2,442,980
Totals and average	2,811		.98	30,083,836
DAKOTA (NORTH AND SOUTH).				
1879	11	1,600	.69	68,000
1880	4	2,679	.15	19,000
1881	12	2,844	.43	121,105
1882	33	6,744	.48	194,982
1883	90	8,256	1.08	1,075,784
1884	117	9,370	1.24	729,602
1885	88	9,988	.88	404,830
1886	100	10,451	.96	765,979
1887	114	11,073	1.03	1,151,850
1888	105	11,506	.90	1,240,427
1889	101	8,150	1.24	610,227
1890	80	8,832	.91	1,279,029
1891	46	8,853	.52	690,897
1892	29	9,026	.32	187,100
1893	85	10,474	.81	621,278
1894	43	10,670	.43	641,369
1895	22	10,976	.20	559,677
Totals and average	1,080		.72	10,361,199

TABLE OF COMMERCIAL AND INDUSTRIAL FAILURES, ETC.—continued.

Year.	Number of failures.	Number engaged in business.	Per cent of failures.	Liabilities.
DELAWARE.				
1879	14	3,628	0.39	$186,137
1880	18	3,618	.50	127,409
1881	7	3,522	.20	73,200
1882	12	3,598	.33	79,400
1883	15	3,685	.40	206,757
1884	27	3,930	.69	553,900
1885	23	4,075	.56	195,250
1886	25	4,044	.62	176,500
1887	26	4,297	.63	495,219
1888	26	4,348	.60	324,200
1889	15	4,109	.36	156,200
1890	18	3,833	.47	213,822
1891	29	4,032	.72	434,000
1892	21	3,862	.54	68,100
1893	35	4,239	.83	645,437
1894	61	3,769	1.62	936,770
1895	68	3,774	1.80	460,100
Totals and average	440		.66	5,332,992
FLORIDA.				
1879	19	1,918	1.00	120,077
1880	12	2,049	.60	104,500
1881	16	2,576	.61	223,352
1882	17	2,508	1.68	167,320
1883	34	2,865	1.17	297,677
1884	44	3,455	1.25	670,534
1885	49	3,918	1.26	386,103
1886	78	4,334	1.81	603,302
1887	107	4,991	2.14	564,469
1888	69	5,465	1.26	407,177
1889	49	4,750	1.03	348,142
1890	41	4,812	.85	155,380
1891	144	5,222	2.76	1,486,411
1892	31	5,825	.53	267,700
1893	59	5,913	1.00	491,305
1894	46	6,186	.74	380,650
1895	136	5,868	2.32	1,741,550
Totals and average	951		1.27	8,395,629
GEORGIA.				
1879	86	8,599	1.00	574,323
1880	77	9,883	.78	1,018,763
1881	132	10,478	1.27	2,379,548
1882	138	11,215	1.23	1,930,563
1883	213	11,537	1.83	2,180,839
1884	238	12,180	1.95	3,412,571
1885	212	10,413	2.04	2,566,235
1886	215	10,552	2.04	1,872,763
1887	195	11,265	1.72	1,713,462
1888	213	13,117	1.62	2,706,494
1889	151	13,820	1.09	1,627,945
1890	145	14,235	1.02	1,671,878
1891	274	17,625	1.55	5,829,903
1892	259	15,857	1.63	2,425,680
1893	292	15,161	1.93	3,147,298
1894	347	15,294	2.27	4,756,118
1895	214	14,793	1.45	3,049,383
Totals and average	3,401		1.55	42,863,766
ILLINOIS.				
1879	277	51,250	.54	5,633,780
1880	134	53,325	.25	1,263,956
1881	145	55,335	.26	2,566,418
1882	261	58,051	.45	3,433,324
1883	605	60,064	1.00	16,302,012
1884	703	61,780	1.37	12,661,937
1885	684	62,798	1.09	5,858,853
1886	646	64,922	.99	8,187,356
1887	628	67,814	.93	8,457,222
1888	678	71,062	.95	8,929,538
1889	717	74,386	.95	7,286,365
1890	643	77,485	.83	9,785,431
1891	531	83,104	.64	6,303,814
1892	480	86,145	.56	7,647,200
1893	566	89,274	.63	18,777,462
1894	717	84,325	.85	8,042,159
1895	856	86,236	.99	14,198,887
Totals and average	9,271		.78	145,425,514
INDIANA.				
1879	122	27,285	.45	1,509,791
1880	89	29,120	.30	842,847
1881	78	30,632	.25	683,289
1882	124	32,488	.38	1,688,565
1883	270	33,953	.77	3,426,182
1884	304	35,835	.84	5,775,113
1885	293	36,762	.80	2,435,528
1886	235	36,142	.65	2,739,089
1887	212	37,786	.56	1,838,494
1888	259	39,399	.65	2,134,627
1889	211	40,164	.53	1,845,798
1890	224	40,102	.56	2,912,144
1891	208	41,969	.50	1,671,239
1892	202	45,071	.45	1,753,541
1893	357	47,207	.76	8,903,225
1894	269	48,615	.55	3,702,932
1895	242	49,317	.49	2,047,351
Totals and average	3,699		.56	45,909,755

TABLE OF COMMERCIAL AND INDUSTRIAL FAILURES, ETC.—continued.

Year.	Number of failures.	Number engaged in business.	Per cent of failures.	Liabilities.
IOWA.				
1879	152	23,463	0.65	$1,121,900
1880	92	24,873	.37	495,555
1881	75	26,419	.29	926,601
1882	194	28,217	.70	1,415,773
1883	420	29,119	1.43	2,249,651
1884	412	29,306	1.40	2,435,653
1885	370	30,021	1.23	2,354,757
1886	373	30,102	1.23	1,922,313
1887	302	29,686	1.01	1,976,822
1888	284	30,696	.92	2,510,107
1889	325	33,833	.96	2,579,762
1890	241	35,420	.68	2,424,545
1891	185	37,263	.50	1,267,704
1892	200	38,265	.52	1,483,122
1893	184	38,660	.48	11,452,932
1894	253	39,820	.64	5,098,510
1895	304	40,807	.74	1,853,395
Totals and average	4,366		.81	43,569,102
KANSAS.				
1879	66	11,449	.58	392,043
1880	112	13,610	.82	446,953
1881	262	13,894	1.88	1,704,810
1882	267	14,713	1.81	1,510,967
1883	161	15,677	1.00	726,670
1884	97	16,837	.57	508,854
1885	285	20,708	1.37	1,377,177
1886	297	22,560	1.32	1,050,736
1887	289	26,914	1.07	1,702,286
1888	244	25,283	.96	1,225,393
1889	292	24,929	1.17	2,629,209
1890	325	25,510	1.27	4,538,779
1891	275	22,302	1.23	5,625,331
1892	206	22,285	.92	1,813,623
1893	322	22,646	1.42	2,795,753
1894	286	22,431	1.28	1,487,817
1895	234	22,645	1.03	1,155,664
Totals and average	4,020		1.16	30,692,065
KENTUCKY.				
1879	138	17,542	.79	1,546,577
1880	104	18,581	.56	1,030,000
1881	93	19,311	.48	1,083,413
1882	131	19,352	.67	3,716,096
1883	154	19,869	.77	1,667,727
1884	219	21,324	1.02	2,063,265
1885	276	20,913	1.32	1,941,589
1886	275	21,873	1.26	2,444,040
1887	281	22,153	1.26	3,274,244
1888	285	22,354	1.27	1,939,077
1889	223	22,706	.98	2,157,010
1890	233	21,949	1.06	2,991,976
1891	390	25,647	1.52	7,695,245
1892	251	26,188	.97	1,979,886
1893	433	26,309	1.65	8,306,744
1894	339	26,207	1.29	5,407,890
1895	274	26,068	1.05	3,042,045
Totals and average	4,099		1.05	52,286,764
LOUISIANA.				
1879	90	7,907	1.14	4,752,557
1880	54	8,493	.64	706,262
1881	106	8,988	1.18	1,604,577
1882	178	9,399	1.90	3,162,948
1883	177	9,541	1.86	3,355,678
1884	184	10,085	1.82	5,408,916
1885	215	10,542	2.05	5,095,411
1886	205	10,635	1.93	2,780,313
1887	193	11,341	1.70	2,363,374
1888	202	11,909	1.69	2,471,778
1889	185	12,419	1.49	1,686,714
1890	157	10,484	1.50	4,594,836
1891	181	10,297	1.76	3,740,102
1892	177	10,119	1.75	2,202,871
1893	122	9,354	1.30	2,626,007
1894	230	9,822	2.34	1,897,799
1895	199	10,157	1.96	2,876,081
Totals and average	2,855		1.65	51,306,224
MAINE.				
1879	87	11,245	.77	796,600
1880	73	11,877	.61	687,230
1881	76	12,457	.60	442,708
1882	61	12,704	.48	942,014
1883	223	13,151	1.68	2,253,110
1884	231	13,408	1.72	875,267
1885	205	13,708	1.59	1,050,181
1886	167	14,010	1.19	3,225,279
1887	162	14,266	1.14	1,811,778
1888	160	14,325	1.10	1,457,797
1889	196	14,304	1.37	1,114,582
1890	130	14,317	.91	1,238,691
1891	140	14,711	.95	813,510
1892	98	14,969	.65	965,257
1893	411	15,192	2.71	3,938,371
1894	251	15,365	1.63	2,449,210
1895	188	15,637	1.20	1,257,858
Totals and average	2,859		1.19	25,319,443

TABLE OF COMMERCIAL AND INDUSTRIAL FAILURES, ETC.—continued.

Year.	Number of failures.	Number engaged in business.	Per cent of failures.	Liabilities.
MARYLAND.				
1879	85	12,949	0.66	$916,874
1880	53	12,781	.42	820,163
1881	75	13,402	.56	2,484,991
1882	80	13,500	.59	1,261,140
1883	127	14,493	.87	1,864,502
1884	112	15,647	.71	2,028,189
1885	177	15,846	1.12	3,777,804
1886	129	15,630	.82	3,631,971
1887	152	16,495	.92	3,050,461
1888	174	17,694	.98	1,975,593
1889	129	18,413	.70	1,223,094
1890	152	17,705	.86	2,254,304
1891	115	18,036	.64	2,530,927
1892	137	19,013	.72	2,268,765
1893	187	19,211	.97	2,779,183
1894	239	20,060	1.19	2,971,319
1895	299	20,469	1.46	3,279,124
Totals and average	2,422		.83	39,121,404
MASSACHUSETTS.				
1879	505	38,877	1.30	8,433,792
1880	329	39,921	.83	3,436,954
1881	416	40,816	1.02	7,692,245
1882	434	41,660	1.04	8,952,611
1883	626	42,447	1.47	25,469,691
1884	695	43,328	1.60	10,343,120
1885	631	45,385	1.39	7,597,225
1886	626	47,977	1.30	11,428,842
1887	650	48,703	1.34	8,954,757
1888	672	49,489	1.35	8,425,674
1889	812	49,183	1.68	20,787,599
1890	670	49,678	1.35	20,263,205
1891	664	50,742	1.31	13,873,921
1892	637	52,032	1.22	8,805,224
1893	1,088	53,390	2.04	22,708,331
1894	836	54,707	1.53	16,467,631
1895	567	65,812	.86	10,942,638
Totals and average	10,858		1.33	214,483,460
MICHIGAN.				
1879	179	25,701	.70	2,063,894
1880	153	27,761	.85	2,285,206
1881	209	31,102	.67	1,750,832
1882	189	31,787	.60	1,456,870
1883	275	32,466	.84	4,347,095
1884	303	32,481	.93	3,786,041
1885	238	32,834	.73	2,018,315
1886	202	33,599	.60	2,269,007
1887	189	35,863	.53	1,875,915
1888	232	37,784	.61	4,865,956
1889	258	47,588	.54	3,674,998
1890	216	48,677	.44	6,082,924
1891	232	49,391	.47	2,308,282
1892	219	49,822	.44	2,969,296
1893	299	50,186	.60	5,263,602
1894	174	49,852	.35	2,122,691
1895	172	50,375	.34	4,565,748
Totals and average	3,739		.60	53,706,732
MINNESOTA.				
1879	128	10,073	1.27	1,241,697
1880	82	11,247	.73	1,807,969
1881	73	12,505	.58	391,827
1882	70	14,088	.49	355,990
1883	116	15,312	.75	1,129,882
1884	220	18,164	1.20	4,510,101
1885	190	24,355	.78	1,539,093
1886	202	26,232	.77	2,205,740
1887	269	26,197	1.02	3,222,800
1888	316	26,231	1.20	4,811,722
1889	356	18,635	1.91	4,299,235
1890	323	19,450	1.66	5,856,857
1891	258	20,588	1.25	2,699,281
1892	241	22,820	1.06	3,653,838
1893	417	24,900	1.67	9,705,374
1894	360	25,230	1.43	5,156,666
1895	311	25,540	1.22	5,290,239
Totals and average	3,932		1.12	57,878,311
MISSISSIPPI.				
1879	76	5,686	1.34	991,374
1880	55	6,242	.89	700,549
1881	153	6,352	2.40	1,942,129
1882	197	7,187	2.74	2,335,957
1883	151	8,216	1.84	2,658,722
1884	155	9,043	1.72	3,001,254
1885	157	9,364	1.67	998,150
1886	173	8,276	2.10	1,127,102
1887	140	8,688	1.61	1,133,134
1888	132	8,752	1.51	1,088,615
1889	138	8,841	1.57	971,906
1890	195	8,421	2.32	1,437,564
1891	246	8,453	2.91	1,924,576
1892	247	8,194	3.01	3,615,425
1893	170	8,081	2.10	2,397,321
1894	171	8,093	2.11	1,357,699
1895	115	8,156	1.41	935,340
Totals and average	2,671		1.96	28,616,817

TABLE OF COMMERCIAL AND INDUSTRIAL FAILURES, ETC.—continued.

Year.	Number of failures.	Number engaged in business.	Per cent of failures.	Liabilities.
MISSOURI.				
1879	139	31,208	0.44	$2,728,394
1880	139	34,824	.40	1,616,188
1881	218	35,669	.61	2,941,051
1882	300	37,449	.80	4,148,170
1883	226	39,231	.57	3,137,931
1884	276	40,922	.67	6,846,497
1885	253	43,561	.58	2,718,106
1886	233	46,334	.50	1,841,932
1887	195	52,041	.38	3,044,922
1888	218	47,609	.46	2,039,468
1889	327	47,525	.69	2,972,870
1890	358	49,384	.72	4,806,871
1891	360	50,039	.72	12,168,895
1892	365	51,429	.71	4,347,054
1893	464	52,228	.89	5,753,905
1894	414	52,077	.80	3,766,144
1895	421	52,911	.80	4,349,082
Totals and average	4,906		.63	69,227,480
MONTANA.				
1879	3	513	.58	90,000
1880	5	668	.75	27,500
1881	4	908	.44	68,000
1882	7	1,638	.44	71,000
1883	26	2,111	1.23	315,000
1884	30	2,294	1.30	353,640
1885	22	2,653	.82	220,765
1886	19	2,698	.73	231,800
1887	39	2,737	1.40	534,823
1888	21	2,712	.78	146,333
1889	34	2,844	1.21	534,274
1890	45	3,727	1.21	410,896
1891	83	4,021	2.06	983,245
1892	34	5,286	.64	880,949
1893	130	4,794	2.71	1,902,702
1894	19	4,869	.39	240,037
1895	41	5,110	.80	441,100
Totals and average	562		1.03	7,452,064
NEBRASKA.				
1879	66	5,266	1.25	221,800
1880	106	6,179	1.71	359,919
1881	132	7,084	1.86	360,415
1882	113	7,848	1.43	450,023
1883	100	9,331	1.00	350,700
1884	220	10,344	2.13	1,400,396
1885	141	12,459	1.13	819,854
1886	135	14,543	.93	844,723
1887	198	17,158	1.14	644,948
1888	248	19,848	1.25	968,620
1889	276	21,233	1.30	1,538,718
1890	271	22,041	1.23	1,573,500
1891	395	20,598	1.43	3,288,365
1892	209	20,512	1.02	1,838,291
1893	343	20,463	1.68	2,210,613
1894	232	20,133	1.15	1,262,473
1895	234	19,610	1.19	2,038,060
Totals and average	3,417		1.34	20,171,418
NEVADA.				
1879	34	1,661	2.05	425,100
1880	41	1,588	2.56	541,900
1881	24	1,514	1.60	267,000
1882	29	1,471	1.93	182,200
1883	35	1,411	2.50	310,200
1884	23	1,320	1.76	196,800
1885	25	1,280	1.92	328,500
1886	12	1,299	.99	134,800
1887	14	1,370	1.00	45,800
1888	9	1,347	.67	54,400
1889	13	1,380	.93	44,500
1890	10	1,362	.73	170,200
1891	6	1,300	.46	60,300
1892	8	1,248	.64	27,300
1893	4	1,192	.34	79,000
1894	1	1,173	.09	3,876
1895	1	1,184	.08	8,091
Totals and average	289		1.19	2,879,967
NEW HAMPSHIRE.				
1879	62	7,295	.85	417,748
1880	32	7,462	.43	151,684
1881	51	7,655	.66	332,404
1882	54	7,639	.71	395,045
1883	75	7,813	.96	418,799
1884	96	7,955	1.21	572,072
1885	79	8,173	.96	563,392
1886	48	8,256	.58	429,712
1887	48	8,434	.57	203,650
1888	56	8,397	.67	458,845
1889	49	8,256	.60	449,136
1890	47	8,288	.57	383,985
1891	45	8,304	.54	215,979
1892	35	8,392	.42	276,167
1893	57	8,515	.67	480,313
1894	47	8,750	.54	326,646
1895	58	8,880	.65	405,644
Totals and average	939		.68	6,481,221

TABLE OF COMMERCIAL AND INDUSTRIAL FAILURES, ETC.—continued.

Year.	Number of failures.	Number engaged in business.	Per cent of failures.	Liabilities.
NEW JERSEY.				
1879	143	20,104	0.71	$1,201,086
1880	89	21,161	.42	984,556
1881	77	21,633	.36	4,536,346
1882	113	22,786	.50	1,871,998
1883	121	23,949	.50	2,182,425
1884	119	25,172	.47	1,319,339
1885	122	26,282	.46	949,649
1886	111	27,499	.40	622,218
1887	120	29,849	.40	1,722,971
1888	151	30,875	.49	1,485,847
1889	128	32,157	.40	1,469,846
1890	154	33,186	.46	2,779,871
1891	187	34,384	.54	4,479,534
1892	138	36,353	.38	1,504,851
1893	322	37,853	.85	4,783,805
1894	212	37,526	.56	3,351,766
1895	182	37,260	.49	3,612,488
Totals and average	2,489		.49	38,858,596
NEW YORK.				
1879	1,304	109,459	1.19	21,693,347
1880	876	114,096	.76	25,077,510
1881	817	116,441	.70	19,525,388
1882	899	118,980	.76	28,356,525
1883	1,130	124,354	.91	39,004,933
1884	1,424	130,180	1.09	88,825,615
1885	1,183	132,902	.89	27,874,337
1886	1,149	136,568	.84	22,265,755
1887	1,069	141,177	.75	49,114,730
1888	1,289	145,481	.88	25,004,849
1889	1,174	147,766	.79	26,846,613
1890	1,324	149,168	.86	52,521,123
1891	1,349	148,948	.91	33,991,960
1892	1,119	154,024	.75	16,799,937
1893	1,916	152,054	1.26	84,923,844
1894	1,976	95,236	2.08	36,858,225
1895	1,940	147,216	1.32	45,225,534
Totals and average	21,938		.98	643,910,228
NORTH CAROLINA.				
1879	100	7,013	1.43	1,000,290
1880	53	7,188	.74	411,658
1881	83	7,868	1.05	501,874
1882	134	8,585	1.55	931,822
1883	154	9,305	1.65	1,357,806
1884	170	9,714	1.75	1,241,621
1885	169	9,475	1.78	1,044,113
1886	113	9,311	1.21	969,961
1887	145	9,755	1.48	1,008,932
1888	151	10,360	1.46	1,408,924
1889	197	10,724	1.84	1,384,754
1890	109	11,833	.92	670,640
1891	128	13,139	.97	1,381,706
1892	107	11,068	.97	1,059,732
1893	200	11,472	1.74	2,416,551
1894	139	11,306	1.23	1,901,810
1895	103	11,406	.90	1,231,747
Totals and average	2,255		1.34	20,103,941
OHIO.				
1879	334	51,298	.65	4,407,875
1880	190	53,005	.36	1,840,559
1881	235	55,790	.42	2,799,873
1882	335	59,433	.56	3,452,551
1883	615	61,921	.99	12,250,848
1884	664	64,654	1.02	12,695,921
1885	679	67,339	1.01	7,666,408
1886	580	66,812	.86	6,841,558
1887	516	69,870	.74	8,825,150
1888	538	71,516	.75	5,796,806
1889	501	72,219	.68	7,894,098
1890	555	75,438	.74	6,791,213
1891	578	77,069	.75	6,845,748
1892	486	78,737	.62	5,202,638
1893	855	78,363	1.09	21,124,643
1894	711	84,261	.84	6,963,695
1895	718	85,146	.84	10,043,789
Totals and average	9,090		.76	131,443,373
OREGON.				
1879	55	3,060	1.80	438,045
1880	71	3,527	2.03	674,342
1881	33	3,702	.89	296,214
1882	35	4,027	.87	193,500
1883	93	4,445	2.11	955,106
1884	220	2,642	8.45	1,457,500
1885	162	5,503	2.95	738,100
1886	127	5,732	2.22	717,900
1887	129	6,167	2.08	647,200
1888	139	6,273	2.21	1,086,000
1889	66	6,685	.98	250,300
1890	86	7,027	1.22	591,500
1891	157	7,452	2.11	679,600
1892	215	7,871	2.73	1,615,100
1893	221	7,837	2.82	1,957,100
1894	207	7,534	2.75	2,542,492
1895	216	7,787	2.77	1,758,511
Totals and average	2,232		2.41	16,598,510

TABLE OF COMMERCIAL AND INDUSTRIAL FAILURES, ETC.—continued.

Year.	Number of failures.	Number engaged in business.	Per cent of failures.	Liabilities.
PENNSYLVANIA.				
1879	711	81,633	0.87	$11,328,765
1880	422	82,552	.51	6,785,724
1881	384	83,362	.46	6,195,309
1882	540	86,801	.62	9,661,702
1883	705	92,409	.76	13,571,420
1884	878	99,884	.88	19,232,165
1885	952	78,959	1.20	12,856,106
1886	822	106,526	.77	8,362,081
1887	934	83,565	1.12	15,308,192
1888	904	109,699	.82	10,499,768
1889	1,071	87,167	1.23	19,064,340
1890	1,161	114,804	1.11	17,869,465
1891	1,283	117,633	1.09	25,447,587
1892	955	122,780	.78	10,576,943
1893	1,398	125,726	1.11	58,253,969
1894	1,433	100,824	1.42	15,685,058
1895	1,349	133,062	1.01	11,739,947
Totals and average	15,902		.93	272,468,541
RHODE ISLAND.				
1879	95	5,083	1.87	3,094,562
1880	79	5,175	1.55	958,707
1881	77	5,258	1.45	1,612,011
1882	96	5,668	1.68	2,155,419
1883	109	5,925	1.84	3,251,792
1884	136	6,350	2.15	3,285,269
1885	126	6,749	1.88	1,248,591
1886	92	7,047	1.31	725,547
1887	122	7,306	1.67	3,127,662
1888	132	7,738	1.70	1,226,886
1889	130	8,142	1.60	10,048,642
1890	107	8,241	1.30	4,036,647
1891	102	8,608	1.19	1,541,341
1892	136	8,799	1.55	1,277,492
1893	181	8,920	2.03	1,034,630
1894	187	9,320	2.01	1,480,566
1895	202	9,602	2.10	3,771,397
Totals and average	2,109		1.70	43,877,161
SOUTH CAROLINA.				
1879	73	4,662	1.57	2,497,740
1880	48	5,182	.92	393,230
1881	90	5,419	1.66	684,558
1882	93	5,794	1.61	908,542
1883	93	6,120	1.52	1,151,666
1884	102	6,437	1.59	877,065
1885	119	6,470	1.83	1,428,578
1886	111	6,726	1.65	1,053,774
1887	78	6,973	1.11	1,073,827
1888	66	7,153	.92	424,867
1889	82	7,418	1.11	928,317
1890	72	7,316	.98	419,915
1891	82	8,424	.97	518,908
1892	99	7,956	1.24	764,458
1893	83	7,678	1.08	735,394
1894	97	7,741	1.25	2,121,815
1895	102	7,639	1.34	1,263,908
Totals and average	1,490		1.32	17,246,557
TENNESSEE.				
1879	152	8,738	1.74	1,569,671
1880	105	9,865	1.07	1,051,219
1881	187	11,886	1.50	1,393,353
1882	164	12,217	1.34	1,632,864
1883	220	13,143	1.68	974,326
1884	238	14,321	1.66	1,654,861
1885	282	12,414	2.27	1,806,619
1886	154	12,605	1.22	1,679,639
1887	198	12,875	1.53	1,480,664
1888	206	13,553	1.52	1,555,921
1889	219	13,982	1.56	2,060,527
1890	257	14,474	1.78	6,144,020
1891	426	14,874	2.86	6,394,298
1892	299	14,631	2.04	2,241,390
1893	416	14,275	2.91	6,755,640
1894	347	14,108	2.46	3,141,249
1895	273	14,371	1.90	2,646,632
Totals and average	4,143		1.83	44,182,893
TEXAS.				
1879	159	12,394	1.28	1,223,892
1880	155	13,302	1.17	1,493,210
1881	234	14,523	1.60	2,713,920
1882	204	17,246	1.18	1,644,254
1883	320	18,857	1.69	3,057,865
1884	493	18,774	2.60	4,365,375
1885	368	19,636	1.88	3,394,460
1886	507	18,381	2.77	5,313,727
1887	503	19,084	2.63	7,098,241
1888	568	20,747	2.74	4,110,355
1889	387	23,392	1.65	4,503,138
1890	331	27,968	1.18	4,002,575
1891	539	27,735	1.94	8,960,141
1892	457	24,240	1.89	5,214,057
1893	579	27,465	2.11	5,441,887
1894	471	26,800	1.76	3,933,526
1895	551	27,489	2.00	4,949,406
Totals and average	6,826		1.89	71,420,029

TABLE OF COMMERCIAL AND INDUSTRIAL FAILURES, ETC.—continued.

Year.	Number of failures.	Number engaged in business.	Per cent of failures.	Liabilities.
VERMONT.				
1879	63	6,649	0.95	$359,736
1880	32	6,699	.48	251,725
1881	22	6,664	.33	155,000
1882	39	6,607	.60	147,348
1883	45	6,703	.67	5,724,263
1884	48	6,642	.72	683,707
1885	44	6,518	.68	256,558
1886	45	6,543	.68	543,494
1887	45	6,603	.68	236,088
1888	34	6,629	.51	197,950
1889	40	6,378	.63	319,253
1890	39	6,437	.61	404,479
1891	43	6,471	.66	225,107
1892	34	6,704	.51	157,558
1893	44	6,794	.65	288,232
1894	33	7,001	.47	315,096
1895	36	7,176	.50	145,300
Totals and average	686		.61	10,410,894
VIRGINIA.				
1879	84	10,540	.80	848,666
1880	85	11,021	.77	708,180
1881	98	11,605	.85	670,583
1882	137	12,030	1.14	2,235,299
1883	134	13,149	1.00	1,448,815
1884	193	14,085	1.36	2,415,254
1885	270	14,436	1.88	7,646,023
1886	223	14,499	1.54	1,750,737
1887	138	15,450	.89	1,046,606
1888	168	16,084	1.04	1,927,770
1889	191	15,875	1.20	1,403,900
1890	148	18,413	.80	1,203,525
1891	180	19,514	.92	1,629,163
1892	178	18,301	.97	1,323,659
1893	252	18,003	1.40	2,400,843
1894	267	17,949	1.49	2,026,042
1895	305	10,307	1.67	2,929,414
Totals and average	3,051		1.16	33,614,479
WASHINGTON.				
1879	58	1,050	5.52	171,305
1880	13	1,424	.93	80,588
1881	12	1,647	.75	99,593
1882	20	1,847	1.05	128,300
1883	50	2,277	2.17	546,837
1884	143	2,694	5.29	841,200
1885	113	3,245	3.53	588,200
1886	63	3,455	1.85	420,650
1887	54	3,861	1.40	233,500
1888	65	4,572	1.42	410,000
1889	119	8,041	1.48	1,235,500
1890	266	9,857	2.70	2,030,800
1891	309	11,857	2.61	2,274,700
1892	196	12,957	1.51	992,300
1893	272	12,555	2.17	3,968,000
1894	180	7,971	2.26	2,073,680
1895	160	8,108	1.97	1,579,078
Totals and average	2,093		2.26	17,708,344
WEST VIRGINIA.				
1879	27	5,743	.47	124,000
1880	14	6,191	.23	96,105
1881	41	6,454	.63	188,233
1882	45	6,791	.66	389,458
1883	55	7,545	.73	407,053
1884	66	7,996	.82	605,580
1885	96	8,244	1.17	751,327
1886	77	8,177	.95	548,783
1887	57	8,513	.67	385,631
1888	69	9,291	.74	442,974
1889	77	9,201	.84	336,943
1890	67	10,270	.65	407,024
1891	72	9,847	.73	349,900
1892	39	10,650	.37	161,800
1893	54	10,541	.51	222,312
1894	100	10,594	.94	532,279
1895	69	10,408	.66	691,324
Totals and average	1,025		.69	6,640,706
WISCONSIN.				
1879	145	19,590	.74	1,886,345
1880	74	21,728	.34	560,207
1881	77	22,919	.34	1,469,616
1882	97	24,411	.40	1,106,942
1883	173	25,803	.67	2,867,432
1884	170	26,497	.64	4,252,470
1885	169	27,722	.61	1,259,006
1886	188	28,517	.65	1,940,167
1887	152	29,404	.52	2,380,950
1888	211	30,367	.69	2,272,182
1889	202	31,414	.64	2,469,035
1890	164	33,041	.50	3,129,201
1891	172	34,231	.50	3,324,330
1892	190	35,993	.53	2,009,238
1893	242	38,373	.63	6,783,297
1894	262	38,521	.68	4,079,124
1895	323	39,257	.82	3,944,530
Totals and average	3,011		.58	45,734,072

TABLE OF COMMERCIAL AND INDUSTRIAL FAILURES, ETC.—continued.

Year.	Number of failures.	Number engaged in business.	Per cent of failures.	Liabilities.
ALASKA, ARIZONA, DISTRICT OF COLUMBIA, IDAHO, INDIAN TERRITORY, NEW MEXICO, OKLAHOMA, UTAH, AND WYOMING.				
1879	67	6,091	1.02	$865,375
1880	41	7,121	.79	360,439
1881	50	8,432	.59	876,004
1882	86	9,576	.90	1,030,950
1883	179	9,974	1.80	1,896,741
1884	128	10,694	1.20	1,983,781
1885	127	12,025	1.00	1,142,840
1886	91	12,234	.74	981,870
1887	133	13,495	.99	2,321,721
1888	135	13,774	.98	2,353,515
1889	119	15,100	.79	923,745
1890	154	15,890	.97	1,110,650
1891	261	16,397	1.59	1,695,959
1892	224	18,284	1.17	1,640,111
1893	433	19,516	2.22	4,669,786
1894	587	19,896	2.95	3,878,375
1895	453	20,073	2.35	2,712,750
Totals and average	3,268		1.30	30,225,620

A recapitulation for all of the States and Territories for the years 1879 to 1895, inclusive, of—

The number of failures by those engaged in commercial and industrial pursuits, the percentage of those so engaged who have failed, and their total liabilities in dollars is shown, as follows:

States and Territories.	Number of failures.	Per cent of failures.	Liabilities.
Alabama	2,114	1.26	$28,324,741
Arkansas	2,185	1.47	21,302,868
California	9,291	2.09	96,861,570
Colorado	2,589	1.56	29,195,439
Connecticut	2,811	.98	30,083,836
Dakota (North and South)	1,080	.72	10,361,199
Delaware	440	.66	5,332,992
Florida	951	1.29	8,395,629
Georgia	3,401	1.55	42,863,766
Illinois	9,271	.78	145,425,514
Indiana	3,699	.56	45,909,755
Iowa	4,306	.81	43,569,102
Kansas	4,020	1.16	30,692,065
Kentucky	4,099	1.05	52,286,764
Louisiana	2,855	1.65	51,306,224
Maine	2,859	1.19	25,319,443
Maryland	2,422	.83	39,121,404
Massachusetts	10,858	1.33	214,483,460
Michigan	3,739	.60	53,706,732
Minnesota	3,932	1.12	57,878,311
Mississippi	2,671	1.96	28,616,817
Missouri	4,906	.63	69,227,480
Montana	562	1.03	7,452,064
Nebraska	3,417	1.34	20,171,418
Nevada	289	1.19	2,879,907
New Hampshire	939	.68	6,481,221
New Jersey	2,489	.49	38,858,596
New York	21,938	.98	643,910,228
North Carolina	2,255	1.34	20,103,941
Ohio	9,090	.76	131,443,373
Oregon	2,232	2.41	16,598,510
Pennsylvania	15,902	.93	272,468,541
Rhode Island	2,109	1.70	43,877,161
South Carolina	1,490	1.32	17,246,557
Tennessee	4,143	1.83	44,182,893
Texas	6,826	1.89	71,420,029
Vermont	686	.61	10,410,894
Virginia	3,051	1.16	33,614,479
Washington	3,093	2.26	17,708,344
West Virginia	1,025	.69	6,640,706
Wisconsin	3,011	.58	45,734,072
Alaska, Arizona, District of Columbia, Idaho, Indian Territory, New Mexico, Oklahoma, Utah, Wyoming	3,268	1.30	30,225,620
Totals and average	171,389	1.02	2,611,521,704

A recapitulation of commercial and industrial failures for all of the States and Territories for the years 1879 to 1895, inclusive, of—

The number of failures of persons, firms, and corporations engaged in commercial and industrial pursuits, the number engaged, the percentage of failures to those so engaged, and their aggregate liabilities in dollars is shown, as follows:

Years.	Number of failures.	Number engaged in business.	Per cent of failures.	Liabilities.
1879	6,658	702,157	0.95	$98,149,053
1880	4,735	746,823	.63	65,752,000
1881	5,582	781,689	.71	81,155,932

A recapitulation of commercial and industrial failures, etc.—Continued.

Years.	Number of failures.	Number engaged in business.	Per cent of failures.	Liabilities.
1882	6,738	822,256	0.82	$101,547,566
1883	9,184	883,993	1.06	172,874,172
1884	10,968	904,759	1.21	226,363,621
1885	10,637	919,980	1.16	124,220,321
1886	9,834	969,841	1.01	114,644,125
1887	9,634	994,281	.90	167,561,030
1888	10,679	1,046,662	1.02	123,829,973
1889	10,882	1,051,140	1.04	148,784,337
1890	10,907	1,110,590	.98	189,786,964
1891	12,273	1,142,951	1.07	189,868,638
1892	10,344	1,172,705	.88	114,044,167
1893	15,242	1,193,113	1.28	346,749,889
1894	13,895	1,114,174	1.25	172,993,856
1895	13,197	1,209,282	1.09	173,196,060
Totals and average	171,389	----------	1.02	2,611,521,704

THE NEWSPAPER CLIPPINGS referred to by me are as follows:

A BANKRUPTCY LAW.

[From the Nashville (Tenn.) American.]

It is apparent that but little legislation of a general character is to be transacted by Congress except the passage of the appropriation bills. This seems to have been decided upon by the managers of the majority. There is one measure, however, not affecting politics or the political fortunes of any Presidential candidate, which should be acted upon by both Houses. It is the bankruptcy bill—a bill needed in every State, in every city, in every business community. It is a measure of vast moment and importance and has in one form or another been before Congress for several years. It is well understood, its main features have been time and again discussed at length, but in previous sessions its consideration has been postponed until the end of the session, when it was too late to give it the attention it deserved.

The entire business population of the country feels the need of a well-framed bankruptcy law, just in its provisions and easy of administration, a law which in its application will not consume the estate of the debtor, but will equitably divide it among creditors. The subcommittee of the House Judiciary Committee has agreed upon a bill containing the chief features of the proposed Torrey bill, which received the approval of all the chief mercantile and business associations in all the States, and a concerted effort should be made now to induce the committee to have the bill reported and Congress to pass it.

Bradstreet's of last week, referring to the pending bankruptcy bill, says: "There are some measures of a nonpolitical character before Congress which one would think should commend themselves to even the most cautious political managers as affording an opportunity for escaping from the consideration of more exciting and hazardous matter. One of these measures is the bankruptcy bill, which has been under consideration since Congress organized for work. Some progress has been made with the measure, though not much.

"The subcommittee of the House Judiciary Committee has finished the preparation of a bill which in all essentials is understood to be based upon the Torrey bill as amended in recent Congresses, and the measure now goes before the full committee, a report of which will probably not be long delayed. Still, the advocates of a national regulation of bankruptcy may recall the fact that the bill has been progressed so far before only to fail of enactment at the end, and they will do wisely to exert whatever effort they can to make Congress see that in failing to enact the law it is tampering with the best interests of the business community."

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AN ACCEPTABLE PRESENT TO THE COUNTRY.

[From the Nashville (Tenn.) American.]

We believe that a well-considered, carefully drawn bankruptcy law would be an acceptable present to the country.

The serious defects in the former bankruptcy system will serve as a most valuable experience in enacting bankruptcy legislation. The point of the most vital interest in the new measure will be the insertion of adequate provisions to make it certain that the bankrupt who is guilty of actual fraud can have no relief under the act. The bankruptcy proceedings should be cheap and expeditious, and the terms upon which the honest debtor may be relieved should be very easy and liberal. Where one honestly deems his pecuniary condition so hopeless as to make him willing to take upon himself the obloquy which is by some cast upon those possessing a bankrupt discharge, almost the only requirement imposed should be absolute honesty in the premises. The public welfare requires that men honestly and hopelessly insolvent should have the chance to commence business again unfettered by the blighting incubus of debt. It is to be hoped that the present session of Congress may give us a good system of bankruptcy.

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PASS THE TORREY BILL.

[From the Chattanooga (Tenn.) Times.]

One of the things Congress ought to do, and do it soon, is to pass the Torrey general bankruptcy bill. It is now much more urgently needed than was ever such a law since our Government was founded.

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LET CONGRESS DO ITS DUTY.

[From the Nashville (Tenn.) American.]

The condition of the country calls urgently for a good bankruptcy law, and the business interests of the country have been looking confidently to Congress to enact the needed measure, naturally believing that the great record of failures in every branch of business and the accompanying depression of values would adequately impress upon Congress the necessity for a bankruptcy law in the interest of both debtor and creditor, as well as the general welfare of the public.

The best interests of the country imperatively demand it. The vast and varied business of the whole United States, almost all of which is done upon credit, demands a uniform rule extending from the North to the South and from Maine to California, providing for the speedy, inexpensive, and just distribution among creditors of the assets of insolvent debtors. And on the other hand, simple justice as well as the general welfare requires that the honest and unfortunate debtor should be relieved of a burden of debt which it is impossible for him to discharge.

The necessity of Congress possessing the power to regulate this subject is apparent, and that body should feel the responsibility placed upon it in that respect by the organic law. The imperfections of the old bankruptcy law as demonstrated by its practical workings is a valuable experience when considering the provisions of a new measure. Nothing but captiousness can prevent the framing of a bankruptcy law which would be equitable in its operation upon all sections and classes. It is now seventeen years since the old bankruptcy law was repealed, and the condition of the country urgently demands another. Let Congress perform its plain duty in the matter and give the nation a well-considered, speedy, and inexpensive measure.

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THE TORREY BANKRUPTCY BILL.

[From the Nashville (Tenn.) American.]

The Torrey bankruptcy bill is one of the important measures which failed of passage through the last Congress. The business interests of the country would be subserved by the enactment of a well-considered bankruptcy law, and the general opinion was that the Torrey bill properly met the requirements of the situation.

The Torrey bill has been before Congress for several years. It has received strong indorsements from all sections of the country.

Judge Stone, whose opinion is given herein, was for over a quarter of a century before his death the chief justice of the supreme court of Alabama:

HON. GEORGE W. STONE'S OPINION—THE PROPOSED LEGISLATION, HE THINKS, IS MUCH BETTER THAN THE OLD LAW AND SHOULD BE PASSED.

Hon. George W. Stone, chief justice of the supreme court of Alabama, who is noted by reason of the soundness of his views upon the subject of integrity of commercial transactions, and whose views upon jurisprudence are always interesting and instructive, has been interviewed as to whether he had examined and considered the Torrey bankrupt bill. In reply to the question he said:

"Yes; I have examined the measure, and consider it a very much better act than either of those of 1841 or 1867."

When asked as to the reasons of the unpopularity and consequent repeal of the former bankrupt law, he answered:

"A grave objection to the former statutes was the enormous expense attending their administration, because of imperfect machinery, and because the administration was in a large degree intrusted to incompetent and frequently corrupt officials. My observation was confined chiefly to Alabama and to parts of Louisiana, in which, if the assets were not large, nothing worth computing ever reached the creditors; and if large, the dividend was shamelessly reduced by unjustified charges.

"The pending act is a great improvement on the old statutes; first, in simplifying the machinery and reducing the expense; and, second, in providing that controverted questions—most of them—may be prepared for a hearing before a referee, whose sitting may take place at some point near the home of the bankrupt, and, consequently, to a place which will generally be convenient to creditors."

Speaking as to the provisions of the pending bill, the judge said:

"Viewed from a moral standpoint, I doubt the policy of voluntary bankruptcy, but the principle is probably so rooted in the public mind that to oppose that would defeat all bankrupt legislation.

"A bankrupt system has two aims: To prevent fraudulent preferences by securing to all the creditors of equal rights an equal participation in the bankrupt's assets. It treats all unsecured collectable debts, save those of a public nature, as of equal dignity and binding obligation. This is strict honesty. Its second aim is to restore to honest debtors, who are borne down by their obligations, the power and privilege of employing their energies and business qualifications in acquiring an honest living, and thus adding to the general welfare. This last object is the only justification or excuse for granting the privilege of voluntary bankruptcy. Honestly exercised, it leads to beneficial economic results. Its facile perversion to abuse is the argument against it.

"The great benefit of a bankrupt law is found in its prevention of fraudulent preferences, no matter in what form they may be attempted. And the demand for such prevention against all business or money corporations is, in my experience and observation, just as imperative as when the attempt is made by natural persons. Incorporated capital is frequently perverted to pernicious uses, and the demand for protection against fraud should meet a hearty response from the lawmaking power. Let business corporations be made subject to involuntary, but not voluntary, bankruptcy."

When his attention was called to the proposition to strike out the involuntary provisions of the bill and leave it simply a voluntary measure, he said, in a very earnest manner:

"The enactment of a purely voluntary bill would, in my judgment, make it possible for the perpetration of the grossest frauds. The scandals incident to both of the laws administered while I was a practitioner arose chiefly out of the voluntary provisions of the bill; that is to say, those cases in which proceedings were instituted by creditors resulted in most part in either the defeat of the proceedings or the administration of the estate, while there were many cases in which parties deliberately prepared to go voluntarily into bankruptcy and succeeded in the consummation of their intent in such manner as to engender the belief that the proceedings were fraudulent and that unfair advantage had been obtained by the bankrupt over his creditors."

Continuing, Judge Stone said:

"The best interest of the people would certainly be jeopardized by the enactment of a purely voluntary law."

In summing up the whole subject the Judge said:

"Considered as a whole, I regard the bill as a good one, and hope it will be enacted by the present Congress."—*New Delta*, New Orleans.

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COMMERCIAL AND INDUSTRIAL ASSOCIATION OF MONTGOMERY.

At a meeting of the Commercial and Industrial Association proceedings were had as follows:

Present: Vice-President Durr and a large number of the members.

Ex-Governor Ligon introduced, and the association considered and unanimously passed, resolutions, as follows:

"*Resolved*, That the Commercial and Industrial Association of Montgomery, Ala., hereby reaffirms its indorsement of the Torrey bankrupt bill and calls upon Congress to enact it at the present session, for reasons as follows:

"(1) Congress alone can pass an adequate law upon that subject.

"(2) The passage of laws, necessarily imperfect, by most of the States constitutes a solemn protest against further inaction by Congress.

"(3) Commercial failures of the whole country are steadily on the increase in numbers, and the amount of the liabilities of those who fail is steadily growing larger.

"(4) The bill in question is the product of the experience of the past and of the business sense and legal wisdom of the present, and its enactment is demanded by the honest, unselfish men of the country.

"(5) Under the provisions of that measure all honest poor debtors who can not pay their debts will, upon a surrender of their property, be permitted

to keep their exemptions and receive a discharge. All honest creditors of the same class will receive a pro rata of the estates of their debtors, without unnecessary delay and at small cost. Valid liens will be enforced and fraudulent ones will be canceled. Honest men will be benefited and dishonest ones punished.

"*Resolved*, That copies hereof be sent by the secretary to members of Congress from this State.

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THE TORREY BANKRUPTCY BILL NOW PENDING IN CONGRESS—IS INDORSED BY THE INDUSTRIAL AND COMMERCIAL ASSOCIATION—THE REMARKS AND OPINION OF CHIEF JUSTICE STONE—DR. LE GRANDE'S VIEWS—WHAT COLONEL TOMPKINS THINKS.

There was a meeting of the Commercial and Industrial Association, which was attended by the most prominent members. The occasion of the meeting was to consider the Torrey bankruptcy bill now pending in Congress.

In the absence of the president, Vice-President Durr presided. * * *

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MERITS OF THE TORREY BILL.

Hon. George W. Stone, for many years the chief justice of the supreme court of Alabama, was called upon by motion to speak upon the subject of bankruptcy legislation, and was greeted with applause. He referred to the presence on the statute books of England of a bankruptcy law which had been there for a great many years, and spoke of the English people as wise and conservative.

In speaking of the Torrey bill he complimented its author and referred to it as a measure as nearly perfect as human industry, ingenuity, and wisdom could devise.

Ex-Governor Ligon introduced and the meeting considered and unanimously passed resolutions reindorsing the Torrey bill and calling upon Congress to pass it.

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OPINION OF CHIEF JUSTICE STONE.

A reporter called upon Judge Stone at the Capitol and found him busily occupied in his room. He kindly consented to be interrupted for a brief interview as to the desirability of bankruptcy legislation by Congress and as to the merits of the Torrey bill.

In reply to an inquiry as to whether he had examined the other bankruptcy bills now pending in Congress, Judge Stone said:

"There have been sent to me all the bankruptcy bills now pending before Congress; after an examination of them I thought that all of them except the Torrey bill were very imperfect and not calculated in any sense to meet the great wants of the country in the matter. None of them approach the Torrey bill either in completeness or as a measure calculated to be beneficial in its provisions."

In further pursuing the subject the eminent jurist stated that "the referee, who corresponds practically to the register of the old law, would be appointed by the bankruptcy court; but he would not be related to any of the judges and would be liable to removal for cause or because his services were not needed.

"The trustee, that is, the person who is to represent the creditors, will be elected and have his bond fixed by them; he will not be paid fees, as under the old law, but will receive a small filing fee and a commission on the amount paid out in dividends to the creditors.

"The clerk of the court will be entitled only to a ten-dollar filing fee upon the institution of proceedings."

Attention was called to the fact that both the method of payment and the amount paid directly tend to secure prompt and inexpensive administration of estates.

When the subject of exemptions was touched upon Judge Stone said: "The law recognizes the exemptions as provided by the laws of the several States, so that each bankrupt will be permitted to withhold from his estate such exemptions as are permitted for the protection of his family by the laws of his domicile."

Remarks were made by the judge upon the provisions of the bill concerning the discharge of the bankrupt, as follows: "A discharge will not be granted to corporations or to dishonest persons. It must be applied for after two and within the next four months after the adjudication. If the applicant was unable to file his application within that time, it may, by permission of the court, be filed within the next six months, but not thereafter. In general terms, a discharge will be granted to such persons as are honest and refused to such as are dishonest. If the discharge proves to have been fraudulently secured it may be set aside upon application made within two years after it was granted."

In making a comparison in brief between the present proposed law and former laws, Judge Stone said: "The present measure is in a truer sense a national enactment than any of its predecessors. For example, the last law contained many provisions relating to the taking of evidence, the validity of liens, the statute of limitations, and other subjects that are omitted from the present measure, which makes it, in my judgment, a much stronger bill and one which is more likely to remain as a permanent law than if it contained additional subjects which I think are more properly left to State control."

In summing up the subject, the Chief Justice said: "I believe that the passage of the bill by the present Congress would tend very largely to prevent frauds in commercial dealings, which are now a reproach upon the country, and that the result of its enactment would be to extend commercial and industrial credit and to benefit every class in the whole country."

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VIEWS OF DR. LE GRAND.

Dr. M. P. Le Grand, president of the Montgomery Bank and of the Commercial Fire Insurance Company, was called upon at the bank by a reporter. In reply to inquiries he said:

"While I have not examined the particular bill in question, I have no doubt but the passage of a just law would redound to the best interests of the whole country. I would most heartily second a movement designed to bring about the adequate punishment of perpetrators of fraud in all of its forms."

Upon the question of the increase or decrease of failures in this country the Doctor said:

"I have seen a table of commercial failures made up by the Treasury Department at Washington from the annual sheets of the mercantile agency of R. G. Dun & Co., and note from these tables that the percentage of commercial failures in this State is rapidly increasing. The table covers thirteen years past. In 1879 there were only 24 failures for the whole State; there were during the same year, all told, 5,483 persons, firms, and corporations engaged in business; the percentage of those who failed to those who were engaged in business was, therefore, 0.44 of 1 per cent. The total liabilities of those who failed was for that year $202,109. The percentage of failures has varied from year to year, with the seeming inclination to increase, until for last year it transpires that there were 258 failures from among the 10,229 persons firms and corporations engaged in business in this State. A computation of the percentage discloses the fact that it is 2.52 per cent. That is an enormous increase in the percentage. The liabilities of those who failed during the same period has increased from the amount stated above to $3,396,365.

"The result for the whole country for the same period is that the increase in percentage has been from ninety-five hundredths of 1 per cent to 1.07 per cent, while there has been an enormous increase in the liabilities of those who have failed for the whole country from something over $98,000,000 to $189,868,638."

Dr. Le Grand made a comparison of figures for England and this country, as follows:

"An examination of the tendency of failures under the English bankruptcy act indicates not only that they are on the decrease in numbers, but that there is a decrease also in the liabilities of those who have failed. I have examined a comparison of the figures for the years 1888 and 1889 as taken from the United States consular reports from England made to the State Department at Washington, and find that for the years stated the decrease in the number of bankruptcies in England was 464; for this country there was an increase during the same period of 203 cases. In England for that period there was a decrease in the amount of liabilities of those who failed of $4,060,945, while for the same period in this country there was an increase in liabilities of $24,954,264. From which it seems to me that the substitution of a wise national law for the many varying State laws would result in the decrease of the failures in this country.

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WHAT COLONEL TOMPKINS THINKS.

[From the Montgomery (Ala.) Advertiser.]

Col. H. C. Tompkins, one of the foremost members of the Alabama bar, was seen at the court-house in Montgomery, and although engaged, considerately gave his views, as follows:

"In my opinion the business interests of the country demand that there should be a bankrupt law. The great injustice of the laws, which allow preferences to be made by insolvent debtors, has been attracting the attention of the bar association of this State for many years. On two or three different occasions resolutions have been introduced into the association and passed by practically unanimous vote, urging the legislature of the State to enact a law which would declare not only that all instruments executed for the security of a debt should operate for the benefit of all the creditors of a debtor, but that wherever the debtor sold his property in payment of his debts such sale should also operate for the benefit of all the creditors, and should be declared to be a general assignment where it embraced substantially all of his property; but it has been unable to get the legislature of the State to pass such a law."

The subject of the inadequacy of the State laws was disposed of thus:

"The result of the present system is that frequently insolvent or embarrassed debtors execute conveyances of their property to relatives who are alleged to be their creditors. As the law recognizes the validity of such a conveyance and only allows it to be set aside on proof that the parties to whom it was made were not creditors of the debtor, and as in the very nature of things the nonexistence of that fact is very difficult of proof, and can, as a general thing, only be shown on cross-examination of the parties interested, the result is frequently that insolvent and embarrassed debtors convey property to the members of their own families upon considerations which are wholly simulated."

In relation to the treatment of home and foreign creditors, Colonel Tompkins spoke as follows:

"While in such cases the home creditor is generally, though not always, protected at the expense of the foreign creditor, yet I believe that a large majority of our business people desire that a bankrupt law shall be passed that will distribute the assets of the insolvent equally among all of his creditors of the same class, because they believe that in the long run they will collect a larger percentage of the amounts which may be due them from that class, as they are, of course, frequently themselves left out, and the general average which they receive would not equal what they would get were the law otherwise.

"There is another reason besides that," said the Colonel, continuing. "It is to the interest of the debtor class that such a law should be enacted. I know of many men who have failed in business, through no fault of theirs, who are men of energy and good business ability, but who, because of having a large indebtedness hanging over them, are unable to go into business on their own account. I have no doubt but that many of them would get into business could they be protected against these former debts, which they could be by obtaining their discharge in bankrupty, and would succeed. And I have such confidence in the honesty of my fellow-man as to believe that in many of such instances the parties would pay their creditors, even after a discharge in bankruptcy, more than they can possibly pay under the present condition of affairs."

Concerning the history of bankrupt legislation, he spoke as follows:

"The great objection to a bankrupt law in this country has grown out of the distrust created by the operation of the former law, the great expense attending the administration of the estates, and the small results received by creditors. Those evils, as well as others, in my opinion, are effectually guarded against by the proposed law."

An inquiry as to the comparative results between the present State laws and the proposed bankruptcy law was answered as follows:

"I think the Torrey bankruptcy bill would enable the assets of insolvents to be sold so as to realize for the creditors a much greater amount than is generally realized by forced sale under attachments, which are usually resorted to by the creditors of embarrassed or insolvent debtors."

"What in your opinion would be the result of the passage of the law upon the frequency of failures? Would it increase them?"

"I think it would decrease them. Many solvent men are now ruined simply by fright among creditors, who would not fail under the Torrey law."

"Would it not result in preventing the hurried action taken by creditors, often precipitating failures?"

"Undoubtedly so, because a man would know that he had nothing to gain by forcing his debtor to the wall, and if he had the confidence of his debtor he would be more apt to be willing to extend time, because he would stand more chance of collecting his debt."

"Will you state why it is that we must look to Congress for the enactment of such a law?"

"Because no State has the power to pass any such law that would discharge a debtor, and of course one of the results that is most to be desired in such a law is the discharge of the debtor. Otherwise, this law would be only for the benefit of the creditor class, and would be unequal in its operations."

In summing up the situation the gentleman said:

"I think Congress ought without further delay to pass the Torrey bill."

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A BANKRUPTCY BILL.

[From the Montgomery (Ala.) Advertiser.]

The proceedings of the Commercial and Industrial Association and interviews with prominent citizens concerning national bankruptcy legislation will be found elsewhere in this issue.

Except for the unfortunate experiences under the old law there would not be any question about the desirability of a national law as provided by the Federal Constitution at the time of its adoption; but in the bitterness of the

recollections of those experiences, it may have been forgotten in some quarters that improvements in all things are possible.

All of the constitutions of the older States have been amended and revised; the various legislatures meet frequently to improve laws which have been found to be imperfect. It seems to us that the same course should be pursued with regard to a bankrupt law.

The Torrey bill has been approved by a great number of national, State, and local bodies—more, in fact, than have ever before approved of any commercial measure. From every part of the country there were sent at the last session of Congress petitions from people in every walk of life. The officers and committeemen of the national body having in charge the agitation are men who are well and favorably known; the list not only includes well-to-do people, but honest bankrupts as well.

This measure, according to an almost unanimous verdict, has been framed with a view to promote the greatest good to the greatest number; it is not in any sense a selfish, sectional, or political measure. It is simply and solely a business measure which has been framed in the interest of business men, and its enactment is demanded by the honest, progressive men in all parts of the country.

An examination of the bill and a consideration of what has been said by the press and in Congress about it leads us to believe that the best interests of the South will be promoted by its enactment, and we therefore call upon the Southern members in Congress to give it their support.

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THE NEED OF A BANKRUPT LAW.

[From the Montgomery (Ala.) Advertiser.]

There is a bill now pending in Congress that is of very great importance to the commercial interests of this country and that ought by all means to pass. That is the Torrey bankrupt bill. As it stands the bill represents the carefully weighed opinion of the most competent jurists and merchants of the Union.

The only reason that we are aware of that has been urged against the enactment of a bankruptcy law at this time is the fact that the repeal of the last law has left the insolvency field open to be occupied by the various State legislatures, and most of the States have in consequence established more or less complete systems of insolvent laws. With these, however, there is profound discontent. They have all the variety of a tessalated pavement, and such uncertainty attaches to their administration in the different States that commercial enterprise and credit are seriously crippled.

The dissatisfaction with State laws instead of diminishing is sure to increase, and for a sufficient reason. Every new railroad and every new telegraph line enlarges the area of common commercial interests in the United States. The failing debtor has always been an object of interest to the leading commercial centers, and now with the multiplication of cities and towns and the ramification of trade and industry, a failure in any one State may affect creditors in every State in the Union. When a failure comes there is a general scramble for the goods in sight, some of the local creditors are made whole, while others, together with nearly all the outside creditors, are left without a dollar to show for property they have parted with in good faith.

With a general bankruptcy law there can be no cause whatever to complain. The creditor's interest is protected; whatever property and effects the insolvent has are fairly and equally divided, and there is no room for fraud or preferences. On the other hand, the debtor himself has the satisfaction of knowing that his estate is honestly applied to meet his obligations in the proportion that it is equal to the demands, and once this is done he can again take up his business career, and if it is in him to succeed, he can succeed without being weighed upon and hampered by a load of old debts. The law will work to the best interests both of the creditor and the debtor class.

We hope the Alabama delegation will be able to give the measure a cordial support. The general idea of the bill has already received the distinguished support of Chief Justice Stone, and we feel sure that the entire business community will welcome it.

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MOBILE INDORSES THE TORREY BILL—CONGRESS PETITIONED TO PASS IT BY THE TWO CHAMBERS OF TRADE—A DISCUSSION IN THE CHAMBER OF COMMERCE THAT DISCLOSED SOME POINTS OF THE PENDING MEASURE.

PROCEEDINGS OF THE MOBILE CHAMBER OF COMMERCE.

[From the Mobile (Ala.) Register.]

The board of directors of the Chamber of Commerce held a special meeting to consider the Torrey bankruptcy bill, which will probably be passed by Congress at its present session.

The bill was submitted to the board by the president, Mr. Samuel Brown, accompanied by a brief statement to the effect that it was a measure which had been favorably passed upon by bodies in all of the large cities, except Mobile, and in most of the small places throughout the country. An informal discussion was had and was participated in by Messrs. Jasper S. Knight, T. A. Hamilton, Ferd. Forcheimer, W. G. Little, H. Pillans, John B. Davis, and John E. Michael.

The discussion disclosed the fact that the bill is in every particular radically different from the old law; that the bankruptcy officers will be paid but small amounts for services and in such a manner as to induce them to be prompt in the performance of their duties; that suits in bankruptcy can not be brought except by the concurrence of three creditors, who together have unsecured claims amounting to $500 or over, the proposed restriction being to prevent the institution of malicious suits; that where all of the creditors of a debtor are less than twelve in number, one creditor can institute such a suit, provided his unsecured claim amounts to such sum; that every defendant so desiring can have a trial by jury as to whether the alleged acts of bankruptcy have been committed; that creditors will be notified of every step in the proceedings and at all times have an opportunity to be heard in favor of, or in opposition to, any proposed proceeding; that preferences can not be given or received; that valid liens will be upheld and fraudulent ones will be declared void; that claims against bankrupt estates may be proved upon being sworn to and mailed to the court; that fraudulent bankrupts, embezzling officers, and dishonest creditors may be punished by fine and imprisonment; that litigation concerning property rights in bankruptcy will be had in the appropriate State courts; that compositions between debtors and creditors may be had with great readiness; that controversies may be compromised, arbitrated, or litigated expeditiously and at small cost; that the bankrupts will be entitled to the exemptions provided by the laws of their States; that discharges will be granted to honest bankrupts, under very carefully guarded restrictions, which will prevent the release of dishonest persons; and generally, that the bill will not interfere with the established business customs of honest men, but will in every respect, and to the greatest extent, be an element of strength to the honest in their battle with the dishonest.

Mr. Jasper S. Knight submitted a resolution, which was, after its consideration, adopted, as follows:

"*Resolved*, That this chamber hereby petitions Congress to pass the Torrey bankrupt bill."

The general sentiment of the meeting seemed to be that the measure in question had been wisely drafted, was being urged by the progressive men of the country for an honest purpose, and that it ought to be enacted by Congress at the coming session.

ACTION BY THE MOBILE COTTON EXCHANGE.

The adjourned meeting of the board of directors of the Cotton Exchange convened, with the president, Capt. Charles L. Huger, in the chair.

The Torrey bankruptcy bill, which was considered at the meeting the day before, was again taken up and the various members expressed their views and the conclusions they had reached after a consideration of the measure.

In order to test the sense of the board, resolutions were submitted, seconded, and considered, as follows:

"*Resolved*, That the Mobile Cotton Exchange hereby indorses the Torrey bankrupt bill, and, in the best interests, as it believes, of those engaged in growing and dealing in cotton, calls upon Congress to enact that measure at the present session.

"*Resolved*, That the secretary is hereby instructed to send copies of these resolutions to the Senators and Representatives in Congress from this State and request their advocacy of that measure."

The resolutions were considered at length and adopted unanimously.

The bodies in Alabama which have taken part in the movement to secure to the country an equitable bankrupt law are as follows: Commercial and Industrial Association of Montgomery, Mobile Chamber of Commerce, and Mobile Cotton Exchange.

The gentlemen who are officers and committeemen of the national organization are as follows: Messrs. Hiram G. Bond, Ensley City; Robert C. Brickell, Charles S. Hasley, Milton Hume, Huntsville; Samuel Brown, J. C. Bush, Orville F. Cawthon, Gaylord B. Clark, Edward L. Russell, Gregory L. Smith, Charles L. Huger, Mobile; Nathaniel H. R. Dawson, Selma; John W. Durr, Milton P. Le Grand, Robert F. Ligon, George W. Stone, and Henry C. Tompkins, Montgomery.

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THE TORREY BANKRUPTCY BILL.

[From the Mobile (Ala.) Register.]

The Cotton Exchange and Chamber of Commerce of this city took favorable action relating to the Torrey bankrupt bill now pending in Congress.

The fact that this bill has been indorsed by commercial and other bodies from one end of the country to the other, and that it has been petitioned for by all classes, is significant in this, that it seems to indicate that the business men of the country can be relied upon to take a hand in legislation relating to commerce.

The word bankrupt has been much abused; it has so often been connected with rascality and has so frequently been used in connection with discredited merchandise that in the popular estimate it signifies either a moral or financial collapse. As used in connection with a national enactment it is designed to have quite another significance.

It is believed by the best minds in the country that the enactment of the Torrey bill will have the effect of diminishing fraud and of exterminating a certain class of fraudulent practices which are now prevalent; that it will beyond question reduce the number of commercial failures; that bankrupt estates will be administered promptly and at small cost; that honest insolvents will be discharged, and that in all respects it will redound to the best moral and financial condition of the great mass of the people.

In civilized communities there are probate laws for the orderly distribution of the estates of deceased persons. Since over 90 per cent of those who do business in whole or in part on credit sooner or later fail, it seems but reasonable that there should be a commercial probate law for the same purpose; the bill in question is such a law. Equity for all time has provided that where a fund was not sufficient to liquidate all claims of the same class against it it should be ratably divided. The Torrey bill is the embodiment of that principle.

As a general proposition, any improvement in the laws which renders the position of debtors more secure and gives additional safeguards for capital invested promotes the interests of debtors and creditors concerning commercial transactions.

We believe the Torrey bill to be an improvement on existing laws, and therefore urge upon Congress the necessity of its prompt enactment.

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THE BANKRUPTCY BILL.

[From the Mobile (Ala.) Register.]

The Torrey bill, to establish a uniform system of bankruptcy, is again before both Houses of Congress.

Various bills having the same object in view have been presented at previous sessions, but none of these have been so universally commended as has the one now pending.

Few bills have been prepared with the same amount of care and thorough inquiry into the requirement of the interests likely to be affected, and the result has been the preparation of a bill as nearly perfect as the wisdom and foresight of the ablest minds of the country could frame.

The Torrey bill is the joint effort of the representatives of the commercial bodies of the United States, assisted by some of the ablest men engaged in financial and commercial pursuits, and it therefore embodies the features which are believed will accomplish all that can be sought in a universal bankruptcy law, and assures equal and exact justice to both creditor and debtor.

The bill has received the indorsement of nearly all the commercial bodies of the country, as well as that of a large proportion of those actively engaged in important commercial and financial enterprises.

There are doubtless minor points which may not receive entire approval, but it is to be hoped that Congressional action will not be embarrassed by proposed amendments, and that other bodies contemplating an expression on its merits will act on the bill in its entirety.

It is desirable that the bill as it now stands should become a law, and after a fair test of its merits such changes as experience may suggest or changed conditions make necessary can be made hereafter.

The simple purpose of a bankruptcy measure is to secure an equitable distribution among creditors of an insolvent debtor's effects. A bill that will accomplish this with certainty, with the least expense, and with the utmost expedition will prove acceptable to the creditor class.

Whatever will take from the honest but unfortunate debtor the millstone of his past and enable him to face the future with earnest, upright purpose and resolute endeavor will commend itself to the class that owes hopelessly but not dishonestly. Such a measure, properly framed, should do much good. Its principle is just and in the line of wise public policy.

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INSOLVENT DEBTORS—DISCUSSION OF THE NATIONAL BANKRUPT LAW BY THE MOBILE COTTON EXCHANGE—COMMENDATION BY LAWYERS AND BUSINESS MEN.

[From the Mobile (Ala.) Register.]

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OPINION OF HON. D. P. BESTOR.

Hon. Daniel P. Bestor, a leading member of the Mobile bar, addressed the board of directors of the Cotton Exchange, for which he is the counsel, and

in effect said: "We have a State law forbidding the giving of preferences, and yet it has been determined by decisions of the supreme court that a failing debtor may sell goods to favored creditors and in effect accomplish the same result. We have had many examples in this city and State of how this condition of the law may be utilized by fraudulent debtors for the perpetration of wrong.

I should think that all creditors would be interested in the passage of a national bankruptcy law, with equitable provisions, as wrongdoers would be thereby greatly deterred from perpetrating fraudulent acts, creditors would be insured against a panic among themselves, and in all respects their financial interests would be advanced.

On the other hand, debtors would be benefited in this, that they would be less likely to be forced into insolvency by frightened creditors, and in the event of financial misfortune would, if honest, be able to secure a release, and be thereby enabled to renew, to the best of their ability, the battle incident to financial success in behalf of their dependents and for the good of the community in which they live.

Incidents of wrongdoing under the old law were cited, and the belief expressed that the provisions of the proposed new law were such as to prevent a repetition of them.

In speaking of the Torrey bankruptcy bill, he said that it was simple in its construction, terse in its expressions, and that he believed that it could be readily and inexpensively enforced.

Attention was called to the fact that Chief Justice Stone, of this State, was an earnest advocate of the passage of the bill, and that he had recently delivered an address at Montgomery, in which he said of it that it was "as nearly perfect as human ingenuity, industry, and wisdom could devise."

VIEWS OF CAPT. CHARLES L. HUGER.

Capt. Charles L. Huger, president of the Mobile Cotton Exchange, was asked for an expression of his views concerning the desirability of a national bankruptcy enactment, and in reply said: "I believe that the passage and administration of the Torrey bill will tend to lessen the perpetration of fraud and promote business morality.

"If it were proposed to give us back the old law I should object; if there was a prospect, or possibility even, of having the measure administered as the last one was I should do all in my power to prevent its enactment; but the facts are that the proposed new law is one that has been very carefully drafted and been improved upon pursuant to the suggestions of large numbers of commercial, industrial, and other bodies in the country until, according to the opinion of everybody, so far as I know, it is an almost, if not absolutely, perfect measure."

With reference to views of other members of the exchange, he remarked that he had heard some apprehension expressed as to whether the passage of the bill would not interfere with established business customs, but expressed the opinion that such would not be the case; but, on the contrary, the bill was designed and in terms provided for the maintenance of legitimate transactions, and the cancellation of fraudulent ones, and that he did not believe that any honest business man had anything to fear from the enactment of the bill, but that, on the other hand, he would find it of value to him in the fight against would-be wrongdoers.

Managers of National Home for Disabled Volunteer Soldiers.

SPEECH

OF

HON. RICHARD W. BLUE,

OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 16, 1896.

The House having under consideration the following resolution, reported from the Committee on Military Affairs—

"*Resolved, etc.*, That William B. Franklin, of Connecticut; Thomas J. Henderson, of Illinois; George L. Beal, of Maine, and GEORGE W. STEELE, of Indiana, be, and the same hereby are, appointed as members of the Board of Managers of the National Home for Disabled Volunteer Soldiers of the United States.

"William B. Franklin to succeed himself, his term of service expiring April 21, 1896. Thomas J. Henderson to succeed John C. Black, his term of service expiring April 21, 1896. George L. Beal to succeed Francis Fessenden, his term of service expiring April 21, 1896. GEORGE W. STEELE to succeed himself, his term of service expiring April 21, 1896. All to take effect April 21, 1896"—

Mr. BLUE said:

Mr. SPEAKER: In the short time left me it is impossible to attempt to reply to many things which have been said here. I simply say here and now that there has been no denial on this floor of the charges of incompetency and mismanagement made by me in the opening of this discussion. The charges of gross mismanagement and gross incompetency of the Board of Managers of the Soldiers' Homes of the nation as shown by the Inspector-General's report stand wholly unanswered.

That this man, W. B. Franklin, is the controlling spirit of this Board of Managers there can be no longer any serious question; that he has a general treasurer who was formerly a clerk in his office and afterwards assistant inspector-general, whose appointment was inspired by Franklin and who controls and manipulates the funds of these various Homes is beyond question or cavil. The truth of it is that the men who are nominally clerks in the general treasurer's office are but clerks to W. B. Franklin. The whole business is a close corporation, governed, dictated, and controlled by this man Franklin. With the exception of, perhaps, W. J. SEWELL and M. T. McMahon, the other members of the Board are largely mere figureheads, who give some attention to their local Homes, but have little or no knowledge of the general business of this luxuriant octopus and soulless corporation which controls the Soldiers' Homes of the nation.

It has not been denied here that regulations of the Treasury as to redeposit of unexpended balances have not been complied with. It has not been questioned that vouchers relating to the post fund are not made in duplicate and are not fully presented for inspection; that in instances these vouchers are six months absent. It has not been denied that this man Franklin keeps in his hands certain funds and holds certain balances which are not deposited with Government depositories. It has not been questioned that the general laws relating to deposit, advances, and withdrawal of public funds have not been complied with. It has not been denied that the records have not been clearly kept and that the statement of accounts is involved and confused. It is conceded that in the shop accounts balances have been forced and that the title of lands and other property pertaining to these Homes is not held in the United States. It is conceded that makeshifts to procure more comfortable sleeping quarters for the old soldiers have been made necessary; that the system of purchasing supplies is not uniform or under general management. It is also conceded that the business methods as practiced by the Board are exceedingly impracticable. It has not been denied that public and private property have been indiscriminately mingled together in these Homes. It is conceded that the surgeon at the Eastern Branch is not qualified by law, and to avoid the requirements of this law he is carried on the rolls as assistant surgeon.

It is admitted that the post fund, at one of the Homes at least, has been used in violation of law to pay men hired by civil authorities for patrol duty in carrying out the civil law and for lawyers' fees to enforce the same.

It is practically conceded that extravagant prices have been paid by the Board of Managers for flags; that stock in the knitting shop has not been accounted for. It can not be denied that under contract with the citizens of the vicinity they were to furnish gas to the Marion Branch, and yet, in violation of the terms and agreement, the Board of Managers have paid rent for gas land to aid in supplying that Home. It is practically conceded that the public funds have been transferred to private banks; that, in violation of the policy of the Government, property belonging to the Government has been insured in companies in which W. B. Franklin was interested. It is conceded that at least one farm belonging to the United States has been occupied by a citizen without rent. It is admitted that a brewing association which furnishes beer to the Western Branch has built and donated a fountain to that Branch; that the governor of said Branch, A. J. Smith, is the custodian of the Keeley fund and the president of the Keeley League; that land has been leased without the authority of law; that permanent improvements have been charged to post funds, and have thereby escaped the scrutiny of inspection; that the effects of deceased members of the Home have in certain instances never been turned over to the treasurer. Many other irregularities, as shown by the Inspector-General's report, are unquestioned and undenied.

Large clothing balances, for some unaccountable reason, are kept on hand. These things are not ex parte testimony. They are a part of the records belonging to this Soldiers' Home management, and can be found full and complete in House Document 288.

It is also conceded that this Board of Managers collects from these poor, indigent, feeble old men in these Homes—the involuntary wards of the nation, who seek the shelter that the Government has furnished by reason of adversity and want—over $400,000 per annum under the guise of a post fund. This post fund is held by this soulless corporation and expended at its own sweet will without rendering any account to the Government of the United States or to any other person. It is practically under the control of this man Franklin and the vultures of speculation and rapine that cluster about him.

In addition to this, the Keeley establishment, which infests every Home by and with the consent of this man Franklin and other members of the Board, is run for the profit there is in it. No account of its collections and expenditures is made to the management of these Homes or to anyone else representing the Government of the United States. No one knows to what extent these feeble old men are robbed by the extortions of this vile and fraudulent institution. From what information I can gather, the soldiers of the Western Branch have had filched from them by the Keeley institute in the neighborhood of $60,000 since its establishment there. The country is given the humiliating and despicable spectacle of a beer hall upon one side of these Homes manufacturing drunkards and the Keeley institute on the other side of the same pretending to cure them.

It is not denied, nor can it be successfully denied, that from 15 to 25 soldiers of the Regular Army were maintained in the Western Branch by the authority of its governor, A. J. Smith, taking the Keeley cure, while feeble, impoverished, wretched old comrades, half clothed, were turned from the gates of that Home in the inclemency of winter.

I am informed and believe that these soldiers of the Regular Army while being maintained at this Home were fed on rations furnished by the Government at a charge to each soldier of $10 per week while they remained in said Home taking the Keeley cure. I have not been able to find any account of said transaction, or that the Government of the United States was reimbursed

by the sums collected from these soldiers who were maintained at Uncle Sam's expense while taking the Keeley cure. Was that sum filched from the Government for the profit of that Keeley institution? It is time that the government of these Homes should look into the management of this Keeley arrangement and ascertain something about the amounts that are extorted from the inmates of the Homes and turned into the Treasury of this speculative institution for the profit of the owners and managers of the same.

I charge that this man A. J. Smith, in reporting relapses in the Keeley cure at from 11 to 13 per cent, knowingly, untruthfully, and perfidiously misstates the facts; and from the best evidence I can get in regard to these relapses they are not less than 60 nor over 90 per cent. That this man A. J. Smith has in several instances made the taking of the Keeley cure a prerequisite to admission to the Leavenworth Home I have no doubt. That he has driven men from that Home because of their refusal to take the cure is beyond question.

I am informed and believe that in a speech he made at the Hampton Home he used substantially the following language when speaking of inmates of the Soldiers' Homes:

If I were Governor Woodfin I would do as I am doing; they would take the Keeley or take the gate, and I have those who will back me up.

I am satisfied that a somewhat similar condition to that in the Leavenworth Home exists in the Home at Togus, Me.

A full, fair investigation of these Homes will show more or less irregularities, speculations, and frauds in every one of them. I do not charge that the governors of all the other Homes are similar to those in the Homes at Leavenworth, Kans., and Togus, Me., but that there is in every one of them more or less speculation and mismanagement.

The records will show that in the Soldiers' Home at Leavenworth the discharges of the comrades are largely in excess of the number in the other Homes of the nation in proportion to the number of inmates. I am informed that the following is a comparative list of discharges of all the Homes:

	1894.	1893.	1892.	1891.
Western Branch	618	589	568	259
Marion Branch	265	272	242	140
Southern Branch	202	260	307	168
Eastern Branch	290	468	470	210
Northwestern Branch	237	247	454	185
Central Branch	248	384	476	285

By this list it will be seen that at the Western Branch, with a membership of only about 2,400, there were 546 more discharged than there were at the Central Branch, with a membership of 5,500; and yet we are told that this is a model Home.

The gentleman from Ohio [Mr. GROSVENOR] was somewhat infelicitous in his reference to General Patrick as an example of the impartiality of General Franklin. Unfortunately, that beautiful little story was spoiled by the family relationship of General Patrick to W. B. Franklin. I am informed and believe that General Patrick was a brother-in-law of Franklin, and that two sons of this same Patrick are now foisted on the Soldiers' Home management on comfortable salaries and in soft places. It seems also exceedingly unfortunate and illogical that gentlemen like the gentleman from Ohio [Mr. GROSVENOR], and General CURTIS, of New York, and Colonel HENDERSON, of Iowa, and General STEELE, of Indiana, can find no better answer to these plain and unquestioned charges than a reference to the military career of W. B. Franklin. No one has questioned that, so far as I recollect; no one seeking to have the irregularities of this Board corrected or the inmates of the Soldiers' Home relieved from oppression has referred in any way to the military career of W. B. Franklin. Why was it dragged into this contest with humid and vaporing sentimentality to answer in the place of argument and defense? Benedict Arnold had a brilliant record for courage and military skill before he proved recreant to his trust and deserted the cause of liberty and humanity; Aaron Burr was a brilliant, forceful, and courageous military leader; but it has never been regarded as logical or patriotic to hold up the early records of these men in defense of their crimes against liberty and humanity.

The gentleman from Ohio [Mr. GROSVENOR], in the intensity of his feeling, so far forgot himself as to use unworthy and undeserved language toward that great, good, and Christian soldier, Gen. O. O. Howard. I have, up to this time, scrupulously abstained from the use of any language that could be construed as a charge against the military history or record of W. B. Franklin; but I now serve notice upon the gentleman from Ohio [Mr. GROSVENOR] that if the insipid sentimentality heretofore practiced in this discussion in the defense of W. B. Franklin is to be continued, and such expressions applied to General Howard, I will take occasion at some future time to claim the indulgence of the House while I lay before it and the country some facts concerning the military history and record of this president of the Board of Managers of the Soldiers' Homes of the nation.

The gentleman from Indiana [Mr. STEELE] has laid before this House some documents signed by business men of Leavenworth City and has read some telegrams from a few others prominent in public affairs in Kansas. Without disparagement to any of the gentlemen who signed these documents and telegrams, it is pertinent to say here and now that they are business men who transact more or less business directly or indirectly with the governor of the Leavenworth Home or parties connected therewith. Gentlemen here all understand how easy it is to procure signatures to such documents and with what facility petitions are secured upon almost any subject. Some of the gentlemen who signed these papers doubtless never were inside the precincts of the Soldiers' Home and have no knowledge of its management or control. Of the Keeleyites who signed the statements in regard to the management of this Home, it need only be said that they are almost without exception reformed drunkards. In fact, it seems that under the management of these Homes throughout the country the reformed drunkard is preferred to a man of sobriety and character by the governors who are in authority there. This is especially so of the Western Branch, located at Leavenworth, Kans. The governor of this Home, himself having for many years been in charge of that Home while a confirmed drunkard, has been kept in power knowingly and purposely by the Board of Managers after his pretended reformation. It must by this time be apparent to this House that the gentleman from Indiana [Mr. STEELE] would not be convinced of the depravity and drunkenness of this man A. J. Smith if one was raised from the dead to testify against him.

I am informed and believe that one chaplain has resigned his place and refused to remain at the Home on account of Smith's drunkenness and brutality. The Catholic chaplain now there has, I understand, been there but a short time and is probably not familiar with the workings of the Home. The Protestant chaplain who testifies about the phenomenal management of the Home was, I am informed, a tippler himself, and whatever may be his character now, he has not always had a very clear discrimination of the line which divides public from private property in the Home.

What must be the character of these Christian ministers who administer to the spiritual wants of the comrades in that Home while a beer hall, run under their immediate observation, realizes a profit of over $13,000 per annum, and a Keeley league plies its vocation unceasingly upon the same ground? How exalted, holy, and upright are the lives of these two ministers I leave this House and the country to determine.

A statement in regard to affairs of the Home at Dayton, Ohio, has recently come into my possession. How much truth there may be in it I will leave the Board of Managers and the gentleman from Ohio [Mr. GROSVENOR] to determine. It is substantially as follows:

"You are right in saying that Mr. Franklin is the Board of Managers. His word is law in everything pertaining to the management of the National Homes. Now that you have the start made, do not yield an inch until you have had a Congressional committee appointed, and of good men, to investigate the management of all the National Homes. You will be surprised when you know of the abuses that are practiced in all the Homes. In the first place, fight day and night for the defeat of Franklin. That part of this Home known as the depot (the tailoring department and stocking shop) is under control of an old lady, Mrs. Miller, who has been here since 1868. A recent examination of her accounts shows a deficiency of over $52,000 which can not be (or has not been) accounted for. Then there is an appropriation of some $23,000 for policing the grounds. There are on this force about eight or nine paid men and one two-horse team. The work is done by soldiers under sentence of Governor Thomas's court. The private secretary of the governor, Mr. Patrick, is carried on the pay rolls as farm superintendent. I don't think he could tell which end of an onion to put in the ground. Mr. Patrick's wife is on the pay rolls at $75 per month as milk inspector. A daughter of Governor Thomas is on the pay rolls as an arranger of music for the Home band.

"Now, all the moneys paid to these people is illegal. The General Government expects the governor to pay his secretary out of his own salary. Thomas has been here since 1868, and has drawn many thousands of dollars from the Treasury. There is a camp inspector at a salary of $125 per month who is one of Thomas's pets. Any old soldier can do his work for $15 per month. The inspector has failed to find the maggots in the meat blocks in the kitchen, or if he did see them he never reported it. There is nearly completed an amusement hall costing $18,000. That amount of money had better have been expended for new bedding. The so-called mattresses are made in a factory owned by General Franklin. A mattress not 1 inch in thickness and one coarse blanket is our under-bed, with a sheet and two blankets for covering.

"The hospital is a den of corruption. The soldiers who have positions there are nearly all morphine or whisky drunkards. The

hospital steward is an ex-convict and is a bad drunkard, but he knows too much and they are afraid of him. The superintendent of the beer hall is also an ex-convict, so you see they are not nice men. The majority of the soldier clerks are drunkards. I do not know a strictly temperate man among them. Push your investigation. The tailoring that is taken outside costs 200 per cent more to make than the same kind of work costs in Dayton.

"When the Board of Managers are here they advertise a day to hear complaints, but there is always a number of the Home officers present, and the men are afraid to tell their wrongs. And a man who makes complaint is either discharged or transferred very soon after the Board leaves.

"General GROSVENOR, of Ohio, would be a good man to have on your searching committee."

I do not vouch for the correctness of the above statements in every particular. I am informed that a man by the name of Patrick is in office in the Dayton Home. As to the character of his employment I am not fully advised. It will be an easy matter, however, for the Board of Managers to determine how near the truth this statement comes. I have one suggestion to make to them as a pointer to assist them in tracing the shortage in the shop account. If I have figured correctly, the following statement gathered from pages 45, 46, and 59 of the Report of the Board of Managers, National Home for Disabled Volunteer Soldiers, for the fiscal year ended June 30, 1895, will show the condition of the tailor-shop account of the Dayton Home to be as follows:

July 1, 1894:		
Stock on hand		$72,731.77
Received		95,628.65
Total		168,360.42
Cost of material used:		
17,479 blouses	$27,931.44	
5,877 dress coats	19,061.46	
501 great coats	1,936.97	
23,012 trousers	35,318.81	
17,330 vests	13,354.49	
		97,603.17
July 30, 1895. Balance		70,757.25
July 30, 1895. Stock on hand		21,082.96
Apparent deficiency		49,674.29

Will the Board of Managers investigate this account and tell Congress and the country what is the matter?

I desire at this time to further state that I am informed and believe that all the steam boilers of the different National Homes are insured by W. B. Franklin in the Hartford Steam Boiler Inspection and Insurance Company, of which company Franklin is an officer. I mention these matters as subjects of investigation for the Board of Managers, and to each and all of them. It has been stated on this floor that the charges made against A. J. Smith have been investigated before. I have already stated, and I reiterate it, that the charge of drunkenness in February last made against A. J. Smith has not been before investigated; neither has the charge of turning old soldiers from the Home while regular soldiers were being treated in the Keeley institute there; neither have the charges of incompetency and negligence, as shown by the inspector-general's report.

I have stated, and I reiterate that statement, that any investigations made at the Leavenworth Home by this Board of Managers, or any one of them, or by its pliant tool, W. W. Averill, was a roaring farce. I further state that any investigation of this Leavenworth Home made while this man A. J. Smith is left in command there will be a fraud and a farce. And I state here and now that I am informed and believe that W. W. Averill was sent to that Home to make an investigation under the direction of and with instructions from this man W. B. Franklin to examine only certain witnesses; and that the said W. W. Averill examined only such witnesses as he was instructed by W. B. Franklin to interrogate; that the said W. W. Averill went to said institution with his whitewash brush and his paint already mixed to adorn and paint over this man A. J. Smith at the command and under the directions of the president of the Board of Managers of the Soldiers' Homes of the nation—W. B. Franklin. That this instrument of General Franklin followed implicitly the instructions and directions of his master, I have no doubt.

Mr. Speaker, there is one other charge made against the management of the Leavenworth Home, and that is that the governor's secretary, E. B. Wheeler, is a United States commissioner, performing the duties of that office at the Home. It is charged that this man Wheeler is the servile instrument of A. J. Smith, issuing processes not only to bring offenders before him, but for the purpose of returning discharged members of the Home for coercion and oppression by the brutal governor thereof. It is alleged that he has not only been guilty of this perversion of the law, but that he is a miniature Jeffrey, and is using the law as an instrument of oppression for the purpose of carrying out the wishes and desires of the governor of that Home. It is also alleged and charged that he (Wheeler) wrote and caused to be published a libelous article concerning Jesse George, an attorney, who was seeking to protect the interests of the inmates of the Soldiers' Home at Leavenworth, and that he was compelled, under the peril of prosecution, to publish a retraction. The following is a copy of said retraction:

NATIONAL MILITARY HOME,
Leavenworth County, Kans., January 14, 1896.

SIR: I have your letter of the 13th instant, and desire to say that I regret the unfortunate use of the word "disreputable" in connection with your name, in a letter recently addressed by me to the Topeka Capital.

I certainly had no reason nor intent to reflect upon your reputation, and desire to make whatever reparation is just.

I have this day addressed a letter to the Topeka Capital explanatory of this matter.

Colonel Smith had no knowledge whatever of the letter written by me, and is in no wise responsible for this reflection upon your character.

Very respectfully,

E. B. WHEELER.

Mr. JESSE GEORGE, *Leavenworth, Kans.*

It has been charged that A. J. Smith inspired this libelous article of his servile secretary. The surroundings and circumstances are significant.

No effort has been made here to deny or refute the charges against this man Wheeler and his connection with A. J. Smith, the governor of the Leavenworth Soldiers' Home. That inmates of this Home have been brutally treated by the authorities there and deprived of their liberty can not be questioned. The records of the court already show that some comrades at least have been taken from the custody of this man Smith by proceedings in habeas corpus.

I have in my possession also records showing that one inmate of the Home at Leavenworth is prosecuting an action against this same man A. J. Smith for $15,000 damages for compelling him to take the Keeley cure three times. I have further evidence going to prove that this brutal governor, after being sued for compelling this man to endure the Keeley cure three times, sought through coercion and oppression of the plaintiff in the action to procure from him a statement adverse to his interest and in favor of the dismissal of the action. Failing in this, this same defendant, A. J. Smith, has procured a removal of the case to the Federal courts on the ground that he is a citizen of the State of New York while the plaintiff is a citizen of the State of Kansas.

I have also additional testimony showing that when Senator Plumb six years ago sought to correct the abuses of this Home this crafty and disreputable governor used his influence to procure a gathering of some of the inmates of the Home in a post meeting for the purpose of denouncing Senator Plumb and approving the course of the managers of the Home.

If I am correctly informed he is even now using his power and influence for the purpose of obliterating and destroying testimony going to prove his evil conduct and his unfitness for the place he has so long disgraced and dishonored.

Mr. Speaker, I desire at this point to emphasize and restate to this House and the country what my colleague from Missouri [Mr. TRACEY] has so ably presented upon the cost of these Homes. He says:

I find, in examining the reports of the Board with reference to the cost of maintenance, some remarkable facts. I call attention to the fact that the efficiency of the management must of necessity have a very close connection with the cost of maintenance. Now, in turning to the record, I find that General Franklin was elected in 1880. In that year, according to the report, the cost of maintenance per capita in the Homes was $118.23. From that time on until 1892 the cost increased. This was under the management of General Franklin. It increased in 1881 to $132; dropped a little in 1882 to $125; increased in 1883 to $137; dropped a little again in 1884 to $132; in 1885 to $138; in 1886, $125; in 1887, $138; in 1888, $132; in 1889, $144; in 1890, $141; in 1891, $139, and in 1892, $143.

This rapid increase in the cost of maintenance called the attention of Congress to the fact that money was being expended extravagantly in the management of the Homes. The Fifty-second Congress took no action, but in the Fifty-third Congress it was provided that an additional inspection of the accounts of the Homes should take place, under the authority of the War Department. Now I call the attention of the House to the rapid decrease in the cost of maintenance that has occurred since the War Department took a hand in the auditing and the examining of the accounts of the Homes.

In 1892, as I said, the cost of the maintenance was $143.75. In 1893 it was $140.95. That small decrease occurred before the inspection by the War Department took place; but in the succeeding year, in 1894, there was an examination of the accounts by the War Department, and the cost of maintenance was reduced to $127.45. In 1895, under the operation of the same system of inspection, the cost of maintenance in the National Homes has been reduced to $115.80. Here, then, we have, from 1880 to 1892, a constant going up hill under the administration of the Board over which General Franklin presided all this time, while within three years after the inspection by the War Department began we have a rapid decrease from $143 down to $115.

This is the showing made by this great, good, and efficient man Franklin. On this record he seeks indorsement and continuance in power.

If this Committee on Military Affairs was so anxious to make a proper report, why did the gentleman from New York (General CURTIS) suppress the letter of Governor Anthony? Why has that gentleman been wandering around the House electioneering this morning? If he had been as solicitous for the welfare of the old soldier as he was to have capital punishment abolished, cheating

the law of its deserving victims, he would have looked into the matter and presented the letter to the Committee on Military Affairs for examination. If I am correctly informed he suppressed it. That has been the method of W. B. Franklin's friends here on this floor.

If the position is to be taken here that we must not elect someone else in W. B. Franklin's place—if the election of anybody in his place is to be regarded as a disparagement of him—we ought so to understand it. He is not in this place at $4,000 a year for his health. He has been there sixteen years. As the late Senator Plumb said, it is time there should be new blood in this Board. And it comes with bad grace that he and his friends should be insisting here upon his reelection at the expiration of sixteen years, asking that he should be granted a lease of power for six years more, and talking about "investigations" at the same time.

The gentleman from New York [Mr. RAY] (he always reminds me of a turkey cock when he stands in his place to speak) speaks of this matter as though it were an asinine proceeding for us to come in here with our propositions supported by affidavits, and suggests that we ought to have gone before the Board of Managers. The gentleman from Iowa [Mr. HEPBURN] has well said that he would be an ass who would file a complaint before a court to try itself. Every investigation that has been attempted by this Board of Managers has been a stupendous farce, and every man who has had any experience with it knows the fact. And I challenge the attention of the gentleman from New York, General CURTIS, to the expression of a near friend of W. B. Franklin—that Colonel Smith was held in place by some mysterious influence which held in bondage General Franklin. Will the gentleman from New York, General CURTIS, state what that is? Will General Franklin's friends state what it is?

Mr. CURTIS of New York. I ask the gentleman whether he referred to me when he spoke just now of "some mysterious influence"?

Mr. BLUE. I asked you to state what it was.

Mr. CURTIS of New York. There is no such influence; there has been none; there is nothing on which that statement could be based.

Mr. BLUE. Governor Anthony says that a near friend of General Franklin says there is such an influence, and it is a matter of common report in that community.

Mr. Speaker, in conclusion I desire to say that it is an easy matter for gentlemen to plead the cause of the wealthy and titled here, but who shall defend the weak and helpless inmates of the Soldiers' Homes in their poverty and distress? The president of the Board of Managers is a graduate of the West Point Military Academy and a titled and wealthy aristocrat. Other members of said Board, without exception, I believe, are ex-army officers of high rank. So far as I am informed, no private soldier has ever been given a position on this autocratic Board or permitted to share in its counsels.

The inspector-general selected by this Board of Managers, W. W. Averill, is a graduate of the United States Military Academy and a retired army officer. The treasurer of the Pacific Branch Home, Capt. T. K. Upham, is a retired army officer. The adjutant of the Western Branch, Moses Harris, is also a retired army officer. Thus it is that the management is hedged about by rank, caste, and autocratic influence.

No member of either branch of Congress should be permitted to hold a place on this Board. In the past the members of this Board have formed a mutual admiration society and with unblushing effrontery have sought to thwart Congress in enacting wholesome laws for the restraint of this Board of Managers. Even now this influence is seeking to ingraft upon an appropriation bill passed by this House, and now in the Senate, an amendment broadening the power of this Board of Managers and relieving it to some extent of the accountability for its conduct.

I challenge the attention of this House and the country to the conduct of the Board of Managers of the Soldiers' Homes, and I appeal to this House and the patriotic people of this nation to stand by the poor, impoverished, and feeble old comrades who inhabit the Homes made cold, inhospitable, and uncomfortable by the brutal and outrageous treatment of the men who control and govern them. How long are these old comrades to be made merchandise for the beer hall and the Keeley League? How long are they to be robbed of their substance by these vile institutions under the shadow of the flag they sought to preserve and run under the protection of the Board of Managers of the Soldiers' Homes?

The enlightened, courageous, and patriotic sentiment of the plain people of this nation when once aroused will drive the oppressors of these men from power and compel the representatives of the people to put in their places humane and just men.

So long as God gives me strength and the people of Kansas return me to my place in this House, I propose to pursue the oppressors of my comrades until the guilty are brought to justice and the wrongs of the defenders of the nation are righted.

Pensions.

REMARKS
OF
HON. JOHN E. McCALL,
OF TENNESSEE,
IN THE HOUSE OF REPRESENTATIVES,

Tuesday, April 28, 1896,

On the bill (H. R. 8271) relating to pensions.

Mr. McCALL of Tennessee said:

Mr. SPEAKER: For many years subsequent to the war of the rebellion there was a persistent and continued opposition to pensioning the Union soldier. Happily for the honor of the country, as the years rolled by and we became further removed from the bitterness and scars engendered by the war, this opposition grew beautifully less until all parties concede that the principle of pensioning the defenders of the country is a just and proper one.

The custom of pensions had its origin long years before this last experiment at self-government was dreamed of. A beautiful custom it is, partaking somewhat of the doctrine of reciprocity.

In the hours of darkest peril and direst distress a Government must of necessity call upon its citizens to rally to its defense, whether the foe be from without or within. In responding to such a call the citizens lay down their peaceful avocations, bid adieu to home and loved ones, and, becoming soldiers, offer their service, their health, their lives, in defense of their country. A citizen who has passed the heyday of life is not desirable for a soldier, nor is he who is disabled in body or mind. The Government demands the service of the young, vigorous man. Thus it is that the very flower of the country is required to constitute our Army and to defend our flag.

This requirement by the Government of the very best service of its hardiest and strongest citizens, exposed to all the hardships and dangers of war, must in the nature of things carry with it an implied moral obligation on the part of the Government, when the war clouds shall have rolled away and the country again is peaceful and prosperous, that it will aid the soldier who offered his young life, his robust health, his all for its defense whenever that soldier or those dependent upon him shall stand in any need of such assistance.

In my opinion, the government that refuses to provide for its disabled and dependent defenders, whether such disability accrued while in line of duty or is the result of ill health or accident subsequent to the service, or if it is alone attributable to old age, is unworthy a place upon the map of the world.

Mr. Speaker, having stated that all men agree that the principle of the Government pensioning its soldiers was correct, it remains to discuss what law will afford the best system of pensions and what character of administration will best promote the attainment of the object sought.

It is very clear to my mind that either our present pension laws are fatally defective or the present administration of them is vicious. The former proposition I do not believe to be true. While, no doubt, some defects exist in the present pension laws, yet they are sufficient to afford relief to every worthy claimant upon the bounty of the Government if fairly and justly construed and administered.

I do not agree with the gentleman from New York [Mr. McCLELLAN] in his statement made on last Thursday that the Pension Bureau is now "admirably administered." If that were true, then there would be no necessity for passing the pending bill. If by "admirably administered" he means that it is just to the old soldier or right in principle to construe the law against him in every possible case; that it is right to consider every applicant for a pension as wholly unworthy of belief in his statements; that it is right to pursue every applicant with an army of detectives as large as the regular detective force of the Department, augmented by almost every postmaster in the land, then I agree with him. If by "admirably administered" he means that it is right to communicate with such of the applicant's neighbors as are known to the Department to oppose the applicant in his efforts to obtain a pension for such history of the applicant covering his entire life as it suits the informer to render; if it is right to conceal from the applicant this information and its cowardly author, that he might meet the statements and deny, disprove, or explain them; if it is right to decide his claim adversely on this ex parte evidence, that has not enough truthfulness on its face to permit it to see the light of day, then I agree with him. In short, this is an "admirable" administration of the Pension Department if it be admirable to throw every possible obstacle in the way of the applicant's successful prosecution of his claim, and with the patience of Job wade through the many thousand pensions granted to dig up some

questionable ground upon which to discontinue some old soldier's pension or that of his widow and children. It depends largely from what standpoint one views the present administration of the pension law as to whether one concludes that it is admirable or contemptible.

In my judgment it is not the laws as they are written that produce the trouble. It is the construction and administration of them.

Mr. Speaker, the enactment of the pending bill is necessary in order to straighten out the tangled web into which those who now administer the pension laws have woven them in their endeavor to disallow every application possible and to discontinue every pension where there was a shadow of excuse for it—for the purpose, as I allege, of preventing the roll of pensioners from increasing—and as a result of that purpose the roll shows a net increase of only 980 for the fiscal year ended June 30, 1895, although there were 142,540 original applications passed upon.

Mr. Speaker, section 1 of the pending bill is as follows:

That no person otherwise entitled to a pension by virtue of any law of the United States shall be disqualified from receiving the same by reason of any prior service in the Confederate army or navy during the war of the rebellion, nor shall the widow, children, or dependent relatives of such person be deprived of a right to pension by reason of such service: *Provided*, That no pension shall be granted by virtue of this section for disability contracted or incurred while aiding or abetting the late rebellion against the authority of the United States.

In my humble judgment there is no necessity for enacting that section into law, except the unnatural and strained construction placed upon the act of June 27, 1890, by the present Commissioner, and this section tells him in terms so plain that a man, though a fool, can not err in his understanding of what it means and what the Congress and the country desire in regard to the class of soldiers therein referred to.

I have said that this section is necessary because of the unnatural construction by the Commissioner of the act of June 27, 1890. What are the provisions of that act? For this argument I need only quote parts of sections 2 and 3.

Section 2 provides—

That all persons who served ninety days or more in the military or naval service of the United States during the late civil war of the rebellion and who have been honorably discharged therefrom, and who are now or may hereafter be suffering from mental or physical disability of a permanent character, not the result of their own vicious habits, which incapacitates them from the performance of manual labor in such a degree as to render them unable to earn a support, shall, upon making due proof of the fact according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the list of invalid pensioners of the United States, and be entitled to receive a pension not exceeding $12 per month and not less than $6 per month, proportioned to the degree of inability to earn a support, and such pension shall commence from the date of the filing of the application in the Pension Office, after the passage of this act, upon proof that the disability then existed, and shall continue during the existence of the same.

Section 3 provides for the widow or minor children under 16 years of age of the soldier granted a pension in section 2 already quoted.

It will be noted that section 2 provides for all persons who served ninety days or more in the military or naval service of the United States. This language is direct and emphatic, and under this act Republican Commissioners of Pensions granted pensions to all persons who brought themselves within its explicit provisions. The result is that on June 30, 1895, there were 365,118 invalid old soldiers, 95,696 widows and minor children of old soldiers, 12,997 navy invalid pensioners, and 5,104 widows and minor children of sailors drawing pensions under this law, aggregating 478,915. By far the greater portion of these were placed on the pension roll prior to the advent of the present Administration.

On June 30, 1895, there were 460,385 pensioners under the general law, so that on that day there were in all 939,300 pensioners chargeable to the war of the rebellion and 31,224 chargeable to previous wars, making a grand total of 970,524 pensioners.

Mr. Speaker, the Revised Statutes of the United States, section 4716, provided that—

No money on account of pension shall be paid to any person, or to the widow, children, or heirs of any deceased person, who in any manner voluntarily engaged in or aided or abetted the late rebellion against the authority of the United States.

By act of Congress passed March 3, 1877, Revised Statutes, section 4716, it is provided that the section last referred to "shall not be construed to apply to such persons as afterwards voluntarily enlisted in the Army of the United States, and who, while in such service, incurred disability from a wound or injury received or disease contracted in the line of duty." In the face of the plain provision of the act of June 27, 1890, providing that "all persons," etc., and contrary to the ruling of its immediate predecessors and in disregard of the act of March 3, 1877, repealing section 4716, Revised Statutes, the present Administration holds that persons who, prior to enlisting in the United States Army, rendered service in the Confederate army, although holding honorable discharges from the Army of the United States, were not entitled to pensions under act of June 27, 1890, alone on account of this Confederate service. I am aware that there has been an effort made to break the force of the just criticism of this unwarranted construction and to hold that only those who rendered voluntary service to the Confederacy are not entitled to pensions, but this dodge will not serve the purpose for which it is intended, since the rule of the Pension Office requiring ex-Confederate soldiers to prove by two witnesses at this late day that their service was not voluntary is so unfair and extreme that it can not be complied with and all alike are dropped from the pension roll with but few exceptions. Why was this ruling made? Evidently to stop the growth of the pension roll.

Mr. Speaker, upon the entering into office of the present Administration there was a scheme entered upon to reduce the number of pensions. At once a review of all the pensions granted under the law of 1890 was undertaken, that being the class of pensions that presented to the mind of the Commissioner the most inviting field to find excuse and trivial reasons for dropping pensioners and to reduce the roll.

An analysis of the figures submitted by the Commissioner in his report for the fiscal year ended June 30, 1895, page 36, will furnish food for thought and tend to prove what I have already stated.

We find that out of 460,385 pensioners under the general law there were dropped for all causes during the fiscal year 1895 16,308. Of this number 12,843 were dropped by reason of death, 655 by remarriage, 542 minors by legal limitation, 1,244 by failure to claim, and 1,024 for other causes. Under the law of June 27, 1890, out of a total of 478,915 pensioners, there were dropped for all causes during the fiscal year 1895 23,672. Of this number 12,973 were dropped by reason of death, 544 by remarriage, 602 minors by legal limitation, 1,069 by failure to claim, and 8,484 for other causes. It will be noted that under the class for which no causes are assigned for dropping the pensioner there were only 1,024 dropped under the general law and 8,484 dropped under the law of June 27, 1890, or nearly 800 per cent more under the law of 1890 than under the general law for which no cause for discontinuing is assigned. This act of 1890 was the field wherein the Commissioner found opportunity to discontinue a large number of pensions without assigning cause. As a result the Administration boasts that the net increase of pensions for 1895 was only 980.

But if he had kindly stated the causes for which these 8,484 pensions were discontinued, I feel safe in saying the report would have shown that a very large per cent were discontinued because the pensioners had rendered service to the Confederate cause, although they afterwards enlisted in the Federal Army, rendered valuable service, and now hold honorable discharges.

Mr. Speaker, it is to cure this evil and protect this class of soldiers that we ask the enactment of the first section of this pending bill. Many of these men were loyal Union men originally and many of them were conscripted into the Confederate service. Many of them entered the Federal Army, were captured, thrown into Andersonville and other prisons, and by a process of starvation, exposure, and inhuman cruelty unsurpassed in the annals of the world—certainly in any civilized country—they were reduced to walking skeletons, covered with putrid sores, and reeking with vermin. While thus standing at death's door they were offered liberty on condition they join the Confederate army. Hating the flag they were asked to follow, detesting the cause for which they were to take up arms as the price of their liberty, they yielded. Who would not risk all to escape such horrible death and fly from the contaminated prison walls, the charnal house of Andersonville, and escape its filth, its stench, its gloom, and bathe again in the pure sunlight of heaven and drink great drafts of fresh, wholesome air? These poor fellows, for months fed on husks and exposed to the pitiless storms of winter and scorching suns of summer, in rags reeking with filth, knew their purpose. Their hearts were yet loyal. It was their purpose to regain liberty by joining the enemy, to desert, and fly to those who fought for the flag they, too, loved, and again take up arms for their country. This they did, and fought for the Union to the close of that awful struggle and were honorably discharged. If they are entitled to pension on other grounds it should not be denied them solely because of such service in the Confederate army.

While there is some discontent on this side of the House with the first section of the bill, by far the most pronounced opposition comes from the Democratic side. I do not think I am wrong when I say that four-fifths of the Democratic members on this floor were either Confederate soldiers or believers in the Confederate cause, or are the sons of one or the other of the classes named. Is this Democratic opposition based upon high patriotic ground or does it emanate from a desire to punish such persons, by discriminating against them in the pension laws, for deserting a cause which the opposers of this section on the other side once loved so well and fought so bravely to maintain? The gentleman from Maryland [Mr. MILES], "the son of a rebel," to use his own language, was particularly severe upon this class of soldiers. His eloquent and bitter denunciations of them as traitors, deserters, and Hessians but served to subject the gentleman to the

grave suspicion that this "son of a rebel" was opposing this section of the bill not from patriotic motives alone, but out of a spirit of revenge. Those on this side of the House who oppose section 1 of the pending bill do so not because the man deserted the Confederate cause but upon the ground that a citizen who once bears arms against the country should never be restored to the same rights and immunities that he enjoyed before this act of disloyalty, however bravely and devotedly he may subsequently follow his country's flag.

Between these two contending forces the class of soldiers sought to be benefited under this first section would have a rocky time. On the one hand he is refused a pension because he dared to take up arms against the Union, and on the other he is refused a pension because he dared lay down his rebellious arms and fight for the Union. One denounces him as a rebel; the other denounces him as a deserter. Whichever way he flies is death.

Mr. Speaker, I do not agree with either of these contentions. If I read history aright, the President of the United States, the Congress, and the commanding generals in the late war received the deserters from the Confederate army with open arms and rejoiced at their coming.

They were clothed in the uniform of the Union soldier. In their hands were placed the best weapons at command. They touched elbows and marched side by side with the other soldiers beneath the Stars and Stripes, to the air of "Rally 'round the flag, boys." They fought, bled, and died for the Union. Who did more? Who dare do more? Many of those who survive hold honorable discharges. These men can not be slighted or lightly brushed aside. There is more involved than dollars and cents—a principle as everlasting as the granite hills and as sacred as our flag.

If these soldiers were worthy to wear our country's uniform and follow our country's flag until honorably discharged, that discharge should be a certificate of loyalty, and there should be no desire or opportunity to go behind it.

Mr. Speaker, while I do not fully agree to all the provisions of the pending bill, containing, as it does, 21 sections, yet I shall give it my support. It does not add any new class of pensioners, but, in my judgment, is only administrative legislation. It bridles a hostile Commissioner and rolls away many of the obstacles that hinder the worthy applicant, and makes his pathway to the Pension Office plain. If a claimant can not bring himself within the provisions of the pension laws by a preponderance of reasonable proof, then he ought not to go upon the pension rolls, but he should not be prohibited from bringing himself within the provisions of the law by a lot of red tape and a failure to comply with unreasonable demands and requirements at the hands of a hostile Administration. This bill will go a great way in correcting the wrongs to which the defenders of the country and their widows are now subjected, and will be hailed with delight by a large class of old soldiers, and, in my judgment, will be approved by all right-thinking men throughout the country.

Pensions.

REMARKS
OF
HON. LUCIEN J. FENTON,
OF OHIO.

IN THE HOUSE OF REPRESENTATIVES,

Monday, April 27, 1896,

On the bill (H. R. 8271) relating to pensions.

Mr. FENTON said:

Mr. SPEAKER: The bill under consideration, so far as it goes, will, in my opinion, meet the hearty approval generally of ex-soldiers and their friends.

It can not be denied that liberal provision has been made by Congress from year to year since the close of the civil war in order that the disabled survivors of the armies of the Union may not suffer on account of the lack of the necessaries of life.

Indeed, it may be truly asserted that the old saying that "republics are ungrateful" has been completely refuted, as evidenced by the liberal pension acts spread upon our national statute books from 1865 to 1896, in response to the peremptory demands of a grateful people, who have realized and continue to realize that this great nation owes its existence to the patriotism of the "boys of '61," who are now so rapidly and so silently passing into the "bivouac of the dead."

But while the nation has attested its gratitude to its defenders by liberal provisions in the aggregate, the truth remains that the ends of justice in thousands of worthy individual cases have been defeated through the cold-blooded, hairsplitting interpretation of the pension laws by the agents of the Government and the servants of the people whose duty it has been to pass upon the claims of maimed, diseased, and poverty-stricken veterans whose very existence has been rendered miserable on account of exposure on the march, in the camp, and on the battlefield, in order that popular government might not be a failure and that this nation might stand united and not be rent into warring sections and thus perpetuate a civil strife before which all civil wars recorded in history would have paled into insignificance. Does it occur to the gentlemen who, in luxurious ease and with comfortable salaries, are sitting in judgment upon the modest claims of aged veterans, of needy orphans, and sorrowing widows, that they owe these conditions of luxury and of power to the sacrifices of the old soldier concerning whose claims, not infrequently, they pass judgment with a cynical air and with such a lack of human sympathy or decency as would do credit to the most exaggerated specimen of the modern shylock in exacting the last atom of flesh? I may be asked to specify and not to deal in generalities. Very well; I shall at least refer to one matter to illustrate my point.

The Pension Office employs a fixed number of special examiners, at a probable annual cost to the Government of a half million dollars. I doubt not that many of these examiners are worthy gentlemen who do their work conscientiously and justly in reference to claimants; but "there are others," so to speak, and of these I wish to treat.

I have in mind a particular case which came under my own observation and which shows the gross injustice sometimes practiced by special examiners.

Ethan Allen Sellman, whom I have known from my early childhood, enlisted in Company E, Fiftieth Ohio Volunteers, August 26, 1862, served faithfully, and was honorably discharged at Salisbury, N. C., June 26, 1865.

He was granted a pension at the rate of $8 per month from the date of his discharge because of disease of the eyes incurred in the line of duty. He continued to draw a pension until some time in the year 1878, when some secret enemy addressed a letter to the Commissioner of Pensions alleging that Sellman had disease of the eyes prior to his army service. A special examiner was forthwith sent out to investigate the charge made by this enemy of old soldiers, and he (the examiner) appears to have taken his bearings from the aforesaid secret enemy of pensioners, since he seems only to have discovered persons from whom to take testimony who were not friendly to Sellman; strangely enough, failing to take the affidavits of others who were without prejudice in the matter. This special examiner made his report based upon ex parte evidence, taken in the dark so far as this old soldier was concerned, and upon this report, accompanied by affidavits, all in the handwriting of this ex parte examiner, the name of Sellman was dropped from the rolls, and, as though his physical afflictions were not enough, he was thus by implication stigmatized as a fraud and a perjurer by the very Government he had fought to save. But this special examiner must make a record for himself as a great detective and a great discoverer of fraud. So on September 4, 1878, the name of Ethan A. Sellman was dropped from a roll of honor, where it belonged, by a star-chamber proceeding and his good name stigmatized without his being permitted to be heard in his own behalf. Borne down by disease, disappointment, feeling deeply the base injustice done him, this poor man has struggled through all these years to the present time hoping against hope that the great wrong done him might be righted before his troubled life shall end.

Before my election to Congress I was familiar with this man's case. Many efforts have been made by his friends to correct the well-known injustice, but all to no purpose. Soon after my arrival in Washington, last December, I visited the Pension Office and asked to see the papers in the Sellman case. On examination I made a most remarkable discovery, namely, that Sellman's pension had been stopped on the evidence of three men, two of whom I knew personally, but as they are now dead, I shall make no comments. Suffice it to say, however, that two of these three men made later affidavits which are on file, retracting statements made in their first affidavits, so that the evidence against Sellman narrows down to that of one man, whose widow now contradicts him, stating that she knew Sellman well for ten years prior to his enlistment, and knows that his eyes were not diseased before his army service. I also found 49 affidavits of responsible citizens of Adams and Brown counties, Ohio, most of whom are known personally to me to be persons of the highest character, testifying that they knew Sellman before the war and knew him to be then free from the alleged disease. I was delighted with this discovery of 49 to 1 in favor of this gallant but deeply wronged old soldier. I hastened to see the honorable Commissioner, thinking all I had to do was to call his attention to this long-standing wrong, but to my surprise he manifested little interest in the matter. I ventured to ask him to give his personal attention to the case, which he finally consented to do, saying he would write me his decision in a few days. Imagine my feelings when that letter

came, the substance of which was that there was nothing in the evidence furnished in the 49 affidavits sufficient to offset the report of the special examiner and the affidavit which said examiner wrote and had the one man to sign as before mentioned. In short, this means that the report of the special examiner outweighs everything else if it be unfavorable to the claimant or pensioner.

There was but one course left, and I have accordingly introduced a bill to restore this man to the rolls, and I fully believe it will appeal successfully to the sense of justice existing among members of both Houses.

I wish to say, Mr. Speaker, that I desire to see a law enacted at an early date pensioning every man who suffered the torments of those earthly hells, whose horrors can never be described by tongue or pen. I refer to rebel prison pens, where our brave comrades who survived those indescribable cruelties suffered as no others have suffered for the land we love. Let us be just and pension them all.

There is one other matter I wish to refer to briefly. It is what, in my mind, is a demand for an amendment to existing laws in the interest of widows, to the end that the discriminations against very many of these patient sufferers may be at least reduced to a minimum. It is a well-known fact that many needy widows of soldiers who served faithfully through the entire war, under existing law, can get but $8 per month. The soldiers whose widows are the victims of these unjust discriminations may have met death from accident or may have died from disease contracted in the service, but they have no hospital record; the record of the surgeon's call knows them not. No matter how valuable their services may have been to the Government or how they may have suffered and struggled against poverty until death relieved them from their sorrows, their widows must be content with the pittance of $8 per month.

I shall not say it is wrong for the widow whose husband enlisted near the close of the war, was paid a large bounty, and spent the greater part of his time about the hospital to receive $12 per month, but I do say that when the Government does this and refuses to pay more than $8 per month to the widow of the veteran of three or four years' faithful service in the field, it does a rank injustice to thousands of deserving widows borne down by toil and weight of years.

Finally, let the representatives of the people see that equal and impartial justice shall be done, so far as may be within the power of the Government, to all who have just claims for recognition, whether it be soldier, widow, or orphan.

Bankruptcy.

REMARKS

OF

HON. WINFIELD S. KERR,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 30, 1896,

On the bill (H. R. 8110) to establish a uniform law on the subject of bankruptcies throughout the United States.

Mr. KERR said:

Mr. SPEAKER: After a careful examination and consideration of the provisions and purposes of this measure I have concluded to support it, and I desire to state some of the reasons which brought me to this conclusion. Two reasons stand out prominently and appeal strongly to any man's judgment who approaches the subject near enough to view it in a clear light and considers it dispassionately and without the bias of prejudgment.

First, creditors should have the protection and the advantages of a fair bankrupt law, and secondly, debtors who honestly give over their property to satisfy the claims of creditors should be discharged from their obligations and thereby given an opportunity to again enter the race of life upon even terms with those who have been more fortunate.

Business men, those engaged in commercial lines, and lawyers appreciate more adequately than most others the pressing need of a bankrupt law by virtue of which an insolvent's estate and effects shall be protected from the dishonest and inequitable raids of preferred creditors. In most of the States it is the rare exception where, under the State insolvent laws, an insolvent estate is divided pro rata among his creditors. The preferring of creditors has grown into a monstrous evil. The preference itself, when done honestly and according to form of law, is inequitable, because the very soul of equity is equality; but when dishonestly done it is simply a disgrace to the jurisprudence under which it is done and which can afford no preventive or relief.

An honest preference, under laws which permit it, is the reward of a diligent creditor, but the form is the instrumentality through which the insolvent's estate and effects are conveyed to friends and relatives and put effectively beyond the reach of honest creditors.

My experience as a lawyer leads me to believe that in the great majority of cases the debtor's wife, brother, uncle, or aunt turns up with the largest claims and a preference, and if the estate can be measured beforehand the claims and preference do not fall much short of equaling it. I do not mean to say this practice is always dishonest, and the claims of relatives and favorite creditors always spurious, but to such an extent in many of the States has this practice of fabricating claims and securing them by preferences gone that it has become a great commercial and business evil, dangerous and crying loudly for relief.

There is no remedy for it save in the enforcement of an equal distribution of an insolvent's estate among creditors. This does no injustice to creditors; it in fact puts into their credit business an element of certainty that of itself is an element of stability. As it is now in most States a foreign creditor has no reliance except upon the solvency of his debtor. In case of a failure he is sure to be forced out by a creditor who is upon the ground or who stands in with the debtor. To know that in any event the assets will be divided equally among all creditors is an advantage.

In this connection another evil has grown up in many communities which ought to be eradicated. It is the practice of preferring home creditors to the exclusion of foreign creditors. I am in favor of home industries and the patronage of home institutions; but the ethics of that good principle is wrenched when it is carried to the extent of wholly depriving foreign creditors of payment of their claims in order that home or domestic creditors may be paid in full or receive large dividends.

The law of preferences gives the debtor more power in the disposition of his estate in case of insolvency than he should have. The estate or property of an insolvent, at least after insolvency reaches a point requiring liquidation, should belong to and be controlled by his creditors. They alone have an interest in it. But under the insolvent laws of most of the States they can do nothing, however involved the debtor is, unless the debt was fraudulently or criminally contracted, or they can get a judgment obligation, or there exist grounds for attachment. Under these laws a preference is not an act upon which may be predicated the remedies of attachment or receiver. An insolvent debtor may give a judgment note or a mortgage upon his property to a favorite creditor, and at the same sitting execute a deed of assignment, put the mortgage on file, or levy the execution a minute ahead of filing the deed of assignment, and the supreme court of Ohio holds the preference to be valid.

For some years the doctrine was sustained in Ohio that if the preference given to secure a preexisting debt and the execution of the deed of assignment was one transaction—that is, if the former was done in contemplation of insolvency and assignment—it was void as against creditors. But within a year or two this rule has been so modified that no presumption obtains, although the preference and the deed of assignment are given and made at the same time. At least it goes to the extent of holding that the fact of contemporaneous execution of the instruments by which the preference is given and the assignment made does not of itself afford proof sufficient to invalidate the preference. How many other States have a like rule I am unable to state. So much for the creditor; now about the debtor.

Honest debts ought to be paid in full, but there are certain situations and conditions in which that becomes impossible, and in such cases we are confronted "by a condition and not a theory." Then the question must be determined whether it is better to require the creditor to lose his debt or a portion of it, or give him a mortgage on the life of the debtor. The community has some interest in this proposition, and its interest should be consulted. An individual is an integral part of the community—his labor contributes to its prosperity, and his incapacity or inability to labor withdraws so much from its productive forces. The mainspring of industry is the desire to accumulate property, to become independent. This incentive is withdrawn if the individual is not allowed to hold property in his own name or is driven to cover up his ownership, neither of which is any advantage to the community or to his creditors.

When an individual completely fails, leaving a large indebtedness, it is a rare exception where he recuperates and pays any considerable part of such indebtedness. The wise creditor in such case puts the amount down to loss and wipes it from his memory. But there are others; and they pursue and harass an unfortunate debtor while both are upon the earth. The creditor gets nothing and the debtor dare not get anything. In most instances the indebtedness is so large that there can be no hope of payment within such time as the debtor's recuperative forces last; and at any rate it is more than human to ask a man to devote all his life to paying debts.

Again, the debtor's family is a powerful factor in the problem.

A man's first duty is to his family, his wife and children. "He that provideth not for his own household has denied the faith, and is worse than an infidel" is the divine condemnation. A roof-tree must be maintained and the mouths of dependents fed before any other rights intervene. Of course all the States provide homestead and other exemptions to debtors who are heads of families, but these alone are hardly sufficient to call forth the energies and abilities of men who have made fortunes and conducted large businesses. Extinguish hope, and we become driftwood on the stream of life.

During the last few years of financial and business disaster thousands of men of integrity and high business ability have become bankrupt. Unless the load of debt is lifted they are useless, useless to themselves, useless to their families, useless to their communities. All incentive to activity is cut off; they float, and will float to the end.

Every dollar of property belonging to a debtor, save reasonable exemptions, should be sequestered for creditors, but when that is done the bond should be canceled. We might as well imprison for debt as to allow a creditor a mortgage on the life of his debtor.

There are certain chances in business that must be taken by those engaged in it. Credit is largely extended upon property, stock, assets, and not very largely upon the life of the person to whom credit is extended. If the former fail the latter should not be put in pound.

This philosophy may be too fine for business, but to subscribe to it is creditable to our humanity. In many cases it all resolves itself into the poet's conclusion, "God made the old man poor." Honesty is the talisman which opens the door of this act to the debtor. At its hands no dishonest debtor will receive his liberty.

This measure provides for both voluntary and involuntary bankruptcy; that is, it permits the debtor to take advantage of the act and it permits creditors to compel the debtor to liquidate under it if he is shown to be insolvent and that he has committed an act of bankruptcy. The acts of bankruptcy, as defined in section 2 of this bill, fall within three general classes, namely: First, acts which are a fraud against the rights of creditors; second, giving or attempting to give favorite creditors a preference or advantage over other creditors, and third, conditions, such as defaulting in payment of matured commercial paper and suspension of business, which of themselves indicate failure or bankruptcy. In most of the States these acts are held to give the creditors of a debtor committing them certain rights which more or less interfere with his control of his property and with the prosecution of his business. Acts of fraud such as are described in clauses 1, 3, and 7 of section 2 in most of the States are grounds for attachment, and under them the debtor's property is sequestered and sold under legal process. Acts such as are described in clauses 5 and 6 of said section furnish ground, in many of the States, for setting aside the preferences as a fraud upon creditors, and if the debtor's whole property is covered by the liens or preferences it all may be administered for the benefit of all creditors. So the debtor would not be in a position differing so radically from the present situation as some would make appear, even though this bill should pass.

The strongest argument—at least the one that thunders most in the index—is that debtors would be at the mercy of rapacious creditors. Not so. On the contrary, their hand would be stayed by the certainty that no advantage over other creditors could be secured, however swift they might move. The certainty, also, that however slow they might move, however lenient they might treat the debtor, it would not result in advantage to other creditors, would act powerfully to the debtor's advantage. Indeed, under the State attachment laws, the inducement to rush in is more dangerous to debtor than anything that could menace him under the provisions of this bill. In States where legal preferences can be given the inducement to press and harass a debtor is especially strong. It is a powerful leverage, and is used as such.

But take this measure; a debtor knows exactly or can measure accurately the rights of his creditors. He knows that if he does not commit an act of bankruptcy he is in no danger from them; that is, in no danger of being thrown into bankruptcy. He may be sued and all that, but I mean he is in no new danger by reason of a bankrupt law.

It is argued that because other bankruptcy laws proved unsatisfactory this one will. I have not examined the reasons for the repeal of the acts of 1800 and 1841, but I have some knowledge of the cause which resulted in the repeal of the act of 1867. The expense of administering it broke it down. The demand for its repeal did not come from the debtors, but from creditors, who saw estate after estate swallowed up in the hungry maw of registers, assignees, marshals, and others whose services were employed. Delays were devised, because the longer the delay the larger the fees. This bill is carefully guarded against that abuse. In addition to the per cent—the commission—the fees are fixed and can not exceed a certain reasonable amount. The commissions, based upon the amount of the estate, are low, and no discretion is left under which they might be enlarged. There being no inducement for delay, there will be no unreasonable delay in administering this law.

The law of 1867 was unsatisfactory in that a debtor must pay 50 per cent of his debts or he could not be discharged without the consent of a majority, in number and amount, of his creditors. Many who honestly turned over all their property, and in fact the majority at the end, found they could not pay 50 per cent, and they went on with their burden, unrelieved and undischarged. This was wrong. A debtor who turns over everything should be discharged. There is little loss to the creditor and much gain to the debtor and community in the discharge, and it should be granted in every case where the debtor honestly complies with the act.

Under the law of 1867 there were not sufficient registers to make its administration convenient to the people. Whenever a litigant has to travel out of his county to court or hearings in which he is interested or compelled to attend it is burdensome and expensive. A creditor may do this, but a debtor whose property is sequestered can not do so without inconvenience and embarrassment. This bill requires at least one referee in each county, and that feature will prove a great improvement on the last law.

The rights of both debtor and creditor are carefully guarded in this bill. No debtor can be adjudged guilty of an act of bankruptcy until that question is passed upon by a jury, unless, by his failure to request one, the right is waived. This right is as safely guarded as life and liberty. The right of trial by jury, the great Anglo-Saxon institution, is erected between the debtor and his creditors. If that right could preserve liberty against the power of tyranny and kings for centuries, it can and will protect a debtor from being oppressed and wronged at the hands of his creditors.

With all its merits the bill should be broadened a little in its scope. It should include corporations as voluntary bankrupts. They are included as involuntary bankrupts, and if they can be thrown into bankruptcy they should have the power to go into it voluntarily. No reason has occurred to me, and I have heard none, for depriving artificial persons of this right accorded to natural persons. They were included in the act of 1867, and nothing in the operation of that act as to corporations furnishes a reason for this departure.

That they should not be discharged from debts is very clear. In the first place, there is no necessity for it and no advantage or benefit by reason of it. A corporation upon going through the process of liquidation loses its entity; it is dissolved. The same corporators or stockholders may again start in business, but it will be under a new organization and as a new artificial being. The stockholders, individually, are not the corporation, and except as they are made liable by statute or constitution for its debts, the measure of their interest is their respective interests—the company property and assets. The stockholder's liability could not be discharged or affected by an act of Congress. So, as I have said, the reasons for not discharging a corporation from its debts are obvious.

But why should it not have the right to become bankrupt on its own motion if its interests and those of its creditors render it advisable? In the form this bill now assumes the only way a corporation can secure the benefit of the law is by committing some act of bankruptcy, committing some fraud upon its creditors, or doing some uncommercial or unbusinesslike act. This is not so important to the company itself as to its creditors. Every year sees the business done through the medium of corporations increased. Let me illustrate. A corporation is failing—may be insolvent, yet no act of bankruptcy is committed. There is no ground upon which creditors can move for relief or remedy under this bill. Certain creditors have cognovit or judgment notes, and upon these judgments are taken and levies made. As in the ordinary course, judgments may be taken upon matured paper or debts, and levies made. The result of this is that a few creditors exhaust the property and others are excluded. There is no wrong about this, but there is no reason why the means of equal distribution should be provided in case of natural persons and not in case of corporations.

I propose the following amendment, which, if adopted, will put corporations in this act as they were in the act of 1867:

In section 3, line 1, after the word "person," insert "partnership or corporation," and strike out of said section the words "except a corporation"; and at the end of Paragraph B, of section 3, insert the following.

"That the provisions of this act shall apply to all moneyed business or commercial corporations and joint stock companies, and that upon the petition of any officer of such corporation or company, duly authorized by a vote of a majority of the corporators at any legal meeting called for the purpose, or upon the petition of any creditor or creditors of such corporation or company, made and presented in the manner hereinafter provided in respect to debtors, the like proceedings shall be had and taken as are hereinafter provided in the case of debtors; and all the provisions of this act which apply to the debtor, or set forth his duties in regard to furnishing schedules and inventories, executing papers, concealing, conveying, assigning, or paying away his money or property, shall in like manner and with like force, effect, and penalties apply to each and every officer of such corporation or company in relation to the matter. Concerning the corporation or company and the

money or property thereof, all payments, conveyances, and assignments declared fraudulent and void by this act when made by a debtor shall in like manner and to like extent and with like remedies be fraudulent and void when made by a corporation or company. No allowance or discharge shall be granted to any corporation or joint stock company, or to any person or officer or member thereof: *Provided*, That whenever any corporation by proceedings under this act shall be declared bankrupt, all its property and assets shall be distributed to the creditors in like manner as provided in this act in respect to natural persons."

Another most potent reason why they should be included: This law, if passed, will supersede or suspend the insolvent laws of the States. If corporations are not permitted to make voluntary assignments in bankruptcy and the State assignment laws are suspended, there is no way left by which they can secure an equal distribution of assets among creditors. They may liquidate through the hands of receivers, they may be wound up, but there will remain no means in the hands of the company itself to secure such distribution.

It may be thought that the State insolvent laws will continue in force as to corporations if they are not brought within the provisions of this act, but such is not the case. The act of Congress itself supersedes all State insolvent and bankrupt laws. The jurisdiction is concurrent, but when Congress acts by enacting a uniform system the jurisdiction of the States ceases. But if there were not constitutional obstacles it would hardly be practicable to have the assets of insolvent corporations administered under State laws and the assets of natural persons under a national bankruptcy law. The conflict would be endless between creditors seeking to secure equal distribution through bankruptcy proceedings, and the company itself or favorite creditors seeking or having secured preferences, to proceed under the insolvent laws of the States.

The act should contain some provision as to what the petition should contain in both voluntary and involuntary proceedings. This provision should seek to enforce brevity in the pleadings. If the essentials are made statutory, it will do much toward simplifying the petitions and render unnecessary court construction, and it will at least enable every pleader to know just what is necessary to set forth.

As to the form of the petition in voluntary bankruptcy, I propose the following amendment:

The petition filed by a debtor shall contain, in substance, the following allegations: The debtor's place of residence, his inability to pay all his debts in full, his willingness to surrender all his estate and effects for the benefit of his creditors, and his desire to obtain the benefits of the act.

This is substantially the requirements of the act of 1867, and it would have the advantage of judicial construction.

As to the petition of creditors I propose the following amendment, namely:

The petition filed by a creditor or creditors shall contain, in substance, the following allegations: The debtor's place of residence, the amount of claims represented by the petitioners, and the number of claims, the commission by the debtor of one or more of the acts of bankruptcy as herein defined (and it shall be sufficient to set them forth in the words of the act) and the desire of the creditors that the debtor be declared a bankrupt and his property and estate be administered under the provisions of this act.

No form was provided in the other bankruptcy laws for the petition of creditors, so far as I know, but it seems wise that the act should fix the general form and determine the essential allegations.

There should be an amendment to section 5, striking out the following words: "For six months, or the greater portion thereof, immediately preceding the filing of the petition." This section seeks and proposes to preserve intact the exemptions of debtors in the various States, but it will not do so. The words quoted are the concluding words of the section and put a condition upon the right of exemption which does not exist in many of the States. It in effect requires a domicile of six months, or the greater part thereof, before the filing of a petition to entitle a debtor to the exemptions.

In many of the States no length of residence or domicile is required to entitle a debtor to a homestead or exemptions. If he is the head of a family and has no homestead he is entitled to certain exemptions, and if he has a homestead, being the head of a family, and if its value does not exceed a certain amount, it is preserved to him, free from the claims and attacks of creditors without regard to any length of residence or domicile. Some States require a certain residence and some do not, so that if this act passes it will fix a new rule of exemption in perhaps all the States. It will require a domicile of the greater part of six months in the State. What the section should provide, and what it will provide if these words are stricken out, is that exemptions shall remain as they are now fixed by the laws of the various States.

This measure has received the most careful consideration of the Judiciary Committee and the House, and no doubt is the very best product in the way of bankruptcy legislation that could be presented. Public sentiment is for a bill of this kind and ought to be responded to. I shall vote for it with great pleasure.

Pensions.

REMARKS
OF
HON. JAMES A. CONNOLLY,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,

Friday, April 24, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 8271) relating to pensions—

Mr. CONNOLLY said:

Mr. CHAIRMAN: The laws of the United States granting pensions to our soldiers are somewhat different from the laws of any other civilized country in the class of soldiers to which they are applicable. Civilized nations of the world, as a rule, aside from our own, have their standing armies, and their soldiers may be called regular or professional soldiers, and yet, although that is their profession, those countries provide for pensions to such of their regular professional soldiers as may have incurred disability while in the service of their respective countries. Our soldiery—the great mass of it; all those that it is necessary to mention as soldiers in this country—were men who simply recognized the duty that is incumbent upon every citizen of every country, namely, when the life of that country is in danger, that the highest duty of the citizen is to offer his services, his life, and his person on the field of battle in defense of his government. That is an obligation resting upon him, whether he is paid or not and whether he is pensioned or not. He must give it, and all countries recognize that those who live within their borders and are protected by their laws owe to the several governments under which they live, in return, their lives, if necessary, for the preservation and protection of the government itself.

The soldiers in reference to whose pensions we are now considering the pending bill were citizens of our common country, and not professional soldiers. They were men who had no love of war and its alarms; men who were engaged in civil avocations and the peaceful pursuits of life, with no ambition except to succeed in such civil pursuits. They were called to the field of battle, not by force, not by conscription, but simply by a proclamation of Abraham Lincoln, standing at the capital of the nation, and calling on all men of the North who believed the Union ought to be preserved to leave home and their ordinary pursuits and enter the field as soldiers, subjecting themselves to the risks, trials, and vicissitudes of the soldier's life. They came in myriads, inspired not by the hope of fame, inspired not by the hope of pensions, but inspired alone by love—for that is what it was—a love for the Union and a determination that it should not perish from the face of the earth. Their work is done; the few remaining among us of that great Army that saved the Union are old, crippled, diseased.

These are all that remain among us. A generous people through their Congress have provided laws whereby these men—the men who thus volunteered and rendered the highest duty of the citizen in the time of their country's danger—should be cared for in some degree and kept, in their old age, from going for support into the almshouses of the land. In the administration of the law thus enacted by a grateful people we find practically that the generous purposes of the people, the generous purposes that Congress evidently intended, that the laws should be liberally construed for the benefit of the survivors of that war, have failed to meet the purposes designed by them, and by the Congress that enacted them; and all over this land, from the North to the South, there come up wailings and complaints from these men, because while they know the generous purpose that inspired the enactment of these laws, they yet see that by hostile construction, by unfriendly construction, they are not carried out, and they find themselves turned away without receiving the pension or the bounty that the public intended they should have for their services.

They now appeal to us to remedy this hostile construction and make the rules of evidence—the rules of procedure—such that they shall secure for every man who was a volunteer and who incurred disease or wound by reason of his service, or since then by reason of age or disease not traceable to the service, and who shall be unable to maintain himself, what the Government intended he should receive; and it is for the purpose of responding to that call, for the simple purpose of crystallizing into law the generous purposes that Congress had in enacting these laws, that the pending bill is brought forward for our consideration at this time. They ask that the rules of evidence and procedure with reference to the consideration of pension claims shall henceforth obtain in the Pension Bureau just the same as the rules of evidence and law obtain in the courts of justice throughout the land. That is the reason this bill is now being considered by this House.

As was said by the gentleman from Ohio [Mr. LAYTON] it is

manifest that this bill should not provoke partisan discussion, because no man, whether a Republican or Democrat, would dare to say that he did not respect the man who went, when his country called for his services, bravely to the front, and took his place with his comrades in the battlefield. They do respect him. There is no man, Republican or Democrat, who would openly say above a whisper in this land that a man who did thus leave home at the call of his country, the man who has thus faithfully done his duty, should be permitted to end his days in the almshouse.

This Government simply consists of the people. The duty to fight at such a time was incumbent upon us all. If some remained at home and others took up the cross, those who bore the cross and sustained the wounds should now be cared for by those who lived at home in ease and comfort and by their survivors, so that no partisan feeling should be provoked by a discussion of this kind; and I agree that the gentleman from Ohio [Mr. LAYTON] was right when he made that proposition. But I noticed that before his speech closed he had a carefully prepared summary to show that the Democratic party was a better friend of the soldier than the Republican party.

Mr. LAYTON. I will say to the gentleman that I did not make any such claim. My data that you refer to simply show that the Democratic party was also a good friend.

Mr. CONNOLLY. Was also a good friend. Now, it is immaterial about that question of party; but since it has been injected here I want to suggest that the soldiers of the war of the rebellion, when considered simply as soldiers, are more indebted to the Democratic party than to the Republican party. Why? Because if it had not been for the Democratic party they never could have had an opportunity of being soldiers of the war of the rebellion. [Applause on the Republican side.] They never could have had a chance to reap their harvest of wounds, disease, death, and glory on the field of battle.

Yes, and the soldiers of the Mexican war are more indebted to the Democratic party than to the Republican or Whig party of that day; because if it had not been for that Democratic party and the necessities that were pressing upon it there could have been no glory reaped by our men on the battlefields of Mexico, for there would have been and could have been no war.

So that, getting down to the foundation of it, if that were friendship let the Democratic members on this floor who have injected partisan discussion into this matter remember that I concede to their party the origin of all the wounds and glory won by our soldiery. I concede to them the initiation of all that brought all this trouble, of death, of wounds, of disaster, and sorrow, upon this great Republic

The gentleman from New York [Mr. MCCLELLAN] opened this debate in opposition to this bill.

When I reflect upon matters that are within my memory, but not within his, I am reminded of some things that may furnish a reason why that gentleman may be presumed to be hostile to this or any other measure for the benefit of the victorious Federal soldiers who survive the war of the rebellion.

In the summer of 1864 Grant had begun his all-summer fight through the Wilderness on his way to Richmond. Sherman was fighting to win Atlanta preparatory to his march to the sea. The might and power of the Union armies were at last being marshaled and moved as Lincoln and every loyal man in the North long had prayed for. Half-hearted leaders had been deposed; martinets sent to the rear; drill and dress parade commanders dispensed with, and the Union armies, finally working in their full vigor, were in the midst of their last glorious summer's work, with the grand diapason of battle swelling out day by day from Grant's army in the Wilderness to Sherman's army before Atlanta.

At such a time a former leader of that splendid army which was then with Grant in the Wilderness, from a safe retreat, far behind Grant's struggling lines, pretending to act for Union men of the North, raised the white flag of truce and surrender, and the raising of that flag at such a time by such a man was regarded by the world as equivalent to saying to South Carolina and her sister Confederates: "Hold out for a time and we will help you in your work."

That deposed leader, under that flag of surrender, became the candidate of this party that is now claiming to be the friend of the soldier. That party proclaimed at Chicago in its national convention in 1864—

> That this convention does explicitly declare as the sense of the American people that after four years of failure to restore the Union by the experiment of war, during which under the pretense of a military necessity or war power higher than the Constitution, the Constitution itself has been disregarded in every part, and public liberty and private right alike trodden down, and the material prosperity of the country essentially impaired, justice, humanity, liberty, and the public welfare demand that immediate efforts be made for a cessation of hostilities with a view to the ultimate convention of the States, or other peaceable means, to the end that at the earliest practicable moment peace may be restored on the basis of the Federal Union of the States.

I say, when the gentleman from New York [Mr. MCCLELLAN] stood there making his speech there came back to my memory those words that were inscribed upon the white flag which that former leader of our armies carried all through a great campaign, fighting in the rear against these men who to-day survive with their wounds and their diseases. I am, therefore, not surprised that that gentleman should insist that the Democratic party was the best friend of the soldier. Aye, under the leadership of that party in the North in 1864, when Sherman was marching through to the sea, when Grant and Lee stood in deadly struggle around the ramparts of Richmond, these things were happening. Remembering that fact, I ask, How much is the gentleman from New York [Mr. MCCLELLAN] to-day inspired by tradition and early teaching to the notion that the entire war was wrong after Grant assumed command of the Potomac Army; that there should have been a base surrender at that time instead of the glorious victory won by that Army of the Potomac, which for years, under different leadership, had been simply an army of construction? Is it strange at all that now that gentleman should come here and insist that the Democratic party is the only party that is the friend of the soldier?

I distinguish between Democrats and the Democratic party as an organization. I know there are thousands and hundreds of thousands of Democrats all over the North, aye, in the South, too, who are friends of the soldier, and who want to see the pension laws honestly and fairly carried out. But the party as an organization, I say, has never shown itself in its action to be favorable. It has rather looked upon this question of pensions as an economic question, as a question which involved vast expenditures of money, and has been desirous all the time to keep it limited within the narrowest possible range, actuated possibly by the spirit of the Democratic convention of 1864, that saw the war was continuing and costing enormous amounts of money, and that would therefore stop it because of the vast expense. Now, Mr. Chairman, if it had not been that these gentlemen did inject this sort of a thing into this discussion, I certainly should not have called back to memory any of these things that the older members of this House remember very well.

I turn my attention, sir, for a few minutes to the bill itself. The bill, I say, is in the right direction; but I conceive that in many respects it fails to carry out the real purpose that the committee intends and that other members of this House intend shall be attained. Take, for instance, the first section of this bill. It reads this way:

> That no person otherwise entitled to a pension by virtue of any law of the United States shall be disqualified from receiving the same by reason of any prior service in the Confederate army or navy during the war of the rebellion, nor shall the widow, children, or dependent relatives of such person be deprived of a right to pension by reason of such service: *Provided*, That no pension shall be granted by virtue of this section for disability contracted or incurred while aiding or abetting the late rebellion against the authority of the United States.

The section as it stands there now broadly goes to this extent: A man who assisted in the beginning in working up the fury of rebellion in the States of the South, who enlisted at the first opportunity, who served for three years or three and a half years in the armies of the Confederacy, whether as an officer or a soldier, who fought his best and bravely under the flag he had espoused as his, if that man for any reason, if it be for no other reason than that which Benedict Arnold had for deserting the American Army in the time of the Revolution, had deserted their lines and came into ours and took the oath of allegiance and enlisted in our Army, he becomes entitled to a pension for any disease thereafter contracted in our service during the ninety days of his service in it or for any wound he might have received, just the same as a boy from the North who had served four years and was disabled by a disease. The boy from the North who had left his home and had given all the hard labor that he could for years for his country's cause is placed on no better footing than the rebel soldier or officer who, when he found his cause failing or through disappointment of any kind, deserted his flag and came to us, crawling in under our flag when he saw success for the future under it. I agree with the gentleman from South Carolina [Mr. TALBERT] in some of the remarks he made yesterday in his speech, in which he said, substantially, that a man who has once intelligently espoused a cause and fought under a flag and then in a cowardly manner deserts it and goes to the other is not entitled to much consideration from either side.

Mr. PICKLER. Even if he is a Union soldier he is not entitled to any consideration?

Mr. CONNOLLY. No, sir; not when he leaves his former flag and comrades from a sense of cowardice.

Mr. PICKLER. Well, allow me to say you desert the Republican position of four years ago, which held that these men were entitled to pension, although not on so broad a proposition as this. This is not a new pledge.

Mr. CONNOLLY. The gentleman suggests to me that I must hold no idea except that which is contained in the Republican platform of four years ago. I tell him that I am not thus to be restricted by a platform.

Mr. PICKLER. But the gentleman will allow me. I mean this,

that these men were pensioned, and we have forgiven the Confederate soldier, as I said yesterday, for about everything except being a Union soldier. Now, four years ago these pensions were allowed, and the country did not think bad of it.

Mr. CONNOLLY. I understand.

Mr. PICKLER. And no Union soldier ever complained of it.

Mr. CONNOLLY. Here is one now that does complain of it.

Mr. PICKLER. He is a new convert.

Mr. CONNOLLY. No, sir; I am not a new convert. I was a Union soldier a long time, as early as the gentleman, and I stayed there about as long as any.

Mr. PICKLER. I mean to that doctrine.

Mr. CONNOLLY. No; not to that doctrine. And I say, and mark my words, that the man who intelligently and deliberately espoused a cause and fought for that flag until he found its fortunes failing and then deserted it for the cause that he found was to be successful, that man in his heart is a moral coward, and is not entitled to consideration from anybody. [Applause.] It is quite different, sir, with a man who was forced to fight under a flag that was not the flag of his heart. It is quite different from the boy who in boyish impulse was carried to fight under a flag for a time that his heart had no attachment for. In cases of that kind, when the sober second thought came to him, that man or that boy—and I have no doubt there were many such who had gone as boys into line of battle—when they saw on the other side Old Glory their hearts were swelled, and then and there they resolved that they would leave the ranks they were in and go back to the ranks of Old Glory, where they were born.

In cases of that kind they were welcome, because there never was any change of heart. It was not an act of cowardice when such men deserted the flag that for a short time they were under; but it was a case where when calm reflection came to them, when they saw the folds of Old Glory, the early affection came back to them, and the moment they could get there they got to it, sheltered themselves under its folds and fought for it. When they took the oath of allegiance once again to the flag they were born under, we welcomed them. It was so in east Tennessee, in the district of my friend Mr. GIBSON, and in North Carolina and in northern Alabama, where there were hundreds and thousands of that kind. There were thousands that were conscripted and forced to fight under a flag they detested. These men on the first opportunity, as I know, and as the gentleman from South Dakota knows, and as the gentleman from Tennessee [Mr. GIBSON] knows, and as many other members of this House know, came under our flag and into our lines and escaped from the thraldom of the Confederacy, which robbed them of their homes, and was trying to rob them of their birthright as free American citizens. We welcomed them, and honor the survivors of them to-day, quite as much as if they had been cradled in the North, for we know full well the heroism and devotion of the loyal men and women of North Carolina and east Tennessee, and the reunited nation will preserve the story of their loyalty and unselfish devotion to the Union of their fathers as an incentive to patriotism for future generations, both North and South.

I propose, Mr. Chairman, to offer an amendment to the first section, which I desire shall at least appear in my remarks. I would amend the section by inserting the word "involuntary" before the word "service," so as to provide that they shall not be disqualified by reason of any prior involuntary service in the armies of the Confederacy. That would cover all classes of cases that I have mentioned, but gentlemen to whom I have suggested this amendment say: "The trouble is, How can they prove that their service was involuntary?"

Mr. Chairman, the law now requires the Federal soldier to prove that he was an able-bodied man when he entered the service thirty and more years ago. How can he make that proof? He is living now in a distant part of the country; the friends of his youth are dead and scattered; those who knew him in his young and stalwart days when he first enlisted are separated and gone. How shall he prove the fact? Is it any more difficult for the man who was forced into the Confederate service to prove that he was so forced than it is for the Federal soldier to prove that thirty and odd years ago he was an able-bodied, strong man, not afflicted with any disease?

Mr. GIBSON. If the gentleman will allow me one minute, I will undertake to explain the difference between the two cases.

Mr. CONNOLLY. You will have time of your own after I get through.

Mr. FAIRCHILD. Will the gentleman yield for a question?

Mr. CONNOLLY. Yes; simply for a question.

Mr. FAIRCHILD. In the case of those ex-Confederate soldiers are you not raising a question of motive; and how in the world can a man prove, except by his own statement, what his motive was?

Mr. CONNOLLY. No, sir; I am not discussing a question of motive entirely. These are matters susceptible of proof. In all that Southern country, where this class of people lived, testimony can be found, because, as a rule, the survivors live in the same neighborhoods, and the circumstances and conditions existing at the time these men went into the Confederate service are generally known to those survivors, and are just as susceptible of proof now as the physical condition of a boy who was born in Maine, who entered the Army and served through the war, and who now lives, say, in Oregon.

Mr. FAIRCHILD. But how can a man's neighbors tell what his motives were when he went into the Confederate service?

Mr. CONNOLLY. They can tell whether he was driven from his home or carried off by conscription, or whether he went voluntarily.

Mr. GROSVENOR. As I understand the gentleman, he says that it is impossible for the Union soldier now to prove that he was a sound, able-bodied man when he went into the service at the beginning of the war.

Mr. CONNOLLY. No; I do not say it is impossible; but I do say that it is very difficult.

Mr. GROSVENOR. It is very difficult; and I say it is substantially impossible.

Mr. CONNOLLY. Yes; in many, perhaps most, cases.

Mr. GROSVENOR. Now, do not you think it would be a little difficult to prove by a man's neighbors what his motive or sentiment was at the time he went into the Confederate service?

Mr. CONNOLLY. Just about as difficult as it is for a Federal soldier to prove that when he went into the Army thirty years ago he was a sound, healthy man.

Mr. GROSVENOR. That is right.

Mr. CONNOLLY. I do not want to make the road any easier for these men than it is for our own boys. I do not want to make a paved road for these ex-Confederates to march up to the Treasury, while my own comrades are compelled to walk over a road filled with stumps and quagmires. [Applause.] I want to make it at least as easy for them as for anybody on earth. Now, mark you, gentlemen, this section as it stands takes in everybody who, ninety days before the surrender of Lee, escaped from the rebel lines and came into ours and joined our Army to get rations and clothing and a little pay. It takes them all in without regard to the motive with which they came.

Now, sir, why not limit the time of their joining our Army to the 1st of May, 1864? At that time there were eleven months of the war yet remaining. The men who came prior to that time could not be said to be men who were heart and soul enlisted in the cause of the Confederacy until they found its banner falling. By the 1st of May, 1864, what were the conditions existing? Sherman was at Ringgold, south of Chattanooga, his army massed and ready, with Joe Johnston at Buzzards Roost, beyond it. The last great movement was begun. Knoxville was free. Longstreet had left to join Lee. Grant was moving to surround Lee at Richmond. Indeed, the grand opening overture that ended in the great climax was already beginning on the great theater of war on the 1st day of May, 1864. From that time on until the truce at Appomattox the god of battles was all the time with our flag. Success followed every movement. Sherman marched onward day by day until he reached Atlanta. From Atlanta he swung eastward, and day by day, in his holiday march, he led his legions to the sea. The great Army of the Potomac, thundering along through the Wilderness, thundering through the timber and over the open plain, finally drove Lee and his legions to the ramparts of Richmond. There, through the fall and winter, they were held as in a grip of iron.

All the world could see when Sherman reached Savannah that the days of the Confederacy were ended. It had been pierced like an eggshell, and its existence was then but a question of days. Yet enough time remained for all the faint-hearted under the Confederate flag; for all those whose courage, like that of Bob Acres, had oozed out at the fingers' ends, to slip through their lines, come within ours, profess penitence, join our Army, and now get the benefits of this bill. Now, is it right to say of those who stood, as those gray-coated men did stand, for months and years a living wall against every advance that we sought to make, is it right to say that those of them who deserted their ranks within the last ninety days of the conflict and came to us shall, in the matter of pensions, be put on a par with our men who pushed them back and fought them on every field?

Why, sir, those generous, big-hearted men who wore the gray see themselves that such a rule as that is not a proper one. In their own States they care for the men who wore the gray, who bore the heat and burden of that long conflict, and I honor them for their manhood in doing it. It is right; it is humane; it springs from a patriotic and generous impulse. I desire that we shall do the same. But in order to have the privilege of putting the men who wore the blue on as fair footing for pensions, I do not want to be compelled to say that all the "rag tag and bobtail" who in the last days of the war escaped from the army of the Confederacy may now come in and obtain pensions. That is too big a price to pay for getting justice to my own comrades.

Mr. PICKLER. Then, on the same ground, you would not be

willing to give anything to the hundred-days men from the North who came in at the close of the conflict.

Mr. CONNOLLY. Yes, I would; and I will tell you why.

Mr. PICKLER. The gentleman speaks of Confederates who "slipped through the lines" and joined our Army. Sir, Confederates of that sort have been pensioned long ago. The men who will be covered by this bill are those who were in Northern prisons and were induced by our officers to join the Union Army. The trouble with the gentleman from Illinois is that he is not "posted" on this matter.

Mr. CONNOLLY. I admit that I may not be posted. I have not given as much attention to this matter as has the gentleman from South Dakota. But there are some things that I know; there are some things that I believe anybody may know that has a heart in him and a proper spirit as an American citizen, without sitting down in the room of the Invalid Pensions Committee and talking with the gentleman from South Dakota. [Laughter.] One of those things that every man ought to know is that the coward who sneaks away from his flag is not entitled to as much consideration as the brave man that stands up to it and goes down with it. [Applause.]

Mr. PICKLER. We all know that.

Mr. CONNOLLY. That is my notion about the matter; and it does not take very long to tell it. Sir, it should be considered too great a concession upon the part of any nation, when those who for years have been fighting against it and who in the last ninety days of the conflict come in and swear allegiance to its flag, to permit them to go on the pension roll of that nation upon the same footing as those men who fought for years under the flag.

Mr. PICKLER. The only objection you have to these men is that they were Union soldiers. You have forgiven them for being Confederates, and for everything else, but you will not forgive them for joining the Union Army.

Mr. CONNOLLY. Why, bless your soul, I forgive them with all my heart; I am glad they got in; but I do not want to go and pay them for it in addition. [Laughter.] It is enough to forgive. If this provision with reference to ex-Confederates were limited to those who came within our lines and joined our Army by the 1st day of May, 1864, when the Confederacy had still a fair fighting chance, when there was still some hope and confidence left in the hearts of the Confederates, I should be willing to presume that the men who by that time had come within our lines did so because their hearts were true to their country's flag.

Mr. PICKLER. How would you ever establish that?

Mr. CONNOLLY. How would I establish it? I would presume it; I would not ask them to prove it. I would presume that those who had come within our lines by the 1st of May, 1864, had been loyal men all the time and had simply been awaiting their opportunity to join us.

Now, Mr. Chairman, I want to call attenton to section 2 of this bill. Gentlemen have talked about this bill as a measure that will prevent the present system of suspending or discontinuing pensions which have already been granted. I do not agree with them in that construction of the bill. And, mark my words, if it should become a law it will never be carried out in that way, but the suspension or discontinuance will still take place just as it does now. They give the pensioner notice that his pension is suspended, and then they commence (taking their time, even if it be a year or two years) to get the proof that will enable a final adjudication upon the question to be made. Now, I wish to suggest an amendment to section 2. It now provides—

> That from and after the passage of this act no pension heretofore granted or which may hereafter be granted under the pension laws shall be reduced or discontinued except—

Then it enumerates the causes for which a pension may be reduced or discontinued—

> for fraud, clerical error, mistake of fact, or recovery from disability.

Now, then, suppose the Pension Bureau, by some secret process, has made up its mind that some particular pensioner should be dropped from the rolls, that the pension was obtained by "fraud, clerical error," or that the disability had been cured, what do they do? They send a notice to the pensioner, and the pension is suspended, and the reason is given why. Whatever that reason is, it stops the pension for the time being. Now, the Pension Bureau takes its time to proceed under the provisions of section 4, which provides "that hereafter in the administration of the pension laws all investigations into the merits" of any claim "shall be by question and answer" or information under oath. Now, all of that comes after the pension has been suspended and the pensioner has suffered from the suspension, just as the claims are suspended now.

Now, I suggest there where it provides that any pension shall be reduced or discontinued for fraud, clerical mistake, or mistake of facts, or recovery from the disability, that the words shall be added: "And only after the taking of evidence on notice as hereinafter provided." Then if there be a claim that the pension is fraudulent, notice is given to the pensioner that they propose to investigate and take proof in regard to that pension, and they start in with their proof, but the pension remains intact while this proceeding is going on. Then at the end of the taking of the proof, if it appears that the pension was properly allowed, the man was never disturbed, as he should not have been. If it turns out that the pension was obtained by fraud, the pension is finally cut off. But it gives him a chance of a hearing. It does not render judgment until after the evidence in his behalf is heard.

Again, sir, at the end of section 5 it is provided that no claims shall be rejected because of the claimant's inability to furnish, as to any material fact in the case, the testimony of more than one credible witness having knowledge of such facts. Now, how much does that change the present condition of the law? That is the simple holding out to the soldier of a promise to the ear to be broken to the hope. The idea that that will reform anything is about like the idea of trying to fill the belly of a hungry man with the east wind. [Laughter.] It will be just about as effective. The claimant himself now is not considered a credible witness at all. I propose that we should give to him, if you are in good faith, if you mean this to be effective, a provision in this bill that the claimant himself shall be considered prima facie as a credible witness to any material facts. Why not do that? They do not now take the claimant as a credible witness. He goes into the Pension Office discredited the very moment he files his application. Every affidavit he makes is required to be confirmed or corroborated by the affidavits of somebody else. Why should not he be a credible witness in his own behalf?

In the courts of every State in the Union, I presume, a man may go into the court in a matter in which he is interested and may be a witness for himself to maintain that cause, and on the testimony thus presented he may have a judgment of thousands, aye, millions, of dollars rendered in his favor, and collected if collectible. Why, then, when he applies for a pension should not his oath be regarded as good as that of anybody else? Why should he not be regarded as a witness in his own behalf?

I say, then, if we are trying to avoid these evils of construction and of loose legislation in the past, why not make it close by saying here, if you mean it, that the claimant himself shall be considered prima facie as a credible witness?

Mr. PICKLER. So he is.

Mr. CONNOLLY. Oh, no.

Mr. PICKLER. Well, the gentleman is a lawyer, and will he say that the Commissioner of Pensions should be compelled to allow a pension because the applicant himself swears to the matter alleged? He is now a credible witness——

Mr. CONNOLLY. No; he is considered a discredited witness at the very beginning.

Mr. PICKLER. Not at all; the gentleman is entirely mistaken.

Mr. CONNOLLY (continuing). The gentleman knows that his testimony is not regarded——

Mr. PICKLER. I beg the gentleman's pardon; it is.

Mr. CONNOLLY (continuing). And no pensioner has ever been able to recover or to obtain a pension on his own affidavit.

Mr. PICKLER. Because the law says he shall have one or more witnesses to the facts claimed.

Mr. CONNOLLY. Now, I want him to be considered as a prima facie witness, just as he is in every court of justice throughout this country.

Mr. PICKLER. He is now. The gentleman is entirely mistaken. The only question, and it may be debatable, is whether the Commissioner of Pensions shall be required to allow a pension on the simple oath of the claimant himself. That is what the gentleman is contending for, as I understand his contention.

Mr. CONNOLLY. Yes, I contend that. It has been the custom to talk about these proceedings as being ex parte. The gentleman from Illinois [Mr. WOOD] yesterday very properly considered that question. They are not ex parte proceedings. The claimant for a pension is required to do what the plaintiff is required to do in every court in this country. What is that? Go into court and file your declaration, your complaint, your application. These terms are synonymous. In some States the paper is called a complaint, and in other States it is called a declaration. In the Pension Bureau it is called an application. That is your claim. Now, so far the United States is defendant in the pension matter. The man who files the application is the plaintiff. The United States is not required to make up an issue; it is not required to plead. It takes it for granted that the United States denies everything set up in the application until the claimant has filed his proof in support of it.

Now, gentlemen say this is ex parte. No. Up to that point it has been ex parte. Then comes the United States. There are no rules of court to force a trial and a judgment this week or next week, or this year or next year. The United States has all the time for a continuance that it wants. It takes months and years, in many cases, to find evidence, raking the country high and low

to find proof that will overturn the proof that is on file in its own archives, placed there by the applicant for the pension.

Mr. GRAFF. I will ask my colleague whether it is not true that in many cases the nature of the case precludes the obtaining of any other testimony except the testimony of the claimant himself?

Mr. CONNOLLY. Very true, sir.

Mr. GRAFF. In those cases it works a great hardship under the present rules.

Mr. CONNOLLY. Certainly. Suppose there were a law in any State that a party who had a suit pending against another, and had no testimony except his own, should not be allowed to recover his claim. How would anybody like a law of that kind? How long would the people of any State stand it, with a law of that kind, which should say to any honest man who comes into court with a just claim, "You shall not be allowed to recover, because you can not get the testimony of somebody else who corroborates you as to the justice of your claim"?

Mr. PICKLER. Mr. Chairman, would the gentleman go further than section 5? I suppose he has noticed that section.

Mr. CONNOLLY. That is what I am talking about now.

Mr. PICKLER. Well, the proviso reads:

Provided, That no claim shall be rejected because of claimant's inability to furnish, as to any material fact in the case, the testimony of more than one credible witness having knowledge of such fact.

Mr. CONNOLLY. I would add to that this:

And the claimant shall be held prima facie to be a credible witness.

Mr. PICKLER. That is done already.

Mr. CONNOLLY. It is not done already.

Mr. PICKLER. Yes, it is; and when the claimant finally says he is unable to find any other evidence, the Department then takes up and considers it from that standpoint.

Mr. HARDY. And rejects the claim.

Mr. PICKLER. They do not administer it fairly.

Mr. CONNOLLY. Who is making this speech, I should like to know?

Mr. PICKLER. The gentleman is making a pretty good stagger at it.

The CHAIRMAN. The gentleman from Illinois declines to yield.

Mr. PICKLER. I want to correct the gentleman when he says that the claimant is not taken as a credible witness. That is not the fact. He is taken as a credible witness.

Mr. CONNOLLY. Now, Mr. Chairman, I pass from that section to this. I make this suggestion: Here is a rule that has always been a hardship under these pension laws. The man who was received into the service of the United States thirty-odd years ago was examined by the surgeons of the United States and proclaimed fit for the duties of a soldier, sworn into the service and placed under orders, fought for three or four years, and was wounded or disabled by some disease incurred in the service. Years afterwards he applies for a pension. He is compelled at the outset to prove: "When I was mustered into the service of the United States I was a sound man." Why, did not the United States admit that when she accepted him into her service? Did she not say to him, "You can not come in until my surgeon examines you, until he certifies that you are a sound man and fit for a soldier's duty"?

Mr. HARDY. They stripped him and examined him.

Mr. CONNOLLY Yes; stripped and examined and sounded him. Now, thirty years afterwards, when he comes to apply for a pension, even under this dependent pension act of 1890, he is required to go back thirty years and prove that he was a sound man at the time he enlisted. Now, why should that be? Why should not this rule obtain—does not common sense say that it ought to—that when the United States received a man and mustered him into the service that fact should be prima facie proof and always available to that man to show that he was sound when he was so received?

Mr. DINGLEY. If the gentleman will pardon me, is not that to-day the statute law in the Pension Office, that it is prima facie evidence?

Mr. CONNOLLY. No, sir.

Mr. PICKLER. I will say to the gentleman that that is the statute.

Mr. DINGLEY. That is the statute, that it is prima facie.

Mr. PICKLER. Yes.

Mr. DINGLEY. I agree with the gentleman that it ought to be prima facie. But ought it to be more than prima facie?

Mr. CONNOLLY. Would the gentleman make it conclusive?

Mr. DINGLEY. No, I would not, for my part.

Mr. CONNOLLY. I think it would not be safe to make it conclusive.

Mr. DINGLEY. I think it would not be safe to make it conclusive.

Mr. CONNOLLY. But it ought to be prima facie.

Mr. DINGLEY. It ought to be prima facie.

Mr. CONNOLLY. And further, that any disease or ailment the man had at the time he was mustered out of the service should be held prima facie to have been incurred in the line of duty. Now, for all his term of service he was subject to the orders of the United States. He could not get out of that duty voluntarily; but when he comes home now with a disease, he is required to prove that he acquired it in the line of duty. It is not sufficient to say that he acquired it while in the Army. I would suggest, if we are going to do anything of service, that we make that provision in this bill that the disease that he had at the time of his muster out shall be considered as having been contracted in the line of duty, prima facie, subject, of course, to be overthrown by proof to the contrary.

Now as to section 13, which has been discussed by many, concerning the granting of pension to deserters. That section provides that anyone who had been in the military and naval service thirty days and honorably discharged therefrom shall, notwithstanding a prior service from which he was not honorably discharged, be entitled to a pension under the act of 1890, provided the disabilities for which the pension is claimed were not incurred while in the service from which the claimant was not honorably discharged.

Under this section as it stands in the bill, the professional "bounty jumper," who enlisted and deserted, and enlisted and deserted again and again for the sake of the public and private bounty which he might thereby obtain, would be made eligible for a pension under the act of 1890.

Surely there is no public call to open the door for these notorious "bounty jumpers" to be allowed to prey upon the pension fund, as they did upon the bounty funds during the war.

I therefore suggest an amendment to this section so that the pension shall be allowed only to those who neither claimed nor received public or private bounty for the enlistment or service for which the pension is claimed. This would prevent the "bounty jumper" from claiming a pension under this bill.

But it is said there are many cases in which a soldier became separated from his command by sickness or otherwise without his fault after having faithfully served a year or two with it, and then instead of rejoining his own proper command enlisted in some other regiment and faithfully completed this second enlistment, and was honorably discharged from it.

Under such circumstances this soldier must appear on the rolls of his original regiment as a deserter, and yet it seems very harsh now to hold and treat him as a deserter, and deprive him of any opportunity to obtain a pension for wounds or other disability incurred by him in the line of duty either in his first or second term of service.

But to provide for the case of such really meritorious soldiers who are recorded as deserters, when in fact they were meritorious soldiers, and only technical deserters, I would suggest that we revive the act of March 2, 1889, which expired by limitation in 1892, whereby the Secretary of War can be authorized to correct the record of such men by removing the charge of desertion which stands against them, thereby making them eligible to pensions when they are entitled to them otherwise.

By so doing each record of desertion can be disposed of on its own merits; the worthy cases can not be used to assist the unworthy cases, and in our desire to relieve in meritorious cases we will not be taking the chance of opening a door for unmeritorious cases to escape from the just stigma of desertion.

Mr. Chairman, I know it was intended by the committee that this bill should only deal with the administrative features of existing pension laws without adding any new class of pensioners to the roll.

But, sir, while we are considering the subject of pensions, when we reach the proper place in the bill, I hope no one will object to an amendment I shall propose with reference to a class of soldiers, some of whom are still surviving, who suffered far more than the ordinary hardships of the soldier and who endured them long and heroically.

I refer to those who were confined at Belle Isle, Libby, Florence, Salisbury, Charleston, and Andersonville.

The soldier who faces death on the battlefield does so with full beating pulses, cheered and lifted out of himself by the inspiration of his comrades, by the hope of victory, by the sight of his waving flag, and all the mad, wild pageantry and music of battle.

Death seems wreathed in smiles and is robbed of its terrors at such moments; reason and reflection are stilled, self is forgotten, and the past and future lost sight of in the wild exhilaration and inspiration of the supreme present.

But the soldiers who for long weary months in the suppressed quiet of those fearful prisons had death for their daily and nightly companion—not the glorious death of the battlefield, but the solemn, slow-moving, hollow-eyed death of the gloomy charnal house—the death that touched each of them with its clammy fingers from day to day, but dallied with them in their torment and

refused them the relief that taking them at once would bring—the death that kept them from day to day for further torture, like the savage with his captive—the death that robbed them of all that makes life hopeful and, filling them with seeds of lingering, incurable disease, led them to the very brink of the grave and then, refusing them its welcome shelter and surcease from pain, flung them back to us shattered, dismantled human wrecks, doomed to an unequal struggle for existence—these soldiers, some of whom are yet maintaining that unequal struggle, with both death and poverty dogging their halting footsteps, should certainly not be forgotteen by the nation for which they endured all this.

I therefore propose to add to this bill a section pensioning all soldiers who served one hundred days in any of these prisons, or in more than one, and to count the time they may have been away from them in attempting to escape as part of the one hundred days, also the time spent in being transported from one to another of these prisons as part of the one hundred days, and to give them a pension of $30 a month. That is the pension allowed by law for total disability of all officers above the rank of major. This is a moderate, conservative provision for these men, and it will make no great addition to the amount of the pension roll, but, whether it makes much or little addition, it should be done if we are willing to give pensions to ex-Confederates who deserted their falling cause only ninety days before Lee surrendered the whole bunch of them.

I suggest the one hundred days' imprisonment, because for a shorter term a man could not be regarded as having suffered anything more than the ordinary casualty of war; but those who were kept in these prisons a longer period than that were generally so detained because the Government was refusing to relieve them by the ordinary mode of exchange.

In the great majority of cases their capture was while they were in the line of duty, generally on the battlefield and without their fault. They endured their sufferings rather than accept freedom on condition of swearing allegiance to the Confederacy. They exhibited the heroism of martyrs at the stake, and accepted the dreadful alternative of death by starvation rather than falter in their allegiance to the Union.

Their example of loyalty and devotion is worth more as an heroic example to the generations who must maintain our Union in the future than a score of battles won, and the few of them now living should go on the pension roll, which I trust may ever be maintained as a roll of honor.

Bankruptcy.

SPEECH

OF

HON. GEO. B. McCLELLAN.

OF NEW YORK.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 30, 1896,

On the bill (H. R. 8110) to establish a uniform law on the subject of bankruptcies throughout the United States.

Mr. McCLELLAN said:

Mr. SPEAKER: The two questions to be considered in discussing this bill are, first, is it constitutional, and, second, is it expedient? The thirteen original colonies failed to adopt, as a part of their common law, the English laws of bankruptcy and insolvency. Many of them, however, enacted insolvency laws of their own. The framers of the Constitution, realizing the importance of uniform bankruptcy laws, provided that Congress "shall have the power to establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States." This would appear to settle the question of constitutionality. As, however, that section of the Constitution does not expressly declare that Congress may "pass" a bankruptcy law, some doubt appears to have existed in the early history of the country as to whether Congress could enact a national bankruptcy law, or could only establish "uniformity" among the bankruptcy laws of the several States.

As early as 1800 the question of constitutionality seems to have been definitely settled, as in that year the first bankruptcy law was enacted. None to-day question the constitutional right of Congress to legislate on the subject of bankruptcy. The bill under consideration is constitutional under the strictest possible construction.

It is one of the cardinal principles of the Democratic party that those functions of government which the individual States can perform as well as the United States should be left to them, and not taken over by the National Government. It is the principle of decentralization, of home rule. Some of the States have upon their statute books insolvency laws that are far stricter and much more harsh toward the debtor than is this bill. These State laws differ so much from each other and are so lacking in uniformity that it is surprising that the original bankruptcy law should ever have been repealed. The business of the country is so enormous, communication between the States is so easy, that for commercial purposes State boundaries have practically disappeared. The question of bankruptcy is one that can be better handled by the National Government than by the individual States.

The first bankruptcy law was repealed in 1803. The second bankruptcy law was enacted in 1841 and repealed in 1843. The third and last bankruptcy law was enacted in 1867, amended in 1868, 1870, 1871, and 1872, and was repealed in 1878.

Since 1878, when the last bankruptcy law was repealed, to and including 1895, the failures in the United States have numbered 171,389 (representing liabilities of $2,611,521,704), a percentage of 1.02 of the total number engaged in business. It would appear that, in view of the enormous liabilities of insolvent debtors during the past seventeen years, justice to them would require that an opportunity be given them of commencing life anew free from the fearful burden of debt which at present in many cases they are unable to remove, and that justice to the creditors would require that they be given the opportunity of sharing equally any assets of their insolvent debtors.

Under existing conditions when a debtor becomes insolvent the first creditor who obtains knowledge of that fact can secure himself at the expense of the other creditors. Debtors may prefer certain creditors at the expense of the rest, in consequence of which it may almost be said that a premium is placed upon fraudulent failures, and each creditor is virtually the enemy of the other creditors in general and of the debtor in particular.

It has been said during this debate that this bill is harsh to the debtor. Gentlemen of my own party have acknowledged the desirability of the voluntary features of this bill, but insisted that the involuntary features are oppressive and unjust to the debtor, so much so that these gentlemen oppose the bill as a whole. The bill is not harsh to the honest debtor. It enables him to go into voluntary bankruptcy and distribute his assets pro rata among his creditors, and then, having done all that he can to liquidate his debt, to be discharged and begin his business life anew. As the insolvent debtor class is but little more than 1 per cent of all those engaged in business, it would be manifestly unjust to legislate in favor of that 1 per cent to the detriment of the 99 per cent of solvent business men.

This bill permits creditors to force an insolvent debtor into involuntary bankruptcy. This may be harsh to the dishonest debtor who desires to escape from the payment of his obligation, reserving the right to become a bankrupt when it may please him to do so; but it must be acknowledged that it is only fair to give the business community power to protect itself. It prevents one creditor from taking advantage of the rest; all share pro rata in the distribution of the assets of the bankrupt.

It has been urged against this bill that creditors will use a bankruptcy law as a means of oppressing the helpless debtor. The interests of the creditor and the debtor are in many ways identical. While to-day a creditor may consider it to his interest to drive a debtor into insolvency so that he may be the first to profit thereby, under this bill it will be for the interest of the creditor to maintain the solvency of the debtor for as long a time as possible.

My friend, the gentleman from Massachusetts [Mr. GILLETT], has very eloquently called our attention to the importance of credit in the complicated relations of modern business life. This bill, if enacted, will enlarge credit, for it will increase that essential element of credit—confidence. Every business man to-day who becomes a creditor assumes the risk, in case of the insolvency of the debtor, of being absolutely debarred from receiving any share of the assets through the preference of some other creditor. Under this bill, should it become a law, every business man will know when he becomes a creditor that, should his debtor become insolvent, he will receive his share of the assets, and that no other creditor can exclude him from what should be his both by law and equity. Certainly this should increase confidence and therefore enlarge credit.

This bill has been carefully drawn. It is the so-called Torrey bill amended and improved, and judging from the comments upon it contained in the newspapers and in the many letters which I have received from business men, it seems to meet with the general approval of the business community, especially in that great commercial center, New York City, a part of which I have the honor to represent. It protects the interests of the creditor; it protects the interests of the debtor; it will make fraudulent failures more difficult; it will increase confidence; it will enlarge credit. It is, in short, in the interest of the business men of the country, which is merely another way of saying that it is in the interest of the whole country.

Legislative, Executive, and Judicial Appropriation Bill.

SPEECH

OF

HON. CLAUDE A. SWANSON,

OF VIRGINIA.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 3, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 6248) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes—

Mr. SWANSON said:

Mr. CHAIRMAN: I am indeed grateful to my friend from Texas [Mr. CULBERSON] for yielding me this time, as for many other courtesies.

This measure now before us embodies a reform which is well needed in the administration of justice in this country. Some time ago I addressed this House upon this question and pointed out the great necessity for this reform. I introduced a bill to abolish absolutely the fee system. I am glad to see my efforts have borne fruit. I want to congratulate the committee upon the nonpartisan spirit in which it has approached so great a measure of reform. I will try not to travel over the ground I went over in my former speech. But there must necessarily be much repetition.

The first question for this House to determine will be, Is it better for the administration of justice in this country to abandon the fee system for the salary system? Upon the determination of that question depends whether this bill should or should not meet the approval of the House. First, we must inquire, Are there any abuses connected with the administration of the present system? If we look at the testimony of people who have administered this system, there can be no doubt about the unanimity of such testimony. Every President of the United States from the time of Grant to the present moment has recommended the abolition of the fee system and the substitution therefor of the salary system. Every Attorney-General, commencing with the Administration of President Grant and coming down to the present one, has recommended this reform and pointed out the glaring abuses in the existing system. The present President of the United States has thought the abuses of such magnitude that in two messages to Congress he has dignified this subject by making it a matter of special reference, and asked Congress to enact a reform in this direction. If we go to the leading officers themselves connected with the administration of this system, they all bear testimony to the glaring abuses that exist.

The testimony of every official connected with this system bears evidence to the great scandals connected with the present fee system of the United States Government. If we go further and look at the records of our courts, they also bear testimony to the necessity for great reforms in this direction. Listen. Last year United States marshals were paid upon their accounts for that year and prior years $1,339,690.31; commissioners, $452,000; clerks, $298,000; attorneys, $427,000. Now, mark this item: Jurors, $932,170.27. And mark also this item: Witnesses, $1,713,162.17. Summing up these items, we find that the expenditures of the courts for the last year amounted to $5,300,000, and over half of this expenditure was incurred in the payment of fees to jurors and witnesses.

Now, let us see what was the outcome of these expenditures. Of suits terminated last year in the United States courts there were 2,751 civil suits, and of these 1,060 were decided against the United States. What does that prove? It proves that over 40 per cent of the civil suits instituted by the district attorneys were suits that should not have been brought.

Mr. TAWNEY. Will the gentleman state what fee under the present system the district attorney received for prosecuting and trying each of those cases?

Mr. SWANSON. The fees of the United States attorneys in these cases are taxed, and he receives a fee in each case until it amounts to $6,000 annually, which he can not exceed.

Mr. TAWNEY. Is not the fee limited to $20 in each case?

Mr. SWANSON. I think it is; and on that basis 1,000 cases would make $20,000 of improper charges.

Now, of criminal suits there were terminated last year 25,949, of which 10,521 were nolle prosequied, dismissed, or discontinued. In other words, of the indictments found by the grand jury, and in which it may be assumed the district attorneys did all they could to bring criminals to conviction, forty-odd per cent were dismissed, the parties being found not guilty, or the cases being nolle prosequied. These figures do not include suits that the commissioner refused to send to the grand jury, nor suits in which the grand jury refused to prefer indictments. The records of the courts will show that over one-half of the suits for which expense is incurred in the Federal courts are suits in which there was no merit and which should not have been brought.

Now, Mr. Chairman, take that view of it and what does it mean? It means that last year $2,600,000 was paid out improperly for the prosecution of frivolous suits in the United States courts, simply instituted for the purpose of gathering fees for these officers.

But let us see how much money the Government received in return for the immense expenditure made on this account. Last year there was received in the compromise of criminal suits $37,647.61; there was received in collections from fees turned in $132,055.53, and there was collected in civil suits in compromise cases $131,696.67, or, in other words, on an expenditure of $5,300,000 last year there was only received, in the shape of fees in civil and criminal compromises by the courts, less than $255,000.

Now, go a step further and you will see the more we look into this matter that this very method of making appropriations by Congress for these courts is in itself a glaring abuse. You may make an appropriation this year, we will say, to cover all the supposed expenses, based on the estimates of the Department of Justice. But next year, and before the expiration of the current fiscal year, you are compelled to come in with a deficiency bill and make up by appropriation as much as the original sum appropriated. Why? Because you can not have any possible idea as to what the expenses of the judiciary will be next year. There is no possible way of calculating what it will be, because it is measured solely and alone by the greed and rapacity of the officers who administer the law in their scramble to get fees.

Consequently, Mr. Chairman, the question is presented to us as to whether we can safely abandon the system so full of abuse, so saturated with glaring wrongs, and so redolent of outrages against the liberty and property of the citizens of the United States and adopt a system which will be in harmony with our principles of government and ideas of right. But let us go even further. I regret to say that these are not the greatest abuses. Last year 10,541 of our citizens were arrested and put into the prisoners' dock, subject to all of the expenses and all of the annoyances and disgrace which such a situation entails, when on trial of the cases it was found that they should not have been brought into court at all. They were brought into court to make fees for officers and rewards for infamous spies. Consider the vast amount that 10,541 innocent citizens had to pay for their defense in court, who had to get witnesses to come and testify in their behalf, and with all of the other petty annoyances which this number of arrests would necessarily involve, and I say that no more glaring abuse could be found in the history of this country. It is an abuse that Congress ought to strike down now and forever. Just imagine the vast amount of money lost by these people on account of these prosecutions; imagine the loss of time of these people from their ordinary employments; conceive of the vast amounts expended in payment of witnesses and their traveling expenses, juries, and then think of the disgrace and worry of innocent people under such a system.

I am glad, therefore, to see that the Committee on the Judiciary of the House of Representatives, in a fearless, brave, and nonpartisan spirit, have had the courage to go forward and endeavor to meet these abuses and effectuate a reform.

My only objection to the bill, although I shall vote for it even though the amendment which I shall offer later on does not carry, is that they have not gone far enough in the abolition of the fee system. There are two defects that ought to be remedied. One in reference to the special or field deputy marshals and the other as to the commissioners. This bill ought to provide that the deputy marshals and the commissioners also should receive salaries instead of fees. This bill fails to put them on the salaried list. It goes on the idea that if you make the marshal a salaried officer he can exercise over the field marshal his power of removal when he institutes frivolous suits. I admit that it is a great reform and in the proper direction and will do great good; but it ought to be carried a step further by putting the deputy marshal also on a salary. At the proper time, and I hope the chairman of the committee will make a note of it, I want to offer an amendment to provide that the deputy marshals shall be put upon the salary system.

Mr. BAKER of New Hampshire. If the gentleman will draw a distinction between deputy marshals and field deputies he will be entirely correct. The field deputies are the only ones now left on the old system.

Mr. SWANSON. The deputy marshals confined to the office are put on salary; but the field deputies are the ones that do the most work in connection with the commissioners in bringing suits.

Mr. BAKER of New Hampshire. One word more, if the gentleman will permit me. The field deputies do not bring the suits.

Mr. SWANSON. The field deputies can only execute the writs after the commissioner has issued them, but a deputy can get an informer to go to the commissioner, and he can inspire and incite suits. It is true that he can only execute writs after they have been issued.

Mr. BAKER of New Hampshire. One word more——

Mr. BURTON of Missouri. The bill, by an amendment which the committee will offer at the proper time, takes away from the commissioner any power to institute these proceedings upon the affidavit of a private citizen.

Mr. SWANSON. That is right. It will destroy to a large extent the detestable vocation of the infamous spies and informers. Now, that is a great reform, but the committee should go one step further and add a provision like that existing in many State courts, that whenever a prosecution is inspired by malice in instituting frivolous suits, the complainant shall be liable for the costs. You will find that a great many will be debarred by that. Now, as to the deputy marshals, I can see no reason why the entire deputy marshal force should not be put upon salary.

Mr. BURTON of Missouri. Will the gentleman yield for another suggestion?

Mr. SWANSON. Yes.

Mr. BURTON of Missouri. That system was recently adopted in the Indian Territory, and the Department of Justice informs the committee that it does not work satisfactorily. What are called field marshals in this bill simply sit quietly by and take their salaries and do not perform their duties.

Mr. SWANSON. That may be true in the Indian Territory, because in the Indian Territory the United States courts try all local matters and have the combined jurisdiction of State and Federal courts; but if you take away in this bill the power of deputy marshals to bring suits and incite suits and give them simply writs to execute, then they are compelled to execute those specific writs and there can be no dereliction of duty.

Now, it is said there will be too many deputy marshals. It seems to me that we should draw a bill with this amendment, that deputy marshals shall be appointed by the Attorney-General on the recommendation of the marshal, and that no more deputies shall be appointed in any district than the district judge and the marshal shall certify to be necessary for the efficient performance of the public business in that district. It seems to me there can be no abuse then. Why? Because the Attorney-General can not appoint any more deputy marshals than the district judge will certify to be necessary for the efficient discharge of the duties in that district. He is not compelled, under a law like that, to appoint as many as are required. Then, when that is done, if too many are appointed——

Mr. BROWN. United States commissioners are now appointed by the United States circuit judges.

Mr. SWANSON. That is true, sir.

Mr. BROWN. Now, I will ask if it is not true that one great complaint in districts in the South has been that the United States circuit judges appoint too many United States circuit court commissioners?

Mr. SWANSON. That is true.

Mr. BROWN. Now, if you leave to the district judge the appointment of United States deputy marshals, will you not find the same complaint? Why not leave the appointment of the field deputies to the marshals, to be approved by the Department of Justice?

Mr. SWANSON. My amendment provides for that.

Mr. BROWN. The bill already provides for that. It already provides that the United States deputy marshals shall be appointed by the marshal, subject to the approval of the Attorney-General.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. CULBERSON. I promised to yield to the gentleman from Tennessee [Mr. BROWN] after my friend from Virginia had concluded his remarks. I hope the gentleman from Tennessee [Mr. BROWN] will take the floor and yield five minutes more to the gentleman from Virginia.

Mr. BROWN. I will be recognized in my own time later on.

Mr. CULBERSON. Then I yield to the gentleman from Virginia such time as he desires.

Mr. SWANSON. The suggestion of the gentleman from Tennessee [Mr. BROWN] was a very good one. He did not catch the amendment that I intended to offer to this bill. I will read it, and I hope the Chair will note it, when the proper time comes, so that I can offer it.

The amendment which I desire to offer is this:

That the Attorney-General may appoint, on recommendation of each United States marshal, one clerk and one chief deputy, whose salaries shall not exceed $1,500 per annum each. No clerk or chief deputy shall be appointed in any district unless the United States district judge shall certify and the Attorney-General be satisfied that such appointment is necessary for the efficient performance of the public business. The Attorney-General shall also appoint, on recommendation of the marshal, such number of deputy marshals for each district as he shall deem necessary for the efficient performance of the public business, whose salaries shall not exceed $1,000 per annum and their reasonable and necessary expenses of travel and subsistence actually incurred while on duty, such expense to be approved by the United States district judge of each district. But the Attorney-General shall in no case appoint for a district more deputy marshals than the United States district judge of each district shall certify to him as necessary for an efficient performance of the public business.

Mr. BROWN. There is the trouble that I spoke about. The complaint against the circuit judges heretofore has been that they have appointed everybody United States commissioners who wanted to be appointed.

Mr. SWANSON. That is true.

Mr. BROWN. Then we have the same complaint in regard to the deputy marshals. The Attorney-General will be compelled and will be bound to appoint everybody the district judges recommend.

Mr. SWANSON. No.

Mr. BROWN. This bill already provides for appointment of field deputies. It prescribes how they shall be appointed and then their appointments submitted to the Attorney-General.

Mr. SWANSON. No. The gentleman did not catch the force of this amendment. This amendment says that the Attorney-General shall not appoint any number exceeding the number that the district judge shall certify; and it is also provided that he shall not certify any more than necessary for the efficient and economical administration of the law in that district. He is not compelled to appoint as many as the judge shall certify, but it is provided that he shall not exceed that number. Then this goes further. It provides that he shall not pay a salary exceeding $1,200. In some counties the deputy marshals might have very little to do, and he could pay him from a very small sum up to not exceeding $1,200 a year.

Now, that provision is guarded this way; First, it leaves it to the Attorney-General; he is to be the judge of the salary. I think that is wise. Why? Because each Department endeavors to be economical in submitting its estimates for approval.

Mr. BROWN. This bill does not limit the amount of compensation in the matter of field marshals, because the Department of Justice would find that in some districts the compensation to be earned by the field marshals would amount to more than $2,500; and in some places they ought to have that much if they earn that much.

Mr. SWANSON. Now, the view I take of it is this: If you put the amount at $1,000—and you could make it $1,200 if that was necessary, but you should work him all the time when this was paid—and pay him his necessary expenses—and that is sufficient compensation for the office—you can get good, efficient men to execute the law. Now, under this provision of mine, as I was proceeding to say, you first leave it to the Attorney-General as to how many there shall be. Then you guard it around by the fact that he can not appoint any more than the district judge will certify as necessary for the economical administration of law in that district. So you guard the Attorney-General, you guard the district judge, by not allowing him to certify more than a certain number, and you have the marshal to make the recommendation of the man. With these three safeguards, I do not see how any legislation can be better guarded. When we come to the commissioners, I want to offer an amendment that I hope the Chair will note.

The gentleman who interrupted me a few minutes ago said there was a grievance in connection with the number of United States commissioners who are appointed. When you appoint these officers, whether United States commissioners or deputy marshals, they are going to make a living out of the office. They are going to do it. They are going to make enough to support themselves, and you may as well recognize that fact in dealing with this question. For United States commissioners, this bill provides for their removal and appointment for four years. I have the same idea about them that I have about deputy marshals. I provide in section 7 of the bill I introduced:

That the judges of the circuit and district courts of the United States and the judges of the Territorial courts shall divide each district into commissioners' districts, consisting of one or more counties or parishes, and they shall appoint one or more United States commissioners in each commissioner's district as may be required for the efficient and economical execution of the laws. Such commissioners, in lieu of all fees and salary now provided by law, shall receive a salary not exceeding $1,200 per annum, to be paid quarterly. The judges of the circuit and district courts of the United States and the judges of the Territorial courts shall, before the 1st of July of each year, certify to the Attorney-General the names of the commissioners in their respective districts and the Attorney-General shall fix the salary each is to receive, not to exceed $1,200 per annum. The Attorney-General shall have power to increase or decrease the salaries of the commissioners, provided the salary does not exceed the aforesaid sum. The courts aforesaid can remove any of the commissioners for cause, and the Attorney-General may remove any of them whenever he is satisfied that the number exceeds those required for an efficient and economical administration of the law. The fees

earned by the United States commissioners in all civil and criminal cases in taking or authenticating depositions, or as special commissioner by order of court, or as master in chancery, and in all matters of any name incident to their office, when taxed against parties other than the United States, shall be taxed, collected, and paid to the Treasurer of the United States. The commissioners shall make, under oath and to be approved by their respective courts, a statement of all such fees quarterly to the Attorney-General.

Under this provision the district judges and the circuit judges appoint the commissioners, and they send the names to the Attorney-General. The Attorney-General then fixes the salaries of these commissioners, not to exceed $1,200 a year. The Attorney-General, first, has power to remove any commissioner when he thinks there are more than an economical administration of the law requires. He has the right to fix their salaries each year, at a sum not exceeding $1,200. Now, in some counties the commissioner would not be required to do enough to pay $200, and the Attorney-General can designate that the commissioner of that county shall receive for the ensuing year $200. In some counties the work would not exceed $500, and he could fix it in the same way; and in some counties not exceeding $800, and he could also fix it in the same way. This will give power to the Attorney-General to fix the rate of the salaries, to remove anyone where there are too many, and give him power where they do not do any work to say that they shall receive no salary. That removes the objection urged by the gentleman in connection with commissioners.

Now, as to the number of these deputies, if you take the number as reported by the Department of Justice and eliminate those who are unnecessary and put those you retain upon a stated salary you will effect a great saving to the Government. The deputy marshals in this country number now about 1,900, I think. Every one of those men makes a living, makes from $1,000 to $2,000 or $3,000 a year. In my opinion the number of deputy marshals ought not to be greater than the number of deputy collectors for the collection of the internal revenue. A bill passed here a few days ago providing for about 992 deputies for the collection of the internal revenue. Every district in the United States has a deputy collector to attend to the collection of vast sums of money in the form of internal revenue, and I think that an equal number of deputy marshals certainly ought to be able to execute the processes of the courts.

It seems to me, Mr. Chairman, that with these two provisions this bill reported by the Committee on the Judiciary would be perfect. If you are going to abolish the fee system, if you think that evils accrue from it, the best way is to destroy the system entirely. I am willing to leave it to the Attorney-General, to the district judge, to the marshal, and to the district attorney of every district, each one being a check upon the other, to take charge of this matter and fix the salaries of all the other officials.

I want to say in conclusion, Mr. Chairman, that this bill is a step in the right direction. It carries relief and reform far in the direction where they are needed, but I think it ought to be amended in relation to commissioners and deputy marshals. With those amendments the entire vicious fee system would be destroyed and every official engaged in the administration of justice would be paid a specific salary. When you make that change you do better, not only for the public but for the officer himself. Why? Because the officer would then be removed from the temptation to use the power with which he is clothed to make money for himself instead of using it for the benefit of the Government and the vindication of violated law. Again, each of these officials would then receive a specific salary regularly, while now some of them have to wait from six to twelve months before they receive any compensation for their labors.

If there is any place where the fee system ought not to exist it is in the judiciary department. Why? Because the judiciary department is one that should have the complete confidence of every citizen. A citizen, when he is arrested and brought before a commissioner and incarcerated in jail, should feel that the officers of the law have no interest in inciting the prosecution against him or conducting it to a successful termination, except the desire to perform their sworn duties as officers of justice. With the fee system you make every man who is arrested think that he is a victim of the greed of some official who is trying to enrich himself at the expense of the man he has arrested and prosecuted.

Now, if this fee system is as glaring in abuses, as outrageous in practice, as vicious in its administration, as it has been portrayed by the gentleman who has explained this bill, the committee certainly ought to have the courage to go far enough to eliminate the last vestige of that system, and that will be done by putting the commissioners and the deputy marshals upon salaries. I hope, therefore, that the committee will consent to make those amendments and that this House will be courageous enough to wipe out every vestige of a system which has shown itself to be so vicious, as acknowledged by the Department of Justice, by the Committee on the Judiciary, and by everybody who has investigated the subject. I reserve the remainder of my time.

Pensions.

REMARKS
OF
HON. GEORGE W. WILSON,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Monday, April 27, 1896,

On the bill (H. R. 8271) relating to pensions.

Mr. WILSON of Ohio said:

Mr. SPEAKER: The first section of the bill authorizes pensions to Union soldiers who had previously served in the Confederate army, and to their widows, children, and dependent relatives, provided that pensions shall not be granted for disability contracted or incurred in aiding or abetting the late rebellion. This section may not be without objectionable features. It is possible Confederate soldiers enlisted in the Union Army near the close of the war for mercenary purposes only and without expectation of doing valuable services in the Union Army. In such cases, after serving ninety days, the ex-Confederate soldier would be entitled to the benefits of our pension laws; and this would be wrong.

But there is another class of ex-Confederate soldiers, who afterwards enlisted in the Union Army because they were Union men and always had been loyal, but were forced to join the Confederate army. There were doubtless many Union men conscripted and compelled to enlist in the Confederate army or suffer imprisonment or death at the hands of the rebel forces and organizations in the communities in which they lived. I can see nothing wrong in granting pensions to those truly loyal men, who availed themselves of the first opportunities to abandon the Confederate army and join the Union forces because they desired to be loyal.

I have not heard anybody state what number of ex-Confederate soldiers enlisted in the Union Army, nor when they enlisted, and how long they served in the respective armies. I am not sure it is wise to enact the first section, but I am not disposed to vote against the bill on account of that section.

The second, third, and fourth sections provide against the reduction and discontinuance of pensions except for fraud, clerical error, mistake of fact, or recovery from disease; and pensions reduced and discontinued since January 7, 1893, shall be reconsidered and adjudicated upon proper application; and the pension, if restored or allowed, shall date back to time of reduction or discontinuance. If the proof shows the disability occurred subsequent to the filing of the claim the pension shall date from the time the disability occurred. If the claimant dies before his pension is restored or allowed the accrued pension shall be paid as allowed by existing law.

Hereafter investigations into the merits of pensions previously allowed shall be by questions and answers, under oath, in open session, after due notice to the pensioner, who shall have a fair hearing. If fraud is alleged the charges must be written and sworn to, and the pensioner shall have a certified copy, together with the names of persons making the charges, at least thirty days prior to the investigation, and shall be furnished with the names of witnesses by whom it is expected to prove the charges at least five days before the examination. The hearing shall be at the county seat of the county where the pensioner resides, and depositions shall be taken, as near as may be, according to the laws of the States where the witnesses reside.

It seems to me that after a pension has been granted a presumption arises in favor of the pensioner, and all attempts to deprive pensioners of their pensions should be so conducted as to afford the fullest and fairest opportunities for an impartial and thorough investigation into the merits of the pension. I am therefore quite prepared to yield my support to these provisions of the bill.

Section 5 provides that the oaths of enlisted men shall not have less weight than if they had been commissioned officers, and that no claim shall be rejected because the claimant can only produce one credible witness to a material fact. I think, if there ever was any just ground for holding the evidence of a commissioned officer entitled to greater weight than the evidence of enlisted men, the reasons therefor no longer exist. After an officer has left the service there are no longer any circumstances requiring him to be more careful of his conduct than is required of any other ex-soldier. The ex-officer may or may not be more truthful than the discharged soldier, the fact depending not upon rank but upon the character of the man giving the evidence.

The latter clause of the section dispenses with the necessity of two witnesses to a material fact, and I think this provision is well enough, because it is very difficult to find witnesses in many claims. The lapse of time and removals and deaths of the comrades of claimants are great obstacles in the way of procuring evidence in pension claims. I can give this section my vote

without fear of violating any principle which should obtain in a court of justice when the rights of individuals or the Government are involved.

Section 6 simply provides that affiants shall know that the contents of affidavits are in his own language.

Section 7 requires the Bureau of Pensions to furnish a statement of all that is required to complete the claim.

Section 8 gives pensioners and claimant and their attorneys the right to examine all evidence and papers filed in pension claims.

Section 9 makes the records of the War and Navy Department, showing disabilities to have been incurred or contracted in line of duty, conclusive of the facts.

Section 10 creates a presumption of death from seven years' absence without news or tidings of the missing person; but if the absent person is proved to be alive, a pension granted on account of his death shall cease.

Section 11 recognizes marriages upon proof of living and cohabiting together as such, and makes their children lawful for pension purposes.

Section 12 fixes the end of the war of the rebellion on July 1, 1865, for the purposes of administering the pension laws.

Section 13 extends the provisions of the act approved June 27, 1890, to all persons who served ninety days or more in the military or naval service of the United States during the rebellion and were honorably discharged, although such person may not have received an honorable discharge from a prior service. This provision is one of some doubt in my mind. If a soldier was not entitled to an honorable discharge, but subsequently served only ninety days in another organization, he does not present himself in the best possible aspect as a soldier. But there are doubtless many instances in which the rule here provided will accomplish good results. The section restricts pensions to injuries subsequent to the dishonorable discharge, and makes the final discharge conclusive of dates of enlistment and discharge.

The section also makes death of a soldier, sailor, or marine while in the service in line of duty equivalent to an honorable discharge. I think this provision just in all respects.

Section 14 provides that under the act of June 27, 1890, applications for pensions shall be sufficient as to allegation of disability not the result of his own vicious habits, which renders him unable to earn a support, and every disability found to exist at the time of filing a claim, which is recognized as pensionable under the general pension laws, or act of June 27, 1890, shall be taken into consideration in determining the degree of disability, and to all disabilities pensionable under the general laws the same rate of pensions shall be allowed as under the general laws, not exceeding $12. And pensions under act of June 27, 1890, shall not be granted unless disabilities amount to at least $6.

This section embraces important regulations, and so far as I am prepared to express an opinion it is just and will tend to facilitate a better administration of the pension laws. I think it well to give pensioners under the act of June 27, 1890, the benefit of disabilities traceable to their service. A pensioner prefers his claim should be based upon injuries sustained in the Army.

Section 15 relates to rejected claims under act of June 27, 1890, and dispenses with new applications when other evidence is furnished. When the sworn statement of a reputable physician is filed, showing that a pensionable degree does exist, an order for the applicant's examination before another board of surgeons, if desired, shall issue. If the report of such surgeons and the evidence show the existence of as pensionable disability at the time of filing, the pension, when allowed, shall commence from the date of filing of the rejected application, and if otherwise, from the date when the disability began to exist, as shown by the evidence.

This section affords opportunities for claimants to present additional evidence and protects them from much inconvenience.

Section 16 fixes the amount of net income which will prevent the granting of a pension under the act of June 27, 1890, at $300. This section will settle a question of much doubt and will tend to establish a rule which will be uniform.

Section 17 extends the act of June 27, 1890, to persons who served on gunboats, acting assistant and contract surgeons, provost marshals, deputy provost marshals, and enrolling officers who bring themselves within the provisions of the pension laws.

Mr. Speaker, I have reviewed the pending bill quite carefully, and I think it a measure deserving of the support of the friends of the ex-Union soldiers.

I am not one of those who believe the pension roll is honeycombed with fraud. There are doubtless some cases—possibly many cases—into which fraud has crept and persons have been pensioned who are not entitled to pensions. But, sir, these are exceptional cases, and I protest against every effort, from whatever source it comes, to cast odium upon those who constitute the honorable pension roll of the Union armies.

We should guard against abuses, but in doing so we should not be guilty of unjust treatment of those who are entitled to the benefits of the pension laws.

Pensions.

SPEECH

OF

HON. SNYDER S. KIRKPATRICK.

OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 23, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 8271) relating to pensions—

Mr. KIRKPATRICK said:

Mr. CHAIRMAN: The presence of this bill and its solemn consideration in the Congress of the United States is by no means complimentary to the patriotism of the people of this nation. It demonstrates a want of gratitude toward the men who for four long years imperiled their lives on a thousand battlefields that the nation might live, that patriotism is at a low ebb, or that a patriotic people have been deceived in the selection of those whose duty it is to administer the liberal pension laws of this country. That the American people are wanting in gratitude to the nation's defenders I will not concede; it is not true. The mere suggestion that patriotism is on the wane is an insult to a liberty-loving people. No, Mr. Chairman, the nation is not ungrateful to its defenders, and patriotism is unbounded. There is no disguising the fact; the people have been deceived, and are impatiently waiting an opportunity to right the great wrong, and that opportunity will soon come. When it does come, woe unto the party responsible for the wrongs, indignities, and insults heaped upon the gray-haired veterans of the land.

The discussion of this bill has assumed a wide range, and brings back to us memories, scenes, incidents, and trials of bygone days. Our minds involuntarily run back over that period of our country's history, so full of sorrow, desolation, and death. For four long years, from 1861 to 1865, the most stupendous struggle the world ever knew was waged with a zeal and determination unparalleled in ancient or modern times. The issues involved were the greatest ever submitted to the arbitrament of war, not only involving the very existence of our Government, but that of every other Republic as well. The crowned heads of the Old World looked on with amazement while the struggle progressed, realizing that the fate of self-government hung in the balance. That we may comprehend the magnitude of this struggle, and have a proper appreciation of the heroic services of those who stood between us and treason, I want to invite your attention to a few historic facts.

The total number of men enrolled in the Union Army during the four years of the war of the rebellion was 2,778,304. Of these (including regulars) there were killed in battle 110,170; died of disease (not including those who died in prison), 199,720. The total deaths from all causes, 359,528. The number of deaths from disease was remarkable, being more than double the number from battle. Part, at least, of this extraordinary loss of life by disease was due to the severity of the campaigns. The extent of the territory marched over was immense. Some of the campaigns were made under a tropical sun and some of the battles fought amid the snows of winter. The Ninth Army Corps fought on the Carolina coast and then marched 1,000 miles westward to the fever-smitten camps of Vicksburg. The Twelfth Corps, after fighting two years in Virginia, moved to Tennessee, from which it fought its way through Georgia to Atlanta, marched from Atlanta to the sea, and thence northward to its old battle grounds, having encircled half a continent. Men from the woods of Maine camped 2,000 miles distant, along the bayous of Louisiana. Men from the prairies of the Northwest toiled and battled among the everglades of Florida and along the Gulf. Human endurance was often taxed to its utmost, and the restless, moving armies left in their wake a line of countless graves.

History will never record, language can not express, and the human mind can not comprehend the hardships. the suffering, the trials, the sorrow, and the heartaches endured by those participating in that great conflict, and their loved ones at home. I thank God that peace finally came, with the Union restored, the nation's supremacy established, slavery abolished, and Old Glory supreme in the skies. [Applause.] Allow me in connection with this to call your attention to another event which occurred thirty-one years ago. It was the triumphant march of that victorious army in grand review down Pennsylvania avenue past this Capitol after the surrender of Lee at Appomattox. It was an imposing scene, ever to be remembered by those who witnessed it. I fancy I can see that heroic army, careworn and dusty, with their sunburnt faces, as they moved down this historic thoroughfare with their tattered battle flags kissing the breeze of that April morning, and hear their shouts and huzzas as they passed the grand reviewing stand. In that triumphal march as they approached this building their eyes fell upon a great banner; it was placed there by the

direction of the immortal Lincoln himself, and upon it was inscribed these words: "This nation owes but one debt it can never pay, the debt to the soldiers who saved the Union." Ah, Mr. Chairman, if the spirit of Abraham Lincoln could touch the hearts of those in control of the Pension Bureau this bill would not be here.

Thus closed a struggle unparalleled in the history of the world; a struggle in which, on the Union side alone, 110,070 men were killed in battle, while 249,458 died from disease, accident, in military prisons, or from other causes. Including both sides, more than 500,000 lives were lost. There have been wars which lasted longer—wars with intermittent, desultory campaigns—but in this struggle the two contending armies for four years never let go their clutch upon each other's throat. For four years the echo of the pickets' rifle never ceased. As a consequence of this prolonged and deadly conflict our land was filled with grief and sorrow—mothers weeping for sons, wives for husbands, and children for fathers that never returned. Every neighborhood had its mourning widows and orphan children. The maimed and wounded could be seen upon every hand. Added to this distressed condition, our country was involved in a debt of $2,800,000,000. Notwithstanding the overburdened condition of our Treasury, Congress, in obedience to the patriotic demands of the people, made suitable provision for pensioning our deserving heroes, their widows and orphans.

These pension laws have from time to time and from year to year been expanded and broadened until to-day we have the most liberal pension laws on the face of the globe. Ours is the only country in the universe where it is possible for the private soldier who served in the ranks to receive a pension of $1,200 per year under general law. Under the liberal and patriotic provisions of our pension laws thousands, yea hundreds of thousands, of our nation's defenders have received the generous bounty of this great country; and it has been administered with a liberal hand. There was paid to these old veterans, their widows and orphans, during the fiscal year ending June 30, 1893, $156,740,467.14. The number of persons on the pension roll June 30, 1892, was 876,068. Subsequent thereto, and during that year, there was added to the pension roll 121,000 names. And I may be permitted to suggest to the Democratic side of this House that this was before Hoke Smith and Lochren's day. [Laughter.]

During the year ending June 30, 1894, there were added to the pension roll 41,483 additional names. And I again repeat, our pension laws are liberal and acceptable to the defenders of the nation. I now propose to state a proposition that can not be gainsaid on this floor, a proposition in which every Republican in this nation should take pride—that each and every one of these liberal pension laws was written upon the statutes of this country by the party of which I have the honor to be an humble member, and over the objection and protest of the Democratic party. [Applause.]

I do not mean to say, nor will I say, that no Democrat voted for these measures, but the fact remains that the Democratic party as a party, while talking in favor of liberal pensions, have always voted the other way. And I again repeat that the Republican party has always been, and now is, the friend of the old veteran. This claim is verified by every pension law upon the statute books from July 14, 1862, to the present time. The Democratic party makes the same claim, forgetting (if it ever knew) the test prescribed over nineteen hundred years ago: "By their fruit shall ye know them." [Applause.] I invoke this test, and call upon the gentlemen on the other side of this Chamber to point to one single act pensioning the veterans of the late war that their party, as a party, ever advocated or supported.

In 1892 a political cyclone swept over the nation, as the result of which the Democratic party was placed in full control of the executive and legislative branches of this Government. It differed from the ordinary cyclone in this, that the wreck and ruin attending it did not manifest itself until the next year. That it was more destructive and broader in its scope than the ordinary cyclone is conceded by all, and that it is not likely to be visited upon us again while this generation lasts is, to say the least, quite consoling. Strange as it may seem, hundreds and thousands of our old veterans contributed by their votes directly and indirectly to this result, unconscious apparently of the fate in store for them. They were like the young lady of Niger who went riding on the back of a tiger; her face it wore a smile; when they returned from the ride the lady was inside, and the smile was on the face of the tiger. When I realized the determination of these old veterans to place themselves in this predicament I felt like repeating the prayer of the Saviour of mankind at the crucifixion: "Father, forgive them; they know not what they do." It is unnecessary for me to take up your time by stating that they fully realize now what they did, and my word for it, they will never do it again.

With the incoming Administration came Hoke Smith. These old veterans never heard of him before, but they all know him now. Before his day they used to sing, "While we were marching through Georgia," but during the past three years Georgia has been marching through them, as the records fully show. During the year ended June 30, 1893, there were dropped from the pension rolls in this country 2,296 pensioners. This does not include the names of those dropped by reason of death, remarriage, or minors reaching the age of 16 years. These persons were dropped simply and solely because the Pension Bureau in overhauling these cases reached a different conclusion than that announced at the time the claim was passed upon. It should be remembered in this connection also that the Democratic party assumed control of this Bureau March 4, 1893.

In the year ending June 30, 1894, there were dropped from the pension roll 5,233. There were also dropped from the roll during the year ended June 30, 1895, for the same reason, 9,680, making a total dropped to June 30, 1895, of 17,209. What the present year will disclose, in the absence of the report, I am unable to state, but I have no doubt it will not fall behind the record of the preceding year. These figures do not include pensioners reduced, but represent the number entirely stricken from the roll. These are some of the fruits by which we may know them. If this is the party that is the friend of the old soldiers, I fancy I can hear them exclaim, "Lord, protect us from our friends!"

Mr. Chairman, this is not all of the fruits of this Administration in pension matters. During the year ended June 30, 1895, 103,355 claims were rejected, while on the 1st day of July, 1895, there were pending, undisposed of, 552,210 pension claims in this Bureau. Of these 210,765 are original claims of parties who have never been placed upon the pension rolls and who have never received a dollar. This ought not to be so, and if the Pension Bureau would manifest more zeal in putting some of these upon the roll and less in striking others off its action would meet the hearty commendation of these old veterans. [Applause.] The action of this Bureau is extraordinary and unprecedented, and has called down upon itself the condemnation of every old soldier in the land. It has sent consternation into many thousands of humble homes. A letter bearing its frank fills the pensioner's heart with sorrow and anguish, and he opens it with fear and trembling lest the little pittance that stands between him and hunger is to be arbitrarily taken away. The condition to-day of hundreds and thousands of our soldiers has been well expressed by Joseph G. Waters, of Topeka, in a letter to my colleague, Hon. DICK BLUE of Kansas, calling his attention to a special bill pending before the Committee on Invalid Pensions in behalf of one Wallace McGrath. I desire to quote from that letter.

Speaking of Wallace McGrath, Captain Waters says:

Full six foot two, with head in air,
And straight as shaft or column,
Without a blemish, hurt, or care,
And never glum or solemn.

Behind the drums he marched away,
A thousand others going,
To fields where waiting foemen lay
And blood would soon be flowing.

The very devils in his soul,
Leashed to the fife's slow meter,
Impatient heard the muskets' roll
And vomit their saltpeter.

Through all the long and hard campaigns,
Up hills and down the valleys,
Where smoking guns drove narrow lanes
Through ranks that made the sallies.

I once, long years ago, was told—
It's Gov'nor Martin's story—
This man, so true, so brave and bold,
Did once a thing of glory.

Of all the men who climbed the crest
Where Bragg had his headquarters,
He was the one who led the rest
Above the crimson slaughters.

The war is past, and Peace, secure,
Points upward with its moral.
And long as centuries endure
The soldier wins his laurel.

Not so, DICK BLUE! That man, they say—
This is not strange or novel—
Is at the Soldiers' Home to-day,
His loved ones in a hovel.

Lame, paralyzed, and desolate,
His sunset glow of glory,
Infirm and old, left to his fate,
And, BLUE, this ends his story.

Mr. Chairman, I want to enter my solemn protest here and now against these outrages, and to warn the Democratic party that a cyclone is gathering from the Atlantic to the Pacific, from the Lakes to the Gulf, that will sweep it from place and power. These old veterans are eagerly watching and impatiently waiting for the opportunity to set the seal of their condemnation upon the party that has so grossly deceived and outraged them; and that time will soon appear. What is the purpose of the bill under consideration? Is it a bill to extend and broaden the pension laws? By no means; it is simply administrative in its character.

It is intended to correct some of the evils and abuses of the Pension Bureau. Its design is to simplify the practice, to abolish technicalities, and make it possible for the claimant to obtain that which is so justly due and from which they have so long been deprived. In other words, it is an effort to compel by law a Democratic Administration to allow pensions, and its necessity was occasioned by the mistake of 1892. I must confess that the bill is open to criticism in some respects, and that many of its provisions do not fully coincide with my views; nevertheless it is a step in the right direction, and I will support it by my vote. I introduced a bill in this House early in this session that I would like to see enacted into law, as I feel confident it would meet the hearty approval of the old veterans themselves. The first section of this bill is as follows:

That no person otherwise entitled to a pension by virtue of any law of the United States shall be disqualified from receiving the same by reason of any prior service in the Confederate army or navy during the war of the rebellion, nor shall the widow, children, or dependent relatives of such person be deprived of a right to pension by reason of such service: *Provided*, That no pension shall be granted by virtue of this section for disability contracted or incurred while aiding or abetting the late rebellion against the authority of the United States.

I may say with reference to this section that I have no desire to exclude from the pension rolls a man solely on the ground of his previous service in the Confederate army. We all know that many by reason of their environment enlisted in that service either through compulsion or for the purpose of escaping to the Union side, and did so escape and join our Army the very first opportunity. I do not, however, believe that the Confederate soldier who abandoned his cause when all hope of success had vanished and entered the Union Army when the struggle was practically over is entitled to receive the bounty of this Government, and for that reason this section of the bill should be modified in this respect. Section 2 of the bill reads as follows:

SEC. 2. That from and after the passage of this act no pension heretofore granted or which may hereafter be granted under the pension laws shall be reduced or discontinued except for fraud, clerical error, mistake of fact, or recovery from disability: *Provided, however*, That nothing herein contained shall be construed to entitle any person to more than one pension, or as allowing more than one pension for the same service, nor to affect or enlarge the pension rights of widows and others under sections 4702, 4706, and 4708 of the Revised Statutes of the United States and acts supplemental to and amendatory thereof.

This section, in my judgment, will not meet the expectation of its author, and is open to serious criticism. I am one of those who believe that the pension certificate in the hands of the old veteran should be as sacred as the bond in the hands of the bondholder and should be clothed with all of the privileges of a vested right. The old soldier should be as secure in his pension when the certificate is once granted as he is to the land to which he holds the patent of the Government. The allowance of the pension should have the force and effect of a judgment rendered by a competent court, and should only be set aside for actual fraud, in a proceeding based upon an accusation under oath judicial in its character, and with reasonable opportunity to defend. This section permits the Pension Bureau to set aside the pension for a mistake of fact in its allowance, or for the reason that the pensioner has recovered from his disabilities.

These are dangerous provisions, and more especially when intrusted to an unfriendly Bureau. It will be observed that the Bureau is the sole judge, and the pensioner is at the mercy and subject to the whim and caprice of the Commissioner of Pensions. Under these provisions the present Bureau will undoubtedly hold that every person stricken from the pension rolls during the past three years falls within one or the other of these provisions. I want to warn my Republican friends of the danger of permitting these provisions to remain in this bill. We should prohibit in the most positive terms the Pension Bureau from striking from the roll a single pensioner except for fraud, clearly established in a judicial proceeding, in which the fullest opportunity to defend is offered. Nothing short of this will protect the pensioner from the outrages of which he now so justly complains and bring to him that peace of mind so desirable in his declining years. I will now invite your attention to section 3 of this bill, which reads:

SEC. 3. That all pensions reduced or discontinued since January 7, 1893, shall, upon application, be reconsidered and adjudicated in accordance with the provisions of this act, and the pension, if restored or allowed, shall commence from the date of such reduction or discontinuance, or from the date subsequent thereto at which the disability is shown by the evidence to have existed: *Provided*, That in the event of the death of the pensioner after such reduction or discontinuance, any accrued pension that may be found due under this section shall be paid as provided by existing law in cases of death.

This section, if administered in a patriotic spirit, will restore to the pension roll thousands heretofore dropped, and will enable them to recover their pensions from the time they were stricken therefrom. This is a simple act of justice to those who have felt the blighting hand of this unfriendly Administration. But if administered by an unpatriotic and unfriendly Commissioner we can not hope for such results. I will next take up section 4, which is as follows:

SEC. 4. That hereafter, in the administration of the pension laws, all investigations into the merits of any pension previously allowed shall be by question and answer, under oath, in open session, after due notice to the person or persons who may be affected thereby to be present personally or by attorney; and such person or persons shall have the right to cross-examine and a fair and full opportunity to rebut or substantiate any facts alleged or disputed: *Provided*, That when fraud is alleged the allegations shall be reduced to writing and under oath and the person or persons affected thereby shall be furnished with a certified copy of the charges made, together with the names of the persons making the same, at least thirty days prior to such investigation, and shall be furnished with the names of the witnesses by whom said charges are to be proved at least five days prior to their examination, such investigation to be conducted at the county seat of the county in which the person affected resides, and the depositions of witnesses residing outside of said county shall be taken as near as may be in accordance with the practice of the State or Territory in which said witness resides.

With reference to this section I will only say its phraseology is peculiar, and the procedure not as well defined as it should be, still with a fair interpretation it will doubtless prevent many pensioners being dropped from the rolls. I will now invite attention to section 5, which reads:

SEC. 5. That in the administration of the pension laws the oath of a person who has served as a noncommissioned officer or private shall not have any less weight than if such person had served as a commissioned officer: *Provided*, That no claim shall be rejected because of claimant's inability to furnish, as to any material fact in the case, the testimony of more than one credible witness having knowledge of such fact.

This section, barring its peculiar phraseology, is free from criticism and will meet the approval of the old soldier. Under this section no distinction can be made in the testimony of a private soldier and that of an officer solely on account of rank, but the most important provision of this section is that which requires the Bureau to accept the testimony of one credible witness where two or more heretofore have been required. Many claims have come under my observation since I have been here where the claimant is unable to furnish the affidavit of more than one credible witness to the time, place, and circumstances under which his disability was contracted or incurred, and thousands of claims are now held in the Pension Office for this reason. This provision has my unqualified indorsement, and I fully commend it to this House.

Section 6 meets my approval, and is as follows:

SEC. 6. That in the administration of the pension laws an affiant shall be required only to make oath that said affiant has read or heard read the subscribed affidavit, that the same was prepared in his or her presence at his or her dictation, is in affiant's own language, and that the matters and things therein stated are true.

This section prescribes the form of affidavits to be used in pension cases, and is intended to annul, abrogate, and abolish that intricate, complicated, unpatriotic, and wicked Order 229, devised, designed, and intended to vex, annoy, and harass those applying for pensions, and to hinder and delay them in procuring the same. The name of the author of this remarkable order will doubtless never be known, but it is the legitimate child of a Democratic Bureau, and in order that future generations may be able to properly interpret the political history of 1896, when they come to read it, I will incorporate this order in my remarks:

[Order No. 229.]

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,
Washington, D. C., June 19, 1893.

In the preparation of testimony in support of claims in pension cases all statements affecting the particular case and not merely formal must be written, or prepared to be typewritten, in the presence of the witness, and from his oral declarations then made to the person who then reduces the testimony to writing, or then prepares the same to be typewritten. And such testimony must embody a statement by the witness that such testimony was all written, or prepared for typewriting (as the case may be), in his presence, and only from his oral statements then made; stating also the time, place, and person, when, where, and to whom he made such oral statements, and that in making the same he did not use and was not aided or prompted by any written or printed statement or recital prepared or dictated by any other person and not attached as an exhibit to his testimony.

Any needless delay in the preparation of such testimony after such oral statement by the witness or in forwarding the same to this Bureau and any material alteration or erasure will be cause for rejecting such testimony.

WM. LOCHREN, *Commissioner.*

Approved:
HOKE SMITH, *Secretary.*

Section 7 is important, and corrects an evil that should never have existed. The section reads:

SEC. 7. That all notifications from the Bureau of Pensions as to the status of any case shall set forth each and every fact upon which further evidence is required to complete the same.

Section 8 is both wise and timely. It will protect the pensioner against that class of cowardly assassins whose morbid natures induce them to make false and malicious charges against the unsuspecting old veteran with the hope of having his name dropped from the pension roll with the assurance that their false, wicked, and cowardly communications will be held sacred by the Pension Bureau, thus shielding them from public censure and condemnation. The section is as follows:

SEC. 8. That all papers, memoranda, writings, letters, or exhibits received by the Bureau of Pensions relating to any pension or claim shall be preserved and filed with the papers in said case, and every pensioner or pension claimant shall have the right, in person or by attorney, to examine and inspect each and every such paper, memorandum, writing, letter, or exhibit which has any reference to or bearing upon his or her pension or claim.

This section should not stop here, but should embrace all such communications heretofore received. I make this suggestion, for I am informed and believe the fact to be that on the convening of this Congress all of these pension files passed through what is

know as the shucking process, whereby communications of this character were abstracted therefrom. Justice demands that these unpatriotic and cowardly methods be exposed to the light of day, and that these cowardly spies be exposed to the gaze of an outraged people.

Section 9 simply provides that the records of the War and Navy Departments showing disabilities to have been received and contracted in the line of duty shall be conclusive of that fact. Section 10 simply declares that the common-law presumption of death after the lapse of seven years shall apply in pension cases. Section 11 relates to proof of marriage, making continuous cohabitation prima facie evidence thereof. Section 12 fixes July 1, 1865, as the date on which the civil war ended. Section 13 extends the act of June 27, 1890, to persons who served ninety days or more and received an honorable discharge, notwithstanding a prior service in which the soldier was not discharged, and that the death of the soldier while in the line of duty shall be equivalent to a discharge. Section 14 requires the rating under the act of June 27, 1890, to conform to the act of July 14, 1862, up to the maximum of $12 per month, and that all disabilities found to exist shall be combined in fixing the rate of the pension, and further provides that the pension shall not be denied if the disabilities so combined entitle the pensioner to $6 per month.

This section will be appreciated by the pensioners; it restores the ruling of Commissioner Raum, and is manifestly just. Under the ruling of the present Bureau the pension is denied unless some one of the disabilities in and of itself justifies a rating of $6 per month.

Section 15 provides for the reopening of any claim rejected under the act of June 27, 1890, without filing a new or supplemental declaration, and fixes the time when the pension shall commence if allowed.

Section 16 construes the term "without other means of support than her daily labor," used in the act of June 27, 1890, to mean without a net income of $300 per annum. This section will be hailed with joy by thousands of widows now deprived of their pensions under the rule established by the present Bureau, which denies the pension where the income exceeded $8 per month.

Now, Mr. Chairman, I have discussed in my humble way every feature of this bill, and while I have criticised some of its provisions I look upon it as a measure of much importance to the old soldiers of this country and shall gladly record my vote in its favor. I would like to see section 1 of the bill introduced by myself substituted for the first section of this bill. It provides in substance that every soldier, sailor, or marine received or accepted into the service of the United States in the war of the rebellion shall be conclusively presumed to have been sound, able-bodied, and free from disease at the time of such acceptance.

Mr. SULLOWAY. That is right.

Mr. KIRKPATRICK. Of course it is right. I can conceive of nothing more unjust than to deny one of these old veterans a pension on the theory that he was unsound when he entered the service. I do not care whether he was sound or not when he entered the service; he offered his life in the defense of his country; the Government inspected and accepted him, and it is manifestly unjust now to say, and the Government ought not to be permitted to say, that he was unfit to be a soldier. That long march and the battlefield are his witnesses, and their testimony is conclusive.

Mr. Chairman, I might offer many other suggestions along this line, but I have already occupied too much time. No man regrets more than myself the necessity for this bill; but the Republican party never turned a deaf ear to the appeals of the nation's defenders and never will. [Applause.] There never was a time in the history of this country when there was so much uneasiness, distrust, and alarm among our pensioners as to-day. There never was a time when they felt so much insecurity as now, for they know not what a day may bring forth. We realize that this bill will not afford that security and peace of mind so earnestly desired. We confess our inability to enact a law that will secure a liberal and patriotic administration of the pension laws when controlled by a party that does not believe in pensions. In order to do this we must be able by law to change the hearts of those in control of the Pension Bureau, as well as to inject into the veins of the Democratic party a generous supply of patriotic blood. This being impossible, there is but one remedy left to the old soldier, and that is to drive from place and power the party that has dealt so unpatriotically and unjustly with him.

The gentlemen on the other side of this Chamber are following the same hypocritical course with reference to this bill that has characterized their actions since 1865. They pretend that they are in favor of liberal pension legislation, and yet no bill has ever been offered proposing either special or general legislation in the interests and behalf of the old soldiers of this country that has met their approval. It matters not how wise or patriotic and just the measure may be, it meets their combined opposition. When a private or special bill is offered for the relief of some old veteran whose pitiable condition appeals to the sympathy of all, they refuse to support it, under the shallow pretense that it is unjust to others similarly situated.

I affirm in the presence and hearing of every Democratic member on this floor, and with the records at their command, without fear of contradiction, that the Democratic party has upon this floor opposed every measure to pension the soldiers of the late war from 1861 to the present time; and that each and every one of our pension laws have been placed upon the statute books of this country by the Republican party and over the opposition of the Democratic party; and I challenge any gentleman here to put his finger upon a single pension law that contradicts my statement. I will venture the further assertion that this bill will not receive three Democratic votes, with all of their talk about justice to the old soldier. Do gentlemen suppose that they can deceive the people further by their sham pretenses and utterances in the face of a record of opposition for thirty years? Why not vote for this bill, it is the only measure before the House at this time, and then if any other measure can be devised more equitable in its terms we assure you that it shall have our hearty support?

Now, I want to make another prediction, notwithstanding the remarks of the gentlemen and their clamor for a service pension, that when such a bill is presented it will not receive 5 votes on that side of the House. Like all measures, it will not be the kind of a service pension they desire. You flippantly ask why we do not report a service-pension bill. In answer to that I want to say that we now have under consideration in the committee a bill of that character which will be reported to this body in a few days. But I have no doubt, when it comes up for consideration, your side will insist that it is unjust to some other class of soldiers and will refuse to support it. And, again, I might suggest to you some very cogent reasons for deferring a service-pension bill for the present. If you remember, in 1892 the people of this country listened to the siren voice of Democracy, and unwisely placed the destinies of this nation under Democratic control. Our protective system, under which the country had prospered as it never prospered before, was supplanted by the heresy of free trade, the pet and idol of the Democratic party. This blighting, un-American system paralyzed every industry, obstructed trade, and forced 2,000,000 people into idleness. Our imports exceeded our exports, and our Treasury was soon at the mercy of a foreign syndicate that could only be appeased by the issuance of two hundred and sixty-two millions in bonds.

We have scarcely seen a day since this ruinous policy was enacted that our expenditures did not exceed our receipts. Our deficit has been growing from day to day, and is now into the millions. Our interest-bearing public debt has increased during this time $285,000,000. Confronted as we are to-day with a deficit of millions, and increasing with each day in the year, with ten months of this Administration yet to be endured, would seem to be very cogent reasons for delaying a bill that would increase the expenditures at the lowest estimate fifty millions per annum, however meritorious and deserving the measure may be. Give yourselves no concern, my Democratic brethren, the friends of the old soldier will soon be in control, your free-trade heresy will be overthrown, and protection and reciprocity restored. Our crippled and paralyzed industries will resume their former activity, business will revive, and the wage earner will find abundant employment at a remunerative price, unfettered by the competition of the Old World. When that time comes, and it will soon come, there will be no dickering with syndicates to sustain the nation's credit, no borrowing of money to meet the current expenses; our Treasury will be filled with tribute levied on the commodities of other climes. When that time comes, if not before, we will speedily pass a service-pension law, the most liberal and generous in its terms found upon the statutes of any country on earth. Will our Democratic brethren then join us in bringing about this patriotic measure? Judging from the past, I should say no. I will therefore suggest to them to stand still and they will see the salvation of the Lord. [Applause.]

Filled Cheese.

REMARKS
OF
HON. WINFIELD S. KERR,
OF OHIO,
IN THE HOUSE OF REPRESENTATIVES,
Wednesday, April 15, 1896,

On the bill (H. R. 8008) defining cheese, and also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of "filled cheese."

Mr. KERR said:

Mr. SPEAKER: I should not delay final action upon this bill even for the brief time which I shall occupy were it not for the fact that a large number of my constituents are engaged in the manufacture and sale of genuine cheese, and that they need and are

entitled to the protection of a law which will strip the disguise from spurious competitors and compel every product to enter the market upon its own merits and for what it is. All laws are, to a greater or less degree, an abridgment of liberty—so all trade regulations encroach more or less upon the freedom of business—but they are nevertheless necessary to secure its honest or orderly transaction. I concede that on a cursory reading of this bill, and at first blush, it would seem especially onerous and burdensome upon those coming within its provisions, but a careful consideration and enumeration of the things required, aside from the tax, will remove that impression and demonstrate that no especial hardship is entailed. In determining whether a law should pass or not we should keep steadily in mind the evil at which it is directed, the vice which it is to cure. It must be borne in mind that the business at which this bill is directed has projected itself upon the people under false pretenses; it has worn the cloak of deceit; it has declined to meet an honorable competitor in an honorable way in the markets. I do not mean to do any man or combination of men injustice; therefore I say that I presume not all the manufacturers of "filled cheese" should be thus characterized, but the evil is sufficiently prevalent to not only justify but to demand relief.

It is no sufficient answer to this legislation to say that "filled cheese" is not deleterious to health. But if it is not it seems inexplicable that with such charge being made and the burdens of this law impending that only one person should have appeared before the committee against the measure. But, however that may be, and the committee seems to have left it unanswered, the law has secure foundation in other reasons. The power of Congress under the Constitution to legislate on this subject is clear, it seems to me. The internal-revenue taxes, and their method of collection, upon liquors, tobacco, cigars, and as they were formerly levied upon a hundred articles, are in all substantial respects as they are levied here. That these articles are luxuries or vices does not at all affect the power. Formerly taxes by stamps were levied or collected upon friction matches, bank checks, and other things, all very important, altogether legitimate, and absolutely essential under this same constitutional authority. This year, under an unquestioned law of Congress, 66,000,000 pounds of oleomargarine paid an internal-revenue tax of $1,328,000.

It is urged that this is a legitimate business and ought not to be discriminated against and burdened. So is the distilling of liquor, so far as the National Government regards it, a legitimate business, and so the brewing of beer, the making of tobacco and cigars, the drawing of bank checks, yet all fell within this power and do or did bear the burdens of taxation.

Every State in the Union, I presume, has laws to protect its people against deception from adulterated food products. Ohio has an elaborate and successful system of pure-food laws. These laws do not rest upon the sale nor essentially upon the ground that adulterated articles are deleterious to health. That is one of the reasons for their existence; but they rest upon the broader foundation that the people are entitled to protection against fraud and deceit. Oleomargarine may taste as well and be as healthful as dairy butter; but an individual who supposes he is buying butter and gets oleomargarine is defrauded. So the individual who supposes he is buying "full cream cheese" and is given "filled cheese" is defrauded and deceived. That kind of practice is legal and moral deceit and ought to be prevented if a remedy can be devised. It has brought our cheese into disrepute in foreign markets.

State legislatures, limited in their powers by the Federal Constitution, can afford no adequate relief. This product, while it is the subject of interstate commerce, is beyond the reach of State regulation or control. I venture the opinion that nine-tenths of the trade in this article by the manufacturer and wholesaler is interstate and within the exclusive jurisdiction of Congress.

I do not believe the exactions of this bill are any more burdensome than those imposed upon several other businesses by Federal laws, but if they are the report of the committee shows that the producers and dealers in "filled cheese" have made them necessary. A man who manufactures a good article of any kind advances his own interests by preserving by suitable marks the identity of his product. Fees are paid for trade-marks and suits are prosecuted to redress and prevent their infringement. But in this business, one of large proportions, no such business precautions are taken, or seemingly advisable. As the committee report shows, a large proportion of the product is sold by the manufacturers to jobbers without any mark whatever, without name or habitation, thus leaving to the jobber the privilege of locating the place of manufacture and naming the article.

Only one reasonable inference is open from such a situation, namely, the manufacturer has no pride in his product and is in conspiracy with the dealer to deceive the consumer. When this cheese, unmarked and bastardized by its producer, reaches the dealer, the report shows that it is marked "New York State full cream cheese," "Fine cream cheese," "Badger State full cream cheese"; and this defrauds and deceives the purchaser and consumer, and as well infringes the rights of the honest manufacturers of these brands of cheese and brings their product into disrepute through the deception. It appears that these dealers have stencil plates, and with them mark the cheese anything, give it any name and quality the cupidity of the purchaser may suggest. It is certainly time that such practices should be put under the ban of the law, and here and now is a splendid opportunity to do it.

The minority of the committee, among the grounds upon which they oppose the measure, deprecate the present increase of revenue in view of the plethoric condition of the Treasury. As supporting this argument they say there is now in the Treasury over and above the gold reserve $160,000,000. So there is of borrowed money, but how long will it last with the present revenues and expenditures? Yesterday's statement of the receipts and expenditures show the expenditures to be $1,041,000 over the receipts. At this rate the $160,000,000 would last about one hundred and fifty-nine days, or about five months. How such an argument overwhelms one! In a month or two Congress will adjourn for six months at least; before we again convene this fund will be exhausted at the present rate of diminution, and each day thereafter the Government will be running behind. It is also asserted in some quarters that the President will reconvene Congress unless some revenue legislation is enacted. All of which is very interesting in connection with this revenue argument. The manufacturers of and dealers in this article may find some substantial benefit to their business in this measure. I have no information as to whether this kind of cheese is imported, but if not now I have no doubt that soon the enterprise of other countries will follow the Yankee lead and will be making filled cheese and seeking a market for it abroad, and most likely in this direction. This bill, in addition to the import duty, the tariff, levies 8 cents a pound internal-revenue tax upon the foreign product. This will give the American producer of filled cheese the American market; so that, after all, this advantage may lift the burdens of the measure.

At any rate, it is a reasonable proposition. It enforces fair dealing, honest business. It prevents fraud and deceit and puts this article into the market upon its merits, with its own flag flying.

We have stopped pirating on the high seas. We have attempted to stop it against copyrighted literature and works of art. Let us now stop it in the cheese business.

River and Harbor Appropriations.

SPEECH
OF
HON. DAVID G. COLSON,
OF KENTUCKY,
IN THE HOUSE OF REPRESENTATIVES,

Monday, April 6, 1896.

The House having under consideration the bill (H. R. 7977) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes—

Mr. COLSON said:

Mr. SPEAKER: If I were to criticise the bill now before the House for consideration I would say that the appropriations made for some of the rivers of the country are too small. There is no economy in making public improvements by piecemeal. Such a policy results in increased cost in the completion of any improvement to which it is applied. This bill in some of its parts does not meet my approval. It is in some of its items too illiberal. I will refer to only one item, which is the one of $20,000 for continuing the improvement of the Cumberland River between the Tennessee and Kentucky State line and the town of Burnside, in Kentucky, to be expended in purchasing sites and masonry for locks and dams 21 and 22 on said river. I asked the committee to put these locks and dams under the continuous contract system or to appropriate $100,000 for expenditure in the work. The bill does neither, but carries only $20,000 for the purpose named. This amount, though small, is the only appropriation ever made especially for that part of the Cumberland between the State line and the town of Burnside, and bearing in mind this fact, I am pleased to get the $20,000. But it is illiberal.

Were it allowable under the rule under which we are operating to offer amendments, I would offer an amendment putting these locks and dams (21 and 22) under continuous contract, and failing to secure its adoption would move to increase the appropriation for said locks and dams to $100,000.

By the Cumberland River the distance from Nashville, Tenn., to Burnside, on the Cincinnati Southern Railroad, in Kentucky, is 327 miles, and nowhere between these two points is this river crossed by any railroad. This may strike you as remarkable, but it is true.

The Cumberland River, in the plan for its improvement, is divided into two sections, the Cumberland below Nashville and the Cumberland above Nashville.

Nearly all the appropriations made for the improvement of the

Cumberland above Nashville has been expended on that part of the river in Tennessee.

This is not just to the people along that part of the division above Nashville which is in Kentucky. Of the 327 miles of the Cumberland between Nashville (in Tennessee) and Burnside (in Kentucky) 203 miles is in Kentucky, and the people of the districts lying along this part of this 203 miles of the Cumberland between the State line and Burnside seek the markets of the country not by going down the river to Nashville, but by going up it to the railroad at Burnside. Burnside is the railroad shipping point for all the upper Cumberland River country between Burnside and the State line. Hence the importance of pushing the improvement of the Cumberland River from Burnside down. The river is navigable up to Burnside for boats of 3-foot draft about five months in the year.

The plan of improvement favorably reported by the engineers is entirely possible, and when completed will make the river navigable to Burnside all the year for boats of 4-foot draft. The completion of locks and dams 22 and 21, which are about 5 and 30 miles, respectively, below Burnside, would give transportation all the year to a large territory, rich in oil, coal, timber, and a variety of resources. The people of this section are honest, industrious, and progressive, and I here and now enter my earnest protest against the failure to make an adequate appropriation for the pushing forward of the improvement of the Cumberland River from Burnside down. The Republican party can not afford to neglect any improvement that ought to be made. The Republican party believes in the policy of internal improvement, as it does in the doctrine of protection. These are the two great policies for which Henry Clay stood, and Kentucky stands to-day advocating them, Kentuckians never having departed from the faith of that great man.

Pensions.

The Loyalists of East Tennessee—Their Services as Soldiers—The National Guards and Home Guards—Never Paid as Promised—Their Appeal for Justice.

SPEECH
OF
HON. HENRY R. GIBSON,
OF TENNESSEE,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, April 25, 1896.

The House having under consideration the bill (H. R. 8271) relating to pensions—

Mr. GIBSON said:

Mr. SPEAKER: The remarks that I propose to submit to-night in connection with the pending measure will not perhaps appear at first to bear directly upon the bill now under consideration, but later on their pertinency will become more manifest.

I desire to speak to-night in reference to what might be termed the irregular Union soldiers of the South. Those soldiers may be divided into three distinct classes: First, the men who joined regular military organizations without ever having been mustered; second, the "East Tennessee National Guards," and third, the "Home Guards" of East Tennessee.

A great many of the regular East Tennessee regiments frequently passed through their end of the State, and as they passed through numbers of loyal men joined their ranks. These men had no thought of bounties. They did not wait to be examined by surgeons; they did not wait to be mustered into the service; they did not even stop to put on uniforms, but dressed in our mountain homespun took their places in the ranks of the Army and ran all the risks of a soldier, proud of the chance to serve under the flag of their country and battle in her cause, with the consent, of course, of the officers commanding the companies and the officers commanding the regiments. These men went into battle with the regiments they had thus joined. Many of them were killed, many were wounded, and many captured. Many served six, eight, ten, twelve, or more months in the service, and when these regiments at last reached some point where a mustering officer could be found, those who were killed of course were not there and could not be mustered; those who were wounded and were in the hospitals, and the sick who had been left elsewhere, could not be mustered; and very frequently those who were present were rejected because of wounds, injuries, or other disability incurred while in the service; and thus but a small percentage of them were ever actually mustered into the armies of the Union and became entitled to a soldier's rights.

BRAVE SOLDIERS NEVER MUSTERED.

I have introduced a number of bills covering cases of this character. One case is that of a man who served about three years, Capt. George A. Tillett, who was three times wounded in battle and twice made a prisoner of war. Captain Tillett's record is one of thrilling interest. Another case is that of William B. Caldwell, who joined the Ninth Tennessee Cavalry. I have in my hand the statement of his case as it appears of record in the Record and Pension Office of the War Department. He enlisted in Company D, Ninth Tennessee Cavalry, and served with the regiment in several engagements, the last one at Bulls Gap, Tenn., on November 14, 1864, in which engagement he received a bullet wound in his right hip. He was sent to the army hospital at Knoxville, where he remained until March, 1865, when he rejoined his regiment, but was rejected because his wound had disabled him for further military service—was never mustered.

I could also call attention to the cases of William C. Chandler and Jason R. Gossett, pending before this House, both of whom were captured by the rebels after enlistment and before muster and confined in rebel prisons—in Chandler's case for about two years and in Gossett's case eight months. I could cite many other cases, but refer to these to show that there ought to be some law passed by the Congress of the United States giving these men who thus rendered faithful services some recognition as soldiers and some adequate compensation for their patriotism, their heroism, and their unselfish services in the cause of their country. [Applause.]

I have introduced a general bill covering this class of cases; but for fear I may not get an opportunity to discuss that bill, I state the matter here, as pertinent to some extent to the bill now under consideration.

NATIONAL GUARDS OF EAST TENNESSEE.

The second class of cases I wish to refer to are National Guards of East Tennessee. When General Burnside came into East Tennessee the people went forth to meet him in crowds and to welcome him as a deliverer. They embraced the very horse he was riding. The women crowded around to take his hand and touch his garments. His march from Cumberland Gap to Knoxville was one continuous ovation. The mountains rejoiced and the very hills broke forth into songs, for the day of their deliverance had come. Union flags blossomed out everywhere, all over East Tennessee, from the places where they had been hidden during the winter of those terrible times when the Confederates were in control of that mountain land, and a jubilee was held in every loyal home. [Applause.] Later on I will read a letter that General Burnside addressed to Mr. Lincoln in reference to the extraordinary loyalty and patriotic devotion of the people of East Tennessee. As soon as he struck that country he issued an order a part of which I will read, and the whole I will append to my remarks.

General Field Orders, No. 10. HEADQUARTERS, ARMY OF THE OHIO, *September 15, 1863.*

For the better defense of East Tennessee the loyal citizens are hereby invited and authorized to form themselves into companies, which will be known as the "National Guard" of East Tennessee.

* * * * * * *

The companies will elect their own officers, and as soon as the organization is completed either the captain or some other responsible officer will report at these headquarters, when arms, ammunition, and necessary equipments will be issued.

The companies will be mustered into the service of the United States—

Note that language, Mr. Speaker—"will be mustered into the service of the United States"; not into the service of the State of Tennessee, nor into the service of General Burnside, but into "the service of the United States." I call special attention to these words, for the reason that the War Department, as I will hereafter show, claims that they were mere State militia or "home guards."

The companies will be mustered into the service of United States, and when called out by competent authority will receive the pay and allowances given other troops of the same arm in the volunteer service.

* * * * * * *

The loyal citizens of East Tennessee are called upon to be active in forming themselves into companies, in order that they may be armed with the least possible delay. The Government places arms at their disposal to be used in defense of their homes, and it is hoped they will come forward with promptness and do their part toward securing their several counties from invasion.

By command of Major-General Burnside.

LEWIS RICHMOND,
Assistant Adjutant-General.

COMPANIES OF NATIONAL GUARDS.

You will notice that this order calls them "the National Guard of East Tennessee," not home guards, not State militia, not county guards, but "the National Guard of East Tennessee." They were called out by the United States directly and not by the State; they were organized and officered, armed and equipped, by the United States, and were in every sense soldiers of the United States.

In pursuance of that order numerous companies of National Guards were organized in East Tennessee, notably the following:

Five companies in the county of Sevier, commanded respectively by Capts. Benjamin F. Tipton, Daniel Kelley, Samuel W. Randles, Nathaniel M. Baker, and Jacob Tyson.

Four companies in Blount County, commanded, respectively, by Capts. Newton McConnell, Elijah Walker, Hamilton Tipton, and William Bingham.

One company in Knox County, commanded by Capt. Gideon S. White.

One company in Union County, commanded by Capt. William Shelby.

One company in Jefferson County, commanded by Capt. Daniel Carter.

Two companies in Cocke County, commanded by Capts. Russell Jenkins and Jefferson Denton, respectively.

Three companies in Scott, Morgan, and Campbell counties, commanded, respectively, by Capts. Dennis Trammell, Wimer Croley, and Joseph Newport. These three companies have been recognized as soldiers, and what I may hereafter say about the nonpayment and non-recognition of the National Guards of East Tennessee does not refer to these three companies.

These companies were sworn into the service of the United States under Burnside's order, as I will presently show.

I have in my hand an original draft of the oath furnished by General Burnside to be administered to these men. It is as follows:

OATH TAKEN BY THE NATIONAL GUARD.

HEADQUARTERS, ARMY OF THE OHIO,
Knoxville, Tenn., October 3, 1863.

Oath to be administered to the National Guard of East Tennessee:

"All and each of you do solemnly swear (or affirm, as the case may be) that you will bear true allegiance to the United States of America, and that you will serve them honestly and faithfully against all their enemies or opposers whatsoever, and observe and obey the orders of the President of the United States and the orders of the officers appointed over you according to the Rules and Articles for the Government of the Armies of the United States. So help you God."

That is the oath that these men took. They remained subject to the orders of United States officers from their enlistment to their disbandment. They fought battle after battle, sometimes victorious and sometimes going down in defeat. Many of them were killed, many of them were captured, many suffered all the horrors of Andersonville prison; and in revenge for their espousal of the cause of the Union, when the Confederate forces under Longstreet came in, the rebel guerrillas and Cherokee Indians from the mountains of North Carolina were turned loose upon their families, and their property burned or swept away, and their wives and children maltreated.

SERVICES RENDERED BY THE NATIONAL GUARDS.

And yet, Mr. Speaker, with the exception stated, none of these men has ever been paid one cent by the Government of the United States. Not a dollar has ever gone into their pockets. They were armed by the Government, it is true; they drew ammunition from the Government, it is true; but they furnished their own clothing, they furnished their own horses, and they furnished their own commissaries. I have here the muster rolls of several of those companies, with the affidavits of the officers as to the services that they rendered. Two of these affidavits I will, for the information of the House, append to my remarks as samples of the services rendered by these companies of National Guards.

These affidavits all show that these companies of National Guards were all organized and duly sworn into the service of the United States under General Field Order No. 10 just read, that they were armed by General Burnside, that they were under military order, that they rendered many and valuable services, that many of these guards were killed, wounded, and captured, that some died in rebel prisons, and that, in short, they had all the varying fortunes and vicissitudes of soldiers in time of war, without, however, ever receiving any of the compensations and allowances promised them.

Now, Mr. Speaker, what is the excuse that the War Department has given why these companies were not paid? General Burnside himself, while he was in the Senate of the United States, I am told, went to the then Secretary of War and entreated him to recognize the National Guards of East Tennessee, telling the Secretary that he had solemnly pledged these men that they should be recognized as United States soldiers, and receive, in the language of his general order—

The pay and allowances given other troops of the same arm in the volunteer service.

I hold in my hand the letter of the Adjutant-General, dated Washington, D. C., February 4, 1880, and he gives as a reason why these troops should not be paid the following:

The returns of the Army of the Ohio, in which it is claimed the companies served, make no mention of the force. The companies were simply home guards, and as such furnished with arms and ammunition to defend themselves whenever the occasion required.

THE NATIONAL GUARDS DULY AUTHORIZED.

Now, Mr. Speaker, in this very report he gives the general field order that I have just referred to, issued by General Burnside, calling them "National Guards," recognizing them as soldiers in "the service of the United States," promising them "the pay and allowances given other troops in the same arm of the volunteer service"; and his report also sets forth the orders that were given to these men to go to different places and do various duties. This general field order that I have just read is dated September 15, 1863, and the document which I will now read is dated September 25, ten days afterwards. General Burnside called on the loyal men of East Tennessee to be active. Well, they were active. In less than a week over 2,000 men had rallied to his call. On the 25th of September, 1863, ten days after he had issued his field order, he issued this special field order:

HEADQUARTERS, ARMY OF THE OHIO,
Knoxville, Tenn., September 25, 1863.

He had just come to Knoxville. It was the first time it had been taken possession of by the Union armies during the rebellion.

Special Field Orders, No. 29.

HEADQUARTERS, ARMY OF THE OHIO,
Knoxville, Tenn., September 25, 1863.

* * * * * * *

6. Capt. R. C. Crawford will proceed without delay to Sevier, Cocke, Greene, Hawkins, and Hancock, East Tennessee, and such other places as he may deem necessary for the purpose of mustering into the service of the United States the National Guard of East Tennessee in those counties, and of distributing 1,000 stand rifled arms, with accouterments and ammunition. Captain Crawford has authority to muster in one mustering officer for each county.

* * * * * * *

By command of Major-General Burnside:

R. H. I. GODDARD,
Captain & A. D. C. & A. A. A. G.

These officers, whose muster rolls I hold in my hand, swear and prove by overwhelming testimony that Capt. R. Clay Crawford appeared, had the companies drawn up, swore every man, entered their names upon the muster rolls, and put them under military orders; and from that time on for months these men were as much in the service of the United States of America as any men who fought under our flag during the war of the rebellion.

These muster rolls show the names of the men killed in battle, wounded, and captured, the marches they made, and the battles they fought.

The War Department has said, in a letter dated June 5, 1890, addressed to Hon. H. F. Finley, then a member of this House, from Kentucky:

It is proper to remark that the records fail to show any authorization to raise these companies was ever given by the War Department; and in the absence of any record of their muster into the United States service, the members thereof are not entitled to discharges therefrom.

He says there is no record of any authorization, but I have already shown that General Burnside had authorized the formation of these companies. It is said, however, that General Burnside had no authority from the War Department. That would be a miserable defense for a great Government to set up as an excuse for refusing to pay the soldiers who rallied to her defense at her call in her hour of danger. But let us see what the record is upon that point. Here is a copy of a letter addressed by President Lincoln to Andrew Johnson, which is contained in the War Records, Series I, Volume XXX, Part III:

PRESIDENT LINCOLN TO GOVERNOR JOHNSON.

EXECUTIVE MANSION,
Washington, September 8, 1863—9.30 a. m.

It must be remembered that Andrew Johnson was appointed by President Lincoln brigadier-general, and military governor of the State of Tennessee. And I wish to stop right here to say that the soldiers of East Tennessee had none of the advantages of the soldiers of Ohio or Indiana or New York or Pennsylvania or the other loyal States. Tennessee had no State organization; we had no governor; we had no adjutant-general. Our regiments were "orphans," so to speak. They were left to take care of themselves. In your States your governor and adjutant-general vigilantly guarded the welfare of your soldiers. In Tennessee, men not only served as soldiers and were killed, wounded, captured, or disabled without ever being mustered, but privates served as lieutenants and captains for months and months before they were commissioned, and sometimes without ever being commissioned at all. Our Tennessee soldiers were not only "orphans," but orphans without a guardian. [Laughter.]

Now listen to this letter:

EXECUTIVE MANSION,
Washington, September 3, 1863—9.30 a. m.

Hon. ANDREW JOHNSON,
Nashville, Tenn.:

Dispatch of yesterday received. I shall try to find the paper you mention and carefully consider it. In the meantime let me urge that you do your utmost to get every man you can, black and white, under arms at the very earliest moment to guard roads, bridges, and trains, allowing all the better-trained soldiers to go forward to Rosecrans. Of course I mean for you to act in cooperation with, and not independently of, the military authorities.

A. LINCOLN.

Mr. PICKLER. I suppose they would not have refused men then even if they had been in the Confederate service?

Mr. GIBSON. Not in those days. The Government was glad to get all the men they could. This letter is dated September 8. Now I will read a letter dated September 11. It will be found also in the War Records, Series I, Volume XXX, Part III. At that time Mr. Lincoln had his eye right on East Tennessee. East Tennessee was dear to his heart. The letter read yesterday by my colleague [Mr. BROWN], of the Chattanooga district of East Tennessee, addressed by President Lincoln to General Buell, shows

how Mr. Lincoln's heart was yearning for the Union men in East Tennessee, who were anxious for the time to come when they could show their devotion to their country by battling under its flag. [Applause.] I will append that letter to my remarks. The letter of Mr. Lincoln to Governor Johnson was dated September 8. On September 11, three days afterwards, General Halleck, then the General-in-Chief of all our armies, wrote the following letter:

WAR DEPARTMENT,
Washington, D. C., September 11, 1863.

Major-General BURNSIDE,
Cumberland Gap:

Cumberland Gap is the northern gateway to East Tennessee.

HALLECK TO BURNSIDE.

WAR DEPARTMENT,
Washington, D. C., September 11, 1863.

Major-General BURNSIDE,
Cumberland Gap:

* * * * * * * *

The Secretary of War directs that you raise all the volunteers you can in East Tennessee. Select the officers, and if not commissioned by Governor Johnson, they will be by the President. If you have not arms and equipments at your disposal, telegraph for them.

* * * * * * * *

H. W. HALLECK, *General-in-Chief.*

The general field order of General Burnside read a moment ago is dated September 15, four days after this order. It is presumed, at least it is my presumption, that as soon as General Burnside received this dispatch from General Halleck to raise all the volunteers he could in East Tennessee he issued his general field order calling upon the loyal men of East Tennessee to form themselves in military companies to be known as the National Guard of East Tennessee.

And on September 17, two days after the date of his general field order No. 10, General Burnside sends this dispatch to General Halleck:

BURNSIDE TO HALLECK.

KNOXVILLE, TENN.,
September 17, 1863.

Maj. Gen. H. W. HALLECK,
General-in-Chief:

I arrived here on the night of the 12th. * * * I brought with me 5,000 stand of rifled muskets, with equipments and ammunition, which are now being issued to troops that are organizing here. I think we will have no difficulty in organizing from 5,000 to 10,000 troops, and therefore beg that 5,000 stand of Springfield rifles be placed at my disposal in Cincinnati, with equipment and plenty of ammunition. The men in this country are all good marksmen, and are devotedly loyal.

Respectfully,
A. E. BURNSIDE,
Major-General, Commanding.

Right here a comparison of dates is important and suggestive. On September 8, 1863, President Lincoln writes to Military Governor Johnson of Tennessee:

Do your utmost to get every man you can, black and white, under arms at the very earliest moment.

On September 11, three days afterwards, Gen. H. W. Halleck writes to General Burnside, then just entering East Tennessee:

The Secretary of War directs that you raise all the volunteers you can in East Tennessee.

On September 15, four days after this order, and as soon as he could, under the circumstances, no doubt, General Burnside issued General Field Order No. 10, saying:

For the better defense of East Tennessee the loyal citizens are hereby invited and authorized to form themselves into companies, which will be known as the "National Guard" of East Tennessee.

And on September 17, two days thereafter, General Burnside tells General Halleck that he is issuing arms to the troops organizing at Knoxville.

So anxious was President Lincoln to know how General Burnside was prospering in East Tennessee in raising men that on October 17, 1863, he sent this dispatch:

WAR DEPARTMENT,
Washington, D. C., October 17, 1863.

Major-General BURNSIDE, *Knoxville, Tenn.*

I am greatly interested to know how many new troops of all sorts you have raised in Tennessee. Please inform me.

A. LINCOLN.

And on the day of its receipt General Burnside sent this answer:

KNOXVILLE, *October 20, 1863.*

His Excellency ABRAHAM LINCOLN, *President:*

Your dispatch of this date received. We have armed some 2,500 guards, and have recruited nearly 3,000 men for three years' service.

* * * * * * * *

A. E. BURNSIDE, *Major-General.*

Now, Mr. Speaker, who can doubt, after reading and comparing these letters, that General Burnside had authority from the War Department, and from President Lincoln himself, to raise these companies of National Guards and make them the promises he did?

THE BRAVERY AND PATRIOTISM OF THE NATIONAL GUARDS.

In those days all that the men of East Tennessee wanted was an opportunity to fight under the flag of their country. Remember, that everything in the shape of a weapon of war had been strained out of East Tennessee by the Confederate authorities, and it was a crime for any man there to have a weapon in his possession. Once fully armed it would have taken 50,000 Confederate troops to have held secure possession of that loyal mountain land. And after getting arms many were the deeds of heroism performed by them; and the published volumes of the War Records show that the National Guards of East Tennessee were often in evidence when the services of loyal and brave soldiers were in demand, and the record they made is one of which we all are justly proud. [Applause.]

It was these men who saved General Burnside's army from starvation in the city of Knoxville when besieged by Longstreet. They provided him with forage; they supplied him with provisions; they kept the roads into Knoxville open; they floated down the Tennessee River rafts loaded with provisions and forage: they swarmed on the flanks of Longstreet's army, capturing stragglers, aiding deserters, and fighting foragers. Indeed, it is safe to say that had it not been for the National Guard of East Tennessee, Burnside would have been starved into surrendering, and no one can confidently tell what the results of that surrender would have been on the issues of the war. And yet to this good day these heroic National Guards have never been recognized as soldiers and have never received one cent of pay for their services and no pensions for their sufferings.

A MEMBER. It is a shame.

Mr. GIBSON. I hope, Mr. Speaker, that before this Congress adjourns it will do justice to these men and will see to it that the faith which the Government pledged to them is made good, and that the promises of General Burnside are in all things ratified and fulfilled. Remember, Mr. Speaker, that these men who served from two to five months never received a dime of pay. The wives and children of those that were killed in battle never received either a pension or any other benefits from the Government. Those that died in prison at Andersonville have received no encomium, no reward, no recognition as soldiers of a Government they died to save; they died, by their country "unwept, unhonored, and unsung." [Applause.] I have here the affidavit of Maj. Charles Inman, the officer to whom four of these companies were directed to report for duty, giving a full account of their services. I will print it as a part of my remarks.

THE HOME GUARDS.

Mr. Speaker, there is another class of men in East Tennessee about whom I wish to say something. Before General Burnside came the mountain men of East Tennessee organized themselves into companies called "Home Guards." The principal companies that were organized in my district were those commanded by Capt. Joshua J. Duncan, Capt. William A. Hembree, Capt. Wayne W. Cotton, and Capt. William Robbins, of Scott County, all gallant and patriotic men. These "Home Guards" were the exact counterparts of those liberty-loving heroes who fought under Marion and Sumter in the war of the Revolution. They were the exact counterparts of the men who fought under John Sevier and Isaac Shelby at the battle of Kings Mountain. They were the same sort of men as those who hung upon the flanks of Lord Cornwallis and Lord Rawdon in the Carolinas in the dark days of the Revolutionary war, and finally drove Cornwallis to the sea, and enabled Washington and Lafayette to coop him up and capture him and his whole army at Yorktown. [Applause.]

You all know what was said by Washington himself when he read the glorious tidings from the Carolinas, that Major Ferguson had been killed and the royal troops under him had been captured at Kings Mountain by John Sevier and Isaac Shelby, both from what is now East Tennessee. They were North Carolinians at that time, because that victory was won before our State was organized. It may not be known to all the gentlemen present that the men who fought at Kings Mountain were the ancestors of my constituents. Col. John Sevier, who commanded one of the East Tennessee regiments at Kings Mountain, was the first governor of Tennessee; and Col. Isaac Shelby, who commanded another East Tennessee regiment in that battle, afterwards removed to Kentucky and became its first governor. He is the same Shelby who commanded a part of the American forces under General Harrison at the battle of the River Thames, where the British army was overthrown and that great Indian chieftain Tecumseh stricken with the blow that made him bite the dust. [Applause.]

These "Home Guards" were of incalculable benefit to the country they protected. They not only kept out the Confederate invaders, but they did more. And at this point I am tempted to cite an incident illustrating their achievements. A Confederate brigade commanded by Col. Crawford Vaughan, composed of infantry and cavalry, was sent by the Confederate general commanding in East Tennessee—and I may say, by way of parenthesis, that it took at least 20,000 Confederate troops for the first two years of the war to garrison East Tennessee and keep down the loyalists in that section of the country. Col. Crawford Vaughan, commanding a brigade of infantry and cavalry, was sent up into the mountains of Anderson and Scott counties to destroy the

home guards and punish the mountaineers for their loyalty; but those home guards bushwhacked him. They filled every mountain top, they filled every rocky crag, they filled every cove, they swarmed in every forest, they were upon every ridge, and they sent their bullets down into Vaughan's brigade from the right and from the left, so thickly and with such unerring aim that at last his men turned and fled panic-stricken and in dismay, declaring that the mountains were filled with Yankee bushwhackers and to stay there was certain death. [Applause.]

SERVICES OF THE HOME GUARDS.

These "Home Guards" piloted the Union refugees northward from the whole Southern country, from northern Georgia, from western North Carolina, from eastern Tennessee, up through the mountains into Kentucky, where they organized into regiments under the flag of the Union. Congress voted a pension a few nights ago to Maj. Gen. Joseph A. Cooper. He was from the county of Campbell, a county which I now represent and in which I formerly lived. He was the best specimen of the ideal American soldier that the war of the rebellion gave a chance to come to the front. He left the plow when a boy and joined our Army in the war with Mexico. He marched as a gallant American soldier from Vera Cruz to the halls of the Montezumas. Coming back home, he went upon his little farm and resumed the avocations of an humble farmer. He was elected to the office of constable of his civil district and served faithfully as became a good citizen.

When the war of the rebellion broke out he again left his plow, gathered together a few of his neighbors, bade his family goodby, and went to Kentucky, walking all the way, until they reached a place where there was a Union flag flying and a Federal officer in command; and there he got authority to go back to Tennessee and organize a regiment. He stole through the mountains in the night, gathered together about 100 men and carried them to Kentucky. He opened the way, and the Union men of East Tennessee poured out, marching in the night-time and hiding in the daytime, in order to reach the rendezvous in the State of Kentucky. And in this way was raised the first regiment of Union soldiers from East Tennessee. This same man, Joseph A. Cooper, without the aid of education, without the aid of wealth, without any influential friends or family connections, without any assistance but the will of a hero, the heart of a patriot, and the soul of a Christian, rose step by step in the Army until as a crowning reward for bravery and skill he was finally mustered out as a brevet major-general in the Army of the United States. [Applause.]

The "Home Guards" kept the roads leading from the South into the Union lines in Kentucky open, and thousands were the Union refugees they enabled to reach those points in Kentucky where they could organize themselves into companies and regiments under the Union flag. Mr. Speaker, there is one thing that I will discuss right here. It is the right of a man to a pension who left the Confederate army and joined the Union Army. I had intended to have spoken of it later on, but will refer to it now. The Confederates had their infantry and cavalry stationed in all of the mountain passes, up and down all of the valleys of East Tennessee, their forces numbering at times about 20,000 men. Gen. Albert Sidney Johnston has been excused for his failure to hold Bowling Green and other points in Kentucky, and for allowing the Federals to flank him, by reason of the fact that it took so many thousand Confederate soldiers to keep the Unionists of East Tennessee overawed, and prevent them from destroying the rebel railroad communications through their country.

THE PERSECUTION OF EAST TENNESSEANS.

Mr. Speaker, these companies of Union refugees that were fleeing through the mountains of East Tennessee to the Union lines in Kentucky to escape conscription into the rebel army were being constantly captured, and were being hung or shot on the spot by their Confederate captors; and if any of you gentlemen ever pass through that country you will see the graves of these patriots by the roadside, a great many of them, many of which are in neat inclosures, painted white, because the people revere the memory of those murdered patriots, men who suffered in their country's cause. [Applause.] And you will inquire what is the meaning of those little inclosures, and will be told that there sleep men who were murdered by the rebels during the war because they loved their country. Plenty of them were hung, hundreds were shot, thousands died in prison pens. In those days every man was enrolled for conscription; if he did not put in his appearance at the county seat on a given day he was considered a deserter; and if captured was hung or shot, or thrown into prison. All the prominent Union men that were over the military age were arrested. You remember that Governor Brownlow was put in the prison at Knoxville. Hundreds of prominent Unionists were imprisoned, and many sent to Tuscaloosa, where they died. When Horace Maynard was elected to Congress the last time, before the war became flagrant, he barely escaped capture; and Col. Thomas A. R. Nelson, who was elected to Congress from upper East Tennessee at the same time, while trying to get out of the country, was captured by the Confederate forces, put into prison, and actually compelled to take the oath of allegiance to the Southern Confederacy in order to save his life. In those days the bullet, the halter, or the prison pen was the fate of every man in East Tennessee who was suspected of being hostile to the Southern Confederacy.

But no amount of persecution, not the hangman's rope, nor the deadly bullet, nor the prison pen, not exposure to the rigors of the weather, not starvation nor disease, not the depressing influences of false reports of Union disasters, not the longing for home, not distressing tidings of wives or dear kinsmen in sickness or want, not all these influences, singly or combined, could shake the fidelity of the Union men of East Tennessee to the flag of their fathers and the Constitution of their country. And I here and now challenge history to produce a sublimer spectacle of unselfish and unfailing patriotism than was exhibited by the Union men of East Tennessee during the dark days of the war of the rebellion. They truly were—

The noblest of that noble race
That since the days of old
Have kept the lamps of loyalty
Alight in hearts of gold.

UNION MEN FORCED INTO THE REBEL ARMY.

It was this class of men, thus forced into the Confederate army by fear of death or the prison pen, who, at the first favorable opportunity, deserted from that army and joined the army that fought under the flag that they loved so dearly and for the cause for which they had struggled so bravely and so long. [Applause.] This is the class of men that the gentleman from South Dakota, the chairman of the Committee on Invalid Pensions, who represents this bill, is anxious to relieve from the odium of having served in the Confederate army by placing them upon the same footing as other Union soldiers, a footing to which they are clearly entitled by every principle of patriotism and every impulse of sympathy and gratitude. [Applause.]

I have no special anxiety to help any class of men who, while voluntarily serving in the Confederate army or while prisoners of war to the United States, when they saw the Confederacy tumbling to pieces, then joined the Union armies. I want to help the men who were forced into the Confederate army—men who had Union hearts, and who left the Confederate army the first chance they had. I have introduced a bill for the benefit of these men, because scores of my constituents in the last twelve months have been dropped from the rolls of the Pension Office because their names appear on the Confederate muster rolls, they having been conscripts. I received two letters this morning about pensioners dropped because the Confederate war records showed that they had been in the Confederate service.

It may not be known, perhaps, to all of you that these Confederate army rolls have been very carefully examined and compared with our pension rolls, and whenever the same name is found on both rolls a special pension examiner makes an inquiry into the matter, and if it turns out that the pensioner was in the Confederate army he is at once dropped from the pension roll. In order to cure that defect I have introduced a bill which, as amended, reads as follows:

That section 4716 of the Revised Statutes of the United States shall not be so construed as to apply to any person or to the widow, children, or heirs of any deceased person, who, having participated in the rebellion, afterwards enlisted in either the Army or Navy of the United States and served therein for four or more months prior to April 9, 1865;—

That was the date of the surrender at Appomattox. The bill then goes on:

And that all pensioners who have been dropped from the rolls because of such participation, and who come within the purview of this act, shall, upon their application, be restored as of the date to which they were last paid.

Now, Mr. Speaker, to get back to the irregular soldiers and to the National and Home Guards, what I want is a provision that those men who joined regiments and were never mustered, those men who were National Guards, and who were Home Guards, shall be entitled to pensions. If they are not to get any pay for their services, at least let us give them the right to a pension. There are very few of them left; most of them are in their graves, and all will soon be. I have drawn and will at the proper time introduce this amendment to the pending bill:

Insert in line 6 of section 17, after the words "United States," the following: "And also to include all persons, and their widows, children, and dependent parents, not regularly enlisted, who, while serving with any military organization in the service of the United States, or with any military organization authorized by a general in the United States Army, or with any military company organized to repel rebel invaders, during the war of the rebellion, received wounds or injuries, or incurred disabilities in the line of duty, or who served three or more months in any of such organizations, or was captured by the rebels while so serving and confined as prisoners of war for three or more months."

PENSIONS FOR THESE SOLDIERS.

I have several constituents who come within this last class, two of whom—Chandler and Gossett—I have already mentioned. A third is William Stephenson Smith, for whose benefit I have

introduced a bill. He joined a Union regiment, and before he was mustered was engaged in battle, was wounded and left on the battlefield by reason of his wounds, and was taken prisoner by the Confederates, and kept in Confederate prisons until the close of the war, a period of nearly two years.

He was confined in nearly all the rebel prisons, from Libby to Andersonville, and yet for all these untold miseries that man to this good day has never received one cent, either as pay or pension, and absolutely no recognition from the Government of his country.

Now, it so happens that when the war ended there was a provision made for some of these men I have been describing, the provision made by the act of March 3, 1873, which is as follows:

Third. Any person not an enlisted soldier in the Army, serving for the time being as a member of the militia of any State under orders of an officer of the United States, or who volunteered for the time being to serve with any regularly organized military or naval force of the United States, or who otherwise volunteered and rendered service in any engagement with rebels or Indians, disabled in consequence of wounds or injury received in the line of duty in such temporary service. But no claim of a State militiaman or nonenlisted person, on account of disability from wounds or injury received in battle with rebels or Indians, while temporarily rendering service, shall be valid unless prosecuted to a successful issue prior to the 4th day of July, 1874.

It will be seen that this act only allowed sixteen months not only to file the claim but to prosecute it to a successful issue. The fact is the passage of that act never was known, until a comparatively recent date, to thousands of men interested in its provisions. Now, I want to ask the House to pass this amendment of mine, which is only that old law slightly broadened, and give these men of the classes I have been describing, who rendered as good service for the time they did serve as any enlisted men in the Army of the United States, that recognition that their services, their patriotism, their fidelity, and their bravery justify at the hands of a great and powerful Government, for whose defense they gave their best energies and their heartiest prayers.

Mr. PICKLER. Will the gentleman allow me to suggest that this is about the sentiment of a bill that the Committee on Invalid Pensions have recommended favorably?

Mr. GIBSON. Pretty nearly.

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

Several MEMBERS. Let his time be extended.

The SPEAKER pro tempore. If there be no objection, the gentleman from Tennessee will be given five more minutes.

There was no objection.

Mr. GIBSON. Now, Mr. Speaker, I have various documents, which I have not read in full, which I will print as a part of my remarks. They all bear on the subjects I have been discussing.

Mr. PEARSON. Before the gentleman from Tennessee takes his seat I should like to have him correct one observation which he made. I do not mean to disturb him now. I think the gentleman is not yet finished.

Mr. GIBSON. No; I have not yet quite finished.

PENSIONERS IN EAST TENNESSEE.

Mr. Chairman, in order to show the character of the people that I represent I have prepared a table showing the number of pensioners in the loyal States in 1890, by Congressional districts. I take the year 1890 for the reason that the last report of pensioners by counties made by the Commissioner of Pensions is for that year. I give in one column the number of pensioners in the loyal States, in another column the number of Congressional districts, and in the third column the average number of pensioners per district. I give the number in the First and Second districts of Tennessee. The number of pensioners in my district, which is the Second, is 2,648. The number in the First district, the one above mine, is 2,534; and, Mr. Speaker, the table shows that there are more pensioners in the Second Congressional district of Tennessee than the average in any of the so-called loyal States, except Maine, New Hampshire, Vermont, Ohio, Indiana, and Kansas. The average in the six States I have mentioned is greater than that in my district; but in the other 18 States the average is less than in my district, and generally much less. My county of Knox, with less than 60,000 population by the census of 1890, had more pensioners in it that year than many of the Congressional districts in the so-called loyal States, with about 200,000 inhabitants each.

Mr. PICKLER. Mr. Speaker, do I understand the gentleman to say that there are quite a considerable number in his district who are cut off under the present ruling of the Pension Bureau because they were in the Confederate service, and who will be reinstated under section 1 of this bill? Have you quite a considerable number in your district?

Mr. GIBSON. Oh, yes.

Mr. PEARSON. There are more than 200 in my district, which adjoins that of the gentleman from Tennessee, in the State of North Carolina.

Mr. PICKLER. I hope some of these gentlemen who are so conscientious about this section will take notice of these figures. I understand the gentleman to state that these people are now cut off, under the rulings of the Pension Department.

Mr. GIBSON. They are being dropped or threatened almost every day, because of service in the Confederate army, a service forced on them at the point of the bayonet, or with the threat of a halter, or the prison pen.

Mr. PEARSON. They have been dropped, under this Administration.

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

Mr. PEARSON. Before the gentleman takes his seat——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CROWTHER. I ask unanimous consent that the gentleman be allowed to continue until he has completed his remarks.

Mr. PEARSON. I hope there will be no objection, because there is one statement of history that I want the gentleman to correct.

The SPEAKER pro tempore. Unanimous consent is asked that the gentleman be allowed to proceed until he completes his remarks. Is there objection?

There was no objection.

Mr. PEARSON. I simply desire to ask the gentleman from Tennessee if he is not in error in saying that the battle at King's Mountain was fought on the American side entirely by men from other States than from North Carolina?

Mr. GIBSON. There was a regiment from Virginia and a company from South Carolina and several companies from North Carolina, from your side of the mountains.

Mr. PEARSON. And some from your side, or the Tennessee side of the mountains?

Mr. GIBSON. Yes; a majority of the men who fought that battle were from my side of the mountains; and the sword that De Peyster surrendered when he lowered his flag after Ferguson's death is now among the trophies of the State of Tennessee, and on deposit in her capitol.

Mr. PEARSON. As a North Carolinian I could not permit that statement to go unchallenged, because I will say, as a matter of fact, that my own great-grandfather was there, Joseph Williams, of Surry, and if the gentleman will stop on his way home at my house, where I shall be glad to see him, I will show him a piece of porcelain that was captured by North Carolinians from Ferguson, and it is the most valuable property in our family. I hope that in the gentleman's very valuable historical remarks he will not undertake to include an error of that sort, because the Williamses, and the McDowells, and the Gwyns, and the Lenoirs, and the Carsons all took part in that battle, and their descendants are proud and jealous of the fame of those heroes.

UNION SOLDIERS FROM EAST TENNESSEE.

Mr. GIBSON. There were many North Carolinians from your side of the mountains in the battle of Kings Mountain, and all of them patriots and heroes, and the fame they won there will live while the history of our country is remembered. We were all North Carolinians then, and the glory of one is the glory of all.

Now, Mr. Chairman, I want to say there were thousands of Union soldiers from East Tennessee who are credited to Kentucky. They went over and joined Kentucky regiments. Some went farther and joined Ohio regiments, some joined Indiana regiments, and some joined regiments of other States. They refugeed from East Tennessee, but returned after the war was over. That is the reason why the number of pensioners now in East Tennessee seems to be excessive in proportion to the number of troops that East Tennessee furnished according to the records found in the Adjutant-General's Office. It is safe to say that East Tennessee, first and last, put over 40,000 men into the Union Army, and all of them heroes and patriots, men who would rather have died in battle under the flag of the Union than lived in peace under the Confederate banner.

I wish to call the attention of the House to another fact. Union soldiers from the Sonth, and especially those from East Tennessee, when made prisoners of war were treated with far more cruelty by their rebel captors than were the soldiers of the North. Not only were the Union soldiers from East Tennessee while in rebel prisons fed on food no honest man would give a dog, but they were not given half enough of even that sort to keep a dog alive. And what is worse still, if there can be anything worse than starvation and insult combined, many East Tennessee Union soldiers were hung in prison by their rebel captors on the pretense that they were spies, or deserters, or fugitives from conscription, or bridge burners. The sword of Damocles hung over the head of every man from East Tennessee as long as he was in a rebel prison, and so well was this known that every effort was made by an East Tennessee Unionist when captured to conceal the fact that he was an East Tennessean.

Among the 60 Union regiments mentioned in Fox's book on Regimental Losses in the Civil War as sustaining the heaviest

losses by deaths in Confederate prisons, 9, or over one-seventh, were from the South, 4 of the 9 being from Tennessee. I will give Fox's data as to Tennessee:

Regiment.	Died in prison.
Third Tennessee Cavalry	70
Sixth Tennessee Cavalry	78
Seventh Tennessee Cavalry	193
Second Tennessee Infantry	382

LOSSES OF EAST TENNESSEE SOLDIERS.

The Second Tennessee Infantry lost by death in rebel prisons 160 more men than any regiment from any other State, North or South. More than twice as many Tennesseans died in Confederate prisons out of every hundred prisoners than did the soldiers of any Northern State; and an examination of the prison records shows that the percentage of prison deaths was far greater among the Southern Union soldiers than among those from the North.

These statistics only corroborate the well-known fact that the Union soldiers from the South were subjected to special persecution and were made the victims of a malignant vengeance whenever they were so unfortunate as to fall into the hands of the Confederate authorities. Loyalty to the Union was deemed disloyalty to the Confederacy, and what the Southern Union men considered to be patriotism the Confederates branded as treason. Devotion to the Stars and Stripes was punished as desertion of the South; and the patriotic Southern heroes who joined the armies of the United States were stigmatized as "Lincolnites" and "renegades," and hounded with a hate that pursued them to their graves.

Mr. Fox, in his book, also shows that more Tennessee troops died in the Army in proportion to numbers than did the troops from any other State of the Union, more than 25 out of every 100 having given up their lives for the cause of their country.

The fact is beyond successful dispute that no portion of the United States was more loyal to the Union during the war of the rebellion than East Tennessee, and no section of the country suffered so much for its loyalty; and never in the history of wars and revolutions did any people come out of the fiery furnace of trial with brighter garments and more glory than did the loyal men of East Tennessee out of the fierce furnace of persecution that flamed and roared about them from the moment the first gun was fired on Fort Sumter to the moment the last gun was surrendered at Appomattox. Not truer is the needle to the north, not truer the bridegroom to the bride, not truer the Christian to the cross, than were the mountain men of East Tennessee to the flag of their fathers and the cause of their country, and that, too, while the black clouds of a fratricidal war were rolling their thunders and darting their lightnings upon their defenseless heads.

East Tennessee! East Tennessee!
Land of the mountain, rock, and glen,
Of lovely maids and loyal men;
Earth's fairest and most favored spot,
Oh, who that knows thee loves thee not,
Thou Paradise of Liberty?

And right here I want to say a word about many of the men who are marked "deserters" on the rolls of the East Tennessee regiments. Very few of these men were deserters in the popular meaning of that hateful word. Very few of them ever fled from the face of the enemy. Very few of them ever turned their backs upon their flag in the hour of danger or in the day of battle. Very few of them ever lost faith in the cause of the Union or doubted the final triumph of our flag. Very few, if any of them, ever turned traitor and fled to the camps of the Confederacy. Nearly all of these men who are marked "deserters" were allowed by their officers to go home because of disease or wounds incurred in the service, or because their wives were sick or their families in distress, and were unable to return because of their own disability or because they had not the heart to leave a dying wife or a starving family. The dreadful alternative was often presented them of returning to their regiments and deserting their suffering wives and children or staying away from their regiments and taking care of their distressed families; and whatever their crime in the sight of the God of War, I feel sure they will never be condemned by the God of Peace.

POLITICS OF THE SECOND DISTRICT OF TENNESSEE.

Now, not for the purpose of introducing politics in this discussion, but for the purpose of showing the loyalty of the section of country from which I come, I have in my hand the Republican vote and the Democratic vote of the Second district of Tennessee in the race for governor in 1894, by counties (which I will append to my remarks), showing that in the last election the vote in my district for H. Clay Evans, the Republican candidate for governor, was 22,744, while the vote for Peter Turney, the Democratic candidate, was only 7,788 [applause], making a Republican majority of 14,956, and that on a light vote. Really our Republican majority there is about 17,000. But I want to say this about the 7,000 Democrats that are there: A very large proportion of them were good Union men, and a great many of them were in the Union Army; and if it were not for the presence of the 22,000 Republicans most of those 7,000 Democrats would make very good Republicans themselves. [Laughter.] They are only Democrats because they want to be in opposition to somebody, and there are so few real Bourbon Democrats there that we Republicans loan them a few thousand so we may have somebody to fight when an election comes round. [Laughter.] Most of the Democrats in my district would make good Republicans in almost any other State.

Now, in conclusion, Mr. Speaker, I have made these remarks for the purpose of acquainting this House and acquainting the country with the character of the people among whom I live, to the end that when their claims are presented and their merits are considered, something like an adequate measure of justice may be done them, and that their appeals may be heeded, whether it be for pensions or for recognition as soldiers or for pay for the thousands of dollars' worth of their property which was used in feeding and caring for the Union troops during the war; that these claimants and their claims may receive at the hands of a Republican House that consideration which they have so long demanded and which they so justly deserve, but which down to this good day has never yet been fully bestowed. [Applause.]

The papers I have alluded to are the following, which I make a part of my remarks:

LINCOLN AND EAST TENNESSEE.

EXECUTIVE MANSION, *Washington, January 6, 1863.*

MY DEAR SIR: Your dispatch of yesterday has been received, and it disappoints and distresses me. * * * My distress is that our friends in East Tennessee are being hanged and driven to despair, and even now I fear are thinking of taking rebel arms for the sake of personal protection. In this we lose the most valuable stake we have in the South. My dispatch to which yours is an answer was sent with the knowledge of Senator Johnson and Representative Maynard, of East Tennessee, and they will be upon me to know the answer, which I can not safely show them. They would despair; possibly resign to go and save their families somehow or die with them.

I do not intend this to be an order in any sense, but merely, as intimated before, to show you the grounds of my anxiety.

Yours, very truly,

A. LINCOLN.

Brigadier-General BUELL.

BURNSIDE'S FIELD ORDER CALLING OUT THE NATIONAL GUARD OF EAST TENNESSEE.

General Field Orders No. 10. HEADQUARTERS, ARMY OF THE OHIO, *September 15, 1863.*

For the better defense of East Tennessee, the loyal citizens are hereby invited and authorized to form themselves into companies which will be known as the "National Guard" of East Tennessee.

The company organization will be as follows:

One captain, 1 first lieutenant, 1 second lieutenant, 1 first sergeant, 4 sergeants, 8 corporals, 2 musicians, 1 wagoner, and 64 privates minimum, 82 privates maximum.

The companies will select their own officers, and as soon as the organization is complete, either the captain or some other responsible officer will report at these headquarters with a roll of the company, when arms, ammunition, and necessary equipments will be issued.

The companies will be mustered into the service of the United States when called out by competent authority and will receive pay and allowances given other troops of the same arm in the volunteer service.

So soon as the term for which their services are actually required expires, they will be ordered to their homes, retaining, however, their arms and equipments.

The organization of the companies of the "National Guard" of East Tennessee into regiments, and the appointment of field officers will be made at the proper time from these headquarters.

The loyal citizens of East Tennessee are called upon to be active in forming themselves into companies in order that they may be armed with the least possible delay.

The Government places arms at their disposal to be used in defense of their homes, and it is to be hoped that they will come forward with promptness and do their part toward securing their several counties from invasion.

By command of Major-General Burnside.

LEWIS RICHMOND,
Assistant Adjutant-General.

ARMS ISSUED TO THE NATIONAL GUARDS.

Following also are copies of record entries of letters relating to the force sent from the headquarters of the Army of the Ohio and district of East Tennessee:

HEADQUARTERS, ARMY OF THE OHIO,
Knoxville, Tenn., September 17, 1863.

COLONEL: The commanding general authorizes you to issue all arms that you may deem proper to "Home Guards" on your being satisfied of their loyalty.

You can issue them from the arms issued at the Gap.

Inclosed is the general order creating a National Guard. You will please report when any companies are organized under its provisions.

You will probably remain in permanent command at the Gap.

I am, Colonel, very respectfully,

LEWIS RICHMOND,
Assistant Adjutant-General.

Col. W. C. LEMERT,
Commanding at Cumberland Gap.

CAPTAIN WALKER'S BLOUNT COUNTY COMPANY ARMED.

Special Field Orders No. 24. HEADQUARTERS, ARMY OF THE OHIO, *September 17, 1863.*

* * * * * * *

12. The following issues of ordnance stores by Mr. C. E. Mallam, in charge of ordnance train, upon the verbal instructions of the commanding general are hereby approved.

* * * * * * *

September 16.—To Capt. E. Walker [National Guards, Blount County], 100 rifled muskets with accouterments and 100 rounds of ammunition per gun.

By command of Major-General Burnside:

R. H. I. GODDARD,
Capt. and A. D. C. and A. A. A. G.

This Blount County company of National Guards was armed the day after Field Order No. 10 was issued, and this by the verbal orders of General Burnside.

CAPTAIN TIPTON'S SEVIER COUNTY COMPANY CALLED OUT.

Special Field Orders } HEADQUARTERS, ARMY OF THE OHIO,
No. 27. } *Knoxville, Tenn., September 22, 1863.*

6. Capt. B. F. Tipton's Company of the National Guard of East Tennessee, Sevier County, Tenn., is hereby called into the service of the United States for ten days from this date for the purpose of guarding the ordnance stores at Sevierville. They will provide their own subsistence, which will be commuted for at the Government valuation of rations.

By command of Major-General Burnside.

R. H. I. GODDARD,
Captain and A. D. C. and A. A. A. G.

This order shows that their subsistence was to be commuted for, which has never been done.

CAPTAIN M'CONNELL'S BLOUNT COUNTY COMPANY ARMED.

Special Field Orders } HEADQUARTERS, ARMY OF THE OHIO,
No. 28. } *September 23, 1863.*

* * * * * * *

3. Lieutenant Williams, post ordnance officer, Knoxville, Tenn., will issue to Capt. Newton McConnell, of Blount County, for the use of the National Guard of East Tennessee, 100 stand rifled arms and accouterments complete, with 100 rounds ammunition per musket.

* * * * * * *

By command of Major-General Burnside.

R. H. I. GODDARD,
Captain and A. D. C. and A. A. A. G.

—

CAPT. DANIEL CARTER'S JEFFERSON COUNTY COMPANY RECOGNIZED.

The "Letters Received" book kept at the headquarters of the Army of the Ohio contains the following entry of a letter received, the original of which has not been found on file:

OCTOBER 15, 1863.

CARTER, DANIEL, *Captain.*

JEFFERSON, TENN., *October 10, 1863.*

Transmits issue of election of officers in company of "Home Guards." Gives names of officers elected and names of members of the company.

This official entry shows a literal compliance with Field Order No. 10 on the part of Captain Carter in transmitting the muster roll of his company to headquarters.

Special Field Order } HEADQUARTERS, ARMY OF THE OHIO,
No. 49. } *October 15, 1863.*

3. Capt. Daniel Carter, commanding Company A, National Guard of East Tennessee, Jefferson County, is hereby authorized to swear into the service of the United States such men as may be recruited for his company.

* * * * * * *

By command of Major-General Burnside.

EDWARD M. NEILL,
Major and Assistant Adjutant-General.

The Special Field Order No. 29, dated September 25, 1863, directing Capt. R. C. Crawford to muster into the service of the United States the National Guards, and the oath administered, will be found in the body of the speech.

CAPTAIN TIPTON'S SEVIER COUNTY COMPANY AGAIN RECOGNIZED.

Special Field Orders } HEADQUARTERS, ARMY OF THE OHIO,
No. 50. } *October 16, 1863.*

* * * * * * *

9. Capt. W. H. Harris, chief of ordnance, Department of Ohio, will issue to Captain Tipton, of the National Guard of East Tennessee, in Blount County, one hundred and thirty (130) rounds of ammunition each.

* * * * * * *

By command of Major-General Burnside.

EDWARD M. NEILL,
Major and Assistant Adjutant-General.

On September 22, 1863, this company was called out for ten days. See order above.

THE NATIONAL GUARDS OF COCKE AND SEVIER COUNTIES CALLED OUT.

Special Field Orders } HEADQUARTERS, ARMY OF THE OHIO,
No. 88. } *November 25, 1863.*

* * * * * * *

4. The National Guard of Cocke County are hereby called into active service for thirty days.

They will report to Major Randolph.

5. The National Guard of Sevier County are hereby called into active service for thirty days.

They will report to Major Inman, at Sevierville.

* * * * * * *

By command of Major-General Burnside.

EDWARD M. NEILL,
Assistant Adjutant-General.

—

CAPTAIN CARTER'S JEFFERSON COUNTY COMPANY FURTHER ARMED.

Special Field Orders } HEADQUARTERS, ARMY OF THE OHIO,
No. 74. } *November 9, 1863.*

11. Lieutenant Williams, post ordnance officer, will issue to Capt. Daniel Carter, for the further equipment of Company A, of the National Guard of East Tennessee, Jefferson County, thirty (30) muskets and accouterments, with fifty (50) rounds of ammunition per musket. The Quartermaster's Department will furnish transportation for the above by railroad to Newmarket.

* * * * * * *

By command of Major-General Burnside,

EDWARD M. NEILL,
Assistant Adjutant-General.

THE SCOTT, MORGAN, AND CAMPBELL COUNTY COMPANIES CALLED OUT.

Special Field Orders } HEADQUARTERS, ARMY OF THE OHIO,
No. 90. } *November 27, 1863.*

1. The National Guard of Scott, Morgan, and campbell Counties are hereby called into active service for thirty (30) days, and will report to Captain Reynolds, at Kingston, Tenn.

* * * * * * *

By command of Major-General Burnside.

EDWARD M. NEILL,
Assistant Adjutant-General.

Three of the companies of National Guards of Scott, Morgan, and Campbell counties are alleged to have been paid for three months. The companies admit payment for two months. These three companies are also under the pension laws and are the three companies excepted in the body of the speech.

CAPTAIN KELLEY'S SEVIER COUNTY COMPANY RECOGNIZED.

Special Field Orders } HEADQUARTERS, ARMY OF THE OHIO,
No. 96. } *December 4, 1863.*

* * * * * * *

5. Lieut. R. Williams, post ordnance officer, will turn over to Capt. Daniel Kelley, National Guard, 75 stand arms and accouterments, with 40 rounds of ammunition per gun.

* * * * * * *

This order to cover issues of October 16, 1863, and 31, respectively.

* * * * * * *

By command of Major-General Burnside.

EDWARD M. NEILL,
Assistant Adjutant-General.

—

FOUR COMPANIES OF NATIONAL GUARDS ORDERED TO BE PAID.

Special Field Orders } HEADQUARTERS, ARMY OF THE OHIO,
No. 102. } *December 10, 1863.*

* * * * * * *

8. Major McDowell, chief paymaster, will designate a paymaster to proceed to Clinton, East Tennessee, to pay off the four companies, National Guard who were called into service for sixty days by orders from these headquarters. The officer to be in Clinton on the 14th inst.

* * * * * * *

By command Major-General Burnside.

EDWARD M. NEILL,
Assistant Adjutant-General.

The three companies from Scott, Morgan, and Campbell, commanded, respectively, by Capts. Dennis Trammell, Wimer Croley, and Joseph Newport, were paid under this order. Which was the fourth company ordered to be paid does not appear; and the order calling out these four companies seems to be missing.

CAPTAIN RANDAL'S SEVIER COUNTY COMPANY ORDERED OUT FOR SIXTY DAYS.

Special Field Orders } HEADQUARTERS, DEPARTMENT OF OHIO,
No. 114. Extract. } *December 22, 1863.*

* * * * * * *

12. Capt. S. W. Randal commanding company of "Home Guards" stationed about Sevierville, being ordered out by General Burnside for thirty days, is hereby ordered to remain in the service for service for thirty days from the expiration of that time.

* * * * * * *

By command of Major-General Foster.

_____,
Major and A. D. C.

—

CAPT. GIDEON S. WHITE'S KNOX COUNTY COMPANY RECOGNIZED.

HEADQUARTERS, DISTRICT OF EAST TENNESSEE AND
FOURTH DIVISION TWENTY-THIRD ARMY CORPS,
Knoxville, Tenn., January 30, 1865.

LIEUTENANT: In accordance with Special Orders No. 202, series of 1864, from Department of the Ohio, you will please issue to Gideon S. White, captain of Home Guards in Knox County, third civil district, the following ammunition for the use of his company: 320 rounds Spencer rifle ammunition, 400 rounds Burnside carbine ammunition, 240 rounds Gallagher carbine ammunition, 240 rounds Colt's revolving rifle ammunition, 320 rounds Austrian rifle ammunition, 800 rounds Enfield rifle ammunition.

Very respectfully, your obedient servant,

DAVIS TILLSON,
Brig. Gen., U. S. Vols., Commanding District and Division.

Lieut. ED. G. FECHET,
Depot Ordnance Officer.

—

HEADQUARTERS, DISTRICT OF EAST TENNESSEE AND
FOURTH DIVISION, TWENTY-THIRD ARMY CORPS,
Knoxville, Tenn., February 10, 1865.

COLONEL: The general commanding directs that you order two commissioned officers and 50 enlisted men from detachment of Second Ohio Volunteer Heavy Artillery, now at Strawberry Plains, provided with 60 rounds of ammunition and three days' rations per man, to proceed to Blain's Cross-Roads, so as to be at that place by 3 o'clock p. m. on Saturday, February 16, to cooperate with Capt. G. S. White, of the Home Guards, in an expedition after bushwhackers.

Most respectfully, your obedient servant,

W. W. DEANE, *Capt. and A. A. G.*

Col. C. G. GIBSON,
Commanding Second Brigade, Fourth Division, Twenty-third Army Corps.

—

HEADQUARTERS, DISTRICT OF EAST TENNESSEE,
Knoxville, Tenn., April 11, 1865.

LIEUTENANT: In compliance with Special Orders No. 202, Department of the Ohio, series of 1864, you are directed to issue to Capt. G. S. White, commanding Home Guards, Knox County, Tenn., the following ammunition: 280 Spencer rifle cartridges; 600 Burnside carbine cartridges; 240 Colt's

revolving rifle cartridges; 1,500 Enfield rifle cartridges, caliber .56; 1,500 cartridges, caliber 54; 160 Ballard carbine cartridges.

By command of Major-General Stoneman:

N. A. REED, JR.,
Lieut., A. D. C., and A. A. A. G.

Lieut. E. G. FECHET,
Commanding Ordnance Depot, Knoxville, Tenn.

THE GUARDS RECOGNIZED IN JULY, 1864.

Special Orders No. 202. HEADQUARTERS, DEPARTMENT OF THE OHIO, *Knoxville, Tenn., July 23, 1864.*

2. The ordnance department, Knoxville, Tenn., will issue ammunition to Home Guards in the district of East Tennessee upon the approval or request of Brig. Gen. J. Ammen, commanding Fourth Division, Twenty-third Army Corps.

* * * * * * *

By command of Major-General Schofield:

R. MORROW,
Assistant Adjutant-General.

This order says "Home" Guards; but on comparison of the various orders above given it will be seen that the National Guards are sometimes designated "Home Guards." It will be noted that this order recognizes the guards as still subject to orders ten months after they were first called out.

ARMY REGULATIONS APPLICABLE TO THE NATIONAL GUARDS.

Revised United States Army Regulations, 1863, page 482, section 1672, read as follows:

If, as has sometimes happened, militia, at the end of a term of service, shall, from the want of a mustering officer, disperse or return home without being regularly mustered out, and if, with a view to payment, a muster shall afterwards be ordered by competent authority, the officer sent for the purpose shall carefully verify all the facts affecting pay, by the oath of one or more of the officers belonging to such militia, in order that full justice may be done.

This was the military law when the National Guards were mustered and when disbanded, and it admirably provides for just such emergencies as exist in the case of these guards. The Guards were never formally disbanded, but remained subject to orders until the war ended.

THE NATIONAL GUARDS IN THE WAR RECORDS.

There are many references to the National Guards in the published volumes of the War Records, sometimes miscalling them home guards. These records show that whenever the Confederates appeared in the neighborhood of Knoxville they were sure to be confronted by companies of the National Guards. Whenever forage was to be had, roads to be guarded, trains to be escorted, scouting to be done, bushwhackers and guerrillas to be dispersed, spies to be intercepted, stragglers to be picked up, and reconnoitering to be done, the National Guards of East Tennessee were always called on and always ready, and always did the work to the satisfaction of their superiors and with credit to themselves.

The following affidavits from the muster-out rolls of two companies of the National Guards, forwarded to the War Department by their respective captains, are given as samples of the services rendered by these Guards:

CAPTAIN RANDLES'S COMPANY.

STATE OF TENNESSEE, *County of Sevier, ss:*

On this the 27th day of March, 1878, came Samuel W. Randles, who, being duly sworn according to law, in relation to the military organization, service, and history of this company of East Tennessee National Home Guards, United States Volunteers, deposes and says, that he is a citizen of Sevier County, Tenn., address Trundles Crossroads, Tenn., and the identical Samuel W. Randles who organized, raised, and commanded a company of East Tennessee National Home Guards, United States Volunteers, during the late war; that he raised said company under General Order No. 10, dated "headquarters Army of the Ohio, Knoxville, Tenn., September 15, 1863," as issued by Maj. Gen. A. E. Burnside, commanding, and in obedience to orders from the honorable Secretary of War, Washington, D. C.; that affiant, as captain, together with the officers, noncommissioned officers, and privates whose names appear on this roll, were organized at Trundles Crossroads, Sevier County, Tenn., on the 1st day of October, 1863, and regularly mustered into the United States service at Trundles Crossroads, Sevier County, Tenn., on the 25th day of November, 1863, by R. Clay Crawford, then lieutenant-colonel of the First Tennessee Regiment of Light Artillery, at which time a rough or memorandum roll was furnished said mustering officer, who then instructed affiant to make out a complete muster roll of said company, in regular official form, and bring the same to him at Knoxville, Tenn., in order that he might file it with the War Department, and which orders or instructions affiant carried out by making a complete and formal muster roll of said company and taking and delivering the same to said Crawford at Knoxville, Tenn., within a period of two or three days from date of muster of said troops at Trundles Crossroads, Tenn., November 25, 1863.

Affiant further states that after he and this company of which he was captain was mustered into the United States service at Trundles Crossroads, as above stated, on the 28th of November, 1863, affiant was ordered by Charles Inman, deputy provost-marshal, office at Sevierville, Tenn., to take his company and act as guard in taking a lot of United States Government hogs to Knoxville, Tenn., and which orders were duly respected and obeyed, and a portion of his company acted as guard in taking another lot at another time to Knoxville, Tenn. Affiant further states that during the term of their service his company acted as guard to United States foraging wagons and parties sent out into the country for forage for use of the main army stationed at Knoxville, Tenn.; that his company protected the forage in the counties of Sevier and Blount from destruction by the rebels until the Federal forces of Burnside's army at Knoxville, Tenn., could gather up the same, etc.; that they were sent on the scout in order to protect the various forage wagon trains, etc., from danger, and they were ordered to report regularly by General Burnside and said Inman, which they did; that their service was of the most important character to the protection of the country lying on the east and southeast of Knoxville, Tenn., where the main army was stationed, for they protected the forage thereof, which was the richest portion of country around Knoxville and the main dependence of the army at that place during that time; that during the time of the service of said company they captured about 200 rebel prisoners and turned them over to General Burnside at Knoxville, Tenn.; that at one time they captured 22 or 23 rebels in one company, near Waylands Mill, Sevier County, Tenn., and turned the same over at Knoxville. This was about the latter part of December, 1863. Affiant states that it was his company while on said service and duty that captured one E. A. Dodd, the Texas ranger and rebel spy, who was tried by military court-martial, found guilty, and hung at Knoxville, Tenn., and in regard to this roll he states that John Cunningham was found unable to do service and was sent home; * * * that John Jones was captured about 4 miles east of Knoxville, Tenn., by the rebels, and died in Andersonville prison, Georgia, 1864; that James W. Shelly left and went to Third Tennessee Cavalry; that George Wade was old, and went home and did no service; that George Stoner was sent home about 1st of December, 1863, on account that he could not hear well. * * * Affiant states that he received 75 United States muskets from General Burnside, together with ammunition which they drew at the date of enrollment of this company for use of same; that affiant came up from Knoxville to Trundles Crossroads with said arms or muskets and ammunition, and which was hauled by Captain Pike, accompanied by about 80 or 90 United States soldiers sent by General Burnside, who superintended the loading of the wagons with same at Knoxville, Tenn. Regular monthly pay as allowed to United States soldiers at that time was promised them, as also commutation for clothing and subsistence, they having furnished their own clothing and rations while in said service; that their muster was such as will authorize this company to receive their monthly pay, commutation for clothing and rations due for period of service rendered, to wit, from 1st day of October, 1863, date of enrollment, to 10th day of February, 1864, date of last service rendered; that the men's names appearing on this roll are stated correctly; that all dates and remarks relative to this company's history and service performed by said company are stated as accurately as is possible to do at this time, all of which is personally well known to General Burnside and staff, who were perfectly familiar with all the facts relating to the calling out, organizing, mustering, and equipping said troops for the reason they were called into the service of the United States by the honorable Secretary of War by orders given to General Burnside direct and by him to affiant; that no pay or other allowance has ever been received for the service in question or any part thereof, but pay is still due to each of the officers, noncommissioned officers, and privates borne on this roll.

SAMUEL W. RANDLES,
Late Captain East Tennessee National Home Guards, United States Volunteers.

Sworn to and subscribed before me this 27th day of March, 1878, by Capt. Samuel W. Randles, late captain East Tennessee National Guards, and he fully understood the above. I am not interested.

[SEAL.] WILLIAM FOWLER,
County Court Clerk.

INDORSEMENTS ON CAPTAIN RANDLES'S MUSTER-OUT ROLL.

STATE OF TENNESSEE, *County of Sevier, ss:*

On this the 2d day of April, 1878, came Adam Creswell, and states on oath that he is the identical Adam Creswell who served as first lieutenant in Capt. Samuel W. Randle's company of East Tennessee National Guard, war of rebellion, and that this roll contains a correct and true list of said company, and that the history, service, and facts set forth in Capt. Samuel W. Randle's affidavit on the other side of this roll is correct in its statements, or as near so as can be made at this time.

ADAM CRESWELL,
First Lieutenant.

Sworn to and subscribed before me this the 2d day of April, 1878, by Adam Creswell, who understands the contents of this roll. I am not interested.

WILLIAM FOWLER,
County Court Clerk.

General Field Orders No. 25. HEADQUARTERS, ARMY OF THE OHIO, *Knoxville, Tenn., November 4, 1863.*

The members of the National Guard of East Tennessee are authorized to arrest any soldiers they may find straggling about the country without proper papers, and also such citizens as are known to have been guilty of acts of oppression and cruelty to Union men, and generally any suspicious characters who may not be able to give a satisfactory account of themselves.

Such prisoners will be handed over without delay to the nearest provost-marshal or military commander, together with a full statement of the circumstances under which they were arrested. Charges, substantiated by full affidavits, must in all cases accompany the delivery of prisoners.

By command of Major-General Burnside.

LEWIS RICHMOND, *A. A. G.*

Official.

Assistant Adjutant-General.

BOWMANS FERRY, KNOX COUNTY, TENN., *November 20, 1863.*

Capt. S. W. RANDLES, OR WHOEVER IS IN COMMAND OF NATIONAL GUARDS:

You are hereby commanded to bring all your effective men and report at once to me at this place, together with all their arms and equipments. Mount your men as much as possible.

G. W. DOUGHTY,
Captain Commanding Seventeenth Tennessee Cavalry.

P. S.—I am ordered by the post commander to take command of all this section of country, and of course you are all under my command.

KNOXVILLE, *November 26, 1863.*

SIR: I want you to meet me with your company this side of this place. I will have a wagon of arms on the road. I want you to send one of your men to Captain Kelley and tell him to come with his men to Sevierville as quick as he can.

Yours, in haste, CHARLES INMAN,
Deputy Provost-Marshal.

Capt. S. RANDLES.

CAPTAIN TIPTON'S COMPANY.

STATE OF TENNESSEE, *County of Sevier, ss:*

On this the 3d day of April, 1878, came Capt. Benjamin F. Tipton, who being duly sworn according to law in relation to the military organization, service, and history of this company of East Tennessee National Guards, United States Volunteers, deposes and says that he is a citizen of Sevierville, Sevier County, Tenn., address, Sevierville, Tenn., and the identical B. F. Tipton who organized, raised, and commanded a company of East Tennessee National Home Guards, United States Volunteers, during the late war of rebellion; that he raised said company under order No. 10, dated "Headquarters Army

of the Ohio, Knoxville, Tenn., September 15, 1863," as issued by Maj. Gen. A. E. Burnside, commanding, and in obedience to orders from the honorable Secretary of War, Washington, D. C.; that affiant, as captain, together with the officers, noncommissioned officers, and privates whose names appear in this roll were organized at Sevierville, Sevier County, Tenn., on the 20th day of September, 1863, and regularly mustered into the service of the United States at Sevierville, Sevier County, Tenn., on the 20th day of October, 1863, by Col. R. C. Crawford, lieutenant-colonel commanding the First Tennessee Light Artillery. Affiant states that he with this his company were ordered to protect the country east of Knoxville, Tenn., from the invasions of the rebels, mostly the county of Sevier, upon which the main Army, stationed at Knoxville, Tenn., was to a great extent dependent for forage and supplies. Affiant states that by virtue of special field orders No. 27, dated "Headquarters Army of the Ohio, in the field, September 22, 1863," this affiant and his company were ordered on active duty in Sevier County, Tenn., to aid in protecting the country from the invasions of the rebel forces, to guard the forage in the county of Sevier, and aid in getting the same to the main Army at Knoxville, Tenn., and in the performance of which the company was exposed to great danger of falling into the hands of the rebel army that moved around Knoxville, Tenn. Again on the 4th day of November, 1863, General Field Orders No. 25, issued ordering the East Tennessee National Guards to arrest any soldiers found straggling about the country without proper papers, and also rebel citizens known to have been guilty of oppression and cruelty toward Union men, or any suspicious characters who were unable to give a satisfactory account of themselves and turn the same over to the nearest provost-marshal. These orders were signed by Lewis Richmond, assistant adjutant-general, and by command of Major-General Burnside. During the term of service of this company about 200 prisoners were turned over to custody of General Burnside at Knoxville, Tenn. Again, on the 27th of November, 1863, affiant and his said company were ordered to remain on duty, which they did until about the 21st day of February, 1864. Said company was sent on a trip into Greenbrier Cave, in the Smoky Mountains, near North Carolina line, on a scouting expedition. Was then sent with Fifteenth Pennsylvania and Second Tennessee Mounted Infantry on a scout up French Broad River into Jefferson County, Tenn., and returned to Flat Creek, in Sevier County, Tenn., and reported headquarters, Knoxville, Tenn.; then was sent back to Shady Grove, near Dandridge, Tenn., to guard roads until two of Burnside's regiments came up. Here Colonel Palmer, colonel Fifteenth Pennsylvania Regiment, relieved affiant and his said company and sent us back to Sevierville, Tenn., to aid in guarding provost-marshal, etc., where affiant and this company remained until 8th December, 1863, when they were attacked by Thomas's North Carolina Rebel Legion and repulsed with the loss of Jonathan Mize and John Parrott killed, and James D. Serratt and Andrew Ward captured and who died in rebel prison; and on or about 28th January, 1864, they fell back to Maryville, Tenn., as Longstreet advanced, and at which place they drew one or two days' rations from General Willick. They were then sent to Louisville and Kingston, Tenn., on a scout, and returned to Sevierville about the 21st of February, 1864. * * * Regular pay as allowed United States soldiers at that time was promised them, as also was commutation for rations and clothing, they having furnished their own rations and clothing. That such muster should be recognized as will authorize this company to receive their monthly pay, commutation for clothing, and rations due for period of service rendered, to wit: From the 20th day of September, 1863, date of enrollment, to 21st of February, 1864, date of expiration of service. This company was furnished with United States muskets and ammunition by Gen. A. E. Burnside about the 20th of September, 1863, and the same was sent to Sevierville, Tenn., by General Burnside's wagons, accompanied by a guard of about 80 men, with which to equip themselves. Affiant states that the men's names on this roll are stated correctly and all dates and remarks relative to the service and history of this company are stated as correctly and accurately as is possible to do at this time. All of which General Burnside and staff were perfectly familiar with, being known to the organizing, equipping, and muster of said troops—Burnside having received orders from Secretary of War direct, and by him to affiant. Pay is still due each man borne on this roll except those charged with absence and desertion. They never received any pay.

B. F. TIPTON, *Captain of this Company.*

Sworn to and subscribed before me this April 3, 1878, by Capt. B. F. Tipton.
[SEAL.] WILLIAM FOWLER, *Clerk.*

STATE OF TENNESSEE, *County of Sevier, ss:*

I, John S. Roberts, do state on oath that this roll containing the names of the members of Capt. B. F. Tipton's company of East Tennessee National Guards is correct and true and the affidavit of Capt. B. F. Tipton, on the opposite side of this roll, sets forth the facts and history of this said company as accurately as can be made at this time. I also state that I was first lieutenant in this said company of East Tennessee National Guards, and am acquainted with the contents of this roll and the statements thereon and know them to be true.

JOHN S. ROBERTS.

Sworn to and subscribed before me this the 3d day of April, 1878, by John S. Roberts, who understood the entire contents of this roll before signing the above.
[SEAL.] WILLIAM FOWLER, *Clerk.*

The companies of National Guards commanded by Capts. Daniel Kelley, Nathaniel M. Baker, and Jacob Tyson, of Sevier County; Newton McConnell, Elijah Walker, Hamilton Tipton, and William Bingham, of Blount County; Gideon S. White, of Knox County; William Shelby, of Union County; Daniel Carter, of Jefferson County, and Russell Jenkins and Jefferson Denton, of Cocke County, rendered like valuable, brave, and patriotic services.

AFFIDAVIT OF MAJ. CHARLES INMAN.

STATE OF TENNESSEE, *County of Sevier:*

On this 24th day of January, 1896, personally appeared before me, a clerk of the county court in and for the county aforesaid, Charles Inman, aged 86 years, whose post-office address is Fair Garden, Sevier County, Tenn., deposeth and says as follows: I was major of the Second Regiment of Tennessee Volunteer Cavalry, and was appointed provost-marshal by Gen. A. E. Burnside on or about the 15th day of September, 1863, and was ordered to Sevierville, county of Sevier, and State of Tennessee, by Gen. A. E. Burnside, to do duty there, and served five months there as provost-marshal, and the National Guards of Sevier County, Tenn., reported to me for duty. The companies that reported to me were commanded by Capt. B. F. Tipton, Capt. Daniel Kelley, Capt. Samuel W. Randles, Capt. Nathaniel M. Baker, all of Sevier County, Tenn., and did service in guarding Government arms and ammunition at Sevierville, and did duty as scouts, and had many skirmishes and battles with the rebels, and captured many prisoners, but I do not remember the exact number of skirmishes or battles or number of prisoners the National Guards captured. The prisoners captured were sent to Knoxville, Tenn., and turned over to General Carter. In a battle they had with the rebels at Gatlinburg, Sevier County, Tenn., they killed and wounded several rebels in that engagement, I do not remember the exact number, and in an engagement the guards had with the rebels near Fair Garden, Sevier County, Tenn., they killed some rebels in that engagement; do not remember the exact number, and there was six of the National Guards killed by the rebels, and there was a part of B. F. Tipton's company and a majority of Capt. Daniel Kelley's company captured at Sevierville, Tenn., and paroled by Colonel Thomas, of North Carolina, who commanded a rebel regiment of Indians, on or about January, 1864. I do not remember the exact number captured of the National Guard. These National Guards were recognized by the following United States officers, to wit: Gen. A. E. Burnside, General Carter, Colonel Palmer, of the Fifteenth Regiment Pennsylvania Cavalry, and Colonel Crawford. By A. E. Burnside in issuing orders to me to be executed by these guards, and General Carter issuing orders to me to have the guards to execute, and by Colonel Palmer by having the guards to assist him in scouting the country. It was always my understanding that these guards were sworn into the United States service by Col. R. Clay Crawford. I was not present when they were sworn into service. It was done at Sevierville, except Samuel W. Randles's company was sworn in at Trundles Cross Roads, Sevier County, Tenn., and I recognized and treated the National Guards as United States soldiers. I do not remember the whole number of prisoners captured by the guards. They captured several prisoners. They were recognized by the United States officers by ordering them on duty. I, with these National Guards, went with Colonel Palmer and his reziment to Cosby Creek, Cocke County, Tenn., and captured General Vance and 106 men and 30 horses, and recaptured 18 United States wagons and 1 ambulance. This was in the winter of 1864, as well as I recollect. I will here give as many of the officers' names as I remember: Capt. B. F. Tipton; First Lieut. J. S. Roberts; Second Lieut. John Lewelling; Levis C. Roberts, first sergeant, and Capt. Nathaniel M. Baker; Carrol Shrader, first lieutenant, and Joseph McAndrews, first sergeant; Capt. Samuel W. Randles; John Rose, lieutenant; Capt. Daniel Kelly. These are all of the officers I now remember. The lapse of time and my feeble condition and old age has greatly impaired my recollection.

his
CHARLES x INMAN.
mark

Attest:
P. P. SEATON.
ELI H. ROBERTS.

Personally appeared before me, John Chandler, clerk of the county court of aforesaid county and State, Charles Inman, who, being duly sworn, says the foregoing is true and correct, and he has no interest in said claim. This January 24, 1896.

JOHN CHANDLER, *County Clerk.*

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CAPT. JOSHUA J. DUNCAN'S COMPANY OF HOME GUARDS.

THE STATE OF TENNESSEE, *Campbell County, ss:*

Personally came before me, the undersigned authority, a notary public within and for said county, Joshua J. Duncan, who is personally known to me, and, who, after being duly sworn, deposed and says as follows, viz:

At the beginning of the late civil war I was a citizen of East Tennessee; resided in Scott County, on the border between Tennessee and Kentucky, it being a mountainous section of country and principally composed of citizens who were loyal to the Government of the United States.

At the outbreak of the war, or early in 1861, a number of the men made their way over into Kentucky and volunteered in the Federal Army with the hope and understanding that the soldiers would soon return to the South and their families and property receive protection.

But very soon the country was being invaded and overrun with squads and companies of Confederates and guerrillas, taking from the citizens all the firearms, ammunition, etc., they could find, and arresting loyal men and requiring them to take the oath of allegiance to the Southern Confederacy or remain prisoners.

And it being the section of country through which the Union men in Tennessee from south of the Cumberland Mountains had to pass when forced by the Confederates to leave their homes and families and make their way over the mountains to the Federal Army, it was becoming very perilous for them.

In consequence of all which, on or about the 10th day of October, 1861, I, as captain, recruited or raised a company of Federal or Union Home Guards. Said company at one time consisted of over 100 men. In said number several were over and some under military age, and each and all acting under oath, in substance, to support the Constitution of United States of America and protect and defend the Union, and also the persons and property of loyal citizens. The company furnished its own arms and ammunition, except occasionally when the opportunity afforded it, we would get small amounts of ammunition from the Federal Army in Kentucky. We also furnished our own rations, etc., so far as possible, but very often, and not infrequently, being dependent upon the hospitalities of the loyal people among whom our lot was cast.

At the time I organized said home guard company the country was, as well as by Confederate soldiers, being also invaded by a company of Confederate guerrillas, then known as the Gibson Company, most of whom were East Tennesseans and well acquainted with the entire country along the border. This company, together with squads of Confederates, was invading the country very often by night, as well as by day, taking loyal men prisoners, shooting some of them, and carrying away their property, and hunting down and capturing all the men they could who were making their way over the mountains to the Federal Army.

A short time after the organization of my said company, these invaders came over the mountains and hurriedly and as secretly as possible went to Thomas Chambers's, a very old but wealthy citizen, having a large family of negroes and other property, and were preparing to take and carry away all his property. Being surprised and attacked by the home guard, after a heated and sharp skirmish fight they were repulsed and compelled to retreat, leaving all of their spoils and some of their arms, etc., which were captured by the home guards, the home guard also recapturing and releasing six or eight prisoners they had taken, and the invaders forced to retreat from the community, their forces then outnumbering ours perhaps 5 to 1.

I continued in active service with my small force, guarding the approaches, very often being divided into small squads or detachments, and giving aid and protection to loyal citizens, and giving aid and assistance to loyal men making their way over the mountains from the Confederacy to the Federal Army, and blockading roads at the different approaches to prevent the advance of Confederate cavalry or speedy advance of the Confederate forces, and also to prevent stock from being driven out and supplies taken from the country by the rebels and their guerrillas.

In the early spring of 1862, as now remembered, Colonel Vaughan (Confederate), with as many as one regiment of infantry and perhaps from 300 to 500 cavalry, advanced over the mountains, taking every loyal man prisoner they could catch; shooting and wounding some; taking all the property they could find; taking and destroying their supplies, etc., and after advancing to Captain Robbins's residence, on Brimstone Creek, about 6 miles southwest from

Huntsville, Tenn, the infantry encamping on Captain Robbins's premises, the cavalry raiding the country as far as Huntsville, cutting down the flag (the Stars and Stripes) reared over the court-house by the home guard, and then hurriedly fell back to camps. In the meantime the infantry was burning and destroying the fencing, barns, and other effects of Captain Robbins and others in the immediate vicinity, and taking all the available property, including household goods, etc.

On receiving a dispatch I at once marched with as many of my company as were then available and not absent on other duty, and after marching a distance of about 15 miles and in the meantime being reenforced by Captain Cotton, with perhaps about 40 men, our entire force not exceeding 100 men, at the dawn of day the next morning we attacked and surprised the rebel pickets and skirmishers, and after a very heated engagement and skirmish fight forced them to retreat and drove them in, capturing one gun and some of their blankets and other camp equipage. Then taking advantage of the grounds, so as to evade the enemy's cavalry, we advanced within shooting range of the main force, and while engaged in a very heated, perilous, and dangerous battle the enemy, by a flank movement, unobserved by me or any of our force, surrounded us, or nearly so, by a large force, and I was compelled to order a retreat; and we fought and fell back out of their lines with a loss of two killed, two severely wounded, and two taken prisoners. As soon as the engagement ceased the rebels started on a retreat back south of the mountains.

In the early part of the summer of 1862, as now remembered, Col. William Clift established headquarters at Huntsville, Tenn., for the purpose of recruiting and organizing the Seventh Regiment East Tennessee Volunteers, and was furnished arms, ammunition, rations, etc., by the Government. This being inside the Confederacy, placed Colonel Clift, his recruits, and Government property in great peril. I, with the home guards, gave every assistance possible, and kept out guards when deemed necessary on the enemy's approaches, and, when deemed necessary, by request of Colonel Clift, would go into camp with my men who were not on other duty, and remain subject to his instructions in case of an attack by the enemy, and in the meantime assisted in erecting some defenses known as "Fort Clift." In the latter part of summer or early part of the fall of 1862, Colonel Clift was surprised by a large force of rebels and forced to retreat back inside the Federal lines, and about this time the Federal armies in Kentucky, having fell back nearer the Ohio River, and Kentucky being invaded by the Confederates, placed me, with my home guards, in a dangerous and perilous condition.

In the latter part of 1862 and winter of 1863 the country along the border of Tennessee and Kentucky was invaded and overrun with rebel soldiers and rebel guerrillas, taking and carrying away the property of the home guards and other loyal citizens, taking, using, or destroying all of their available supplies, and not unfrequently burning their dwellings and barns, etc. During said time the home guards did all in their power to protect themselves, and the loyal citizens, having become so overrun by large forces, had become almost powerless, but frequently having engagements and skirmishes with the enemy, where the odds would be more than 10 to 1, and in some instances perhaps 50 to 1, and in which some of my men were killed. In the early part of 1863 Maj. James S. Duncan, Lieut. Col. R. A. Davis, Capt. B. T. Staples, and a small squad of Union men, while coming from the Federal Army in Kentucky over into Tennessee on business, met a large force of Confederate cavalry near Pine Knot, Ky., and in a fight with them Major Duncan was killed, Colonel Davis severely and painfully wounded and losing his horse and arms, Captain Staples taken prisoner and afterwards, while a prisoner, killed. Some of the detachment escaped. I was coming on a short distance in the rear, and found Colonel Davis wounded. I dismounted, placed him on my horse, and on foot myself and acquainted with the country, I assisted and conveyed him through a wilderness portion of country, a distance of about 30 miles, to a place of safety and where he could be treated and cared for. On our way, crossing the road near the point where he had been wounded and Major Duncan killed, and at times during our travel, would approach near enough to the rebels to hear the report of their small firearms.

The country having become so invaded by large forces of rebels, and the home guard so powerless, and having no assistance, and some having been killed, some wounded, and some discouraged and tired of the exposure, fatigue, and dangers, etc., had enlisted in the Federal Army on or about the 1st day of April, 1863. I thought best to temporarily disband the company and cease to do active service; which I did until General Burnside advanced with his army into East Tennessee, in August, 1863; but we retained our arms and gave every distance possible in any emergency. * * *

In 1862, about December 25, about 2,500 or 3,000 Confederates, composed of both infantry and cavalry, and commanded by Colonel Palmer, McKenzie, and others, encamped on my premises and around my residence; remained two days and nights, and took, consumed, and destroyed almost all my property and effects, burned the fencing around my premises, drove off my milch cows, young stock, cattle, a pair of young oxen; consumed and destroyed a large amount of hay and other forage, several hundred bushels of corn; destroyed my entire stock of honey bees, fowls, farming tools, and implements, all provisions and family supplies of every kind and description, and including household goods, or most of them, and also kitchen utensils and implements, etc., leaving my wife and three small children without subsistence, and to seek support and protection as best they could, in consequence of which my wife and children had to abandon their home. They telling my wife (who is now dead), so she stated to me, that they had come expressly to take and destroy my property and effects, because I was a Union man and was captain of a company of Union or Federal home guards. Soon after this they taken and carried off the only horse I owned.

I further state that I now have no incomes from any source whatever, and am dependent upon my own labor and exertions for a living; that I am 62 years of age and physically disable, from a complication of bodily disabilities, to do and perform hard or fatiguing manual labor; said disabilities believed to be in whole or in part the results of fatigue, hardships, and exposure during said service and the late civil war.

JOSHUA J. DUNCAN.

Subscribed and sworn to before me at office in Elk Valley, Tenn., this the 2d day of December, A. D. 1895.

[SEAL.] LEWIS BAIRD, *Notary Public.*

THE STATE OF TENNESSEE, *Campbell County, ss:*

Personally appeared before me, the undersigned authority, a notary public within and for said county, Drewry Smith, aged 80 years; William Cooper, aged 66; A. J. Cross, aged 59 years; Andrew Thompson, aged 57 years; N. P. Cross, aged 57 years; J. G. Robinson, aged 66 years; W. H. Cross, aged 57 years; F. H. Standley, aged 58 years; Ewell Phillips, aged 56 years, whose post-office address is Bowl, Tenn., all who are personally known to me to be credible persons, and who, after being duly sworn, deposed and say as follows, viz:

We was personally acquainted with Joshua J. Duncan before and at the commencement of the late civil war, and have been ever since. We further say, each for ourselves, that we were members of said Duncan's Home Guard Company and served under him as captain during said entire service.

We further say that we carefully read and heard read the foregoing affidavit and statements of said Joshua J. Duncan, and each say for ourselves, respectively, that to the best of our knowledge, recollections, and belief all of the material facts set forth and statements made in said foregoing affidavit of said Joshua J. Duncan is substantially true and correct, and any statements made therein to which we may not have severally been eyewitnesses to, we have every reason to believe to be correct.

We further say that we each make this our affidavit Exhibit A to said foregoing affidavit and statements of said Joshua J. Duncan.

DREWRY SMITH.
J. G. ROBINSON.
W. H. CROSS.
WILLIAM (his x mark) COOPER.
N. P. CROSS.
F. H. STANDLEY.
EWEEL PHILLIPS.
ANDREW (his x mark) THOMPSON.
A. J. CROSS.

Subscribed and sworn to before me at office in Elk Valley, Tenn., this the 2d day of December, 1895.

[SEAL.] LEWIS BAIRD, *Notary Public.*

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CAPT. WILLIAM A. HEMBREE'S COMPANY OF HOME GUARDS.

About the 1st of August, 1861, a company or band of rebel guerrillas was organized in Scott County, Tenn., near the head of New River, by a man named Gibson. This company was composed of men from Scott, Anderson, and Campbell counties and numbered about 100 men.

A very large majority of the people of Scott County were Union men, and many of them had at the date above mentioned joined the Union Army. When Gibson's band of marauders was organized, not only were the citizens of the mountains along the waters of New River exposed to dangers which they were powerless to resist, but the direct route taken by soldiers going from Anderson, Campbell, Knox, and other counties south of Scott led through these mountain passes, and the prime object of this band seemed to be to guard these passes and thus prevent Union men from passing through to join the Union Army in Kentucky. This section of the State was so sparsely settled and so remote from the centers of population that aid from other counties was not to be thought of, wherefore it became imperative that loyal citizens do something for the protection of themselves and the families of those who had joined the Union Army.

In accordance with the above state of affairs Capt. William A. Hembree, on or about the 1st day of October, 1861, organized a company which was known as the "Scott County Home Guards." Captain Hembree's company was composed of about 60 men. * * *

Some of the skirmishes and battles in which Captain Hembree's company were engaged are as follows:

1. A skirmish on Beech Fork of New River, about December 25, 1861.
2. A battle on Smoky Creek, on the 12th day of February, 1862. In this engagement Capt. William A. Hembree and Thomas Duncan, jr., were severely wounded, and 4 of our number were captured.
3. A raid in Anderson County, about July 15, 1862, in which we captured 7 men.
4. A battle on the head of New River, about August, 1862. In this engagement the enemy lost several in killed, wounded, and captured.
5. A battle on Poplar Creek, about October 1, 1862. At this place we rescued one of our men who had been previously captured by the rebels. Nine of the enemy were killed and several wounded.
6. A battle on the head of New River. In this battle we had 1 man killed and 2 wounded. This was about December, 1862.
7. A battle on Bowling Mountain, about March 1, 1863. Our side had 2 men killed in this engagement.
8. About March 15, 1863, we had a skirmish near the mouth of Smoky Creek, in which the enemy were repulsed and driven back.
9. About July 12, 1863, we had an engagement in which we suffered as follows: Riley Overton killed, Wiley S. Rich wounded, and 1 man captured.
10. A battle near Lees Ferry, in Anderson County, in which we were repulsed. In this battle John Brown was wounded.
11. About October 10, 1863, we made a raid in Anderson County.

In addition to the above raids, skirmishes, and battles, some of our number were continually escorting Union men through the mountains to Kentucky, where they could join Union regiments. Our knowledge of all the mountain passes made us capable of rendering valuable service in this way, and indeed there was much of the time when it would have been next to impossible for a Union man to cross the mountains without a guide who was thoroughly familiar with all the country.

W. A. HEMBREE, *Captain.*
D. JEFFERS, *First Lieutenant.*
WM. (his x mark) LOW.

STATE OF TENNESSEE. *Scott County:*

Personally appeared before me, the undersigned authority, William A. Hembree, D. Jeffers, Wm. Low, sr., and being duly sworn make oath and say that the foregoing statements in regard to Capt. William A. Hembree's Scott County Home Guards are true to the best of their recollection, information, and belief.

W. A. HEMBREE, *Captain.*
D. JEFFERS. *First Lieutenant.*
WM. (his x mark) LOW.

Sworn to and subscribed before me this 20th day of February, 1896.

[SEAL.] H. REED, *Clerk County Court.*

The companies of Home Guards commanded by Capts. Wayne W. Cotton and William Robbins rendered similar services and have a like record of heroic and patriotic deeds.

NUMBER OF PENSIONERS IN 1890 IN THE LOYAL STATES, PER CONGRESSIONAL DISTRICT.

State.	Pensioners.	Congressional districts.	Average per district.
Maine	15,924	4	3,981
New Hampshire	7,035	2	3,517
Vermont	7,541	2	3,770
Massachusetts	21,897	13	1,684
Connecticut	6,807	4	1,702
Rhode Island	2,298	2	1,149
New York	50,206	34	1,476
Pennsylvania	49,578	30	1,653
New Jersey	9,894	8	1,237
Maryland	5,159	6	859
Delaware	1,107	1	1,107
Ohio	57,087	21	2,718
Indiana	47,798	13	3,677

NUMBER OF PENSIONERS IN 1890 IN THE LOYAL STATES, ETC.—continued.

State.	Pensioners.	Congressional districts.	Average per district.
Illinois	39,943	22	1,816
Michigan	26,853	12	2,238
Wisconsin	16,788	10	1,679
Iowa	23,189	11	2,108
Minnesota	9,259	7	1,322
Missouri	23,749	15	1,583
Nebraska	9,531	6	1,589
Kansas	22,321	7	3,189
California	6,542	7	933
Oregon	1,893	2	946
Kentucky	15,909	11	1,446
Tennessee			*2,534 †2,648

*First district. †Second district.

VOTE OF THE SECOND CONGRESSIONAL DISTRICT OF TENNESSEE FOR GOVERNOR IN 1894.

County.	Evans, Republican.	Turney, Democrat.
Anderson	1,592	563
Blount	2,232	643
Campbell	1,803	346
Jefferson	2,328	740
Knox	4,597	3,274
Loudon	1,254	390
Morgan	792	249
Roane	2,320	616
Scott	1,336	131
Sevier	2,911	372
Union	1,579	464
Total	22,744	7,788

Republican majority, 14,956.

Pensions.

REMARKS
OF
HON. ROBERT J. GAMBLE,
OF SOUTH DAKOTA,
IN THE HOUSE OF REPRESENTATIVES,
Saturday, April 25, 1896,

On the bill (H. R. 8271) relating to pensions.

Mr. GAMBLE said:

Mr. SPEAKER: It is not my purpose to detain the House at any length in the discussion of the pending bill. My sense of justice, however, compels me to add a few words in justification of the measure, and especially of the fourth section of the bill. I have the honor in part to represent a large constituency of the veterans of the late war. As far as in me lies their sacrifices during that trying crisis of our history shall have just and honorable recognition. It is this motive that impels me, and a resolution early made after my election to this House to aid in whatever way I could in the enactment of a law to prevent what has appeared to me a wanton and violent assault upon the pension rolls of the Government by the present Administration.

Very early in the present session, in order to resist this general onslaught upon the deserving pensioners, I introduced the following bill, which I will insert as a part of my remarks:

A bill to prevent the reduction or discontinuance of pensions without first giving notice to the pensioner of such intended reduction or discontinuance, and allowing testimony to be submitted in defense thereof, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act no pension heretofore granted or which may hereafter be granted under the pension laws of the United States shall be reduced or discontinued except upon the ground of fraud; and no pension shall be discontinued upon said ground or for any other reason until the person receiving said pension shall have been first duly notified in writing by the Commissioner of Pensions of the grounds upon which such reduction or discontinuance is proposed to be made, giving the substance of the testimony or of the records upon which such proposed action is based, and the said notice shall also contain the names and post-office address of any and all witnesses whose testimony has been submitted, or is proposed to be considered, looking to the impeachment of such pension claim, and the said pensioner shall have the right to submit testimony to rebut the same or in defense of such proposed reduction or discontinuance for ninety days after the service upon him of the notice hereinbefore provided for, and no final action shall be taken by the Commissioner of Pensions or adjudication had upon such proposed reduction or discontinuance until after the expiration of the time aforesaid.

As its provisions have been substantially incorporated as the fourth section in the pending measure, I will limit my observations largely to that part of the bill. I regret that partisanship should manifest itself so strongly in this discussion. To me the provisions referred to seem wise and just, and acrimonious debate is foreign to its fair consideration. Partisanship in popular government is essential in leading forward the best ideals in citizenship. The primal motive of the partisan, however, should be that of the patriot, and the best interests of the whole country, rather than the narrow prejudices of political ascendency. Although we may differ in methods, we should all be imbued with the same patriotic endeavor.

To my mind, in the just and equitable consideration of pension legislation partisanship should have no place. The sacrifices these men made, the perils and hardships they endured, were for no party or section, but in the largest and fullest sense were for the country in its entirety. A grateful people should thus recognize their sense of gratitude by a common and united expression without division or partisan bias. Our nation has always recognized its high appreciation of the services of its soldiers who risked their lives to preserve the integrity of the Union. I believe a grateful people desire to manifest their gratitude by extending to the maimed and stricken, as a result of the perils and hardships of war, just and adequate pensions.

It is idle for the Democratic party to claim credit for the enactment of any of the wise and beneficent provisions of the pension laws now in force. They were all placed upon our statute books by the Republican party, and as a rule opposed by a large percentage of the Democratic organization. A careful history of that legislation was recited on this floor during this discussion by the gentleman from Pennsylvania [Mr. MAHON]. It shows that all the pension laws passed since 1878 met the opposition of the Democratic party. In the record of fourteen different votes in Congress upon these different measures there was a total of 417 Democrats in favor of the bills and 648 against. The record of the Republican party, however, stands in strange contrast to that presented by the opposition. The total votes cast by them were 1,066, all in favor of the legislation and none against it. Had the veterans of the war depended upon the Democratic party for relief in the way of pension legislation they would, I fear, have remained in anxious and hopeless waiting.

A like record, only more intensified, comes from the executive department in its hostility to pensioners. From Lincoln to Harrison only five pension vetoes were sent to Congress by Republican Presidents. On the other hand, the present occupant of the White House has made the unenviable record during his incumbency of 542. His petty malevolence has not alone been manifested toward the veterans of the war in vetoing bills for their relief which had passed the scrutiny of Congress, but in one of his messages he made the slanderous charge against the "fraudulent pensioners in thousands of neighborhoods." Has such an assertion been justified by the facts? The report of the Attorney-General for 1895 shows the total criminal prosecutions in the United States courts for that year were 12,495. Of that great number, the total convictions under the pension laws were 229. It must be remembered, however, that of those convicted only 39 were from the list of the veterans of the war.

It seems to me it is a remarkable showing as a result from the terrific onslaught that has been so persistently made by the Pension Bureau for the past three years upon the pensioners of the Government. It demonstrates what Republicans have uniformly asserted, that the pension list was an honorable one, and in very few cases has the Government been imposed upon. The pensioners themselves do not object to fair and just investigation. If fraud exists, let it be detected and exposed. But an unwarranted slander should not be cast against the entire list of the honorable and deserving, aggregating now over 970,000. Let those who are on the rolls be treated with consideration and justice.

During the past year the Board of Review of that office has reexamined over 100,000 pension claims already adjudicated and arbitrarily dropped therefrom 4,149 pensioners as not entitled to recognition by the Government. In the same time over 20,000 cases were reduced from the amount already allowed. After such a wholesale and indefensible raid upon the pension list, it seems to me the number of convictions in the courts is a just and sufficient answer to the general charge of fraud that without any reason has been so often repeated by those who oppose this class of legislation.

To my mind, the conduct of the Pension Bureau under the present Administration demands the severest condemnation. Where a pension has been granted, after a full and fair hearing, it should have the force and solemnity of the judgment of a court. It should not rest upon the caprice of an individual or a set of individuals to change, revoke, or alter the findings after it has once been adjudicated. The pensioner has a right to rest in security after the Bureau has concluded its judgment, the same as in a court of law. If the finding is to be vacated and set aside let the like procedure apply as in a court of justice. Section 4 of the bill seeks to correct the practice now in vogue.

Its purpose is to abolish any star-chamber investigation that shuns all known rules of enlightened jurisprudence and is fit only to be ranked with the mediæval past. It is a well-recognized principle of law that a judgment is not vacated except upon the ground of fraud, and that within a reasonable time after its rendition. I know of no reason why the same rule should not pertain upon the subject of an adjudicated pension. Testimony is submitted by the claimant in compliance with the rules adopted by the Bureau. An investigation is made and a finding entered that should have all the force and effect of a judgment of a court. If this is to be set aside let the same rules of procedure apply as near as may be upon a like hearing in a court. If the rights of the pensioner are to be invaded, and his claim to the bounty of the Government assailed, let the charges be openly made and the names of the persons thus making them be given.

If a judgment is attacked, the particular fraud must be alleged with clearness and certainty, and the court limits its inquiry alone to the charges thus made. The burden of proof rests upon the party assailing the judgment. All legal presumptions favor its validity. But with the practice now in vogue in the Pension Bureau it would seem this rule of law is reversed, and all presumptions are indulged in adverse to sustaining the original finding. Recognized principles of pleading in all courts are discarded and charges of fraud are made without any specification, and their authorship is withheld from the pensioner. He is called upon to sustain his claim against a general charge, ignorant of the specifications or the promoter of the attack. The pensioner is practically powerless to protect himself under such procedure. About 20,000 pensions under this practice have been canceled during the present Administration. Is it not time that just rules of procedure should be applied and the pensioner protected in his rights?

The pension should not be considered a gratuity. It should be and is a vested right. The soldiers largely entered the service with the law of 1862 in force, and he had a right to rely that its provisions would be faithfully administered by the Government toward himself as well as to those dependent upon him. When he faced the dangers in defense of his country, he had a right to assume, if, perchance, he fell in battle, that the Government would care for his loved and helpless ones at home. If a pensioner is receiving a pension to which he is not justly entitled, it is eminently proper that the same should be investigated. No one insists that such a person be retained upon the rolls. The objection, however, is as to the manner in which such investigation is conducted and the presumptions indulged in as to the rights of the pensioner. Let recognized rules of pleading as well as evidence prevail, and no complaint will be made.

It is not my purpose to inveigh against the present Commissioner of Pensions, or to indulge in harsh criticisms of him. Personally he has treated me with consideration, and I believe him to be a man of the highest integrity. But it is the system of injustice and unfair treatment of the pensioners that has been developed and systematically carried out by the present Administration against which I protest. After a pension has been granted upon a fair hearing, the beneficiary should have the assurance that the matter is at rest, and that it is not open to attack without due notice and upon a fair and open hearing.

Section 4 provides a new and wholesome rule. The anonymous person who seeks to attack the claimant must come out into the light. He no longer can do an injustice under cover and have his name withheld. The examination shall no longer be secretly conducted without an opportunity of a fair and open hearing, and upon due notice and the right to appear by counsel. The right to be confronted by the witnesses by whose testimony the pension is to be impeached is also conferred. The charge must be made specific and duly served upon the party in interest thirty days before the hearing and the names of the witnesses given. It occurs to me such a regulation is eminently fair and just, not only to the individual but to the Government. The nation does not want an injustice done to any of its citizens, and especially to the veterans of the late war. Individual officials may be anxious to make a record for their own promotion, and many too often exhibit too great zeal for their personal advancement rather than to do exact justice between the Government and the individual.

The Republican party has always sought fair treatment for the soldiers of the war. It has never been its boast that it has been niggardly and parsimonious in meeting the engagements of the Government in their behalf. They have left that claim and what credit it can secure from it to the present Administration. The genius from Georgia who presides over that Department may assert, if he chooses, that it has saved $25,000,000 by the suspension and reduction of pensions during his imperial reign. The country will judge of its justness and patriotism.

Under our policy, aside from the mere fact of good faith and exact justice, it occurs to me there is a necessity for fair and honorable treatment of the veterans of the war. Considering our population, geographical extent, and physical resources, our standing Army as well as our Navy, in comparison with other Governments, are limited indeed. If necessity required we must, as we always have, depend upon the volunteer soldier. Our loyal citizenship has never failed us in the past and its patriotism can be relied upon in our greatest needs. Our pension laws should not be so administered that our people would lose faith in the integrity and justness of the Government or its appreciation of the sacrifices of its citizen soldiery.

When the black cloud of secession gathered upon the Southern horizon in 1861, a soldiery most brave and heroic sprang to the nation's defense. Liberty and Union had grown priceless by their possession, and were not to be sacrificed, even though life itself must be offered upon the altar of country. When to sustain our institutions and a nation in its entirety meant grim-visaged war, and that it would require millions of human lives and billions of treasure to be chanced in the struggle, the sacrifice was unhesitatingly made. The true citizenship of the North knew nothing but country and the whole country, and their patriotism was as exhaustless as the necessities of the nation. No braver, truer, or more loyal and capable soldiers ever fought for higher principles or sacrificed themselves for a government devoted to nobler aims than the armies of the Union. Their valor and heroism were worthy the ancestry of the patriots of the Revolution. For a nation saved, a Union restored, a Constitution broadened and strengthened, a flag true to its inscription, we owe to the common soldier our unspeakable gratitude. We vie with each other in our admiration of the great leaders and chieftains of that memorable struggle, and it is well that we should. They filled their exalted stations with conspicuous ability and added new luster to their country's glory, but the splendid soldiery developed from the volunteer made their success possible and the ultimate triumph of the Northern army.

The judgment of this generation surely is a justification of the great leaders who took up the cause of the Union and the splendid citizenship that enlisted under them in defense of the Government.

The integrity of free institutions the world over was at stake. The security of the best government devised by man was assailed. The war, though localized, was a struggle for humanity, for an ideal freedom that was to be a beacon light to the governments of mankind. It was a struggle for the larger and the ideal citizenship and that under the law all men were equal. It was to preserve and make secure liberty's greatest stronghold, so that the blessings of a free government might be enjoyed not only by its own children but be an incentive to higher endeavors to struggling humanity in whatever land freedom had hope. That the North was right in the controversy is demonstrated by the results as well as by reason.

Patriotism in the North meant love of country in its broadest sense, and was not restricted to the narrow limits of geographical subdivisions. It encompassed the nation instead of a particular State. It developed a larger citizenship, overlapped State boundaries, and dignified our nationality. It gave liberty to all and broke the shackles of human slavery. Our flag thereafter truly symbolized what we had before proclaimed, universal freedom.

Great as was our Government then and wonderful as has been our development and expansion since, it is difficult to fully realize what a calamity to the whole country would have been the defeat of the North and the triumph of the Confederacy. It would have meant two governments, jealous of each other, in constant apprehension of active hostilities, standing armies of great number, with all the added weight of taxation for their support; the great natural waterways of commerce cut off and practical intercommunication denied us; a great family and race divided, our energies stifled, our manifest destiny eclipsed, and the hope of a great people buried.

The war has taught a higher degree of patriotism and devotion to country. The great characters developed by it have been, and always will be, wonderful forces in impressing themselves upon the character of the young and upon our national life. The influence for good and to higher patriotism and patriotic endeavor of a Lincoln and the great military chieftains can never be told. The great army that returned and again mingled in the peaceful avenues of life and told and are telling the story by the quiet firesides of the land have surely developed a greater love of country than ever before.

Self-sacrifice to one's country in itself begets patriotism not only in the individual, but in the community where it is made manifest. The stricken and maimed veterans to-day are living evidences of that struggle, and each should be, and is, a teacher of high patriotic endeavor. Material power gives greater pride in country, as well as larger influence amongst the nations of the world. A united country, with all its forces energized to their fullest capacity, develops stronger national spirit and will make more forceful our influence as a nation and as a people in impressing ourselves as a force in the world's civilization. With a divided country these great possibilities would have been stifled and great problems of government have been left unsolved.

Every power of the Government since the war closed has been strengthened and quickened. In national strength, since 1860, even excluding the cost of the war, it has increased in wealth exceeding 300 per cent, and in population exceeding 100 per cent. The conscience of the people has been more enlightened. At no time in our history has religion been so free or its influence so extended. Philanthropy has sought the most extensive fields for its generosity and munificence. Civic virtue is on a higher plane to-day than ever before. Education is more generally diffused and nowhere has its progress been so apparent in the last decade than in certain localities of the South. Although devastated by war, the South has been the highest gainer, as the result of the struggle, in all that goes to make a strong, free, and intelligent people.

There is no class of citizens to which the Government owes so great a debt of gratitude as to the soldiers of the late war. The veterans of that great Army that still remain are entitled to and deserve the consideration and regard of every citizen of the Republic. It was their valor and sacrifice that preserved and made permanent the nation. No true citizen can review those eventful years of our history without having his patriotism revived and his love of country strengthened.

We must and should do justice to the soldier and to those dependent upon him. Generous pension laws are already upon our statute books in their behalf. It is as to the interpretation and construction of these laws that complaint is made. A grateful people, as well as the Congress that enacted them, intended they should be liberally and fairly construed in the interest of the veteran. The purpose of the pending measure is to emphasize and make clear that intention. It is to clear the path for the honest and deserving, so they may be able to secure what the Government originally intended. It is to protect the pensioner under just rules of construction as well as procedure in their rights, after the claim has once been fairly and honestly adjudicated. It is to set at rest the apprehension, justly developed under the recent administration of this Bureau, that practically without warning the pensioner is stricken from the rolls without the right of adequate protection or defense.

I believe the sentiment of the country justifies, as well as demands, the legislation, and especially the provisions embodied in the fourth section of the bill, and I heartily give it my support.

Bankruptcy.

SPEECH

OF

HON. JOHN K. HENDRICK,

OF KENTUCKY,

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 1, 1896,

On the bill (H. R. 8110) to establish a uniform law on the subject of bankruptcies throughout the United States.

Mr. HENDRICK said:

Mr. SPEAKER: I regret exceedingly that I am compelled, from a sense of duty, to vote against a bill which has been reported by a committee, the Judiciary, of such high standing in this House; but the duty which I owe to my constituents and the people at large impels me not only to withhold my support, but to oppose it strenuously and do all I can, in an humble way, to prevent its passage.

We may, I think, rely implicitly on the judgment of the people touching any public question when they have had a reasonable and fair opportunity to thoroughly try and test that question. I am a great believer in the wisdom of the people whenever they have time to investigate and consider dispassionately any question pertaining to the welfare of the country. If we test the bill now being considered by this rule, we certainly can not grow enthusiastic in its support unless we have forgotten our democracy and ceased to believe in or care for the right of the people to rule.

When it comes to governmental affairs, there are no higher or diviner rights than the rights of the people, and the man who accepts position at their hands and then ceases for one moment to be vigilant in their behalf is unworthy to represent them. Remembering these wholesome democratic truths, let us see what the people have said of bankrupt laws after having tried them time and again. It will not be denied that Congress has power, under the Constitution, to establish a uniform system of bankruptcy throughout the United States. This power has been exercised several times. On the 4th day of April, 1800, a bankrupt law was passed by Congress, which was repealed in December, 1803, having remained in force only three years and eight months. Thirty-seven years later, and after the people had forgotten the deleterious effects of the first act, another was passed August 19, 1841, but in 1843, within two years after its passage, its pernicious tendencies having been demonstrated, it was promptly repealed. The people having again, as we may justly suppose, forgotten their sad experience with the former laws, the third and last act was passed in 1867, and remained in force longer than either of its predecessors; but in 1878, eleven years after its passage and after the people had had ample time to ascertain its virtues, if it had any, it was also repealed. Are we to ignore all of this experience? If so, by what light shall our legislative steps be guided? Experience is a great school.

What would be thought of a farmer in the North who had attempted time and again to raise tropical fruits and plants, failing each time because of uncongeniality of soil and clime, if he should, despite his experience, continue annually to plant his hopeless crop? He would be regarded as a crank; and yet we are ignoring experience equally as patent, and claiming that we are engaged in wise legislation.

If the Republican party should propose the passage of another force bill civilized Christendom would laugh the attempt to scorn. The leaders of such a move would be looked upon as madmen. Why? Because the people, after much experience with such nefarious legislation, have condemned it in most positive and unqualified terms. Their condemnation of force bills, however, has not been more pronounced than their triple condemnation, if I may so designate it, of the bankrupt laws. If the people can not rely on their oft-expressed wishes to protect them from oppressive laws, what can secure or protect them from the whims and caprices of their Representatives?

There has been a great deal said during the progress of this debate about "the debtor class" and "the creditor class." That is all right. I have no desire, if I know myself, to wrong any class of my fellow-citizens. I am anxious to do my whole duty toward every class and every condition which may be affected by my acts; but if I am placed in a condition where I am compelled to select between two classes, I am dead certain to cast my influence on the side that needs my help. If it is true that we have two distinct classes in our land, known as the debtor and creditor classes, and I am compelled to choose between them, I do not hesitate to say that I am on the side of the debtor, because the very term shows that he is more likely to need my aid than the other. Strike out the involuntary features of this bill and I will support it as a measure to relieve debtors, provided corporations are excluded; but I can not vote for a law that permits a harsh, relentless, and sometimes cruel creditor to force his unfortunate debtor, against his will—involuntarily is the word—into bankruptcy. The Shylocks are not all dead; neither are the Antonios.

I desire to ask gentlemen who contemplate voting for this measure to consider the different causes under this bill which permit the creditor to pursue this relentless and pitiless course toward those who owe him. These acts of bankruptcy by a person shall consist of his having (1) concealed himself, departed or remained away from his place of business, residence, or domicile with intent to avoid the service of civil process and to defeat his creditors, and shall not have returned at least forty-eight hours before the filing of a petition in bankruptcy, and before the rights of creditors shall have been impaired, altered, or interfered with; (2) failed for thirty days and until a petition is filed while insolvent to secure the release of any property levied upon under process of law for $500 or over, or if such property is to be sold within such time under such process then until three days before the time fixed for such sale; (3) made a transfer of any of his property with intent to defeat his creditors and has not regained the ownership and possession of such property before the rights of creditors have been altered, impaired, or changed by reason of such transfer and at least ten days before the commencement of a proceeding in bankruptcy; (4) made an assignment for the benefit of his creditors or filed in court a written statement admitting his inability to pay his debts; (5) made, while insolvent, a transfer of any of his property or suffered any of it to be taken or levied upon by process of law or otherwise for the purpose of giving a preference, and has not regained the ownership of such property or released same from such levy before the rights of creditors shall have been altered, changed, or impaired by reason of such transfer, taking, or levy and at least ten days before the commencement of a proceeding in bankruptcy; (6) procured or suffered a judgment to be entered against himself with intent to defeat his creditors, and suffered same to remain unpaid until ten days before the filing of a petition in bankruptcy, provided that a payment or satisfaction of such a judgment by a sale of any of the debtor's property or from the proceeds of such a sale shall not be deemed a payment of such judgment under the provisions of this section; (7) secreted any of his property to avoid its being levied upon under legal process against himself and to defeat his creditors, and has not surrendered such property to such legal process at least ten days before the filing of a petition in bankruptcy; (8) suffered while insolvent an execution for $500

or over, or a number of executions aggregating such amount, against himself to be returned no property found, unless the amount shown to be due by such executions shall be paid before a petition is filed; or (9) suspended and not resumed for thirty days and until a petition is filed, while insolvent, the payment of his commercial paper for or aggregating $500 or over.

We have but recently passed through one of the most universal panics that ever blighted a country and paralyzed its business industries, and many of our people are now suffering from the accumulation of debts which they can not pay. If anybody is to be relieved by legislation, the debt-ridden classes certainly appeal to us most strongly and demand our first consideration, but, instead of pursuing a course which will relieve the unfortunate, we are absolutely devising new methods of oppression in favor of the creditor by attempting to put upon the statute books laws which will enable him to take his victim by force into the Federal courts and have him declared a bankrupt. I think the experience of my own State (Kentucky) is worth something on this point. In 1821, when the people were passing through a panic, the legislature of that State passed what is commonly known there as a stay law. Under this law no judgment could be rendered or execution issued against a debtor for the space of three years. This legislation proved to be an inestimable blessing to the poor, oppressed, and unfortunate debtors who were unable to meet the demands against them.

In 1837, when the people were suffering from another great panic, a similar law was passed, and likewise another in 1857. It will be noticed that these laws were only temporary; enacted for the purpose of bringing immediate relief to unfortunate people who could not meet their obligations. There is something admirable in these humane statutes, intended solely to give relief to overburdened, struggling humanity.

Contrast the pending bill with these relief statutes. The contrast is so great that it shocks our finer feelings. The Kentucky statutes indicate moderation, sympathy, humanity—this act indicates intemperance, avarice, relentlessness. Certainly this country has never suffered under a greater panic or one of longer duration than the one from which we are just emerging. If there ever was a time which would justify the passage of laws protecting the debtor, this is certainly preeminently the time, but instead we are placing bludgeons in the hands of those whom fortune has favored with which they may brain, so to speak, their less fortunate countrymen. Why should we pass laws to assist the rich? They do not need our help. They can help themselves. The man who is struggling for meat and bread for himself and family is the one who demands our careful, earnest, I might say prayerful, consideration. He is sinking and is calling to us. Let us in the name of humanity heed his cry.

You ask me if I would wrong the creditor. Of course I would not; but I had rather not be called on to help him when he does not need my help, if that call forces me to turn a deaf ear to the debtor by his side, who does need my aid.

The law as it now stands works no injustice to creditors. It permits them to contract as freemen, with their eyes wide open. If they have made bad contracts ought we to come as lawmakers to their assistance and enact laws which will enable them to harass debtors for the payment of debts made when there was no such law in existence? For one, I will not do it; and more than that, it is not right from a moral standpoint, I care not who indorses it.

I would oppose the bill, if for no other reason, because it enlarges the jurisdiction of the Federal courts to an almost incalculable extent. It converts them into debt-collecting tribunals in addition to the vast jurisdiction heretofore conferred on them by the Republican party. No man can believe in the principles of Democracy and give this bill his approval. One of the fundamental principles of Democracy is that the people are entitled to be tried before their local judicial tribunals. This bill virtually deprives them of that right. How can a Democrat vote for a measure which deprives a large class of the people—the unfortunate class at that—who are burdened with debt, from the right to be tried by the courts of their own State, where the people select their own officials, and where the juries are composed of their neighbors and acquaintances? If you desire to rob the State courts of their jurisdiction, why do you not proceed in a bold, manly way and not by covert and insidious measures like this? So far as I am concerned, I had rather take from than to confer additional jurisdiction on the Federal courts. I believe strictly in the doctrine of the Democratic party, which recognizes the sovereignty of the States and keeps the power in the people by permitting them to select their own officials.

The bill under consideration permits the creditor to force his unfortunate debtor into bankruptcy, and the more effectually to accomplish that purpose permits him to go into a Federal court, removed by the very mode of its creation from all interest in or sympathy for the people. We are told, however, that the bill not only forces individuals into involuntary bankruptcy but that corporations can likewise be forced into insolvency. How does that improve matters? If a robber takes my property, of what benefit is it to me to know that he has also taken the property of other people? Instead of that provision of the bill being a recommendation it is a further reason for my opposition to it. It is also insisted that another great virtue in the bill will be found in the clauses which make bankruptcy both voluntary and involuntary; that is, one may voluntarily become a bankrupt or be forced into it involuntarily, according to the fleetness of the contestants for the dubious honor. Of course, if the creditor is alert and gets the first start on his debtor in the Federal court and succeeds in obtaining a judgment declaring his victim a bankrupt, it is involuntary bankruptcy; on the other hand, if the debtor makes the first move, surrenders his property, and obtains a decree exempting him from his debts, it is voluntary bankruptcy.

Now, then, let us go back, as it were, resurrect some of our past experiences with corporations, and see whether or not this law will be a benefit or an injury to the people so far as it applies to corporations. I say without the least fear of contradiction that its passage will be a perfect boon to rascally corporations which wish to avoid or repudiate their debts. For example, let us review very briefly the history of the Union Pacific system of railroads. The Government, through the Republican party, donated to these roads the enormous amount of 89,000,000 acres of land and gave pecuniary aid by issuing bonds to the extent of $61,000,000, with the understanding and agreement that the interest on the bonds should be paid to the Government annually and at the end of thirty years the principal.

What has been the result? The interest has not been paid, the principal is now due and unpaid, and none of it, in my opinion, will ever be collected, while the people of the West and Northwest have been robbed in the way of freights and transportation to a degree that is wonderful, and at the same time the individual directors and incorporators have become enormously, if not alarmingly and dangerously, rich, because it is a menace to society and to the welfare of the people and republican institutions to have men rolling in untold millions which they acquired by dishonesty. Let it be borne in mind, too, that some of these incorporators have been proven beyond a reasonable doubt to be perjurers and criminals.

Here are the principal incorporators, with a recent estimate of their wealth, all of them being comparatively poor when the Republican party concluded to put the Government in partnership with them in the railroad business:

C. P. Huntington	$70,000,000
Mark Hopkins	30,000,000
Leland Stanford's estate	25,000,000
Charles Crocker	30,000,000
Total	155,000,000

Does any sane man believe that these men could have made that sum of money honestly, while the Government in the same enterprise could not collect even its interest?

Let it be borne in mind that the great Credit Mobilier scandal, swindle, and bribery grew out of some of these same corporations.

I am asked what connection these matters can have with the bill under consideration. It has just this much to do with it: I am not willing to give a corporation which is managed by such unspeakable wretches and scoundrels as these the privilege of taking the benefit of the bankrupt law. What if it is involuntary? How long would it take perjurers and thieves to concoct a scheme to put a corporation through the process of bankruptcy and swindle stockholders and creditors out of every dollar of their interest?

No, Mr. Speaker, none of it for me. Let others so vote if they will; but in my opinion the political party or the individual who does it will be repudiated by the people, and the repudiation will be right and proper.

We have been tauntingly told by the other side of the House that we are so divided that we amount to nothing but roving bands of political guerrillas, decimating our own ranks by our relentless factional fights.

I regret to say, Mr. Speaker, that we are divided, and that in our present condition we are not able to even check the Republican party in the enactment of vicious legislation. But let me say to our friends that notwithstanding the little family quarrel that is now on, all breaches will yet be healed, and the matchless party of the people, with "Equal rights to all and exclusive privileges to none" as its motto, will plant the banner of the people upon the breastworks of class legislation, trusts, and nurtured monopolies.

Bear with me for a moment while I review some of the past breaches and divisions in the Democratic party, for I think that our friends, the enemy, will fail to find a great deal of consolation in that review, if we may judge of the future by the past.

In 1835 the first breach or factional fight, so far as I now recall, occurred in the ranks of the Democratic party. One of these factions was called the Locofoco and the other faction was known as the Equal Rights Democrats. The bitterness between them was intense and widespread, and threatened to disrupt the party, but

the breach was finally healed, and the party was wiser and more vigilant of the interests of the people than ever.

In 1848 a second breach occurred, one faction being derisively called the Barnburners, the other the Hunkers. The fight between these two factions was extremely vindictive, and resulted in the defeat of the party and the election of General Taylor, a Whig, to the Presidency. This chastisement proved beneficial to the party for a number of years.

In 1860 the third great division in the party occurred, and we all know the sad result of that disagreement.

Now, let me remind the authors of this bill that notwithstanding the lamentable internal strifes, that we are here to-day alive and kicking, a little disfigured, but still in the ring, battling for the rights of the people, for constitutional government, for equality before the law against the party of high taxes, monopolies, trusts, force bills, bankrupt laws, and extravagant expenditures of the public money.

Let me say in conclusion to the gentlemen who are now chuckling over our dissensions, that they may take warning from the past history of our party, because a recitation of the past may prove to be but a prophesy for the future, and while they are pondering over the result of our past divisions, it would be well enough to remember that the Federalist party, which originated the first bankrupt law, has long since departed this life, and the Whig party, who were responsible for the second, have long since gone to that bourne from whence no political party returns, and the Republican party may profit by their example; remembering always that the principles of Democracy are immortal, and if you defeat us this year the party will not die, but will come smiling to the scratch on the next battlefield, rejuvenated and invigorated by the very chastisement it may receive.

The Financial Policy.

SPEECH
OF
HON. WILLIAM V. ALLEN,
OF NEBRASKA.

IN THE SENATE OF THE UNITED STATES,

Thursday, April 30, 1896.

The Senate having under consideration the bill (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes—

Mr. ALLEN said:

Mr. PRESIDENT: Yesterday the Senator from Maine [Mr. HALE], who has this bill in charge, admonished the Senate that the discussion had drifted from the pending amendment and had gone into the field of party politics. It is my purpose to discuss the amendment as thoroughly as I can in view of the fact that I am not a member of the Committee on Appropriations or a committee having charge of an appropriation bill, and I shall embrace the opportunity to discuss it in all its features and consider all the facts that may properly enter into the discussion.

I have been greatly interested in the discussion that has extended over the last two days, especially that part which was precipitated by the senior Senator from Ohio [Mr. SHERMAN], and participated in by the senior Senator from Colorado [Mr. TELLER], and the senior Senator from Maryland [Mr. GORMAN], because it disclosed to the country a thing that has been obscured as far as political action can be obscured, that the issue the people are to be confronted with in the approaching campaign is the old issue of tariff rather than that of financial reform, if the two old parties can frame the issue on that line. The Senator from Maryland has stated in substance, not perhaps in words, that it is the purpose, as he believes, of the Republican party, as represented here, to make large present appropriations and authorize large contracts to meet which appropriations will be required at the second session of this Congress or by another Congress, as an excuse for the enactment of a tariff law based on the principles of the McKinley Act. If the statements of the proposed appropriations which are being presented to us are correct, that would naturally and necessarily result.

One feature of the bill is the proposition to make an appropriation of something like $28,000,000 for the construction of four battle ships in addition to the ordinary naval appropriations amounting to $29,000,000 annually. The Senator from Maryland [Mr. GORMAN] has moved to amend the bill as reported by the Committee on Appropriations by striking out two battle ships, so that we will be required to construct only two, while the junior Senator from Pennsylvania [Mr. QUAY] has moved to amend by requiring the construction of six instead of two. If the amendment offered by the Senator from Pennsylvania shall carry, we will be put in the attitude, so far as this item for battle ships is concerned and so far as this branch of the naval appropriations is concerned, of appropriating $29,000,000 for ordinary naval purposes and making $2,000,000 more immediately available for beginning the construction of battle ships, which, when completed, will cost the Government all told $40,000,000. So we will have $69,000,000 appropriated and contracted for under this bill.

The question which presents itself to me most forcibly in considering this question is whether there is any urgent necessity for this appropriation. Certainly the financial condition of the country will not warrant it, and it should not be made unless there is an immediate demand to prepare ourselves for contemplated or actual war or for the protection of our coasts and commerce.

Mr. President, when I first came into this Chamber I looked on all discussion that took place here as serious, but I have gotten over that to a very great extent. I have long since learned that many, very many, discussions are precipitated solely for the entertainment of the people who are supposed to read the proceedings of Congress, in the press or the RECORD; that the debates amount to no more than a play between the two dominant parties, or the two great political parties, as they are pleased to call themselves; that they consist largely in sparring for political points, in maneuvering for party advantage, and there are no benefits resulting from them. That seems to be the purpose of the discussion that has sprung up here over this amendment.

When Congress convened in December last, the Democratic and Republican parties were in need of campaign material. The Republican party had been defeated in 1892 by an overwhelming majority. It was and is resting under a cloud cast over it by that defeat. It was struggling to reinstate itself to public favor and, of course, was bent on making all the campaign material possible in Congress to enable it to advance its interests in the coming national campaign. The Democratic party, which, in 1893, for the first time in thirty years, had come into power in the legislative and executive branches of the Government concurrently, and which had brighter prospects than any political party has had in many years, had shown itself—I will not say incompetent, but inadequate to meet the expectations of the people and fulfill its promises.

When this Congress convened, therefore, it was necessary for these two parties to have something more than the tariff to discuss. It was necessary for them to have something more than the issue of financial reform, for that issue belongs to the Populist party, and if the attention of the people should be seriously directed to it there would be a sloughing of Democrats and Republicans, who would naturally land in the Populist party. Therefore, during the first few days of the present Congress, various resolutions were introduced in the Senate and discussed by Democrats and Republicans as respects the policy that should be pursued by the Government as to the Monroe doctrine, and especially the policy that should be pursued in respect to the Island of Cuba. Ringing speeches, jingo speeches, if you see proper to call them such, and I myself see no objection to proper jingoism, were made on these subjects. The country was given to understand that we were liable to be precipitated into serious difficulty with Great Britain as to the true boundary line between Venezuela and British Guiana.

The President, as the head of his party, was not to be outdone in this game of party politics. The attitude of the President and the Republican Senators remind me very forcibly of the story Artemus Ward used to tell of one of his creditors. He said he had loaned a friend $100 when he was in distress, and that, after a time, being sorely pressed for money, he ventured in a gentle way to remind him that he would like payment. The friend told him a pitiful story of poverty, and said he did not have the money, and could not pay him. "So," said Artemus, "I thought I would relieve him of his distress, and in a spirit of generosity I told him I would throw off one-half if he would pay me the other half." Moved to tears of joy, his friend brightened, and, taking him by the hand, said: "Old horse, I will not be outdone in generosity by you. I will throw off the other half." [Laughter.]

Mr. President, when the Republicans began the introduction of resolutions on the subject of a strong foreign policy, for the purpose of diverting public attention from the financial and industrial conditions of the country, the President, as the head of a great political party, was not to be outdone by them "in generosity," and therefore he gave us his Venezuelan message of the 17th of December. I do not believe there is a citizen of the United States who believes, or who has ever believed there was the slightest likelihood of a conflict between Great Britain and this country over the boundary between Venezuela and British Guiana, or, for that matter, over any other question. It was simply one of those party plays for party advantage that are frequently indulged in here.

Mr. President, my position, as I assert it here, is capable of proof beyond a reasonable doubt, and that is the quantum of proof required to convict a man of crime in this country. On the 17th of December last the President sent to Congress his Venezuelan message, which called attention to the established doctrine of preservation of American soil for American Governments, known as the Monroe doctrine. On the 20th of that month, three days later, there was a financial panic in London, precipitated, so it was

said in British papers and in our own, by the Venezuelan message. American securities were thrown on the market at a discount by hundreds of millions. On the 21st of December, four days after the Venezuelan message, we experienced a panic in New York, a sympathetic panic, as a result of the one in London. Here were relations so intimate between the lords of finance in London and the lords of finance in Wall street, who are in partnership in all financial transactions in this and other countries, that the simple statement of the President that we would maintain the Monroe doctrine by force of arms, if necessary, precipitated a panic in both countries. I have stated repeatedly in this Chamber, and especially three years ago, that there was a money power in Lombard street, London, and Wall street, New York, that controlled the affairs of this and other nations, and here is evidence conclusive of the fact.

I used to be sneered at for making this assertion, and yet it has been quite a common thing during this Congress for Republican and Democratic Senators to refer to a great money power that controls the affairs of the British Empire and the United States. What more conclusive evidence could be demanded that British gold controls the legislation and the administration of this nation than that which is to be found in those panics occurring in London and New York almost simultaneously and sustaining a sympathetic relation with each other?

Mr. President, I have preserved the evidence of the panics, and, at the risk of being somewhat tedious, I think it proper for me to call public attention to it. I will read from the New York World of December 21, 1895:

A dismal Friday in Wall street—Real fright among security holders at the unreal specter of war over little Venezuela—Stocks and bonds fell $350,000,000—The scare was caused by European selling of American securities and by alarm over our loss of gold—Five firms fail—Executive message came after market closed—

This refers to the message of the President which we received but a few days after the first message, and which was intended to allay suspicion of war—

In five hours of business all active stocks had fallen from 2 to 20 points—A memorable day.

And the article proceeds to give a detailed account of the scene in Wall street and on 'Change at the time of the panic.

I desire to embrace in my remarks a clipping from the New York World, giving details of the loss that was sustained in New York on the 21st of December as a consequence of the panic, amounting to about $357,000,000 in round numbers:

WALL STREET'S SHOCK COST $357,795,245—DETAILED STATEMENT OF THE DECLINE IN MARKET VALUES OF AMERICAN SECURITIES IN FOUR DAYS SINCE PRESIDENT CLEVELAND'S MESSAGE WAS ISSUED.

Name of stock.	Shares outstanding.	Monday's price.	Friday's price.	Nominal loss in market value.
American Cotton Oil, common	$20,237,000	18	15	$607,110
American Cotton Oil, preferred	10,198,600	67	60	713,702
American Sugar Refining, common	37,500,000	104	92	4,500,000
American Sugar Refining, preferred	37,500,000	98	92	2,250,000
American Tobacco Company	17,900,000	76	68	1,432,000
American Tobacco Company, preferred	11,935,000	101	95	716,100
Atchison, Topeka and Santa Fe, assessments paid	101,844,987	16	11	5,092,245
Atchison, Topeka and Santa Fe, preferred (with interest)	101,844,987	25	20	5,092,245
Baltimore and Ohio	25,000,000	49	42	1,750,000
Bay State Gas	1,500,000	25	20	75,000
Burlington and Quincy	82,004,200	84	74	8,200,420
Canada Southern	15,000,000	55	48	1,050,000
Chesapeake and Ohio	60,469,100	17	14	1,814,073
Chicago Gas, Central Trust Company certificates	25,000,000	71	61	2,500,000
Cleveland, Columbus, Cincinnati and St. Louis	28,000,000	41	32	2,520,000
Colorado Fuel	9,250,000	30	20	925,000
Columbus, Hocking Valley and Toledo	11,696,300	17	15	233,926
Consolidated Gas	35,430,000	160	139	7,440,300
Delaware and Hudson	35,000,000	129	118	3,850,000
Delaware, Lackawanna and Western	26,200,000	167	158	2,358,000
Denver and Rio Grande	38,000,000	13	10	3,800,000
Denver and Rio Grande, preferred	23,650,000	49	39	2,365,000
Distillers and Cattle Feeding Company	34,171,500	19	14	1,708,575
General Electric	30,460,000	31	20	3,350,600
Kansas and Texas	47,000,000	13	9	1,880,000
Kansas and Texas, preferred	13,000,000	32	18	1,820,000
Laclede Gas	7,500,000	23	14	675,000
Lake Shore	49,466,500	152	142	4,946,650
Louisville and Nashville	52,800,000	53	39	7,392,000
Louisville, New Albany and Chicago	9,000,000	26	7	1,710,000
Louisville, New Albany and Chicago, preferred	6,250,000	26	17	562,500
Manhattan Consolidated	30,000,000	107	95	3,600,000
Metropolitan Traction Company	27,366,650	106	92	3,831,324
Missouri Pacific	47,436,575	30	20	4,743,650
Pennsylvania Railroad (Philadelphia)	129,271,000	53	50	7,756,260
Mobile and Ohio	5,320,600	25	19	319,236
National Lead Company, common	14,905,400	31	20	1,639,594
National Lead Company, preferred	14,904,000	89	73	2,384,640
National Linseed Oil	$18,000,000	21	15	$1,080,000
New Jersey Central	22,497,000	110	97	674,910
New York Central	100,000,000	100	91	9,000,000
New York, Susquehanna and Western, common	11,746,200	10	8	234,924
New York, Susquehanna and Western, preferred	12,816,500	31	19	1,537,980
Northern Pacific, preferred	35,250,147	15	11	1,410,004
Chicago and Northwestern	39,052,400	104	94	3,905,240
Omaha	46,156,000	42	31	5,077,160
Ontario and Western	37,950,000	15	12	1,138,500
Pacific Mail	20,000,000	32	22	2,000,000
Pittsburg, Cincinnati, Chicago and St. Louis	25,098,819	16	14	501,976
Reading	41,224,361	9	6	1,236,729
Rock Island	46,156,000	75	63	5,538,720
St. Paul, common	46,027,231	75	69	2,761,632
St. Paul, preferred	26,156,900	129	127	523,138
Southern Pacific	108,232,270	23	19	4,329,288
Southern Railroad, common	119,900,000	10	7	3,597,000
Southern Railroad, preferred	54,300,000	33	23	5,430,000
Tennessee Coal and Iron	20,000,000	34	25	1,800,000
Union Pacific	60,868,500	7	5	1,217,370
U. S. Cordage certificates, preferred (assessments paid)	17,992,300	13	8	899,615
U. S. Cordage certificates, guaranteed (assessments paid)	6,000,000	26	19	420,000
U. S. Leather, common	60,000,000	12	9	1,800,000
U. S. Leather, preferred	60,000,000	69	60	5,400,000
Wabash, preferred	24,000,000	18	13	1,200,000
Western Union Telegraph	95,370,000	89	82	6,675,900
Wheeling and Lake Erie	10,000,000	14	6	800,000
Total apparent decline in 66 active stocks				$177,795,246
Estimated decline in bid prices of 178 inactive stocks on the stock exchanges				80,000,000
Estimated loss in nominal value of railroad bonds, market price				100,000,000
Total apparent decline in four days in stocks and bonds alone				357,795,246

Mr. President, this establishes, if proof were lacking, that there is a strong bond of sympathy between the money power of London and New York, a thing which has been denied in the press and in Congress and in other quarters until very recently. Here is proof as strong as Holy Writ not only of the existence of this power but of an alliance between its European and American branches. In my judgment, the evidence is sufficient to prove to the mind of any fair-minded man the existence of a money power that controls the conduct of this nation.

But, Mr. President, this is not all the evidence. Look for a moment, if you will, at the insincerity of the claim that this nation was liable at the time to be precipitated into war with Great Britain or with Spain. Within twenty days from the time the President told the world that we were ready to muster our Army and Navy to fight Great Britain for the Monroe doctrine as applied to the dispute over the boundary between Venezuela and British Guiana the Secretary of the Treasury issued a call to borrow $100,000,000 of British gold. We were, in fact, placed in the humiliating attitude of borrowing $100,000,000 of British gold to fight our prospective battles with that country. Mr. Carlisle, without a shadow of authority, as has been repeatedly shown in this Chamber, and as has been announced by Republicans and Democrats as well as Populists, issued a call for a one-hundred-million-dollar loan in gold, basing it upon the provisions of the resumption act of 1875, which was repealed by fulfillment, and expressly and directly repealed by the act of 1878.

Mr. President, Mr. Carlisle was negotiating with the agents of the Rothschilds, who dominate the financial affairs of Great Britain, for this loan at the precise moment the President was writing his Venezuelan message. At one and the same time the agents of this country were negotiating with this English money power for a loan of $100,000,000 of gold, and the President was launching his Venezuelan message upon the country. Can any man doubt, under such circumstances, that an intimate relation exists between the money power of Great Britain and the money power of this country? Can any man who is sane and at the same time honest doubt that this combined power controls the actions of the Chief Executive, as it does the decisions of the Supreme Court and the legislative branch of the Government?

Sir, in a little over one month and a half from the time we received the Venezuelan message of the President, the Secretary of the Treasury sold bonds to the amount of $100,000,000, and more than one-half of that amount went to the representatives of the English money power. We recall with vivid recollection the charges that were made of speculation in the bonds. The same contract in substance was entered into with J. Pierpont Morgan, as a representative of the English money power, for the sale of these bonds that had been entered into before, and it would have been carried out had not two great newspapers called attention to the fact to an extent and in such a manner that the President and

the Secretary of the Treasury were compelled by force of public opinion to make it a quasi public loan—a public loan that put the bonds on sale at a few places in the United States; and when, under the charges made by these great newspapers and under the searching light of criticism of the action of the Treasury Department, the bonds brought more than they were to be contracted to the English syndicate, the President and the Secretary felicitated themselves—not the country—on the success of the "popular loan." We have been told, and the country will be told this fall, that it was a popular loan. It was in no sense a popular loan. It simply compelled the representatives of the British money power to go, not to one point in New York or in Washington, but to a few points in the country to accomplish the same result. They got the bonds, or the greater portion of them.

Here, Mr. President, was the singular spectacle of Great Britain purchasing the bonds of the United States and paying out gold for them within a very few days of the time the President was menacing a declaration of war against her for the invasion of American rights.

Sir, does any man suppose, is there a sane human being upon the face of the earth who supposes, with these facts before him, that there was the slightest likelihood of war with Great Britain, or that there is now the slightest likelihood of war? Mr. President, our financial and commercial relations are so closely allied with those of that nation that there is scarcely any conceivable circumstance under which the one could be provoked to declare war against the other; and yet, for the purpose of putting a burden on the people, and for the purpose of further mortgaging the future and increasing the burden of taxation that rests so heavily on the backs of our laboring and producing classes, we are to have six great battle ships to defend ourselves against Great Britain!

Mr. President, I am not insensible of the defenseless condition of our coasts. I am not insensible of the necessity of having a respectable navy and adequate coast defenses; but when we are about to engage in a lavish expenditure of public revenue we should have the money within our call, or be able to secure it by a reasonable effort, and not by onerous and unjust taxation.

By the recent unwarranted action of public officials we have been placed in a position where we are necessarily compelled under our form of government to increase our taxation. I am not, so far as I am concerned, and so far as the party is concerned which I have the honor to represent in part in this Chamber, opposed to necessary and proper taxation. I am not opposed to a standing army sufficient for the preservation of a great nation like this. I am not opposed to proper coast defenses and an adequate navy; but I am opposed to those things that are unnecessary, and especially until the Government comes back to the principles recognized by the fathers and embodied in the Constitution, and the people are afforded, by an increased volume of money, an opportunity to pay taxes adequate to the just demands of the Government.

We have repeatedly heard our Republican and Democratic friends affirming on the one side and denying on the other, the one alleging that the other is responsible, and the other denying its responsibility, for the present condition of the country; the one affirming that the prosperity of the country will be found only in increasing the burden of taxation, and the other asserting that it will be found in lightening the burden of taxation and opening up the great avenues of commerce, whatever that may mean. It is quite a common thing in the Senate for our Democratic friends to charge the Republican party with the responsibility for the present condition of the Treasury, and it is an equally common thing for our Republican friends to say to the Democrats, "You are responsible for it."

The senior Senator from Ohio [Mr. SHERMAN] said yesterday, and he has made the assertion very frequently, that if the Wilson bill had carried a higher rate of taxation, a rate sufficient to supply the Treasury with the necessary revenue to meet the current expenses of the Government, the Democratic party would not have been compelled to issue bonds in time of peace.

Mr. President, the issuance of Government bonds in times of peace is a policy that has been encouraged by both parties, and I have not the slightest doubt that, with some noble exceptions on both sides, there is a perfect understanding between the leaders of the Republican and Democratic parties (not confined to this Chamber, but existing throughout the country) that a policy shall be pursued that will result in a perpetual interest-bearing national debt.

What was the condition of the Treasury as respects the issuance of bonds when the Harrison Administration went out of office on the 4th of March, 1893? It is a very common thing to read in the press and hear statements here and elsewhere that the Treasury was solvent, and that, under the beneficent influences of the McKinley Act, there would have been no necessity for the issuance of Government bonds. The initial step in the issuance of Government bonds was taken by the Republican party just prior to Harrison's retirement from the Presidency. I took occasion recently to address a letter to the Secretary of the Treasury to ascertain the fact, and in reply I received from him this letter:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., December 13, 1895.

SIR: Your favor of the 11th instant, in which you state that the assertion has been frequently made in the public press and elsewhere that just prior to the time when President Harrison retired from office my predecessor, the Hon. Charles Foster, was negotiating with a financial syndicate for the sale of Government bonds, and that the bonds had actually been engraved, and asking me for information upon the subject, is received, and in response I have the honor to say that I have no official information concerning any negotiations that may have been pending between Secretary Foster and others, but the records of this Department show that on the 20th of February, 1893, he issued an order to the Chief of the Bureau of Engraving and Printing, directing that officer to prepare designs for 3 per cent bonds, which had been provided for in a Senate amendment to the sundry civil bill then pending in Congress.

An amendment, by the way, that had been offered by the senior Senator from Ohio [Mr. SHERMAN].

A copy of the order is herewith inclosed, together with a copy of the recital which was to be inserted in the bonds.

Very respectfully, yours, J. G. CARLISLE, *Secretary.*

Hon. WILLIAM V. ALLEN,
Senate Chamber.

And here is the direction of Secretary Foster to the Chief of the Bureau of Engraving and Printing:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., February 20, 1893.

SIR: You are hereby authorized and directed to prepare designs for the 3 per cent bonds provided in a Senate amendment to the sundry civil bill now pending. The denominations which should first receive attention are $100s and $1,000s of the coupon bonds and $100s, $1,000s, and $10,000s of the registered bonds.

This authority is given in advance of the enactment, in view of pressing contingencies, and you are directed to hasten the preparation of the designs and plates in every possible manner.

I inclose a memorandum for your guidance in preparing the script for the body of the bond.

Respectfully, yours, CHARLES FOSTER, *Secretary.*

To the CHIEF OF THE BUREAU OF ENGRAVING AND PRINTING.

WASHINGTON, *April 1, 1893*—

Just a little over a month before Harrison's retirement from the Presidency——

Mr. ALLISON. Give the date again, please.

Mr. ALLEN. It is evidently a misquotation. It is "April, 1893." This is the direction of Secretary Foster respecting the recital in the bonds:

This bond is issued in accordance with the provisions of section — of an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes," approved March 3, 1893, and is redeemable at the pleasure of the United States after the 1st day of April, A. D. 1898, in coin of the standard value of the United States on said March 3, 1893, with interest in such coin from the day of the date thereof, at the rate of 3 per cent per annum, payable semiannually on the 1st day of October and April in each year. The principal and interest are exempt from the payment of all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority.

I think this conclusive evidence that the statement we hear so frequently that the Republican party was not in a condition, during the late Administration, to compel it to issue bonds, while true in form, is in fact and substance false. I call the attention of the Senate again to the significant language of Mr. Foster, in his letter to the Chief of the Bureau of Engraving and Printing:

This authority is given in advance of the enactment, in view of pressing contingencies, and you are directed to hasten the preparation of the designs and plates in every possible manner.

Why the necessity of directing the Chief of the Bureau of Engraving and Printing to engrave the bonds in advance of the passage of a law authorizing their issuance? What urgent contingency was pressing upon the Treasury Department? There had been deficits in the revenues under the McKinley Act, the limit of the gold reserve had almost been reached, and unless the bonds should be authorized or the Secretary of the Treasury should pursue the course of his successor in issuing bonds under an act that had been repealed, the Treasury would be practically bankrupt. In fact, it would have been under President Harrison if his Administration had not ended just at the time it did.

And you are directed to hasten the preparation of the designs and plates in every possible manner—

Says Mr. Foster. Mr. President, it was urgent. The circumstances were such as to require great haste on the part of the Bureau of Engraving and Printing. Our Republican friends do not want the country to know this truth. They want to keep the people in ignorance of the fact that the McKinley Act was a complete failure as a revenue producer. It was not enacted in the interest of the masses. It was the compilation of the manufacturers in their own interest and not the handiwork of Mr. McKinley.

So much, then, for the attitude of the Republican party as respects the Treasury at the close of the Harrison Administration. The people will not be deceived respecting the truth of this matter. There had been no extraordinary expenses thrown on the Government. It is true that Mr. Harrison had taken something

over $200,000,000, found in the Treasury at the close of Cleveland's former Administration, and bought bonds at a premium of about $26,000,000. But that will hardly be claimed to be creditable financiering. It may have hastened the condition of affairs I have described, but aside from that there had been no extraordinary drain on the Treasury, nothing more than the usual expenses of the Government. And yet the McKinley Act failed utterly to produce the necessary revenues to pay the expenses, and Mr. Foster, as the chief financial officer of the Government, was put to the necessity, just a few days before the inauguration of Mr. Cleveland in 1893, of giving directions to the Chief of the Bureau of Engraving and Printing, in anticipation of the passage of a law authorizing the issuance of 3 per cent bonds, to speedily engrave bonds. These bonds were to be issued for the purpose of obtaining money to conduct the ordinary expenses of the Government. Although the McKinley Act is declared by its supporters to be the most perfect act of protective legislation the country has ever seen, it is a notorious fact that it failed to produce the necessary revenue, and therefore the Republican Administration was on the verge of bankruptcy and a great and pressing necessity existed for the issuance of bonds.

It will not do for our Republican friends to say, because Mr. Harrison passed out of office without in fact issuing bonds, that therefore their party is guiltless. If Mr. Harrison had remained in the Presidential chair until the 1st of May, 1893, he would have issued bonds. It was an open secret that Mr. Foster had been in New York but a month or two before the inauguration, had called together Mr. Williams and other financiers of that city, and had formed a syndicate to purchase the bonds that were to be issued; and there was an evil rumor attached to the transaction that Mr. Foster was to be the recipient of profit from the syndicate. Of that, however, I know nothing and I care nothing.

Mr. PLATT. Mr. President——

The PRESIDING OFFICER (Mr. PASCO in the chair). Does the Senator from Nebraska yield to the Senator from Connecticut?

Mr. ALLEN. Certainly.

Mr. PLATT. Does the Senator from Nebraska state that there was any such rumor or statement as that made anywhere?

Mr. ALLEN. I do say that such a statement appeared in the press.

Mr. PLATT. If so the Senator ought to give his authority. I never heard of such a statement.

Mr. ALLEN. We read a great many things that we can not give authority for. I can not give authority further than to say that I read it in the press dispatches. There was a rumor at the time; I remember it distinctly. I want the Senator to understand, however, that I am not making this as a charge. I said that I did not make it as a charge, but I remember distinctly at the time reading in the press dispatches that it was said that Mr. Foster was to share in the profit of the syndicate, and that the profit to the syndicate would amount to two and one-half million dollars.

Mr. ALLISON. I think in a charge of that sort the Senator ought to be able at least to produce the newspaper at some time—I do not mean just at this moment. I confess I never heard such a statement before, and I am a reader of newspapers.

Mr. ALLEN. I speak of what I read in the press dispatches. I said to the Senate that I did not make a charge of that kind, and I do not make the charge. I read a great many things, as other Senators do, in the newspapers every morning, and I can not tell the next day in what paper I read them. But I did not suppose there was any doubt of the fact that the statement was made in the press. Whether it is true or not I do not know, and I do not care for it one way or the other.

Mr. President, that was the condition of the Republican party in respect to this bond question when Mr. Harrison went out of office and Mr. Cleveland came in. I am not speaking as the political friend of either, and therefore I think I can do as much justice to one as the other.

Now, what was the condition thereafter? Shortly after Mr. Cleveland came into office it became apparent that, under the operations of the McKinley Act—which continued in force until the 28th of August, 1894, a year and a half—the gold reserve would be trenched on to meet the ordinary expenses of the Government, unless some method could be devised to raise revenue.

Mr. HILL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New York?

Mr. ALLEN. Certainly.

Mr. HILL. As the Senator from Nebraska is speaking upon the bond question, and as it is now 2 o'clock, I suggest that the unfinished business ought to be laid before the Senate in order that he may speak upon that resolution.

Mr. ALLEN. I am not speaking on the bond question, except incidentally.

Mr. HILL. What has become of the bond resolution?

Mr. ALLEN. I have not seen the bond resolution since the exploitation of the Senator from New York for several days talked it out of sight.

The PRESIDING OFFICER. The Chair understands that, by unanimous consent, the bond resolution was temporarily laid aside until after the passage of the pending appropriation bill. Hence the Chair did not lay the unfinished business before the Senate at 2 o'clock, as is usually done under the rule.

Mr. ALLEN. Mr. President, all these subjects enter into the question whether or no we are to appropriate $40.000,000 extra at this time. I heard the Senator from California [Mr. WHITE] a few moments ago speak of $300,000,000 as necessary for our coast defenses as though that were a mere bagatelle. We are required to determine whether the country is in a condition, or can be put in a condition, to make such an appropriation under the legislation enacted by either of the two great political parties, as they repeatedly and with seeming delight call themselves, or under any legislation that they are likely to enact.

Now, then, returning to the question of issuing bonds. The McKinley Act of 1890 had proved to be an absolute failure. It was Republican legislation. It was the child of Republicanism. Its parentage can not be denied. It was held up to the country, and will be held up this fall, as the greatest act of tariff legislation in the history of our country.

The Government had run a few months under Cleveland's Administration, until February, 1894, when the Secretary of the Treasury (whether or not he was directed to do so by the President, I do not know, but his act certainly received Executive sanction in some way) issued $50,000,000 of bonds to borrow money. The money was borrowed and placed in the Treasury. Possibly I will be corrected here again and be told that I ought not to make the statement, but I have been told by reliable authority that of the first $50,000,000 of bonds that were issued and sold for gold, as the country supposed, but a little over $13,000,000 of gold reached the Treasury. I do not know whether this is true or not. I give it as I got it, for what it is worth.

Where was to be found the authority of the Secretary of the Treasury to issue bonds? It might be supposed from what we hear in this city—at the Departments and in Congress—that all we need is a President and a Secretary of the Treasury, and the bonds and money will come as speedily as they can issue bonds. I have supposed until this time, and I am yet inclined to believe, that, when an agent, great or small, undertakes to bind the principal for whom he acts, he must have some authority in the form of a statute, if he acts for a sovereign power, or in the form of a power of attorney in the case of a corporation or private individual. Yet we are told by Democrats and by Republicans, too, that there is no limit to the power of Mr. Carlisle to issue the bonds of the Government and engulf this nation in a debt that can not be paid in a hundred years, if he shall see fit at his caprice to do so.

Another $50,000,000 of bonds were issued under the same pretended authority, that of the resumption act of 1875. There was still another issue of $62,000,000. All the money that came into the Treasury as a result of these issues was wiped out almost by a single touch of the wand of the gold power. Then we have had an issue of bonds since the beginning of the present year of $100,000,000. And now we are told, as though it were something to gloat over, as though it were something to be proud of, that there is $170,000,000 surplus money in the Treasury, that we must get rid of this surplus by appropriating it for the construction of battle ships, and that we must devise other schemes and methods of reducing it. Yet it was confessed, if I remember rightly, by the distinguished Senator from Maryland [Mr. GORMAN] but a day or two ago that we are in default over $100,000,000 for current expenses, which we must pay.

Sir, the money is not to be applied to the payment of our bonded or unbonded debts. Our debts are to be permitted to accumulate, and we are to take this surplus money, borrowed by the issuance of bonds without authority and that must ultimately be paid by the sweat, if not the blood, of our people, and invest it in great battle ships that will give the Carnegie Works and the Bethlehem Works an opportunity to make more money out of the Government, when there is not the slightest possibility, as I have already shown, of a war between this country and Great Britain or any other power.

Mr. President, the bonded debt of this country has been increased within the last two years, under the Cleveland Administration, to the extent of $263,000,000 in round numbers. Two hundred and sixty-three million dollars have been placed on the farms and homes of the industrial classes as a great mortgage that we might obtain gold to satisfy the appetites of the shylocks.

We have been told, and we will be told, that it is necessary for us to do this because we are on a gold basis. Mr. President, we are not on a gold basis, except by the mere arbitrary construction of the Treasury Department. We have in round numbers $500,000,000 of Treasury notes—greenbacks and notes issued under the Sherman Act—that are legal tenders, every dollar of which by ex-

press law is redeemable in silver as well as in gold. There is a positive command on the part of Congress in the form of a statute that these notes shall be redeemed in coin, and yet, because the money power of Lombard street and Wall street says to our officers, "You must redeem these notes in gold," they openly, flagrantly, dogmatically, persistently, and without reason violate the statute and comply with the request of the shylocks, and, by that means, and that alone, we are placed on a gold basis.

Sir, suppose Mr. Carlisle had obeyed the provisions of the Sherman Act and the acts preceding it, and had redeemed the greenbacks and the Treasury notes in coin, in silver coin and gold coin, according to the condition of the Treasury, how frequently would these shylocks, who are engaged in looting the Treasury from month to month, have presented the notes for redemption at the Treasury Department? They would have tried the experiment once only, and then they would have ceased.

No, Mr. President, this Government is bound hand and foot by the gold power of this country and Europe, and any man who stands in this Chamber and asserts the doctrine which I do must understand well that he does so at the peril of certain political death, for Shylock will spend his money lavishly to defeat such a man.

Mr. President, you can find the gold shylocks and their agents in this Capitol building from the opening to the closing of every session of Congress. Their faces are as familiar as are the forms of birds of passage. They are here to buttonhole Senators and Representatives, to cajole, to threaten, to do worse if they can, in upholding their peculiar views of the financial policy the Administration and Congress should pursue. It makes no difference to them that the Constitution recognizes silver as money. It makes no difference to them that our highest officers have stood in the presence of thousands of their fellow-citizens and with raised hands and bowed heads have taken an oath before heaven to observe and uphold the principles of the Constitution of the United States. It makes no difference to them that the Constitution puts gold and silver on terms of equality and recognizes them both as money. They would destroy all these for their own advantage, and require the highest officers of our nation to bow in meek submission to their demands.

Now, sir, who established this bond and gold policy, if it rises to the dignity of a policy? Here appear the two old political parties on the scene. Who established the exclusive redemption of legal-tender notes in gold? During Harrison's administration this question was mooted in New York. A construction of the act of 1890 had not been given, however, and Mr. Harrison, seeking to succeed himself to the Presidency, gave a hint to Wall street and to Lombard street that he purposed seeing that "every dollar was as good as every other dollar"—meaning that the Government would go to a gold basis. He is the author of that expression. What did he mean? He meant that he had accepted the Wall street theory of financiering; and that silver was to be treated as a mere commodity, to be estimated and measured by gold, and therefore be depreciated.

More than this, Mr. Foster, at the time to which I am referring, when the syndicate was formed to take the bonds which he was preparing to issue, gave the bankers to understand that he would redeem the notes exclusively in gold and would accept their interpretation of the statute. And he did so. Mr. Carlisle, when he gave to the act of 1890 the construction which he is following to-day in violation of every principle for the construing of statutes—there is not a court of any intelligence or integrity in the United States that would construe the act as he has construed it—was but following the example set by his Republican predecessor. This proves, if the country needed proof, that there is no distinction between Republicanism and Democracy. It is proper, Mr. President, that I should make some exceptions, and I want it distinctly understood, if I do not mention it at length, that I do except the silver Democrats and silver Republicans, who have proved themselves to be patriotic citizens. But there is no difference between the power that moves the Republican party and the power that controls that part of the Democratic party that occupies the White House and the official positions. Both hold to the doctrine that gold shall be what they call the "standard of value."

It would take too long, and it would be tiresome to the Senate, to the country, and to myself, to consider the various subterfuges that are offered from time to time on the question of silver; therefore, I shall merely refer to the matter at this time. I heard the senior Senator from Ohio [Mr. SHERMAN] yesterday use one of these subterfuges in speaking of a 50-cent dollar. Mr. President, I do not believe that any really sane man, who speaks his convictions, ever thought there was such a thing as a 50-cent dollar. I do not believe that any intelligent man will assert that a dollar in this country is composed of anything less than 100 cents. It makes no difference what the material, it takes 100 cents under our system to make a dollar, whether of gold, silver, or paper. The senior Senator from Ohio, and others thinking as he does, who use the expression "a 50-cent dollar," might say with as much consistency that there is a white blackbird, or that 90 degrees form a complete circle, or that perpetual motion has been established.

I shall not go into that feature of the question, however, but I desire to demonstrate that there is no distinction between the moving power of the Republican party, and the moving power of that part of the Democratic party now in control of the Government, in the interpretation of our statutes so as to make all forms of our paper money redeemable in gold.

What effect has this? Why, it forces the Government to issue bonds; that is its purpose. That is the purpose that receives support from both the old political parties. You can see this purpose manifest in the gold press, in the daily press, the weekly press, and in magazine articles. The time has come, they say, when the United States, like England, must have a perpetual national debt; and, with a perpetual national debt in the form of bonds, we will hold the country together when all other things fail. The capitalistic classes must have something in which to invest their surplus money. Therefore the scheme has been started, prompted and promoted by both old parties, to engulf this nation in a perpetual national debt, resting as a mortgage upon the property and industry of our producing classes.

Mr. President, can it mean anything else? Why, sir, it means even more. It means another conspiracy to transfer for all time the sovereign power to issue money from the Government, where the Constitution placed it, to the hands of the national banks. Mr. Cleveland said in his annual message to Congress, and it was repeated by Mr. Carlisle in his report as Secretary of the Treasury, that what we must do is to divorce the Government from the issuance of any form of paper money and turn over that power wholly to the national banks. Has any man ever been able to tell why the Government's sovereign power to issue money should be abandoned and a few private corporations be permitted to usurp it? No, sir; it was conferred on the Government by the Constitution for the benefit of the people for all generations of our national existence, and there never was the slightest thought of transferring it to private corporations until the exigencies of our recent civil strife seemed to make it temporarily necessary. The author of the scheme declared that it was a temporary expedient; that it was a war measure, and that, when the war was over, it would pass away and the right to issue money would revert to the Government, where it belongs.

Has there ever been any attempt on the part of the Government to retire the national-bank currency? Not the slightest. The Republican party has not dared to incur the enmity of the national banks. The Democratic party has not dared to incur their enmity. The representatives of these parties standing in this Chamber and in the other branch of Congress, do not lift their voices against the usurpation of power on the part of national banks, and the abandonment of the Government's right to issue money, simply because they fear the national banks and their influences in the politics of the country. An illustrious President of the United States, the head of the Democratic party, declared not many years ago that the national bank was unconstitutional. What has become of that declaration? We never hear it quoted by Democratic statesmen nowadays. We never see it commended in the Democratic press, for the power that influences the action of the modern statesman also controls the press.

What does a gold standard mean? It means the issuance of more bonds and the extension and enlargement of the power of the national banks. What did the senior Senator from Ohio [Mr. SHERMAN] mean two years ago when he stood at his desk in this Chamber and, referring to our different forms of paper money, say that we had practically $900,000,000 of unsecured indebtedness, which we would have to secure by bonds or in some other way before a great while? What did he mean but to inform the country that he, as the leader of his party, was committed to the doctrine of putting an interest-bearing gold bond behind every dollar of our paper money, and that no form of paper money should be redeemed in silver, the coin of the Constitution?

Mr. President, is anything further needed in support of the assertion that the two old parties are united in a conspiracy to bring this country to a single gold standard? Why, sir, not over five weeks ago the national bankers held a meeting in New York, I think, composed of Democrats and Republicans alike. I remember having talked with one of them on his return from the meeting. He said to me, and he did not seem to think that he was conveying any news, that they fully indorsed the policy of the President and the Secretary of the Treasury in their efforts to retire all forms of paper money and to issue bonds for that purpose. Not only that, but he said further that the National Bankers' Association had declared that they would use every influence within their power to control the delegations to the Republican and Democratic national conventions this year; that they had declared it openly and in writing.

It seems to make no difference whether the national banker is a

Republican or Democrat, according to the resolutions of the association. The bankers propose to control the action of both the Democratic and Republican national conventions on the financial question in the interest of the single gold standard. They propose to use for political effect the power which they possess over the patrons of their banks. What does this radical action mean? It means, among other things, that the delegates who are chosen to the national convention of the Democratic party are, if possible, to be debauched in the interest of the single gold standard by the organized national banks of the country. It means the same thing as respects the delegates to the Republican national convention. It means that public sentiment is to be stifled by the purchase of delegates with gold, if necessary, and that this great selfish interest is to spread like an octopus over every section of the country. The farmers, the laborers, and the masses are to have nothing to say. The Populist party has no money to conduct a campaign; and therefore, it is harmless, according to the ideas of these gentlemen. Some of our friends, the enemy, say occasionally that Populism is destined to an early frost, and that it will soon disappear. But, sir, I have faith in the patriotism and loyalty of the people of our country. I believe they will eventually see that they can find no relief in the ranks of either the Republican or Democratic party, and that, when that day comes, the country will be saved.

According to the scheme of the money power, as fast as Government bonds are issued the legal-tender notes of the Government are to be retired and the national banks are to issue notes to circulate in their stead. Their issue has increased from $170,000,000 a year or two ago to about $222,000,000 now. Here is an extraordinary power which has been taken from the Government, where the Constitution placed it, and auctioned off to private corporations. Now, as a new lease of power, they are to be authorized to issue their notes in lieu of the Treasury notes of the United States, and to loan them out to the people at rates of interest running all the way from 6 per cent per annum to 2 per cent per minute, according to the necessity of the man who may be compelled to borrow of them; and this great favor they are to receive in exchange for their political influence. This influence will be a more important factor in the politics of our country in the future than it has been in the past, though it has been very powerful in the past. Our country is coming to the point where the Government is to be made a Government of the banks, by the banks, and for the banks, and the people are to disappear except as the mere producers of wealth at a very low standard of civilization.

Mr. President, I do not want any man to say that I am an enemy of legitimate banks and banking. They are necessary in our commerce, necessary in our civilization, and necessary for the successful transaction of our business. I wish to see the banks and bankers thrive, the same as I desire to see any other legitimate industry develop, but I want the banks to keep their hands off the politics and legislation of the country. Why, sir, in practicing law you are compelled to rely on yourself. You have the protection of the Government to pursue your occupation as best you can, but that is all. Do you know any reason why the man who is doing business across the street from you should be invested with the special power to issue his note and call it money, to usurp a sovereign power that was placed in the hands of the Government for your interest and the interest of every other citizen? Mr. President, this is a dangerous power when conferred on private corporations. I do not want to see the banks destroyed—by no means. I want to see the Government take the money-issuing power from them, and then let them stand or fall like any other private corporation, like State banks for instance, and succeed or fail according to the merits of their business and the skill and honesty they employ in conducting it.

By a false construction of the statute for the redemption of Treasury notes and by the enlargement of the issue power of national banks we are to have fastened on us the single gold standard; we are to have notes issued by the banks in lieu of notes issued by the Government, a perpetual national debt, and domination by national banks.

Mr. President, there is other and indisputable proof that this conspiracy of the money power has not contented itself with tampering with Congress, the President, and the different subordinate branches of the Government. It has reached the highest judicial tribunal of the Government. Is it supposed that any man can be placed upon the Supreme Bench to-day—let us talk plainly about this matter—whose opinions on great political and financial questions are not known before he is appointed?

I remember, Mr. President, and so do you, the struggles which occurred in this Chamber within the last three years. I am violating no secret of the Senate and I am saying nothing that I ought not to say when I state that the sole recommendation of two nominees of the President for judge of the Supreme Court of the United States was the fact that they were corporation lawyers. They had not a single qualification except they had been raised under the influences of corporations; they had studied the law of corporations; they were committed to the side of the corporation as against the individual. Whether or no that made them eligible, they were selected and nominated, and their names were sent to us for confirmation. The people who believe that a man can be placed on that bench whose opinion is not known in advance on great questions are simply hoodwinked; they are mistaken. They believe that the Government is more honest and more honorable than it is.

What has happened recently? We passed, as one of the important features of the Wilson bill, now known as the Wilson-Gorman Act, an income-tax law. It was in strict accordance with the established usage of the Government. In 1796 the Supreme Court of the United States in the Hylton case, in Third Dallas, decided the constitutionality of an income tax without a dissenting opinion. There were opinions delivered in that case by Mr. Justice Chase, Mr. Justice Iredell, Mr. Justice Patterson, and by one other justice whose name I do not now recall. There was no dissent from the proposition that by the Constitution the power was conferred on Congress to impose an income tax. We imposed an income tax as one of the features of the Wilson bill of 1894 directly in accordance with precedent. There were at least one-half dozen income-tax laws passed between 1790 and 1880. They had passed in favorable review before every judge who had occupied a place on the Supreme Bench of the United States as Chief Justice or associate justice up to the last date. And following these precedents, in 1894 we put an amendment on the Wilson bill which would have brought to the Government $30,000,000 of revenue annually if it had not been annulled by the action of the Supreme Court.

Mr. President, it was necessary to get rid of this provision in order that the plan of the money power might be carried out. The highly protected industries could never have the people completely by the throat until they were able to get rid of the Government's power to tax incomes. I remember as distinctly as though it were yesterday how the honorable senior Senator from New York [Mr. HILL] inveighed against taxing the prosperity of the country, as he was pleased to call it, as though the poverty ought to be taxed, as it is being taxed now, and idle income gatherers be permitted to escape taxation. I remember how he met the decisions in the Hylton case, the Veazie Bank case, and other cases, including the Springer case, by the assertion—it sounds now like prophecy—that the law would be declared unconstitutional. I have never before given the Senator from New York credit for being a prophet. But I now give him credit for being a successful prophet in that case.

Mr. HILL. Will the Senator from Nebraska permit me?

Mr. ALLEN. Certainly.

Mr. HILL. The Senator speaks of the decision of the Supreme Court on the income-tax question as though it were a surprise. Does not the Senator know that on several constitutional questions which were discussed in the Senate, a Senate composed of very many able lawyers, the vote was very close? Did the Senator himself argue in favor of the right of the National Government to tax State and municipal bonds, and was he surprised that the Supreme Court of the United States unanimously decided that that provision was unconstitutional?

Mr. ALLEN. I am not surprised at anything that happens here—absolutely nothing. If I were to be told to-morrow that every citizen of the 70,000,000 was to be a bond slave I would not be surprised. They are, as a matter of fact, industrial slaves now. I was speaking, however, of the Supreme Court of the United States, and the peculiar effect of their opinions on the income tax.

Mr. President, do you not see the purpose? It is just as plain as the thimble-rigging game with which we were all more or less familiar as boys. If the money power could induce the Supreme Court to declare the income tax invalid, the millions of the rich would escape taxation. Then they could put the final nail in the political coffin of the industrial slave and make him bear the full burden for all time. How was that to be done? How could it be done? There was only one place to go to accomplish it. I will not say it was accomplished by design, but I call attention to the fact that the first decision of the court in May last—I think it was in May—upheld some of the main features of the income-tax law. It would have been unblushing and inexcusable to have overruled at one time five decisions extending over a period of almost one hundred years, so the court was reconvened and a reargument was ordered. These reargurments are always dangerous, no matter where they occur, and are always open to suspicion. Mr. Justice Jackson was brought to Washington more dead than alive—for he died shortly after the second hearing—and by some mysterious process, which the world does not know and never will, one of the judges, who had joined in deciding the act constitutional in part, changed his mind and pronounced it wholly unconstitutional. His change of mind possesses great significance to me from the fact that he is a citizen of a State that is peculiarly benefited by tariff taxation.

In 1796 the Supreme Court unanimously declared the constitutionality of the income tax in the Hylton case. They declared its constitutionality as late as October, 1880, in the Springer case in

102 United States Supreme Court Reports; they declared its constitutionality in the Phœnix Insurance Company case, in the Veazie Bank case, and in still another case, the name of which I do not at this time recall. And yet in 1895 all the great judges who had passed on the laws authorizing an income tax were overruled by the Supreme Court as now constituted by a bare majority.

It may not be unimportant in the history of this question to glance over the list of gentlemen who have composed the Supreme Court of the United States in the past. When the Hylton case was determined in 1796, Oliver Ellsworth was the Chief Justice and William Cushing, James Wilson, John Blair, James Iredell, Thomas Johnson, William Patterson, and Samuel Chase were the associate justices. That law passed in successful review before those gentlemen. It is true that Chief Justice Ellsworth took his seat on the bench on the day the opinion was rendered and did not participate in it, but never during his term of service did he dissent from it, or the principle recognized by it, and it passed successfully in review before that court without a dissenting voice. Chief Justice John Jay was nominated and confirmed as Chief Justice of the Supreme Court of the United States before Oliver Ellsworth, but he declined the appointment, and John Marshall was made Chief Justice and so remained from June 30, 1801, to July 6, 1835.

Four income-tax laws were enacted by Congress between the time the Hylton case was decided and the time John Marshall retired from the Supreme Bench, yet the decision in the Hylton case was never questioned. These income-tax laws were executed during his incumbency. Then came Roger B. Taney, Chief Justice, from November 15, 1836, to October 12, 1864, and those acts passed successfully in review before him.

Mr. HILL. The Senator seems to think highly of Chief Justice Taney.

Mr. ALLEN. Yes; with the exception of his opinion in the Dred Scott case.

Mr. HILL. The Senator thinks well, with one exception, of all the decisions of that judge, who was upon the bench for twenty or twenty-three years?

Mr. ALLEN. I admire his great ability.

Mr. HILL. And his legal knowledge?

Mr. ALLEN. And his great legal knowledge and his purity of character.

Mr. HILL. When the income-tax provisions of the tariff bill were pending here, I read during that discussion a letter from Chief Justice Taney, of the Supreme Court, in which he wrote to the Secretary of the Treasury that an attempt to tax the incomes or salaries of the justices of the Supreme Court under the income law of 1862 was, in his judgment, unconstitutional. That same provision was incorporated in the recent income law, and notwithstanding that opinion of Chief Justice Taney, which I read here, the Senator from Nebraska voted to overrule it and put a tax on the salaries of the justices of the Supreme Court.

Mr. ALLEN. Yes, that is true, Mr. President, and I would do it again.

Mr. HILL. How can the Senator reconcile his confidence in Chief Justice Taney with the vote the Senator gave?

Mr. ALLEN. Mr. President, perhaps I can illustrate my position better by referring to the Senator from New York than I can by referring to Chief Justice Taney, because I know the Senator better. I have the utmost confidence in the ability of my friend from New York, and certainly I have now the utmost confidence in his gift of prophecy. Yet I have heard the Senator from New York advocate things which I thought were absolutely unsound and which I still think are unsound. It is not necessary for me to abandon my own convictions in every instance. A great man who is right ninety-nine times out of a hundred may differ from me, but it might be that in a few instances I would be right and he wrong. I am here to discharge my duties as I understand them, not as some other man understands them. My position in this respect must be distinctly understood. If it brings me in conflict with the opinions of other gentlemen, I am very sorry; but unless I can, after due investigation, understand a question as he understands it, I shall vote my own convictions and follow my own judgment.

Now, Mr. President, here was Roger B. Taney, a great jurist, who was Chief Justice from November 15, 1836, to October 12, 1864, and no question was ever raised before him as to the constitutionality of any of the income-tax laws, although many of them were in existence and being enforced while he was a member of the court.

These acts passed successfully in review before Salmon P. Chase, and their constitutionality was affirmed by him and the court over which he presided. They passed successfully in review before Morrison R. Waite, and their constitutionality was affirmed by him and the court over which he presided. We come at last to the present Chief Justice, Melville W. Fuller, who became Chief Justice July 20, 1888. It was reserved for him alone, of all the distinguished and illustrious Chief Justices, to discover that his predecessors had been wrong as to the constitutionality of the income-tax law.

The Hylton case, and the income-tax laws which were enacted after that decision, passed successfully in review before this long list of associate justices of the Supreme Court:

ASSOCIATE JUSTICES.

		Years.	Months.	Days.
William Cushing	Sept. 27, 1789, to Sept. 13, 1810	20	11	16
James Wilson	Sept. 29, 1789, to Aug. 28, 1798	8	10	29
John Blair	Sept. 30, 1789, to Jan. 27, 1796	6	3	27
James Iredell	Feb. 10, 1790, to Oct. 20, 1799	9	8	10
Thomas Johnson	Aug. 5, 1791, to Mar. 3, 1793	1	6	28
William Patterson	Mar. 4, 1793, to Sept. 19, 1806	13	6	15
Samuel Chase	Jan. 27, 1796, to June 19, 1811	15	4	22
Bushrod Washington	Sept. 29, 1798, to Mar. 26, 1829	31	1	27
Alfred Moore	Dec. 10, 1799, to Mar. —, 1804	4	2	20
William Johnson	Mar. 26, 1804, to Aug. 11, 1834	30	4	15
Brockholst Livingston	Nov. 10, 1806, to Mar. 18, 1823	16	4	8
Thomas Todd	Mar. 3, 1807, to Feb. 7, 1826	18	11	4
Joseph Story	Nov. 18, 1811, to Sept. 10, 1845	33	9	22
Gabriel Duval	Nov. 18, 1811, to Jan. —, 1835	23	1	12
Smith Thompson	Sept. 1, 1823, to Dec. 18, 1843	20	3	17
Robert Trimble	May 9, 1826, to Aug. 25, 1828	2	3	16
John McLean	Mar. 7, 1829, to Apr. 4, 1861	32	0	27
Henry Baldwin	Jan. 6, 1830, to Apr. 21, 1844	14	3	15
James M. Wayne	Jan. 9, 1835, to July 5, 1867	32	5	26
Philip P. Barbour	Mar. 15, 1836, to Feb. 24, 1841	4	11	9
John Catron	Mar. 8, 1837, to May 30, 1865	28	2	22
John McKinley	Apr. 22, 1837, to July 14, 1852	14	2	27
Peter V. Daniel	Mar. 3, 1841, to May 31, 1860	19	2	28
Samuel Nelson	Feb. 13, 1845, to Dec. 1, 1872	27	9	18
Levi Woodbury	Sept. 20, 1845, to Sept. 4, 1851	5	11	14
Robert C. Grier	Aug. 4, 1846, to Jan. 31, 1870	23	5	27
Benjamin R. Curtis	Sept. 22, 1851, to Sept. 30, 1857	6	0	8
John A. Campbell	Mar. 22, 1853, to May 21, 1861	8	1	29
Nathan Clifford	Jan. 12, 1858, to July 25, 1881	23	6	13
Noah H. Swayne	Jan. 24, 1862, to Jan. 24, 1881	19	0	0
Samuel F. Miller	July 16, 1862, to Oct. 13, 1890	28	2	27
David Davis	Oct. 17, 1862, to Nov. 4, 1877	14	4	17
Stephen J. Field	Mar. 10, 1863			

Stephen J. Field is the first man on the list which I have read, aside from the present Chief Justice, who discovered that nearly one hundred years ago the Hylton case had been wrongly decided, and that all the cases since determined were bottomed on wrong principles. Yet, Mr. President, Mr. Justice Field had, by not dissenting, given his assent to two of the cases in which the Supreme Court declared the constitutionality of an income-tax law.

An income-tax law also received the approval of the court when it was composed of the following associate justices:

		Years.	Months.	Days.
William Strong	Feb. 18, 1870, to Dec. 14, 1880	10	9	26
Joseph P. Bradley	Mar. 21, 1870, to Jan. 22, 1892	21	10	1
Ward Hunt	Dec. 11, 1872, to Jan. 7, 1882	9	0	26
John M. Harlan	Nov. 29, 1877			
William B. Woods	Dec. 21, 1880, to May 14, 1887	6	4	23
Stanley Matthews	May 12, 1881, to Mar. 22, 1889	7	10	10
Horace Gray	Dec. 20, 1881			
Samuel Blatchford	Nov. 22, 1882, to July 7, 1893	11	5	15
Lucius Q. C. Lamar	Jan. 16, 1888, to Jan. 23, 1893	5	0	7
David J. Brewer	Dec. 18, 1889			
Henry B. Brown	Dec. 29, 1890			
George Shiras	July 26, 1892			
Howell E. Jackson	Feb. 18, 1893			
Edward D White	Feb. 19, 1894			

From the organization of the Supreme Court, from the day of John Jay to the day of Melville W. Fuller, no member of the court had supposed that the Government did not possess the constitutional power to levy an income tax. The question had been thoroughly and exhaustively investigated by Congress in the passage of some half dozen or more income-tax laws; it had been patiently investigated by a majority of the Chief Justices whose names I have mentioned, and yet, in 1895, it remained for a bare majority of the present court to discover that the Hylton case, that the Veazie case, that the Phœnix Insurance Company case, that the Springer case, and all other cases on the subject, and all the laws that had been passed by Congress throughout the history of the country, were wrong, and that the Government does not possess the constitutional power to impose an income tax.

Mr. President, I am not a member of the Supreme Court, and no man entertaining the opinions I do ever will be, at least not until there is a change in our system of doing business. I do not say that the last decision, which was made by a bare majority of the court, is not the honest opinion of that high tribunal. On that subject I say nothing. But I do say that it is a most singular circumstance, and it will stand out prominently in the judicial history of the country, more prominently than the electoral decision of 1877, which was one of the most vicious decisions of the age, as an exceptional case in the constitutional history of the country that great men like Oliver Ellsworth, John Marshall, Roger B. Taney, Salmon P. Chase, and Morrison R. Waite, and their associates, were wrong in determining that Congress, under the Constitution, had power to impose an income tax, and that it was reserved for Melville W. Fuller and a bare majority of his associates to discover that their predecessors had been in error for nearly one hundred years. It will stand out prominently that over thirty associate justices who have occupied the Supreme Bench during our national existence, and before whom this question had passed

in review successively, and who had given to the doctrine their full assent—it will be a marvelous thing in our judicial history—that five gentlemen out of nine, in the year of our Lord 1895, discovered that all their illustrious predecessors for a hundred years had been wrong.

Passing this late decision—which I have noticed more for the purpose of showing somewhat in detail the history of constitutional power—passing from that, and admitting that the Supreme Court had a right to decide as it did—and we must obey its decision whether right or wrong—letting it remain a profound secret how the decision was brought about—let me observe that the direct result was to call loudly for the enactment of a tariff that will impose additional and heavier burdens on an already tax-ridden people.

Mr. President, can there be any doubt that the people have lost confidence in the Supreme Court? I declare it as my solemn conviction that the thinking people lost confidence in the Supreme Court when it rendered the decision in the case of Tilden against Hayes, when some of the judges of that high tribunal suffered themselves to be dragged from the court room, where they belonged and where the Constitution had placed them, to be put upon a political tribunal to decide a merely party question between contending political parties. The last income-tax decision will be as exceptional, anomalous, and suspicious in our judicial history as is the decision of the Electoral Commission in our political history.

Mr. HILL. Will the Senator allow me to interrupt him?

Mr. ALLEN. Certainly.

Mr. HILL. Did not some of the justices who decided in favor of Hayes concur in the opinion that the income tax was constitutional; and was the Senator's lost confidence in them restored by that decision?

Mr. ALLEN. It has not restored lost confidence. I do not know if it has to the Senator from New York.

Mr. GEORGE. If the Senator from Nebraska will allow me, I will state that it is a little remarkable that every justice of the Supreme Court who served on the Electoral Commission came to the conclusion that his party candidate was elected.

Mr. ALLEN. Mr. President, that is not particularly surprising to me, in view of the fact that throughout the entire history of our country no judge has ever yet been known to decide a political question against the party of which he was a member. There has never been an instance of the kind, and it is a sad commentary on the character and stability of our judicial system.

What is the truth as respects the assertions frequently made here that the question which we must discuss this fall, and which the people must determine, is the tariff? Sir, this country has seen good times and bad times, under both a high and a low tariff. The tariff is a false issue. There is practically nothing in it as compared with the great issue of monetary reform, and if the country can be put on a sound financial basis, where it is able to meet taxation successfully, the tariff question will disappear.

Mr. President, when in the history of the country was it more prosperous than under the operation of the Walker tariff act of 1846, a low-tariff act? When was it more prosperous after that than in 1866 and 1867, after the close of the war and before the iniquitous system of contraction had begun? In 1866 this country had the war tariff, that bears the name of the senior Senator from Vermont [Mr. MORRILL], the highest tariff that had ever been passed by Congress, and which was made necessary, as its author declared, by reason of the war. He told the country at the time of its passage that as soon as the war was closed, and the demands created by it should be met and satisfied, the act would be repealed. But it was not repealed. Instead of retracing our steps we went on from bad to worse until we reached the McKinley tariff, an act that was almost prohibitive of importations. Sir, there was prosperity under the Walker tariff and under the Morrill Act of 1861. Was that prosperity due to the tariff in each instance? Was it due to a low tariff in 1846 and 1847 and to a high tariff in 1866 and 1867, before we entered on the perilous policy of specie resumption, of which the senior Senator from Ohio [Mr. SHERMAN] is the author?

Sir, the prosperity of the country was due to neither. It was due to the volume of money in circulation in each instance.

It is quite a common thing to be told that all the farmers and laborers need is a high tariff, a tariff that will maintain the wages of the laboring man in this country above those of the laboring man in Europe.

Mr. GALLINGER. Would it interfere with the Senator's argument if I should call his attention to some history regarding the operation of the tariff act of 1846?

Mr. ALLEN. Not at all.

Mr. GALLINGER. If the Senator will go to the Springfield Republican, of which the elder Bowles was editor, he will find an editorial in the year 1850, about three years after that tariff went into operation, which read as follows:

Previous to the passage of that law the manufacturing and mechanical interests in this community were in a flourishing condition. Since that time the condition of things has entirely changed, and it is fully believed that much of the stagnation of business may be traced to the operation of that law. Manufacturing languishes, mechanics are thrown out of employment, business of all kinds is dull, and unless protection can be afforded to our laboring classes poverty will overtake them. The subscribers therefore pray that Congress will so alter the tariff of 1846 that it will protect the labor and capital of the country from foreign competition.

In Hunt's Merchants' Magazine, in 1854, the Senator will find the following:

Confidence is shaken everywhere and all classes are made to realize the insecurity of worldly possessions. The causes which led to this have been a long time at work. Goods which had accumulated abroad when the demand had almost ceased were crowded upon our shores at whatever advance could be obtained, thus aggravating the evil.

A little later, January 6, 1855, the Senator will find that the New York Herald said editorially:

Elsewhere will be found some mention of large failures at Boston and New Orleans. The epidemic is traveling over the whole country. No city of any note can hope to escape.

If the Senator will go to the New York Herald of the same date he will find an address of the unemployed workingmen's committee to the mayor of that city, in which those workingmen said:

We do not come as beggars, but we ask what we deem right. We ask not alms, but work. We don't want a little soup now, and cast-off clothing tomorrow. But we do want work and the means of making an honest livelihood. The condition of the working classes is most piteous. They want bread. Is there not enough in the city? They want clothes. Is there none made nowadays?

Mr. President, those are historic facts concerning the operations of the Walker tariff law of 1846, which may have escaped the attention of the Senator from Nebraska.

Mr. ALLEN. Mr. President, there is a great deal of that kind of history which has escaped my attention, and I am very glad that it has. There is a great deal of so-called history that does no man any good to know. I do not refer to the "quotations" of the Senator, however, when I say there is a great deal of history manufactured to support arguments in favor of an abnormally high tariff.

James G. Blaine, who ought to be authority in Republican circles, in his work, Twenty Years in Congress, took occasion to say—I will not use his exact language nor can I refer at this moment to the page—that the Walker tariff was so satisfactory that no man in public life thought of trying to modify or change it for ten years after its passage.

Mr. President, I was discussing the question of good and bad times under both systems of tariff when the Senator from New Hampshire interrupted me. I do hope, sir, that the people will not be deceived again to their injury by being led to believe that the leading issue is the tariff. They have been fed on that kind of intellectual trash for twenty-five years, and it has been false at all times when asserted.

What has been the condition of the country during that time? I will turn briefly to the Statistical Abstract, which I suppose is correct, as it is issued by the Treasury Department, by Republican Administrations and by Democratic Administrations alike, and I will call attention to some facts that may be well worthy of investigation. I refer now to page 298, No. 67, "Cereal crops," the estimated production of corn from 1872 to 1895. These are the reports of the Department of Agriculture on the subject of corn.

In 1872 the average value of the yield per acre, according to this book, was $12.24. In 1877 it had fallen to $9.54, and in 1879 it had fallen again to $8.55, and so on. I will insert this page in my remarks:

No. 67.—*Cereal crops: Estimated production and value of the United States from 1872 to 1895.*

[From reports of the Department of Agriculture.]

CORN.

Calendar year.	Total.			Average.		
	Production.	Area of crop.	Value of crop.	Value per bushel.	Yield per acre.	Value of yield per acre.
	Bushels.	*Acres.*	*Dollars.*	*Cents.*	*Bushels.*	*Dollars.*
1872	1,092,719,000	35,526,836	435,149,290	39.8	30.8	12.24
1873	932,274,000	39,197,148	447,183,020	48	23.8	11.41
1874	850,148,500	41,036,918	550,043,080	64.7	20.7	13.40
1875	1,321,069,000	44,841,371	555,445,930	42	29.5	12.39
1876	1,283,827,500	49,033,364	475,491,210	37	26.2	9.70
1877	1,342,558,000	50,369,113	480,643,400	35.8	26.6	9.54
1878	1,388,218,750	51,585,000	441,153,495	31.9	26.9	8.55
1879	1,547,901,790	53,085,450	580,486,217	37.5	29.2	10.93
1880	1,717,434,543	62,317,842	679,714,499	39.6	27.6	10.91
1881	1,194,916,000	64,262,025	759,482,170	63.6	18.6	11.82
1882	1,617,025,100	65,659,545	783,867,175	48.5	24.6	11.94
1883	1,551,066,895	68,201,889	658,051,485	42.4	22.7	9.63
1884	1,795,528,000	69,683,780	640,735,560	35.7	25.8	9.19
1885	1,936,176,000	73,130,150	635,674,630	32.8	26.5	8.69
1886	1,665,441,000	75,694,208	610,311,000	36.6	22	8.06
1887	1,456,161,000	72,392,720	646,106,770	44.4	20.1	8.93
1888	1,987,790,000	75,672,763	677,561,580	34.1	26.3	8.95
1889	2,112,892,000	78,319,651	597,918,829	28.3	27.1	7.65
1890	1,489,970,000	71,970,763	754,433,451	50.6	20.7	10.48
1891	2,060,154,000	76,204,515	836,439,228	40.6	27	10.98
1892	1,628,464,000	70,626,658	642,146,630	39.4	23.1	9.09
1893	1,619,496,131	72,036,465	591,625,627	36.5	22.5	8.21
1894	1,212,770,052	62,582,269	554,719,162	45.7	19.4	8.86
1895	2,151,138,580	82,075,830	567,509,106	26.4	26.2	6.91

No. 67.—*Cereal crops: Estimated production and value, etc.*—Continued.

WHEAT.

Calendar year.	Total. Production.	Total. Area of crop.	Total. Value of crop.	Average. Value per bushel.	Average. Yield per acre.	Average. Value of yield per acre.
	Bushels.	*Acres.*	*Dollars.*	*Cents.*	*Bushels.*	*Dollars.*
1872	249,997,100	20,858,359	310,180,375	124.1	12	14.87
1873	281,254,700	22,171,676	323,594,805	115.1	12.7	14.59
1874	308,102,700	24,967,027	291,107,895	94.5	12.3	11.66
1875	292,136,009	26,381,512	294,580,990	100.8	11.1	11.17
1876	289,356,500	27,027,021	300,259,300	103.7	10.5	10.86
1877	364,194,146	26,277,546	394,695,779	108.4	13.9	15.08
1878	420,122,400	32,108,560	326,346,424	77.7	13.1	10.16
1879	448,756,630	32,545,930	497,030,142	110.8	13.8	15.27
1880	498,549,868	37,986,717	474,201,850	95.1	13.1	12.48
1881	383,280,090	37,709,020	456,880,427	119.2	10.2	12.12
1882	504,185,470	37,067,194	444,602,125	88.2	13.6	11.99
1883	421,086,160	36,455,593	383,649,272	91.1	11.6	10.52
1884	512,765,000	39,475,885	330,862,360	64.5	13	8.38
1885	357,112,000	34,189,246	275,320,390	77.1	10.4	8.05
1886	457,218,000	36,806,184	314,226,030	68.7	12.4	8.54
1887	456,329,000	37,641,783	310,612,960	68.1	12.1	8.25
1888	415,868,000	37,336,138	385,248,090	92.6	11.1	10.32
1889	490,560,000	38,123,859	342,491,707	69.8	12.9	8.98
1890	399,262,000	36,087,154	334,773,678	83.8	11.1	9.28
1891	611,780,000	39,916,897	513,472,711	83.9	15.3	12.86
1892	515,949,000	38,554,430	322,111,881	62.4	13.4	8.35
1893	396,131,725	34,629,418	213,171,381	53.8	11.4	6.16
1894	460,267,416	34,882,436	225,902,025	49.1	13.2	6.48
1895	467,102,947	34,047,332	237,938,998	50.9	13.7	6.99

RYE. *a*

1872	14,888,600	1,048,654	11,333,696	76.3	14.2	10.83
1873	15,142,000	1,150,355	11,548,126	76.3	13.2	10.04
1874	14,990,900	1,116,716	12,870,411	85.9	13.4	11.53
1875	17,722,100	1,359,788	13,631,900	76.9	13	10.03
1876	20,374,800	1,468,374	13,635,826	66.9	13.9	9.20
1877	21,170,100	1,412,902	12,542,895	59.2	15	8.88
1878	25,842,790	1,622,700	13,592,826	52.6	15.9	8.38
1879	23,630,460	1,625,450	15,507,431	65.6	14.5	9.54
1880	24,540,829	1,767,619	18,564,560	75.6	13.9	10.50
1881	20,704,950	1,789,100	19,327,415	93.3	11.6	10.80
1882	29,960,037	2,227,889	18,439,194	61.5	13.4	8.28
1883	28,058,583	2,314,754	16,300,503	58.1	12.1	7.04
1884	28,640,000	2,343,993	14,857,040	51.9	12.2	6.34
1885	21,756,000	2,129,301	12,594,820	57.9	10.2	5.92
1886	24,489,000	2,129,918	13,181,330	53.8	11.5	6.19
1887	20,693,000	2,053,447	11,283,140	54.5	10.1	5.49
1888	28,415,000	2,364,805	16,721,869	58.8	12.0	7.07
1893	26,555,446	2,038,485	13,612,222	51.3	13.0	6.68
1894	26,727,615	1,944,780	13,395,476	50.1	13.7	6.89
1895	27,210,070	1,890,345	11,964,826	44.0	14.4	6.33

a No estimates prepared by Agricultural Department for 1889 to 1892.

OATS.

1872	271,747,000	9,000,769	91,315,710	33.6	30.2	10.14
1873	270,340,000	9,751,700	101,175,750	37.4	27.7	10.38
1874	240,369,000	10,897,412	125,047,530	52	22.1	11.47
1875	354,317,500	11,915,075	129,499,930	36.5	29.7	10.87
1876	320,884,000	13,358,908	112,865,900	35.2	24	8.45
1877	406,394,000	12,826,148	118,661,550	29.2	31.7	9.25
1878	413,578,560	13,176,500	101,945,830	24.6	31.4	7.74
1879	363,761,320	12,683,500	120,533,294	33.1	28.7	9.50
1880	417,885,380	16,187,977	150,243,565	36	25.8	9.28
1881	416,481,000	16,831,600	193,198,970	46.4	24.7	11.48
1882	488,250,610	18,494,691	182,978,022	37.5	26.4	9.89
1883	571,302,400	20,324,962	187,040,264	32.7	28.1	9.20
1884	583,628,000	21,300,917	161,528,470	27.7	27.4	7.58
1885	629,409,000	22,783,630	179,631,860	28.5	27.6	7.88
1886	624,134,000	23,658,474	186,137,930	29.8	26.4	7.87
1887	659,618,000	25,920,906	200,699,790	30.4	25.4	7.74
1888	701,735,000	26,998,282	195,424,240	27.8	26	7.28
1889	751,515,000	27,462,316	171,781,008	22.9	27.4	6.26
1890	523,621,000	26,431,369	222,048,486	42.4	19.8	8.41
1891	738,394,000	25,581,861	232,312,267	31.5	28.9	9.08
1892	661,035,000	27,063,835	209,253,611	31.7	24.4	7.73
1893	638,854,850	27,273,033	187,576,092	29.4	23.4	6.88
1894	662,036,928	27,023,553	214,816,920	32.4	24.5	7.95
1895	824,443,537	27,878,406	163,655,068	19.9	29.6	5.87

BARLEY. *a*

1872	26,846,400	1,397,082	19,837,773	73.9	19.2	14.20
1873	32,044,491	1,387,106	29,333,529	91.5	23.1	21.15
1874	32,552,500	1,580,626	29,983,769	92.1	20.6	18.97
1875	36,908,600	1,789,902	29,952,082	81.2	20.6	16.73
1876	38,710,500	1,766,511	25,735,110	66.5	21.9	14.57
1877	34,441,400	1,614,654	22,028,644	64	21.3	13.65
1878	42,245,630	1,790,400	24,483,315	58	23.6	13.67
1879	40,283,100	1,680,700	23,714,444	58.9	24	14.11
1880	45,165,346	1,843,329	30,090,742	66.6	24.5	16.32
1881	41,161,330	1,967,510	33,862,513	82.3	20.9	17.21
1882	48,953,926	2,272,103	30,768,015	62.8	21.5	13.54
1883	50,136,097	2,379,009	29,420,423	58.7	21.1	12.37
1884	61,246,000	2,608,818	29,779,170	48.7	23.5	11.41
1885	58,390,000	2,729,359	32,867,696	56.3	21.4	12.04
1886	59,428,000	2,652,957	31,840,510	53.6	22.4	12.00
1887	56,812,000	2,901,953	29,464,390	51.9	19.6	10.15
1888	63,884,000	2,996,382	37,672,032	59	21.3	12.57
1893	69,869,495	3,220,371	28,729,386	41.1	21.7	8.92
1894	61,490,465	3,170,602	27,134,127	44.2	19.4	8.56
1895	87,072,744	3,299,973	29,312,413	33.7	26.4	8.88

a No estimates prepared by Agricultural Department for 1889 to 1892.

No. 67.—*Cereal crops: Estimated production and value, etc.*—Continued.

BUCKWHEAT. *a*

Calendar year.	Total. Production.	Total. Area of crop.	Total. Value of crop.	Average. Value per bushel.	Average. Yield per acre.	Average. Value of yield per acre.
	Bushels.	*Acres.*	*Dollars.*	*Cents.*	*Bushels.*	*Dollars.*
1872	8,133,500	448,497	6,747,618	83	18.1	15.04
1873	7,837,700	454,152	6,382,043	81.4	17.3	14.05
1874	8,016,600	452,590	6,477,885	80.8	17.7	14.31
1875	10,082,100	575,530	7,166,267	71.1	17.5	12.45
1876	9,668,800	666,441	7,021,498	72.7	14.5	10.54
1877	10,177,000	649,923	6,998,810	68.8	15.7	10.77
1878	12,246,820	673,100	6,454,120	52.7	18.2	9.59
1879	13,140,000	639,900	7,856,191	59.8	20.5	12.28
1880	14,617,535	822,802	8,682,488	59.4	17.8	10.55
1881	9,485,200	828,815	8,205,705	86.5	11.4	9.90
1882	11,019,353	847,112	8,068,862	72.9	13.1	9.48
1883	7,668,954	857,349	6,309,980	82.2	8.9	7.35
1884	11,116,000	879,403	6,549,020	59	12.6	7.45
1885	12,626,000	914,394	7,057,363	55.9	13.8	7.72
1886	11,869,000	917,915	6,465,120	54.5	12.9	7.04
1887	10,844,000	910,506	6,122,320	56.5	11.9	6.72
1888	12,050,000	912,630	7,627,647	63.3	13.2	8.36
1893	12,132,311	815,614	7,074,450	58.3	14.9	8.67
1894	12,668,200	789,232	7,040,238	55.6	16.1	8.92
1895	15,341,399	763,277	6,936,525	45.2	21.1	9.09

a No estimates prepared by Agricultural Department for 1889 to 1892.

Mr. President, we had a high tariff from 1872 to 1894, but notwithstanding this fact there was a constant fall in the price of corn from $12.24 in 1872 to $6.91 per acre in 1895. If there had been any virtue in a protective tariff for the agricultural classes, why did it not manifest itself in maintaining the price of this great staple product?

Take the next great staple, wheat. It dropped from $15.27 per acre in 1880, a time when the Republican party was in power and a high tariff was in force, to $6.48 per acre, less than one-half, in 1894, at the time the McKinley Act was in force, and reached $6.99 per acre for the year 1895.

Mr. President, we were told during the discussion of the tariff bill in the last Congress that a high tariff was the salvation of the farmer; that it was necessary for us to build a home market for the consumption of his products, and that he would get better prices in that way than he could through shipments of his products to larger markets. But during the period of which I speak, wheat lost 60 per cent of its value, and went from a fraction over $15 an acre in 1880 to six dollars and a few cents in 1894. If there is any virtue in a high tariff, it did not manifest itself and beneficially affect the price of wheat.

Take rye, another staple. The value of the yield per acre in 1872 was $10.83; in 1894 it was $6.89, and in 1895, $6.33. There was, as in the cases of corn and wheat, a drop of almost 50 per cent.

Take the case of oats. It was worth $10.14 per acre in 1872. I do not know why these reports do not go back to 1865, unless to shut out some valuable information; but oats dropped from $10.14 per acre in 1872 to $7.95 per acre in 1894. The crop was all produced and much of it on the market before the repeal of the McKinley Act in 1894.

Take the case of barley, worth $14.20 an acre in 1872 and $8.88 per acre in 1895. Buckwheat, $15.04 per acre in 1872, dropped gradually to $8.92 in 1894 and rose slightly to $9.09 in 1895.

Under a system of high protection there has been a fall on an average of fully 50 per cent in the prices of the great staple articles of the farm.

Mr. President, does anyone suppose this fall in prices was due to tariff? Our Republican friends will go to the country this fall—they are preparing their arguments at this moment—and declare to the farmers, aiming by that means to deceive them once more, if possible, that prosperity for the farmer and increased value per acre of his products can be brought about only by voting for the party that will enact a law similar to the McKinley Act of 1890. The Republican party will do this in face of the fact that farm products have fallen in price during the period I have stated under the highest protective tariff act we have ever had.

But this is not all they will do. We have had disclosed here a peculiar condition of affairs recently. The official statistics, although they seem to have been gotten up to support a particular cause, will once in a while disclose a really valuable fact. Look for a moment at the failures that have taken place in the United States. I read from page 336 of this abstract:

The total failures in 1893 were 15,242; and total liabilities, $346,749,889.

In 1894 there were failures amounting to 13,185; with total liabilities, $172,992,856.

In 1895 there were 13,197 failures, with total liabilities of $173,196,060.

If this book is to be believed, in 1893, under the operations of the McKinley Act, we had 15,242 failures as against 13,197 in 1895 under the Wilson Act. I suppose it would be a natural inference, then, that the Wilson Act was a better law than the McKinley

Act. From 1893, when the failures reached $346,749,889, their maximum, they decreased to $173,196,060 in 1895. According to this statement, in 1893, although we had the highest tariff we have ever known, the failures were almost 200 per cent greater in liabilities than they had ever been before or have been since.

Mr. President, I must say in all candor that I have touched these official statistics with the suspicion that they might not be absolutely correct, and that they may have been doctored, but they have been doctored no more under the present than under previous Administrations.

What is the difficulty with the country, then? That brings me to the old question of the policy of the Republican and Democratic parties on the money question. If we take the history of our country as it has existed during your life and mine, we will observe that when the volume of money was greatest there was the greatest prosperity among the people, and when it was smallest there was the greatest amount of misery. Why, Mr. President, misery exists all over the land at this moment. We are told by our Republican friends that many of the mills are closed now, and yet I observe by reading the statistics that we have more spindles in motion to-day than we have had in twenty years. And what, after all, is the trouble? It is scarcity of money. I do not propose, so far as I am concerned, and so far as my limited capacity goes, to see the people hoodwinked and deceived by this combination between the leaders of the two old parties on the tariff issue for the purpose of obscuring the real issue, the money question.

Oh, but we are told, "You want to put the country on a silver basis. You want the people to pay their indebtedness in 50-cent dollars." That kind of argument has been used here for the last three years to my knowledge, and has been refuted successfully every time, so that no one scarcely dare to assert it again. The holders of public and private securities, prompted by selfishness, want a small volume of money. Mr. President, they want low prices; they want poverty among the people, so that they themselves, with their money and bonds, can command the greatest amount of property and service at the lowest price.

We are told very frequently to look at the condition of Mexico, and she is held up as a horrible example of poverty and depravity. We read frequently in our press that we can buy two Mexican dollars for one American dollar. This argument is used as though it were unanswerable. Mr. President, there is absolutely nothing in it. It is the statement used for the purpose of deception. But, sir, what is the truth? Why, Mr. President, never since its conquest by Cortez, never since the bloody contest which resulted in the downfall of Montezuma, in 1520, never, in all the years of her existence, has Mexico enjoyed the prosperity that she enjoys at this time and has enjoyed for the last ten years. Mexico has more railroads, more factories, more people at work, higher wages, more prosperity, a greater and higher civilization than in all of the years of her preceding history. It may not be uninteresting to read a Mexican view of their situation, but I will not weary the Senate with reading all I have on that subject. I read from the Mexican Herald of April 23, 1896, published at the City of Mexico, the capital of the Mexican Republic:

Mexico as an awful example—

Is the heading of the article.

Mr. Carlisle, the gentleman who has been giving the world an object lesson in how not to manage the finances of the great Republic, has had the effrontery to hold Mexico up to an audience in Chicago as an awful example, simply because Mexico is on a silver basis. He has endeavored to show that the laboring population here, paid on a silver basis, is not prosperous, and, while receiving payment in 50-cent dollars, finds the prices of commodities and all luxuries generally much higher than they are in the United States. He declares that the prices of "imported articles especially are exorbitantly high in Mexico because they have to be paid for abroad in gold, and the depreciation of their money is so great that it requires nearly $2 in silver to pay $1 in gold."

* * * * * * *

All we ask here—

Says the editor—

is to be let alone to work out our own problems, educating our working masses, and creating new industries affording diversified and remunerative employment for all. The problem here is to modernize Mexico, and the United States on a silver basis would put us back half a century at least. The American workingman is now being asked to listen to the seductive pleas of two old parties which, every four years, promise much and do little. While they talk to him of tariff and currency, the steady growth of unfavorable conditions is making it every year harder for him to advance himself in life. Huge monopolies created by law, voted for by legislators of both parties, are supreme. Their managers laugh at parties and their platforms. Their game is all right however the election goes. This fact the American workingman does not appear to perceive, and men like Mr. Carlisle are not likely to inform him.

Then again:

The representatives of the American manufacturers now here are pleased to find silver-basis Mexico prosperous and likely long to remain so. They also have learned that we are not a bit jealous of our dear old Uncle Samuel, but wish him joy and lots of fun out of his gold standard.

There never was a time in our history or in the history of Mexico when so much American capital has been transferred to that country as now. American capital that could not be invested in our own country to advantage has gone to Mexico by the millions, and is constructing their railways, their ships, opening wonderful highways of commerce, establishing successful manufactories, developing mines of all kinds, and opening agriculture to an extent that had never been dreamed of before. Mexico, with her peculiar civilization, was never more prosperous than she is at this time, notwithstanding she is on a silver basis.

I do not want to see this country go to a silver basis, and I am satisfied it never will. I have no confidence in the judgment of the man who asserts that it will go to a silver basis under free coinage.

In 1878, when the Bland-Allison Act was passed, the same argument was used. It was then said that if we should have free coinage the country would go to a silver basis, and yet, sir, we accumulated from that time until 1893, when the purchase clause of the Sherman Act was repealed, something like $236,000,000 of gold, more than we had before. By history it has been irrefutably established that we can successfully sustain the double standard.

Mr. President, it has been quite a common thing for Republicans and Democrats in speeches, letters, and interviews to speak disparagingly of the Populist party, and to assert that Populists are not silver men, although they believe in its use, but that they are in favor of a limitless volume of irredeemable paper money. That assertion has been frequently made.

Mr. HILL. Where has that been charged?

Mr. ALLEN. It was charged by the senior Senator from Idaho [Mr. DUBOIS] and the junior Senator from Kansas [Mr. BAKER] a short time ago in speeches in this Chamber. I have seen it stated in letters and interviews recently by Republican and Democratic Senators. The Populist party, so say these gentlemen, is in favor of a limitless volume of irredeemable paper money. It is very strange that Populists are compelled to go away from home to get the news. Mr. President, there is not a Populist in Congress or out of it, between the two oceans, or to be found between Canada and the Gulf, who advocates that doctrine, and there never has been a man who advocated it. I want to say to the senior Senator from Idaho and the junior Senator from Kansas that when they told the Senate and the country that the Populist party was in favor of a limitless volume of irredeemable paper money they did not know what they were talking about. Such a declaration is not in the Populist platform; it can not be found in any authoritative declaration of the party, State or national. It can be found nowhere outside of speeches and utterances of Democratic and Republican statesmen.

But what is this assertion made for? The Populist party numbers 2,000,000 voters to-day. In the first six years of its national existence, it has, in some sections of the country, threatened the complete destruction of the two old parties. I think my honorable friend from Texas [Mr. MILLS] is experiencing a strong touch of Populism in his State at this time. It is necessary to ring the alarm; something must be said that will stamp the Populists as vagarists and men claiming and desiring the accomplishment of impossible things to prevent the people from leaving the two old parties and joining its ranks.

Mr. President, every form of paper money we have is redeemable under the law. There is no man living, with sense enough to be called a man, and deserving recognition as such, who does not know that a limitless volume of irredeemable paper money would mean the absolute destruction of the Government that indulged in it. Then why do these gentlemen make such statements? They are afraid to meet the real issue. They dread the advancement of the Populist party. They make these statements to keep their party friends in line, and they hold up before them the tariff question to deceive them again. While gold bonds and gold bands are being riveted on the limbs of the unfortunate toilers, while a perpetual national debt is being piled up mountain high to plague and vex generations to come for all time, our Republican and Democratic friends, for mere party success, utter this false assertion against the Populist party.

Mr. President, the people will not longer be deceived. They realize that when either a Republican or a Democrat occupies the White House, falling prices, want, misery, and poverty exist among the masses. The man who seems to know the least of the Populist party and its beliefs usually asserts the most and makes the most radical misstatements regarding it. Does any really intelligent man expect that the Republican party will bring prosperity to the country? I have believed since 1893 that it would come back to power this year, that it would elect its candidate to the Presidency, no matter who he might be. I have at no time since the election of 1892, and I am by no means a prophet, doubted that the Democratic party would wreck itself utterly in the four years of Cleveland's Administration. I so declared in a public speech long before Mr. Cleveland was inaugurated at the east side of this Capitol in March, 1893.

The Democratic party as constituted to-day goes out of power for a third of a century, if not forever, in consequence of incurable dissensions in its own ranks, and because the managers of the party

are absolutely owned and controlled by the gold power. I said in the same speech, and I repeat it here at the risk of being called a false prophet, that the Republican party will come back to power in March next with a greater majority than it has had for years, because it will be able once more to deceive and mislead the people on the false issue of tariff, but in 1900 it will pass out of power, never again to appear upon or vex the political waters It will utterly destroy itself. The burden of taxation will increase under its administration; the bonded indebtedness will increase; poverty, misery, want, and distress will increase. The Republican party is now and will remain the bond servant of the gold aristocracy of the money power of America and Europe. It will not dare, nor will it have the ability, to shake off that power.

Mr. President, I have never flattered myself that the Populist party would come into power in 1896. I have never said so nor assented to the assertion. I have never thought so, nor do I think so now. I expect to see the people hoodwinked again for another four years. They have tried the Democratic party and found its promises misleading and untrue. They tried the Republican party from 1889 to 1893 and found its promises false and misleading. Like rats in a trap, they are jumping to escape. The people will again be deceived into believing that there is a ray of hope in the Republican party; a majority of them will give it their support and it will come back into power.

But in 1900 the Republican party, dejected and broken as a result of promises unfulfilled and expectations unrealized, will disappear, never, in my judgment, to reappear on the horizon of national politics again. The eyes of the common people will be opened to the fact that the claims of the old parties are mere shams and pretenses, that the money power owns and controls them, and that that power is in favor of the establishment of an oligarchy, as it has established an aristocracy now, and that their salvation can only be secured by uniting under the name of Populism, or under some other name, I care not what, for—

A rose by any other name would smell as sweet—

and taking for their motto a "Government of the people, for the people, and by the people," they will march triumphantly to victory and overturn the Democratic and Republican parties forever.

Mr. President, do you suppose that it is possible to deceive the people all the time? Look for a moment, if you will, at the condition of our country. We have, according to the census, $65,000,000,000 of property in round numbers. Mr. Blaine, in 1890, or in 1891, in a discussion with Mr. Gladstone on the tariff in the North American Review, made the statement, which has never been contradicted so far as I know, that one-half our total wealth was owned by 50,000 people.

In a number of The Forum about the same time Mr. Thomas G. Shearman, of New York, said that of the sixty-odd billions of property in this country, less than 50,000 people owned one-half; the other portion, of course, falling to the remainder of the 70,000,000. Do you not know that that amount bears a mortgage of $26,000,000,000? The total indebtedness of the country is about that in round numbers. On one-half the total national wealth retained by the people there is a mighty blanket mortgage of $26,000,000,000. In 1893 the Hon. John J. Ingalls, of Kansas, recently a member of this body, declared that more than one-half of the $65,000,000,000 of wealth of this country was owned by less than 50,000 people.

How are the people to escape from this tremendous indebtedness? How are they to secure relief from this condition of affairs? Mr. President, the people will never escape until we retrace our steps; never until we arise to a greater and keener sense of responsibility to them; never until the Government is made better and purer and brought back to the original principles on which Jefferson and the founders of the Republic placed it.

Through the manipulation of financial legislation and political jugglery on the tariff, this condition of affairs has been brought about. The people will know this; many of them know it now. They know the deplorable condition of our country.

All over the land there is a pitiful cry for relief. Has the Democratic party the power, the courage, the manhood, under the leadership of Mr. Cleveland, or Mr. Carlisle, if he is to be the heir to the White House, to shake off the money power that inflates its lungs and gives the party life? Will the party dare shake off the money power and return the Government to the people and administer it in their interests?

Mr. President, it will never do this, never in this world. Less than three months from this time there will be a bolt and a disorganized party in this country. One portion of Democracy will go to Populism or go to pieces. The other portion will go to the Republican party, where it belongs and where its influence is given to-day. It has not the courage nor the power to shake off the money power. It can not do so. The gold power has it helplessly and hopelessly in its grasp.

Does any man suppose there is real hope of relief through the instrumentality of the Republican party? No, sir; there is no hope. The only thing the Republican party has to offer is the tariff. It is to be made the panacea for all evils, and yet I have shown, and the history of the country proves conclusively, that under the highest tariff that has ever been imposed, or that will ever be imposed, there has been a constant fall of prices and continued enforced idleness.

Does any man suppose that the national banks, the gold gamblers, the money grabbers of New York and London, will consent to do anything more than increase the tariff and by that means aggravate the burdens of the people? No, Mr. President, and the national banks have declared that they will influence the national conventions of both old parties. Why, sir, the protected industries pay the election expenses of the Republican party. Out of whom do our Republican friends fry the fat to conduct their campaigns, costing millions of dollars, but out of the protected industries and the money gamblers? The party dare not shake them off. The result will be that they will come back to power in March, 1897. But, Mr. President, in 1900, as sure as the sun shines, as sure as there is a God in Israel and loyalty in the hearts of the American people, the Republican party will go out of power and it will be deader politically than Julius Cæsar has been declared to be in this Chamber, for all time.

Yes, gentlemen, of the Republican party, you may shake your fingers in scorn at Populists and Populism; you may tell unsuspecting people false stories of Populistic beliefs, stories calculated to deceive; but the people who see the 12,000,000 mortgaged homes of our country, without the slightest prospect of relief, will be compelled by force of circumstances to examine the great financial question for themselves; and when they do they will discover that the Republican and Democratic parties are the helpless bond servants of the corporations and the money power. Then, under their own banner, the people will achieve their freedom from corporate and plutocratic domination and resume the reins of their own Government.

The Appropriation for the Payment of Information and Detection of Violations of the Internal-Revenue Laws.

SPEECH

OF

HON CLAUDE A. SWANSON,

OF VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 31, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes—

Mr. SWANSON said:

Mr. CHAIRMAN: I have listened to the address of the gentleman from Texas [Mr. SAYERS] and I rise to reply to him. I regret that my time is limited and that I can not make as full and complete a discussion of this matter as I desire and as its importance requires.

I feel sure that if the House fully understood this appropriation, the purposes for which it is used, the evils which accrue from it, and the injury which it brings to the people and to the Government, the proposition to strike it out would prevail.

This bill proposes to appropriate $50,000 to pay for information and the detection of violations of internal-revenue laws. We ask this to be stricken out and the House to make no appropriation for this purpose. We claim that there is no necessity for it. There are 963 deputy collectors in the United States, who are paid salaries and especially commissioned to protect and prevent violations of the law. These are supplemented in every district and county, when needed, by commissioners and marshals. The present law, without this appropriation, provides ample officers and means for preventing its violations. The law also furnishes the Commissioner of Internal Revenue with 20 special agents who are paid salaries to see that the law is not infringed. Now, this is sufficient.

We have already said, in passing through this House the bill abolishing the fee system, that too many frivolous and unjust prosecutions are inaugurated; that the people are too much harassed by the present officials. The abolition of this system was a great reform and will produce great good. I am proud of my work and my efforts in its behalf. Now, let us carry the reform further and destroy that infamous system of secret spies, informers, and detectives who have done so much to bring the administration of justice into disrepute. It is an outrage that Congress should appropriate $50,000 for the creation of such a despicable class. The detections and prosecutions which result from this fund are so frivolous and so unjust that they are such as deputy collectors, commissioners, and marshals will take no notice of.

The State courts have charge of the punishment of far more important crimes than the violations of internal-revenue laws; yet not a State in the Union has adopted this despicable system of paying money to witnesses for information. There is not a State in the Union that would tolerate it for a moment. If a private individual should agree to furnish money for evidence as to a crime he would be scorned by every person and convicted of bribery of witnesses in court. Yet here is the United States Government proposing to furnish next year $50,000 to pay for information in the prosecution of its own citizens. It is a standing offer of reward to every person in the country. It is a standing encouragement to every sneaking, vile, miserable wretch to prowl around and try to get his neighbors in trouble on false and frivolous charges. It creates the class of professional spies and witnesses who have become a stench in the nostrils of the people. Language is not strong enough for me to express my execration of a person who will visit a neighbor's house, partake of his hospitality, ingratiate himself into his confidence, all for the purpose of discovering some petty violation of the law, that he may report him and obtain the reward paid the informers. This Government should scorn to lend aid to such a wretch. He is not worthy of belief.

Many an innocent man has been convicted upon such suborned and perjured testimony. Such a policy will never have my support. They simply report such cases as reputable officers will not take notice of.

A large part of the frivolous suits and great expenses of the Federal courts come from the existence of this detestable class, whose creation arises from the fee system and this fund. We should destroy both. They have only brought disrepute and expense upon the Government.

Only those who live in communities where the informer and the spy carry on their nefarious business can form a conception of how untrustworthy and vile they are. Only these can know the state of unrest and apprehension which they excite; how for malice and greed they direct the strong arm of the Government against innocent citizens.

This denunciation of spies and informers does not emanate solely from me or other gentlemen who represent districts in which they operate, but they are denounced by all the judges whose courts they load down with frivolous and unjust suits. The Attorney-General points to the abuses and evils which come from them.

The gentleman from Texas endeavored to prove that the appropriation was necessary and that the Government received benefit from it, by reading a communication from the Commissioner of Internal Revenue, showing the number of seizures made last year. That report, like his annual report, is misleading. It endeavors to credit this fund and his revenue agents with all the work done by the collectors and deputy collectors. He fails to show, as he should do, what seizures and what violations were made through the agencies furnished by this fund. If he will do this I feel sure it will present that the seizures which were unjust and were released mostly came from those employed under this fund. It will, no doubt, present that the unjust prosecutions, which were not sustained in court, came from those who operated under this fund. Take the report of the Commissioner upon this fund and it exhibits a state of facts which should not be permitted. He says that last year, from those operating under this fund, $340,905.26 worth of property was seized, yet the Department only received last year from all sources, in compromise settlements and judgments, $71,359.83. Last year the revenue agents using this fund were paid and cost the Government $80,019.01, which, added to the $50,000, made a cost of $130,019.01 to the Government. Over half of the amount received in the Treasury must have come from the work of deputy collectors and other officers. So, by the most favorable view that can be taken of it, those who used the fund cost the Government over $100,000 more last year than the Government received from their work. This can not be disputed. But this does not include the great cost paid by the Government for the petty prosecutions in the Federal courts, inspired by the rewards and by those employed under this fund. If these were included I believe the appropriation of this sum results in costing the Government a half a million of dollars a year. If this appropriation is defeated it will save, I believe, that amount of money to the taxpayers of this country. In this time of poverty and distress we can only justify ourselves by saving this amount of money.

But what else do these figures indicate? They show that last year, upon the evidence of informers and spies paid out of this fund, property of the value of over $300,000 was improperly seized, and which the Government had to release.

Now, this indicates a condition of affairs which should not be tolerated for a moment. The owners of this property were unjustly harassed, had their business suspended and themselves subjected to all manner of annoyance and expense. It shows that over $115,000 of unjust assessments were made against distillers which they had the trouble and the expense of relieving themselves from. Much of the money that was paid to the Department was paid by persons who knew that it was unjust and not due, but they only paid it in order to have peace and be released from the worry and annoyance of attending to the matter. Much of it was money that the Government ought not to have received and ought now to return to the parties. I am aware in my district of amounts paid by parties who knew that it was unjust, and only made offers of compromise to purchase peace and to be rid of the expense and worry of defense in court.

The report just read by the gentleman from Texas shows that last year 167 registered distilleries were seized by those operating under this fund. In other words, 167 men who were complying with the law, conducting a business for which they had paid a license, were seized, their work suspended and themselves subjected to great expense and loss upon some charges preferred by spies and informers unworthy of credence and animated by greed and malice. Now, these conditions should cease. They are unworthy of a great Government. They bespeak a system of oppression and of injustice which should be obliterated.

The tyranny of a revenue officer, supplemented by a horde of spies and informers, is more intolerable than that of despots.

The gentleman from Texas has seen proper to allude to my district as one in which there are many infractions of the law. I deny this. The facts and the records will not sustain the charge. There is not a people more peaceful, law abiding, patriotic, and intelligent than those which I have the honor to represent upon this floor. It is a constituency of which anyone should be proud. A truer, braver, more loyal, and peaceful people can not be found. No people have suffered with greater forbearance the hardships and harassments to which they have been subjected under the internal-revenue system. I myself have at times been amazed at the patience and forbearance exhibited by them. They have been the victims of the pernicious fee system and have tasted, in all of its bitterness, the evil fruits born of this appropriation. The good people there of all political parties will support me and sustain me in my efforts to destroy the pernicious fee system and to defeat this appropriation which has been to them a source of oppression and of injustice.

The gentleman can realize the extent to which this fund has oppressed and outraged my people, when the very statement he has read shows that last year 45 registered distilleries were seized in my district. That number of lawful distilleries, operating according to law, were for some time suspended and their owners subjected to great losses and expense. I am unable to recall one where the seizure was sustained and the party convicted.

The persons operating under this appropriation have not only oppressed and harassed my people, but have sought to remove all officers in the service who administered the law with justice and fairness and refused to make themselves odious to the people or to use their positions otherwise than for the good of the Government and of the people.

I abominate this fund and the agencies it employs for the oppression of the people. It is equally odious or objectionable whether administered by Republicans or Democrats.

I feel safe in leaving the administration of the law to those deputy collectors and officers who are paid salaries and selected for the purpose.

As long as I have a seat upon this floor I shall fight this appropriation and seek to destroy the vicious system of spies, informers, and detectives which it nourishes to the disgrace of the Government and to the oppression of the people.

Uniform Law on the Subject of Bankruptcy.

REMARKS
OF
HON FRANK W MONDELL,
OF WYOMING,
IN THE HOUSE OF REPRESENTATIVES,

Tuesday, May 12, 1896,

On the bill (H. R. 8110) to establish a uniform law on the subject of bankruptcies throughout the United States.

Mr. MONDELL said:

Mr. SPEAKER: It seems to me that the gentlemen who have opposed this measure have misconceived its purposes and wrongfully judged the consequences which will follow from its enactment.

NECESSARY TO STRENGTHEN CREDIT.

If all the laws for the collection of debts were to be repealed, the result would be that debtors would experience the greatest difficulty in securing credit. It follows that the passage of any law which will tend to give additional security to the creditor for moneys loaned or goods sold will strengthen credit and enable those who wish to obtain it to do so upon more favorable terms and at less expense than under present conditions.

Men, firms, and corporations who have sufficient capital to pay cash for money borrowed, goods received, or labor employed are very rare indeed: it is, therefore, of the utmost importance that we increase credit for the benefit of these people if we can.

Those who are doing business, promoting enterprises, and employing labor in my State are honest and expect to pay their debts. They need in their various avocations to obtain credit, and they want to do so, I am sure, upon the most favorable terms possible. They do not want in the event of misfortune to favor some of their creditors and swindle the balance of them of equal rights. In all cases in which they obtain credit upon equal terms they are willing, I know, to treat such creditors exactly alike in the event of misfortune. They have a right under the Constitution and as provided by this bill to secure a discharge if financial misfortune shall come to them, and they want that right to be available.

This measure does not give any new remedies to creditors. If creditors avail themselves of the right to proceed against their debtors, as under the provisions of this bill, they must do so upon obligations theretofore incurred, and which exist without any reference whatever to this measure. The debtor will be more favorably situated when proceeded against by his creditors collectively, as provided by this measure, than if proceeded against individually, as under existing laws. It is therefore apparent that both debtors and creditors will be benefited by the passage of this bill.

THE EXEMPTION LAWS.

The objections urged by the opponents of this bill are untenable, and many of them are frivolous in the extreme.

One gentleman objects to the bill because it does not interfere with the State exemption laws. No doubt if it provided a uniform exemption, he would object because it interfered with the exemption laws of the several States.

The various State legislatures in their wisdom have provided different exemptions; it was but natural that they should do so. The needs for liberal exemption are greater in the newly settled States than in those which have been settled for a long time. If we were to provide a law for a uniform exemption it would not really be uniform, because the same amount of money will purchase a larger amount of supplies or furniture or any other article which is usually exempted in the East or Northeast than it will in the Western or Southwestern States.

If the bill were to provide a uniform property exemption it would still be imperfect, because different varieties of articles are needed as exemptions in the Northern from those in the Southern States; for example, fur clothes are needed in some of the cold climates, while palm-leaf fans are the greatest necessity in the warmer climates.

The bill has therefore wisely left the subject of exemptions to be passed upon from time to time and to be adjusted by the legislatures of the various States.

MEETING PLACES OF UNITED STATES COURTS.

Objection has been made to the passage of the bill because many people live at a considerable distance from the meeting places of the United States courts. This is a pertinent objection, but not so great a one as the opponents would have it appear.

The Constitution provides that Congress, and Congress alone, can pass a bankruptcy law. It follows that the Federal courts, and they alone, can enforce such a law. We therefore must suffer the inconveniences incident to many people living at distances from the meeting places of Federal courts.

In order to overcome these inconveniences it has been provided by the bill that creditors of the bankruptcy estates shall hold their meetings at the county seat of the county in which the bankrupt resides, unless that place would be manifestly inconvenient as a meeting place.

Assistant judicial officers, called referees, may be appointed in every county. They have a large jurisdiction in the administration of bankrupt estates.

As the result of these provisions most of the business of the bankrupt estates will be conducted at the places where the bankrupts reside irrespective of the meeting places of the courts.

As only about 1 in 100 of all the people engaged in conducting business and promoting enterprises fails per annum for the whole country, the inconvenience felt by the people at large who live away from the meeting places of the courts will be infinitesimally small.

OLD BANKRUPTCY LAWS.

There has been a great deal of time consumed by our opponents in the abuse of the old bankruptcy laws. Such time, it seems to me, has been wholly lost, as we are not seeking in any sense to reenact any one of them. They were defective not only in the many respects referred to by our opponents, but in others as well, and if the question before the House were one of reenacting them, we would all be opposed to doing so.

The greatest objection to the last bankruptcy law was that the fees were excessive. Under the present bill fees are very reasonable.

A very pertinent objection to the last law was the delay in its administration. Very careful provision has been made in the present law to secure prompt administrations. Doubtless these delays under the old law grew out of the fact that bankruptcy officers were interested in securing them. Under the present proposed law all of the bankruptcy officers are directly interested in a financial way in securing the prompt administration of the estate.

The inference to be drawn from all of this needless and irrelevant talk about the old bankruptcy law is that because it was an imperfect measure it is impossible for the present Congress to formulate an approximately perfect law. In other words, the reasoning is that a fire-proof building can not be erected on the site of a former frame shanty because the latter was burned down.

MISTAKEN IMPRESSION AS TO COERCING DEBTORS.

A mistaken impression prevails among some of the opponents to the effect that the real purpose of this bill is to enable the wholesale dealers in large cities to visit their customers in country places and, by shaking this bankruptcy law over their heads, coerce them into the payment or securing of the claims of such wholesalers. This impression is not justified. This bill would not in any sense answer that purpose. The creditor who wishes to coerce his debtor can do so very much more effectively under the present laws than he would be able to do under the proposed law. The position of the debtor would be very much less precarious under the proposed law than it is under the present State laws.

Our opponents have a misconception of the conditions existing between the wholesale dealers and their customers, the retailers. The wholesale dealer does not want his customer to fail. It costs him money to get his customer, and he is therefore desirous that his customer should continue in business, and to buy goods. Under present laws debtors and creditors can not confer together for their mutual benefit, because the one might take advantage of the other. But if this bill should be passed, the conditions will be different, and they may confer fully upon all matters relating to the giving and receiving of credit, and the result must be the enlargement of trade and commerce, the reduction of profits, and the accruing of great benefits not only to parties to transactions on credit but to the consumers of articles of merchandise of all kinds.

BILL OPPOSED BY FEW LARGE WHOLESALERS.

A very few large wholesale houses are now able by the aid of their vast legal and collecting machinery to coerce their debtors and collect their claims in full, while other creditors of equal rights get little or nothing. These few large houses are the most earnest and persistent opponents of the passage of this bill.

THIS BILL A COMPREHENSIVE MEASURE.

The members who oppose the passage of this measure either do not know or prefer to forget that it contains a perfectly clear and comprehensive system of voluntary bankruptcy as well as a perfectly clear and comprehensive system of involuntary bankruptcy. They allege that the passage of the bill will be detrimental to the rights of debtors. This allegation is made without any justification or reason, and directly in the face of facts showing the contrary.

This bill is not intended to and does not contain any provisions by which business will be begun or conducted, or pursuant to which enterprises will be conceived or inaugurated. It will not, therefore, in any way interfere with or be a factor in the affairs of honest solvent people in their dealings with each other.

This bill will neither pay nor increase the liabilities of debtors; but in the event they act dishonestly, or in the event they become insolvent and are unable to protect their property from an unequal distribution or to meet matured obligations after protracted defaults, their estates may, by due process of law, be distributed to the creditors who have claims against them according to the rules of equity.

THREE CLASSES OF DEBTORS INTERESTED IN THIS BILL.

In general terms there are three classes of debtors who will be affected in a material way by a bankruptcy bill:

First. The dishonest debtors. The members of that class ought to fight against the passage of this bill with all of their strength, because it will well-nigh put a stop to their nefarious practices.

Second. The class of debtors who are not now enjoying any credit, but who have large obligations and are greatly interested in the passage of a bankruptcy law under which they may secure a discharge. It is but reasonable that they should be indifferent as to whether the law shall be complete and perfect in character, or whether it shall be an incomplete voluntary bill enacted only for a limited period.

The third class of debtors is composed of those who are now enjoying credit, which is a part of their capital and is necessary to them in order to enable them to proceed with their present undertakings. The passage of our bill will aid this class of debtors by strengthening credit. The passage of a voluntary bill only would ruin them by driving them into liquidation.

With a voluntary law upon the statute books any debtor who saw fit to do so could deliberately prepare for and go into bankruptcy and swindle his creditors. In the face of such a law creditors certainly would not be foolish enough to sell goods and loan money to persons without ample security. They would extend credit generally and upon easy terms under this complete bill if passed, because it is comprehensive of the rights of both debtors and creditors.

The trouble, therefore, about a purely voluntary law would be that while it would benefit the dishonest debtor and the insolvent who is not now enjoying credit, it would ruin the class of debtors who must of necessity rely, in part at least, upon credit in order to enable them to avoid disaster. Why should we destroy one class to benefit another when it is not necessary to do so?

The bill we advocate would not only obstruct the affairs of the dishonest debtor, but would redound to the best interests of the other two classes of debtors as well as to honest creditors.

EFFECT OF THE PASSAGE OF A BANKRUPT LAW.

Some of our opponents in the House appear to and no doubt do believe that debtors who are struggling with a load of debt will be driven to the wall remorselessly by the passage of this bill. Such can not be the result. It will lighten the burden of every man who is debt ridden. It will relieve the pressure upon every debtor who has become a subject of suspicion on the part of his creditors, because they, in the event trouble comes, will receive their pro rata share of the estate and not be compelled to commence proceedings or get nothing.

The fear that the passage of this bill will strike down confidence and paralyze business enterprises is not justified in reason or by precedence. Such was not the result of the passage of any one of our prior bankruptcy laws, and has not been the result in any one of the great countries which have bankruptcy laws upon their statute books.

Our opponents should not forget that England and other important countries have all had bankruptcy laws for hundreds of years upon their statute books, and that instead of being repealed they have been from time to time amended. It appears from the report of our Judiciary Committee that China and this country and possibly Japan are the only nations of any considerable importance which do not have bankruptcy laws.

DEMAND FOR PASSAGE OF A GOOD LAW.

It has been alleged by those of our opponents who have not been informed upon this subject that this bill is being pushed as an additional means for the creditor to collect his debts. Such is not the case. It is being, and has been for many years, advocated by men of all classes and from all sections of the country who believe that the rights guaranteed by the Constitution should be available to the people in a perfectly practicable and straightforward way.

There is a very general demand for a fair and uniform law that will enable honest insolvent debtors to secure a discharge, protect creditors from incapacity and fraud on the part of their debtors, and from imposition and unfair dealing on the part of their co-debtors.

The few creditors who are now able to get the lion's share of the assets of the unfortunates do not want any legislation on this subject. They say, "Let well enough alone." The debtors of these big houses can not secure a discharge except upon such selfish terms as they may impose, and their co-creditors can not secure any consideration until the claims of the large creditors have been settled in full. No wonder they do not want a law which secures to honest insolvent debtors a discharge, not as a matter of charity, but as a matter of right, and secures to all creditors of the same class the enforcement of their equitable rights.

Mr. Speaker, I am glad to state from my knowledge of and acquaintance with creditors—that is, those who sell goods and loan money—that they do not want any hold on their debtors other than such as is offered by a fair law. They want to feel that it is just as safe to give credit to a man in my State as in New York, Texas, or California; they want the assurance that if their customer does fail the assets will not be consumed by a contest between creditors in their individual capacities, but that his estate will be economically administered and ratably divided among all of his creditors.

THE PASSAGE OF THIS BILL WOULD DECREASE FAILURES.

The dangers incident to commercial crises which occasionally take place in the country would be very much lessened by the passage of this bill, because debtors would not be permitted to commit frauds as against creditors by secreting or running away with property, and creditors would not be permitted to begin compulsory process against mutual debtors. In other words, under this law a financial storm may come up without any very serious damage, whereas without it the damage may be very great.

The financial calamities of our people within the last few years have been very great, and as a result commercial and industrial failures are on the increase. The number was very much larger for the first three months of this year than for the corresponding period for past years. If you will pass this bill the distrust which has caused these failures will disappear, since the securing of undue advantages as under present State laws will be removed, and as a result thousands of good men will be able to tide over for a short time, when we hope better times will be ours.

The deserving debtor who has the confidence of his creditors has no reason to fear them if they can be prevented from proceeding individually against him as under present laws.

One would think, to hear some of the reckless random talk of some of our opponents on this floor, that under present conditions men do not fail; that it is not now a common occurrence for stocks of goods to be sold at sacrifice sales, or that under present laws creditors do not sometimes press their debtors to a settlement upon matured obligations. The facts are that all of these misfortunes are suffered now, and will always be suffered so long as humanity continues as it is. The only question is whether the suffering shall be of the maximum or the minimum degree. Other countries have found that the minimum degree is experienced by the enactment of honest bankruptcy laws, and I respectfully submit that their example is worthy of our emulation.

The bill we advocate is not in the interests of shyster lawyers; not in aid of fee fiends; not a source of prospective joy to business bastards of any kind; but an eminently straightforward measure, which will benefit everyone and not harm any honest man who comes within the sphere of its operations, whether he be a poor or rich debtor or a poor or rich creditor.

A SUMMARY OF RESULTS ANTICIPATED.

For my own part I know that fair play is better than sharp practice, and I know, too, that I represent a constituency who have an abiding faith in the same principle.

It is confidently anticipated that the passage of this bill, as contemplated by the Constitution, will redound to the best interests of the honest people of the whole country in many ways, and among them the following:

1. Make it easier for honest men and harder for dishonest men than under present laws to conduct business and promote enterprises.
2. Enable honest insolvent debtors to secure discharges and begin financial life anew.
3. Insure to every creditor of a dishonest or insolvent debtor who has committed an act of bankruptcy the collection of his equitable part in such debtor's estate.
4. Prevent debtors and creditors from swindling or taking advantage of each other.
5. Save millions of dollars now annually spent in useless selfish struggles between creditors by enforcing the rules of equity between them.
6. Increase the dividends received by creditors from insolvent debtors who have failed.
7. Reduce the number of business and industrial failures.
8. Enable honest men to enjoy their constitutional rights.
9. Subject dishonest men to a merited punishment for their rascality.
10. Draw a line between the honest and dishonest men engaged in commercial pursuits by helping the former and obstructing the latter.
11. Reduce the expenses and trouble of creditors in obtaining amounts due from their unfortunate debtors who have become bankrupt.
12. Prevent embarrassed debtors from being coerced into needless assignments or wrongful acts by creditors.
13. Make it possible for unfortunate honest debtors to secure a just settlement quickly and economically.
14. Enable debtors and their creditors to confer together for their joint advantage without the fear that one will take advantage of the other.
15. Make it to the greatest possible advantage for debtors to be honest and creditors to be just.
16. Reduce the price of commodities and interest on money.
17. Prevent the giving and receiving of preferences.
18. Stop the giving of fraudulent mortgages and judgments by confession.
19. Permit creditors of equal rights to enjoy equal remedies.
20. Secure a return of prosperous times to the country.

For the above and many other reasons I am glad not only to support the pending bill, but to bespeak for it the support of the other members of the House.

A SUMMARY OF THE TORREY BANKRUPTCY BILL (H. R. 8110).

A summary in five words is as follows: "A square deal all around."

A summary in a paragraph is as follows:

A measure for the discharge of honest insolvents, the diminution of fraud, the prompt and economical administration of bankruptcy estates, the maintenance of integrity in transactions on credit, and the promotion of the industries and commerce.

A summary in brief is as follows:

A voluntary bankrupt is one who petitions to be and is adjudged such; an involuntary bankrupt is one who has been adjudged such in a suit brought by his creditors. The rights and duties of voluntary and involuntary bankrupts and their creditors are identical.

Farmers and wage earners may go voluntarily into bankruptcy, but their creditors can not bring suits in bankruptcy against them.

Anyone except corporations, irrespective of whether they owe more or less than $1,000, may become a voluntary bankrupt.

Persons, firms, and corporations (except farmers and wage earners) who owe $1,000 or more, and have committed an act of bankruptcy according to the evidence in a fair and impartial trial, before a jury if desired, may be adjudged bankrupts upon the petition of creditors.

An act of bankruptcy by a debtor consists of conduct or acts calculated to defraud the creditors or insolvency followed by a protracted default of payments due or a failure to prevent an inequitable distribution of the estate.

Creditors need not proceed against a debtor who has committed an act of bankruptcy any more than they need sue every debtor who is in default in payment.

A petition can be filed against a debtor who has committed an act of bankruptcy by three creditors who, together, have unsecured claims for or over $500. After the suit is begun the defendant will be served as in ordinary suits, and will have "his day in court" and a trial by jury if he desires.

If a judgment in a bankruptcy suit is for the plaintiffs, the defendant will be adjudged a bankrupt. In that event he will retain the exemptions allowed by the laws of the State in which he lives, and, if an honest man, will be released from his debts, and thereby given an opportunity to begin life anew, and be relieved from the demands of his creditors to make good his former misfortunes. If the judgment is for the defendant, the petition will be dismissed at the costs of plaintiffs, as in other suits.

The property of the debtor will remain in his possession and under his control until after adjudication that he is a bankrupt, or the dismissal of the petition, unless the creditors shall give bond and secure its attachment; in that event the debtor may retain possession of his property upon giving a forthcoming bond.

The United States district courts will have jurisdiction of the administration of bankruptcy estates. They can not be administered in the State courts, because Congress has no power to compel State courts to administer national laws.

State courts will retain their jurisdiction to hear and determine controversies between the trustee and adverse claimants concerning property rights.

Controversies may be arbitrated or compromised under the direction of the court.

The offices of referee and trustee are the only ones created by the act.

The referee is an assistant judge, and will be appointed in such numbers and in such localities as will be best calculated to secure a prompt administration of the act and serve the convenience of all parties having bankruptcy business.

The trustee will receive the title of the bankrupt to his property and administer the estate. He will be elected by the creditors in each case. He may recover all property which has been hidden away or fraudulently conveyed.

The clerk will receive a $10 filing fee in each case and no further compensation.

The referee will receive 1 per cent upon the net amount paid in dividends to creditors from each estate administered before him, or one-half of 1 per cent from estates in which there is a composition, and a filing fee in each case of $10.

The trustee will receive 5 per cent on the first $5,000 paid in dividends to creditors, 2 per cent on the second like amount, and 1 per cent on additional amounts, and in each case a filing fee of $5.

The compensation of the referees and trustees will not be paid until the estates have been administered and the records returned to court.

Making the amount of the fees received and the time of payment depend upon the prompt and economical performance of their duties by the referee and trustee will result in the quick and economical administration of bankrupt estates.

The fees of the clerk, referee, and trustee need not be paid by a proposed voluntary bankrupt who files with his petition an affidavit that he is without and can not obtain the money with which to pay such fees.

The expenses of administering the estate will not be paid until reported in detail under oath and allowed by the court.

The debts which have priority are expenses of caring for the property, filing fees, costs, wages due workmen, clerks, or servants which have been earned within three months, not exceeding $300 to each one, and debts entitled to priority by State or national laws.

Compromises, involving more time in which to pay or a reduction of the amount to be paid, may be readily and cheaply effected between honest debtors and their creditors, under very careful restrictions, after a voluntary or involuntary petition has been filed, and either before or after the defendant has been adjudged a bankrupt.

Compromises which have been fraudulently obtained may be set aside upon application made within six months after they were granted.

A petition for a discharge may be filed by a bankrupt, not a corporation, after two and within the next four months after the adjudication or conditionally within the next six months, but not afterwards; it must be filed in the court where the proceedings are pending. The discharge will be granted unless the bankrupt has been convicted of having committed some one of the acts forbidden by the bill—giving a preference which has not been surrendered, knowingly made a materially false statement in writing for the purpose of obtaining credit, made a fraudulent transfer of his property, or fraudulently destroyed or neglected to keep books or records showing his financial condition.

Discharges which have been fraudulently obtained may be set aside upon application made within two years after they were granted.

Fraudulent bankrupts, embezzling officers, and creditors who have proven false claims may be punished by imprisonment.

Notices will be sent, at trifling cost, by the referee to all creditors of each step in the proceedings, including the hearing on the application of the bankrupt for a discharge.

Creditors may be heard at all times in support of or in opposition to any proposed step in the administration of the estate.

Claims may be proven by the simple oath of the creditor, and will be allowed upon being filed in person or sent by mail, without the payment of any filing fee; if it is thought that an allowed claim is fraudulent, it may be suspended and investigated.

Preferences are forbidden, and those which have been given may be set aside if proceedings intervene within four months after they have been given.

Valid liens will be upheld; fraudulent ones will be set aside.

Present legitimate business methods will not be interfered with by the bill. It is not a measure relating to transactions between honest solvent persons, firms, or corporations, but for the relief of honest insolvent debtors, the prevention of dishonesty, and the administration of the estates of insolvent and dishonest debtors more economically and equitably than it is possible to do under present laws.

The bill contains the provisions, in addition to the foregoing, necessary to make it a complete, equitable bankruptcy code.

Bankruptcy.

SPEECH

OF

HON. JAMES J. WALSH,

OF NEW YORK.

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 1, 1896,

On the bill (H. R. 8110) to establish a uniform law on the subject of bankruptcies throughout the United States.

Mr. WALSH said:

Mr. SPEAKER: There is no question pending before Congress that should be approached with more care and deliberation than that which proposes a national bankruptcy law. One who does not appreciate the demand for such a law must indeed be ignorant of the conditions under which we have been living for the past few years and must be indifferent to one of the strongest prerequisites to a restoration of commercial confidence, which, in my opinion, is the greatest necessity of the hour.

Many have complained of present financial conditions, and all concede that a change would be beneficial—yes, necessary. They have differed only on the question as to the direction which that change should take.

Some have complained of present and past tariff laws and, according to their predilections, have attributed all the evils which we have suffered to the high or low tariff.

It is unnecessary to discuss these questions now or to engender that political excitement with which their discussion is usually attended, because I believe that is hardly the spirit in which to consider an important question like the one before us. Yet I may be pardoned while I say in passing that I believe the business people of this country want nothing so much as a certain basis on which to do business, and that every attempt to change the tariff laws, with the accompanying uncertainties, creates a

condition of suspense, the creation of which can only be justified by great public necessity.

Certainty is the desideratum of the business community to-day. Certainty in the basis of operation begets confidence and boldness in the operation itself and definiteness in results.

Now, while it is generally admitted on the floor that a national bankruptcy law is desirable, we are divided upon the question as to whether the bill should contain involuntary as well as voluntary features. The bill presented by the Committee on the Judiciary presents both features. Voluntary bankruptcy need not be discussed. There is a general agreement that this feature of the bill is a good one. Opposition here seems to be confined to the involuntary features. Now, before discussing the measure let me say that I would more cheerfully support this bill if the acts of bankruptcy mentioned in its second section were confined to acts of actual fraud, but I am moved to vote for and support this bill as it is with the amendment of the gentleman from Pennsylvania [Mr. MAHON] because the acts mentioned in that section, which are not acts of actual frauds per se, very often amount to the same thing, and the method of treating them under the laws of the States, which I have examined, is more drastic than anything in this bill.

Now let us see what are the acts of bankruptcy. The second section reads as follows:

(a) Acts of bankruptcy by a person shall consist of his having (1) concealed himself, departed or remained away from his place of business, residence, or domicile, with intent to avoid the service of civil process and to defeat his creditors, and shall not have returned at least forty-eight hours before the filing of a petition in bankruptcy and before the rights of creditors shall have been impaired, altered, or interfered with; (2) failed for thirty days and until a petition is filed, while insolvent, to secure the release of any property levied upon under process of law for $500 or over, or if such property is to be sold within such time under process, then until three days before the time fixed for such sale; (3) made a transfer of any of his property with intent to defeat his creditors and has not regained the ownership and possession of such property before the rights of creditors have been altered, impaired, or changed by reason of such transfer and at least ten days before the commencement of a proceeding in bankruptcy; (4) made an assignment for the benefit of his creditors or filed in court a written statement admitting his inability to pay his debts; (5) made, while insolvent, a transfer of any of his property or suffered any of it to be taken or levied upon by process of law or otherwise for the purpose of giving a preference, and has not regained the ownership of such property or released same from such levy before the rights of creditors shall have been altered, changed, or impaired by reason of such transfer, taking, or levy, and at least ten days before the commencement of a proceeding in bankruptcy; (6) procured or suffered a judgment to be entered against himself with intent to defeat his creditors and suffered same to remain unpaid until ten days before the filing of a petition in bankruptcy, provided that a payment or satisfaction of a judgment by a sale of any of the debtor's property or from the proceeds of such a sale shall not be deemed a payment of such judgment under the provisions of this section; (7) secreted any of his property to avoid its being levied upon under legal process against himself and to defeat his creditors, and has not surrendered such property to such legal process at least ten days before the filing of a petition in bankruptcy; (8) suffered while insolvent an execution for $500 or over, or a number of executions aggregating such amount, against himself to be returned no property found, unless the amount shown to be due by such executions shall be paid before a petition is filed; or (9) suspended and not resumed for thirty days and until a petition is filed, while insolvent, the payment of his commercial paper for or aggregating $500 or over.

It will be seen at a glance that some of these acts are acts of actual fraud, and that under the State laws the punishment is very severe for such acts, and for some others an attachment will issue, which, in the first instance, embarrasses if not ruins a man long before he has been heard on the merits of his case.

Under section 19 of this act any persons against whom any of the acts mentioned in section 2 is alleged is entitled to a trial by jury on that issue. The language of that section is as follows:

SEC. 19.—JURY TRIALS.—(a) A person against whom an involuntary petition has been filed shall be entitled to have a jury trial, in respect to any act of bankruptcy alleged in such petition to have been committed, upon filing written application therefor before the expiration of the time within which an answer may be filed. If such application is not filed within such time a trial by jury shall be deemed to have been waived.

(b) If a jury is not in attendance upon the court one may be specially summoned for the trial, or the case may be postponed, or, if the case is pending in one of the district courts within the jurisdiction of a circuit court of the United States, it may be certified for trial to the circuit court sitting at the same place, or by consent of parties when sitting at any other place in the same district, if such circuit court has or is to have a jury first in attendance.

(c) The right to submit matters in controversy, or an alleged offense under this act, to a jury shall be determined and enjoyed, except as provided by this act, according to the United States laws now in force or such as may be hereafter enacted in relation to trials by jury.

In attachment proceedings, as well as in cases where order of arrest will issue, we usually hang the man and try him afterwards; but in this proceeding we give him a chance to prove his innocence before a jury of his peers before subjecting him to any of the rigors of the law.

But the mightiest objection to the involuntary feature is that it is taken against the will of the debtor. Carefully examined, this objection loses much of its force. Consider what unbusinesslike, if not reckless and immoral, methods lead to. Can we truthfully say that he who plays with fire and burns himself wills it not, when we consider the old maxim? If he did not he would be an exception. Can we say that the way to fraud is an easy one, or is it the result of careless methods, which are occasional at first and afterwards become habitual and willful?

The time to stay the hand of the petitioner in the involuntary proceeding is at the time you are making the contract which binds you to him.

Make no contract you can not carry out. But the answer is, misfortunes will come, and sometimes come unforeseen. This is sadly true; but these are exceptions to the general rule, and the cases are rare and more exceptional where the true merchant will take advantage of the honest unfortunate. Experience is the other way. Find me the merchant who is the oppressor and I will find you the man who, sooner or later, will feel most keenly the rigors of this law, because he is unjust and his injustice will be as plain to his creditors as it is oppressive to his debtors. I will not consider this as a bill affecting classes, because all debtors are creditors to some extent and all creditors are debtors. But it has been a matter of some surprise to find the opposition to this bill attributed to the South and West, where the sentiment for the increase in the volume of our circulating medium seems so strong.

This bill will make buyers careful. The use of paper will not be so great. If it has a tendency it is to increase the demand for a greater volume of money. It is not necessary to develop this idea. If this condition of things follows, how the influence of our financial institutions will diminish! How much more closely will they be confined to a legitimate business at reasonable profit. And where credit is demanded with how much more confidence can these institutions distribute money where it is most needed now, instead of hoarding it as they are now doing, or if not hoarding it, lending it to their next-door neighbor and watching him suspiciously while he uses it.

Of course trade has got beyond our friend's idea, who said:

In all wise commerce payments large or small should be over the counter. If you can not pay for a thing do not buy it. If you can not get paid for it do not sell it. So you will have calm days, drowsy nights, all the good business you have now and none of the bad.

That is and would be a happy condition of trade for the buyer and the merchant, but in the United States we are a good ways away from the millennium. But there is a great deal in the thought that the less complex the conditions of trade are the better is the state of trade.

We have thus far considered the involuntary features of this bill from the standpoint, first, that a uniform bankruptcy law is conceded to be a necessity; second, that the involuntary feature is not a hardship on the honest man; third, that such a bill as we have before us will be of benefit to the whole country by restoring confidence and certainty as a basis of operations in trade; fourth, that it is not intended to affect any class or any section and that all are subject to its provisions.

Let us assume for a moment that there is a creditor class and a debtor class, distinct in themselves, constituting different individuals, and examine the possible harshness of this law on the debtor class, and let us dwell for a moment on the theory of the true merchant as developed by the author of Unto the Last. He says:

The merchant's function (or manufacturer's, for in the broad sense in which it is here used the word must be understood to include both) is to provide for the nation. It is no more his function to get profit for himself out of that provision than it is a clergyman's function to get his stipend. The stipend is a due and necessary adjunct, but not the object, of his life, if he be a true clergyman, any more than his fee (or honorarium) is the object of life to a true physician. Neither is his fee the object of his life to a true merchant. All three, if true men, have a work to be done irrespective of fee, to be done even at any cost, or for quite the contrary of fee; the pastor's function being to teach, the physician's to heal, and the merchant's, as I have said, to provide. That is to say, he has to understand to their very root the qualities of the thing he deals in, and the means of obtaining or producing it; and he has to apply all his sagacity and energy to producing or obtaining it in perfect state, and distributing it at the cheapest possible price where it is most needed.

And because the production or obtaining of any commodity involves necessarily the agency of many lives and hands, the merchant becomes in the course of his business the master and governor of large masses of men in a more direct though less confessed way than a military officer or pastor; so that on him falls, in great part, the responsibility for the kind of life they lead, and it becomes his duty not only to be always considering how to produce what he sells in the purest and cheapest forms but how to make the various employments involved in the production or transference of it most beneficial to the men employed.

Supposing the captain of a frigate saw it right or were by any chance obliged to place his own son in the position of a common sailor; as he would then treat his son, he is bound always to treat every one of the men under him. So, also, supposing the master of a manufactory saw it right or were by any chance obliged to place his own son in the position of an ordinary workman; as he would then treat his son he is bound always to treat every one of his men. This is the only effective, true, or practical rule which can be given on this point of political economy.

And as the captain of a ship is bound to be the last man to leave his ship in case of wreck and to share his last crust with the sailors in case of famine, so the manufacturer, in any commercial crisis or distress, is bound to take the suffering of it with his men, and even to take more of it for himself than he allows his men to feel, as a father would in a famine, shipwreck, or battle sacrifice himself for his son.

All which sounds very strange, the only real strangeness in the matter being, nevertheless, that it should so sound. For all this is true, and that not partially or theoretically, but everlastingly and practically.

The merchant is like every other class, influenced to some degree by his environments. Integrity is his strongest trait, and a reputation for this is invaluable in business. Even the best of them, however, striving toward the ideal, must take into consid-

eration the market in which they buy and sell. And it is to the interest of every merchant to rid his community of the selfish competitor. If he does not he suffers injury to his community as a market for buyers.

On this principle the oppressor and the shylock can not endure in a community of reputable merchants, and this is the debtor's safeguard against oppression.

Merchants as a rule are practical men, men of integrity and experience, with a large knowledge of the world. While they know and pursue as a rule, as far as they are able, ideal practices in trade they must protect themselves, and it is our duty to protect them from that foe of trade, the fraud. Hence assuming him to be the creditor always and himself never the debtor, fair treatment of his debtors is, first, his principle, his instinctive act; secondly, his interest as an individual and as a member of a community that invites trade.

The honest debtor who does his best has little to fear from such creditors, even if misfortunes do come. They may be depended on for consideration, generosity, and equity. The only warning I would utter to the debtor is, Choose your merchant. Do not be afraid to pay a price for your goods. If you deal with an honest man you will get value. If you do not, sooner or later you will be robbed. We read in the Art of England that—

There is no such thing as just or real cheapness. When you obtain anything yourself for half price somebody else must always have paid the other half.

Here again, then, the bankrupt is thrown on the generosity of the honorable man rather than subjected to the swift rapacity of the ever-vigilant shyster or the bitter vengeance of the first oppressive mercantile shylock, who may, under present State laws, force him into court and strip him of his property to the exclusion of honorable and considerate creditors who desire to give the debtor a chance for his business life.

This law, it seems to me, is a good one and will be of benefit to the business of this country. Let me say the business men of my own city, the great city of New York, have suffered much in the last few years. Their losses have been enormous. I do not allude only to the losses of those who have failed but rather to those who have been able to weather the storm. They have, as a rule, been uncomplaining. They have borne their losses like men, and at the same time, while their distress has been constant and continuing, they have kept a fair front to the world. They deserve consideration from us. They ask for this measure. Their request should not be hastily denied or carelessly considered. They do not, as a rule, take the interest in politics I would like to see them take, I suppose because their business duties are exacting. Instead of spasmodic reform movements, they should ally themselves with the great parties and take active part in their counsels. It is my opinion that by that means they might prevent some of the evils that they attempt every few years to reform. They can accomplish as little by these spasmodic efforts as I might by going into a dry goods district and holding a five-days' auction of dry goods.

One of the reasons why business men's administrations are failures is because there is no business men's party behind them. It would be doubtful if they could be successful, even backed by such a force.

Administrations are for the people as a whole, and must have the moral force of a great party behind them in order to approach success—a party which was here yesterday, is here to-day, and will be here to-morrow; a party that can be held responsible for failure in the administration of public offices by its representatives, and is ever present to stand by them in every effort at good administration.

Will merchants and business men ever see the necessity of lending their personality, their intelligence, their energy, to such a party, instead of degrading their communities by attempts to degrade its public officers, and spending their efforts at futile attempts at so-called reforms, which are but the horns on which designing politicians are tossed into power?

Let me say in conclusion that sooner or later the clouds of depression which overhang us must break. The business atmosphere will clear and after the mist has risen the merchant will see old familiar faces and new ones come to meet him on new conditions. The reunion will be a happy one, I trust. The buyer will buy and the seller will sell in mutual confidence. They will part with an identity of interest and sympathy which becomes their relation. The buyer goes to his home; he becomes the seller; he meets the consumer on new conditions; trade is revived; the honest man has survived his trials, his difficulties; he now reaps the reward. And in years to come he will, if this bill becomes a law, look back upon our work as at least contributing to the confidence so essential to the revival of business.

This revival is my sincere desire, and in my judgment we can make no mistake if, under present conditions, we pass this bill, and trust to the future to bring about conditions where any kind of bankruptcy bill will be unnecessary.

Proposed Investigation of Bond Sales.

SPEECH
OF
HON. WILKINSON CALL,
OF FLORIDA,
IN THE SENATE OF THE UNITED STATES,

Wednesday, May 6, 1896.

The Senate having under consideration the resolution submitted by Mr. PEFFER, proposing an investigation of all the material facts and circumstances connected with the sale of United States bonds by the Secretary of the Treasury in the years 1894, 1895, and 1896—

Mr. CALL said:

Mr. PRESIDENT: I desire to leave the city for some days, and I wish to put upon record a few observations upon this subject and others connected with it.

Mr. President, it is not necessary to support this resolution that there should be any kind of criticism upon the President of the United States or the Secretary of the Treasury. I think that it is their duty as well as their interest to demand that this inquiry should be had and this resolution passed, because there is a widely feeling of discontent in the country. There is an opinion extensively prevalent that there has been an unwise policy pursued in the administration of the Treasury Department in this respect, and whatever may be the fact in regard to it, it is certainly only right that the people of this country should have a full statement on the part of that department of the Government which is specially charged with inquiry into all subjects which are connected with the public good and within the jurisdiction of the Federal Government. So, admitting all that may be said by the Senator from New York to be true, it is unquestionably the duty of this body, representing the public opinion of the people of the United States, to ask that whatever facts exist in the Treasury Department in relation to this subject shall be placed before Congress; and in doing this there is no implication of reflection, there is no judgment in reference to the wisdom or unwisdom of the policy of the Department, but there is simply an answer to a widely prevalent feeling on the part of the people of the United States.

There is another reason for this investigation entirely disconnected with the two political parties in this country. And I wish to say that whatever may be said in regard to the two great political parties which have existed in this country, and which have changed from time to time their names and to some extent their principles and policies, political parties are formed upon ideas, upon public policies; and although the ingredient of tradition and prejudice exists in one and the other among the great masses of the people, still there is a profound sentiment of opinion, of judgment, of consideration of public policy, that prevails with the people of this country, even the humblest and most ignorant of them, and it can not be denied that now, with the belief that there is almost universal want, with a feeling that can not be argued away, but exists in the personal wants and sympathies of the people, that in every household there is want, that the means of supplying the comforts and the necessities even of life are scant and hard to be obtained—in the midst of universal dissatisfaction and the belief on the part of a great portion of the people that we are following the public policies of Europe, which have created vast pauper populations—in the presence of a feeling of that kind, how wise is it that in the interests of conservatism, in the interests of truth, there should be light shed upon all public transactions, and that this department of the Government should show itself anxious to respond to the public sentiment and provide remedies, if remedies are needed, to arrest this condition of pauperism and want, this stagnation and paralysis of business, which exists throughout the country. In the opinion of many persons, it is largely founded in the financial policy of the Government, and that opinion is strengthened by the declarations of the distinguished Secretary of the Treasury during twenty years of public life. If it be an error unquestionably all the light which can be furnished should be thrown upon that subject for the satisfaction of the public mind.

I am one of those, Mr. President, who believe that there is great danger to republican institutions to-day. I am one of those who believe that the existing financial policies of this country are upon the verge of producing revolution, that they are building up a great privileged class of aristocrats in sentiment, in feeling, alien and foreign in interest and in patriotic sympathies to the institutions of this Government. I believe that there is a secret conspiracy to overthrow this Government and establish in its place a government formed upon the systems and bases of old Europe. Why not? Why shall 65,000 people hold in a power of taxation the greater part of the wealth of 70,000,000? If this be false let us have an inquiry and prove that it is so. Do not let us fly from the charge; do not let us cover it up. If the landed estate of the

great public domain of this country has by one policy and another been conveyed to a few individuals and is now the property of the great European bondholders and brokers in national credits, let the fact be exposed. I do not share in the criticism of the Senator from New York of the speech of the Senator from South Dakota [Mr. PETTIGREW]. I think his propositions, apart from the implied reflections on the public officials, were correct and could be sustained, and that they were forcibly and clearly stated.

Mr. President, in my own State of Florida homesteads are denied to the people of that State and the public land has been given over to the control of a few men. If that be not true, come forward and disprove it. Let light be thrown upon these transactions. Examine your Interior Department, your Treasury Department, and all your Departments, and see if by some methods the public property, the power of taxation, burdens impossible to be sustained, have not been created by public functions the property of a few individuals. I state that to be so. I am a Senator of the United States; I have been elected four times by the people of my State in defiance of this policy and these corrupt methods, which policies have disfranchised the whole population of my State. I charge it upon them, and I should prove it if the opportunity were allowed to me.

Shall there be no inquiry? Are we ready to destroy this republican government of ours and smile when these things are said, and when we propose to offer proof, bury these statements in your committees, under the pretense that you are going to have investigation? The people of all parties are true to republican government. They are loyal and true, and they will see that their right to govern is respected.

Mr. President, this resolution derives its significance from the fact that there is a widespread feeling throughout this country that this condition of fraud and corrupt methods results from public policies. We know that there is a Federal party and always has been in this country; and the richer men grow the more disposed they and their families are to reestablish the aristocracies and despotisms of Europe, with its class privileges and with contempt for the people and their rights. Why was Debs, the chief officer of the workingmen, treated as he was? Why did we march troops, against the protest of the governor of Illinois, into the State of Illinois, against the plain precept of the Constitution, with the governor protesting his ability and his readiness to preserve property and protect the interests of the country? And no word of condemnation of it from that body, the Senate, charged with the duty of protecting the Constitution and the rights and liberties of the people.

Mr. President, it is time that we should respond to the opinion of the people. It is time that we should answer their inquiries, Why is it that pauperism and poverty increase? Why is it business is stagnant and paralyzed? Why is it that money is not to be had except upon the most extortionate and ruinous rates, and in many portions of the country not to be had at all? What is capital? We hear it spoken of as if it were a sentient being? Capital has its rights. What is capital? It is simply the means of exchange. Labor and invention applied to nature's materials create capital. Wherever there are labor and industry and land and material there is capital.

My learned and honorable friend the Senator from New York [Mr. HILL] speaks of New York as a State of great wealth. Unquestionably it is. The city of New York, like all cities, has drawn from commerce its princely merchants and it appropriates in the ways of trade and exchange the greater part of man's production. It is legitimate, but it is the labor of the people throughout this vast country which pays its toll at its gates, its tribute and custom. So we go on to this proposition. You speak of greenbacks and of the contrary and opposing policy of gold or specie or silver redemption. Who can tell the failures, the disasters, the ruined homes brought about, who can tell the vast fortunes which have been accumulated under that system? I shall not discuss its wisdom or its unwisdom, but it will not do to declare that the public credit, resting upon the right of confiscation of the labor of 70,000,000 people, is less powerful than the ingenuity in trade and traffic and brokerage in public credit of a few individuals. It will not do to assume that the power of Government to take everything possessed by laboring, industrious, inventive people is not so great a power—and immensely greater—than the ideas of a few men banded together in commerce and trade. It is public credit alone that makes gold valuable or silver valuable or paper valuable. It is the public credit of the country.

Mr. President, what better evidence do we want than that? And we hesitate to accept this as a controlling fact. Why did the syndicate want the bonds? Why did they jump from the price they proposed to 17 and 20 cents and more premium on the dollar and offer to pay $1.17 and $1.20 for the promise of the people of the United States to pay a dollar at a later period, with annual interest? Why? The proposition is plain in itself. It is because of the high standard of the public credit of the 70,000,000 people of the United States under this free Government, as yet not overturned by monopoly, not overturned by syndicates and trusts, not overturned by a great aristocracy alien in sympathy and in faith to republican institutions. The faith of the nations, of the aristocrats of Europe themselves, in this Government and in our public policies is such that it makes our public securities the most valuable possession in the world.

That is the plain proposition. There is no denying it, no questioning it; and there are reasons why it should be so. No war, no serious possibility of war, a country increasing with vast rapidity in numbers, a country in which even unwise policies can not discourage the enterprise and invention of the people, separated by oceans from Europe, with a comparatively limited public debt. Why is it not worth more than all the nations of old Europe, with their millions of armed men, with every farmer and laborer carrying one or two or three soldiers upon his back to maintain? Why is it not true, and who does not know in the presence of these facts, that he who can obtain the pledge of the people of the United States can afford to give 10, 15, 20, 25, and 30 cents premium for Government bonds, because of all accumulations they are sustained by the greatest possible security that can be given?

Therefore, leaving all party views out of consideration, leaving all questions relating to past policies out of view, it is right that this body should ask to be informed, without implied reflection upon the President or anyone else, what are the facts in regard to these transactions, that it may be spread abroad and wide throughout the country that the people may see that there is no rightful foundation for criticism or implied censure, or even the censure which prejudice sometimes imparts to men—political malice, personal malice. Those high offices should rest unsullied in the minds of the people by even a suspicion of wrongdoing.

But I wish to go a little further in these brief observations; and I will ask leave to publish some statements which I have here without troubling the Senate to read them.

Mr. HILL. Will the Senator please tell us what they are? Will he describe them?

Mr. CALL. One of them is an extract from a speech which I believe was delivered by Wendell Phillips; another relates to the Smithsonian bequest; another one is a statement of the foreign public debt of the United States and its gradual increase. There are other papers, extracts from some of my own speeches relating to public lands and papers from the Interior Department, all of which, however, are matters which it would take some little time to read. If there be no objection, I will insert them without detaining the Senate to read them.

The political condition of our country demands the consideration not only of persons intrusted with the conduct of public affairs, but also of the public and of all persons interested in the general welfare and the permanence of our institutions. Causes are at work in themselves powerful enough to overthrow long-established governments, unsettle traditional customs, and rearrange the social order. It should be our wise care and foresight that these elements of force, which can not and ought not to be suppressed, shall be led along the paths of peaceful and orderly improvement of the conditions of life for the great body of the people. In this way, and this alone, can we avoid that commingling of these irresistible social and economic forces which overcome all other forces and lead the people into a revolution which will have its way until spent by its own violence.

If we could look beneath the surface and accurately note the condition of life of the mass of the people, if the statistics of modern economics had been or could be obtained, we should find the great evils which create and precede violent civil and social commotions widely prevalent and increasing in activity and force.

The poor in the extreme of poverty increase day by day in our own country, the most favored and prosperous of all lands. The great army of unemployed recruit their numbers constantly from the ranks of wretchedness and despair. Year by year the procession grows of those who descend from the ranks of comfort and comparative independence into poverty and crime and suicide and is swollen by great numbers who ask for labor as a boon; to whom abundance, comfort, shelter, and protection is a stranger from their birth to their death; to whom suicide is the only refuge from horrors far worse than death; whose misery drives them to seek that "undiscovered country from which no traveler has ever returned"; whose conscience does not make cowards of them; whose misery dulls the fear of something after death, which makes "cowards of us all and gives us pause." The columns of the newspapers continually note the suicide of persons because they can not obtain work to furnish them bread and shelter; who are driven by despair to end the lives of themselves, their wives, and children.

In the Westminster Review for September, 1895, Mr. Joseph Burgess, candidate for Parliament, is thus quoted:

It was the question of the unemployed upon which the Independent party would ride into power. * * * The central idea that the grossest scandal of our civilization was, and is, that we had in our midst millions of men, women, and children who were always on the verge of starvation. He believed that the estimate of 1,000,000 unemployed and 3,000,000 people in want

was rather under than above the mark, the constitution would not last if they only had all the poor unemployed people herded together in one place where they would strike the imagination of those who were in better circumstances. He looked forward to a promised land where honor was given to merit, not to wealth; where the gauge of honor was not what a man won for himself but what he had done for others. He invited them to go up and possess this land.

Again Miss Martyn speaks in the same article as follows:

Equality of opportunity—

She meant not only in sharing the work which created wealth, but equality of opportunity to—

breathe free air; to drink in the sights and sounds of nature; to revel in the creations of art; to participate in the triumphs of science; to become true lords of creation; to develop every faculty—physical, mental, and moral—to the utmost possible extent.

In the Nineteenth Century for December, 1892, Mr. John Burns makes the following statement:

Outside the official pauper class, as Mr. Charles Booth proves, there are hundreds of thousands of people whose standard of life and comfort, from the point of view of food, clothing, and home accommodations, is lower than the pauper or criminal; yet these people will not accept relief, but struggle on in the vain hope of work that never comes. * * * Having experienced the lot of the workless worker, I believe with Carlyle that a man willing to work and unable to find work is perhaps the saddest sight that Fortune's inequality exhibits under the sun.

Pathetic it is to see the laborer, strong in limb, healthy in mind and morale, willing to work, but compelled reluctantly to be numbered with the ever-increasing legions that machinery, invention, competition, and monopoly recruit for idleness. But the first step necessary to a change is his own awakening, and that at last has come. His eyes are now open, and the Samson of labor has pulled from them the bandage that class rule, apathy, and his own ignorance and drunkenness has placed upon him. He sees that the soil after its crops lies fallow and is fed. The trees, after their fruitful loads have gone, rest and recuperate.

The rich go to other climes to rest or hibernate in slothfulness at home. But he, the worker and producer for them all, is linked to an idleness that worries and fatigues. His limbs are rusted with a vile repose. The opportunity of using them is denied him. The city his hands have helped to make rich and beautiful has nothing to offer him—not even the chance of further work—the little all he modestly craves—and in refusing the community robs itself and leaves him poorer still.

But even more pathetic than the unemployed male worker and industrial nomad is the workless woman or girl in search of work in a city of great distances. Trudging from shop to factory with thin boots, with little food, without the support trades unionism gives to men, lacking the stimulant of association, isolated by her sex, with no organization, often the victim of bogus registry offices, friendless and alone, she searches for work that slowly comes. Before her the workhouse or the street, she bravely suffers in silence and has no alternative to starvation but the eating of the crumbs of charity or the loaf of lust.

The industrial Andromeda, chained to a life she loathes, incarnates all the poignant sorrow and desperation of the merciless struggle for existence among the poor, against which virtue, honor, and labor often fight in vain.

The inspiring motive of all is the disposing of the unemployed, the slaying of the Frankenstein that the fruitlessness of their own labor has created. Disguise it how we will, hide though we may, looming up is the great, all-absorbing question for all countries and governments to face, How can the honest worker be provided with work uncontaminated with pauperism's degrading taint and charity's demoralizing aid? The official statutes reveal the nature of the problem—the fact that a cruel administration of the poor laws which mixes honest and criminal together has reduced official pauperism from 46 to 20 per cent per 1,000.

The fact is, the unemployed have to be kept in one of three conditions—living on the rates as a pauper; or as a criminal, kept in prison; third, or as a wanderer in the streets, preying upon his fellows or the charitable rich; forced to live like a vagrant camel upon the hump of his own melancholic poverty, slowly getting physically exhausted, morally and mentally degraded, till the manhood is crushed out of him, and he becomes one of those fearful wrecks to whom death itself would be the greatest relief.

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Commander Booth-Tucker, of the Salvation Army, fresh from his first plunge into the east-side slums of this city, sent the following statement to The World yesterday:

To the Editor of The World:

Reckoning the submerged at only one-tenth of the entire population of the world—and the calculation is admitted to be a moderate one—we have the enormous total of 150,000,000 of human beings in a state of chronic want and semistarvation.

If Mr. Booth-Tucker's estimate approaches correctness—150,000,000 people in want, unemployed, and without the possibility of obtaining work, the victims of starvation, despair and suicide—we stand appalled at the ghastly spectacle and demand a remedy immediately. One hundred and fifty million human beings in the extreme of sorrow, misery, degradation, and death! We demand of ourselves, Are we sharers in this responsibility? Are we responsible for this great holocaust, this hell of despair with which the world is overwhelmed?

Is this mighty sacrifice of humanity, constantly occurring, while the churches lift their steeples to the heavens and the sacrifice of praise and thanksgiving, of music and song, ascends to the Prince of Peace, who brought the glad tidings of peace and good will among men, is it true that mingled with it are the cries of anguish of 150,000,000 human beings, of Christ's brothers, of God's children, suffering all the tortures of the damned and perishing in want and misery, disease and starvation? Is this the result of our religion and our civilization? If so, there must be something wrong in our systems or our policies or our parties, for surely this is not a necessary condition, although it has accompanied, more or less, the development of our modern systems, and is, in part, the result of density of population. What remedy have we? What can we do or try to do?

Mr. Chamberlain, a distinguished English statesman, has given this subject intelligent and able consideration. In 1885, in a succession of brilliant speeches, he pointed out, to the great satisfaction of the laboring people of England, that "the common rights of ownership of the land had disappeared. Some of them had been sold; some of them had been given away by people who had no right to dispose of them; some had been obtained by fraud and some acquired by violence." This is a picture of the land tenures and the means by which all the land, all the soil, of the country has passed into the hands of a few men.

Again, Mr. Chamberlain says: "How are we to increase the material resources of the poor? For my part," he answered, "I see no hope whatever except in a radical revision of the laws which affect the tenure of the land."

Again, to the same purport: "How to restore the laborer to the land is the great question with which the great mass of the English people are chiefly concerned. We have no accurate statistics on these important subjects, and must therefore rely on those of foreign Governments. It seems as if our public system is to conceal and suppress information on these subjects."

In 1892, in England, 22 unions, with 268,658 members, had in October 19,684 out of work. The figures for 7 years were:

	Per cent.		Per cent.
For 1886	10.1	For 1890	2
For 1887	8.6	For 1891	4.45
For 1888	4.4	For 1892	7.83
For 1889	1.8		

The following table taken from the Nineteenth Century Review, Lord Scott's Publication Company, casts light on this subject.

The census of London unemployed in 5 districts in 1886–87 compares as follows with 1892:

	1886–87.	1892.
Dock laborers	55	25–40
Laborers (general)	37	12
Shipwrights	44	44
Masons	37	3
Painters	33	12
Carpenters	27	4

The condition, then, is a chronic one. The causes are want of work, want of employment—not enough work for all. The causes of this are found to be overwork of some, monopoly of the sources or means of employment, and chiefly by the exclusion of men from the soil, except on terms of exaction too great for him to bear. A profound thinker on these subjects, although an enthusiast, says the economical subjection of the mass of labor to the monopoly of the means of labor that is the source of life has at the bottom servitude in all its forms, of all social misery, mental degradation, and political dependence, and the economical emancipation of the working classes is therefore the great end to which every political movement ought to be subservient.

Mr. Garrison, in a late speech in Boston on immigration, says landlordism, militarism, and militantism are the great causes of evil in modern life. But there are causes which will produce this result if landlordism and militarism do not exist.

Let us look a little further into this question. We are on the eve of a great political struggle. We are talking about protection. We have a tariff which is highly protective. We are speaking of the election of a President upon the policy of a financial change or the preservation of the present financial status of the country. These are questions which are coming before the people for consideration. Is it not well that the facts should be carefully investigated, that we should know why it is that in this country there is widespread suffering and want? Is it not well that we should know to what extent the power of taxation has been conferred upon private individuals, to what extent is it true that the Rothschilds and their associates hold the power to put their hands into every laboring man's pocket and deprive his family of the necessaries, the comforts, and the luxuries of life?

Is it true or not? Why should not this body have devoted their time to deliberations upon these questions? How many men there are who have grown enormously rich, possessing hundreds and five hundred millions of dollars! How were such fortunes obtained, by the pursuits of merchandising and trade and commerce, or by the power of taxation conferred by us? If it be not true, let us demonstrate the fact to the people. Let us silence these cavilers and objectors. Let us see what are the figures. If it be so, we are to have a Government built upon the overthrow of the people's power by a privileged class, resting upon grants of taxation similar to those which were destroyed by the people of England one hundred years ago and which their Parliament to-day will not sanction. If it be so, and that is a better condition of things, let us adopt and declare to the people that we have made a mistake in the idea of government by the people and for the people, a government in which there shall be no entail, in which there shall be equality of distribution, in which there shall be, so far

as the law is concerned, equality of right, of opportunity, of access to the soil.

Why disguise it to ourselves? These are questions which we must meet. These are questions which republican government must solve. Is the tribute exacted from the people too great? Is it more than can justly be required? Is it more than is consistent with widespread prosperity? Is the privilege denied to every poor man to travel hither and thither with his wife and child and enjoy the elevation which comfort gives? Is it more than is consistent with saving them from the gutters and slums, from that vast army of ever-increasing paupers which swells the procession from the ranks of comfort, their homes and children threatened with it, into the ranks of misery and degradation and vice and crime? Are these questions unworthy of the American Senate?

When many persons believe that the gold policy, which the honorable Senator from New York extols as sound and beneficent, means the monopoly of money by a few men, means the prescription of extortionate rates of usury, means the ownership of all houses, of all stores, of all lots, of all places where commerce exacts toll and tribute of the toiling multitude, is it not wise that we should throw open the doors of inquiry and say, as a wise monarch would say, if this even were a monarchical government, "The happiness of the people, the prosperity of the great masses, the freedom of the laborer, are objects of government and of all sound and beneficent policies, and if there be these evils let us correct them?" This is the opinion undoubtedly of a vast mass of the people of this country. I will not say whether they be a majority or not, but if I were to rest my hopes of political future upon taking one or the other side of this alternative, I should be upon the people's side. I should say that the American people have the power, the wisdom, the intelligence to adopt public policies which should at least be equal to those of New Zealand, whose people are descended from the same ancestry, with the same civilization, with the same ideas of political and religious liberty. I should say that I would have no fear that the monopoly of money, whether it be gold or silver or paper, the monopoly of that which is legal tender for every man's debt, will be rebuked and prohibited by the great unanimous verdict of the people of the United States.

I doubt whether any President, of whatever party, be he Populist (I do not think it impossible in this country that there may be a new party; I do not think it impossible in a country where people reflect and where principle and distinction of principle exist, that new ideas may come) or of any other party—I say I do not believe any wise man of any party elected to be President would sustain gold money if it be a monopoly. In my opinion it is an unquestionable monopoly; it is nothing but a monopoly. A few men in Europe, brokers in the public credit of the United States and other nations, control the gold as they would control diamonds or pearls or anything else that it is possible to control.

I saw in a New York paper the other day that the Rothschilds had loaned twenty thousand million dollars. Forty men have loaned within the last few years twenty thousand million dollars. How can forty men acquire twenty thousand million dollars? The institutions are faulty, the policies are faulty. What are these twenty thousand million dollars in? In land, in labor? No; in the power of taxation created by law, in government bonds imposing this burden upon the people.

My able and distinguished friend the Senator from New York can well devote his abilities and his acute reasoning to considering the remedy for that condition of things. Take our own country. Our national debt increases, over and above the vast exports which we send abroad, all of our agricultural products chiefly, and somewhat of manufactures, as I see by the statement which I have here, from twenty-seven to forty million dollars a year, notwithstanding we send abroad nearly the entire surplus of our production. Yet the public debt, the gold debt, of our country to Europe, to the Rothschilds, richer by far than all the countries of Europe, protected against possible revolution, war, and its disasters, better than any country, increases yearly. Yet with this vast superiority we are going into debt every year from twenty-seven to forty million dollars to the poor people of Europe, who do not possess within $2,000,000,000 the wealth which we possess. They are burdened with debt twenty times more than ourselves.

How is that? Do you go to your poor neighbor, inferior in credit, in resources, to yourself to borrow money, with your production far, far above his? It is a trick of the trade; that is all. It can not be that we can be richer; it can not be that we can be more inventive, more productive; it can not be that we can feed our own people and also the people of Europe, and yet be their slaves and tributary to them for the necessary means of carrying on our own Government.

I am very far from objecting to the proper accumulation of wealth. I do not even object to these public franchises, with the power of taxation inherent in them, being vested in private hands if we are strong enough to control them against the corrupt use of the people's money which they take from them. If they are to come here and buy seats in the Senate of the United States, if they are to come here and buy the seats of members of the other House, when a respectable person comes here and says, "I want an opportunity to prove it," I do not think it is quite the thing to say that State rights prohibit it.

If State rights mean the corruption of the power of the State by foreign influences, then we had better not have it. We can not have any worse condition of things than that. We can not have any more destructive condition of things for the progress of mankind, the higher civilization, the better condition of the people of the world and of our own country, particularly the elevation of the American laborer, and contentment, comfort, education, and happiness in every home. We have the best people in the world. We have them because we have had our lands unoccupied and free scope was given to poverty and want and disaster to go upon the public lands and save themselves from the gutter, to save themselves and their families from absolute want and beggary. This country has been the pathway of relief for the poor and suffering. I have seen it. I have lived in a frontier country the greater part of my life. I know how beneficent free homes are to the poor people, and I know the selfishness and wickedness of the public policy have robbed the people of their homes and sentenced them to lives of poverty and humiliation.

It has not been my purpose to occupy the attention of the Senate for any great length of time.

Booth-Tucker, the leader of the Salvation Army, in regard to the extent of the misery inflicted upon the people of his country by the existing conditions, states that there are 150,000,000 people upon the verge of starvation in the world, and that in our country they are increasing and increasing rapidly. He alludes to the Salvation Army, which has been doing a grand work. I recognize in this great and powerful organization, extending from India and throughout the states of Europe to every city of the United States, the unselfish and beautiful benevolence of men and women who rescue from the vast army of paupers and criminals the humanity which once lived in comfort and enjoyed the purity of homes within the circle and folds of society and religion.

I recognize that grand work. I have it upon the authority of these people, not only the book In Darkest England, but of the new salvation leader that what was pronounced not quite a century ago in the celebration of the Smithsonian bequest to be the great object and purpose of government is still its great purpose. John Burns, Chamberlain, and the other great statesmen of England state that to find work for the unemployed, to fill the homes of the workless who can not obtain work, is the great problem of modern statesmanship. It underlies the political ideas of all political parties. The old traditions have been lost in the centralization of power which comes by the corruption of all sources of public authority and public power.

Who can justify the imprisonment of the three California men for conspiracy?

Mr. HILL. What California men does the Senator from Florida refer to?

Mr. CALL. I am referring to the three at Los Angeles who were sentenced to imprisonment for eighteen months. I do not remember the names. The Senator from California, if he were here, could give them. But for eighteen months they were sentenced to imprisonment, and a pardon has been refused them. Sentenced for what? They were laborers employed upon the railroads. They were the men who, with sleepless energy, toiled day and night; they were men of the class upon whose vigilance and skill and fidelity the lives and transportation of all the productions of this great country depend. They were sentenced to eighteen months' imprisonment. Why? Because they combined the same as syndicates combine to endeavor to better their condition.

Mr. HILL. Will the Senator please explain what was the alleged ground of their imprisonment? What was the charge against them?

Mr. CALL. Conspiracy to stop the mails.

Mr. HILL. Were they tried before a jury?

Mr. CALL. Oh, yes, and a judge. That only serves, sir, to show, if the fact be that a judge and jury, in face of the law and facts, sentenced these men, that, while the institution of judge and jury are right, that judge and that jury deserve and should receive condemnation. Legislation should be had to prevent such a judge and such a jury from again inflicting upon a free-born citizen of the United States and a deserving laborer such a criminal and oppressive punishment. That is the remedy for that. But I say no one can justify it. I have read the briefs in the case. It is simply an evidence of how, even as to an innocent person, without an intention to do wrong, the progress of opinion goes in favor of dynastic privileged classes, privileged aristocracy, federalism, and against the institutions of freedom and the rights of the people.

There was an old Federal party. There is a Federal party now. We have Federalist Democrats and Republicans, and I doubt

very much whether we would not have some Federalist Populists. Party names are not everything. It is ideas. You can not give the wealth of the country to me and to others without building us up. It is exclusive. It is in favor of privileged classes. I know something of it. I have seen it. I have seen it in conditions and forms in which it will never be repeated, but which were more favorable than can ever exist in any other community. It will grow. We know the fact that Thomas Jefferson and the people of the South who held large possessions, grew up with the refinements and tastes and elegances which belong to hereditary fortune. And while, in the free air of the new America, with its unoccupied soil, with its vast feeling of enterprise and activity, there grew up a splendid manhood and womanhood—elegant, refined, brave, courteous, and patriotic—it was not the result, wholly or in large part, of the accumulated fortunes in their hands, but rather of the circumstances which surrounded them. It will behoove us to prevent its recurrence, because that is the sentiment of the people.

They sympathize, in my judgment, with those who sympathize with them. They do not want an aristocracy. They do not want a privileged class. They do not want men of too great fortunes, of hundreds and hundreds of millions of dollars derived from the power of taxation. They realize the fact that that is the condition of things to which our economies and our institutions are tending.

I have nothing to say about bonds or who was responsible for their issue or whether it was necessary in the growth of the conditions which have occurred. But I do mean to say when a resolution is offered here of inquiry upon any subject which the public opinion demands, that inquiry should be accorded, and while I am willing to make liberal grants of public money, and even franchises for public purposes, and to do full justice to those already granted, and to the citizens to whom they have been granted, I do desire such public policies as will make them minister to the convenience, comfort, and welfare of all the people, and to the perpetuity of the Republic.

Bankruptcy.

SPEECH

OF

HON. RICHARD W. BLUE,

OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 1, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 8110) to establish a uniform law on the subject of bankruptcies throughout the United States—

Mr. BLUE said:

Mr. CHAIRMAN: Bankruptcy laws have not been favored in this nation. Three have been enacted since the organization of the Government—one in 1800, which was repealed in 1803; one in 1841, which was eliminated from the statute books in 1843; the third and last one in 1867, which remained upon the statute books until 1878, when it was, after several efforts, repealed. All these acts contained insolvency clauses, chiefly for the benefit of the creditor. Each one also contained provisions for involuntary bankruptcy.

A serious objection to any bankruptcy law in this Republic is the inability of the lawmaking power to make it uniform in its application. With a nationality composed of forty-five separate States, each with a constitution and code of laws of its own, varying as the necessities of the people may demand, the task seems hopeless and impossible.

The framers of our Constitution were students of the laws of the mother country. The spirit and genius of our institutions have been molded and fashioned after the teachings of our Anglo-Saxon ancestors. The common law, as it existed at a certain period in the history of the mother country, modified to suit the conditions and necessities of the people, has been adopted and is yet in force in many States of the Union. In other sections of the country the civil law, modified to meet the necessities of the surroundings and advancing civilization of the race, has been adopted and approved. An aggressive, industrious, and highly civilized people, united in a common destiny and solicitous for a common prosperity, happiness, and development, is working out the problem of self-government. One of the chief factors in the solution of this problem is the absolute independence in local affairs of each State in the Union. Each State in its home rule and management of the affairs of its people among themselves has a separate and distinct entity. But each is also a member of that greater and superior entity—the United States of America. As a consequence of this system, each State has its exemption, insolvency, and attachment laws, differing as the peculiar genius and necessities of its people demand. To harmonize this with any general bankrupt law so as to make its operation uniform throughout the nation is an impossibility. An approximation is the most that can be expected. It may be stated as an axiom that bankruptcy laws here have ever and always been unpopular; that public sentiment has favored them only as matters of extreme necessity, and sought to have them repealed as soon as that inexorable necessity has passed.

The difficulties surrounding the enactment and enforcement of an acceptable bankrupt law in this nation seems to have been clearly understood by Senator Conkling, who, in speaking of the act of 1867, said as follows:

> I do not know, Mr. President, perhaps I should not feel warranted in saying—but for a consideration which I will refer to in a moment, and which alone would restrain me—that the present bankrupt law, with changes which we might hope for, would be clearly a wise measure of legislation to remain: yet I am inclined to think that the most serious complaints grow out of conditions wholly unavoidable. For illustration, at least, I may say that our geographical difficulties are very great and that they can not be overcome. Men look at the administration of the bankruptcy system in Great Britain, and they compare it with ours, and they wonder with discontent that the comparison is against us. They forget that the bankruptcy system in Great Britain operates upon a limited area, amid a very dense population, with a very numerous and effectual judicial staff. England without the 12 counties of Wales has a little less than the area of the State of New York. Twenty-four million people inhabit it. Look to the taking of the census for illustration of what I am saying. The British census is taken in one night. It is taken between sun and sun and after sundown.
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> We take an enumeration here to count all the people scattered throughout all our borders, and weeks and months are exhausted and expenses are involved which would seem apocryphal, comparing them with the expenses of taking the British census and making no allowance for the disparity of conditions. So when you come to execute a bankrupt law in the thirty-eight States of the Union, sparsely populated and illy conditioned for transit from place to place, as many localities are, without a judicial staff so numerous as to carry justice to every man's door, you find great impediments, prolixity, postponement, expenses; and accordingly you find, as was stated, I think, in a petition presented by my colleague, perhaps to-day, a percentage of the outcome of assets, and a percentage of that which is swallowed by the proceedings, and of that which accrues at last to the creditor, and very naturally say that this is a failure. But if you look into the causes, I fear you will find that most of them are such that no art in drafting a bill, no reformation in administration, nothing which falls within the province of legislation can encompass and avoid them, and so it may very well be said the best considered argument would acquit the present bankrupt act of much of the guilt laid at its door, and attribute its evil consequences, as I have endeavored to show, to conditions beyond the purview of legislation.

It may be said in this connection that there is at this time no popular sentiment in favor of a permanent bankrupt law in this nation. Whatever action Congress may take upon this subject, whatever measure it may enact into a law, it should strictly limit the time of its operation. In my opinion it should not extend beyond a period of five years. Each of the laws heretofore enacted by Congress have contained involuntary bankruptcy features. These provisions are chiefly in the interest of the creditor class and are in the main remedies for the collection of debts. The exacting creditor has ever and always sought to incorporate in the laws intended for the relief of debtors meaasures for the most speedy and thorough collection of debts. This has always been the vice of these measures. The spirit and intention of the bankrupt law should ever and always be the relief of the unfortunate but honest debtor:

> If a man has given up all his estate to his creditors, he is entitled to his release; if he has contracted his debts fraudulently or inconsistent with fair dealings, punish him; but if he has surrendered all he has give him at least an opportunity of retrieving his position and send him back into the world again with a chance of getting a living in the future and of becoming a wiser and better man; but do not pass upon him the sentence of perpetual mercantile excommunication.
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> The principle on which all bankrupt laws ought to be framed is to leave everybody to manage their own affairs, taking every precaution against abuse.

The demand for a bankruptcy law at this time is based chiefly upon the desire of the people to have the unfortunate but honest creditor relieved from the load of indebtedness upon him and which he is wholly unable to pay; to give him a new lease of life and offer him another opportunity to use his talent, experience, and industry in the development of the business of the country. There is no general demand among the people for national legislation for further and additional remedies in the collection of debts. The present measure, which is now before this House, is radically wrong in principle. It is conceded that it is fashioned after the Torrey bill, which was prepared by the attorney of the tradesmen and wholesale dealers in their interest and for the avowed purpose of facilitating collections. This bill is wrongly named. It should be entitled "An act giving additional remedies and powers to creditors in the collection of their claims against unfortunate debtors." By the terms of this measure the debtor can be made the subject of bankruptcy and suffer all the obloquy of that term before the question of his solvency can be heard or determined. He is, in fact, by the terms of this bill, executed first and tried afterwards. However honest may have been his intentions, if he should be indebted to the extent of $500 or upward, and is unable to pay, he may, by his conscienceless and unsympathetic creditors, be thrown into bankruptcy at any time if, by the

unfavorable condition of business, he should become unable to pay for thirty days.

The nine different acts of bankruptcy named in the bill are not only in several instances inconsistent with each other, but are of such character that almost any debtor can be forced into involuntary bankruptcy. That this feature is wholly unnecessary there can be no question. Every State in the Union has its solvency and attachment laws which furnish ample relief to the creditor. He needs no other remedy than that which is already given him by the States themselves. It is the unfortunate debtor who should receive the wholesome and generous relief of a discharge. Under these State laws, in almost every instance when a debtor is found to be in a failing condition, his creditors can get together and compromise and settle with him and give release to much better advantage than to adjust their claims in the bankrupt court with all its expenditures and delays. The utmost latitude should be given to the creditors and debtors in the management and settlement of their affairs without the intervention of the public.

John Stuart Mill says:

> The tendency of public authority to stretch their interference ought to be watched with unremitting jealousy.

Sir George Jessel has said:

> Where there has been no criminality, it has been established by what might be called universal legislation that an arrangement between the debtor and his creditors is the first thing to be secured, and it should be limited to the will of the contracting parties.

Lord Chancellor Westbury has also said:

> If the creditors choose to grant the debtor his discharge, let that be their concern; if they wish to be indulgent and merciful, let them be so; it is no business of the court, but of the creditors.

Should this bill become a law nearly 75 per cent of the business men of the West would be harassed, intimidated, and oftentimes destroyed by it. In my opinion the entire section providing for involuntary bankruptcy should be stricken from this measure. If that can not be done, then I am willing to accept a provision for involuntary bankruptcy for actual fraud only. If this bill is not modified as suggested, in deference to the sentiment of the constituency which I have the honor to represent I shall feel constrained to vote against it.

It is proper at this time to refer to some of the vices of this proposed bankruptcy law. In the first section it seeks to give unusual definitions of words and phrases contained in the bill. Many of these definitions enlarge the scope and intent of the law to an unreasonable extent. It may be observed that a petition may be filed within four months after the commission of the act of bankruptcy as defined by this bill, and this provision of the bill further says:

> Such time shall not expire until four months after (1) the date of the recording or registering of the transfer or assignment when the act consists in having made a transfer of any of his property with intent to defeat his creditors or for the purpose of giving a preference as hereinbefore provided, or an assignment for the benefit of his creditors, if by law such recording or registering is required or permitted, or, if it is not, from the date when the beneficiary takes notorious, exclusive, or continuous possession of the property unless the petitioning creditors have received actual notice of such transfer or assignment; or (2) the date of the return of legal process when the act consists in having secreted any of his property to avoid its being levied upon under legal process against himself and to defeat his creditors, as hereinbefore provided.
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> "Insolvent," as applied to a person, shall mean that his property is not sufficient in amount, at a fair valuation, to pay his debts, and when insolvency is to be inquired into with reference to an act of bankruptcy it shall be determined as of the date of the filing of the petition.

How would such a measure have operated during the unfortunate year of 1893? Thousands of honest business men all over the nation were for months hovering on the border of insolvency; lack of business confidence prevailed everywhere. Bankrupt stocks sold under the hammer throughout the land impaired and destroyed values and prices and demoralized business. Many of those who regarded themselves as entirely solvent, and who were in fact solvent, were wholly unable to realize on investments or meet their paper when it became due. Had one of these transferred, assigned, or mortgaged property for the purpose of paying or securing a portion of his debts, at any time within four months thereafter, he might have been thrown into bankruptcy by an exacting or remorseless creditor, although the act of transfer might have been made in absolute good faith, the debtor believing as he did that his property at a fair valuation at the time of the transfer would meet all of his outstanding indebtedness and discharge all his liabilities. This bill defines "transfer" as follows:

> "Transfer" shall include the sale and every other and different mode of disposing of or parting with property, or the possession of property, absolutely or conditionally, as a payment, pledge, mortgage, gift, or security and the creation of a lien on property by any means other than by compulsory process prosecuted in good faith.

Let us for a moment consider the second and fifth acts of bankruptcy in connection with the time of filing petition and the time of determining the value of the property of the debtor and the definition of "transfer." Said act of bankruptcy is as follows:

> Failed for thirty days and until a petition is filed while insolvent to secure the release of any property levied upon under process of law for $500 or over, or if such property is to be sold within such time under such process then until three days before the time fixed for such sale.

The following is the fifth act of bankruptcy as described in said bill:

> (5) Made, while insolvent, a transfer of any of his property or suffered any of it to be taken or levied upon by process of law or otherwise for the purpose of giving a preference, and has not regained the ownership of such property or released same from such levy before the rights of creditors shall have been altered, changed, or impaired by reason of such transfer, taking, or levy and at least ten days before the commencement of a proceeding in bankruptcy.

If the poor but unfortunate debtor seeks to avoid the second act of bankruptcy by the transfer of property he finds himself in the toils of the fifth. How, in disastrous financial periods like that of 1893, would an unfortunate tradesman protect himself against the second act of bankruptcy unless he did so by a transfer of property to pay his obligations or to secure the money with which to discharge them? If he did so, and in four months afterwards a petition should be filed by his conscienceless creditor, how would he escape the provisions of the fifth act? Again, "preferences" are not always unmixed evils. Should a debtor, struggling to avoid insolvency and bankruptcy, seek the aid of a friend who makes him a loan, hoping to tide him over his difficulties and save him from financial destruction, ought not that friend furnishing the money under such circumstances to have a preference over the creditor who has sold the debtor goods and commodities in the regular course of trade? Many instances readily suggest themselves in which an honest and equitable preference should be allowed, and yet the sixth act of bankruptcy in this bill reads as follows:

> Procured or suffered a judgment to be entered against himself with intent to defeat his creditors, and suffered same to remain unpaid until ten days before the filing of a petition in bankruptcy: *Provided*, That a payment or satisfaction of such a judgment by a sale of any of the debtor's property or from the proceeds of such a sale shall not be deemed a payment of such judgment under the provisions of this section.

This measure seems to treat the question of preference with invidious distinction. It not only makes it the subject of bankruptcy, but provides by the terms of this sixth act that a payment or satisfaction of a judgment by sale of any of the debtor's property or from the proceeds of such a sale shall not be deemed a payment. In other words, if the debtor has procured or suffered a judgment to be entered against himself in favor of a preferred creditor he has committed an act of bankruptcy which the payment of the debt will not remove.

The eighth and ninth acts are as follows:

> (8) Suffered while insolvent an execution for $500 or over, or a number of executions aggregating such amount, against himself to be returned no property found, unless the amount shown to be due by such executions shall be paid before a petition is filed; or (9) suspended and not resumed for thirty days and until a petition is filed, while insolvent, the payment of his commercial paper for or aggregating $500 or over.

Under the laws of most of the States of this Union it is the duty of any officer with process in his hand to first levy upon the personal property of the debtor. If he, after diligently searching, fails to find any personal property on which to levy, it is his duty to indorse on the process "no goods" or "no goods found." After which he may proceed against the real estate of the debtor.

This eighth act of insolvency would seem to include a debtor who had not sufficient personal property to discharge his obligations. This eighth act of bankruptcy also comes in conflict with act 5. If the unfortunate debtor seeks to escape from one, he is impaled on the other horn of the dilemma.

If the ninth act of bankruptcy is not stricken from this bill, it will be found that almost any tradesman can, at some time in a financial crisis, be thrown into bankruptcy. If a business man is not permitted to transfer any property to secure a loan of money or otherwise get the means of discharging his indebtedness in a financial stringency and is to be declared a bankrupt if his commercial paper goes unpaid for thirty days or more, who of them is safe?

Again, the State of Kansas has a provision in its laws by which an attachment lien can be preserved and the order of the court or judge dissolving the same carried to the supreme court for review. If an unscrupulous creditor procures an attachment upon the property of an honest but unfortunate debtor, and the debtor appears before the court or judge and satisfies the court or judge that the attachment has been wrongfully obtained, and the court or judge makes an order dissolving it, this lien can still be preserved until a final adjudication of the matter in the court of last resort.

Under the second act of bankruptcy, as defined in this bill, no business man in the State of Kansas can escape being thrown into the bankruptcy court if he owes $500 or more to unscrupulous and exacting creditors.

Another feature of this bill, which to my mind is exceedingly objectionable, is its provision in regard to corporations. While a

corporation may be thrown into bankruptcy and its property all taken from it and its business destroyed, yet it is not allowed the privilege of a release. It is unquestionably true that a prejudice exists in the minds of the people against corporations, but it must not be forgotten that a large volume of the business of this nation is transacted through corporations. The development of our civilization seems to render this necessary. The use of an artificial person with limited capital and fixed liabilities seems to be favored in all avenues of commerce and trade. Why should the corporation be thus invidiously singled out and made an exception? If good reasons should be found why a corporation should not be discharged in bankruptcy, why should the authority be given to throw it into a bankruptcy court and deprive it of its property, impair its credit, and ruin its business? No provision is made by this law for the winding up of the affairs of the corporation and dissolving it. This measure simply provides a way to destroy its usefulness and wreck its business without any corresponding benefit. Why should not the corporations be left to the insolvency laws of the several States? Should this bill become a law, would it not be in the power of creditors to force the great railroad corporations of the nation now in the hands of receivers into the bankruptcy courts and thus interfere with the commerce, trade, and travel of the public? The provisions of existing laws are found to be in the main beneficial in the management and control of the great corporations which handle the transportation and communication of the public. These are serious questions which challenge the attention of the people of the country and demand a thorough and patriotic consideration.

It is admitted by the committee which reported this bill to the House that the business failures in the nation average about 1 per cent of the business of the country. If that be true, would it not be a wiser and more patriotic thing not to enact a bankrupt law than to pass one so objectionable and threatening as the measure now pending before the House? The people should be given the greatest latitude consistent with the welfare of the body politic in the management of their own affairs and the settling of all business relations between themselves. The interference of the Government of the United States by means of a bankrupt act with the business of the people should never be undertaken except in case of imperative necessity. The disposition of the officers of the courts to encourage bankruptcy proceedings for the sake of fees, and the abuse of the law, have always been objectionable features of bankrupt legislation in this nation.

It is also found in practice that the involuntary features of a bankrupt act become potent factors in the oppression of debtors in the hands of obdurate and conscienceless creditors.

President Grant, in the message in which he recommended a repeal of the law of 1867, used the following language:

> Careful and prudent men very often become involved in debt in the transaction of their business, and though they may possess ample property, if it could be made available, for the purpose to meet all their liabilities, yet on account of the extraordinary scarcity of money they may be unable to meet their pecuniary obligations as they become due, in consequence of which they are liable to be frustrated in their business by proceedings in bankruptcy at the instance of unrelenting creditors.
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> People now are so easily alarmed as to monetary matters that the mere filing of a petition in bankruptcy by an unfriendly creditor will necessarily embarrass and oftentimes accomplish the financial ruin of a responsible business man. Those who otherwise might make lawful and just arrangements to relieve themselves from difficulties produced by the present stringency in money are prevented by their constant exposures to attack and disappointment by proceedings against them in bankruptcy, and beside the law is made use of in many cases by obdurate creditors to frighten or force debtors into a compliance with their wishes and into acts of injustice to other creditors and to themselves.

That expression is fully as applicable to the proposed law at the present time as the then existing law which was sought to be repealed.

With the experiences of the past still vivid in the minds of many men now living, and the financial condition of the present before us, it seems strange that many men who claim to be seeking a strengthening of credit and a restoration of business confidence should insist that this measure for the relief of the honest but unfortunate debtor shall be made an engine of oppression in the hands of an exacting and conscienceless creditor. Shylock insisting upon his pound of flesh is apparent from beginning to end in the section which provides for involuntary bankruptcy. Under the guise and pretense of benefiting the debtor this extortionate and unworthy measure is sought to be made a law. It should fail.

It is the purpose of my colleague, Mr. BRODERICK, to offer at the proper time, as a substitute for this bill pending here, the Senate bill upon the same subject, with a few proper amendments. This substitute should prevail. It is a just and equitable measure. If enacted into a law it will bring relief to those unfortunate but honest debtors who are unable, by reason of financial embarrassment, to resume business. It is without the oppressive features of the House bill. I trust that the House will give to this measure the consideration which its merits deserve and eventually enact it into a law.

Labor Commission.

SPEECH
OF
HON. EDWARD D. COOKE,
OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 21, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 6119) authorizing the appointment of a nonpartisan commission to collect information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital—

Mr. COOKE of Illinois said:

Mr. CHAIRMAN: The bill recites that many of those engaged in the various fields of labor and many of those engaged in commerce are presenting grievances to Congress and to the various State governments, seeking and demanding legislation in their behalf. The commission to be appointed is to be called the industrial commission and consist of three men representing labor, three men representing agriculture, three men representing manufacture, and three men representing business, to be appointed by the President, neither political party to have a majority of such commission. The commission is to convene in Washington within sixty days after appointment and to proceed with the performance of its duties. The selection of secretaries and a presiding officer is provided for, and authority is given to make rules to carry out the purposes of the act.

It is made the duty of the commission to investigate questions pertaining to immigration, to labor, to agriculture, and to business, and to recommend to Congress such legislation as it may deem best upon these subjects. The commission is further required to furnish such information and to suggest such laws as may be made the basis for uniform legislation by the various States of the Union in order to harmonize conflicting interests and to be equitable to the laborer, the employer, the producer, and the consumer.

The commission is to receive petitions and papers, give time for hearings, and may appoint subcommittees of its members to make investigations in any part of the United States, and is authorized to send for persons and papers; and, aside from salaries, the expenses shall not exceed $50,000 per year. Each member of the commission is allowed a salary of $5,000 a year (men of the highest ability, character, and experience being intended to be selected); three secretaries are provided for at $200 per month, and four legal advisers (one for each section) may be appointed with a yearly salary of $5,000 each.

The commission may report from time to time to the President of the United States, and shall, at the conclusion of its labors, at the end of its term of office in two years, submit a final report.

Such, Mr. Chairman, are substantially the provisions of the proposed bill.

I am most heartily in favor of the passage of this bill. It comes at an opportune time in the development of the laws of the English-speaking people upon the subjects which it embraces. If the bill passes and the commission appointed shall consist of able and experienced men (as it undoubtedly will), its work and report, and the discussion and information resulting therefrom, may well be expected to mark an epoch in the development of our civilization.

The only objection to the passage of this bill that occurs to my mind is the expense incident to the creation and work of the commission. But that objection seems to be overcome by two considerations, namely, the importance of the interests involved in the subjects to be inquired into by the commission, and the fact that the commission can perform the work assigned to it far better and cheaper than could any special or continued session of Congress held for the same purpose.

The report of the Committee on Labor upon this bill discusses briefly the subject of strikes in the United States and the losses to the country that are directly traceable thereto. The report says:

> Upon this subject of strikes we desire to state that the Hon. Carroll D. Wright, Commissioner of Labor, in his third annual report submitted the results of an extensive investigation as to strikes and lockouts in the United States from 1880 to 1886. It will be seen by an examination of this summary that during the years named (1881 to 1886, both inclusive) there were 3,902 strikes in the United States.
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> There were 22,394 establishments and more than 1,323,203 employees involved.
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> It will be seen also by this report that—

The loss to the strikers for the period of six years was	$51,814,723
Loss to the employees by reason of lockouts	8,157,717
Loss to employers of labor	34,163,814
Amount of assistance to strikers by contribution	4,430,595
Total loss in six years	98,566,859

These figures represent the actual loss to the parties engaged and do not represent the enormous loss which incidentally came to the community by reason of such disturbances.

The facts and figures of the last few years in regard to strikes and lockouts are not fully accessible. They are recent history and are still more appalling than those given. One writer has estimated the loss caused by strikes in 1894 at $80,000,000. Others estimate it as high as $100,000,000.

As a citizen of Chicago I vividly recollect the great and disastrous strike of 1894 in that city, which began at Pullman and extended to almost the entire railroad interests centering in Chicago. At one period in the progress of that strike the people of Chicago were in grave fear of such a spread of lawlessness and rioting as would lead to a repetition of the great conflagration of 1871. The immediate fears and passions engendered or aroused during that labor disturbance have so far subsided as to bring all persons concerned in it to a sober sense of the evils and dangers lurking somewhere in the body politic, which render it the part of wisdom to pause, investigate, and consider.

The present time would seem to be the proper one at which to discuss remedies for the existing and periodical labor riots and costly strikes. The reckless and ignorant teachings of anarchists as to property rights and as to what are feasible remedies for any injustice that exists should be offset by at least tentative suggestions of practicable and sound remedies. Many very able and thoughtful editorials and papers upon this subject have appeared in the press of the country and various remedies have been proposed, but I venture to suggest that the views so expressed do not as a rule go far enough. Explicit remedies are needed.

No laws can or should endure which do not adhere to and proceed along the line of justice—that is, justice between man and man. Mr. Lincoln's statement in the time of Southern slavery is still true: "The nation can not endure half slave and half free." Unless the line of honor and justice is closely followed in the division of profits and in the fixing of fair wages, the nation will cease to exist in its present form; there will ultimately come a revolt in which the really or supposedly favored few will be overcome by the many who are really or supposedly oppressed.

During the times of human slavery labor was regarded as too degrading to be performed by the free; and it is difficult to trace the slightest semblance of protection or regulation pertaining to free labor in the laws of those times.

Montesquieu in his work on the Spirit of Laws, speaking of the manners of the ancients (Book IV, chapter 8), says:

It is observable that in the cities of Greece, especially those whose principal object was war, all lucrative arts and professions were considered as unworthy of a freeman. Most arts, says Xenophon, corrupt and enervate the bodies of those that exercise them; they oblige them to sit under a shade, or near the fire. They can find no leisure, either for their friends or for the Republic. It was only by the corruption of some democracies that artisans became freemen. This we learn from Aristotle, who maintains that a well-regulated republic will never give them the right and freedom of the city. Agriculture was likewise a servile profession, and generally practiced by the inhabitants of conquered countries, such as the Helots among the Lacedaemonians, the Periecians among the Cretans, the Penestes among the Thessalians, and other conquered people in other republics.

In fine, every kind of low commerce was infamous among the Greeks, as it obliged a citizen to serve and wait on a slave, on a lodger, or a stranger. This was a notion that clashed with the spirit of Greek liberty; hence Plato, in his laws, orders a citizen to be punished if he attempted to concern himself with trade.

And the same author, discussing the subject of cruel laws (Book XV, chapter 15), says:

Lenity and humane treatment may prevent the dangers to be apprehended from the multitude of slaves in a moderate government. Men grow reconciled to everything, and even to servitude, if not aggravated by the severity of the master. The Athenians treated their slaves with great lenity; and this secured that state from the commotions raised by the slaves among the austere Lacedæmonians.

It does not appear that the primitive Romans met with any trouble from their slaves. Those civil broils which have been compared to the Punic wars were the consequence of their having divested themselves of all humanity toward their slaves.

A frugal and laborious people generally treat their slaves more kindly than those who are above labor. The primitive Romans used to live and eat with their slaves; in short, they behaved toward them with justice and humanity. The greatest punishment they made them suffer was to make them pass before their neighbors with a forked piece of wood on their backs. Their manners were sufficient to secure the fidelity of their slaves, so that there was no necessity for laws.

But when the Romans aggrandized themselves, when their slaves were no longer the companions of their labor, but the instruments of their luxury and pride, as they then wanted morals, they had need of laws. It was even necessary for these laws to be of the most terrible kind in order to establish the safety of those cruel masters who lived with their slaves as in the midst of enemies.

They made the Sillanian Senatus-Consultum and other laws, which decreed that when a master was murdered all the slaves under the same roof or in any place so near the house as to be within the hearing of a man's voice should, without distinction, be condemned to die. Those who in this case sheltered a slave in order to save him were punished as murderers; he whom his master ordered to kill him and who obeyed was reputed guilty; even he who did not hinder him from killing himself was liable to be punished. If a master was murdered on a journey, they put to death those who were with him and those who fled. All these laws took place even against persons whose innocence was proved; the intent of them was to inspire the slaves with a prodigious respect for their master. They were not dependent on the civil government, but on a fault or imperfection of the civil government. They were not derived from the equity of civil laws, since they were contrary to the principle of those laws. They were properly founded on the principles of war, with this difference, that the enemies were in the bosom of the State.

The crude and oppressive enactments regulating labor which were passed about the time human slavery expired show clearly the cruel barbarism out of which the race was then emerging. Under the English law in the time of the Saxons, as far back as it can be traced, the nation consisted of freemen (nobles and coerls) and slaves, the latter a numerous body and incapable of holding property. The villeins, who held lands on servile tenure and were a species of serfs, and the slaves, incapable of holding property, can hardly be distinguished in the crude laws of the Saxons before the Norman conquest. But even under those laws the power of the lords over their slaves was not absolute. If the owner beat out a slave's eye or teeth the slave recovered his liberty. (Laws of Alfred, section 20; 1 Reeve's Hist. of English Law, pages 13, 14.)

Under the feudal system, as practiced in England after the Conquest, the villeins were tillers of the soil, and for a long time occupied the position generally of slaves annexed to the lands on which they were born, though they were gradually emancipated. The oldest English statute pertaining to laborers, enacted after the Conquest, was adopted A. D. 1349 (23 Edw. III) and followed the great plague which thinned the lower class of people, servants and laborers, who took occasion to demand very extravagant wages, and rather than submit to work upon reasonable terms became vagabonds and idle beggars, as recited in the preamble of the act. This statute compelled able-bodied persons, not having lands or employment, to serve in stations suited to their conditions, on wages and terms usual in the five or six years preceding the twentieth year of the then king. Those refusing or departing from such service were to be imprisoned. All persons paying or receiving or demanding more than the above wages were to forfeit double the sum, and artificers or workmen refusing to work for the prices usual at the above-mentioned periods were to be committed to jail.

A further regulation was made on the same subject in the year 1351 (25 Edw. III), and also in the reigns of Richard II and Henry IV. And these statutes were followed by an attempt which was made by statute (1 Edw. VI, c. 3) to introduce a system of captivity or slavery, by ordaining that all idle vagabonds should be made slaves and fed upon bread and water or small drink and refuse meat; should wear a ring of iron round their necks, arms or legs; and should be compelled, by beating or otherwise, to perform the work assigned them, were it never so vile. But, as Blackstone says (1 Bl., 424), "The spirit of the nation could not brook this condition, even in the most abandoned rogues; and therefore this statute was repealed in two years afterwards." (3 and 4 Edw. VI, c. 16.)

The provisions of the later statute of Elizabeth (5 Eliz., c. 4) as to laborers (aside from menial servants and apprentices) made regulations, in substance: (1) Directing that all persons who have no visible effects may be compelled to work; (2) defining how long they must continue at work in summer and in winter; (3) punishing such as leave or desert their work; (4) empowering the justices at sessions or the sheriffs of the county to settle their wages; (5) inflicting penalties on such as either give or exact more wages than so settled; and (6) giving to persons serving seven years as apprentices to any trade the exclusive right to exercise that trade in any part of England. And this statute has been followed by others in England upon the same subject (notably 6 George III, c. 26, and numerous others from 22 George II to the present time, regulating the relations of master and servant).

In the United States the subject of laborers and their wages or service (aside from African slavery) has never been seriously attempted to be regulated by law. Mr. Parsons in his work on Contracts, referring to the English statutes as to the relations of masters and servants, says:

In this country we have nothing of this kind. With us a contract for service is construed and governed only by the general principles of the law of contracts. (1 Parsons on Contracts, 101.)

This result came doubtless from several leading causes, the chief ones being that aristocracy and feudal conditions found no place under the Constitution; universal suffrage was adopted, and the toilers of all kinds were placed upon an equality as rulers; the conditions of a scarce population rendered it unnecessary to restrict and regulate parish settlements, the care of the dependent poor, and the hiring of apprentices; and the ownership of lands by the people became quite general. Within the last thirty to fifty years the vast increase which has taken place in our population, and the still more wonderful growth of manufactures, springing from the inventive genius of the age of steam, telegraphs, and electricity and labor-saving machinery, with the help of protection as an American system, and from the later comparative scarcity of lands, makes it necessary to consider seriously in its new form and changed aspects the old problem, viz, What is the recompense justly due to labor?

The principal acts of Congress pertaining to labor, passed prior to the present Congress, may be briefly summarized as follows:

(1) The law constituting eight hours a day's work for laborers,

workmen, and mechanics in the service of the United States. Revised Statutes, section 3738.

(2) The acts forbidding the immigration of contract labor, of 1885, 1887, and 1891.

(3) The act allowing the incorporation of national trade unions, organized for the purpose of aiding their members to become more skillful and efficient workers, the promotion of their general intelligence, the elevation of their character, the regulation of their wages and their hours and condition of labor, the protection of their individual rights in the prosecution of their trade or trades, and for their mutual protection or benefit, through benefit funds or otherwise; which act was adopted June 29, 1886.

(4) The act forbidding the hiring out of convicts of the United States, adopted in 1887.

(5) The acts enforcing the eight-hour law in the Government Printing Office and in the carriers' service, adopted in 1888.

(6) The act of October, 1888, to create boards of arbitration for settling controversies and differences between railroad corporations and other common carriers in interstate commerce, which controversies and differences may hinder, impede, obstruct, interrupt, or affect such transportation, if, upon the written proposition of either party to the controversy to submit their differences to arbitration, the other party shall accept the proposition, each party to select one arbitrator and the two so selected to select the third arbitrator.

(7) The acts of 1890 and 1891 forbidding the importation of the products of convict labor, and for the inspection of mines in the Territories.

(8) The act of June 27, 1884, created the Bureau of Labor, which Bureau was merged in the Department of Labor, created under the act of June 13, 1888. The latter act in substance provided a Department of Labor at Washington, the general design and duties of which shall be to acquire and diffuse among the people of the United States useful information on subjects connected with labor, in the most general and comprehensive sense of that word, and especially upon its relation to capital, the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity. The Commissioner of Labor is specially charged to ascertain, at as early a date as possible, and whenever industrial changes shall make it essential, the cost, including wages, of producing articles at the time dutiable in the United States, in leading countries where such articles are produced, and the profits of the manufacturers and producers of such articles, and the comparative cost of living and the kind of living. The Commissioner is further to report upon the effect of customs laws, the effect of currency on agriculture and mortgage indebtedness, and what articles are controlled by trusts, and the effect thereof on production and prices.

The Commissioner is required to establish a system of reports at intervals of not less than every two years, by which he can report the general condition, so far as production is concerned, of the leading industries of the country, and further required to investigate the causes of and facts relating to all controversies and disputes between employers and employees as they may occur, and which may tend to interfere with the welfare of the people of the different States, and report thereon to Congress. The Commissioner shall also obtain information upon the various subjects committed to him as he may deem desirable from foreign countries, and as to what, if any, convict-made goods are imported into this country, and annually report to the President and Congress the information collected and collated by him, with such recommendations as he may deem calculated to promote the efficiency of the Department.

(9) In 1892 a penalty for infraction of the eight-hour law as to employees of the Government was enacted; and an appropriation was made to investigate the occupations, earnings, sanitary surroundings, and other essential facts, to show the condition of the residents of what is known as the slums of cities of 200,000 inhabitants and over, compared with the residents of cities of similar size in other countries.

(10) In 1894, by act of Congress, the first Monday of September in each year, known as Labor's Holiday, was made a legal public holiday; the Commissioner of Labor was authorized and directed to investigate and make report upon the conditions attending the employment of women and children; their wages, earnings, sanitary surroundings, and cost of living; the effect of various employments upon their health and longevity; what measures are taken to protect their physical condition and to protect them from accidents; the rates of wages paid them in comparison with the rates paid men; and the effects of their employment upon the wages and employment of men; and as to the effects of machinery on labor; and the economic aspects of the liquor problem.

With the exception of Pennsylvania, I believe no State has attempted to adopt compulsory arbitration for the settlement of disputes between the employed and the employer. Generally speaking, State legislation has followed the lines of Federal legislation on this subject, by aiming to facilitate the organization of labor, educating the workingmen in their crafts and callings, furnishing them with statistics, facts, and information bearing upon their pursuits, taking away as far as practicable the competition of convict and Chinese labor, improving the surroundings of the work and homes of laborers, making voluntary arbitration easy to be resorted to, and, in short, dignifying and exalting the position and status of the laborer as much as can be done with the present knowledge upon the subject. Doubtless these Federal and State enactments have done much to benefit and soothe the condition of the working world, of those at least who are wage-earners as distinguished from the class of workers who work for themselves, as the phrase is, and as distinguished from the class of workers who toil in literary, scientific, medical, legal, or educational professions.

But the fact remains that the task of the lawmaker is not finished. Nor indeed is it reasonable to expect that the necessity for changes in and improvements of the laws will ever end, at least so long as man remains a selfish being. Notwithstanding all the enactments to which I have briefly referred, from the times of human slavery until the present, humanity has struggled and complained against injustice and inequality in the laws. No remedy has ever been so direct and efficacious as to put a stop to the overreaching of the weak by the strong, the ignorant by the educated and cunning, the foolish and confiding by the knavish and cruel.

What better proof could be had or desired of the continuing bitter and cruel struggle of man against man than the simple but true and appalling statement I have quoted from the committee's report, showing that the strikes and lockouts in the United States from 1880 to 1886 reached 3,902 in number, involved 22,304 establishments, affected 1,323,203 employees, and entailed a loss of $98,566,859, without counting at all the general loss and disturbance of the communities in which the strikes and lockouts occurred?

It would be a work of the greatest arrogance and presumption for any person who has not devoted a lifetime to the study of social economics, labor problems, history, and laws, to urge a plan of legislation or to lay down positively a line of action to be pursued in regulating the rights of labor. It seems easier to point out or suggest in general terms some few things that should be avoided in the legislation of the future upon this question than it is to suggest a definite or positive line of enactments. I confess that the problem utterly appalls me, though I appreciate to some degree the importance of solving it.

Unless our laws are formed to do as nearly as possible substantial justice to all, the discontents will continue and increase. It is equally necessary that the people for whose benefit laws are passed shall be shown, in a way which they shall themselves understand, that the laws do work out exact or nearly exact justice. It is not sufficient that justice shall be very nearly always done under the law, if such be the case, but it is also equally necessary that the discontents which so often overtake the people shall be cured by and through a plain, clear, and satisfactory demonstration to them that justice prevails. For instance, it is believed by many working people—artisans, laborers, and followers of the more humble callings in life, including farmers and agricultural laborers—that their just share of the profits and wages of toil, manufacture, and commerce is not paid and accorded to them.

The mystery as to what becomes of profits, and as to what is the exact aggregate of profits and the source thereof, needs to be cleared up far more fully than at present is done. The laws must be framed so as to effectively point out the evil practices that exist, and to remedy the same by clearly traceable and apparent steps. A new statute of laborers seems necessary in order to meet the more modern conditions of society, and in order to regulate the absorption of the present vast output of human toil. Not to take one man's property or capital from him to give it to another, but to prevent any man or corporation from obtaining by false pretense, mystery, and deception the labor or goods of another.

In the new statute, yet to be written, more equal and ideally just relations between the employer and the employed must be aimed at. All the old ideas of serfdom and villeinage, and all aristocratic notions of the dominion or lordship of one man or set of men over another man or set of men must be palpably put aside and satisfactorily set at naught. An equal division of property and earnings among all men would be as unjust as it is impracticable. The exact division of good character and mental capacity, not to speak of industry, frugality, and economy among all men, will never be known. But it is not too much to hope that fully as great strides will hereafter be made in bringing justice to bear upon human relations (in the just division of real and personal property, goods, profits, and creature comforts) as have ever yet been made in the past history of the race.

This progress can not be reasonably looked for along the line of any form of socialism which takes away the private ownership

and control of property; nor from a spirit of anarchy and lawbreaking, from which the weak and ignorant suffer most. There are better lines which may be pursued. From the barbarous times, in which brutal, cruel, and inhuman slavery existed and was practiced by the strong upon the weak and defenseless, until the present time, when all men are by law declared to be free, is a long period; and between the two conditions a great contrast is presented. Every step in that long march was one in which the individual was given a fairer chance to work, save, earn, and contrive for himself; whereby the individual was left the right and chance to compete on equal grounds with others.

It seems not too much to say that the confiscation of all property to the state, or anarchy, would simply place all property in the hands of the brutal and the strong, and that those who fondly dream of happiness and plenty in such times would become the suffering and starving portions of society. And further, it seems not too much to hope that another and wholly blessed step can and will be taken by our race when it shall have progressed to such a point beyond its present semibarbarous and semioppressive system, or rather lack of system and order, that a law may be made that shall result in an equitable and just division of the products of labor upon a basis which shall be generally accepted as equitable. It seems idle, however, to dream of fixing any exact standard for such division. The law of supply and demand must forever be the controlling basis upon which to fix the price of every commodity, including the labor of the artisan and the labor of every other person who puts forth effort for gain. Between these two necessities, then—first, of freedom to the individual to contract, work, and acquire and hold property for himself, and second, the necessity for just and equal conditions upon which to judge of and make contracts—the lawmakers must find themselves placed.

It seems clear also that all the light possible should be thrown upon economic conditions; that in so far as employers keep their employees in the dark concerning the details, exigencies, and results of their business the employees can not judge as to the fairness of the wages paid to them, and are very apt to make foolish demands at times or to be overreached and robbed at others. As wages must rise and fall under varying economic conditions, it would seem only fair and just that such varying conditions should be made known systematically by law to those concerned therein, and that if employers refuse to allow the facts and figures concerning the operations of their business to be inquired into on proper occasions and under proper and reasonable restrictions the law should strive to find a way to enforce such inquiries, if it can be done without injustice to the employer.

Only by such a system, under which the wage workers would be furnished reliable and exact figures, from balance sheets and inventories, passed upon by expert accountants, can the wage worker learn or judge for himself when, all things considered, he is selling his labor for a fair price. Railroads, banks, insurance companies, boards of trade and other semipublic institutions are compelled to furnish such details of their business as to enable the public dealing with them to judge of their solvency and earnings. Why should not the employers of labor do substantially the same thing, in the interest of justice and humanity, not to speak of the public tranquillity? I ask this question with the utmost diffidence, feeling altogether uncertain as to the wisdom of the suggestion.

What a shameful spectacle is presented by great corporations, on the one hand, claiming positively that they have been doing business at a loss, that to continue to do business and pay their workmen their former wages would entail a great loss, and, on the other hand, the spectacle of the employees and great labor unions claiming that the corporations are uttering monstrous and willful lies; that the wage workers are in fact oppressed, while the corporations are making large profits and declaring dividends from the labor of the workers.

A law to compel the employers of labor to submit differences with their employees to arbitration and to abide by the result can not be enacted without invading and destroying the private ownership of property, but it ought not to be too difficult to frame a law (based upon the police power or upon the principle of the banking, railroad, insurance, or building association laws) which would compel all employers of labor having in their employ, say, 100 or more persons to keep full and accurate books of account of all their business operations, and to submit the same to a thorough and rigid examination by the auditor of public accounts, or a national examiner, so that it could be reliably and accurately ascertained whether the wage workers and their unions or the employers are acting the part of wolves in the community.

Public opinion and the law should together demand that the proper steps be taken to place the responsibility for starting ruinous and bloody riots, such as have often disturbed the nation (and have been quelled by armed force), upon the shoulders of the really guilty parties. How can this be done without clear and reliable information from the books and accounts of labor employers, from which those deeply concerned, including the public as well as the labor unions, may freely judge as to the intrinsic value of labor, in comparison with the other elements of value which enter into economic conditions?

When corporations and employers of labor are about to be subjected to adverse legislation they are only too glad to open up their books and to show the operations of their business; and the showings made often help to defeat the obnoxious measures. When the rights of others are heavily involved, should the same showing be denied? It is not meant by this that any compulsory hiring of men should take place, nor that any fixed rate of wages can or should be compelled by law, but simply that the facts may be elicited, upon which candid minds may judge intelligently and not in the dark as to the justice of all demands and counter demands out of which lawbreaking and bloodshed arise.

Mr. Chairman, in closing I would say that the views I have expressed lead me naturally to the conclusion that the bill under discussion should be passed. The bill is directly in line with the opinions I have held for a number of years past on the subject of practicable legislation in the interest of labor in all its forms. It is far easier to indiscriminately condemn existing laws on any subject than it is to frame better laws. And I may venture to add that a careful study and patient investigation of all the branches of any subject demanding legislation is the first great essential to its successful treatment by the lawmaker. The bill now in hand provides for such a study and investigation by those best fitted to do the work, and, in my judgment, should be supported by every friend of American labor, as well as by all who desire the prosperity of the farming interests and the tranquillity and prosperity of the manufacturers and business men of our common country. I hope the bill will pass.

The History of Money and Financial Legislation in the United States.

SPEECH

OF

HON. JOSEPH W. BABCOCK,

OF WISCONSIN,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 21, 1896,

On the bill (H. R. 6119) authorizing the appointment of a nonpartisan commission to collect information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital.

Mr. BABCOCK said:

Mr. SPEAKER: Thirty-five years ago the Republican party, confronted by the gravest exigency in our national life, originated and adopted a system of currency and credit.

This system was subjected to the severest of all tests—civil war in its most tremendous form—but achieved a success and earned a place among the monetary systems of the world far greater than any ever instituted by any government on the face of the earth.

The Republican party has steadfastly maintained the high standing of this system through all the years of its ascendency; has held firmly to an interchangeable currency based upon coin, every dollar of which has been maintained and redeemed according to the original pledge.

The same party is to-day, as ever, in favor of the same sound money, and will continue to maintain, by prudent legislation, the same wide use of gold, silver, and paper with profit and security to all the people.

OUR METALLIC MONEY.

Under the Confederation of 1778 Congress was given the sole and exclusive right and power to regulate the alloy and value of the coin struck by their own authority, or by that of the respective States, but, having no power to enforce its laws in the States, and no revenues with which to carry out its own right of coinage, nothing was done.

Under the Constitution Congress was given the exclusive power to coin money, to regulate the value thereof, and of foreign coins. It was expressly provided that no State shall coin money, and Congress exercised this power by the passage of the act of April 2, 1792, establishing a mint and regulating the coins of the United States.

In this act the "dollar," of gold or silver, was adopted as the unit money of account, with the dollar coin of 371.25 grains of pure silver as the base.

FROM SILVER TO GOLD BASIS.

Between 1792 and 1834 we were under a bimetallic system, with the silver dollar as the actual unit on a basis of 15 to 1. Spanish dollars until 1816, and other foreign coins of both metals until a later date, were also a legal tender; but, as our lighter weight silver dollars were exported to the West Indies, where they passed

at par, we were without a sufficient national currency of either or both metals.

Legislation was therefore necessary, and by the laws of 1834 and 1837 the weight and fineness of the gold coin—and by the latter act the weight and fineness of both coins—were changed so as to make the ratio 16 (15.98) to 1, and to establish the double unit, viz: The eagle of gold and the dollar of silver.

COINAGE AND EXPORT OF SILVER TO 1853.

This change undervalued silver, as the act of 1792 had undervalued gold; and, as a result, silver went out of the United States to countries where it was worth more than with us.

In 1847 our coinage of gold was $20,202,325, which fell to $3,775,513 in 1848; while silver, in 1847, was $2,374,450, and $2,040,050 in 1848.

The effects of the California gold output were felt in 1850 and its coinage increased, while that of silver decreased.

In 1850 the gold coinage was $31,981,739; in 1851, $62,614,493; in 1852, $56,846,188; while silver, in 1850, was $1,866,100; in 1851, $774,397; and in 1852, $999,410.

CONDITIONS IN 1853.

By 1853 (in spite of an annual coinage of over a million dollars in halves, quarters, etc.) there was not enough subsidiary silver for small change, and we were on practically a gold basis. By the act of this year the values of the minor silver coins were reduced so as to stop their exportation, and what was a still more important act, these were made a limited legal tender for all amounts not exceeding $5. This was the first step in the impairment of the double standard, established by the gold act of 1834.

CAUSES.

There were good reasons for this action. Silver was scarce, gold was plentiful, and it had been found necessary to coin silver in small denominations and with smaller proportionate values than the standard dollars to keep them at home for domestic use.

INCREASED GOLD OUTPUT.

The world's supply of gold had suddenly increased because of the California and Australian output. From an annual product of about $13,482,000 in the period from 1831 to 1840, it reached $132,500,000 after 1850. The natural result was to raise the value of silver and to lower that of gold.

NO SILVER IN CIRCULATION.

Then, too, we had no silver dollars in the country, or at least not in sufficient quantities to figure largely as a circulating medium. We had coined none from 1806 to 1836, and from 1836 to 1853 we had only coined of dollars 1,067,373, all the other silver coinage in this period being of minor money.

GOLD THE ACTUAL STANDARD.

While, therefore, after 1853, except for the minor coins, the double standard was the law, yet the actual condition was that of a single gold standard.

RÉSUMÉ.

Let us briefly review—

The act of 1792 made the silver dollar the unit, at 15 to 1; those of 1834 and 1837 changed the ratio to 16 to 1; that of 1853 reduced the values of the minor silver coins and limited their legal tender to $5.

While the acts of 1834 and 1837 made the eagle of gold a co-unit with silver, they did not repeal the act of 1792, which based the unit of a bimetallic money on the silver dollar.

But from the causes already named 1853 found us with a practically single gold standard, with gold as the cheaper and more plentiful metal. While silver dollars were a full legal tender, they were not greatly used, because they were usually worth more abroad than at home and were exported. Gold was the chief and sole base for coin currency.

SILVER DOLLARS COINED UP TO 1853.

We could not, indeed, have had many silver dollars then, because the total coinage of these up to 1853 had been only $2,506,890. This condition obtained until the exigencies of the civil war drove all coin money out and gave place to bonds, greenbacks, and national-bank notes.

GOLD STANDARD INTENDED.

There is no doubt as to the intention of the lawmakers at that time on this point. They were legislating for a single gold standard, although they left the silver dollar as a co-unit. That this was the end sought is shown by the remarks made by the chairman of the Committee on Ways and Means:

We mean to make gold the standard coin, and make these new coins—

The subsidiary silver of proportionately less value—

applicable and convenient, not for large, but for small transactions.

Another member of the same committee said:

We have had but a single standard for the last three or four years; that has been and now is gold. We propose to let it remain so, to adapt silver to it, to regulate it by it.

In 1861 came the civil war, the tremendous expense account of the Government, the exhaustion of our current money, and later the issues of paper money in Treasury notes and bonds and national-bank notes.

HISTORY OF THE ACT OF 1873.

This act, concerning which so much has been said, was introduced in the Senate April 25, 1870; was considered through five sessions of Congress, and became a law February 12, 1873.

It has been charged that this bill demonetized silver, not openly, but by means of an amendment not fully known or understood except by a few. Let us follow the course of this bill.

THE ORIGINAL BILL.

As originally presented, April 25, 1870, section 14 made the gold dollar of 25.8 grains the standard of value, the unit of computation.

Section 15 provided that the weight of the silver coins should be for the half dollar 192 grains (the dollar was not mentioned), with proportionate values for the quarter, 25-cent piece, and dime; and that these should be legal tender for $1.

Section 18 enacted that no coins other than those mentioned that is, gold and minor silver) should be thereafter coined.

SILVER DOLLAR PIECE DISCONTINUED.

On page 11 of the report which accompanied this original bill are the following words:

The coinage of the silver dollar piece is discontinued.

The discontinuance of the silver dollar piece is pointed out by the committee three times in other places in this report. In all the discussions and in every form of the bill these two features, making the gold dollar the standard unit of value and the omission of the silver dollar (of 412½ grains), remain unchanged. Indeed sections 14 and 18 were never changed, but passed absolutely as first presented in the original bill.

SILVER SECTION.

Section 15 passed through enough changes to warrant the idea that its every provision was understood by all fully. In the Senate it first went through unmodified—36 to 14—(January 10, 1871), Senator SHERMAN voting against and Senator STEWART of Nevada voting for it.

LEGAL TENDER FIVE DOLLARS.

In the House committee this section was amended to make the legal tender $5; but, owing to lack of time, the bill went over.

On March 9, 1871, Mr. Kelly, in the House, reported the same bill as amended by the previous House committee; that is, with the legal tender raised to $5; and, except for the 5-cent piece, it was an exact reproduction of the law of 1853. No silver dollars were to be coined, and this minor coinage was to be a legal tender for $5 only.

A 384-GRAIN DOLLAR.

In the discussion it was shown that some desired to have a silver dollar included, although all agreed that its legal tender should be limited, and that its contents should be not 412½ grains, but twice that of the proposed half dollars, or 384 grains.

On February 13, 1872, Mr. Hooper reported it back as H. R. 1427, with these provisions:

SEC. 16. That the silver coins of the United States shall be a dollar, a half dollar, a quarter dollar, and a 10-cent piece, and that the weight of the dollar shall be 384 grains, the half and other coins in proportion, and that these shall be legal tender for $5.

This passed the House May 27, 1872. It will be noted that this is not the old standard dollar of 412½ grains, but a subsidiary coin for change and of limited legal tender.

TRADE DOLLAR.

There were some who desired to attempt a competition in the East Indies with the Mexican dollar, and through these the bill was still further modified. As it was finally passed, in the Senate January 17, 1873, and House February 7, 1873, the silver clauses were as follows:

A trade dollar of 420 grains for this export trade, although it was made a legal tender and so remained until July 22, 1876, for $5 at home; a half dollar of 12½ grams (on the basis of a silver dollar of 396 grains); and minor coins of proportionate value.

All these were made legal tender for $5 only. A 5-cent piece of silver was included in the copper and nickel coins.

412½-GRAIN DOLLAR NEVER IN THE BILL.

From the foregoing it is plain that the silver dollar of 412½ grains, "the dollar of the fathers," was not dropped out surreptitiously, because it was never in the bill to be dropped out. No one wanted it there. First they had a half dollar (no dollar), then a dollar of 384 grains, then a trade dollar for the Pacific Coast trade to the East Indies, and a half dollar of 12½ grams or 198 grains (at the rate of 396 grains for a dollar), and all this silver was, from first to last, a limited legal tender for from one to at the end five dollars.

WHY WAS SILVER DROPPED OUT?

In his speech (House, April 9, 1872, Congressional Globe, pages 2306–2308, volume 102), one of ten columns, by the way, Mr. Hooper, for the committee, said:

SILVER DOLLARS NOT A CIRCULATING COIN.

Section 16 reenacts the provisions of the existing laws defining the silver coins and their weights, respectively, except in relation to the silver dollar, which is reduced in weight from 412½ to 384 grains, thus making it a subsidiary

coin in harmony with the silver coins of less denomination to secure its concurrent circulation with them. The silver dollar of 412½ grains, by reason of its bullion or intrinsic value being greater than its nominal value, long since ceased to be a coin of circulation, and is melted by manufacturers of silverware. It does not circulate now in commercial transactions with any country, and the convenience of these manufacturers in this respect can better be met by supplying small stamped bars of the same standard, avoiding the useless expense of coining the dollar for that purpose.

MR. STOUGHTON SAYS SILVER DOLLAR IS TOO VALUABLE.

On the same day Mr. Stoughton made a speech of seven columns, in which he said (same volume, page 2308):

The silver coins provided for are the dollar (384 grains troy), the half dollar, quarter dollar, and dime, of the value and weight of one-half, one-quarter, and one-tenth of the dollar, respectively; and they are made a legal tender for all sums not exceeding $5 at any one payment. The silver dollar as now issued is worth for bullion 3½ cents more than the gold dollar, and 7½ cents more than two half dollars; having a greater intrinsic and nominal value, it is certain to be withdrawn from circulation whenever we return to specie payment, and to be used for only manufacture and exportation as bullion.

MR. POTTER DECLARES LEGAL TENDER SHOULD BE GOLD.

Mr. Potter, in discussing this part of the bill, said:

Mr. Speaker, this is a bill of importance. When it was before the House in the early part of this session I took some objections to it which I am inclined now to think, in view of all the circumstances, were not entirely well founded; but after further reflection I am still convinced that it is a measure which it is hardly worth while for us to adopt at this time. * * * This bill provides for the making of changes in the legal-tender coin of the country and for substituting as legal-tender coin of only one metal, instead as heretofore, of two. I think myself this would be a wise provision, and that legal-tender coins, except subsidiary coin, should be of gold alone. But why should we legislate on this now, when we are not using either of those metals as a circulating medium?

The bill provides also for a change in respect of the weight and value of the silver dollar, which I think is a subject which, when we come to require legislation about it at all, will demand at our hands very serious consideration, and which, as we are not using such coins for circulation now, seems at this time to be an unnecessary subject about which to legislate. (Page 2310, volume 102.)

MR. KELLEY FAVORS GOLD AS STANDARD AND SILVER AS SUBSIDIARY MONEY.

And Mr. Kelley (who is reported as having said afterwards that he "did not know that the bill omitted the standard silver dollar") said on this same day (Globe, volume 102, page 2316):

I wish to ask the gentleman who has just spoken [Mr. Potter] if he knows of any government in the world which makes its subsidiary coinage of full value? The silver coin of England is 10 per cent below the value of gold coin, and, acting under the advice of the experts of this country and of England and France, Japan has made her silver coinage within the last year 12 per cent below the value of her gold coin, and for this reason it is impossible to retain the double standard. The values of gold and silver continually fluctuate. You can not determine this year what will be the relative values of gold and silver next year. They were 15 to 1 a short time ago; they are 16 to 1 now.

Hence all experience has shown that you must have one standard coin which shall be a legal tender for all others, and then you may promote your domestic convenience by having a subsidiary coinage of silver, which shall circulate in all parts of your country as legal tender for a limited amount and be redeemable at its face value by your Government. But, sir, I again call the attention of the House to the fact that the gentlemen who oppose this bill insist upon maintaining a silver dollar worth 3½ cents more than the gold dollar and worth 7 cents more than two half dollars, and that so long as those provisions remain you can not keep silver coin in the country.

In another place in the same speech Mr. Kelley said:

Every coin that is not gold is subsidiary. I repeat it, sir. Every coin that is not gold is subsidiary.

SENATOR STEWART DECLARES FOR GOLD.

Speaking on another subject a few months afterwards, Mr. STEWART, then as now a Senator from Nevada, said (page 1392, volume 2, part 2, CONGRESSIONAL RECORD):

I want the standard gold, and no paper money not redeemable in gold.

And about two weeks later, on February 20, 1874, the same gentleman said (same volume, page 1677):

By this process we shall come to a specie basis, and when the laboring man receives a dollar it will have the purchasing power of a dollar, and he will not be called upon to do what is impossible for him or the producing classes to do, figure upon the exchanges, figure upon the fluctuations, figure upon the gambling in New York; but he will know what his money is worth. Gold is the universal standard of the world. Everybody knows what a dollar in gold is worth.

These are the words of Senator STEWART before he became simply the representative of a special interest.

PUBLIC DISCUSSION OF ACT OF 1873.

It has been charged that very little was said in the public press about this legislation. To this the answer is that in 1873 neither metal was in circulation; and it was also simply a reiteration of what had been a commercial condition for more than twenty years. The bill itself had been before Congress three years; its every provision had been fully discussed; it was finally passed with only the addition of the trade dollar, and there was not much worthy of extended comment.

THE PRODUCTION OF GOLD AND SILVER.

The legislation of 1853 and 1873 was based on commercial conditions which in turn were largely caused by the variation in the output of these two metals, both in the United States and in the world. Let us briefly study these and see why, from 1853 to 1873, and even for a few years afterwards, gold was the more plentiful and cheaper; why, later, the price of silver fell so that the two were on a parity; why it kept on falling to far below this limit; and finally, why in recent years the change in the ratio of production has tended and still tends strongly to induce the belief that a few years more will see them near the former parity.

GOLD IN THE UNITED STATES.

Up to the year 1848 our annual output of gold had never exceeded a million, except a trifle in two years. In that year it suddenly rose to ten millions (an amount equal to the total annual world product up to 1840); in 1849 to forty millions; in 1850 to fifty millions, and ranged from that figure to sixty-five millions up to 1860. Then for five years it ranged from forty to forty-six, and from 1865 to 1870 averaged over fifty millions. For the next five years it averaged under forty, to go to fifty-one millions in 1878, and ranged from thirty in 1883 to $39,500,000 in 1894. It did not touch the forty-million mark after 1871, except $51,200,000 in 1878. The recent increase dates from 1892, when it was at the low-water mark of $33,000,000. In 1893 it went to $35,900,000. In 1894 it reached $39,500,000. The product of 1895 has not yet been stated by the Director of the Mint, from whose report all the foregoing figures have been taken, but Mineral Industry, an authority on such subjects, under date of April 10, 1896, gives the United States gold product as $46,830,000, or an increase of over seven millions. The Director of the Mint, under date of April 14, 1895, estimates the 1895 product as about $47,000,000, a substantial agreement with the figures of Mineral Industry.

GOLD IN THE WORLD.

The gold product of the world had averaged for many years before 1840 a little over ten millions per year. In the ten years from 1841 to 1850 this suddenly rose to the then unprecedented figure of $36,393,000. Not content with this enormous gain, the next five years, 1851 to 1855, showed a product of more than three and a half times as great, $132,513,000, or the immense sum of $662,566,000 for the five years. From 1856 to 1860 it averaged $134,083,000; fell off eleven millions in the next five years; rose to $129,614,000, 1866 to 1870; fell to $115,577,000, 1871 to 1875; to $114,585,000, 1876 to 1880, and to $99,116,000, 1881 to 1885. This was the gold low-water mark for the world for the past forty years. Since that time it has steadily increased, until for the year 1892 it reached a sum higher than ever before known—to the enormous total of $146,815,100. For 1893 there was a further increase of nearly eleven millions to $157,287,600, while the amount for 1894 is twenty-three millions more—to the vast quantity of $180,626,100. The estimated output for 1895 is over $203,000,000; that of 1896 nearly if not quite $250,000,000, while conservative estimates put the world's gold product within five years at $300,000,000 per annum.

COUNTRIES OF INCREASE.

It may be well to see whence this great increase has come. It will also enable us to estimate as to the future. The principal gold producing countries for the year 1894 were, in order and amounts, as follows:

Australasia	$41,760,800
Africa	40,271,000
United States	39,500,000
Russia	24,133,400
China	8,556,800
Mexico	4,500,000
Total from six countries	158,722,000

Of the above, China shows no increase; it and all other nations remain about the same year by year. The recent and future increases are to be found and expected in Africa, Australasia, United States, Russia, and Mexico. These increases have been as follows:

	1893 over 1892.	1894 over 1893.	1895 over 1894.*
United States	$2,900,000	$3,545,000	$7,330,200
Australasia	1,529,600	6,072,200	7,000,000
Africa	4,711,500	11,328,500	15,000,000
Mexico	176,100	3,194,700	5,000,000
Russia			3,000,000
Increase	9,317,200	24,140,400	37,330,200

*Estimated.

The increase for 1896 over 1895 is estimated by experts to be: United States, $10,000,000; Australasia, $10,000,000; Africa, $20,000,000; Mexico, $5,000,000; a total of $45,000,000.

SILVER IN THE UNITED STATES.

From 1792 to 1834 the product of silver was insignificant; from 1834 to 1844 it is estimated at a total of $250,000; from 1845 to 1857, both inclusive, it is given as $50,000 per year. In 1858 it went to $500,000; 1859, fell to $100,000; 1860, $150,000; in 1861 it rose suddenly to $2,000,000; went to $4,500,000 for 1862; $8,500,000 in 1863; and ranged from eleven millions to sixteen millions up to 1871. In that year it reached twenty-three, and varied from twenty-eight to forty-eight millions up to 1885. The demonetization took place in 1873; resumption and the use of coin money

took place in 1876. From 1874 to 1884 there was only a slight increase, the highest figure, in 1884, being $48,800,000. In 1885 it reached $51,600,000; rose to fifty-three in 1887; to fifty-nine in 1888; to sixty-four in 1889, and touched seventy millions in 1890. In 1891 it went to $75,417,000; in 1892 it reached the high-water mark—the highest ever known, and from which it is now steadily receding—$82,101,000, only to fall off in 1893 to $77,576,000, and to $64,000,000 in 1894.

COMPARATIVE INCREASE.

From 1874 to 1894 silver increased $26,700,000; in the same time gold increased a little more than six millions, but there was no appreciable increase in silver until 1885.

SILVER IN THE WORLD.

The annual average coinage value of the silver produced in the world has been, from 1545 to 1761, $12,450,000 to $22,162,000. From 1761 to 1860 it ranged from $19,144,000 to $37,618,000; 1861 to 1865 it was $45,772,000; 1866 to 1870, $55,663,000; 1871 to 1875, $81,864,000; while from 1876 to 1880 it rose to an annual average of $101,851,000, and 1881 to 1885 to $118,955,000. The values for 1886 and 1887 were, respectively, $120,213,611 and $126,095,062. It continued to rise steadily some twelve millions per year to 1893, when it was $214,745,300. The year 1894 only showed a slight advance—a trifle over two millions for that period. As the output in the United States has fallen off thirteen and a half millions from 1893 to 1894, and as the same conditions prevail throughout all the precious metal producing countries, it is certain that the returns for 1895 will show a falling off of some $15,000,000, and that of 1896 of some $25,000,000.

COINAGE VS. COMMERCIAL VALUE.

The foregoing figures as to silver, being based on the United States coinage value, are not a true guide as to the actual market value. From 1833 to 1850 the average price of a fine ounce of silver was about $1.31, or 60 pence. In 1850 and up to 1872 it ranged at about $1.33, or 61 pence, only touching $1.36, or 62 pence, in 1859.

AVERAGE BULLION VALUE.

In 1873 the average bullion value of the silver dollar was $1.004, making it more valuable than a gold dollar. For 1874 it was 0.988; 1875, 0.964; 1876, 0.894; 1877, 0.929, and has not reached the 0.90 mark since. In 1886 it got into the seventies, rose to 0.81 in 1890, to fall to 0.764 in 1891, to 0.674 in 1892, to 0.603 in 1893, and to 0.491 in 1894.

1873 AND 1894.

In 1873 a silver dollar containing 371.25 grains of pure silver would purchase only 369.77 grains of the same silver. The coined value was 1½ grains less than its commercial value.

In 1894 this same dollar would purchase 756.04 grains, or twice itself and 5½ grains over.

THE TURN IN THE TIDE.

For the ten months (to October 30) of 1895 this average bullion value had risen from 0.491 to 0.505. This considerable rise is due to the decrease in the output of white and the increase in that of yellow metal during the last two years an increase that is sure to be continued for the next year and to assist in absorbing the surplus of white metal in the world.

WHY WHITE METAL FELL IN VALUE.

Did silver fall, or did gold get scarcer and grow dearer? We have shown that in the United States the gold product held steadily at over thirty and (except in 1877–78) under forty millions from 1874 to 1894; that in the world for this same period it had steadily increased from $115,577,000 to $180,626,100. Evidently during this period gold did its full duty and earned the repute of a metal of stable and sufficient increase in output.

Silver first came to be a factor in the United States in 1861, when $2,000,000 were produced; in 1864 it was $11,000,000; in 1874, $37,300,000; in 1884, $48,800,000, with from fifty-one to eighty-one millions per year thereafter.

The world product had gone from an annual average coinage value of $81,864,000 in 1874 to $118,955,000 in 1884 and $216,892,000 in 1894.

From 1874 to 1894 silver did not make nearly so great a proportional gain as did gold from 1841–1850 to 1851–1855.

THE PROPORTION OF METALS.

For three hundred years, 1545–1840, during which time Spain had poured the wealth of her American silver mines into the markets of the world, the general average proportion of the values of the two metals produced had been about 33 per cent for gold and 67 per cent for silver. From the period 1841–1850, up to that of 1876–1880, this proportion was about 66 per cent for gold and 34 per cent for silver—much greater than the three-century average; from 1881 to 1894 gold was still 44 per cent, while for 1894 it was 45.6 per cent. It is well to note this average carefully, for, by a strange coincidence, this per cent is exactly the relative proportion of the metallic money of the world which gold has furnished in the four hundred years since 1493. This gold per cent will be even higher than this average for 1895 and 1896.

SILVER COINAGE.

KELLEY-BLAND BILLS.

In 1876 Mr. Kelley (Pennsylvania) introduced a bill for the coinage of standard (412½ grains) dollars and to make them an unlimited legal tender. The same year Mr. Bland (Missouri) introduced a bill for the unlimited issue of Treasury notes in exchange for gold and silver bullion.

Both these measures were considered, and in March, 1877, a commission of Senators and Representatives made a report on the relations of gold and silver.

The Kelley bill, as modified and championed by Mr. Bland, passed the House November 5, 1877. It provided, with the Bland amendment, for the free and unlimited coinage of 412½-grain dollars, and made these an unlimited legal tender except where otherwise specified by contract.

BLAND-ALLISON ACT.

The Kelley-Bland bill was modified in the Senate and became known as the Bland-Allison bill. As modified in the Senate and as finally passed it restricted the coinage to the four millions per month which the Secretary of the Treasury was to purchase, and it gave to the public Treasury the seigniorage or profit on these purchases and coinages. The silver thus to be coined was made an unlimited legal tender except for certificates of deposit of gold and silver bullion under the act of 1863 and in cases where other money had been stipulated by contract. Section 3 authorized the deposit of these dollars and the issuance of (silver) certificates therefor. It became a law over the President's veto February 28, 1878.

BLAND AND CONGER BILLS.

In 1886 Mr. Bland again introduced a bill for the free and unlimited coinage of silver—that is, giving to the mine owner and bullion producer the whole profit of the seigniorage or difference between the actual cost and the legal-tender value of the dollar when coined.

Mr. Conger introduced another bill, embodying the views of Secretary Windom, allowing owners of silver to deposit it and receive Treasury notes to the amount of its then market value, these to be redeemed when presented at its then value.

THE SHERMAN LAW OF 1890.

The Conger bill, as modified, was finally passed and became a law July 14, 1890, and is known as the Sherman law.

It directed the purchase of 4,500,000 fine ounces of silver each month at not to exceed $1 for 371.25 grains of pure silver, and to issue Treasury notes therefor. These notes were to be redeemable on demand, in coin, and could be reissued. They were made legal tender for all debts, public or private, except where otherwise expressly stipulated, and for customs, taxes, etc., and when so received could be reissued. They could also be counted as part of the lawful money reserve of national banks. The act further provided that upon demand of holder the Secretary of the Treasury should redeem such notes in gold or silver, at his discretion, it being (says the act) the established policy of the United States to maintain the two metals on a parity with each other upon the present legal ratio or such ratio as may be provided by law.

Section 3 provided for the coinage until July 1, 1891, of $2,000,000 per month; after that date as much as needed to redeem Treasury notes issued under this act.

Any gain or seigniorage arising from such coinage was to be accounted for and paid into the Treasury.

WHAT IS GAIN OR SEIGNIORAGE?

The Bland bill as it passed the House November 5, 1877 (it did not become a law), allowed any owner of silver bullion to deposit it and receive for every 371.25 grains of pure silver (412½ grains of standard silver) a coined dollar which should be an unlimited legal tender. He was only to pay the half per cent mint charge for this great privilege. All the profit in this transaction was to go, not to the Government, not to the people through the Government, but to the mine owner, the bullion producer. In 1886 Mr. Bland introduced another bill with the same provisions. Mr. Plumb's amendment to the Conger bill, adopted by the Senate June 10, but which also failed to become a law, had the same provisions.

All three of these were in the direct interest and to the sole advantage of the mine owners. All profits or gains in the business went not to the Government to help lighten the burden of the people, but for the profit and gain of a particular class.

PROFITS OF SEIGNIORAGE.

Let us see what these profits were. Under free coinage, on an average in 1878 bullion worth 89.1 cents when deposited by the mine owner would have entitled him to have received from the mint a legal-tender dollar worth 100 cents in silver or in gold. He would have made a net profit, not counting the small charge for coinage, of 10 cents, a profit gained at the expense of the whole people.

In 1886 this same bullion was worth only 76.9 cents, giving to this same class a net profit of 23 cents and making a net cost to

all the people of 23 cents for the inestimable privilege of allowing the mine owners the chance of using the Government and people of these United States as a stalking horse. It would make their dollars cheaper to the mine owners, of course. How would it help those who had to buy these same silver dollars by the sweat of their brows and at the full price of 100 cents on the dollar?

Had this provision, so beneficent to the mine owner, been in operation in 1894, the dear people would have been giving the mining men a 100-cent dollar coined for silver bullion which had cost the same mining people just 49.1 cents. The people of these United States may be lying awake of nights sighing for more silver, which, by the way, they will not accept when given them if they can help it, preferring the paper equivalent, but they should not be compelled to subsidize any class of our citizens, however meritorious they may be, to the extent of taking 49 cents worth of silver and stamping it a dollar and handing it back to them. This may, indeed, make more money, but it makes it into the wrong pockets, into the pockets of the mine owners, from which the people will have to get them out by a well-known system of purchase at full price.

WHAT FREE COINAGE WOULD HAVE COST.

Let us calculate the result of such financial legislation; let us see what it would have cost the people of these United States to have given the free coinage at the dates stated.

In 1878 the average cost of silver bullion, enough to make a standard silver dollar, was 89 cents. In that year we coined 22,495,550 of these dollars. At 11 cents on the dollar it would have cost the country just $2,474,510.50 to have thus accommodated the silver-mining interests of the country.

In 1886 we coined 31,423,886 of these dollars out of bullion which cost only 77 cents for each coined dollar, and which, had this been done under the free-coinage provisions, would have cost the people the considerable sum of $7,227,493.78, and which would have been a direct contribution on the part of Congress of the public funds to the profits of the silver-producing interests of the country. A more monstrous instance of attempted diversion of public money was never attempted.

THE SHERMAN LAW.

Under the operation of the Sherman law of 1890 it was found that the Government was purchasing 54,000,000 ounces of silver per year, or nearly all that was produced in the United States. This silver was stored in the Treasury vaults, and Treasury notes issued for the same, which were redeemable in gold on demand. It can be readily seen that it would be only a question of time when the Government would be obliged to suspend gold payments and reach a silver basis if this was continued.

REPEAL OF THE SHERMAN LAW.

At a special session of the Fifty-third Congress, called in August, 1893, after a long and spirited debate, the so-called Sherman law, on November 1, was repealed.

AMOUNT OF SILVER IN USE AS MONEY.

There is a widespread misunderstanding as to the actual amount of silver in use as money by the Government. At the present time there is coined in the shape of silver dollars, either in the vaults or in circulation, silver bullion deposited to secure Treasury notes, and subsidiary silver, the enormous amount of $627,925,632, all of which is in actual use as money. The total amount of gold in use in the United States is $618,875,157; of greenbacks, $346,681,016. So it will be seen that there is more silver in use than any other kind of money, and I believe it would be greatly to the interest of the Government and of the people if all paper money under $5 could be retired and the silver dollar put in its place to do its work, instead of being stored in the Government vaults. This is the case in France, Germany, and England, where but very little, if any, paper or gold can be found of a less denomination than £1 in England, 20 marks in Germany, and 20 francs in France, practically approximating $5 of American money.

THE GOVERNMENT DEBT.

Now, Mr. Speaker, before closing, I wish to call the attention of the House to a few hard facts. Under Republican tariff laws, during the period from the 1st of September, 1865, up to the time President Cleveland was inaugurated in 1893—twenty-seven and one-half years—the Government debt and obligations were reduced $1,881,367,873, or an average of $68,632,000 per year. The per capita debt in 1865 was $78; in 1893 it had been reduced to $12.55. This is certainly a fair showing, for it covers the whole period from the close of the war until the Democrats secured full control of all branches of the Government. Notice the great difference between the financial policies of the two parties. Since the 1st of March, 1893, until the 1st of March, 1896—a period of three years—the interest-bearing debt has increased $260,000,000, or an average of nearly $87,000,000 per year, against a decrease of nearly $69,000,000 per year under a Republican Administration for the previous twenty-seven years.

DEMOCRATIC ADMISSION OF DEFICIENCY.

Mr. DOCKERY, an eminent light of Democracy, member of the Committee on Appropriations, in the House, April 29, 1896 (RECORD, page 4971), makes the following statement:

Mr. Speaker, I desire to make a simple statement to the House. For the fiscal year ended June 30, 1894, the revenues of the Government failed to meet current expenses by $69,803,260.58. During the last fiscal year the current income was inadequate to meet current liabilities by $42,805,223.18, and it is now estimated that the deficiency in current revenues for the present fiscal year will be not less than $25,000,000.

These are facts and official figures, and it would seem to me that comment is unnecessary.

FREE COINAGE OF SILVER.

The time has come, I think, Mr. Speaker, when the Republican party should set its face firmly against the free coinage of silver, except by international agreement. I have been willing to do all in my power to maintain as large an amount of silver as possible in circulation, and the figures I have given are proof conclusive that the Republican party has done its full duty, and reached the limit so far as the free coinage of silver is concerned, and in the coming campaign it should be true to its past record for honest money, and give the great financial enterprises and financial institutions the stability that can only be reached by a firm declaration against a debased currency. Under present conditions the opening of our mints to free coinage is an impossibility. It means ruin and bankruptcy to many millions of people.

LET THE WHEELS OF PROGRESS MOVE.

Now, Mr. Speaker, we have but lately witnessed the spectacle of certain advocates of free silver in the upper House of this Congress allying with Democrats and Populists, and taking the great industrial interests of this country by the throat, and saying to 70,000,000 people that there shall be no financial legislation, no tariff legislation, until silver is recognized, or, in other words, until the mints are opened to the free coinage of silver. There can be but one answer, Mr. Speaker, to such a proposition as this, and I believe at the polls in the coming election the people will rise in their might and demand that the advocates of this interest shall no longer bar the wheels of progress or prevent the Fifty-fifth Congress from enacting such wise protective tariff laws as will not only furnish ample revenue for the needs of the Government, but protection to all the great agricultural, laboring, and industrial interests.

SUMMARY.

I have endeavored, Mr. Speaker, in these few remarks to give a history of the finances of this Government since the war, also showing the production of silver and gold for the past three hundred and fifty years, believing that the enormous production of silver during the past ten years has had much to do with its present bullion value, and also believing, Mr. Speaker, that the great increase in the production of gold and decrease in the production of silver since 1892, if continued for a few years, will do much to bring these metals more nearly together in bullion value.

Bankruptcy, Its Cause and Remedy—The Silver Party, Causes of its Creation and Growth—Plan of Organization.

SPEECH

OF

HON. FRANCIS G. NEWLANDS,

OF NEVADA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 29, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 8110) to establish a uniform law on the subject of bankruptcies throughout the United States—

Mr. NEWLANDS said:

Mr. CHAIRMAN: I am in favor of the provisions of this bill which relate to voluntary bankruptcy and I am opposed to those which relate to involuntary bankruptcy. I am in favor of the provisions relating to voluntary bankruptcy because they are in favor of the debtor. I am opposed to the provisions relating to involuntary bankruptcy because they are in favor of the creditor, and in my judgment, the legislation of the past twenty years having been in favor of the creditor and against the debtor, in favor of increasing the value of that which the debtor has to pay and of diminishing the value of that which he sells for the purpose of payment, it is now time that there should be some legislation directed to the relief of the debtors of the country and of them alone.

We have all observed the difference between the treatment of corporate and individual debtors within the past three years of distress. We have observed corporations going into the hands of

receivers, their property protected, their income diverted into betterments instead of being absorbed in interest payments, and we have seen plans of reorganization inaugurated and carried out, debts scaled, both in principal and interest, and extended as to time, thus relieving the ultimate owners of the property.

Have there been any such methods of relief for individual debtors? No. The stockholders in a corporation are protected by reorganization, by scaling of debts, by scaling of interest, by extension of time; but no such relief is offered to the individual debtors. On the contrary, their difficulties multiply as distress increases. Every expedient of obtaining money is resorted to, interest increases, heavy commissions for loans are paid, extensions of time are denied, income diminishes, until finally, overwhelmed by attachments, and foreclosures, they are driven to the wall and compelled to surrender all. It seems to me it is our duty to insist that they shall at all events be free from a mortgage on the future, on the courage, the enterprise, and the energy which may enable them to rebuild their shattered fortunes.

CAUSES OF BANKRUPTCY.

Now, Mr. Chairman, we are to devote three or four days to the consideration of a bill intended for the relief of the bankrupts of the country. How is it that so much time is devoted to the relief of these people thus compelled to surrender everything, while so little time has been given by this House to the consideration of the causes which have led the country into bankruptcy, of the causes which have involved loss and destruction to so many of the enterprising, the industrious, and the energetic of our country? How is it that industrial and financial measures have had so little time allotted for consideration, while this measure, merely palliative in its character, merely intended for the relief of the unfortunate after all is gone, is to have four or five days devoted to its discussion and consideration? With the indulgence of the House, I propose to devote the few minutes allotted to me not so much to the details of this bill as to the consideration of the causes which have brought about the distress prevailing in this country and increasing in severity every day and every hour; causes which thus far have received but little consideration in debate because of the limited time thus far given to the financial and tariff legislation of this House.

DISTRESS IN SOUTH AND WEST.

Where is this distress located? We find it mainly in the West and the South. Take a railroad map of the country—mark the railroad lines in the hands of receivers, comprising about one-third of the railroad mileage of the country, railroads whose conditions sympathize with those of their patrons, and you will find the area of distress not in the New England or the Middle States, the seat of the protected industries of the country, but you will find it in the mining States, in the wheat-growing region, and in the cotton-growing region. And no better test of the prosperity or distress of a section can be found than the condition of its railroads which transport the things produced and consumed by the communities through which they pass.

And what is the cause of the distress in this vast area? It is found in the destruction of the mining industry of the far West and the decline of the wheat-growing industry of the West and the cotton-growing industry of the South.

In six States and three Territories the silver-mining industry is the basic industry on which commerce, agriculture, banking, and transportation depend, just as coal mining and iron mining are the basic industries of Pennsylvania. That industry has been destroyed by brutal legislation, and consequently all the dependent and correlated occupations and industries in that region suffer and almost its entire railroad system is in the hands of receivers.

And so it is with the vast wheat-growing region. The price of their product has steadily declined from $1.25 a bushel to 65 cents a bushel. The price of that product has steadily fallen in the scale with the price of the ounce of silver, and so every dependent and correlated industry in that region suffers and its railroads are in the hands of receivers. And so it is with the cotton-growing region, the price of whose product, on which all other values in that region depend, has also declined *pari passu* with the fall in the price of the ounce of silver.

CAUSED BY ORIENTAL COMPETITION.

And to what is this due? To competition with the oriental countries, to competition with the silver-standard countries, a competition from which the favored regions of this country, the New England and the Middle States, have thus far been protected by a tariff wall of from 50 to 60 per cent. Where domestic products are exported the price of the exportable surplus fixes the price of the whole, and hence our wheat growers and cotton producers are compelled to accept for the domestic product the price of the exportable surplus. The price of wheat and cotton in the Liverpool market is the price here, differences in transportation being adjusted. What competitors have these wheat and cotton growing regions in the Liverpool market? The silver-standard countries, whose wages, always phenomenally low, are made doubly low in terms of gold by the constant depreciation of silver, or, rather, appreciation of gold. Silver there is worth as much as it ever was. In the silver-standard countries the ounce of silver will buy as much of human labor or of the products of human labor as it ever would. So that you find this condition of things: That as the ounce of silver buys as much of wheat or of cotton in those silver-standard countries as it ever would, the price of the ounce of silver in terms of gold fixes the gold price of our wheat and cotton; and hence the gold prices of our wheat and cotton have steadily declined as the gold price of the ounce of silver has declined. And so it is that the wheat and cottton producing regions traversed by these railroads which have been driven into the hands of receivers have been struggling with adversity for twenty years, until entire communities are bankrupt and attachments, sales, and foreclosures take the place of enterprise.

MENACE TO MANUFACTURING STATES.

And, gentlemen of the Eastern States, what danger threatens your region? Are you prepared to invite the competition of these silver-standard countries with the manufacturing industries of the New England and Middle States? Thus far the generosity of the country has given you a tariff law which has protected you against the cheap labor of Europe; but recollect you are about to contend with oriental labor, always exceptionally low, and now made doubly low by the decline in the gold price of silver. Do you not think that you are also interested in raising the price of silver, so as to increase the labor cost of silver-standard countries, whose manufactured products are now threatening to invade the country and to displace your own? And can you devise any way of increasing the price of silver except by increasing its use? So that you have not simply present conditions to meet—conditions brought about by the gradual paralysis of the wheat-growing, the cotton-growing, and the silver-mining industries of this country, covering a vast area, but you are about to meet a paralysis caused by the competition of those very countries in the production of manufactured goods. Your very financial policy, which refuses to use silver, which refuses to extend its use or to give it the value in relation to gold that it ought to have, is building up for the protected industries of New England and the Middle States a competitor whose products will slip in over any tariff wall which you may erect.

SILVER PARTY OF NEVADA.

My friend from Iowa asked us to avoid the discussion of party politics in the consideration of this bill. That is always my disposition. I stand here the single representative on this floor of the party to which I belong—the Silver party. I have no party organization associated with me; there is no one with whom I can consult except through that sympathetic interest which all friends of silver of whatever party feel in this burning question. But so far as I may devote myself to the economic consideration of this question, I do not propose to shrink from its just treatment, though it may involve the arraignment of both the old parties of the country, for they have stood together as twin brothers in all financial legislation, and are jointly responsible for the prevailing distress.

I wish to say, Mr. Chairman, that when Mr. Cleveland was first elected President I voted for him. He stood upon a platform which recognized silver as standard money, before that question had reached the prominence which it has since reached in this country. When renominated, on a platform which, for the first time in the history of the Democratic party since the demonetization act of 1873, was absolutely silent upon the silver question, I refused to vote for him and cast my vote for Benjamin Harrison, who stood on a platform which declared for the use of both gold and silver as standard money and condemned the course of the Cleveland Administration in opposing the rehabilitation of silver.

Harrison was elected President of the United States, receiving the support of the silver men who were in the Republican party and of many silver men who were Democrats, because he was supposed to favor the restoration of bimetallism; but the gold combination triumphed, for he early manifested hostility to free coinage, and fear of a veto was used to deter silver Republicans from passing a free-coinage bill and induced them to accept a compromise measure known as the Sherman law in its stead, a law whose beneficial operation was defeated by every effort of a hostile Administration acting in conjunction with England to depress instead of advance the price of silver.

INDEPENDENT ELECTORS.

Four years after that, when Benjamin Harrison and Grover Cleveland were both candidates on platforms opposed on the tariff question but almost identical on the money question, insincere declarations for bimetallism, coupled with "ifs" and "provisos" which made the mintage of silver in this country impossible, hypocritical professions intended to deceive the voters as to the great question which was then confronting the country, a mining congress, over which I had the honor to preside, met at Helena, Mont., a mining congress in which six States and three Territories were represented, composed of leading Republicans and

Democrats in that section, the peers of the citizens of any State in this Union in business capacity, courage, ability, and patriotism, and after long debate and deliberation that congress almost unanimously, by a vote of 264 to 27, declared that it was the duty of every man in that section who was devoted to the cause of bimetallism to repudiate both the candidates and the platforms of both the old parties and to unite in support of independent candidates for the electoral college who would be in a position to represent the principles approved by the conscience and judgment of the people of that section of the country. This was not the action of Populists, bent upon numerous reforms of our governmental and social organization, but the calm, deliberate, united judgment of conservative men who had differed on the lines of the old parties for years, and who, being hopeless of relief within their respective parties, declared for united action in the solution of what they regarded as the paramount issue of the day.

Their hope was that the independent electors of the mining States, united with Populist electors of the agricultural States, would hold the balance of power in the electoral college, and either force concessions there or throw the election into the House of Representatives. At that election every mining State, if my memory serves me right, declared against the Republican party, to which, previously, all had been attached, and the independent and Populist electors together numbered nearly 30, sufficient under ordinary circumstances to hold the balance of power, but the overwhelming and unexpected victory which Cleveland gained in Western States hitherto Republican made our effort for independent electors futile. So far as the State of Nevada was concerned, it remained true to the instructions of the Helena mining congress. Independent electors, nominated by the silver leagues, were ratified by both the Democratic and Republican State conventions, and were elected by a vote aggregating three-fourths of the voters of the State. From this action grew the silver party of Nevada, which elected me to Congress in 1892 over Democratic and Republican competitors, and again in 1894 over Democratic, Republican, and Populist competitors, who substantially pooled their vote against me. We there realized the advantage of uniting the silver vote on a platform devoted to the issue of silver, and in an organization whose name indicated its basic principle.

I trust and believe that the silver men of the United States will take lesson from that small State and learn the importance of effecting an organization that will not be embarrassed by the memory of old-party dissensions or weighted down by party mistakes or divided in its purpose by attempt at governmental and social reforms whose advocacy will repel as many as it attracts.

You will observe that the year 1892—often referred to by the members from the manufacturing States of the Union as the flood tide of a prosperity attributed to the McKinley Act—was a year of restlessness in the agricultural and mining States of the West, which resulted in a revolt against and the defeat of the Republican party. Why was this? Simply because the McKinley Act, while it protected the manufacturing States against the cheap labor of Europe, afforded no protection to the agricultural States against the competition of the cheap labor of oriental and silver-standard countries, whose efficiency in the production of food products was doubled by the low price of silver. The only protective act which could affect the agricultural States was a free-coinage bill, increasing the use and thus raising the price of silver; and so the Western and mining States swung away from the Republican party, as they will do again at the coming election. Part swung into the Democratic camp, part into the Populist camp, and Nevada swung into the Silver party camp.

The latter party alone shows signs of increasing strength. It has grown until now it promises to unite all the friends of silver in the Republican, Democratic, and Populist parties.

The people who desire the restoration of the money of the Constitution, regardless of past differences, will be united at the coming election. Four years of bankruptcy and suffering have been instructive, and there is abundant evidence that the lesson taught by Nevada four years ago will become epidemic this year, and that States enough to give a majority in the electoral college will follow the example we set for them.

ORGANIZATION OF THE NATIONAL SILVER PARTY.

On the 22d and 23d of last January there assembled in the city of Washington a representative body of men, representing the productive forces and business interests of nearly every State and Territory in this Union. The result of the deliberations of that great conference was the inauguration of a new political movement, having for its object the unification of the silver forces of the country regardless of former political affiliations. It put forth an address to the people of the United States reciting the causes that were bankrupting enterprise, starving labor, threatening the homes of our people, and planting the seeds of social discord and revolution, and proclaimed a platform upon which all patriotic men could unite to bring back conditions of social order and progress and restore the rule of the people.

They called a national convention to meet in the city of St. Louis on the 22d of July, at the same time and place that the Populist party had already named for the holding of their convention, the dates of both of which conventions were fixed at a later day than those set for the conventions of the two old parties in order that the earnest bimetallists of all parties might have an opportunity to unite and make effective their votes in the selection of a President of the United States who would represent the producing forces of the land and not the gold combination, as the candidates of the Democratic and Republican parties were likely to do.

A provisional national committee was appointed, and the work of organization has been started and is under good headway at the present time in four-fifths of the States of the Union.

As the sole representative in this body of the platform and principles enunciated by that great conference, having been twice elected upon that issue alone, I call your attention to the proceedings of that conference, as reported by its officers, and lay before this House and the country the principles of the American Silver organization, the address of the chairman of its national committee, and its plan of organization:

A CALL TO ACTION—THE SILVER CONFERENCE HELD AT WASHINGTON, D. C. JANUARY 22 AND 23, 1896, DECLARES FOR INDEPENDENT POLITICAL ACTION AND CALLS A NATIONAL CONVENTION AT ST. LOUIS, MO., JULY 22, 1896—PROCEEDINGS OF THE CONFERENCE AND ADDRESS OF THE CHAIRMAN OF THE NATIONAL COMMITTEE.

[Issued by the Provisional National Committee, room 83, Corcoran Building, Washington, D. C.]

A conference of bimetallists was held at Washington, D. C., on January 22 and 23, in response to the following call:

"AMERICAN BIMETALLIC LEAGUE,
"*Washington, D. C., January 4, 1896.*

"DEAR SIR: In pursuance of a resolution of the executive committee of the American Bimetallic League, adopted November 20, 1895, a copy of which is herewith inclosed, a conference of well-known and active advocates of the cause of independent bimetallism in the United States, who are prepared now to place the cause above party and to join in an independent movement to secure the restoration of the constitutional standard of gold and silver by the free coinage of both metals at the existing ratio, will be held at the Sun Building, Washington, D. C., January 22, 1896. The object of the conference is to deliberate on the situation at that time and to arrange for holding a national convention to nominate candidates for President and Vice-President, and for conducting a national campaign on the above issue. Recent events, it is believed, make such a conference more important than when the inclosed resolution was passed. You are respectfully invited to attend this conference and participate in its deliberations.

"Very truly, yours,

"A. J. WARNER,
"*President American Bimetallic League.*
"H. G. MILLER,
"*Chairman National Silver Committee.*
"R. C. CHAMBERS,
"*President National Bimetallic Union.*
"J. M. DEVINE,
"*Secretary American Bimetallic League.*"

Every State in the Union was represented, and the proceedings were harmonious throughout.

The speeches with which the proceedings were interspersed were of a high order of ability and dignified in tone, as befitted the momentous character of the question under consideration.

The committee on resolutions and address consisted of the following-named gentlemen:

Senator JOHN P. JONES, chairman.
Joseph Sheldon, of Connecticut.
J. H. Lorimer, of Pennsylvania.
Hon. J. L. MCLAURIN, of South Carolina.
H. F. Bartine, of Chicago, Ill.
Gen. A. J. Warner was subsequently added to the committee.

The committee reported the following:

RESOLUTIONS AND ADDRESS TO THE PEOPLE OF THE UNITED STATES.

The paramount issue at this time in the United States is indisputably the money question. It is between the gold standard, gold bonds, and bank currency on the one side and the bimetallic standard, no bonds, and Government currency on the other.

On this issue we declare ourselves to be in favor of a distinctively American financial system. We are unalterably opposed to the single gold standard and demand the immediate return to the constitutional standard of gold and silver by the restoration by this Government, independently of any foreign power, of the unrestricted coinage of both gold and silver into standard money at the ratio of 16 to 1, and upon terms of exact equality as they existed prior to 1873, the silver coin to be a full legal tender equally with gold for all debts and dues, public and private.

We hold that the power to control and regulate a paper currency is inseparable from the power to coin money; and hence that all currency intended to circulate as money should be issued and its volume controlled by the General Government only, and should be legal tender.

We are unalterably opposed to the issue by the United States of interest-bearing bonds in time of peace, and we denounce as a blunder worse than a crime the present Treasury policy, concurred in by a Republican House, of plunging the country in debt by hundreds of millions in the vain attempt to maintain the gold standard by borrowing gold; and we demand the payment of all coin obligations of the United States, as provided by existing laws, in either gold or silver coin, at the option of the Government, and not at the option of the creditor.

And whereas the demonetization of silver in 1873 enormously increased the demand for gold, enhancing its purchasing power and lowering all prices measured by that standard; and

Whereas since that unjust and indefensible act the prices of American products have fallen upon an average nearly 50 per cent, carrying down with them proportionately the money value of all other forms of property, except in peculiarly favored localities; and

Whereas such fall of prices has destroyed the profits of legitimate industry, injuring the producer for the benefit of the nonproducer, increasing the burden of the debtor and swelling the gains of the creditor, paralyzing the productive energies of the American people, relegating to idleness vast numbers of willing workers, sending the shadows of despair into the home of the honest toiler, filling the land with tramps and paupers, and building up colossal fortunes at the money centers; and

Whereas in the effort to maintain the gold standard the country has within the last eighteen months, in a time of profound peace and plenty, been loaded down with $162,000,000 of additional interest-bearing debt under such circumstances as to allow a syndicate of native and foreign bankers to realize a net profit of $10,000,000 on a single deal; and

Whereas another call is now pending for a further gold loan of $100,000,000, which, but for an outburst of popular indignation, would also have been negotiated in the same secret manner and through the same syndicate; and

Whereas it stands confessed that the gold standard can only be upheld by so depleting our paper currency as to force the prices of our products below the European and even below the Asiatic level, in order that we may sell in foreign markets, thus aggravating the very evils of which our people so bitterly complain, degrading American labor, and striking at the foundations of our civilization itself; and

Whereas the advocates of the gold standard persistently claim that the real cause of our distress is overproduction—that we have produced so much that it made us poor—which implies that the true remedy is to close the factory, abandon the farm, and throw a multitude of people out of employment, a doctrine that leaves us absolutely without hope for the future; and

Whereas the difference of exchange between silver-standard countries and gold-standard countries is equivalent to a bounty equal to the difference between the value of gold and silver in favor of the products of silver-standard countries exported to gold-standard countries, and a corresponding tariff against the products of gold-standard countries exported to silver-using countries; and

Whereas the cost of production otherwise in the Old World, and particularly in China and Japan, is far less than the cost at which similar products can be produced or manufactured in this country by American labor without reducing our farmers, miners, mechanics, manufacturers, and other industrial workers to the level of Chinese coolies: Therefore

Be it resolved, That over and above all other questions of policy we are in favor of restoring to the people of the United States the time-honored money of the Constitution—gold and silver, not one, but both—the money of Washington, and Hamilton, and Jefferson, and Monroe, and Jackson, and Lincoln, to the end that the American people may receive honest pay for an honest product; the American debtor pays his just obligations in an honest standard and not in a standard that is appreciated 100 per cent above all the great staples of our country; and to the end, further, that silver-standard countries may be deprived of the unjust advantage they now enjoy in the difference in exchange between gold and silver—an advantage which tariff legislation alone can not overcome.

We therefore confidently appeal to the people of the United States to leave in abeyance for the moment all other questions, however important and even momentous they may appeer, to sunder, if need be, all former party ties and affiliations and unite in one supreme effort to free themselves and their children from the domination of the money power—a power more destructive than any which has ever been fastened upon the civilized men of any race or in any age. And upon the consummation of our desires and efforts we invoke the gracious favor of Divine Providence.

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The address was read by Senator JONES, and never did he appear to better advantage. He seemed inspired by the occasion, and the clear-cut, epigrammatic sentences fell from his lips with splendid effect. Every clause was applanded, and at the close of the reading the whole conference rose as one man and cheered with the wildest enthusiasm.

Among other things, he said: "You will either be redeemed and disenthralled and the twentieth century will either be opened with a wave of prosperity or we will gradually go down to slavery. It is a question whether the poorhouses shall be turned into factories or the factories shall be turned into poorhouses."

Without the change of a word the address was adopted, and upon motion of ex-Congressman Hatch, of Missouri, the thanks of the conference were extended to the chairman and members of the committee for the "magnificent address."

ORGANIZATION.

Immediately after the reading of the address came the report of the committee on organization, which committee consisted of the following: Senator WILLIAM M. STEWART, of Nevada; I. L. Johnson, of Virginia; Richard McIntosh, of Utah; I. N. Stevens, of Colorado, and C. J. Hillyer, of Washington, D. C.

The report was as follows:

"That a convention of the qualified voters of the United States who believe in the principles this day enunciated by this conference, and who are willing to subordinate party allegiance and fealty to those principles, and to support the nominees of the national convention provided for by this conference, shall be held at the city of St. Louis, Mo., on the 22d day of July, A. D. 1896, at the hour of 12 o'clock noon.

"That the apportionment to such convention shall be one delegate for each Senator and Representative in the United States Congress from the several States and one delegate for each Delegate in Congress from the several Territories, and additional delegates for the several States and Territories based upon the silver strength as ascertained from the American Bimetallic Union.

APPORTIONMENT OF DELEGATES.

"The number of delegates apportioned to each State and Territory shall be as follows:

Alabama	40	New Hampshire	6
Arizona	6	New Jersey	12
Arkansas	30	New York	44
California	45	North Carolina	70
Colorado	70	North Dakota	12
Connecticut	15	Ohio	40
Delaware	3	Oregon	17
Florida	8	Oklahoma	10
Georgia	50	Pennsylvania	45
Idaho	10	Rhode Island	8
Illinois	50	South Dakota	15
Indiana	40	South Carolina	35
Iowa	35	Tennessee	24
Kansas	60	Texas	70
Kentucky	25	Vermont	8
Louisiana	20	Virginia	40
Maine	9	Washington	17
Maryland	9	West Virginia	12
Massachusetts	21	Wisconsin	15
Michigan	34	Wyoming	15
Minnesota	30	New Mexico	8
Mississippi	25	Utah	20
Missouri	45	District of Columbia	4
Montana	18	Indian Territory	5
Nebraska	51	Alaska	2
Nevada	15		

"That this conference appoint a provisional national committee, consisting of one member from each State and Territory, said committee to possess all powers usually possessed by national committees of political parties; said committee to serve until the holding of said national convention; said committee, or the portion thereof appointed by this conference, shall have full power to fill all vacancies, whether from the failure of this conference to appoint a full committee or from death, resignation, or otherwise; said committee shall select its own officers and adopt rules for its own government; said committee shall have its headquarters in the city of Washington, D. C.

"The mode of selecting delegates to said national convention shall be as prescribed by the national committee, subject to the following regulations:

"All delegates shall be elected at public conventions, or at public meetings, to be held either in the several States at large or in the several counties or districts of such States as the national committee may prescribe.

"No person shall be eligible as a delegate to any such convention or meeting, or shall sit as a delegate in said national convention, who is not in favor of the declaration of principles this day enunciated by this conference and who is not willing to subordinate party allegiance to the advancement of such principles and to support the nominees of said convention.

"The national committee shall proceed at once to organize the several States and Territories for the success of this movement."

A provisional national committee was selected and empowered to fill vacancies and make all necessary changes.

Dr. J. J. Mott, of North Carolina, was selected by the conference as chairman of the provisional national committee.

A finance committee was also appointed. The executive committee elected I. L. Johnson, of Virginia, as its treasurer.

Headquarters have been opened in the Corcoran Building, Washington, D. C., and the work of organization preparatory for the national convention actively begun.

All correspondence relative to the work of organization for the great political battle this year, to redeem our country from the rule of an alien gold power, should be addressed to

J. J. MOTT,
Chairman National Committee, 83 Corcoran Building, Washington, D. C.

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AN ADDRESS BY THE CHAIRMAN OF THE NATIONAL COMMITTEE.

To the people:

As chairman of the national committee appointed by the silver conference lately assembled in Washington City to organize the silver forces in these United States in the battle which is to take place for the possession of the Government this year, it is thought proper that I should make some statement to the people in reference to it.

As the necessity of money as a medium of exchange became revealed to the minds of men, the two metals finally accepted as the most suitable for money were silver and gold. This was natural, because they were the two most precious metals adapted to the purpose, and were sufficiently limited in quantity.

As mining has developed the fact that these two metals existed in the earth in almost certain proportions, a natural ratio of value was assumed. This ratio has continued as arranged by man under the natural order as he found it. It was accepted by mankind as a part of the grand plan upon which the world was to move, and approved by the philosophy and common sense of all ages.

From this condition of regular order and contentment, contributing to the gradual elevation of all classes of society, the extension of civilization, and the general betterment of the human race, this country and the world has been ruthlessly torn.

It has been done by the rejection of one of the precious metals in the interest of greed, and by this act the money changers have been enthroned and the narrowing of the scope of monetization begun. As monetization has been narrowed money has become scarcer in proportion, and as money became scarcer prices fell in proportion, and falling prices have been the bane of this world.

It was predicted after the demonetization of silver that great suffering would follow. This suffering is already here. From a contraction of the currency we are now in the throes of one of these desperate stages of human experience—a period of heartache, canker, and sleepless nights as the foundations of prices have crumbled. Obligations resting upon the supposed firm foundation of a price in ready money have crumbled into dirt as the foundation of the price has crumbled. The country is confronted by a grave emergency. Further theorizing is futile. The agitation of the money question must be settled by peaceful methods that will give practical results.

Long, patient, and dispassionate reflection has convinced me that an independent American financial system is absolutely necessary to the restoration of national prosperity and the establishment of commercial conditions in this country that will give the common people, the agricultural and laboring classes, an equal show with capital and concentrated wealth. How can it be effected? Can it be done through either the Republican or Democratic party as now constituted? No. Both organizations are under the blighting influence of the Eastern money power. The record of every national convention of both parties for years is plain proof of the assertion. The legislation of both parties in Congress is proof that it is impossible as a party question.

What, then, is to be done? As patriots, as Americans who are for America against the world, what is our first and controlling duty in this crisis? Shall we longer heed the false promises of party platform declaration? Sha we longer submit to the academic discussion or what bimetallism means? Shall it be another campaign of straddling and equivocation? Or shall the issue be squarely on the free coinage of silver and gold, and a President elected who represents the people on that great question?

The first step, the essential preliminary to the correction of present abuses, the reestablishment of national prosperity and the maintenance of our national credit, is the election of a President whose Andrew Jackson courage and inflexible integrity will defy the influences that prostitute Presidents and Cabinets and make the administration of the Government a subject of humiliation and reproach.

Strong in character and intention as may be the standard bearer of the Republican or Democratic party in the coming campaign, it will hardly be possible for him to rise above influences that secured his nomination or the environments that must surround him in the event of his election. The one hope of the people, I am convinced, is in the election of a President pledged, unconditionally and unreservedly, to the free and unlimited coinage of silver and gold, the same as from the foundation of our Government until 1873, and also unconditionally pledged in favor of a national currency without the intervention of banks of issue and against the issuance of interest-bearing bonds in time of peace for any purpose whatever.

I appeal not only to Republicans in my own State, who can appreciate the sacrifice I make in renouncing party obligations on this question in advance of party action in the premises, but to the people throughout the country, without regard to party, to cooperate in this great, nonpartisan, patriotic, American movement to sustain the industrial and financial independence of the United States in the pending irrepressible conflict.

This sentiment influences me to accept the chairmanship of the National Silver Party. I shall give to this movement my best services and thought, and, successful or otherwise, I shall realize the satisfaction of having done my duty to the people and the country as I see and understand it.

In my own State I confidently appeal to the rank and file of both parties to support my efforts. North Carolina is an agricultural State and nine-tenths of its people are directly and disastrously affected by the operation of the single gold standard. I appeal to them to lay aside party feelings, ignore

party obligations on this social question, disregard party appeals, forget the exasperations of past party contention, and spurn the offer of place and emolument.

We have the example and experience of the last campaign in North Carolina to show the practicability and safety of men of different parties cooperating to carry out a great measure essential to the welfare of the people, where neither of the parties favoring it could effect it alone. That was a cooperation on one issue—the issue of fair elections. It is now arranged to extend such a plan through all the States on another vital issue of even greater importance to this country. No one party can do this, but a majority of the people in all the parties want it done, and they can do it if they will cooperate.

The peril that menaces the people in the election of a President whose administration of the Government means a perpetuation of the present financial system can only be averted by the people themselves. It may be too late four years hence. Present abnormal conditions do not warrant belief in the peaceful submission of the people to further oppression and impoverishment. The gold gamblers may deride the popular ebullition as a system of harmless "socialism," but if they are wise they will heed the admonition, and not persist in their greed of accumulation at the expense of the toiling and suffering people. The plain, patriotic duty of every American who loves and honors his country, who would jealously guard its institutions, who would die for the principles that have made it the greatest, the richest, the proudest, the most independent nation on the face of the globe, is to assert his manhood and subordinate party success to the country's welfare in the impending conflict.

Let us have this metal money restored and in the proportions found in nature's storehouse and as it existed in Washington's time, when the flag and the Constitution were fresh and God seemed to speak to the people through an open book.

The men who are for gold stand together, no matter what party they belong to. They have control of both the Republican and the Democratic parties. The people in their distress, striking at intrenched power, knock out first one and then the other party, but no matter which turn is taken gold comes uppermost. The gold leaders are keen, determined, and loyal to the gold standard. Are the silver leaders less determined, less intelligent, and less loyal? If they are equal to the others in these qualities, what is the matter with them that they allow victory after victory to be scored against them, and that, too, when the silver people in the country are in the vast majority?

The people are enraged, and justly so. Must they say at last to these leaders, "Lo, these many years have we sent you for silver, and you have returned to us without it; you are unprofitable servants, and have led us through the bog and quagmire of disappointment. We like to honor you, but you must take us by some other road and reach our idol."

The men who blazed the way to the silver conference did well. The people see the citadel of their liberties and are ready for the battle. The Philistines are at our doors. "To your tents, O Israel!"

J. J. MOTT,
Chairman National Committee, Silver Party,
Corcoran Building, Washington, D. C.

AMERICAN SILVER ORGANIZATION,
OFFICE CHAIRMAN NATIONAL COMMITTEE, *Washington, D. C.*

PLAN OF ORGANIZATION.

That the voters of the country may have an opportunity to so organize that they can cooperate and redeem our country from the blight of a gold standard which has made the 100-cent dollar of 1873 a 200-cent dollar in 1896 and is paralyzing the energies of our people, undermining our liberties, and bids fair to fill the land with poorhouses, the national committee appointed by the silver conference in Washington, D. C., January 22 and 23, suggests the following plan of organization:

1. That the organization proceed from the people up by all silver men signing the club roll.

2. That the organization should extend into every school district, so that clubs may be formed convenient to the homes of the people.

In order to effect such organization, the representative of the national committee in each State and Territory should proceed at once to appoint an organizer for each Congressional district, whose duty it will be to organize the district by the appointment of an active and efficient worker in each county to act as committeeman for such county, whose duty it will be to organize said county.

The county committeeman should proceed without delay to secure the cooperation of one active man in each city, township, or precinct to undertake the organization of said city, township, or precinct. It is further recommended that the city, township, or precinct committeemen subdivide their work by the appointment of a committeeman in each school district, whose duty it will be to canvass the school district and secure the signatures of voters to the club roll.

This would make a State organization right down with the people, each county having a member of the State executive committee. The school district committeemen would constitute a township or precinct committee. The county committee would consist of the chairmen of the township or precinct committees. It will be the duty of the representative of the provisional national committee to act as chairman of the State committee until after State conventions have been held and a new State committee created.

The organizers appointed for Congressional districts will perform the duties usually performed by the chairman of district committees until district conventions have been held and new committees created. The chairmen of the county committees will represent their respective counties on both district and State committees.

It is recommended that the delegates to the national convention be selected by Congressional district conventions, each district being entitled to its pro rata of the total number of delegates apportioned to each State.

The importance of an immediate thorough canvass of the voters and the securing of their signatures to the club roll can not be too strongly urged. After the signatures are secured the work of perfecting the organization becomes easy. If this plan be adopted and vigorously executed, it is believed that a majority of the voters can be enlisted in our cause long before the date set for holding our national convention. When the people understand that this plan has been adopted throughout the entire country, they will at once realize that the only effective way of overcoming the money power and its servile politicians and press has been adopted, and hope will take the place of despair.

The club roll should be left in charge of the school district committeeman, but a copy should be furnished to the national committee, so that newspapers and documents could be sent to all signers of the club roll if desired; and further, so that the number of true friends of silver in the United States could be ascertained.

ORGANIZATION ROLL.

Whereas, the demonetization of silver in 1873 enormously increased the demand for gold, enhancing its purchasing power and forcing down prices until the 100-cent dollar of 1873 has become a 200-cent dollar in 1896, measured by the average of American products; this fall of prices has deprived legitimate industry of profit and injured producers for the benefit of nonproducers, increased the burden of debts, swelled the gains of creditors, and paralyzed the productive energies of the American people; condemning willing workers to idleness and filling our land with tramps and paupers, while building up colossal fortunes at the money centers: Therefore,

Be it resolved, That we, the undersigned legal voters of ——, county ——, State ——, will not support any political party or vote for any candidate for any office whatever that does not favor the restoration of the money of the Constitution by the free and unlimited coinage of silver and gold on terms of exact equality, regardless of the action of other nations, and that we will not support any candidate for the office of President or Vice-President whose past record on this question does not constitute a guarantee of his action in the future:

Name.	Residence.

ISSUES OF SILVER PARTY.

You will observe that this party, now in its infancy, proposes to make the issues of the day the industrial question and the financial question, protection and silver, twin issues, not contradictory to each other, as would be the alliance of the gold standard with protection or of the silver standard with free trade. They are both protective measures. We believe in a reasonable tariff which will protect the labor of this country against an invasion of the products of the cheap labor of Europe, for we realize that the unit of value of this country is the day's labor, that upon that every other value is built up and related to it. You can not diminish the value of a day's labor in this country without diminishing the value of every unit of property throughout its vast area, whether it be the acre of the farm, the square foot of city real estate, or the measure of products.

Realizing, then, that we have a high standard of value in this country, a high standard of value for labor and a high standard of value for property produced or utilized by that labor; realizing that the intelligence and the courage and the energy of the people of this country are the products of our institutions and not the cause, are the products of the industrial policies we have been pursuing and not the cause, we are for a reasonable protection against the cheap labor of Europe; the protection of the New England States, the protection of the Middle States, the protection of the States that are about to become manufacturing States. But we also demand a measure of protection for the wheat-growing and silver-producing and cotton-growing regions of the country, for we know that to-day these regions are producing their products in competition with silver-standard countries; that they must export, and that the value of the domestic product is determined by the value of the exported product, and that just so surely as we can increase the labor cost in silver-standard countries, in terms of gold, by raising the gold value of the ounce of silver, just so surely will we raise the value of our wheat and the cotton, with which we mainly pay the principal and interest of our foreign debts, and so far as the mining regions are concerned, restore the basic industry of six States and three Territories upon which our transcontinental railroads with their branches have relied for the profitable part of their business—railroads which, as the result of the legislation of 1893, have defaulted their interest, and are now in the hands of receivers, making a desperate struggle for existences by processes of reorganization and scaling of debt and interest.

Mr. HALL. Will the gentleman yield for a question?

Mr. NEWLANDS. My time is very limited. I should be glad to do so, but I believe I have only three minutes remaining.

Mr. HALL. I was just going to state that I was a little puzzled to understand why the gentleman was making a 16-to-1 speech on a bankruptcy bill, but I now see the twin relationship existing between the two, and suppose that one is germane to the other.

Mr. NEWLANDS. Well, if the gentleman can not appreciate the relation of my remarks to the subject, I have to say that it is impossible for me to endow him with the necessary intelligence.

I can only say that I am addressing myself to the causes of insolvency, and I so declared at the opening of my remarks. I claim that the legislation of this country should be applied to the removal of the causes, and not to these wretched palliative measures which leave a man stripped of his fortune, relieved only of the mortgage which debt imposes on his courage, enterprise, and energy.

PROBABLE ACTION OF OLD PARTIES.

Now, I can not tell, no man can tell, what the action of the old parties will be in the next three months. We all know, however, that the action of the Republican party is a foregone conclusion. I regret it. I was in hopes that the Republican party, the party of protection, would so far expand its policy as to embrace the use of silver, and thus protect the mining region, the wheat region, and the cotton region. I was in hope that the doctrine declared in an interview in the Fortnightly Review about two years ago, and purporting to give the views of our honored Speaker—namely, that silver and protection were twin issues—would become the policy of the Republican party; that it would be a party that would protect not a section, but the entire country; not simply

the New England and Middle States, which, through their manufacturing interests, have accumulated wealth and become the creditor States of the country, but also the Western and Southern States, which have been thus far compelled to submit to a competition infinitely more dangerous than the competition against which your tariff wall is now raised; but that seems to be hopeless. The State conventions of the Republican party have declared, one after another, either in favor of a straddle platform, which has now no power to deceive, or in favor of the gold standard, with an occasional expression of the hope of an international adjustment.

There is no time for me to consider the international phase of the question. International adjustment, so long as you seek an alliance with the three great creditor nations of the world, having a plethora of money which they loan out to the people of other nations, is, in my judgment, hopeless.

Had we sought alliance with the debtor countries of the world, whose scarcity of metallic money is demonstrated by the existence in them of about $2,500,000,000 of uncovered paper money, much of it depreciated paper; had we directed our efforts in the line of a monetary alliance with debtor countries such as Russia, Austria, Italy, Spain, and the countries of South America, all of which have to-day a vast amount of depreciated paper money, simply because there is not enough gold to go around, our efforts might have been successful in increasing the use and value of silver; but there never has been a conscientious effort by the Executive of our Government for a practical international adjustment of this question; and the only thing we can do is to force a domestic adjustment.

So far as the Republican party is concerned, it will take no action in support of silver. It relies for its strength upon the creditor and manufacturing States of the Union, and does not seek the support of the South and the wheat-growing and mining States of the West. How about the Democratic party? What action will it take? Two months ago it seemed to be universally conceded that the power of the Administration would be effective in securing delegates to the Democratic convention, so as to control them for the gold standard, and we all know how effective the power of organization is in producing results contradictory of the wishes of the people. The gold men were foolish enough to allow the question to be tested at the primaries, and from almost every Western and Southern community comes the demand for the restoration of the constitutional coinage of silver at the old ratio. I assume, then, that the Democratic convention may be a free-coinage convention, and if so it is apparent that the success of the silver issue will largely depend upon the wisdom that controls its deliberations.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KEM. I ask unanimous consent that the gentleman from Nevada may be permitted to finish his remarks.

Mr. NEWLANDS. Five minutes will do me.

Mr. WATSON of Ohio. I ask that the gentleman may have ten minutes.

There was no objection.

Mr. BRODERICK. I would like to know how much time there is to be taken, as there are a great many to speak, and there will not be opportunity for them all.

Mr. BAILEY. To save any trouble, I yield the gentleman ten minutes.

Mr. NEWLANDS. I do not like to deprive you of your time.

Mr. BAILEY. Go on.

Mr. NEWLANDS. I will be as brief as possible.

DUTY OF THE DEMOCRATIC PARTY.

With reference to the Democratic party, I repeat that much depends upon the wisdom of the deliberations of that convention. I have always thought that the success of bimetallism would be best promoted if both the old parties declared for a gold standard at their coming conventions. I have been satisfied that there would then be an overwhelming combination of all the friends of silver, which would result in the organization of a new party with bimetallism as the distinctive issue, and led by a man of large experience in public life, whose whole career had exemplified his devotion to the best interests of the people and particularly to the course of bimetallism. But the Democratic party may take such action on this question as to make a successful union of the silver forces improbable, and the question is now whether the Democratic party will maintain its tendency toward free trade, or whether it will recognize the signs of the times, that the sentiment of this country is more steadily every day advancing toward the protective idea. That school of humanitarianism which seeks to regard the whole world as one people with universal free trade and universal brotherhood no longer has many disciples. We begin to realize that intelligent self-interest should control every nation as it does every individual or family. That man best discharges his duty to humanity who first considers the interest of his family, next the interest of his community, next the interest of his State, and next the interest of his nation, and then gives the balance of his love to the rest of the world. [Loud applause.]

Mr. WATSON of Ohio. That is good Republican doctrine.

Mr. NEWLANDS. The gentleman says that is good Republican doctrine. [Renewed applause.] Whether it be good Republican doctrine or good Democratic doctrine it is good common sense; but let me say to my Republican friend that the policy which gives protection to a section and denies it to the nation at large, which passes laws in favor of protecting the labor of the manufacturers of the East and refuses to pass the only laws which can protect the wheat growers and cotton planters against destructive Oriental competition is not the enlightened self-interest which should control a nation. And let me say to my Democratic friends that if the Democratic party remains hidebound on the tariff, if it fails to accept the general sentiment of this country with regard to the necessity of maintaining protective tariff laws, it will, in my judgment, seriously imperil the success of the silver cause; and I appeal to those gentlemen on the other side who constitute the leading members of that party to take this matter into serious consideration in the interest of the people of the West and South, and I would add the interest of the manufacturing industries of the country.

AN ORIENTAL MENACE.

This question has not been fought out in Pennsylvania and Massachusetts as it has been in the wheat fields, the cotton fields, and the silver mining camps. The people of those States do not realize, protected as they have been by this high-tariff wall against the cheap labor of Europe, that there is a productive power in the Orient which threatens their destruction; and when they do realize that fact, as they will during the coming campaign, they will learn that the interests of the manufacturers of New England and of the Middle States stand with the interests of the manufacturers of Manchester, of Birmingham, and of the German cities, who have lost their Oriental trade through the promotion of domestic industries in those countries owing to the premium on gold, and who find that the products which they have been accustomed to throw upon those countries are forced back upon them, producing a glut in their domestic markets, the effects of which we find here in these low-priced products that have slipped over our tariff wall.

A UNION OF INTERESTS.

I hope to see the wheat interest, the cotton interest, the mining interest, and the manufacturing interest organize against the banking interest, the railroad interest, and those great commercial bodies whose action beats responsive to their will. For recollect, gentlemen, that it is the changers of money, the changers of goods, and the transporters of goods that have made a union of forces against the productive energies of the country, whether those productive energies are manifested in cotton and wool manufactures in the New England and Middle States, in the iron and coal industries of Pennsylvania, in the production of wheat in the West and cotton in the South, or in the mining of silver in the great West; and you may rest assured that this country will in time pursue the policy of enlightened self-interest. It will realize that it is to its interest, as the producer of over one-third of the entire silver of the world, as the greatest debtor nation in the world, as the greatest producing nation in the world—it will realize that it is the policy of enlightened self-interest for such a nation to stop the appreciation of gold, to stop the building up in value of every unit of those four thousand millions of gold whose present home is in three countries—England, France, and Germany.

Think of it! One-half of the gold of the world in the banks in those three countries, occupying so small a space on the map and having only one-fifteenth of the population of the world—one-half of the gold of the world in their possession and the other half tied to strings by which they can easily draw it to themselves at any time. Shall we continue to place our interests, our industries, our property, our existence at the mercy of those people who have accumulated that gold, which can be put into a cube of 22 feet, a space less than that of the Speaker's chamber, and who by their financial policy have compelled the debtor and producing nations to recognize it as the only money metal, to build up its value and to increase its control over the value of the products of labor, and thus to reduce the world to industrial and financial servitude. [Applause.]

I must beg pardon of the House for diverting its attention from the discussion of the particular subject before it. My only excuse is that I rarely have an opportunity to speak upon this floor; that the financial and the industrial policy of this country have not been made the subjects of long, protracted, and careful consideration here; that this is the only opportunity I have had and possibly the only opportunity I shall have to speak in favor of a true and robust Americanism to be exhibited by either a new party or a union or fusion of parties with the party declaring for free coinage, which will, I trust, in November next carry the flag of bimetallism to victory. [Loud applause.]

The Democratic Party the Only Friend of Farmers, Laborers, and Bread Earners.

SPEECH

OF

HON. JOSEPH WHEELER,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 29, 1896,

On the bill (H. R. 6119) authorizing the appointment of a nonpartisan commission to collect information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital.

Mr. WHEELER said:

Mr. SPEAKER: The people of all governments, from the beginning of time, have been divided into two distinct parties advocating antagonistic principles, the one party including and controlled in the interests of a fortunate and favored few, always struggling to increase their power; and the other, composed of the great producing classes, always struggling to enlarge their liberty. Our forefathers fled from the intolerant oppression of the titled few in the Old World and cast their lot in an unknown continent to establish a government in which all men should be free and equal and where all men should enjoy the blessings of perfect liberty. To attain this God-given right, our forefathers planted the foundation of this great democratic Republic. The word "democracy"—taken from the Greek words Demos, the people; cratia, to posses, to govern—is symbolical of the character of government which the founders of this Republic endured dangers, hardships, trials, battles, and bloodshed to establish.

The essence of democracy is to seek in its utmost purity the voice of the people; to have laws which express the wishes of the people; a government which is but a reflection of the people themselves, and governors from among the people, chosen by the people, and governing for the good of the entire people. Such a government is but the voice of the people, and the voice of the people is the voice of God.

Such a government attains the most prosperity, the purest virtue, the highest culture, the noblest manhood.

Such a government alone can protect the life, liberty, and property of its citizens.

The Declaration of Independence, the Articles of Confederation, and the Constitution of the United States all bear the impress of the virtue and spirit of liberty which animated the forerunners of American civilization.

A government which enacts laws that benefit the few and oppress the many is not a democratic government. Tariff laws which give bounties to the few and place burdens on the many are not democratic. Laws by which millions upon millions are collected from the laboring masses and appropriated so as to benefit the few are not democratic. Laws by which the banking facilities are practically confined to a few men are not democratic. Laws by which substantially all the gold of the country is centered in one locality and in the hands of a few men, and then sought to be made the only money of ultimate redemption, are not democratic. Laws which build up and maintain monopolies and trusts or any other oppressive combinations of capital are not democratic. Obnoxious laws of this character which have been enacted since the Republican party came into control of the Government have divided the people into two great classes, on the one side the owners of three-fourths of the property of the country, so few that they could all be sheltered within this Capitol, and on the other millions of laboring, struggling, toiling people, which include 30,000,000 who derive their support from the cultivation of the soil.

It is these people who fight the battles of the country in war whose interests should have the first consideration of the lawmakers of our land. The farmer has never asked for legislation for his especial benefit; he only asks that the laws of our country be equal and just, and that the burdens and the bounties incident thereto, like the dews of heaven, fall equally upon all people and all vocations. The farmer is the creator of nearly all the wealth of our land, and the welfare of all other vocations is largely dependent upon his prosperity. When the farmer is prosperous the manufacturer has the best market for his wares, the merchant collects his debts, the educator, the minister, the lawyer, the physician, and the followers of all other vocations are well paid.

The farmers only ask a repeal of Republican laws which have reduced the price of farm products to less than the cost of production. They ask a repeal of the bank legislation, which for thirty years has denied to farmers the right to use their lands as a basis of credit, and which, together with other adverse laws, has reduced farm lands to one-tenth their value when the laws were equal, just, and Democratic.

They denounce this prohibitory 10 per cent tax upon issues of banks other than national banks as the main prop, pillar, and foundation of the exclusive and most obnoxious features of the national-bank system.

The history of our country shows that the Democratic party has always been the farmer's friend, and is the only party which has not done the farmer the grossest wrong and injustice.

Jackson's great mind saw that a national bank, which virtually makes a favored few the financial partners of the Government Treasury, would become a nursery of evil. He said that such a bank would concentrate the moneyed power of the Union, make the rich richer and the potent more powerful, while the humbler members of society, the farmers, mechanics, and laborers, would be the victims of the injustice.

The Democratic platforms of 1840, 1844, 1848, 1852, 1856, and 1860 denounced such an institution as—

of deadly hostility to the best interest of the country, dangerous to our republican institutions and the liberties of the people, and calculated to place the business of the country within the control of a concentrated money power and above the laws and will of the people.

The Republican party came into power in 1861 the avowed champion of a strong centralized government.

The laws enacted by this party have favored banks and bondholders. They have given privileges to the rich and powerful at the expense of the humbler people of our land. Financial laws, tariff laws, and tax laws have all tended in the same way and have all attained the same purpose. But it is gratifying to see the evidence that the Democratic party had always opposed every encroachment upon the rights and liberties of the great mass of the people.

REPUBLICANS CREATE NATIONAL BANKS.

On February 13, 1863 (Globe, page 897), the Senate voted upon the bill to charter national banks, called the national currency bill. Twenty-one Republicans voted for the bill and 16 Democrats voted against it. This bill was voted upon in the House on February 20, 1863 (Globe, pages 1147 and 1148). On the vote for the previous question 73 Republicans voted for it and 51 Democrats voted against it. On the vote to lay the bill on the table 49 Democrats voted for the resolution and 79 Republicans against it.

On the vote ordering the bill to a third reading 79 Republicans voted for it and 53 Democrats against it. On the final passage of the bill 76 Republicans voted for it and 47 Democrats against it. This law has already cost the people more than $400,000,000. All these votes were practically upon strict party lines. Of the 78 affirmative votes by which the national-bank bill was finally passed, 76 were Republicans and 2 were Democrats.

The law was approved February 25, 1863, and is found in Statutes at Large, volume 12, pages 665 to 682.

In April, 1864, the law which sought to perpetuate national banks was before Congress. Every Democrat in both Houses voted against the bill, while the Radicals and Independents, with the exception of 1 in the lower House and 2 in the Senate, voted for it.

On April 6, 1864 (Globe, page 1451), upon an amendment favorable to national banks, 75 Republicans voted for the amendment and 54 Democrats against it.

On April 16, 1864 (Globe, page 1682), on Mr. Felton's amendment to greatly relieve national banks from taxation, 70 Republicans voted for and 59 Democrats against it.

On April 18, 1864 (Globe, page 1695), a vote was had upon this:

That the expansion of the bank circulation of the country, producing general and ruinous speculation, should be repressed by taxing the issues of the State banks.

A solid phalanx of Democrats, including such men as Francis Kernan, George H. Pendleton, J. L. V. Pruyn, Samuel J. Randall, and Fernando Wood, voted against the resolution, and it was passed by a solid vote of Republicans.

Upon the final passage of the bill, April 18, 1864 (Globe, page 1697), there were three yea-and-nay votes, namely: On Mr. Rollins's motion to lay Mr. Brooks's motion on the table to reconsider the vote by which the national-currency or national-bank bill was ordered to be engrossed and read a third time, 75 Republicans voted for the motion and 57 Democrats against it; on Mr. Holman's motion to lay the national-bank bill on the table, 56 Democrats voted for the motion and 75 Republicans against it; on passage of the national-bank or currency bill, 77 Republicans voted for the bill and 63 Democrats against it.

On May 24, 1864 (Globe, page 2448), on Mr. Holman's motion to table objectionable amendments to the bank bill, 56 Democrats voted for the motion and 78 Republicans against it. The various amendments to the bill were voted on in the Senate April 28, 1864 (Globe, pages 1957 and 1959), May 5 (page 2123), May 6 (pages 2142, 2143, and 2145), May 9 (pages 2174, 2180, and 2183), and May 10 (pages 2200, 2202, 2203, 2204, 2205, and 2206), and the bill was passed on May 10 (page 2207). In nearly all the numerous votes the Democrats voted almost solidly against the establishment of the system, and the Republicans almost solidly in favor of the system.

The bill was approved June 3, 1864. (See Statutes at Large, volume 13, pages 99 to 118.) It will therefore be seen that the objectionable national-bank law was solidly and untiringly opposed from first to last by the Democrats in Congress, and was passed by the votes, speeches, and efforts of the Republicans.

REPUBLICANS LEGISLATE FOR THE BONDHOLDER AND AGAINST THE PEOPLE.

On February 28, 1865, the House passed the bill to provide ways and means for the support of the Government. The bill provided that all bonds or other obligations issued under this act should be exempt from taxation by or under State or municipal authority. The vote was taken viva voce, and Mr. Hooper moved to reconsider and to lay the motion on the table; 85 Republicans voting affirmatively and 43 Democrats in the negative.

The original contract was to pay the principal of the United States bonds in currency, and the obligation to so pay them was recited upon the face of every bond.

In March, 1869, a Congress largely composed and under the entire control of bank officers and bondholders enacted a law that these bonds should be paid in coin, and thus embezzled $1,000,000,000 of the hard earnings of an honest people. Every Democrat but 1 voted against this iniquity, and all the Republicans but 12 voted for it. In the Senate 42 Republicans voted for it and nearly every Democratic Senator against it.

The bill declaring that currency bonds should be paid in coin was voted on in the Senate March 11 (see pages 46, 53, and 56 of the Globe), and on March 15, 1869 (page 70).

In the House it was voted upon on March 12, 1869 (pages 60–61).

In March, 1869, a resolution was offered to lighten the burdens of the people by placing a tax on bonds, and exempting such necessaries as salt, tea, coffee, sugar, matches, and tobacco. The Democrats voted solid for and the Radicals solid against it.

In 1870 a funding law was passed by which $500,000,000 was taken from the people and given to the bondholders. The Democrats in both the House and Senate voted solid against it, and all but 2 Republicans for it.

The funding bill of July, 1870, was voted for, pages 5026, 5059, 5064, and 5070.

The Senate bill was voted upon, page 5467, and was finally passed on July 13, 1870 (page 5523).

In July, 1870, Congress passed the Sherman bill to increase the national-bank circulation $54,000,000. All but 4 Democrats voted against the bill, and it was passed by the almost solid vote of the Republicans.

REPUBLICANS ADVOCATE CURRENCY CONTRACTION AND OPPOSE SILVER COINAGE.

On June 14, 1870 (Globe, page 4434), Mr. Randall's bill to substitute $300,000,000 United States currency for national-bank notes was defeated; all the Republicans but 10 voted against it, and every Democrat but 6 for it. The failure of this measure has already cost us $360,000,000.

Soon after, Mr. Morgan's bill (Globe, page 4435), which sought the same relief but extended the substitution to $400,000,000, was defeated by 116 Radicals, while it was supported by the almost solid vote of the Democracy.

On June 15, 1870 (Globe, page 4471), Mr. Ingersoll moved to authorize additional legal-tender notes; 35 Democrats voted for it and 88 Republicans against it.

In 1872 a resolution was introduced indorsing and approving the ruinous Radical financial policy. Every Democrat voted against and every Republican for the resolution.

The bondholders and bankers, not satisfied with making $1,000,000,000 by the law of March, 1869, which made the bonds payable in coin, now finding an increase in the production of silver, in 1873 demonetized that metal, and thus required the taxed people to pay them gold for their untaxed bonds.

This law of necessity increased the purchasing power of gold, which still further added to the wealth of the rich and to the distress of the mass of the people. This bill was rushed through under a suspension of the rules by a strict party vote.

In 1875, by the same rule, the resumption act, "that great king of destroyers," was passed by Republican dishonesty. In the House every Democrat voted against it, and nine-tenths of the Republicans sustained and voted for this law, which has already caused so much bankruptcy, ruin, and distress.

STRUGGLES OF DEMOCRATS FOR THE PEOPLE.

The beginning of the year 1876 found the Forty-fourth Congress in working order and determined to do something for our oppressed people.

This was the first Democratic House of Representatives which had been elected since 1860. The resumption act was bankrupting and destroying the people. This Democratic House passed a law repealing the "resumption act," although resisted in every possible way by the Republicans.

On August 5, 1876 (CONGRESSIONAL RECORD, page 5232), Mr. Cox's bill to repeal this act was voted upon; 96 Democrats voted for it and 59 Republicans against it.

On December 13, 1876 (RECORD, page 172), the House voted upon a bill for the free coinage of silver; 124 Democrats voted for it and 36 Republicans against it.

On November 5, 1877 (RECORD, page 241), another bill for the free coinage of silver was brought before the House; 97 Democrats voted for the bill and 24 Republicans against it.

On November 23, 1877 (RECORD, page 632), another bill was considered and voted upon to repeal the resumption act; 109 Democrats voted for the measure and 92 Republicans against it.

On February 28, 1878 (RECORD, page 1420), the House passed the silver bill over the President's veto; 122 Democrats voted for it and 52 Republicans against it.

On May 31, 1878, the bill was considered and passed to forbid any further retirement of legal-tender notes; 106 Democrats voted for it and 28 Republicans against it.

June 6, 1878 (RECORD, page 4204), upon Mr. Tucker's amendment to reduce taxes, in the interest of the people. 133 Democrats voted for the amendment and 101 Republicans against it.

On January 15, 1879 (RECORD, page 473) Mr. Fernando Wood reported a bill to make United States notes receivable for duties on imports. This was a measure in the interest of the people and against banks and monopolies. The bill passed the House, 108 Democrats voting for it and 31 Republicans against it.

Pending its passage, Mr. Garfield sought to amend so that the bill should only hold good "so long as said notes shall be exchangeable at par with coin." Garfield's amendment was voted for by 67 Republicans, and was voted against by 94 Democrats, and was defeated. On April 5, 1880 (RECORD, pages 27, 42), a resolution was voted upon:

That the maturing interest-bearing debt shall not be refunded beyond the power of payment at any time, and that the mints be operated at their full capacity in the coinage of silver.

Seventy-three Democrats voted for the resolution and 90 Republicans against it.

On February 17, 1882 (RECORD, page 1246), upon a vote favorable to Republicans and against Democrats and Democratic principles, 5 Greenbackers voted with 120 Republicans against 95 Democrats.

REPUBLICANS AND GREENBACKERS EXTEND CHARTERS OF NATIONAL BANKS.

On April 3, 1882 (RECORD, page 2536), the bill was voted upon to extend the charter of national banks; 103 Republicans voted for it, and not a single Republican voted against it. The bill was opposed by 69 Democrats. On May 18 (RECORD, page 4076), Mr. Bland moved to amend the bill to extend charters of national banks by providing for the retirement of national-bank currency and substituting United States Treasury notes. This would have saved the people $20,000,000 a year. Sixty-five Democrats voted for this just and proper bill, while it was opposed by 114 Republicans and 5 Greenbackers, and every one of these 5 Greenbackers was elected by pledging extreme and unrelenting hostility to national banks.

It is astounding to the last degree that these Greenbackers elected to the Forty-sixth and Forty-seventh Congresses so utterly violated their pledges to their people and voted with the Republican enemies of the people and against such beneficent Democratic measures. It tends to show that these Greenbackers were controlled by Republican leaders and voted with the Republicans when required to do so by the leaders of that party.

On the same day Mr. Randall and Mr. CULBERSON moved to amend the bill by provisions which restricted the contraction of the currency; 76 Democrats voted for the amendment, while 105 Republicans voted solid against it.

On May 19, 1882 (RECORD, page 4121), Mr. JONES of Arkansas made another motion to prevent the contraction of the currency; 76 Democrats voted for the measure and 94 Republicans voted solid against it.

The same day a bill was voted upon in the Senate to extend national-bank charters; 26 Republicans voted for it and 12 Democrats against it.

On June 21, 1882 (RECORD, page 5177), Senator Beck's measure against national banks was voted on in the Senate; 20 Democrats voted for it and 29 Republicans against it. In the House, upon the final passage of the bill which extended national-bank charters, 103 Republicans voted for the bill, while 57 Democrats voted against it.

While the bill was before the Senate, Senator Beck offered an amendment which was in the line of free coinage of silver and expansion of the currency; 20 Democrats voted for Senator Beck's amendment, while 26 Republicans voted against the amendment and not a single one for it.

On June 22 (RECORD, page 5224) the bill to extend the charters of the national banks passed the Senate; 26 Republicans voted for the bill and 12 Democrats and 1 Republican against it.

On July 10, 1882 (RECORD, page 5852) the conference report extending the charters of national banks was voted upon in the House; 99 Republicans voted for it and 69 Democrats against it.

On June 27, 1882, upon passage of the internal-revenue bill, the

Republicans and 1 Greenbacker voted for it, the Democrats voted against it, and 7 Greenbackers refrained from voting. (RECORD, page 5422.)

On April 15, 1884, the Morrison tariff bill was voted on in the House; 151 Democrats voted for it and 124 Republicans against it.

On June 17, 1886 (RECORD, page 5830), the Morrison tariff bill was voted upon in the House; 135 Democrats voted for it and 121 Republicans against it.

On July 21, 1888 (RECORD, page 6660), a vote was had in the House on the Mills tariff bill; 161 Democrats voted for it and 146 Republicans against it.

On January 22, 1889, a vote was had in the Senate on the Republican substitute for the Mills tariff bill; 32 Republicans voted for it and 30 Democrats against it.

DEMOCRATS VOTE FOR FREE COINAGE OF SILVER.

On April 8, 1886 (RECORD, page 3300), a bill was voted upon in the House for the free coinage of silver; 96 Democrats voted for the bill in the interests of the people and 93 Republicans voted against the bill and against the interests of the people.

On the same day (RECORD, page 3300) an amendment was offered to suspend the coinage of silver; 51 Republicans voted for this and 130 Democrats against it.

On June 7, 1890 (RECORD, page 5813) a motion was made to recommit the bullion bill and report back a bill for the free coinage of silver; 101 Democrats voted for the motion and 27 Republicans against it.

On the same day (RECORD, page 5814) the bullion bill passed the House; 134 Republicans voted for it and 112 Democrats against it. Mr. Featherstone, a Farmers' Alliance man from Arkansas, voted with the 134 Republicans in favor of this bill, in favor of banks and monopolies and against the people.

On June 25, 1890 (RECORD, page 6510), Mr. Bland offered an amendment in favor of free coinage of silver; 112 Democrats voted for it and 130 Republicans against it.

On July 12, 1890 (RECORD, page 7218), the conference report on the bullion bill was voted upon in the House; 121 Republicans voted for it and 90 Democrats against it. Mr. Featherstone, a Farmers' Alliance man, voted with the 121 Republicans against the 90 Democrats.

It will be seen that this Farmers' Alliance man was so anxious to aid the Republicans in their vicious legislation, that he even voted with them for the pernicious Sherman bullion law which stopped the coinage of silver.

On July 12, 1890 (RECORD, page 7188), the conference report on the bullion bill was voted upon in the Senate; 39 Republicans voted for the bill and 26 Democrats against it.

On May 21, 1890 (RECORD, page 5112), a vote was had on the passage of the McKinley tariff bill in the House; 164 Republicans voted for it and 142 Democrats against it. On September 10, 1890 (RECORD, page 9943), the McKinley tariff bill passed the Senate; 40 Republicans voted for it and 29 Democrats against it. On September 27, 1890 (RECORD, page 10641), the vote was had in the House on the conference report on the McKinley tariff bill; 151 Republicans voted for it and 80 Democrats against it.

On September 30, 1890 (RECORD, page 10740) a vote was had in the Senate on the conference report on the McKinley tariff bill; 33 Republicans voted for it and 27 Democrats against it. On July 1, 1892 (RECORD, page 5719), a bill for the free coinage of silver passed the Senate; 19 Democrats voted for it and 18 Republicans against it.

On October 28, 1893 (RECORD, page 2920), the Senate voted upon the amendment to require the coinage of not less than 2,000,000 ounces of silver per month. Twenty-three Democrats, including Mr. ALLEN of Nebraska and Mr. KYLE of South Dakota, voted for it and 20 Republicans against it.

On October 30, 1893 (RECORD, page 2958), the Senate voted upon the House bill for unconditional repeal of the purchasing clause in the Sherman Act; 24 Republicans voted for the bill and in favor of money contraction and 21 Democrats voted against the bill and in favor of an increase of circulation.

On February 1, 1894 (RECORD, page 2041), on the passage of the Wilson tariff bill in the House, which greatly reduced the tariff on clothing and other articles used by the laboring people and taxed the incomes of people of wealth, 196 Democrats voted for the bill and 122 Republicans against it.

April 12 and 13, 1894 (RECORD, pages 4597, 4603), Senator PEFFER, Populist, argued in behalf of taxing the people to pay a bounty of some $14,000,000 a year to sugar raisers. June 18, page 7648, he said:

> Let the National Legislature take charge of this subject; let it take possession of all the coal beds and all the coal mines in the country, and let the coal be given to the people freely.

As most all farmers burn wood, this plan would tax them some $300,000,000 a year to donate coal to persons who are not farmers.

June 18, pages 7667, 7668, and again June 20, page 7752, he advocated a tax on salt equal to 50 per cent.

In order to show at a glance that Democrats have voted upon all financial measures in the interests of the people, I have prepared four tables showing how Democrats and Republicans have voted on these questions during the last thirty years.

I think, Mr. Speaker, that all Democrats who examine these tables will hesitate a long time before deserting a party which has always been true to the best interests of the people and which through years of oppression voted in a solid phalanx against the enactment of the oppressive laws which have created the great moneyed monopolies and gone so far toward dividing our country into two great classes, a few millionaires on one side and the struggling mass of the people on the other.

TABLE 1.—*Votes in the House of Representatives upon Republican measures in the interest of banks and monopolies and against the people.*

Date.	Character of measure.	Republican votes for monopoly and against the people.	Democratic votes for the people and against monopoly.
Feb. 20, 1863	Vote on previous question to charter national banks.	73	51
Do	Vote ordering national-bank bill to third reading.	79	53
Do	On final passage of bill chartering national banks.	76	47
Apr. 6, 1864	On amendment favorable to national banks	75	54
Apr. 16, 1864	On Felton's amendment to greatly relieve national banks from taxation.	70	59
Apr. 18, 1864	On resolution to prevent issues of bills by State banks.	62	46
Do	On Rollins's motion favorable to national banks.	75	57
Do	On passage of national bank or currency bill	77	63
June 3, 1864	Bill to perpetuate national bank	80	65
Feb. 28, 1865	Hooper's motion to reconsider and to lay motion on the table.	85	43
Mar. 3, 1865	Authorizing the issuance of nontaxable bonds	85	43
Mar. 18, 1869	Bill to pay off greenback bonds in gold (act of March 18, 1869).	96	35
July 13, 1870	Bill for exchanging greenback bonds for gold bonds and in favor of national banks.	*139	52
July 7, 1870	Sherman's bill to increase national-bank circulation by $54,000,000.	96	44
July, 1872	Bill indorsing Republican financial legislation	110	86
Jan. 14, 1875	Bill for the resumption of specie payment	136	71
Jan. 15, 1879	Garfield's amendment restricting the use of greenbacks to pay import dues.	67	94
May 15, 1879	Vote to table Warner's silver bill	95	107
Apr. 3, 1882	Bill to extend national-bank charters	103	69
May 19, 1882	The national-bank bill was passed	103	57
July 10, 1882	Adoption of conference report	99	69
Apr. 8, 1886	Motion to suspend the coinage of silver	51	130
May 21, 1890	Vote on passage of McKinley tariff bill in the House.	164	142
June 7, 1890	Bullion bill as it passed the House	†134	112
July 12, 1890	On conference report on bullion bill	†121	90
Sept. 27, 1890	Vote on the conference report on the McKinley tariff bill in the House.	151	80
Mar. 24, 1892	On Mr. Burrows's motion to lay the bill for free coinage on the table.	66	129
Do	On Mr. Johnson's motion to reconsider the above vote.	66	129
Mar. 1, 1894	Vote to recommit bill for coining the silver in the Treasury.	85	137
Feb. 7, 1895	Vote on Mr. Reed's substitute to issue bonds	99	177
Do	Vote on bill to issue bonds	44	102
Feb. 14, 1895	Vote on bill to issue gold bonds	33	98

*Solid. †Featherstone, Farmers' Alliance, voted with Republicans.

TABLE 2.—*Votes in the Senate upon Republican financial measures in the interest of banks and monopoly and against the people.*

Date.	Character of measure.	Republican votes for monopoly and against the people.	Democratic votes against monopoly and for the people.
Feb. 13, 1863	To establish national banks	21	1
June 3, 1864	Act to perpetuate national banks	30	6
Mar. 16, 1869	Bill providing that greenback bonds shall be paid in gold.	42	79
Jan. 14, 1875	Bill for the resumption of specie payment	32	11
June 27, 1879	Mr. Allison's motion to refer and defeat Vest's motion for free silver coinage.	19	32
Mar. 17, 1882	Vote to table Senator Brown's resolution favoring increase of money.	23	23
June 22, 1882	Bill extending national-bank charters	26	12
Jan. 22, 1889	Vote in the Senate on Republican substitute for Mills tariff bill.	32	30
July 12, 1890	On conference report on bullion bill	39	26
Sept. 1, 1890	Mr. Aldrich's motion to increase duty on wools, yarns, etc.	26	18
Do	Mr. Aldrich moved to increase duty on woolen cloths, etc.	28	17

Votes in the Senate upon Republican financial measures, etc.—Continued.

Date.	Character of measure.	Republican votes for monopoly and against the people.	Democratic votes against monopoly and for the people.
Sept. 5, 1890	Mr. Aldrich's motion to tax farmers on their leaf tobacco.	24	21
Sept. 8, 1890	Mr. Aldrich, to increase tariff tax on sugar in interest of sugar trust.	25	16
Do	Mr. Aldrich, to give bounty of 2 cents to producers of maple sugar.	30	25
Sept. 9, 1890	On ordering the McKinley bill to be read the third time.	38	28
Sept. 10, 1890	Vote in the Senate on the McKinley tariff bill.	40	29
Sept. 30, 1890	Vote on passage of McKinley tariff bill	33	27

TABLE 3.—*Votes in the House of Representatives upon Democratic measures against banks and monopolies and in the interest of the people.*

Date.	Character of measure.	Democratic votes against monopoly and for the people.	Republican votes for monopoly and against the people.
Feb. 20, 1863	On motion to lay national-bank bill on table	49	79
Apr. 18, 1864	On Holman's motion to lay national-bank or currency bill on the table.	56	75
May 24, 1864	On Holman's motion to table objectionable amendments to bank bill.	56	78
June 28, 1864	Mr. Holman's amendment permitting taxation of bonds.	63	77
Mar. 29, 1869	Mr. Morgan's bill taxing bonds, and exempting from tax salt, tea, coffee, sugar, matches, and tobacco.	39	104
Jan. 17, 1870	Mr. McNeely proposed to substitute greenbacks for national-bank currency.	53	112
Jan. 31, 1870	Mr. McNeely proposed that the national debt should be paid in strict compliance with the contract, and that bonds payable in greenbacks should not be paid in gold.	40	120
June 1, 1870	To place tax of 10 per cent on incomes from bonds.	46	130
Do	To place tax of 5 per cent on incomes from bonds.	58	109
June 14, 1870	Mr. Randall proposed to substitute $300,000,000 for national-bank notes.	41	105
	On the same day Mr. Morgan extended the same relief to the extent of $400,000,000.	34	116
June 15, 1870	Mr. Ingersoll moved to authorize the additional legal-tender notes.	35	88
Mar. 13, 1871	Vote to repeal tax on tea and coffee	89	39
Mar. 27, 1871	Vote to refer and defeat resolution that the tariff should be so reformed as to be a tax for revenue only, and not for the protection of class interests at the general expense.	75	91
Aug. 5, 1876	Mr. Cox's bill to repeal the resumption act	96	59
Dec. 13, 1876	Bill for free coinage of silver	124	36
Nov. 5, 1877	do	97	24
Nov. 23, 1877	Bill to repeal the resumption act	109	92
Jan. 21, 1878	Vote on bill to allow payment of customs duties in legal-tender notes.	127	76
Jan. 29, 1878	Vote to pay bonds in silver	116	56
Feb. 28, 1878	Silver bill over the President's veto	118	52
Mar. 5, 1878	Vote for free coinage of silver	102	77
Mar. 25, 1878	Vote on motion to suspend for five years payments for sinking fund.	105	91
May 31, 1878	To forbid further retirement of legal-tender notes.	106	28
June 6, 1878	Tucker's amendment to reduce taxes in the interest of the people.	133	101
June 19, 1878	Vote to substitute United States currency for national-bank notes.	98	98
Dec. 9, 1878	Vote to recoin trade dollars	104	71
Do	Vote for silver and against national banks	106	75
Jan. 15, 1879	To make Treasury notes receivable for duties and imports.	108	31
Apr. 19, 1879	Vote increasing legal-tender power of silver	97	88
May 24, 1879	RECORD, page 1600—On vote for free coinage of silver.	100	89
Apr. 5, 1880	That the $782,000,000 in bonds which were redeemable should not be funded beyond the power of the Government to call in such obligations, and that the mints should coin standard silver dollars to their full capacity.	73	90
Jan. 17, 1881	On a refunding bill which sought to destroy national-bank system.*	125	†109
May 18, 1882	On motion of Randall, Holman, and Bland to restrict national banks.	65	‡114
May 18, 1882	On Randall's and Culberson's motion in interest of people, against national banks.	76	105
May 19, 1882	Mr. Jones's motion to restrict national banks	76	94
June 27, 1882	Springer's amendment to abolish excessive taxes.	56	119
Apr. 15, 1884	Vote on Morrison tariff bill in the House	151	124
Apr. 8, 1886	Bill for free coinage of silver	98	93
June 17, 1886	Vote on Morrison tariff bill in the House	135	121
July 21, 1888	Vote on Mills's tariff bill in the House	161	146

Votes in the House of Representatives upon Democratic measures, etc.—Cont'd.

Date.	Character of measure.	Democratic votes against monopoly and for the people.	Republican votes for monopoly and against the people.
June 7, 1890	Motion to recommit bullion bill and report back free-coinage bill.	101	127
June 25, 1890	Mr. Bland's amendment in favor of free coinage of silver.	112	130
Mar. 24, 1892	Vote for free coinage of silver	129	66
Do	Mr. Bland's motion to table Johnson's motion against silver.	128	66
Apr. 9, 1892	On vote to make bagging, machinery, and cotton ties and cotton gins free.	159	44
May 2, 1892	On vote to make binding twine for farmers free.	176	44
July 8, 1892	On vote to reduce tax on tin-plate, in the interest of farmers.	199	61
July 13, 1892	On resolution to consider Senate bill for free coinage of silver.	118	61
Aug. 28, 1893	Vote for free coinage of silver at 16 to 1	100	112
Do	Vote to coin 2,000,000 ounces of silver per month at 16 to 1.	111	110
Do	Vote to repeal purchasing clause of Sherman act.§	74	100
Feb. 1, 1894	Vote on Wilson bill to reduce tariff taxes on wool clothing, etc., and impose a tax on large incomes.	196	122
Mar. 1, 1894	Vote to coin the silver in the Treasury	143	64
Do	Vote upon passage of the bill	135	82
Apr. 4, 1894	Vote to pass silver bill over veto	119	61

* This bill was vetoed by President Hayes, March 3, 1881.
† Eight Greenbackers voted with the Republicans.
‡ Five Greenbackers voted with the Republicans.
§ This vote not regarded as partisan or political.

TABLE 4.—*Votes in the Senate upon Democratic financial measures against banks and monopolies and in the interest of the people.*

Date.	Character of measure.	Democratic votes against monopoly and for the people.	Republican votes for monopoly and against the people.
May 10, 1864	Powell's measure to repeal national-bank law	5	31
Mar. 11, 1870	Senator Bayard's measure to tax bonds	7	38
Feb. 15, 1878	Bland act for coinage of silver	24	14
Feb. 28, 1878	Bland act over President's veto	25	10
June 21, 1882	Beck's measure against national banks	20	26
Aug. 19, 1890	Vote to reduce tariff on many descriptions of steel and iron to 35 per cent.	19	26
Do	Vote to reduce tax on wire for fences	21	25
Do	Mr. Vest's motion to reduce tariff on wire for fences.	21	27
Do	McPherson's motion to reduce tariff on wire not less than 10 wire gauge.	17	27
Do	McPherson's motion to reduce tariff on iron or steel wire of certain classes 25 per cent.	19	27
Do	Vance's motion to reduce tax on trace chains and other chains.	18	26
Aug. 20, 1890	McPherson's motion to reduce tax on cheap knives, razors, etc.	24	32
Aug. 22, 1890	Vest's motion to reduce tax on files and other tools.	19	27
Do	To reduce tax on iron or steel sheets, plates, wares, etc.	19	24
Do	To reduce tax on cut nails, spikes, etc	18	27
Do	To reduce tax on horseshoe nails and all iron and steel nails.	20	29
Do	To reduce tax on saws	19	25
Do	To reduce tax on wood screws	15	29
Aug. 26, 1890	To reduce tax on lead ore	17	28
Aug. 27, 1890	To reduce tax on tobacco	20	29
Aug. 28, 1890	To make sugar of milk free	21	24
Aug. 29, 1890	To make salt free of tax	15	29
Aug. 30, 1890	To make wool free	17	27
Sept. 1, 1890	To reduce tax on woolens, worsted, yarns, etc.	16	27
Do	To reduce tax on knit fabrics, etc	18	25
Do	To reduce tax on blankets, flannels, wool hats, etc.	16	57
Do	To reduce tax on women's and children's dress goods, etc.	19	36
Sept. 4, 1890	To reduce tax on stockings, hose, etc	19	27
Do	To reduce tax on burlaps and bagging for cotton	24	31
Do	To make bagging of cotton free	24	31
Do	To reduce tax on collars and cuffs	17	29
Sept. 5, 1890	To reduce tax upon men's gloves	21	30
Do	To reduce tax on fashion plates engraved on steel.	17	26
Do	To reduce tax on bagging of jute, manila, sisal, or other fiber, except hemp or flax.	19	26
Do	To reduce tax on burlaps and bags for grain	23	28
Do	To make lumber, sawed boards, etc., free	17	31
Sept. 6, 1890	Vest's motion to put salt on the free list	25	34
Do	To reduce tariff on all imports exchanged for farm products grown in United States.	23	30
Do	To make all articles necessary for the construction of vessels free.	22	29

Votes in the Senate upon Democratic financial measures, etc.—Continued.

Date.	Character of measure.	Democratic votes against monopoly and for the people.	Republican votes for monopoly and against the people.
Sept. 9, 1890	To strike out bounty on sugar	23	34
Do.	That McKinley tariff tax shall not affect bonded goods for one year.	28	34
Do.	To admit goods free from nations which admit our farm and other products free.	26	38
Do.	To levy a tax of 3 per cent upon dividends, including interest on bonds of corporations.	24	30
Do.	Mr. Butler moved to make bagging, etc., free	24	29
Do.	To prohibit any tax duty exceeding 100 per cent.	25	33
July 1, 1892	On passage of bill for free coinage of silver	19	18
Oct. 28, 1893	On vote to require the coinage of not less than 2,000,000 ounces of silver per month.	23	20
Oct. 30, 1893	On vote for unconditional repeal of purchasing clause in Sherman act.*	21	24

* This vote was not regarded as partisan or political.

I will now make some reference to the political organizations called the Greenback party, Populist party, or Third Party.

The elections of 1874 and 1876 were very favorable to the Democrats, and the Republican party clearly saw that unless the Democracy could be divided the Republicans would be overwhelmingly defeated. The Greenback party sprang into existence, and elected some dozen Greenback members to the Forty-sixth and Forty-seventh Congresses. In some cases it was contended that these Greenback members were aided in their elections by money furnished by the Republican executive committee. By artful and deceptive promises many men who had been good Democrats were deceived and enticed into casting their votes for Greenback candidates, thus detracting from the power and strength of the Democratic party.

Many of the Greenback candidates in part won their elections by denouncing Democrats whom they were trying to defeat as not sufficiently Democratic, but after securing their elections they voted in Congress with the Republicans and against the Democrats upon many matters of vital importance to the interests of the people.

GREENBACKERS VOTE AGAINST THE PEOPLE.

Most of these votes against the people and in favor of monopoly were viva voce, or upon division, or upon votes by tellers, of which, of course, there is no record; and sometimes, when the yeas and nays were demanded, they voted with the Republicans, but frequently, when votes were taken by yeas and nays, they refrained from voting. But notwithstanding this, a glance at the Journal and the CONGRESSIONAL RECORD shows that the Greenbackers were often recorded as opposed to Democratic measures and to measures which they had promised their constituents to support. To illustrate:

On April 5, 1879 (RECORD, page 257), a Greenbacker, who was elected protesting that he was a better Democrat than his opponent, moved to strike out the sixth section of the Army bill, viz, that part of the bill which prohibited the use of soldiers and marshals at the polls. The same Greenbacker on June 26, 1879 (RECORD, page 2365), sought by amendment to defeat the bill which required nonpartisan jurors in Federal courts. He also made a speech for the amendment, which is on page 2365, Forty-sixth Congress.

On June 10, 1879 (RECORD, page 1908), on the vote in the House to prevent marshals and soldiers from controlling elections in the South, when the yeas and nays were called 102 Democrats voted for the bill, 84 Republicans against it, and 13 Greenbackers refrained from voting.

The Greenbackers therefore showed they were clearly in favor of having elections controlled by soldiers and marshals.

On another vote on the same bill 13 Greenbackers refrained from voting upon the call of the yeas and nays.

On June 27, 1879 (RECORD, page 2397), the House voted upon a bill which prohibited the use of marshals and soldiers at the polls; 13 Greenbackers refrained from voting.

June 30, 1879 (RECORD, page 2443), the bill was vetoed, and the same day it was voted upon in the House; 14 Greenbackers refrained from voting.

In December a bill was voted upon to prevent officers of the Government from intermeddling in elections by threats or menaces, or contributions of money, or the use of official patronage. The Republicans voted against this, and when the yeas and nays were ordered 13 Greenbackers refrained from voting.

On January 12, 1880 (RECORD, page 289), 4 Greenbackers voted with 99 Republicans against free trade on salt, and 6 Greenbackers refused to vote, and thus aided the Republicans in defeating this effort of the Democrats to give the people free salt; and on March 8, 1880, upon the same subject, 7 Greenbackers voted with 97 Republicans.

March 8, 1880 (RECORD, page 1385), on Mr. Samford's bill to reduce the tariff on articles used by the poor 50 per cent, 8 Greenbackers voted with 102 Republicans against the measure.

March 23, 1880, on Mr. Townshend's bill to put salt and many other articles on the free list, 5 Greenbackers voted with 100 Republicans. On a second vote regarding the subject, 8 Greenbackers voted with 108 Republicans, and on a third vote on this subject 7 Greenbackers voted with 105 Republicans.

In the Forty-sixth and Forty-seventh Congresses there was a great struggle on the part of the Republicans to obtain an unfair apportionment of representation in Congress, which was unduly favorable to Republicans and did great injustice to Democrats.

March 3, 1881 (RECORD, page 2434), on this question 6 Greenbackers voted with the 110 Republicans on the bill favorable to Republicans.

On the same day, on another vote favorable to Republicans, 11 Greenbackers voted with 116 Republicans, and on the passage of the bill, which was favorable to Republicans, 12 Greenbackers voted with 114 Republicans, and on the passage of the bill in the Forty-seventh Congress 6 Greenbackers voted with 136 Republicans. On Mr. Beltzhoover's amendment, which was favorable to Democrats, 3 Greenbackers voted against it with 129 Republicans.

June 27, 1882 (RECORD, page 5415), on Mr. Springer's amendment to repeal all internal-revenue taxes except taxes on whisky, Democrats all voted for it, Republicans all against it, and the Greenbackers refrained from voting.

March, 1882, upon the vote to increase the powers and privileges of national banks, which was favorable to monopoly, 2 Greenbackers voted with 99 Republicans, and against the people.

On motion to reconsider the vote, 4 Greenbackers voted with 105 Republicans.

On Bayne's amendment in favor of monopoly, 7 Greenbackers voted with 95 Republicans.

On Buckner's amendment favorable to the people, 8 Greenbackers joined 105 Republicans in voting against the people.

February 17, 1882 (RECORD, page 1251), on Mr. Colerick's amendment favorable to Democrats, 6 Greenbackers voted against it with 128 Republicans. On Mr. Colerick's motion to reconsider, 4 Greenbackers voted with 124 Republicans.

GREENBACKERS VOTE IN FAVOR OF NATIONAL BANKS.

In 1881 Mr. Wood reported a bill to refund the debt in 3 per cent bonds, payable at the pleasure of the United States after five years and payable in ten years. The bill also authorized the issuance of $300,000,000 of small certificates to be used as currency, which issues could be redeemed after one year. The bill also provided that these bonds and certificates should be used for the redemption of bonds bearing a higher rate of interest, and that after May 1, 1881, these bonds alone should be received from national banks as security for circulation. This would have made 3 per cent bonds sell for at least 115. On this measure, which was very favorable to the people and against the banks, the Greenbackers arrayed themselves side by side with the Republicans in favor of banks and against the people.

On January 19, 1881 (RECORD, page 783), the vote was taken upon the passage the bill; 8 Greenbackers together with 109 Republicans voted against the bill and 125 Democrats for it. Upon another vote 10 Greenbackers voted against it together with 104 Republicans. Upon the return of the bill from the Senate 7 Greenbackers voted against it together with 86 Republicans.

The Greenbackers who voted against this bill were De La Matyr, Ford, Forsythe, Gillette, Jones, Lowe, Murch, Weaver, Wright, Yocum.

To show that this bill was favorable to the people and against national banks, and that the Greenbackers voted against the bill with the full knowledge of this, I will read from a speech delivered by General Weaver January 19, 1881 (RECORD, page 776). In speaking of this bill he says:

> First. By the law as it now stands national banks may use any and all kinds of Government bonds to secure their circulation.
> Second. They may deposit in pledge bonds upon which all interest has ceased.
> Third. These banks may, whenever and as often as they see proper, retire and in turn increase their circulation by depositing lawful money with the Secretary of the Treasury. Now, all three of these privileges are taken away by the provisions of this bill.

It showed that President Hayes fully understood the bill was against national banks when he vetoed it on March 3, 1881. (RECORD, page 2433.) The veto message says:

> I should not deem it my duty to interpose my constitutional objection to the passage of the present bill if it did not contain, in its fifth section, provisions, which in my judgment, seriously impair the value and tend to the destruction of the present national banking system of the country. This system has now been in operation almost twenty years. No safer or more beneficial banking system was ever established.

Now, the bill passed the House by only 10 majority, and the Democrats saw clearly they could not pass the bill over the President's veto by a two-thirds vote. Therefore, Mr. Tucker (RECORD, page 2434) moved that the veto message lie on the table, to be called up hereafter, and on this 5 Greenbackers voted with the Republicans and against about 125 Democrats, including such men as Carlisle, BLACKBURN, Blount, CULBERSON, Forney, Hatch, Hooker, Kenna, MCMILLIN, MILLS, Morrison, Reagan, Springer, and Stevenson. It seemed very strange to see Greenbackers, who were elected on a pledge to oppose national banks, vote against this measure.

GREENBACKERS AID REPUBLICANS TO VIOLATE THE CONSTITUTION.

March 29, 1882, on the vote to violate the Constitution and destroy time-honored rules of the House of Representatives and give unbridled authority to the Republicans, all the Greenbackers present voted with 144 Republicans.

This vote is recorded in the RECORD, page 4329. Had these Greenbackers refrained from voting, the Republicans would not have been able to commit this outrage upon the Constitution.

In their efforts to prevent this outrage the Democrats exhausted every effort possible, and they would have succeeded had not the Greenbackers joined hands with the Republicans.

On the morning of May 29, 1882, before the Republicans were able to reach the vote to which I have referred, the Democrats succeeded in forcing four yea-and-nay votes. The first is recorded on page 4305 of the CONGRESSIONAL RECORD, and every Greenbacker present and voting is recorded as voting with the Republicans.

The second is on page 4325, the third is on page 4327, and the fourth is on page 4328, and in each case the RECORD shows that every Greenbacker present and voting cast his vote with the Republicans.

On a vote in the House to seat a negro—Lynch—in place of a white Democrat, 5 Greenbackers voted with 120 Republicans.

On vote to unseat a Democrat—Dibble—and seat Mackey, a Republican, 7 Greenbackers voted with 140 Republicans.

On vote to unseat Tillman, a Democrat, and seat a negro—Smalls—4 Greenbackers voted with 140 Republicans.

On vote on the previous question of unseating General Shelly, a Democrat, 5 Greenbackers voted with 138 Republicans.

On vote to unseat General Shelly, 5 Greenbackers voted with 140 Republicans.

The Greenbackers commenced their career of joining their votes to the votes of Republicans and against Democrats at the beginning of the Forty-sixth Congress. On March 19, 1879, page 27 of the RECORD, and before that Congress had been in session two hours, Mr. FRYE, a Republican from Maine, made a motion to prevent Mr. Hull, a Democrat, from being sworn in as a member, the purpose being, if possible, to seat Mr. Hull's opponent, who was an extreme radical Republican. This was an insult to a sovereign State, the governor and secretary of state of said Commonwealth having certified to the member's election. Eleven Greenbackers voted with 126 Republicans for this outrage, and 140 Democrats voted against it. Mr. Harris, a Democrat from Virginia, then moved that Mr. Hull be sworn in as a member. Mr. Garfield called for the yeas and nays, and 12 Greenbackers and 124 Republicans voted against it, and 140 Democrats voted for the motion.

The 12 Greenbackers who voted against seating Mr. Hull were: Barlow, De La Martyr, Ford, Forsythe, Gillette, Jones, Kelley, Lowe, Murch, Daniel L. Russell, Weaver, and Yocum. This vote is recorded in the RECORD, March 19, 1879, page 28.

The Greenbackers continued their support of the Republican party during their entire career of four years in the House of Representatives, and including the last night of the session, March 3, 1882, when they repeatedly voted with Republicans to unseat Governor Richardson, of South Carolina, and seat a negro named Samuel Lee, said negro Lee having no claim to the seat whatever, even a Republican election committee having made a report that he was not elected. On this vote 4 Greenbackers voted with 119 Republicans to seat the negro and 114 Democrats against it. (RECORD, page 3752.) The Republicans, assisted more or less by the Greenbackers, continued their efforts to unseat Governor Richardson and seat the negro Samuel Lee. Several yea-and-nay votes were had. They are recorded in the RECORD, pages 3753, 3754, 3755, 3759, 3760, 3764, 3772, second session Forty-seventh Congress. The Democrats broke a quorum twice during the contest, and on both occasions the Republicans demanded a call of the House.

March 2, 1883, in the case of Sessinghaus *vs.* Frost, 7 Greenbackers voted with 119 Republicans and against 110 Democrats to unseat a Democrat, R. Graham Frost, and seat a Republican, Sessinghaus. (See RECORD, page 3631.)

GREENBACKERS VOTE WITH REPUBLICANS FOR HIGH-TARIFF TAX.

But worse than all that, in the great struggle made by Democrats to defeat the iniquitous tariff act of March 3, 1883, many of the Greenbackers voted with the Republicans and against the people. On the vote to establish the Tariff Commission, 6 Greenbackers voted with the 117 Republicans and against 58 Democrats, and on the vote on the bill 4 Greenbackers voted with 136 Republicans against 112 Democrats.

On vote to reduce the tariff tax the Greenbackers very generally voted with the Republicans against the Democrats, and on vote to increase the tariff tax the Greenbackers again voted with the Republicans and against the Democrats.

June 6, 1882, on bill to more than double tariff tax upon woolen goods all the Greenbackers who voted cast their vote with the Republicans for this iniquity.

March 30, 1882, on Tariff Commission, 4 Greenbackers voted with 113 Republicans. On second vote, 6 Greenbackers voted with 124 Republicans. When the bill passed, 7 Greenbackers voted with 116 Republicans.

On June 6, 1882, 5 Greenbackers voted with 99 Republicans against abolishing the tariff tax on trace chains.

On December 16, 1881, on the election of officers of the House of Representatives, upon the vote whether the officers of the House should be Democratic or Republican, 8 Greenbackers voted with 147 Republicans for the Republican officers and against Democratic officers.

DEMOCRATS SOLIDLY FOR—REPUBLICANS SOLIDLY AGAINST FARMERS.

On April 7, 1882 (RECORD, page 3057), on a vote "to place wool on the free list and to reduce the duties on woolen goods," such as are worn by farmers and laboring people, 187 Democrats voted for it, and 57 Republicans and 1 Populist [Mr. Otis of Kansas] against it.

On April 9, 1892 (RECORD, page 3141), upon a vote to admit free of duty bagging for cotton, machinery for manufacturing bagging, cotton ties, cotton gins, and parts thereof, 159 Democrats voted for it, and 44 Republicans against it.

On May 2, 1892 (RECORD, page 3842), on a vote to put binding twine for farmers on the free list, 176 Democrats voted for it, and 44 Republicans against it.

On July 8, 1892 (RECORD, page 5906), on vote to reduce duty on tin plate and make it free after October 1, 1894, all for the benefit of farmers and laboring men, 199 Democrats voted for it, and 61 Republicans against it.

All these measures were specially in favor of farmers. With one or two exceptions the Democrats voted solidly for these bills, and the Republicans voted solidly against them.

POPULISTS AID REPUBLICANS TO DEFEAT FREE COINAGE OF SILVER IN 1892

On March 24, 1892, the House voted upon a bill for free silver coinage. Upon Mr. BURROWS'S motion to lay the bill on the table the vote (RECORD, page 2544) was 148 yeas and 148 nays. The Speaker then added his name to the negative vote. Every Democrat south of the Ohio River except two voted in favor of silver.

A gold-standard man moved to reconsider the above vote, which motion Mr. Bland moved to lay on the table. The motion was lost by one vote, page 2545. The motion was then voted on and was carried by two votes, page 2546.

Hon. Hosea H. Rockwell was the only man from New York or New England who voted with the Democrats for free silver.

He had been a brave soldier in a white regiment during the war and had been fairly elected to Congress, but notwithstanding this, the Republicans and Populists combined to drive him from Congress and put in his place Henry F. Noyes, who was not elected and who was a colonel of a negro regiment during the war, but was an extreme gold-standard Republican. After a long struggle, they succeeded in getting a vote on this contest on April 22, 1892.

This was the supreme struggle for silver and for the people, and every member of Congress fully realized that a vote against Mr. Rockwell was a vote for the gold standard and against the people, and yet, with that knowledge, every People's Party man in this supreme moment deserted their pretended principles and the people and voted with the Republicans against silver and in favor of a gold-standard Republican.

The Populists or third-party men who thus voted against the coinage of silver were Messrs. BAKER of Kansas, Clover, Davis, Halvorson, KEM, Otis, Simpson, Watson, and Winn. They all voted with the gold-standard Republicans in the numerous votes, by viva voce, by division, and by tellers, and also in three separate yea-and-nay votes. The first of these yea-and-nay votes is recorded on page 3539; the second on page 3540, and the third on page 3541 of the RECORD, all on April 22, 1892. Mr. McKeighan withheld his vote twice, but otherwise voted with the gold-standard men.

POPULISTS VOTED AGAINST AND OPPOSED SILVER COINAGE IN 1893.

On a vote for free and unlimited coinage of silver at the ratio of 17 to 1 (RECORD, August 28, 1893, page 1004), Mr. Harris and Mr. McKeighan, Populists, voted against 88 Democrats and with 111 Republicans against silver coinage at 17 to 1, and Mr. BAKER of

Kansas, Mr. Boen, Mr. Cannon of California, Mr. Davis, Mr. Hudson, Mr. KEM, Mr. Pence, and Mr. Simpson sat in their seats and declined to vote.

On the vote for free and unlimited coinage of silver at the ratio of 18 to 1 (RECORD, August 28, 1893, pages 1005 and 1006), Messrs. Harris, KEM, and McKeighan voted against 88 Democrats and with 110 Republicans against silver coinage, and Messrs. BAKER of Kansas, Boen, Davis, Hudson, Pence, and Simpson sat in their seats and declined to vote.

On the vote for the free coinage of silver at the ratio of 19 to 1 (RECORD, August 28, 1893, pages 1005 and 1006), the vote and action of the Populists, with the exception of Mr. Cannon of California, was the same as it was upon the vote for free coinage at the ratio of 17 to 1.

On the vote for free and unlimited coinage of silver at 20 to 1 (RECORD, August 28, 1893, page 1006) the vote and action of the Populists was the same as the vote for free and unlimited coinage of siver at 18 to 1.

On a vote for the coinage of silver at 16 to 1, under the Bland-Allison Act, Mr. NEWLANDS declined to vote. (RECORD, August 28, 1893, page 1007.)

POPULISTS AIDED REPUBLICANS UNDER MR. REED IN OPPOSING REDUCTION OF TARIFF TAXATION.

On a vote January 5, 1894 (RECORD, page 537), for taking up a bill for reducing tariff taxation and lightening the burdens upon the people, Messrs. BAKER of Kansas, Boen, Davis, Harris, Hudson, KEM, NEWLANDS, Pence, and Simpson, Populists, or Third Party men, joined the solid Republican party under the leadership of the arch protectionists, Mr. REED and Mr. BOUTELLE, and refused to vote upon the bill, and in this manner made 7 less than a quorum, and thus aided the Republican party in continuing oppressions upon the people.

On another vote, January 5, 1894 (RECORD, page 538), the Populists again, in the same way, joined and aided the Republicans in efforts to oppress the people.

Again, on January 5, 1894 (RECORD, page 538), on another vote, the Populists for the third time, in the same way, joined and aided the Republicans in efforts to oppress the people.

On another vote, the same day (RECORD, page 539), the Populists, for a fourth time, in the same way, joined and aided the Republicans in efforts to oppress the people.

Again, on January 6, 1894 (RECORD, page 544), on another vote, the Populists, for a fifth time, in the same way, joined and aided the Republicans in efforts to oppress the people.

The same day (RECORD, page 545), on another vote, the Populists, for a sixth time, in the same way, joined and aided the Republicans in efforts to oppress the people.

Again, on the same day (RECORD, page 546), on another vote, the Populists, for the seventh time, in the same way, joined and aided the Republicans in efforts to oppress the people.

On January 8, 1894 (RECORD, page 565), on another vote, the Populists, for an eighth time, in the same way, joined and aided the Republicans in efforts to oppress the people. The same day (RECORD, page 570) on Mr. REED'S motion to recommit, the Populists, except Mr. Hudson, for a ninth time, in the say way, joined and aided the Republicans in efforts to oppress the people. The same day (RECORD, page 571), on the order for the consideration of the bill to reduce tariff taxation and lighten the burdens upon the people, Messrs. BAKER of Kansas, Boen, Davis, Harris, KEM, NEWLANDS, Pence, and Simpson refused to vote, and thus joined the solid Republican party under the leadership of Mr. REED and Mr. BOUTELLE, and thus sought to prevent legislation for reducing tariff taxation and lessening the burdens upon the people.

The RECORD shows that none of these gentlemen were paired upon any of these votes; and the RECORD shows that Mr. BAKER of Kansas, Mr. Boen, Mr. Davis, Mr. Hudson, Mr. KEM, Mr. Pence, and Mr. Simpson were present at other roll calls during days that these votes were had.

SOUTHERN DEMOCRATS VOTED SOLIDLY FOR SILVER COINAGE.

On March 1, 1894, the House voted on the bill to coin the silver bullion in the Treasury. Upon the vote to strike out the second section of the bill, so as only to permit the coinage of $55,156,681, 120 Democrats voted against the amendment and 59 Republicans for it.

Upon Mr. Bland's substitute, 172, nearly all Democrats, voted for it, and only 94, mostly Republicans, against it, and only two members of Congress south of the banks of the Ohio voted against it.

On the vote to recommit, nearly all the Republicans and the Northeastern Democrats, in all 132 in number, voted to recommit the bill. The vote against the recommittal was 168, including every Democrat but one from the South.

Upon the passage of the bill 168 votes were cast in its favor, including every Democrat but one from the South. There were 129 votes cast against it, including nearly every Republican.

Upon the vote to pass the bill over the President's veto on April 4, 1894, 119 Democrats voted in favor of its passage. The vote against its passage was 114, including almost the solid Republican party aided by gold-standard Democrats, mostly from the North and East. Only two members of Congress from south of the banks of the Ohio River voted against the bill.

June 5, 1894, page 6841, Senator ALLEN said:

If the $100,000,000 that were found in the Treasury when Mr. Harrison came into the Presidential office had been judiciously used there would be no necessity to-day for the levying of a tax upon sugar.

POPULISTS VOTED WITH THE REPUBLICANS TO PREVENT AN INCREASE OF CURRENCY.

On June 6, 1894, the Populists in a body joined the Republicans and voted against the Democrats on the measure to repeal the 10 per cent tax on State bank issues. There were 102 votes for the bill, all of them by Democrats and including every Democrat south of the Ohio River. The votes against the bill included every Republican and every Populist.

I will now present a table showing the recorded vote on thirty-six measures introduced by Republicans, in which Greenbackers, Populists, or Third Party men voted with Republicans in favor of these measures, all of which were to benefit banks and monopoly, and against the interests of the people. I also present a table which shows the recorded vote upon thirty-seven measures introduced by Democrats, in which Greenbackers, Populists, or Third Party men voted with Republicans and against these measures, in favor of banks and monopoly and against the people.

In these tables I have included some votes which are purely political, in which Greenbackers, Populists, or Third Party men voted with Republicans to give increased strength to the Republican party.

Votes in the House of Representatives upon Republican measures in the interests of banks and monopolies and against the interest of the people.

Date.	Character of measure.	Democratic votes against banks and monopolies and in the interests of the people.	Republicans and Greenbackers or Populists in favor of banks and monopolies and against interests of the people.	
			Republicans.	Greenbackers or Populists.
Mar. 8, 1880	On referring a bill to reduce taxes to a committee to prevent its passage.	84	97	7
Mar. 23, 1880	Vote to delay and defeat Mr. Townshend's bill to place salt, printing type, printing paper, chemicals, and materials used in making paper upon the free list.	94	108	8
Do	On Garfield's motion to defeat Townshend's bill by referring it to committee.	84	105	7
Mar. 3, 1881	On apportionment of representation at 322, which was favorable to Republicans.	127	110	6
Do	On motion to fix representation at 319, which was also favorable to Republicans.	120	116	11
Do	On passage of the bill favorable to Republicans.	113	114	13
Feb. 17, 1882	Mr. Anderson moved to fix the House of Representatives at 325 members.	100	136	6
Do	On vote favorable to Republicans and against Democratic principles.	95	120	5
Mar. 17, 1882	On Mr. Cameron's amendment favorable to national banks and to Republicans.	86	99	2
Do	On reconsidering the above vote	87	105	4
Mar. 20, 1882	Mr. Kelley's motion to consider the Tariff Commission.	55	113	4
Mar. 23, 1882	Mr. Kasson's amendment favorable to Chinese.	96	94	3
May 6, 1882	Tariff Commission bill passed	75	116	7
May 29, 1882	Page 4325 of the RECORD, Mr. Reed's motion to lay Mr. Randall's motion on the table.	.....	142	8
Do	Page 4328 of RECORD, Mr. Reed's demand for previous question on unconstitutional rule.	.....	142	9
Do	On vote to give Republicans unlimited and unbridled authority.	.....	141	9
May 29, 1882	To seat a negro (Lynch) in place of a white Democrat.	93	120	5
Do	In unseating Dibble and seating Mackey.	.....	140	7
Do	In unseating Tillman and seating a negro (Smalls).	.....	140	4
Do	On the previous question of unseating Shelly.	.....	138	5
May 29, 1882	On the vote to unseat Shelly	.....	140	5
Mar. 19, 1879	On Frye's motion against Hull and in favor of a Republican.	140	126	11
Mar. 20, 1882	On Tariff Commission	58	117	6

Votes in the House of Representatives upon Republican measures in the interests of banks and monopolies, etc.—Continued.

Date.	Character of measure.	Democratic votes against banks and monopolies and in the interests of the people.	Republicans and Greenbackers or Populists in favor of banks and monopolies and against interests of the people.	
			Republicans.	Greenbackers or Populists.
June 27, 1882	On passage of internal-revenue bill	77	119	*7
July 3, 1882	Mr. Kelley's motion to increase tariff on knit goods from 35 per cent to 100 per cent.	46	108	4
July 26, 1882	Motion to recommit Mr. Tucker's bill in favor of free American ships.	71	96	3
Mar. 2, 1883	To unseat a Democrat (Frost) and seat a Republican.	110	119	7
Mar. 3, 1883	Vote on tariff bill	112	136	4
Do	On vote to seat a negro and unseat a Democrat.	114	119	4
Apr. 22, 1892	To unseat a silver Democrat and seat a gold-standard Republican colonel of a negro regiment.	140	72	9
Do	do	128	74	9
Do	Motion having the same ultimate purpose.	124	78	10
Jan. 8, 1894	On Mr. Reed's motion to recommit order for consideration of tariff bill.	181	114	8
June 5, 1894	Vote in Senate to continue the bounty on sugar for 11 years.	38	31	1
Do	Vote in Senate to retain graduated bounty on sugar for 11 years.	37	31	3
June 20, 1894	Vote in Senate on Peffer's amendment to tax salt.	31	23	1

Votes in the House of Representatives upon Democratic measures against banks and monopolies and in the interest of the people.

Mar. 19, 1879	On Mr. Harris's motion to seat a Democrat.	140	124	12
June 10, 1879	On vote to prohibit marshals and soldiers at the polls.	102	84	13
June 27, 1879	On another vote to prohibit marshals and soldiers at the polls.	89	69	13
June 30, 1879	Vote on same bill after President's veto.	85	63	13
Jan. 12, 1880	Bill to make salt free of duty	99	99	*9
Mar. 8, 1880	On motion on Mr. Samford's bill to reduce tariff 50 per cent on many articles used by laboring people, and to make printing paper, type, and material free.	81	102	8
Mar. 23, 1880	Mr. Nicholls's motion favorable to bill to place salt, printing type, printing paper, chemicals, and materials used in making paper upon the free list.	110	100	5
1881	Mr. Wood's bill to refund in 3 per cent bonds, redeemable at the pleasure of the United States after one year.	124	104	10
	When the same bill came back to the House.	113	86	7
Jan. 19, 1881	Funding debt and destruction of national-bank system.	125	109	8
Dec. 6, 1881	On motion to elect Democratic officers of the House.	121	147	8
May 18, 1882	Mr. Bland's bill for substituting United States currency for national-bank notes.	66	114	5
May 6, 1882	Mr. Mills in favor of resolution that no more money shall be collected than is necessary for the wants of the Government economically administered, and that the maximum revenue duty should be imposed on all luxuries.	74	124	6
May 18, 1882	Mr. Buckner's amendment restricting national banks and favoring the people.	56	150	8
Do	Mr. Beltzhoover's amendment to prevent gerrymandering.	109	129	3
Do	Mr. Colerick moved to fix the House of Representatives at 316, favorable to the Democrats.	94	128	6
Do	Mr. Colerick moved to reconsider	99	124	4
May 29, 1882	On Mr. Blackburn's motion to delay		138	8
	vote on rule, page 4305.			
Do	On Mr. Kenna's motion, page 4327		143	9
June 6, 1882	On bill to abolish duty on trace chains.	67	99	5
June 27, 1882	On Springer's amendment to abolish excessive internal taxes.	56	119	*10
Apr. 7, 1892	On vote to reduce tariff tax on woolen clothing used by laboring people.	187	57	1
Aug. 28, 1893	On vote for free and unlimited coinage of silver at 17 to 1.	88	111	*8
Do	On vote for free and unlimited coinage of silver at 18 to 1.	88	110	*10
Aug. 28, 1893	On vote for free and unlimited coinage of silver at 19 to 1.	87	109	*10

Votes in the House of Representatives upon Democratic measures against banks and monopolies, etc.—Continued.

Date.	Character of measure.	Democratic votes against banks and monopolies and in the interests of the people.	Republicans and Greenbackers or Populists in favor of banks and monopolies and against interests of the people.	
			Republicans.	Greenbackers or Populists.
Do	On vote for free and unlimited coinage of silver at 20 to 1.	73	105	*10
Jan. 5, 1894	On vote to take up bill to reduce taxation.	169	*119	*9
Do	do	167	*118	*9
Do	do	168	*116	*9
Do	do	166	*115	*9
Jan. 6, 1894	do	168	*112	*9
Do	do	168	*114	*9
Do	do	168	*115	*9
Jan. 8, 1894	do	190	*112	*9
Do	do	184	*114	*9
June 6, 1894	On vote to repeal 10 per cent tax on State bank issues.	102	88	9
June 5, 1894	Vote in Senate to abolish bounty on sugar.	38	30	1

*In votes thus marked a portion and sometimes all of the Populists and Republicans refused to vote; I therefore classify the Populists as joining the Republicans against the measures.

DEMOCRATS THE ONLY TRUE FRIENDS OF THE PEOPLE.

This record gives abundant proof that Populists, Greenbackers, or Third Party men, under whatever name they may appear, have repeatedly aided the Republicans in thwarting the efforts of Democrats to legislate in the interests of the people. It shows clearly they have aided the Republicans in perpetuating the national-bank system, in perpetuating the gold standard, in maintaining high tariffs, in force bills, and in controlling elections by soldiers and marshals, and other obnoxious and pernicious legislation by which the Republicans have added wealth to the rich and increased the poverty and suffering of the great mass of the people; and the evidence is clear beyond question that the leaders of the Greenback, Populist, and other Third Party movements in the South seek and receive financial aid from the Republican party, and the proof is also abundant that their leaders promise in return to support tariff and other legislation which they must know is destructive to the farmers and other laboring people of the Southern States.

We all remember how Mr. HENDERSON, a Republican member of Congress from Iowa, showed that in 1880 General Weaver ran for President to aid General Garfield, or, as Mr. HENDERSON expressed it, as the tail of the Republican kite.

The proof is abundant that Chris Magee, of the Republican committee, came to Alabama in 1892, and that the Weaver electors were pledged to vote for Harrison, provided by so doing they could defeat the Democratic party and reelect Harrison President of the United States; and in 1894 the opponents of the Democratic party in Alabama secretly arranged with those high-tariff, force-bill Republicans, Senators HOAR and LODGE and other Republicans of the Senate and House by which, in return for money, the Populists or Jeffersonians of Alabama were in future to give their support to the Republican party.

Senator HOAR, in speaking of Captain Kolb, says:

We all believe that this movement is of the utmost importance; that it is the most promising fact that has taken place in the history of the South for many years.

Senator HOAR also says:

That if he succeeds the solid South is broken and that the success of the cause of protection is assured.

Senator HOAR also says to his Republican associates:

I have no doubt that the forces that he leads will be found acting with us in all great essentials in the future.

The New York Sun says:

The Home Market Club has sent out circulars marked "In confidence," seeking to raise this money.

The circular closes in these words:

Prudence requires that strict privacy should be observed in raising the money. There is so much prejudice in the South that it might be fatal to the cause to have it become known the Kolb party receives any aid from New England. We pray you, therefore, to avoid seeing any but discreet men, and to impress upon them the importance of secrecy.

This exposure is only corroborative of the evidence furnished by the records of Congress which I have given in this speech. Here we have positive proof that the leaders of the opposition to

the Democratic party in Alabama have convinced the authors of the force bill and the arch protectionists, Senators HOAR and LODGE, that they and their followers will be found acting with these Republican leaders in the future.

The evolution has been rapid. Two years ago the opponents of the Democratic party in Alabama publicly proclaimed themselves as the purest Democrats, as better Democrats than the body of the Democratic party. At the same time they were secretly pledging themselves to support the most obnoxious Republican measures and principles; and now they have joined themselves with the solid Republican party of that State, and if a gold-standard Republican is elected President they will be the foremost in demanding Republican patronage.

This record should admonish every true lover of his country that there is but one way on earth to restore our country to peace and prosperity; that there is but one way to reestablish the South and the rural sections upon the principles which governed when we were happy and prosperous, and that one way is to place every Department of the Government under the control of true and unquestioned Democrats.

POPULIST BILLS INJURIOUS TO THE SOUTH.

I have before me four bills, introduced in the last Congress by Populists, which I submit would, if enacted into law, do more harm to the people of the South than any measures ever proposed in Congress, unless we except the force bill and confiscation bills which were introduced soon after the close of the war.

House bill 3186, by Mr. Hudson, a Populist, provided—

That all pensioners for service in the Federal Army and Navy during the war may receive in one payment ten times the annual amount of the pension.

This would cost the Government this year $1,500,000,000.

House bill 3436, by Mr. Davis, Populist from Kansas, provides—

That the mortgage debt of any mortgagor of real estate used as a home or for support, shall be paid by the United States where an appraisement board finds the estate to be worth the full amount of the mortgage, and the debtor shall be allowed to redeem his property from the United States within twenty years by paying an interest of 1 per cent per annum.

It is estimated that this would enable persons to get money of the United States for twenty years at 1 per cent interest to an amount exceeding $12,000,000,000.

The rich and influential owners of real estate in cities would be the first beneficiaries, and the Government would become bankrupt before the farmers could get any benefit from the act.

House bill 3437, by Mr. Davis, Populist, from Kansas, provides for—

Granting a pension of $10 to $25 per month to all soldiers or sailors of the Union Army and Navy in the late war, and also to widows and minors; this to be in addition to disability pensions granted under present laws.

The Commissioner of Pensions estimates that this bill would increase our annual disbursements for pensions to $460,000,000 for the coming year.

House bill 6767, by Mr. Davis, Populist member from Kansas:

Directs the immediate enlistment of 500,000 men to be fed, clothed, paid, and provided for the same as the Regular Army; said army to be employed on works of public improvement, canals, rivers, and harbors, irrigation works, public highways, etc.

As the present Army of 25,000 men costs over $23,700,000 a year, the cost of simply the clothing, food, pay, etc., of this proposed army of 500,000 men would probably exceed $474,000,000.

If these bills should go into effect it would require the disbursement this year by the United States Government of $14,434,000,000, which is more than forty times the entire income of the United States, and as the entire amount of gold, silver, and paper money circulation of the world is only $10,037,568,000, the proposed expenditure this year by these four Populist bills would be one-half greater than all the money in the world. And yet these bills are only a few of the many impracticable measures which the Populists in Congress have prepared to have enacted into law.

The only possible way to raise this stupendous sum would be by a direct tax, and as the Constitution provides that direct taxes be apportioned according to population the amount Alabama would be required to pay this year would be $350,000,000. This would be about double the assessed value of all the property in that State. It is very clear that the passage and enforcement of these bills would bring bankruptcy and ruin upon all the people in the South.

The Democratic party has always befriended labor by insisting upon the strictest economy in the administration of the Government.

In order to show the difference between Democratic economy and Republican profligacy I have prepared Table No. 1, showing the expenditures of the Government for the seventy-two years from 1789 to 1861, during substantially all of which time we were under Democratic administration.

This table comprises all expenditures of every character, including the cost of all wars—the war of 1812, all Indian wars, the war with Mexico, and the preparation for a war with Tripoli. It is as follows:

TABLE NO. 1.—*Total expenditures of the United States under Democratic government from March 4, 1789, to June 30, 1861.*

Year.	War.	Navy.	Indians.	Pensions.	Miscellaneous.	Net ordinary expenditures.	Premium.	Interest.	Total expenditures, including premium.
1789 to 1791	$632,804.03	----------	$27,000.00	$175,813.88	$1,083,971.61	$1,919,589.52	----------	$1,177,863.03	$3,097,451.55
1792	1,100,702.09	----------	13,648.85	109,243.15	4,672,664.38	5,896,258.47	----------	2,373,611.28	8,269,869.75
1793	1,130,249.08	----------	27,282.83	80,087.81	511,451.01	1,749,070.73	----------	2,097,859.17	3,846,929.90
1794	2,639,097.59	$61,408.97	13,042.46	81,399.24	750,350.74	3,545,299.00	----------	2,752,523.04	6,297,822.04
1795	2,480,910.13	410,562.03	23,475.68	68,673.22	1,378,920.66	4,362,541.72	----------	2,947,059.06	7,309,600.78
1796	1,260,263.84	274,784.04	113,563.98	100,843.71	801,847.58	2,551,303.15	----------	3,239,347.68	5,790,650.83
1797	1,039,402.46	382,631.89	62,396.58	92,256.97	1,259,422.62	2,836,110.52	----------	3,172,516.73	6,008,627.25
1798	2,009,522.30	1 381,347.76	16,470.09	104,845.33	1,139,524.94	4,651,710.42	----------	2,955,875.90	7,607,586.31
1799	2,466,946.98	2,858,081.84	20,302.19	95,444.03	1,039,391.68	6,480,166.72	----------	2,815,651.41	9,295,818.13
1800	2,560,878.77	3,448,716.03	31.22	64,130.73	1,337,613.22	7,411,369.97	----------	3,402,601.04	10,813,971.02
1801	1,672,944.08	2,111,424.00	9,000.00	73,533.37	1,114,768.45	4,981,669.90	----------	4,411,830.06	9,393,499.96
1802	1,179,148.25	915,561.87	94,000.00	85,440.39	1,462,929.40	3,737,079.91	----------	4,239,172.16	7,976,252.07
1803	822,055.85	1,215,230.53	60,000.00	62,902.10	1,842,635.76	4,002,824.24	----------	3,949,462.36	7,952,286.60
1804	875,423.93	1,189,832.75	116,500.00	80,092.80	2,191,009.43	4,452,858.91	----------	4,185,048.74	8,638,907.65
1805	712,781.28	1,597,500.00	196,500.00	81,854.59	3,768,598.75	6,357,234.02	----------	2,657,114.22	9,014,348.84
1806	1,224,355.38	1,649,641.44	234,200.00	81,875.53	2,890,137.01	6,080,209.36	----------	3,368,968.26	9,449,177.62
1807	1,288,685.91	1,722,064.47	205,425.00	70,500.00	1,697,897.51	4,984,572.89	----------	3,369,578.48	8,354,151.37
1808	2,900,834.40	1,884,067.80	213,575.00	82,576.04	1,423,285.61	6,504,338.85	----------	2,557,074.23	9,061,413.08
1809	3,345,772.17	2,427,758.80	337,503.84	87,833.54	1,215,803.79	7,414,672.14	----------	2,866,074.90	10,280,747.04
1810	2,294,323.94	2,654,244.20	177,625.00	83,744.16	1,101,144.98	5,311,082.28	----------	3,163,671.09	8,474,753.37
1811	2,032,828.19	1,965,566.39	151,875.00	75,043.88	1,367,291.40	5,592,604.86	----------	2,585,435.57	8,178,040.43
1812	11,817,798.24	3,959,365.15	277,845.00	91,402.10	1,683,088.21	17,829,498.70	----------	2,451,272.57	20,280,771.27
1813	19,652,013.02	6,446,600.10	167,358.28	86,989.91	1,729,435.61	28,082,396.92	----------	3,590,455.22	31,681,852.14
1814	20,350,806.86	7,311,290.60	167,394.86	90,164.36	2,208,029.70	30,127,686.38	----------	4,593,239.04	34,720,925.42
1815	14,794,294.22	8,660,000.25	530,750.00	69,656.06	2,898,870.47	26,953,571.00	----------	5,990,090.24	32,943,661.24
1816	16,012,096.80	3,908,278.30	274,512.16	188,804.15	2,989,741.17	23,373,432.58	----------	7,822,923.34	31,196,355.92
1817	8,004,236.53	3,314,598.49	319,463.71	297,374.43	3,518,936.76	15,454,609.92	----------	4,536,282.55	19,990,892.47
1818	5,622,715.10	2,953,695.00	505,704.27	890,719.90	3,835,839.51	13,808,673.78	----------	6,209,954.03	20,018,627.81
1819	6,506,300.37	3,847,640.42	463,181.39	2,415,939.85	3,067,211.41	16,300,273.44	----------	5,211,730.56	21,512,004.00
1820	2,630,392.31	4,387,990.00	315,750.01	3,208,376.31	2,592,021.94	13,134,530.57	----------	5,151,004.32	18,285,534.89
1821	4,461,291.78	3,319,243.06	477,005.44	242,817.25	2,223,121.54	10,723,479.07	----------	5,126,073.79	15,849,552.86
1822	3,111,981.48	2,224,458.98	575,007.41	1,948,199.40	1,967,996.24	9,827,643.51	----------	5,172,788.79	15,000,432.30
1823	3,096,924.43	2,503,765.83	380,781.82	1,780,588.52	2,022,093.99	9,784,154.59	----------	4,922,475.40	14,706,629.99
1824	3,340,939.85	2,904,581.56	429,987.90	1,499,326.59	7,155,308.81	15,330,144.71	----------	4,943,557.93	20,273,702.64
1825	3,659,914.18	3,049,083.86	724,106.44	1,308,810.57	2,748,544.89	11,490,459.94	----------	4,366,757.40	15,857,217.34
1826	3,943,194.37	4,218,902.45	743,447.83	1,556,593.83	2,600,177.79	13,062,316.27	----------	3,975,542.95	17,037,859.22
1827	3,948,977.88	4,263,377.45	750,624.88	976,138.86	2,713,476.58	12,653,095.65	----------	3,486,071.51	16,139,167.16
1828	4,145,544.56	3,918,786.44	705,084.24	850,573.57	3,676,052.64	13,296,041.45	----------	3,098,800.60	16,394,842.03
1829	4,724,291.07	3,308,745.47	576,344.74	949,594.47	3,082,234.65	12,641,210.40	----------	2,542,843.23	15,184,053.66
1830	4,767,128.88	3,239,428.63	622,262.47	1,363,297.31	3,237,416.04	13,229,533.33	----------	1,912,574.93	15,142,108.25
1831	4,841,835.55	3,856,183.07	930,738.04	1,170,665.14	3,064,646.10	13,864,067.90	----------	1,373,748.74	15,237,816.64
1832	5,446,034.88	3,956,370.29	1,352,419.75	1,184,422.40	4,577,141.45	16,516,388.77	----------	772,561.50	17,288,950.27
1833	6,704,019.10	3,901,356.75	1,802,980.93	4,589,152.40	5,716,245.93	22,713,755.11	----------	303,796.87	23,017,551.98
1834	5,696,189.38	3,956,260.42	1,003,953.20	3,364,285.30	4,404,728.95	18,425,417.25	----------	202,152.98	18,627,570.23
1835	5,759,156.89	3,864,939.06	1,706,444.48	1,954,711.32	4,229,698.53	17,514,950.28	----------	57,863.08	17,572,813.36

TABLE No. 1.—*Total expenditures of the United States, mostly under Democratic government, from March 4, 1789, to June 30, 1861.*—Continued.

Year.	War.	Navy.	Indians.	Pensions.	Miscellaneous.	Net ordinary expenditures.	Premium.	Interest.	Total expenditures, including premium.
1836	$11,747,345.25	$5,807,718.23	$5,037,022.88	$2,882,797.96	$5,393,279.72	$30,868,164.04			$30,868,164.04
1837	13,682,730.80	6,646,914.53	4,348,636.19	2,672,162.45	9,893,370.27	37,243,214.24			37,243,214.24
1838	12,897,224.16	6,131,580.53	5,504,191.34	2,156,057.29	7,160,664.76	33,849,718.08		$14,996.48	33,864,714.56
1839	8,916,395.80	6,182,294.25	2,528,017.23	3,142,750.51	5,725,990.89	26,496,948.73		399,833.89	26,896,782.62
1840	7,095,367.23	6,113,896.89	2,331,794.86	2,603,502.17	5,995,308.96	24,139,920.11		174,598.08	24,314,518.19
1841	8,801,610.24	6,001,076.97	2,514,837.12	2,388,434.51	6,490,881.45	26,196,840.29		284,977.55	26,481,817.84
1842	6,610,438.02	8,397,242.95	1,199,099.68	1,378,931.33	6,775,624.61	24,361,336.59		773,549.85	25,134,886.44
1843	2,908,671.95	3,727,711.53	578,371.00	839,041.12	3,202,713.00	11,256,508.60		523,583.91	11,780,092.51
1844	5,218,183.66	6,498,199.11	1,256,532.39	2,032,008.99	5,645,183.86	20,650,108.01		1,833,452.13	22,483,560.14
1845	5,746,291.23	6,297,177.89	1,539,351.35	2,400,788.11	5,911,760.98	21,895,369.61	$18,231.43	1,040,458.18	22,954,059.22
1846	10,413,370.58	6,455,013.92	1,027,693.64	1,811,097.56	6,711,283.89	26,418,459.59		842,723.27	27,261,182.86
1847	35,840,030.33	7,900,635.76	1,430,411.30	1,744,883.63	6,885,608.35	53,801,569.37		1,119,214.72	54,920,784.09
1848	27,688,334.21	9,408,476.02	1,252,296.81	1,227,496.48	5,650,851.25	45,227,454.77		2,390,765.88	47,618,220.65
1849	14,558,473.26	9,786,705.92	1,374,161.55	1,328,807.64	12,885,334.24	39,933,542.61	82,865.81	3,565,535.78	43,581,944.22
1850	9,687,024.58	7,904,724.66	1,663,591.47	1,866,886.02	16,043,763.36	37,165,990.09		3,782,393.06	40,948,383.10
1851	12,161,965.11	8,880,581.38	2,829,801.77	2,293,377.22	17,888,992.18	44,054,717.66	69,713.19	3,696,760.75	47,821,191.60
1852	8,521,506.19	8,918,842.10	3,043,576.04	2,401,858.78	17,504,171.45	40,389,954.56	170,063.42	4,000,297.80	44,560,315.78
1853	9,910,498.49	11,067,789.53	3,880,494.12	1,756,306.20	17,463,068.01	44,078,156.35	420,498.64	3,665,832.74	48,164,487.73
1854	11,722,282.87	10,790,036.32	1,550,339.55	1,232,665.00	26,672,144.68	51,967,528.42	2,877,818.69	3,070,926.69	57,916,273.80
1855	14,648,074.07	13,327,095.11	2,772,990.78	1,477,612.33	24,090,425.43	56,316,197.72	872,047.39	2,314,464.99	59,502,710.10
1856	16,963,160.51	14,074,834.64	2,644,263.97	1,296,229.65	31,794,038.87	66,772,527.64	385,372.90	1,953,822.37	69,111,722.91
1857	19,159,150.87	12,651,694.61	4,354,418.87	1,310,380.58	28,565,498.77	66,041,143.70	363,572.39	1,593,265.23	68,997,981.32
1858	25,679,121.63	14,053,284.64	4,978,286.18	1,219,768.30	26,400,016.42	72,330,437.17	574,443.08	1,652,055.67	74,556,935.92
1859	23,154,720.53	14,690,927.90	3,490,534.53	1,222,222.71	23,797,544.40	66,355,950.07		2,637,649.70	68,993,599.77
1860	16,472,202.72	11,514,649.83	2,991,121.54	1,100,802.32	27,977,978.30	60,056,754.71		3,144,120.94	63,200,875.65
1861	23,001,530.67	12,387,156.52	2,865,481.17	1,034,599.73	23,327,287.69	62,616,055.78		4,034,157.30	66,650,213.08
Total	562,914,213.39	380,042,168.18	86,904,164.35	80,738,327.06	487,845,595.23	2,587,444,468.21	5,834,626.94	200,621,336.91	2,793,900,432.06

It is well to remember that with such a record of Democratic economy the Republican convention which nominated Abraham Lincoln for President denounced the expenditure which averaged $38,625,351, as reckless extravagance; and yet the same Republican party immediately launched out into an expenditure which during the first few years of Republican administration averaged annually $835,595,102.61, more than twenty-one times as great as the average expenditure by Democrats.

REPUBLICAN PLATFORM 1860.

The language of the Republican platform of 1860 was in these words:

That the people justly view with alarm the reckless extravagance which pervades every department of the Federal Government; that a return to rigid economy and accountability is indispensable to arrest the systematic plunder of the public Treasury by favored partisans.

I call attention to the fact that the year immediately preceding the meeting of this Republican convention the total expenditure of the Government under Democratic appropriations was $63,200,875. The convention denounced this as reckless extravagance, and yet during the first four years of their control of the Government they expended the enormous annual average of $825,595,102.61.

I have also prepared Table No. 2, showing the total expenditures during the years of war, from June 30, 1861, to June 30, 1865.

It is as follows:

TABLE No. 2.—*Total expenditures of the United States under Republican government during the war period, from June 30, 1861, to June 30, 1865.*

Year ending June 30—	War.	Navy.	Indians.	Pensions.	Miscellaneous.	Net ordinary expenditures.	Premiums.	Interest.	Total expenditures.
1862	$394,368,407.36	$42,668,277.09	$2,273,223.45	$853,095.40	$21,408,491.16	$461,671,494.46		$13,190,324.45	$474,761,818.91
1863	599,298,600.83	63,221,963.64	3,154,357.11	1,078,991.59	23,265,965.39	690,010,878.56		24,729,846.61	714,740,725.17
1864	690,791,842.97	85,725,994.67	2,629,857.77	4,983,924.41	27,505,599.46	811,637,220.28		53,685,421.69	865,322,641.97
1865	1,031,323,360.79	122,612,945.29	5,116,837.08	16,338,811.13	43,047,658.01	1,218,439,612.30	$1,717,900.11	77,397,712.00	1,297,555,224.41
Total	2,715,782,211.95	314,229,180.69	13,174,276.41	23,254,822.53	115,218,714.02	3,181,759,205.60	1,717,900.11	169,003,304.75	3,352,380,410.46

Also Table No. 3, showing total expenditures from June 30, 1865, to June 30, 1895.

TABLE No. 3.—*Total expenditures of the United States, mostly under Republican government, from June 30, 1865, to June 30, 1895.*

Year ending June 30—	War.	Navy.	Indian.	Pensions.	Miscellaneous.	Net ordinary expenditures.	Premium.	Interest.	Total expenditures.
1866	$284,449,701.81	$43,324,118.52	$3,247,004.56	$15,605,352.35	$41,056,961.54	$387,683,198.79	$58,476.51	$133,067,741.69	$520,809,416.99
1867	95,224,415.63	31,034,011.04	4,642,531.77	20,936,551.71	51,110,223.72	202,947,733.87	10,813,349.38	143,781,591.91	357,542,675.16
1868	123,246,648.62	25,775,502.72	4,100,682.32	23,782,386.78	53,009,867.67	229,915,088.11	7,001,151.04	140,424,045.71	377,340,284.86
1869	78,501,990.61	20,000,757.97	7,042,923.06	28,476,621.78	56,474,061.53	190,496,354.95	1,674,680.05	130,694,242.80	322,865,277.80
1870	57,655,675.40	21,780,229.87	3,407,938.15	28,340,202.17	53,237,461.56	164,421,507.15	15,996,555.60	129,235,498.00	309,653,560.75
1871	35,799,991.82	19,431,027.21	7,426,997.44	34,443,894.88	60,481,916.23	157,583,827.58	9,016,794.74	125,576,565.93	292,177,188.25
1872	35,372,157.20	21,249,809.99	7,061,728.82	28,533,402.76	60,984,757.42	153,201,856.19	6,958,286.76	117,357,839.72	277,517,982.67
1873	46,323,138.31	23,526,256.79	7,951,704.88	29,359,426.86	73,328,110.06	180,488,636.90	5,105,919.99	104,750,688.44	290,345,245.33
1874	42,313,927.22	30,932,587.42	6,602,462.09	29,098,414.66	69,641,593.02	179,619,985.41	1,395,073.55	107,119,815.21	287,133,873.17
1875	41,120,645.98	21,497,626.27	8,384,656.82	29,456,216.22	71,070,702.98	171,529,848.27		103,093,544.57	274,623,392.84
1876	38,070,888.64	18,963,309.82	5,906,558.17	28,257,395.69	66,958,373.78	158,216,526.10		100,243,271.23	258,459,797.33
1877	37,682,735.90	14,959,935.36	5,277,007.22	27,993,752.27	56,252,066.60	141,535,497.35		97,124,511.58	238,660,008.93
1878	32,154,147.85	17,365,301.37	4,629,280.28	27,137,019.08	53,177,703.57	134,463,452.15		102,500,874.65	236,964,326.80
1879	40,425,600.73	15,125,126.84	5,206,109.08	35,121,482.39	65,741,555.49	161,619,933.53		105,327,949.00	266,947,882.53
1880	38,116,916.22	13,536,984.74	5,945,457.09	56,777,174.44	54,713,529.76	169,090,062.25	2,795,320.42	95,757,575.11	267,642,957.78
1881	40,466,460.55	15,686,671.66	6,514,161.09	50,059,279.62	64,416,324.71	177,142,897.63	1,061,248.78	82,508,741.18	260,712,887.59
1882	43,570,494.19	15,032,046.26	9,736,747.40	61,345,193.95	57,219,750.98	186,904,232.78		71,077,206.79	257,981,439.57
1883	48,911,382.93	15,283,437.17	7,362,590.34	66,012,573.64	68,678,022.21	206,248,006.29		59,160,131.25	265,408,137.54
1884	39,429,603.36	17,292,601.44	6,475,999.29	55,429,228.06	70,920,433.70	189,547,865.85		54,578,378.48	244,126,244.33
1885	42,670,578.47	16,021,079.67	6,552,494.63	56,102,267.49	87,494,258.38	208,840,678.64		51,386,256.47	260,226,935.11
1886	34,324,152.74	13,907,887.74	6,099,158.17	63,404,864.03	74,166,929.85	191,902,992.53		50,589,145.97	242,483,138.50
1887	38,561,625.85	15,141,126.80	6,194,522.69	75,029,101.79	85,264,825.59	220,190,602.72		47,741,577.25	267,932,179.97
1888	38,522,496.11	16,926,437.65	6,249,307.87	80,288,508.77	72,952,230.80	214,938,951.20	8,270,842.46	44,715,007.47	267,924,801.13
1889	44,435,270.85	21,378,809.31	6,892,207.78	87,624,779.11	80,664,064.26	240,995,131.31	17,292,302.65	41,001,484.29	299,288,978.25
1890	44,582,338.05	22,006,216.24	6,708,046.67	106,936,855.07	81,403,256.49	261,637,202.55	20,304,224.06	36,099,284.05	318,040,710.66
1891	48,720,065.01	26,113,896.46	8,527,469.01	124,415,951.40	110,048,167.49	317,825,549.37	10,401,220.61	37,547,135.37	365,773,905.35
1892	46,895,456.30	29,174,138.98	11,150,577.67	134,583,052.79	99,841,988.61	321,645,214.35		23,378,116.23	345,023,330.58
1893	49,641,773.47	30,135,084.43	13,345,347.27	159,357,557.87	103,732,799.27	356,213,562,31		27,264,392.18	383,477,954.49
1894	54,357,600.84	31,527,195.15	10,286,416.64	141,177,284.96	101,403,455.85	338,751,953.44		27,841,405.64	366,593,359.08
1895	51,804,759.13	28,797,795.73	9,939,754.21	141,395,228.87	93,279,730.14	325,217,268.08		30,978,030.21	356,195,298.29
Total	1,692,752,539.82	652,928,000.62	209,017,903.18	1,846,391,021.44	2,139,540,905.04	6,540,815,617.64	118,145,486.60	2,421,913,048.38	9,080,874,152.62

I will also print the appropriations of all Congresses for thirty-two years, with the consent of the House:

TABLE No. 4.—*Appropriations, fiscal year ending June 30, 1867, to year ending June 30, 1897, inclusive, so far as completed.*

For year ending June 30—	Congress.	Agriculture.	Army.	Diplomatic and consular.	District of Columbia. *a*	Fortifications.	Indian.	Legislative, etc.	Military Academy.	Navy.
1866	38th, 2d sess		$598,079,527.70	$1,384,250.00		$7,953,000.00	$2,590,415.41	$15,057,886.16	$257,404.00	$111,587,528.95
1867	39th, 1st sess		38,004,241.83	1,405,494.00		1,540,000.00	3,810,772.82	25,438,371.89	146,617.00	18,904,667.50
1868	39th, 2d sess		23,874,454.00	1,425,454.00			3,042,003.86	23,400,191.89	368,913.00	16,288,244.01
1869	40th, 2d sess		33,082,003.00	1,212,434.00			3,847,528.45	17,906,317.09	276,512.00	17,356,350.00
1870	40th, 3d sess		33,350,893.20	1,110,734.00				20,354,774.76	274,488.88	15,832,246.00
1870	41st, 1st sess						6,121,004.81			
1871	41st, 2d sess		29,321,367.22	1,041,347.00		1,311,500.00	6,324,164.16	18,949,258.40	314,869.20	19,250,290.29
1872	41st, 3d sess		27,719,580.00	1,466,134.00		1,627,500.00	5,448,540.96	19,518,229.24	316,260.50	19,832,317.25
1873	42d, 2d sess		28,683,615.32	1,219,659.00		2,037,000.00	6,349,462.04	18,671,785.74	326,101.32	18,296,733.95
1874	42d, 3d sess		31,796,008.81	1,311,359.00		1,899,000.00	5,541,418.90	17,120,496.60	344,317.56	22,276,257.65
1875	43d, 1st sess		27,788,500.00	3,404,804.00		904,000.00	5,680,651.96	20,783,900.80	339,835.00	20,813,946.20
1876	43d, 2d sess		27,933,830.00	1,374,985.00		850,000.00	5,360,554.55	18,902,236.99	364,740.00	17,001,006.40
1877	44th, 1st sess		27,621,867.90	1,187,197.50		315,000.00	4,572,762.01	15,417,933.33	290,065.00	12,742,155.40
1878	44th, 2d sess		25,812,500.00	1,138,374.50		275,000.00	4,829,865.69	15,450,345.30	226,604.00	13,541,024.40
1879	45th, 1st sess		25,593,486.01	1,077,635.00		275,000.00	4,746,275.70	15,271,251.30	202,805.00	14,152,603.70
1880	45th, 2d sess		26,797,300.00	1,087,835.00		275,000.00	4,713,478.58	16,287,457.73	319,547.33	14,029,968.95
1881	46th, 1st sess	*b* $253,300.00	28,425,800.00	1,180,335.00	$3,425,997.35	550,000.00	4,657,262.72	16,274,023.59	316,234.28	14,405,797.90
1882	46th, 2d sess	335,500.00	26,687,800.00	1,192,435.00	3,378,617.44	575,000.00	4,587,866.80	17,678,508.99	322,435.37	14,566,037.56
1883	47th, 1st sess	427,280.00	27,258,000.00	1,256,655.00	3,496,060.47	375,000.00	5,229,374.01	20,038,000.65	335,557.04	14,819,976.80
1884	47th, 2d sess	405,640.00	24,681,250.00	1,206,755.00	3,507,247.96	670,000.00	5,358,655.91	20,454,246.22	318,657.50	15,894,434.23
1885	48th, 1st sess	480,190.00	24,454,450.00	1,219,390.00	3,559,835.54	700,000.00	5,859,402.91	21,393,141.85	314,563.50	14,980,472.59
1886	48th, 2d sess	595,790.00	24,014,052.50	1,242,925.00	3,622,683.20	725,000.00	5,762,512.70	21,376,708.70	310,021.64	15,070,837.95
1887	49th, 1st sess	654,715.00	23,753,057.21	1,364,065.00	3,721,050.99		5,546,202.84	20,654,346.37	297,805.00	16,489,907.20
1888	49th, 2d sess	1,028,730.00	23,724,718.69	1,429,942.44	4,284,590.66		5,226,897.66	20,745,023.67	419,936.93	25,767,348.19
1889	50th, 1st sess	1,716,010.00	24,471,300.00	1,428,465.00	5,046,410.32	3,972,000.00	8,263,700.79	20,758,178.07	315,043.81	19,942,835.35
1890	50th, 2d sess	1,669,770.00	24,316,615.73	1,980,025.00	5,682,409.91	1,233,594.00	8,077,453.39	20,843,615.81	902,766.69	21,682,510.27
1891	51st, 1st sess	1,799,100.00	24,206,471.79	1,710,815.00	5,769,544.15	4,232,935.00	7,262,016.62	21,030,752.75	435,296.11	24,136,035.53
1892	51st, 2d sess	3,028,153.50	24,613,529.19	1,656,925.00	5,597,125.17	3,774,803.00	16,386,284.86	22,027,674.75	402,034.64	31,541,654.78
1893	52d, 1st sess	3,232,995.50	24,308,499.82	1,604,045.00	5,317,973.27	2,734,276.00	7,664,047.84	21,900,132.97	428,917.33	23,543,385.00
1894	52d, 2d sess	3,323,500.00	24,225,639.78	1,557,445.00	5,413,223.91	2,210,055.00	7,854,240.38	21,865,802.81	432,556.12	22,104,061.38
1895	53d, 2d sess	3,223,623.06	23,502,884.68	1,563,918.76	5,545,678.57	2,427,004.00	10,659,505.16	21,305,583.29	406,535.08	25,327,126.72
1896	53d, 3d sess	3,303,750.00	23,252,608.09	1,574,458.76	5,745,443.25	1,904,557.50	8,762,751.24	21,891,718.08	464,261.66	29,416,245.31
1897	54th, 1st sess	3,255,532.00	23,278,402.73	1,642,568.76	7,285,139.42	7,377,888.00	‡7,657,596.79	‡21,520,822.61	449,525.61	‡30,002,739.95

Year ending June 30—	Congress.	Pension.	Post-Office. *c*	River and harbor.	Sundry civil.	Deficiencies.	Miscellaneous.	Total regular annual appropriations.	Permanent annual appropriations.	Total appropriations.
1866	38th, 2d sess	$11,230,000.00	$14,098,500.00		$4,094,987.61	$3,954,277.70	$1,333,834.15	$681,631,691.68	$154,487,577.04	$836,119,068.72
1867	39th, 1st sess	15,440,000.00	20,166,025.00	$3,698,047.91	7,119,985.16	11,579,214.62	8,578,877.15	155,832,314.88	180,010,198.84	338,342,513.72
1868	39th, 2d sess	33,280,000.00	19,133,000.00		5,307,191.38	11,629,302.67	9,359,697.08	147,088,541.89	170,906,603.69	317,995,145.58
1869	40th, 2d sess	30,350,000.00	21,069,000.00		8,174,979.66	17,002,222.85	10,274,448.80	160,551,885.85	170,224,120.46	330,776,006.31
1870	40th, 3d sess	19,250,000.00	30,279,153.00		9,976,228.81	20,763,270.98	527,988.31	151,719,777.94	180,082,214.72	331,801,992.66
1870	41st, 1st sess			2,000,000.00		2,913,738.62	31,200.00	11,065,943.43		11,065,943.43
1871	41st, 2d sess	30,000,000.00	26,288,993.00	3,945,900.00	13,447,721.70	6,421,766.46	4,916,645.72	161,533,823.15	166,684,318.52	328,218,141.61
1872	41st, 3d sess	29,050,000.00	26,032,898.00		24,161,773.86	14,023,131.04	1,261,208.80	174,865,082.65	148,370,481.56	323,235,564.21
1873	42d, 2d sess	30,480,000.00	28,519,341.84	5,558,000.00	20,148,413.90	6,045,259.96	7,129,642.48	173,495,015.55	142,882,105.22	316,377,120.20
1874	42d, 3d sess	30,480,000.00	32,529,167.00	6,102,900.00	32,186,129.09	12,978,418.60	2,565,740.31	197,920,297.38	129,230,207.82	327,150,505.20
1875	43d, 1st sess	29,980,000.00	35,756,091.00	5,218,000.00	27,009,744.81	4,083,914.26	1,921,614.13	183,685,002.16	141,981,789.73	325,666,791.89
1876	43d, 2d sess	30,000,000.00	37,524,361.00	6,643,517.50	26,644,359.09	4,703,699.18	1,862,929.19	179,166,209.90	148,961,989.42	328,128,199.32
1877	44th, 1st sess	29,533,500.00	34,585,701.00	5,015,000.00	16,351,474.58	2,908,177.09	4,012,805.84	154,553,639.65	145,037,498.42	299,591,138.07
1878	44th, 2d sess	28,533,000.00	33,584,143.00		17,133,750.06	2,745,480.97	1,262,061.31	144,592,149.23	151,414,544.98	296,006,694.21
1879	45th, 1st sess	29,371,574.00	33,256,373.00	8,201,700.00	26,004,409.26	14,138,742.29	2,049,638.61	174,431,493.87	157,976,282.81	332,407,775.68
1880	45th, 2d sess	*d* 56,233,200.00	36,121,400.00	7,846,600.00	21,656,340.06	3,163,297.15	1,926,020.26	190,457,445.06	181,662,184.24	372,019,629.30
1881	46th, 1st sess	*e* 41,644,000.00	39,093,420.00	8,951,500.00	22,515,428.91	4,207,228.44	5,618,865.22	189,519,191.21	172,053,013.18	361,672,204.39
1882	46th, 2d sess	68,282,306.68	40,957,432.00	11,441,300.00	21,984,194.12	5,092,138.92	1,072,933.64	218,154,506.51	147,810,973.32	365,965,479.83
1883	47th, 1st sess	116,000,000.00	44,643,900.00	18,738,875.00	25,589,358.06	12,992,025.16	6,111,540.10	297,311,602.29	124,826,471.02	422,137,073.31
1884	47th, 2d sess	86,575,000.00	44,489,320.00		23,679,575.44	2,749,941.49	1,912,723.88	231,903,647.63	123,304,227.60	354,297,875.23
1885	48th, 1st sess	20,810,000.00	49,040,400.00	13,949,200.00	22,299,434.30	7,057,509.00	9,592,598.40	195,710,588.09	123,118,901.04	318,829,489.13
1886	48th, 2d sess	60,000,000.00	53,700,990.00		26,079,257.49	4,926,855.80	2,177,648.20	219,595,283.18	116,844,630.02	336,439,918.20
1887	49th, 1st sess	82,075,200.09	54,365,863.25	14,473,900.00	22,662,310.58	7,866,719.62	9,989,410.19	263,914,613.25	123,416,358.74	387,330,971.99
1888	49th, 2d sess	83,152,500.00	55,694,650.15		22,386,540.96		4,811,991.49	248,672,870.84	110,338,652.68	359,011,523.53
1889	50th, 1st sess	85,258,700.00	60,860,233.74	22,397,616.90	28,320,804.84	16,063,383.26	10,170,862.55	306,985,544.63	115,640,798.90	422,626,343.52
1890	50th, 2d sess	89,758,700.00	66,605,344.28		25,297,341.65	8,330,518.30	10,255,795.29	286,646,460.32	108,691,055.95	395,337,516.23
1891	51st, 1st sess	*f* 123,759,338.35	72,226,698.99	25,136,295.00	29,738,282.22	13,295,541.61	7,010,905.27	361,770,057.79	101,628,453.00	463,398,510.77
1892	51st, 2d sess	*g* 164,550,383.34	77,907,222.61		37,410,363.99	9,364,148.62	4,271,531.10	402,531,864.55	122,486,808.00	525,018,672.59
1893	52d, 1st sess	146,737,350.00	80,331,276.73	21,154,218.00	27,695,076.93	15,905,191.50	3,208,922.82	385,736,308.71	121,863,880.00	507,600,188.75
1894	52d, 2d sess	166,731,350.00	84,004,314.22		41,716,311.15	22,277,086.36	520,499.18	404,036,085.29	115,468,273.92	519,504,359.21
1895	53d, 2d sess	151,581,570.00	87,236,599.55	11,643,180.00	34,253,775.55	11,811,004.06	577,956.55	391,156,005.03	101,074,680.00	492,230,685.03
1896	53d, 3d sess	141,381,570.00	89,545,997.86		46,568,160.40	9,825,374.82	9,297,667.37	383,934,564.34	113,073,956.32	497,008,520.66
1897	54th, 1st sess	141,328,580.00	‡92,571,564.22	$12,621,800.00	‡36,406,149.29	17,365,483.07		402,823,782.45	119,054,160.00	521,877,942.45

*The Army appropriation act for 1878 was passed during the special session of this Congress, but for the purposes of comparison is included under appropriations by the Forty-fourth Congress.

†The Army and legislative appropriation acts for 1880 were passed during the special session of this Congress, but for purposes of comparison are included under appropriations by the Forty-fifth Congress.

‡As passed the Senate.

§As reported to Senate.

a Fifty per cent of the amounts appropriated for the District of Columbia are paid by the United States, except the amount for the water department, which is paid out of the revenues of that department, and was first included in the bill for 1333.

b Prior to 1881 appropriations for the Agricultural Department were provided for in the legislative acts.

c The appropriations for the postal service are paid out of the postal revenues, and any deficiency in the revenue is provided for out of the Treasury of the United States.

d Includes $26,887,200 for pension arrears, appropriated by special act.

e Includes $9,240,000 for arrears and pension deficiencies for 1880, appropriated by special act.

f Includes $25,321,907.35, pension deficiencies for 1890.

g Includes $20,335,598.34, pension deficiencies for 1891.

I desire to call especial attention to the fact developed by this table that when the Democratic party came into control of the Forty-fourth Congress they reduced the regular annual appropriation $32,000,000 below the average appropriations by Republicans during the five preceding years. And again, that when Republicans fell into control of the Fifty-first Congress they increased appropriations $160,000 a year above the average appropriations by the seven preceding Democratic Congresses.

During the five years immediately preceding the Forty-fourth Congress the average regular annual appropriations by Republicans were..... $181,826,321.52

The Democrats then came into control of the House of Representatives and immediately reduced the regular annual appropriations to..... $149,572,894.44

Thus making an annual saving of..... 32,253,427.08

The Republicans again came into control of all branches of the Government in the Forty-seventh Congress, and they immediately increased the annual average appropriations to..... 264,652,624.96

This was an annual average increase by Republicans in excess of Democratic appropriations of..... 86,034,554.04

In the Forty-eighth Congress the Democrats again had control of the House and they immediately reduced the annual average appropriations to	212,652,935.63
Thus making an annual saving to the people of	51,999,689.33
During the six years of Democratic rule in the House of Representatives following the Forty-seventh Congress the average annual appropriations were	253,587,560.05
The Republicans then obtained control in the Fifty-first, commonly called "the Reed Congress," and immediately increased the average annual appropriations to	382,150,961.17
Which was an increase above the average annual appropriations during the preceding six years, when the House was controlled by Democrats, of	128,563,401.12
The appropriations for the last session of the "Reed Congress" exceeded any heretofore made by this country in a time of peace; without including anything for rivers and harbors, the regular appropriations were $402,531,864.55, and the total appropriations of that Congress were	525,018,672.59
In 1893, for the first time in a third of a century, the Democrats had control of all branches of the Government, and notwithstanding Republican laws which compelled them to appropriate $151,581,570 for pensions, and notwithstanding many other expenses made necessary by Republican laws, they succeeded in reducing appropriations to	391,156,005.03
A reduction below the appropriations of the last last session of the "Reed Congress" of	11,375,859.52
In these calculations I have confined the figures to the annual appropriations by Congress, regarding that as the most just method of comparison. If we should include permanent appropriations, the comparison with the last session of the "Reed Congress" will be as follows:	
Reed Congress, second session	525,018,672.55
The first regular session of the Fifty-third Congress—the first time in thirty-three years that the Democrats had control of all the executive and both branches of Congress—the appropriations were only	492,230,685.03
A saving of	32,787,987.56

Already the appropriations in this Republican Congress, which do not include the miscellaneous and some other appropriations, have run up to $521,877,942.45.

And this and similar legislation run them up until they exceed any Congress in the history of our Government.

Already the appropriations for this Congress exceed by $22,000,000 the average appropriations of the two sessions of the last Democratic Congress.

You have alarmed the country with your profligacy. You are destroying industry. You are retarding prosperity. You are placing a yoke upon the labor of this land which is too heavy for it to bear, and I repeat, Mr. Speaker, when I hear the rumbling sounds, the groans of the oppressed people, I tremble—I tremble for my beloved country. [Applause.] I appeal to this House to halt. I ask gentlemen to consider, to reflect.

Labor Commission.

SPEECH
OF
HON. W. JASPER TALBERT,
OF SOUTH CAROLINA,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 21, 1896,

On the bill (H. R. 6119) authorizing the appointment of a nonpartisan commission to collate information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital.

Mr. TALBERT said:

Mr. SPEAKER: I offer as a substitute for the bill the following:

Strike out all after the enacting clause and insert:

"That the Department of Labor shall be an executive department, under the supervision and control of a secretary of labor, who shall be appointed by the President, by and with the advice and consent of the Senate; and section 158 of the Revised Statutes is hereby amended to include such department, and the provisions of Title IV of the Revised Statutes, including the amendments thereto, are hereby made applicable to said department.

"SEC. 2. That there shall be in said department an assistant secretary of labor, to be appointed by the President, by and with the advice and consent of the Senate, who shall perform such duties as shall be required by law or prescribed by the secretary.

"SEC. 3. That the secretary of labor shall receive the same salary as is paid to the Secretary of each of the Executive Departments, and the salary of the assistant secretary of labor shall be the same as that now paid to the First Assistant Secretary of the Department of the Interior.

"SEC. 4. That all laws and parts of laws relating to the Department of Labor now in existence, as far as the same are applicable and not in conflict with this act, and only so far, are continued in full force and effect."

Mr. Speaker, I desire on this occasion to submit a few remarks for the consideration of the House on this important question now under discussion. And in discussing this labor bill I desire, in connection therewith, to present some views which I have on the general subject of labor, for if there is any one subject that rests on my mind more than any another it is the question of labor and the welfare of those engaged therein.

To occupy a place, as I do, on the Committee on Labor may, in the estimation of some, be a thing of very little consequence and a place of very little or no honor and responsibility. But, Mr. Speaker, if I had been permitted to choose the committee on which I most preferred being placed, I would have chosen the Committee on Labor, for this committee is, or ought to be, the place where many bills and laws looking to the highest good and best interests of labor and laborers originate; it is the place for the laying of the corner stone and mudsill of all material prosperity and industrial progress and all national honor and pride. For, labor being the foundation of all other vocations, whatever benefits and strengthens it benefits and strengthens them.

Mr. Speaker, it is one of the proudest recollections of my life that I was brought up closely allied with labor and to know what it is to be a laboring man. It has always been the burden of my thought to devise some means by which to aid and dignify labor and to cheer up and relieve the laboring people of our country; for if there ever were any people who need cheer and relief it is the laborers, for history shows that in all ages the laboring man has toiled and tugged and struggled, hardly able to keep soul and body together, receiving only a scant support, while others who know not what labor is have reaped the benefits of it and grown fat and lived in luxury and ease. This has been the history of the laborer in all countries and nations. Whether he was engaged in Egypt, building great mounds and pyramids, or whether he toiled among the ancient Greeks, or whether he fell in among the "robber barons of the Rhine," or whether he was in Rome, constructing the great cathedrals and edifices for the honored senators and Roman officials; or whether he be engaged in modern Europe, or whether he labors in our own great nation, in Pennsylvania coal mines and iron and steel shops; or whether he toils in the great waving grain fields of Minnesota, or whether he eke out a miserable existence between the cotton rows of Texas and other Southern States; or whether he spends his days in the cane fields of Louisiana or in the orange groves of Florida, or whether he struggles for his mere existence in any other field of labor, in the factory or at the forge, the results have been and are still the same. Capital reaps all the reward, and he gets nothing but hardship and toil, and knows nothing of the enjoyment of the luxuries that he labors so hard to produce. But those who do not even so much as turn over their hands are always ready to scoop it all in.

"It is labor that erects the splendid palace, and yet is forbidden to enter it; it is labor that makes the silk and broadcloth, and yet is forbidden to wear it; it is labor that spreads the magnificent feast and banquet, and yet is forbidden to taste them; and it is labor that converts the forest into building material for the home, and yet is forbidden to occupy it."

It is said there are 12,000,000 laborers in this country adding to its wealth at the rate of $7 per day per capita, but they get less than $1 each. Now, who gets the other $6? Important query, and more so the answer.

In 1860 there were but two millionaires in the United States and no tramps, but to-day there are 35,000 millionaires and 2,500,000 tramps. Now, Mr. Speaker, what is the cause of all this? There is most certainly something wrong somewhere, and it should be righted, and in the near future, or there will be trouble and a great deal of it.

As some one has well said, "There is not the slightest reason why the man who labors every working day of the year (and oftentimes Sunday thrown in for good measure) should not be able to enjoy not only all the necessities but some of the luxuries of life, especially those that he labors so hard to produce. In short, the man who produces should be as well able to provide for his family as the one who speculates on his productions." For, as has been well said, the cornfield statesman and country schoolhouse orator made this country what it is, saved it intact, and must preserve it, if it is preserved at all. Therefore, Mr. Speaker, I think something should be done to help to relieve this condition of labor and laboring people. Something should be done to dignify labor and to elevate it, and to change that degraded view that most people have of it and to place the laborer where he will be enabled to enjoy at least the necessaries of life that he labors so hard to produce, if not the luxuries.

For this reason, with others, Mr. Speaker, I feel disposed to vote for this measure now before us, if it be properly amended so as to eliminate its objectionable features (the appointive power it vests in the President, etc.), provided I can not get what I want and what I think best—the establishment of a department of labor, etc., in the shape of the substitute I have offered.

I feel that the reasons assigned by the committee that reported this bill for its enactment into law, if applied to the bill as amended or to the substitute, are ample to justify us in supporting it, but I desire, Mr. Speaker, in the course of my remarks to assign some other reasons for its passage after having mentioned in a brief way some of the objects of the measure.

Briefly stated, this commission contemplates a commission to be composed of 21 members, 7 of which are selected from each of the three great divisions of productive effort—labor, agriculture, and commercial pursuit. Now, Mr. Speaker, this is too many, and the number should be reduced, and the provision allowing each subdivision of the commission a lawyer should be stricken out.

The duties of this commission are to investigate questions pertaining to labor, to agriculture, and to business, and to recommend to Congress such legislation as it may deem best upon these subjects.

Five of the Commissioners from each branch are appointed by the President, and the other 2 are elected by the 5. I am opposed to giving this appointive power to the President and thus increasing his patronage, but think the commissioners who are to represent the several branches of industry should respectively be elected by those who are engaged in that branch. They are all paid $5,000 a year, which is too much. It should be reduced; and they hold office for two years. There is also a provision which is intended to preclude the possibility of the commission being partisan. The provision which prevents this commission from being perpetual, but limited, is a good one. This bill, as it stands, will cost more than it will come to, and hence I can not vote for it even if the substitute offered by myself fails, unless it be amended otherwise so as to conform to my views.

The first question which naturally arises in the consideration of this measure is, What is the necessity for it? What is the necessity for any legislation on this subject? I desire to meet this question fairly and fully, because it will be relied upon more than any other by those who oppose the measure. They will say that there is no necessity of incurring this expense to simply have legislation recommended; that members of this House will at last be compelled to expend the same labor and pass upon the merits of each proposition. These and many other plausible objections will be urged to show that there is no necessity for the creation of a commission as provided in this bill, or even for the establishment of a department of labor, the object of which is to protect labor. I will not take up these objections separately, but simply present an affirmative argument, which I believe meets and overcomes them all at once. I lay down this proposition: There may be a necessity for a commission of experts, composed of an equal number from each of the three great branches of productive industry, for the purpose of technically examining and agreeing upon what legislation may be accorded one branch without being detrimental to either or both the other branches. This necessity grows out of and is a natural result of modern progress and development in productive pursuits. The world has been progressing rapidly since the commencement of the commercial era, and to-day has reached the highest point of development ever known to man, and in this great march we to-day lead every other nation on the globe. Our labor is more intelligent, competent, and productive than that of any other country. Our agriculture far exceeds that of any other nation, and our business pursuits are without a parallel. The growth and development of these great productive branches has been attended with more or less friction. Each being intent on its own objects, it is not strange that at times they demand things inimical to the best interests of some others.

For convenience sake, in illustrating this subject, let me divide the people of this nation into two classes, the producers and the exploiters. The former includes all labor, agriculture, and business (by business I mean not only all commercial pursuits, but manufacturing, mining, transportation, etc.), and the exploiters include capitalists, speculators, money lenders, politicians, and all that class of parasites and drones who filch a living from productive labor by means of their wits and their rascalities. Again, let me divide the legislation proposed in this body and regulating the relations between citizens into two classes: First, that affecting the relations between the exploiter and the producer; and second, that affecting the relations between producers of different kinds.

In considering all the legislation proposed here which affects the relations between exploiter and producer we can manage those questions if we are endowed with honesty, patriotism, and common sense. True, they are often complicated and intricate, but no technical knowledge is necessary to enable a man of ordinary intelligence, properly imbued with devotion to the best interests of his country, and true to his constituents, to detect and expose the selfish greed of the exploiter in bills granting class privileges and immunities, and those endowing vested rights which are really a function of the Government itself. Much might be said upon this feature of the question, but I will take up that feature bearing more directly upon the subject of this bill.

The amount of legislation proposed here which affects the relations between different kinds of products is very great, and has in recent years taken up nearly the whole time of the Congress. The committee rooms are constantly besieged by representatives of different industries desiring to be heard, and every member is flooded with demands in favor of or against legislation of this class. I give every member of this House credit for a desire to dispose of all this class of legislation in a manner for the best interests of all concerned, and it is no reflection on our intelligence to say that very few of us are qualified to properly consider all these questions merely at a glance. This is unavoidably true, because they often involve technical detail that can only be mastered by a specialist. It is to facilitate the proper consideration of this class of questions (and they comprise the greater portion of legislation offered) that this commission or any legislation in this direction is proposed. The great necessity for this must be apparent, and should, in my opinion, be an answer to all those who object on the grounds previously stated.

Having now shown, as we think, the necessity for a labor commission, or for something in this line, let us see how it would probably be conducted under the provisions of this bill and what the probable result would be. Under a separate department the work would be done a great deal cheaper.

When legislation is demanded by either of the great branches of production it will be presented to this commission, where both the other branches are equally represented, and where all the evidence in favor of and against its passage may be collected and prepared for our reference and an expert examination made as to its merits and demerits. The fact that each branch is represented by only one-third of the commission is a guaranty that no measure in the interest of one branch will receive its sanction if it conflicts with the best interests of the other two or either of them. This is a great safeguard and will be a great help to us, because we are now often called upon to vote for measures in the interest of one class of producers when we do not know and have no means of ascertaining, for want of expert knowledge along this particular line, its effect upon other equally meritorious industries. Now, right here, I believe that a secretary of labor, as a Cabinet officer, could do this work and do it much more economically, as the Bureau of Labor is already established, upon which the department could be built with an assistant secretary, etc.

Then, too, Mr. Speaker, this commission or this department of labor would be a great educator to our people; for its object, as stated in the title to the bill, is "to collate information, and to consider and recommend legislation to meet the problems presented by labor, agriculture, and business." And in order to do this, it will be necessary for them to thoroughly investigate the causes (so far as they can) of the thousands of strikes and lockouts we are now having every year; the general downcast condition of the laborer; the constantly falling prices of farm products, and depreciation of farming land values and the generally depressed circumstances that surround the farmer; the constant drifting of money into certain channels, and the great centralization of wealth, etc. And the people will get the benefit of all this information, which will be comprised in their reports from time to time, until their labors are finally done. And this will better enable them to know the causes of their general hard times, etc. They will thereby become educated along these lines at least, and it is of the utmost importance that they should, for the laboring people of our country have had sand thrown in their eyes for the last thirty years or more, in the shape of legislation that claimed to be for their relief, when in reality it was directly against them. And it is well that they should be posted on all these points, that they may know how to vote intelligently to send men here who will favor legislation that really is to their interest.

I do not claim that this bill is perfect, or that its workings will be all that could be desired, but I believe it to be a step in the right direction, and it is plain that something is needed.

It may be, Mr. Speaker, that time will demonstrate the necessity for the classification of all productive and useful pursuits into a given number of classes or divisions (say, thirty or forty), and that each class or division have representation according to its numerical strength and importance in a third house or industrial congress, or it may be that time and experience will demonstrate the wisdom of abolishing either this House or the one at the other end of the Capitol, and substituting such an industrial house, with equal representation according to industrial pursuit, in the place of the defunct relic of political domination. I wish it understood that I am not advocating this great innovation, but I say time and experience may demonstrate the wisdom of some action along this line, and certainly the present system of two partisan political

Houses can, in the light of the experience of recent years, have but few defenders, and just in this connection, Mr. Speaker, I wish to say that I think one of our greatest needs is for a constitutional convention to be called to right a great many national political evils that are now prevalent.

I am heartily in favor of such a call. Both Houses seem solely intent on conducting matters so as to gain some partisan advantage, while the wants and needs of the great productive interests, the wants and needs of the great masses of the people, are sadly neglected, or even sometimes injured, hampered, plundered, and in places destroyed by legislation for partisan purposes. We now see one House pass a measure known to be popular with the people, which they would not dare pass but for the knowledge, and perhaps agreement, that the other House will defeat it. And in this way, the existence of two political Houses is used by the party machine of both parties to present a smiling front to both the producer and the moneyed exploiter, who is seeking legal privileges and immunities by which to appropriate the proceeds of production. And I have only to read you a clipping from a Kansas paper to show you how well they are succeeding in their diabolical schemes. This pertains only to the State of Ohio, but is a fair specimen of the general condition all over the country. The Ohio State board of equalization shows that the appraised value of farm lands in that State has decreased $98,000,000 in ten years. And yet the National Census Report shows that during the past ten years the wealth of Ohio increased $243,000,000; while the State has grown $243,000,000 richer the farmers of the same State have grown $98,000,000 poorer. Can you explain this curious piece of business? Nobody could possibly have produced that wealth but the farmer and the laboring man, and it rightly belonged to them, but not only were they not allowed this $243,000,000 of increased wealth, which they themselves had produced, but they had taken from them $98,000,000 of what they already had. Now, gentlemen, is this right? Is this just? If robbery, theft, and plunder is right then this is right.

Statistics show, too, that while the farmer owns less than 22 per cent of the wealth of the country, yet he pays over 80 per cent of the taxes levied and collected. "Two-thirds of the wealth of the country is not assessed one farthing for purposes of taxation, and yet the Government has the power to force every taxpayer in the land to offer his life in defense of that untaxed wealth. With all his facilities for transportation, which are equal to the productive power of the country, and his accessibility to markets, he is forced to sell his products at prices barely covering the cost of production. In the great agricultural State of Iowa the mortgage indebtedness on farms alone is $104 per capita; in Kansas, $165; in Illinois, $100. And from Maine to the Rocky Mountains, and from the Lakes to the Gulf, the farmers are overburdened with debt." And why is it, Mr. Speaker? The farmer and the laborer are the only living people who really and actually produce anything—who bring anything into existence more than we already have. They are the only ones who actually produce wealth; and yet, while it is an admitted fact that the United States is growing richer and richer every year, still these very people who are bringing it about are getting poorer and poorer each day as they toil. Now, if it is a fact that these people toil and work and produce this wealth, and do not get it (or a part of it, anyway), it is simply because they are discriminated against; it is because something in our laws is radically wrong. So let us, at least, take one step in the right direction and pass this bill, or something in this line that is better, which will tend to relieve this condition of affairs in a small measure, anyway, by better looking after their welfare.

I desire here and now to go on record as one who violently condemns the neglect that the Congress of the United States has given the interests of the producer, and I challenge any man to stand before me and defend the undue prominence given to the wishes of the party machine by the members of the parties in Congress and the servile readiness with which many members respond to its slightest request. The party machine in a Presidential contest uses millions of dollars; and the great question which concerns every patriotic citizen is, Where do they get it? One does not have to examine far to be convinced that they sell offices and legislation for it. And that is not the strangest part of it. The machine is an autocrat, responsible to nobody, and has nothing expected of it but success. It is not strange that it would resort to any means calculated to secure success. But it is strange that men will come here to fill the high honor of a member in this House, take the oath, and then cooperate with the machine in delivering the goods it corruptly sold, and pander to the wishes of a favored few.

My stand is in favor of less partisan politics and more statesmanship in Congress; less party and more wisdom, patriotism, and honesty. It is on this high plane that I ask the careful consideration of this bill and the substitute I offer. It is a measure calculated to assist those who desire to legislate for the general good. It is not a bill calculated to grant any special privileges to labor, and I feel that I voice the sentiment of the great mass of the producers of this nation when I say that labor asks no special privileges, and desires none. All that labor needs is a fair and equal opportunity, with no discriminations for or against it; and under our system of government it has a right to demand that at our hands. But has it received it in the past? Has the laboring man been treated as he should have been? The fact that from 1880 to 1886 we had 3,902 strikes in the United States answers the question itself, and the following clipping goes to confirm it:

Seventy persons in the United States are worth $2,700,000,000; 31,000 people own over one-half the wealth of the country; 100 persons in the United States own $3,000,000,000 of wealth; there are 1,000,000 people out of work in the United States; there are over 500,000 tramps; 10,000 children die annually in the United States for want of food; in 1880 there were 57,000 homeless children in the United States; out of 2,000,000 people who inhabit New York City only 13,000 own homes; the last census showed 9,000,000 mortgages in the United States, or one to every seventh inhabitant.

Now, gentlemen, these facts show how one class is pampered and another plundered.

I have the honor to represent a district composed almost exclusively of producers. They are industrious, frugal and energetic, patriotic, virtuous, and devoted to principle. They are, perhaps, as prosperous as the average, but they are not as prosperous as they should be, simply and solely because they have been discriminated against; and they understand it, too. They know it, and still they would consider me recreant to the trust reposed in me were I to come here asking any special favors in their behalf. They want no special favors; but I give you warning that they demand justice, and if they do not get it they will know the reason why. The class legislation that has enriched the few at the expense of the many and is now fast concentrating the wealth of the nation in a few hands must be stopped, and that speedily, if the present form of Government is to be maintained by the people who pay the taxes for its support.

I said the laboring people did not ask for class or special legislation. So they do not; but suppose they did; it being an undisputed fact that labor is the foundation of all other vocations, if you pass a law benefiting or strengthening labor (the foundation) would it not benefit and strengthen all that rests on it—and everything does. Therefore everything would likewise be benefited thereby. The stronger the foundation the stronger the structure erected thereon. Whenever the farmer and the laborer cease operations all other avocations and professions will do likewise. Whenever the plow stands still in the furrow the fire will go out in the furnace, the blacksmith's anvil will cease to ring, the hum of the factory will be hushed, the preacher in the pulpit will be silenced, the lawyer will be without clients, the doctor unable to practice, and all industry, enterprise, and business will be utterly paralyzed. But if the plow moves successfully on everything else will follow suit. Therefore let us see to it that it is protected and cared for.

Men tell us that the distressed condition of labor, with its millions of tramps, its child labor, its sweat shops, its strikes and its lockouts; the distressed condition of agriculture, with its mortgages and annual losses, and the critical condition of business, with its failures, bankruptcies, and panics, are all the result of natural and unavoidable causes, and that it is impossible to legislate anyone rich; that these people could only get money by giving full value for it, and so on. But I say that all such arguments are an insult to the intelligence of the producers of this nation. They know (at least they do in my district) that the laws of Congress have enabled certain classes to amass colossal fortunes at the expense of the producer, and hence some have been legislated rich and many poor. Let me give an example:

Before the war there was a class of men who stayed at home and made large fortunes and found themselves possessed of a vast amount of money after the war closed. The producers, both North and South, at the close of the civil strife went home and went to work in earnest, little dreaming that a more deadly enemy could attack them through their trusted representatives in Congress than the one they had just fought over. But such was the case. This moneyed class, which I shall dignify by the name of exploiters, induced Congress to take their money and give them long-time, interest-bearing bonds and burn or destroy the money for which the bonds were given. The people at the time did not realize the full effect of this exchange, and it passed with only criticism of the interest expense. But time soon demonstrated that the interest was a mere bagatelle compared to other effects. The changing of the money of the nation into a bonded debt lessened the volume of money in circulation; and prices of products and everything else fell accordingly, as I have said before on this floor.

It is easy now to demonstrate that the fall in prices has been such that it will take more of the products of labor to pay the present debt than it would have taken to pay the total debt of 1867. And further, that the payments made from time to time of interest and principal, reckoned in products at prices current at such times, aggregate products sufficient to have three times paid the entire debt in 1867. In addition to this, the productive class was injured in a much greater degree by the disturbed relations between them and the exploiters. The latter had planned this contraction, with the consequent increase in the purchasing power of

money, and they converted their wealth into money, which they offered to loan to the producers, who in their zeal, in the laudable effort to prosper by developing the national resources of our great country, borrowed the money, reasonably expecting, as they had a right to do, that the Government would protect each man alike in the enjoyment and possession of the fruits of his labor. But they were mistaken; the Government contracted the volume of money faster than they could reduce their debts, and many a man found himself, after making payments for years according to contract, compelled to let his whole farm go to settle a relatively small balance, which, nevertheless, represented more of the products of his labor at that time than the entire debt did at the time it was contracted. Thus the exploiters not only filched the Government, but they were authorized by law to rob the producer; and their colossal fortunes show how well they have done that.

I say that these and similar acts by Congress have been the most destructive enemies productive labor has ever had. Labor has been betrayed on this floor, where it has sent men to represent it. I do not mean to say that the exploiters came here and bribed Congressmen to betray their constituents; but I do say that I believe the machine of the Republican party became as corrupt as hell itself during its long lease of power following the war. And the men who contributed the campaign funds ran the machine. The only regret I have in laying this charge at the door of the Republicans is that should they return it to the door of the party to which I belong at this time I possess neither the disposition nor the ability to deny the charge. But I can say and do say that I am a Democrat of the old-fashioned sort that stands upon principle, and do not propose to submit to machine dictation in politics any longer. And I here and now give notice to all concerned that the people must assert themselves and take charge of the Democratic party and run it on Democratic principles, independent of machine domination, or it deserves to be forever wiped from the face of the earth, and it will be done, and the Republican party also.

I have gone over this ground to show that the productive interests have been discriminated against by the laws of Congress; and I have attempted to show that such discriminating laws were not necessarily the result altogether of personal treachery and corruption on the part of the Congressmen who enacted them, but that they resulted from the system of allowing the party bosses to control the legislation. And I have admitted that that system, inaugurated and perfected by Republicans, was equally wrong when perpetuated by Democrats.

Now, I make an appeal to you as statesmen; let us stop all class legislation, and let us as speedily as possible repeal every law that gives one citizen an advantage over another. I believe you will every one agree to that, and if you do, let us accept the substitute I have offered; or if you will not do that, then let us pass the original bill, with the needed amendments, as a means of getting the data and information that will enable us to act intelligently on all questions that pertain to labor, as well as all others.

Mr. Speaker, it has been the case for years that the demands of nearly everybody upon Congress, except the laboring classes, have been heeded; but whenever they ask for a measure they are promptly told that "it's unconstitutional," or something of that sort.

It reminds me of the young farmer boy who fell in love with the daughter of one of his wealthy neighbors, to which the neighbor was bitterly opposed. But the girl herself was rather fond of this boy, and gave him considerable encouragement, and he insisted on visiting her occasionally at her home in spite of the protests of her parents. So he called in to see her on one occasion, and while there meal time came on. The dining room being used as a combination dining and sitting room, they were all sitting together in that room, and as the meal was placed on the table the old man gathered all his family around the table and asked the blessing, and did not invite this young man to eat with them at all, which, as a matter of course, very much wounded his feelings, as well as made him angry. But the old gentleman, as he and his family began to eat, said to this young man: "Well, John, is there any news over your way?" "Yes, sir; there is," he grumly and sharply replied; "dad had a cow t'other day that had five calves." "My, my," replied the old gentleman, "that is news, indeed; it's wonderful. Why a cow only has four teats, John; what does that fifth calf do?" "He just stands off like a darned fool and looks on like I'm doing now; that's what he does," replied the boy.

This is the way the farmer and the laborer have to do at Uncle Sam's table; they are the fifth calf, and have to stand off and look on while the favored few dine. But now, gentlemen, let us turn over a new leaf in national legislation; let us invite them to the table and at least give them a crust or a crumb; let us give them this bill, or something of the kind; let us discriminate against them no longer; let us adopt them into the family, where they can sit down and eat in common with all other businesses and avocations and feel that they are welcome and at home. Let us give give them a department of labor, with a Cabinet officer, or establish the commission to investigate this great centralization of wealth and power, this grinding down and oppression of labor; for if it long continues, sad will be the fate of our proud and powerful nation, for centralization of wealth and power always precede disintegration, overthrow, and final destruction. "When Rome went down 1,800 men owned all the world;" "when Babylon went down 2 per cent of her population owned all her wealth," and "when Egypt went down 2 per cent of her population owned 97 per cent of her wealth." And to-day, in our own United States, three-fifths of our entire wealth is owned by 34,000 persons; less than one-twelfth of 1 per cent of her population.

What does this mean, gentlemen? Do you see anything threatening in it? Abraham Lincoln showed that he understood something of its meaning even as early as 1865, when he said:

> I see in the near future a crisis approaching that unnerves me and causes me to tremble for the safety of my country. As a result of the war, corporations have been enthroned and an era of corruption in high places will follow; and the money power of the country will endeavor to prolong its reign by working upon the prejudices of the people, until all wealth is aggregated in a few hands and the Republic is destroyed. I feel at this moment more anxiety for the safety of my country than ever before, even in the midst of the war.

Now, gentlemen, let me urge you, take warning and change your methods of iniquitous class legislation in favor of wealth and capital and do something for labor. "But," think some of these great big bushy-headed statesmen who sit up here on the people's great watchtower and look wise like owls, "the people be damned; we care nothing for them except during election times." And when they cry up to you, "Watchman, watchman, what of the night?" the answer goes ringing back, "All's well; all's well! Plow on, boys; plow on! We'll be down in the fall to get the fried chicken and the votes!" As much as to say, "That's all you poor, ignorant devils are fit for. We've got all the brains; we've got all the intelligence and the learning, and you have none. All you are fit for is to plow and vote for us."

I will tell you, gentlemen, those of you who may entertain such a low idea of our laboring people are wide of the mark. Mr. Mason, a farmer of Virginia, was one of the members of the National Constitutional Convention, and when the Constitution was completed he refused to sign it, having eleven objections. He went back home to his people and was elected to the Senate, but he refused to serve, saying the Government was not a republican form of Government; and at the first session of Congress ten out of eleven of his objections were incorporated in the Constitution as amendments. And this eleventh objection was to the powers given the Federal judiciary; and it was, I think, a very timely objection, for this is indeed a day of injunctions by our courts. Now, this was the work of a common farmer, and, you may say, a laboring man; and none will deny its good, sound, common, practical sense and wisdom, and that it is for the good of the country at large, in spite of the fact that it was originated by a farmer.

Those who may have these mistaken ideas as to the intelligence, and its possibilities, of our laboring people have only to look at history to be convinced of your error. Look back through its pages, and see whence, from time immemorial, have come our grandest, noblest, and greatest men. Did they come from the ranks of those who were born with silver spoons in their mouths, and reared in the lap of luxury and ease, and taught that labor is degrading and disgraceful? No; they came from the ranks of those who were born with pewter spoons in their mouths, and reared in the lap of labor and struggle. Did they come from the ranks of those whose parents were wealthy and dwelt in splendid palaces with brownstone fronts, where the sunlight gently gleamed through stained and painted windows, and laughingly danced upon the beautifully frescoed walls? No; but they came from the ranks of those whose parents were poor, and dwelt in the rude log hut, where the sunbeams slowly entered through the little cabin window and sadly danced upon the crude log walls. Would that on this occasion I were endowed with the powers of oratory to express myself on this question of labor as I would so much like to do. Had I the eloquence of a Calhoun, a Clay, or a Webster I would bring tears to the eyes and aching to the hearts of those who would unfairly treat, abuse, and oppress the laborer. I would gladly reach down and take him by the hand and call him brother and raise him up and place him upon that high, respectable, and elevated plane on which he so well deserves to be placed. And I would, with that eloquence, strive to convert this House from its present goldbug ideas of legislation, and so fill their hearts with the good of the common, laboring class of people of our country that they would, with one accord, rise up in their might, like the true representatives of the people that they ought to be, and put down and wipe out all class legislation, and put only such statutes on our records as would be for the good of the whole people. Sooner or later this will be done; it must be done; the people are not going to be satisfied with anything less.

Mr. Speaker, I do not think I am a sensationalist or an alarmist;

I do not think I am a communist, or an anarchist, or a socialist; but if I know myself, I am an honest, straightforward, peaceful, but liberty-loving citizen, and one with my country's good at heart and the best interests of all our people; but I do want again, as I have done in nearly every speech I have made on this floor during the short time I have been here, to warn this House of the just and righteous wrath of a disturbed and oppressed, but a proud and determined people. And if you would continue the reign of peace in this country and preserve our grand, proud nation from ruin you must come to the relief of laborers. Already at different times and in different ways their discontent, unrest, and impatience have been manifested; and unless there comes a change, and that speedily, unless the voice of the masses is heard and heeded, I tell you, Mr. Speaker and gentlemen, that forbearance will soon cease to be a virtue and (while I am by no means in favor of it, and God forbid that it should come) an angry and enraged people will in person appear at the gates of justice well armed and demand their rights in no uncertain way. So now let us declare peace before it is everlastingly too late and do something for these people, for when once the flag of retribution and wrath is raised it is too late to cry peace! peace! Then there is no peace. I will tell you, gentlemen, unless something is soon done I am afraid the day is not far distant when the great laboring element of this whole country will rise up in arms and march to the doors of this great Capitol building and there justly cry out in thunder tones, in the language of the immortal Patrick Henry, "Give us liberty (relief) or give us death."

Labor Commission.

SPEECH

OF

HON. JAMES J. WALSH,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 21, 1896,

On the bill (H. R. 6119) authorizing the appointment of a nonpartisan commission to collate information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital.

Mr. WALSH said:

Mr. SPEAKER: I favor the appointment of a labor commission and desire to vote for this bill, although I confess the argument that it is an expensive experiment is not without reason. A very short time was given to the discussion of the immigration bill passed the other day—too short a time for such an important subject—because, while some of the friends of the bill as it was introduced professed anxiety to pass that bill in the interests of labor, I am very much afraid that a great many others supported it from entirely different motives. It was aimed principally at immigration from southern Europe—at this time principally Italian—and, as far as we could discover the direction of the law on its face, at illiterates.

All unworthy classes are excluded under present laws. We did not stop to consider all we were doing. We were reversing the policy of our own nation as well as that of every other civilized country. Even under the most distressing circumstances no civilized nation has ever closed its gates to immigrants from other nations.

China closed herself in, refused intercourse with the world, but in time she was compelled to change her position. Russia complained of the Jews—Russia, the most absolute Government on earth—yet with all its absolutism it did not dare in the face of the civilized world to close her doors to them, but began by her persecutions of them to do by indirection that which she dared not do by direction; and from nowhere in the civilized world was a more vigorous protest made against that persecution than from these United States. I have received petitions since I have been here asking me to favor the exclusion of all foreigners, especially the Irish, the Italian, and the Jew, and I can not accept the spirit in which these petitions are written as truly American. I am against the exclusion at this period of our history of any worthy immigrant, no matter what his race or religion may be, and I wish to say that I have had frequent and constant opportunity of seeing perhaps as closely as one could see the conduct and character of the Italian colony in the city of New York, and I can personally refute the statement that they come here temporarily, with no intention of remaining or of becoming citizens in this country. I think the poll lists of the country will tell a different story; so will our real-estate records, and our school rolls, where their children are being educated, where we were educated. There is not a profession or occupation that they are not engaged in, and their national characteristics are such that they succeed in nearly all occupations. On the whole, they are an intelligent people, and when I say this I am mindful of the fact that a great number of them come here illiterate. That is not their fault; and this fact is shown by their ambition and energy when they reach here. I will not speak of the Irish or the Jew. Ireland was the land of my ancestors, and the success of Irishmen here and the world over speaks for itself.

The Jew has demonstrated his ability to take care of himself, too.

This much I say on the question of excluding immigrants, because I think the bill now before us is much better statesmanship. What all these elements want is direction and information, an opportunity to distribute their labors which will be of advantage to the country of their adoption and of material advantage to themselves. This bill is a step in that direction. I believe it will draw labor from congested quarters and place it where it can best be utilized, and perhaps best paid. I therefore trust that this measure will pass.

The Pickler Pension Bill.

SPEECH

OF

HON. CHARLES H. GROSVENOR,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, April 25, 1896.

The House of Representatives being in the Committee of the Whole on the state of the Union for the consideration of the Pickler pension bill—

Mr. GROSVENOR said:

Mr. CHAIRMAN: It had been my purpose to speak at greater length on the subject of this bill than I shall feel justified in doing at this time, for there is such a demand upon the committee for time that I will only outline very briefly my views upon the important matter pending here now.

If I had my way I would make some amendments to this bill. I have studied it with a great deal of care in the light of my knowledge and observations of the pension question, and I am going to discuss it as a matter of practical business and not as a matter of politics. It has been one of the hopes and aspirations of my public life that I might live to see the time when the question of pensioning the men who saved the Union in the hour of its peril would cease to be a question that could by any possibility be dragged into party politics. I have always opposed the introduction of political considerations into the management of eleemosynary and reformatory institutions in my own State, and in this by a much stronger reason am I impelled to denounce the dragging of the various questions that arise along the line of pensions into the mire and dirt of party politics. I would lift this question out of politics and place it upon a permanent basis that could never again afford an opportunity for manipulation for or manipulation against the interest of the men who are asking for pensions in this country.

Along this line of thought I desire to say that, in my judgment, reversing the opinion that I held upon this floor in the early part of my service here, I do not believe that the condition to which I am looking will ever be reached and the aim be accomplished until the open door to a pension certificate and to a place upon the pension roll of the country will be simply a certificate of honorable service and honorable discharge, and nothing more.

Mr. PICKLER. That is right.

Mr. GROSVENOR. So long as this machinery of the Pension Bureau throughout the country is maintained, there will be manipulation and political agitation upon this question. There will be crimination and recrimination so long as we have these pension boards at the county seats in the various counties of the country passing upon the degree of disability of the soldier; and so long as we have a Pension Bureau in Washington that undertakes to parcel out the generosity of the Government by what General Harrison very aptly called "the apothecary scale, weighing the amount of disability," we shall always have this political manipulation and political interference.

I have not time now to discuss my views at large upon this question, but I believe there can be no better solution of the problem than to put it on one of two systems, either to draw pension for honorable service, regardless of the length of time, maintaining the disability pensions that exist, for we can not get rid of them, or taking the per diem or length of service system and administering the whole system upon that plan. Now, incidental to our present system, we have abuses and errors that have crept

in, and some of them are sought to be remedied by this bill, and some of them will be remedied by this bill, notably the question of disappearance, the absence, unexplained, of the husband of the applicant for a widow's pension.

Mr. MILES. Will the gentleman allow me to ask him a question?

Mr. GROSVENOR. Yes, sir.

Mr. MILES. Have we not already provided for that in the bill that has received the signature of the President?

Mr. GROSVENOR. I think so; but it is in this bill again. That is a wise provision, and I do not stop to inquire who first, in ignorance of the known principles of law and of the rules of evidence, inaugurated that practice. I do not stop here now to inquire when it was and by whom it was established as a rule of the Department, but I do say that it is greatly to be regretted that such a rule ever was established, for it was a flat reversal of all the rules of evidence which we have had knowledge of ever since we began to know anything of the rules of law in this country based upon the common law. It was a common-law proposition that if a man disappeared and his disappearance was unexplained for seven years there arose a presumption of his death, and that presumption was only overcome by proof of his being alive, and estates have been administered and distributed upon the adjudication of the death of the owner when the only knowledge of his death was that he had disappeared and that his disappearance was unexplained. And yet it has been within my knowledge that men have disappeared as though the ground had opened and swallowed them up, and for thirty years the Pension Office has refused to admit the death for the purpose of a pension for the widow.

Mr. BARTLETT of New York. Do you as a lawyer think it a good practice to reenact a law already in force on the statute book?

Mr. GROSVENOR. No, sir; I do not. I do not know why this provision is put here. I assume that it is in this bill. I think that during the debate upon that question the chairman of the committee or some member of the committee told me it was already in this bill.

Mr. MILES. That was the force of my question.

Mr. GROSVENOR. If I had the power, and the opportunity were given, I would move to strike out that section if it has already been enacted into law.

Mr. BARTLETT of New York. Will the gentleman allow me to ask him a question?

Mr. GROSVENOR. Yes, sir.

Mr. BARTLETT of New York. When the leaders revised the original Pickler bill, why did they not strike it out?

Mr. GROSVENOR. Mr. Chairman, I do not recognize "leaders" in this matter.

Mr. BARTLETT of New York. Does not the gentleman recognize the fact that he is one of the leaders?

Mr. GROSVENOR. I do not. I recognize myself as barely able to lead myself in my conduct.

Mr. SULLOWAY. I will state to the gentleman that that bill covered only the officers and enlisted men, and this section covers all.

Mr. GROSVENOR. Then there may have been some reason for it.

Mr. GIBSON. That is the reason.

Mr. GROSVENOR. That seems to be quite sufficient.

Now let me go forward a few seconds. If I had my way and were it not for the peculiar situation in certain sections of the country I would vote to strike out the first section of this bill; but, Mr. Chairman, I recognize the situation in two or more of the States of this Union among the men to whom we owe the highest obligation that a country can owe to its citizens. There were in East Tennessee, as well as in other sections of the country, large numbers of men who were conscripted by force into the rebel army, and who were as loyal Union men as ever bore arms in support of the Constitution of this country; and it has been impossible under existing law for them to be pensioned.

Now, it is said that this bill will pension a large number of men who are undeserving by reason of their service in the Confederate army, and I fear that that is so; but I know of no way to reach those who are entitled to our favorable action without hazarding exactly the danger which was complained of by my colleague from Ohio [Mr. LAYTON] on yesterday and by the gentleman from New York [Mr. BARTLETT] this morning.

Mr. MOODY. Let me ask the gentleman, is it not possible to draw a provision more carefully guarded than this, which will include the one class and exclude the other?

Mr. GROSVENOR. I think possibly that may be done, and if it can be done it ought to be done.

Mr. PICKLER. As to the number of these men, let me say that there were only five or six thousand of them at the start. The statistics show that half of those are dead. All through the Harrison Administration those men were granted pensions, and those who were wounded or disabled in the Union service have always been admitted to pension. The only ex-Confederates who come in under this bill are those who would come in under the law of 1890, and their number is inconsiderable after all.

Mr. GROSVENOR. I trust that is so, and upon that ground this section is perhaps tolerable. But there is nothing that is more intolerable to a Union soldier, and to those of us who were not Union soldiers, because we have all the same sentiment upon the subject, than the idea of granting pensions to men who voluntarily fought on the other side. I have not any objection to the people of the South pensioning their soldiers. I am glad they do it. I have not any objection to their giving them honor. But I do object to a provision in the law of my country which, under any circumstances, can be made an instrument by which may be pensioned the man who deliberately or indifferently went into the service of the Southern Confederacy, and afterwards, when the flag of the Union began to float above the mountains of his native State, came into our service and was honorably discharged in the end.

Mr. BARTLETT of New York. Does not the gentleman think——

The CHAIRMAN. The time of the gentleman has expired.

Mr. GROSVENOR. I ask for ten minutes more.

Mr. MILES. I ask unanimous consent that the time of the gentleman from Ohio be extended for ten minutes.

There was no objection.

Mr. GROSVENOR. Now, if the gentleman from New York desires to ask a question, I will try to answer it.

Mr. BARTLETT of New York. Do you not think that the provision of the act of March 3, 1877, allowing pensions to ex-Confederates who were wounded or disabled in the Union service in the line of duty is sufficiently broad?

Mr. GROSVENOR. It is sufficient certainly for those wounded in the service; but I do not think that at this late date I would make the distinction. With my knowledge of East Tennessee and of the mountains of Tennessee and of some of the men of West Virginia, I do not think I would draw the line on the mere matter of the men being wounded or disabled. It must not be forgotten that there were thousands of men placed in a most pitiable position by reason of the proximity of the Confederates upon the one hand and the Union troops upon the other. War menaced brothers and sisters, war menaced neighbors and friends, and men were driven from their homes who would gladly have remained and met the Union Army upon its arrival. They were forced either North or South as the exigencies of the occasion required, and I will not be the man at this late date to judge whether the men of East Tennessee and of other sections voluntarily or involuntarily were forced into the Confederate army.

Now, passing along, there are some splendid provisions in this bill which entitled it to the support of every friend of the Union soldier, in my judgment, although I do not wish to raise any controversy with the gentlemen who have drawn lines of criticism upon some of its provisions.

Mr. McCALL of Tennessee. I understand the gentleman to state that he opposes the idea of pensioning those who have Confederate records, who went voluntarily into the Confederate army, and afterwards left it and joined the Federal Army.

Mr. GROSVENOR. Yes; I am opposed to that.

Mr. McCALL of Tennessee. Did not the Government of the United States all through the war gladly accept the services of every Confederate soldier who left that side and swore allegiance to the Union and joined the Federal Army?

Mr. GROSVENOR. I believe it did.

Mr. McCALL of Tennessee. Then, if that be so, ought not those men to be placed on the same footing with other Union soldiers?

Mr. GROSVENOR. I do not know, but I would make a slight difference now.

Mr. McCALL of Tennessee. But it would not be so strong, I hope, as the gentleman stated it at the outset. [Laughter.]

Mr. GROSVENOR. Well, Mr. Chairman, I shall vote for this bill. I shall do it upon the ground of my personal knowledge of the injustice that has been done to the men of the gentleman's own State and of the States surrounding it. I wish that the third section of this bill had been more definite and certain, but it is a wise section, even in its present form. Following along very rapidly—for I can not go into detail in my limited time—the fifth section of this bill presents a remedy for one of the great evils that we have labored under in connection with our pension system. The idea that there ever was established in the Pension Office a rule in contravention of every rule of evidence known to the courts of the civilized world; a rule making a distinction, in the strength of the evidence presented in behalf of a pension claim, between the man who, by the accidents of the service, had a commission and the man who was prevented by the accidents of the service from having a commission, is something astounding to me. We now

get rid of that distinction, but why it was ever established I do not know. If the distinction was made on the assumption that the man who wore shoulder straps was a more truthful man than he who did not, I deny that that basis was a sound one.

These questions ought to be decided by the ordinary rules of evidence, and the question in a court of justice is not a question of the number of witnesses but of the strength of the testimony. One witness may swear to a fact; he may be the claimant himself. The court is to adjudicate upon the question and is to decide whether that testimony is true. Now, in fact, if the testimony is true, that is an end to the controversy, and any attempt to limit the right of claimants by the quantity or even the quality of the evidence is absolutely absurd in principle and unwise in practice. It is not a fitting limitation upon any judicial tribunal of any character, whether it be a court or a bureau of the Government. But we are getting rid of these two evils by this bill, and I am glad of that. These discriminations against the private soldier have been to my mind shockingly absurd. It has come to my knowledge more than once that the Pension Bureau would say to the applicant, "You must furnish the testimony of two enlisted men or of one commissioned officer." What more ridiculous proposition than that was ever made? It grew out of the old distinction in the life of the Regular Army and has had no justification in law or in morals. The Army that saved the Union was an army of volunteer citizens, not large, but the men who went forth to battle were equal in citizenship, equal in integrity, equal in truthfulness when they went out, and when they came back they came crowned equal with honor. Now that one of those men should be considered of higher importance than another, simply because one bore a commission and the other an enlistment, is too absurd to merit even defense.

Mr. Chairman, there is another thing. I believe that when a man who served in the Army and who has been honorably discharged thinks that he is suffering under a pensionable disability, and has made his application and has got it into the form provided by the Government, offered his evidence and gained his case and received his certificate, his pension should never be taken from him by any process short of that which should deprive him through the interposition of a court of justice of his title and possession to the property which he owns and holds. It is not necessary for the purposes of this argument that I insist that a pension is a vested right to a man who has won his case. It is more than a vested right of property. It is a vested title of nobility. It is a certificate of honorable service; it is a certificate of sacrifice for his country, and I demand that that certificate shall never be revoked by any process falling below in dignity and falling below in accuracy of proof and judgment the taking from him or from me or from you our houses, our farms, or our stock. He should have notice of the ground upon which it is being sought to take it from him, for it involves something more than the mere value of the pension.

It involves his honor, it involves the question of his integrity, it involves the truthfulness of his proofs, and it involves all that is honorable, and no man should be deprived of his pension without the fullest hearing, for there is a stigma which follows as a necessary result of the act that never under any circumstances should be placed on the record of a man who bore an honorable part in the war of his country. It places him in the position of a man seeking something that he is not entitled to, and it brands him in the community. I protest against it, as I have always protested against it. I draw no fine sights, no hair-splitting distinctions, but I stand upon the plain facts and evidence and insist that they shall not be stripped of their rights without due hearing and investigation. The money value of the pension to the beneficiary in nine cases out of ten is insignificant and unimportant as compared with the aspersion that follows such an act as a necessary result of what the Bureau does with reference to it. And so I rejoice, Mr. Chairman, that this section provides that the soldier who was placed on the pension rolls shall not be stigmatized by withdrawing from him this title of nobility without opportunity to be heard in his own interest, as he would be heard in any other claim in which he was a party.

To-day there is, in my judgment, a plain violation, not only of the spirit but even of the letter of the law. It is equivalent to depriving a man of his property without due process of law, and hence the action that heretofore has been taken in this regard by the Pension Office is in plain violation of the Constitution of the country.

Now, Mr. Chairman, I have no time to go through this bill in great detail, and will possibly avail myself of the opportunity to discuss it later on. What I have to say is that, considering all the circumstances surrounding the action of the Committee on Invalid Pensions, the demand there is for a great deal more beneficial legislation than we are able to furnish the means to supply, the demand for more radical action than has been taken here, and in view of all the difficulties that the situation has presented, I think the bill is so fair and such an improvement on the present condition of legislation that it ought to be supported by every friend of the soldier on this floor. If there shall be an opportunity later on—I know nothing of the purposes of the committee having the bill in charge—if there shall be an opportunity to make certain amendments here I shall vote for them, certainly for the amendment proposed by the distinguished gentleman from Iowa [Mr. HEPBURN], that puts into the bill, and hence into the law, a rule of construction that is due to the men who are the beneficiaries of the pension laws of the country, a rule that is in keeping and in consonance with the assertion of our appreciation of the great and gallant service of these men to the cause of the Union; but if it shall be the will of the House that no amendment is allowed and none adopted, and even if no opportunity to amend the bill be given, I shall vote for the bill as it stands here now. [Applause.]

Labor Commission.

SPEECH

OF

HON. WILLIAM F. STROWD,

OF NORTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, June 1, 1896,

On the bill (H. R. 6119) authorizing the appointment of a nonpartisan commission to collate information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital.

Mr. STROWD of North Carolina said:

Mr. SPEAKER: In deference to the wishes of the leaders of the labor organizations of the country, with a number of whom I have had correspondence, I shall give my vote for this bill. But viewing it from a farmer's standpoint, I fail to see any great necessity for it. I fear that "the play will not be worth the candle."

I think that the trouble all lies in a vicious financial system, under which the country is now groaning, the evils of which were predicted years ago by two great apostles of finance, Mr. SHERMAN and Mr. Carlisle. In 1869, in regard to the resumption act, Mr. SHERMAN said:

It is impossible to take this voyage without the sorest distress to every person except a capitalist out of debt or a salaried officer or annuitant. It is a period of loss, danger, lassitude of trade, fall of wages, suspension of enterprise, bankruptcy, and disaster. It means the ruin of all dealers whose debts are twice their business capital, though one-third less than their actual property. It means the fall of all agricultural products without any great reduction of taxes. When that day comes every man, as the sailor says, will find himself closereefed. All enterprise will be suspended. Every bank will have contracted its currency to the lowest limit, and the debtor, compelled to meet in coin a debt contracted in currency, will find the coin hoarded in the Treasury, no representative of coin in circulation, his property shrunk not only to the extent of the appreciation of the currency, but still more by the artificial scarcity made by the holders of gold. To attempt this task by a surprise upon the people, by arresting them in the midst of their lawful business and applying a new standard of value to this property without any reduction of their debts or giving them an opportunity to compound with their creditors, or to distribute the losses, would be an act of folly without an example in evil in modern times.

In 1878 Mr. Carlisle said, in regard to the destruction of the money of the common people—as there seems some doubt as to what Mr. Carlisle said in regard to these things, I will have it read from the RECORD:

CARLISLE IN 1878.

I shall not enter into an examination of the causes which have combined to depreciate the relative value of silver and to appreciate the value of gold since 1873, but I am one of those who believe that they are transient and temporary in their nature, and that when they have passed away or have been removed by the separate or united actions of the nations most deeply interested in the subject, the old ratio of actual and relative value will be reestablished on a firmer foundation than ever. I know that the world's stock of precious metals is none too large, and I see no reason to apprehend that it will ever become so. Mankind will be fortunate, indeed, if the annual production of gold and silver coin shall keep pace with the annual increase of population, commerce, and industry. According to my view of the subject, the conspiracy which seems to have been formed here and in Europe to destroy by legislation and otherwise from three-sevenths to one-half of the metallic money of the world is the most gigantic crime of this or any other age.

The consummation of such a scheme would ultimately entail more misery upon the human race than all the wars, pestilence, and famine that ever occurred in the history of the world. The absolute and instantaneous destruction of half the movable property of the world, including horses, ships, railroads, and all other appliances for carrying on commerce, while it would be felt more sensibly at the moment, would not produce anything like the prolonged distress and disorganization of society that must inevitably result from the permanent annihilation of one-half of the metallic money of the world.

They were prophets as well as apostles then; and if they had remained true to these convictions how well they would have deserved at the hands of their countrymen, how revered and honored by posterity! But, alas, how have the mighty fallen! In

these years these prophecies have been fulfilled before your eyes. All these direful calamities are upon the people of this country.

When the contraction of the currency commenced all was peace and happiness and prosperity. In 1842 Charles Dickens, twenty-four years after silver was demonetized in England, wrote from Boston, Mass., what was to him the marvelous statement that—

> There is not a man in this town nor in this State who has not a blazing fire and meat every day for his dinner. Nor would a sword in the air attract more attention than a beggar in the streets.

The statement could have been made in regard to the United States. But how changed the scene! Now, after twenty-four years from the demonetization of silver in the United States, we have millions of idle men thrown out of employment, tens of thousands of failures of industries and enterprises, and swarms of beggars and millions of tramps all over the land, all attributable to the contraction of the currency.

As another evidence of the direful effect of a shrinking volume of currency I will ask the Clerk to read from the Monetary Commission of 1876:

> At the end of the Christian era the metallic money of the Roman Empire amounted to $1,800,000,000. By the end of the fifteenth century it had shrunk to less than $200,000,000. During this period a most extraordinary and baleful change took place in the condition of the world. Population dwindled, and commerce, arts, wealth, and freedom all disappeared. The people were reduced by poverty and misery to the most degraded condition of serfdom and slavery. The disintegration of society was almost complete. The conditions of life were so hard that individual selfishness was the only thing consistent with the instinct of self-preservation. All public spirit, all generous emotions, all the noble aspirations of man shriveled and disappeared as the volume of money shrunk and prices fell.
>
> History records no such disastrous transition as that from the Roman Empire to the Dark Ages. Various explanations have been given of this entire breaking down of the framework of society, but it was certainly coincident with a shrinking volume of money, which was also without historical parallel. The crumbling of institutions kept even step and pace with the shrinkage in the stock of money and the falling of prices. All other attendant circumstances than these last have occurred in other historical periods unaccompanied and unfollowed by any such mighty disasters. It is a suggestive coincidence that the first glimmer of light only came with the invention of bills of exchange and paper substitutes through which the scanty stock of precious metals was increased in efficiency.

That this cause has produced the same result in all nations and in all ages of the world's history I do not think any well-informed person will deny. See Persia, Babylon, Rome, and Greece.

All legislation apart from that looking to the restoration of silver and enlarged volume of currency seems to me to be but trifling with this most serious and important question. Three or four years ago the Senate appointed a commission, with Senator GEORGE as its chairman—than whom this country never produced a more honorable gentleman, barring the fact that he is a free-silver man fighting under a goldbug banner—the expenses of this commission being paid out of the contingent funds of the Senate, to investigate and report the cause of the low price of cotton, which report has been made in two volumes of four or five hundred pages each, thoroughly informing the country on this important matter, which is costing the South more than a hundred million dollars annually. When they came into possession of all this valuable information cotton touched the lowest price ever realized for that staple.

We have a Labor Commissioner, whose reports, numbering eight or ten large volumes, all bearing upon this important subject, have produced no good results, as far as I can see. But the "dance of death" goes merrily on.

Chauncey Depew says that fifty men can come together and in twenty-four hours so contract the currency as to paralyze every industry in this country.

When the bankers and capitalists desired legislation in their interests during the Fifty-third Congress they could not wait for the convening of Congress at the regular time, but it was called together in dog days to repeal the purchasing clause of the Sherman Act, which Mr. Cleveland said was the only menace to the prosperity of the country. But the closing of banks, the suspension of business, and failures of mercantile and manufacturing enterprises went on in regular schedule time. And all the while the screw of oppression has been turned down tighter and tighter upon the agricultural and laboring classes.

You may pass all the laws you will on the tariff question; you may increase or lower every schedule to any amount; you may build a Chinese wall around the products and manufactures of this country by tariff laws, but if they benefit any American citizen it will only be to make a few richer and the multitude poorer. You may pass all the financial laws that can be conceived by the combined wisdom of this House, but until you stop contracting the currency and devise some means whereby the business of the country can be conducted on a cash basis the toiling millions will sink deeper and deeper in poverty and wretchedness.

You may appoint every man in this House a commissioner of labor and let him devote his entire time to the subject, and until they are enabled to see that a money famine is the trouble and go to work to remedy that evil their labors, in my humble opinion, will fail of any good results to the toiling classes of America.

Is it a fact that the devil has bewitched the world on the money question? It is a fact that the love of money is the root of all evil? It is a fact that greed has destroyed all the civilizations of the past and is fastening her clutches upon ours. And yet this Congress is rather disposed to enlarge the power of the banks by allowing them to issue money to the full face value of their bonds, and to destroy the greenbacks, thereby putting the whole financial interests of the country in their hands.

President Garfield, great in intellect, in statesmanship, and in patriotism, said that he who controls the volume of money in a country controls the labor and all industries of that country. Money being the lifeblood of the nation, should flow from the heart of the nation, and when farmed out to any other power produces a diseased body politic.

If this Congress really desires to relieve the financial distress of this country, why does it not adopt the method of France when she was lying prostrate and bleeding at the feet of her conquerors at the close of the late war with Germany, when, in addition to the calamity of disastrous defeat, an indemnity of a thousand million dollars in gold as a condition of peace, and the surrender of her two beautiful provinces, Alsace and Lorraine, to secure these terms, Germany demanded a mortgage on the nation, which being impracticable, France had to accept the bayonet mortgage, so sure was Germany that these terms would crush France.

What did her statesmen do under this great emergency? Did she attempt to issue bonds to sell for gold? Did she deal with syndicates? Did she propose terms to Shylock? No! She issued a popular loan in denominations as low as 10 francs, which was intended to be used as money and was used as money. These bonds were taken eagerly by all classes of her people, by even house servants and laborers. This enlargement of her currency produced the greatest activity in all departments of industry. And so great was the stimulant in all departments of labor that the balance of trade in her favor became so great that she was enabled to pay this enormous indebtedness, not in gold, but in foreign exchange. And at the end of five years, under the beneficent influence of this large per capita currency, she had more gold in her vaults than any nation on the face of the earth. And this is what bankers and capitalists call dishonest money!

How different the financial system in America. When this Government wants money, she issues gold compound-interest-bearing bonds, which means more debt, more taxes, more interest, more burdens for an already overburdened people. More wealth for the rich man; more misery for the poor.

You boast that you broke the shackles from the limbs of four millions of black slaves in the South, and I rejoice that you did. But shame, oh, shame! you fastened ten times worse shackles upon ten times as many people. Mr. Cleveland says that it is not a theory but a condition that confronts us. But we say it is both. The theory, in the language of Mr. Vanderbilt, is, "The people be damned;" the condition, the nation of a few rich men and millions of awfully poor.

When I was a little boy one of the first lessons I learned in my old-fashioned geography was that governments were instituted for the protection of the weak and helpless; and in the simplicity of my heart I thought it was true, especially so of this Government. And for three-quarters of a century it was true. But, alas, how things have changed of late! Now we see all legislation in the interest of the rich and powerful; the weak and helpless are left to the mercy of greed and avarice.

We talk and weep over the condition of Armenia. In that we do right. But what sympathy have these shylocks for those upon whose shoulders in the final analysis all the burdens of this Government are placed? The toilers and farmers have been crushed so low by the weight of these burdens that they can not reach the first round of the ladder, and so begin to rise.

There is a bill before this House now in favor of the eight-hour law, but the farmer, who supports all, and, on the homestretch, pays nearly all the burdens, commences his day's work before the stars leave the sky in the morning and works till they appear again in the evening, is not once thought of in this great National Legislature. Nine-tenths of the farmers of this country to-day are as men standing on a quicksand, who feel and know they are sinking lower and lower, and utterly powerless to help themselves, looking every way and asking, "Who will show us any good?" They have sent petitions to Congress by the carload, and Congress has virtually said, "Ye be idle; we will not lighten your burdens, but will add to your burdens." There are thousands of families in North Carolina who are unable to employ a physician when their families are sick, who are unable to buy suitable clothing to send their families to church on Sunday; but when they complain at unremunerative prices for their products the old stereotyped cry of overproduction is thrown into their faces. Shame on that man's ignorance, or that man's perfidy, who utters such a cry. I deny that there ever was an overproduction of any good thing in this country.

It is too late in the day and conditions are too much strained to create a commission to ascertain the trouble between labor and capital. I am a farmer, pure and simple, and I am certain that as a class we are very well informed on that subject.

JUDGE CLARK IN MEXICO—A LETTER IN WHICH FACTS WITH THE POWER OF GREAT THUNDERBOLTS ARE PRESENTED—AN INVINCIBLE ARGUMENT IN FAVOR OF SILVER IS SHOWN BY OUR SISTER REPUBLIC—THE INJUSTICE OF GOLDBUG ROBBERY—THE MAGNITUDE OF THE PLUNDER—OVER TWO HUNDRED MILLIONS LOST ON COTTON ALONE—OUR PEOPLE ARE PATIENT, BUT WE WILL NOT GO DOWN.

Associate Justice Walter Clark, of the North Carolina supreme court, who is spending some time in Mexico, has written a vividly plain and instructive letter to the News and Observer, in which he says:

The climate is nearly perfect. Strawberries are ripe, and flowers of all kinds bring 10 cents a basket. They say it is no warmer here in summer, and never sultry, as these table-lands embracing 500,000 square miles—two-thirds of Mexico—average 7,000 feet above sea level, over three times as high as Asheville, and the snow on the taller mountains never melts.

This country is developing more rapidly probably than any other on the planet, and could not help being prosperous as matters stand. The dollar is exactly the same value it was ten or fifteen years ago, not having been artificially doubled in value by legislation, as has been the case with us. Consequently cotton is still 13 cents per pound and wheat $1 per bushel, while fixed charges, as taxes, passenger and freight rates, public and private debts, etc., remain actually (as well as nominally) the same. With us in the United States, by virtue of the legislation in favor of the bondholders, these fixed charges, while nominally the same, are in fact doubled, as it takes twice the amount of cotton, corn, wheat, etc., to pay them. One does not get a full idea of the enormity of this transaction till he gets here and sees the prosperity of this country and sees the very capitalists who, by securing this legislation, have doubled the value of their United States bonds, investing the principal and interest of their enhanced value in this country at old prices, thus securing $2 of property here for $1 loaned the United States Government—that is, they will sell $1,000 United States bonds for gold, buy $2,000 of silver, which remains at the old value, and invest in $2,000 of property here.

The looting of Rome by Genseric and the Vandals, of India by Hastings and Clive, of this very Mexico by Cortez and the Spaniards, or of Peru by Pizarro, all pale into insignificance compared with the magnitude and injustice of this robbery practiced upon the 75,000,000 of the American people in the interest and by the procurement of the half million of millionaires and their agents and dependents through the simple device of so controlling legislation that every dollar of national, State, city, and individual indebtedness is doubled by doubling the value of the dollar. Genseric, Clive, Cortez, Pizarro risked their lives and had brave men behind them, and they at least pillaged foreign nations. But this crime has been the manipulation of the tools of the bondholders. There has been nothing heroic, and the only greatness in it has been in the magnitude of the plunder, which surpasses all that has ever yet fallen to a conquering army in the wealthiest country.

There was no excuse for it, since silver, when demonetized, was worth more than gold, and there has been nothing since to depreciate it. That silver, in fact, has not depreciated in the least may be seen right here in Mexico and throughout the 50,000,000 people living on this hemisphere, south of the Rio Grande, in all which countries the silver dollar will pay for as much taxes, as much railroad freight and passenger fare, as much public and private indebtedness as formerly—and farm products and land bring as much as ever. Neither has silver depreciated with us, but it is the gold dollar which has been doubled in value; hence debts, public and private, taxes, railroad rates, etc., are actually, though not nominally, doubled, while the produce has to be sold at half price to pay them. Every farmer who sold a pound of cotton in the United States last year was in effect taxed 6 cents a pound, or $30 a bale, and 50 cents in the bushel on wheat. The robbery perpetrated on the farmers of the South by this legislation, procured by the machinations of the combined capital of London and New York, on the cotton crop alone, of 7,000,000 bales at $30 per bale, is $210,000,000 for the one year of 1895 alone. The profits reaped by the capitalists by the legislation which has doubled the values of their claims against the public and individuals is practically beyond computation. It "fatigues the imagination" to consider it. The wonder is not that there is widespread and incurable depression, but that we can continue to exist under such a state of things. Were we not the wealthiest and most energetic and most patient people on the face of the globe, we would sink under it.

It is by no means certain that we shall continue always to be the most patient. Those who have thus pillaged us, and who, elated with their success so far, threaten to still further contract the currency by retiring the greenback, and thus still more increase the value of the dollar, may learn a lesson right here in Mexico. The Catholic Church, by three centuries and a half of a policy as deliberate and as carefully planned as of the monopolies and the money power of the United States to-day, came to own absolutely one-third of all the property in this country and controlled the balance. The masses were kept in ignorance and the leaders and intelligence of the country were intimidated or bought. But there comes an end to such things. In 1859 the property of the church was confiscated. The church party called in the English, the Spanish, and the French, and the latter gave them an Emperor. But the French have been driven out, the Emperor has been shot, and to-day throughout this great country, four times as large as France or Germany, the Catholic Church does not own a foot of soil or a dollar of money. The very church buildings, hoary, some of them, with nearly four centuries of use, belong to the Government, and services are conducted in them only by permission of the authorities elected by the people. Not a priest can walk the streets in his official robes.

Mexico remains Roman Catholic in her religion, but when the alternative was presented whether the church should own the country or the country should own the church, Mexico, in spite of centuries of veneration for religious authority and the influence of consolidated wealth and the ignorance and poverty of her masses, was able to vindicate the rights of her people. What this priestly monopoly was to Mexico, the money power is to the United States. The multimillionaires, the bondholders, the trusts, and monopolies already own over one-third of the property of our country and are reaching out for the rest. Many leaders they nominate and elect to office, others they intimidate or corrupt. But our people, while patient, are not ignorant, and if the course of the monopolies and combinations continues unchecked, they will wake up some morning to find, as the Catholic Church did here, that the sovereign people own the country and all that is in it. The Catholics here venerated the church fully as much as we ever did the rights of individual ownership of any species of property, but the welfare of the people is the highest law, and when that becomes imperiled, as it was in Mexico by the money power in the shape of the church, and as it is in the United States by the same deadly enemy in the guise of multimillionaires and monopolies, the manhood and the brains and the honesty of the people will assert themselves, and we shall not go down under the same enemy that destroyed Rome and so many other nations in the past. The world is older and wiser.

The gold dollar in the United States may well be called a mythical dollar, Not one man in a hundred ever sees one. It is not used to buy corn, or wheat, or flour, or railroad tickets, or dry goods. It is only for the sacred use of the idle rich when they wish to measure by a high standard, double in value the principal and interest of bonds, which, on their face, by the contract, are payable in coin—i. e., in either gold or silver.

In drawing these lessons from the past experience and the present prosperity of Mexico, there are those who will say Mexico is inferior to the United States in education, in civilization, and in many other respects. And so it is; and so much the worse for the objectors. For if Mexico, notwithstanding all these disadvantages, is prosperous and going forward by leaps and bounds by keeping her standard of values at the same level, so much the greater is the condemnation for the men who, in spite of our great and manifest superiority, have brought the curse and blight of a long-enduring depression upon us by robbing the wealth producers in the interest of the wealth consumers, through the device of doubling, by crooked legislation, the value of the dollar. And if Mexico, with three hundred and fifty years of priestly rule, three hundred of which were also under a foreign yoke, and fifty more passed amid internal dissensions, could assert themselves and throttle the gigantic money power which oppressed them, what can not and what will not 75,000,000 of the foremost people of the earth be able to do when satisfied that they owe it to themselves and their prosperity to break the yoke which galls them?

Much more might be said, and more forcibly.

WALTER CLARK.

CITY OF MEXICO, *January 15, 1895.*

The farmers of the South for ten years after the war were exceedingly prosperous. Poor men bought homes for their families. Prices of products being high and money plentiful, the creditor demanded only a portion of the purchase money for the land, but rather encouraged them to improve their homes; and everything went on well until, unexpectedly to them, a contraction of the currency took place. The gold basis was established; money went up and prices down and down until the last margin of profit was taken from his product. And now it is demanded of him that he pay his debt in dollars that are ten times as hard to get as they were when the debt was contracted and worth twice as much. And these are the dollars that the money mongers call honest dollars!

It is a sad sight for a man to grow in years and feebleness and to feel that he is growing poor and poorer, and with no hope in the future for his wife and little ones but taxation, debt, unrequited toil. Nothing can sustain a man under these circumstances but a strong faith in a merciful God and a courageous will. Without these he breaks down under his burdens and trials and seeks relief either in suicide or, what is worse, dissipation. He is not a communist nor an anarchist, he does not ask for any division of the wealth of the country, but he does demand that there be such legislation as shall give every man an equal opportunity to obtain wealth.

Professor Walker says:

That prices will fall or rise as the volume of money be increased or diminished is a law that is as unalterable as any law of nature.

Daniel Webster says:

Liberty can not long endure in any country where the tendency of legislation is to concentrate the wealth in the hands of a few.

Abraham Lincoln says:

If a government should contract a debt with a certain amount of money in circulation, and then contract the money volume before the debt was paid, it would be the most heinous crime a government could commit against the people.

This is precisely what this Government has done. All the laws it has enacted on the subject of finance since the death of that great and good man have been with a view to produce the results stated.

The record shows there is no hope of any relief for the plain people from either of the old parties. While they both pose before the people as the friends and champions of the toiling masses of the people, it matters not which may be in the majority in the House, they turn up in favor of the money sharks and gold gamblers of Wall street and Lombard street. The Democratic party, elected as the especial champions of free silver, with 148 majority in the Fifty-second Congress, smothered to death a free-silver bill passed by the Senate. Pleading upon their knees before the people for another chance to prove their loyalty to the interests of the people, they were intrusted with another lease of power and returned to the Fifty-third Congress with a handsome majority. Instead of redeeming their pledges and fulfilling their promises to the people, they proved their treachery by repealing the only law that gave any value to silver, thereby putting the farmers below the level of the same class of laborers in China.

The people, in their righteous indignation, hurled them from power, and elected an overwhelming majority of the Republican party to the Fifty-fourth Congress. And now, before our eyes, are enacted by the Republicans the same scenes that caused the people to condemn the Democratic party.

The only hope for the people is in the People's Party, which is the only national party breathing the same resolves in all sections of the Union, "Equal rights to all men, and special privileges to none."

Labor Commission.

SPEECH

OF

HON. HARRY SKINNER,

OF NORTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, June 1, 1896,

On the bill (H. R. 6119) authorizing the appointment of a nonpartisan commission to collate information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital.

Mr. SKINNER said:

Mr. SPEAKER: I have endeavored to obtain the consent of my mind to give H. R. 6119, to "authorize the appointment of a nonpartisan commission to collate information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital," a hearty, favorable support, because I am intensely and sincerely the advocate and friend of labor and agriculture. No one realizes better than myself how both of these strong arms of the country have been paralyzed by adverse legislation; and no one would sooner come to their relief and repair, as far as practicable and possible, the injury they have sustained.

Then, again, I understand this measure has the approval of the Knights of Labor and other labor organizations of the country and they also command my sympathy; and I stand ready now and at all times to strengthen their hands, to increase their power, to resist the steady encroachments of capital upon the rights, privileges, and conditions of labor. I stand ready to alleviate and lighten the burden of labor, to bring them better wages, shorter hours, more education, a higher civilization, and better Christian influences, and opening up to them all the possibilities of the true American. Still, Mr. Speaker, I must file my feeble dissent to the passage of this bill creating this nonpartisan industrial commission. I can see nothing in it for labor or agriculture, only as it makes more taxes for them to pay and relieves Congress of some of its present duties.

I am not objecting to the collection of information concerning labor, agriculture, and capital, but I seriously contend that this is the constitutional duty of the Labor Committee of Congress specially, and Congress generally, and this legislation is simply employing at an expense of about $300,000 per annum assistants for the Labor Committee, when they have plenty of time and are already paid for this service. Let us for a moment examine this bill:

The President of the United States is authorized and directed to appoint a commission, to be called the industrial commission, composed as follows: Three men representing labor, three men representing agriculture, three men representing manufacturing, and three men representing business.

Each division of three shall have the right to employ one legal adviser and one secretary. The commissioners and legal advisers shall receive $5,000 per annum and the clerks $200 per month, and the commission is granted a contingent fund of $50,000 per annum.

Their duty shall be to investigate questions pertaining to immigration, to labor, to agriculture, to manufacturing, and to business, and to recommend to Congress such legislation as it may deem best upon these subjects.

I would like to inquire what else remains for Congress to investigate? If this commission is created we had best create it the third house and make it the permanent conference of the two Houses, as their investigations will equip them to decide all matters of difference between the two Houses in a nonpartisan and patriotic manner.

Mr. Speaker, seriously, if this industrial commission is a necessity, then, in the name of economy, in the interest of labor and agriculture, let it be created out of the Senate and the House upon the same principle, with the same powers and privileges and duties, and without any additional expense to the people. Created in this manner, in my judgment it will accomplish more, the members thereof will feel more directly the influence and needs of the people, and being members of Congress they will stand a better show to formulate their matured plans into practical legislation. Suppose this commission is created and Mr. Cleveland makes the appointments. Does anyone doubt the complexion of the commission? It would be a machine at the expense of the people to make it appear that the single gold standard was to the best interest of labor and agriculture. It is exactly what SHERMAN, Carlisle, and Cleveland desire—some official source whereby they can educate the people against their will to the single standard and to their injury and ruin.

It does seem that this House has gone far enough on this line; that is, legislating in their own interest to relieve themselves of work and to give themselves more pay. I do not like to appear small or captious, but it is a very true lesson in finances to care for the pennies, and the dollars will care for themselves. We have restored the franking privileges, and still retain the allowance for stationery. We have given not only session clerks but also vacation clerks, and now we are asked to relieve ourselves of duty and to transfer the duty of investigating all matters to an industrial commission, at the additional expense of more than a half million dollars, to be paid in gold prices out of the joint results of the soil and labor.

I have not referred to the increased naval appropriations, to the increased river and harbor appropriations, to the increased civil-service sundry appropriation, and to the alarming increase in the pension appropriations, nor to the increase of the public debt through Executive orders in the sale of bonds. These, taken into consideration at one and the same time, are truly alarming when we look at the condition of labor and agriculture, which, under the organization of society, must bear these burdens and create the wealth from which shall be taken the taxes to meet these obligations, which necessarily diminishes their proportion of that which they bring into existence through their toil and sacrifices.

The condition of labor and agriculture are luridly portrayed by their respective organizations, by the strikes, the lockouts, and the increasing army of the unemployed, by the sheriff and mortgage sale, by the absolute and appalling poverty of the Southern and Western planter, marked by scant food, poor raiment, torn-down fences, filled-up ditches, dilapidated farm houses, and the depressed appearance of the honest planter, with no hope to pay his debts, educate his children, or to reserve a surplus for sickness and old age. Along the path he daily trods from the rising to the falling of the sun can not be plucked either flower, blossom, or bud of hope.

It is idle, it is trifling with the needs of an almost exasperated people, to say that you must first establish a nonpartisan commission to inquire into the condition of agriculture, labor, and capital and wait for them to recommend legislation before you can act, before you can give the people relief. And you present this as a measure in their interest! They ask for bread, and you throw them a stone. They cry for meat, and you offer them a bone. How long will you thus abuse their patience? How long will their patience endure and countenance your abuse?

These delays and postponements are dangerous. The wrath of the people when once kindled becomes a consuming fire that will not be quenched until its force is spent and its path marked by desolation, waste, and ruin. Mr. Speaker, I plead with this Congress to act before it adjourns and give the people relief. Remember that Mark Antony lingered in dalliance soft and sweet before the star-eyed Egyptian Queen and lost Actium at the hands of the second Cæsar. That Cæsar, in the plenitude of his power, said, "The ides of March have come." When they had passed he lay at the foot of Pompey's statue. Louis XIV, playing at locksmith, wrote in his diary, "Nothing particular has happened to-day." The only thing that did happen was the siege and fall of Paris. Charles II said scornfully, "What can these Roundheads do?" He found out later they could cut off his head. In the shadow of a great crisis, throughout history we find these flippant sayings.

Surely, Mr. Speaker, we are standing in the shadow of a pending crisis that throws its dark pall of gloom and despair over every section of our country, paralyzing all industries and threatening the perpetuity of American institutions. Shall this House turn a deaf ear to the plaintive wail of hunger, nakedness, and despair as they well from the garrets and cellars of the overcrowded city and from the humble farm houses of the country?

If so, Mr. Speaker, you may not be surprised to see the people organize as they have never organized before in a nonpartisan way to secure practical legislation, and party ties will hereafter fall lightly around the people who desire and need relief.

In the history of the Old World the philosophic observer can find but few incidents gratifying to the philanthropic mind and no satisfactory evidence of the capacity of the mass of mankind for the maintenance of popular government.

Greece, the cradle of letters and nursery of arts, the land of Homer, of Solon, of Herodotus—the theater of Thermopylæ, of Leuctra, and of Marathon—classic Greece, in the heyday of her glory, beguiles the scholar with her minstrelsy, her eloquence, and her army, and fires his genius with illustrious examples of devoted patriotism; but a calm survey of her history exposes lamentable scenes of disorder and injustice, and in the débris of her wreck and ruin will be found the same evidences of a neglect of the people's interest which are manifest in America to-day, which, if not corrected in time, surely mark us as their victims.

Rome, once mistress of the world, was in her best days the great arena of contending factions. She, too, had her demagogues, and "the majesty of the Roman people" was their watchword. And though she had her Fabricius, her Regulus, her Cato, her Cicero, she also had her Clodius and her Sylla and her Cæsars, honored

in their day as the friends of the people; and whether Marius or Sylla, Cæsar or Pompey, prevailed, the victory was in the name of liberty. The Republic was honored with a triumph and a clamor of approbation echoed from the Forum to the Capitol. Augustus Cæsar, absolute as he was, preserved the forms of a republic, whilst by the perversion of his vast patronage to his own aggrandizement, Grover Cleveland-like, he made an obsequious and prostituted senate the register of his will, and in the name of liberty fastened a heavy yoke forever on an applauding populace.

The fast-anchored isle—the natal land of our fathers and the mother of our common law—has had her scenes of civil strife and blood; she has had her Wakefield, her Smithfield, and her Bosworthfield; she has had her Tudors, her Stewarts, her Jeffreys, her Bonner, and her Cromwell, as well as her Sidney, her Cramer, and her Hampden, her Beaconsfield, and her Gladstone; and after ages of reformation in church and state her aristocracy still governs, her heirarchy still prevails, and the Harp of Erin hangs tuneless and sad upon the leafless bough of her blasted oak, and her finances govern the world and seek the subjugation of American dominions.

The French Revolution had its Dantons and its Robespierre; and after the bloody idol of licentious liberty had, like the Car of Juggernaut, crushed its thousands and overturned the temples of the true God, a Prætorean band of grenadiers delivered over the "Republic" to the safe-keeping of a Bonaparte.

After contemplating such scenes, well may we doubt the capacity of man for self-government, and exclaim in the language of Mme. Roland under the guillotine, "Oh, liberty, what crimes have not been perpetrated in thy name!"

But from the waste around us we cast our eyes upon this green sward sloping from the Atlantic to the Rockies, then down to the Pacific, the land of present hope and measureless possibilities, and the inestimable truth is born the mind that there is still hope for popular government, and under its benign influences and protection man will ultimately be elevated to the full and undisturbed fruition on earth of the great ends of his moral being.

That God who gave us this country, who preserved Christianity through the gloom and desolation of the Middle Ages and has preserved this country through depressions in peace and the perils of war, will not suffer liberty, its offspring, to perish. Both have taken deep root in American soil. They were planted by our forefathers under circumstances peculiarly propitious, and so long as we may live it will be our duty and pleasure to cherish and defend them.

The serious problem that confronts us is to save the Republic by restoring the contentment, the happiness, and prosperity of the people.

In my humble judgment, this can only be done by the exercise of wise economy in the administration of the Federal Government, so that the burden of taxes may be made as light as possible, and that without the restraint of their individual liberty involved in the maintenance of the internal-revenue system.

Secondly, by such legislation as shall insure more and constant employment to labor, with shorter hours, with increased wages and better prices for farm products. The legislation that shall produce these results will restore hope, contentment, happiness, and prosperity to the masses; and these will not only temporarily save the Republic, but cause us to build more permanently and wisely than we knew, and develop the now latent possibilities of our measureless wealth.

Upon the question of Federal economy, the House will pardon me if I again refer to House bill 4141, introduced by myself January 16, 1896, to reduce all Federal salaries 33⅓ per cent. With the consent of the House I will incorporate the bill just here as a part of my remarks:

A bill (H. R. 4141) to reduce the compensation of all persons in public service and thereby to meet the deficiency in the Treasury.

Whereas the demonetization of silver has resulted in the depreciation of land, labor, and products, and the stagnation of business and the depression of all industries, and has thereby reduced the people's means of meeting the expenses of the Government; and

Whereas the enforced underconsumption has resulted in the revenues of the Government falling below its expenses; and

Whereas the salaries of all Government officials and employees were fixed and based upon prices and conditions existing prior to the demonetization of silver; and

Whereas all Government officials and employees are receiving salaries and wages in excess of what the same service would command in any other field of employment; and

Whereas there is a deficiency in the Treasury which should be met by practical economy rather than by the increasing of taxes or the selling of bonds: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all compensation, whether paid as salaries, fees per diem, mileage, or otherwise, of any person, officer, or employee in any branch of the public service shall be, and is hereby, reduced to the extent of 33⅓ per cent of their present amounts.

SEC. 2. That on and after the passage of this act all compensation of persons employed in any branch of the public service shall be computed and paid on a basis of the reduction provided for in section 1 of this act.

SEC. 3. That the law which shall hereafter be passed authorizing the opening of the United States mints for the free and unlimited coinage of silver at the ratio of 16 to 1 shall work and operate as a repeal of this act, and restore to all persons, officers, or employees in any branch of the public service the same salaries and wages that they received prior to the passage of this act.

SEC. 4. That all laws, clauses of laws in conflict with this act are hereby repealed.

This bill can be passed by both Houses in two hours, and thereby $100,000,000 per annum be saved to the people. The same scale applied to the appropriation bills will save $200,000,000 additional per annum, and thereby secure an aggregate saving of $300,000,000 per annum to the people. And all of this can be done without detriment to the public service.

Upon the subject of better prices for farm products, the current admissions of the press and the statesmen of the decade justify the statement that free coinage of silver at 16 to 1 doubles the current money of the realm and the world, and the result of this is to double the prices of the world, especially of labor and products.

Just at this point I desire to read H. R. 8999:

A bill (H. R. 8999) to prohibit the further issuance of interest-bearing bonds without the consent of Congress.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the issuance of interest-bearing bonds of the United States for any purpose whatever without further authority of Congress is hereby prohibited.

It is the same bill now being considered in the Senate; it prevents the issue of bonds without the authority of Congress. If the Executive is deprived of this power to issue and sell bonds, he may be necessitated to resort to the free coinage of silver at 16 to 1 and to the recognition of silver at the Treasury Department as primary money of redemption. I have thought, I do believe, that if the Secretary of the Treasury would only exercise his discretion in the interest of silver and redeem silver certificates in silver, and Treasury notes in silver, that he would break the endless chains, and would accumulate a surplus of gold in the Treasury, that would avoid a necessity for the issuance of gold bonds either by executive or legislative authority. It is certainly dangerous to leave this power in the hands of the Executive. Certainly no bonds of any class or species should be issued except be express legislative authority.

On this line I call attention to House resolution introduced by me on the 22d day of January, 1896:

Whereas by the act entitled "An act to strengthen the public credit," approved March 18, 1869, it was provided and declared that the faith of the United States was thereby solemnly pledged to the payment in coin or its equivalent of all the interest-bearing obligations of the United States, except in cases where the law authorizing the issue of such obligations had expressly provided that the same might be paid in lawful money or other currency than gold and silver; and

Whereas all the bonds of the United States authorized to be issued by the act entitled "An act to authorize the refunding of the national debt," approved July 14, 1870, by the terms of said act were declared to be redeemable in coin of the then present standard value, bearing interest payable semi-annually in such coin; and

Whereas all bonds of the United States authorized to be issued under the act entitled "An act to provide for the redemption of specie payments," approved January 14, 1875, are required to be of the description of bonds of the United States described in said act of Congress approved July 14, 1870, entitled "An act to authorize the refunding of the national debt"; and

Whereas at the date of the passage of said act of Congress last aforesaid, to wit, the 14th day of July, 1870, the coin of the United States of standard value of that date included silver dollars of the weight of 412½ grains each, declared by the act approved January 18, 1837, entitled "An act supplementary to the act entitled 'An act establishing a mint and regulating the coins of the United States.'" to be a legal tender of payment, according to their nominal value, for any sums whatever: Therefore,

Resolved by the House of Representatives (the Senate concurring), That all the bonds of the United States issued or authorized to be issued under the said acts of Congress hereinbefore recited are payable, principal and interest, at the option of the Government of the United States, in silver dollars of the coinage of the United States, containing 412½ grains each of standard silver; and that to restore to its coinage such silver coins as a legal tender in payment of said bonds, principal and interest, is not in violation of the public faith, nor in derogation of the rights of the public creditor.

I also call attention to H. R. 8535, entitled "A bill to secure international free coinage of silver at the ratio of 16 to 1," etc.:

A bill (H. R. 8535) to secure international free coinage of silver at the ratio of 16 to 1; to maintain the gold reserve; to regulate the exportation and to protect the production and manufacturing of cotton within the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That after thirty days from the passage of this act no raw cotton in any quantity, of any grade or quality, shall be exported from any of the ports of the United States, except by the permission and under the direction of the Secretary of the Treasury.

SEC. 2. That the Secretary of the Treasury, under rules and regulations prescribed by the board hereinafter created, shall purchase and export raw cotton for sale upon the United States Treasury account.

SEC. 3. That the commissioner of agriculture of each of the cotton-growing States, together wich the Secretary of Agriculture and Secretary of the Treasury of the United States, shall constitute, and are hereby created, a board to direct the purchase and sale of the Southern cotton crop, with all incident and necessary powers to attain practical results; this board, within their discretion, shall meet in Washington not earlier than the 1st day of February nor later than the 1st day of August of each and every year and name the price and formulate the plans and regulations under which the Secretary of the Treasury shall purchase, care for, store, sell, and export the Southern States cotton crop for the ensuing fall.

SEC. 4. That the Secretary of the Treasury, for such raw cotton according to grade, under the rules and regulations fixed by the board created in section 2 of this act, at the price named, delivered at such ports or points as shall be designated, shall pay for the same in all cases with Treasury notes in denominations of $1, $2, and $5, $10, $20, and $100, redeemable on their face, either in gold or silver, 16 to 1, or Government 2 per cent bonds, payable in series from $100 to $1,000, within twenty-five years, at the option of the

Secretary of the Treasury, these bonds to be on their face interconvertible at the option of the holder in this same class of Treasury notes, with interest added, and these bonds extended the same banking privileges as existing bonds have now or may hereafter have.

SEC. 5. That the Secretary of the Treasury shall sell to American manufacturers, either from the interior or from ports, at cost to Government plus expense of carriage, insurance, and storage, and shall accept as payment from them gold or silver, 16 to 1, the above-described Treasury notes, or any national United States currency or the above-described bonds, with interest added, at the option of the purchaser. Nothing herein shall operate to prevent the American manufacturers from purchasing directly or indirectly from the planter.

SEC. 6. That the Secretary of the Treasury shall have the power, and is hereby authorized, to negotiate and sell for export at not less than 33⅓ per cent net advance of cost to Government.

From bimetallic countries, to the extent of their manufacturing capacity, he may accept payment therefor in the same classes of money, currency, and bonds as he is authorized to accept from American manufacturers.

From single-standard gold countries he shall exact payment in gold until there shall be an international agreement for the free coinage of silver at the ratio of 16 to 1. Such an international agreement shall operate as a repeal of this act.

SEC. 7. That the Secretary of the Treasury is hereby fully authorized, under the rules and regulations of the Treasury Department governing the preparation and issue of Treasury notes and bonds, to have prepared, issue, and pay out, and redeem the Treasury notes and bonds in accordance with and to carry into effect all the provisions of this act.

SEC. 8. That all provisions of law, whether of statute or treaty, now in force in anywise inconsistent with or in conflict with this act are hereby repealed and set aside.

Mr. Speaker, this is truly a nonpartisan industrial commission and without expense to the Federal Government.

1. I claim that this bill would secure international bimetallism. By way of example, say that the Secretary and the board had met in February, 1896, and under the provisions of this plan advertised that he would give the planter 10 cents per pound on a basis of middling, under the rules and regulations prescribed, and in the Treasury notes named. The single-standard countries absorb the large bulk of our export cotton; under this plan, at 33⅓ per cent advance, it would cost them 13.33 cents in gold; this would be covered into our Treasury, amounting, estimating that they take (and must have) 5,000,000 bales per annum of our crop, over $300,000,000; this, if kept up, in a few years would drain the single-standard countries of their gold and put it into the Treasury of the United States and thereby make us the dominating factor in the world's finances. The single-standard Governments would see this result, and to prevent it they would promptly come to an international agreement for free coinage of silver at the ratio of 16 to 1, so that they might supply their mills with our raw cotton on the same terms that other countries do and thus reserve their gold. We would bring them to international silver 16 to 1 or destroy their manufacturing interests. Our Secretary of the Treasury would occupy the attitude that is clearly to the interest of this country of selling our great staple, cotton, for gold at our price, rather than hawking our bonds and surrendering our credit to an English syndicate in order that the gold owners of the world may be perpetuated in their power to dictate the price of our export crop.

2. I claim that the bill will secure, so long as in force, equitable protection to the field and shop in the highest, most practical, and patriotic sense of the word, and will afford a net revenue of one hundred millions to the Government. It is to be observed that under this plan the American cotton manufacturer would have 33⅓ per cent advantage in the cost of raw material. This would to a great extent stimulate and multiply our manufacturing interests, and make us exporters of manufactured cotton goods—competitors in the world's trade in this line. It would give cotton growing stability and prosperity, making the South a larger consumer of all other raw and manufactured goods; the planter would know what he would get before he planted, and his planting could be regulated so as to prevent a Southern overproduction, as we need not fear the stimulating effect this plan would have upon other cotton-producing countries. For example, note the effect upon the world's market resulting in short exports during the war. We have for more than fifty years held the supremacy in the world's production of raw cotton, but it is evident, under the controlling influence and power of the single gold standard, that we must take some steps to regulate the price or else go out of the cotton-growing business. Estimating that the gold-standard countries would be compelled to have 5,000,000 bales per annum of our cotton, and this is a small estimate, which, at 13.33 cents, would put over three hundred millions into our Treasury at 33⅓ per cent advance, the net revenue thereby made by the Government would be more than one hundred millions per annum. In other words, the Southern people would surrender their cotton crops and take the Government's noninterest-bearing paper in payment therefor, and furnish the Secretary of the Treasury with cotton to sell for gold instead of his sacrificing the Government bonds for gold. The Administration plan is to sell us in debt, and give the gold owners of the world the power of dictating prices. This bill contemplates naming our own prices, and relegating gold to the position of a servant in the great international exchanges of the world.

3. The Treasury notes issued under this plan, to the extent of the size of the American manufacturing interest, will prove perpetually self-redeeming. To the extent of the cotton exported we will put $1.33 in gold in the Treasury for every dollar issued. The profit to the Government would be as stated—on a basis of $300,000,000 value exported at 33⅓ per cent advance, it would return a net revenue of more than $100,000,000 per annum, which the cotton planters of the Southern States are willing to contribute as a tax to the Government for governmental supervision as above indicated. The bonds growing out of the plan would form a basis for the creation of such a new system of banking as may be practically hereafter devised, and within themselves furnish a currency. I will not discuss the objections that may be raised to this plan, for I expect criticism; but I wish to emphasize one great truth, that the price of our great staple, cotton, can be controlled by the Government without hazard or loss and to the benefit of all sections of our country. The Southern States hold the supremacy of the world in the production of raw cotton, both as to quality and quantity. The Manufacturers' Record, commenting upon this subject, says:

> Try as it may to avoid it, the world at large will have to draw the bulk of its cotton from the Southern States, and consequently we can and ought to determine what its selling price shall be instead of leaving that to be dictated by the consumer.

Hon. J. M. Rusk, then the Secretary of Agriculture, in a letter upon Southern progress, says:

> The supremacy which the South possesses in the markets of the world as a cotton-producing country there is reason to believe will never be forfeited. The natural facilities of the South for the production of this great cotton crop, aided and directed by intelligence, must assure for all time the supremacy of the Southern States as the cotton-producing region of the world.

In the same line of thought, Secretary McCulloch, in his fiscal reports, refers to the active movement of the crop of 1865 and the good prices commanded, drawing largely on the old country, as saving the United States from a threatened financial wreck. Mr. Edward Atkinson, the statistician, in a paper read before the Cotton Manufacturers' Association of New England, says:

> The Appalachian chain, gathering moisture from the Gulf Stream and spreading it over the fertile fields of the Southern States, has fixed our supremacy in cotton production.

If other authority is desired, I refer to the centennial sketch of the cotton trade of the United States by that distinguished cotton statistician, Mr. Thomas Ellison, of Liverpool; to Bulletin No. 9, United States Department of Agriculture; to "Production and price of cotton for one hundred years," by James L. Watkins; the "Annual cotton movements and fluctuations," by Latham, Alexander & Co., of Wall street, New York; the Encyclopedia Britannica; article "Cotton," by Thomas Ellison; and to any standard commercial geography. After reading these authorities anyone will be convinced that any person, syndicate, corporation, or Government owning the cotton crop of the Southern States could and would control the price of cotton. Under the plan that I have suggested the Government can become the owner of the Southern crop with a handsome net revenue attached, and under conditions that surround us it is but patriotic that we exercise this great commercial power to save the great industry and our country from wreck and ruin. If the Belmont-Morgan-Rothschild syndicate had the same lever power they would crush us in twenty-four hours, and it is but right that we use it as an instrument to buy what gold may be necessary for our purposes, to enforce international bimetallism, to extend and protect cotton manufacturing, and to regulate and protect cotton production. Every other nation in the world has legislated in the interest of cotton except this Government. They have done so for the purpose of making themselves competitors with us in the production of cotton. With all their governmental assistance they have signally failed and have finally resorted to gold monometallism so as to purchase our cotton at their price, and the time has come when the Government should come to the rescue of the American cotton crop, when it is so plain that by doing so they can make it to the advantage of the Government by making cotton the controlling factor of the world's finance and commerce and bless humanity by restoring bimetallism, and thereby emancipate labor, production, and commerce.

Lest the public may be misled in believing that I regard an international agreement necessary to the success of free and unlimited coinage of silver at the ratio of 16 to 1, I will emphasize that I believe in independent action without delay, and this plan carried out in detail exemplifies our ability to so act. There are other reforms on the other side of free silver that I believe in, but it is a useless waste of time to discuss them until we unshackle labor, production, and commerce from the dominating influences of gold. The patriotic influences of America need to be marshaled and focalized under this available issue of free silver 16 to 1 to route the common enemy of humanity and civilization before we can seriously contemplate the many other reforms needed in the fiscal and economic administration of our Government.

And the Southern staple is the available weapon with which to route monometallism and restore universal bimetallism, and thereby bless humanity.

Cotton is still king if it can be treated and dealt with fairly. If the Government would extend the same ratio of protection to this the greatest of all of our industries cotton culture would

keep pace with cotton manufacture. Upon every conceivable argument the culture of cotton is entitled to the same protection as is its manufacture. It gives employment to more labor, creates a larger home market for Western produce. Better prices for cotton means better prices for the landowner, better prices for farm labor, better prices for Western corn, wheat, and pork, and more prosperity to the country generally. In considering legislation along this line we must keep before us the relation of the Southern cotton crop to that of the world and hold fast to the fact that we do to-day and have done so for half a century and will continue for the next half century, under all conditions, to raise at least 80 per cent of the raw cotton of the world; that we consume about 33⅓ per cent of our production, and that the cotton mills of Europe must have two-thirds of our production to keep them running, and that all the mills must run on reasonable time to supply the world's increasing demand for cotton goods.

It looks reasonable that any Government whose people raise 80 per cent of a staple that is so important and necessary to the world, that is essential to clothe the human race, to furnish the home comforts, equip commerce, and shelter the camping armies of the world, and that employs so much labor in its production and manufacture, ought to receive some fostering care from the Government, so that its producers may not become paupers. All I contend for is that the Government shall throw around cotton culture the same arm of protective care that it gives to manufacturers, and thereby assist the cotton planter and relieve him from his present dependent position of being compelled to market his cotton crop certain months of the year at such price as the New York and Liverpool cotton exchanges shall dictate. It is a rule of trade acknowledged the world over that the owner of eight-tenths—even of 51 per cent—of any article of necessary consumption can regulate and control the price of the whole. So, reasoning from analogy, a Government whose people raise eight-tenths of all the cotton raised in the world can dictate to the consumers of that cotton what they shall pay. And in justice to ourselves and to every conceivable interest of this country this power should be exercised, not for purposes of oppression, but for the purpose of so regulating the great industry as to make it profitable, and those engaged in it prosperous and happy.

No nation is esteemed by the comity of nations so wealthy as that nation which from her resources can draw sustenance from her own soil to clothe and feed her soldiers in war and make them happy, prosperous, and contented in peace. Measured by this standard we are independent and capable of formulating our own political, commercial, and financial policy.

It must be admitted that this cotton commission, or Government control and supervision, would destroy the cotton speculation of the world and this profit would remain with the planter. My sympathies are with the cotton planter, for equal prosperity to all sections, for life on the farm as well as in the city, and against the evil spirit of the age by which speculation, monopolies, and trusts enrich the few at the expense of the many.

I admit that the recognized law of supply and demand ought to be left free to control prices. But in these days of unequal protection, monopoly, trust, and speculations the unprotected industries and the unorganized farmer, as against all the other combinations, unless some relief shall be extended to them, must sink and become and remain enslaved to the money trust.

The single gold standard is a simple trust upon the redemption money of the world, and this makes the gold owners—I may say 51 per cent of the gold of the world—the absolute owners and controllers of man, earth, church, and state.

The gold owners under this policy have caused this Government to surrender its sovereign function of issuing money to the national banks as a trust upon all secondary money, and they foster all other trusts of which we complain and whose heavy hand we feel paralyzing the heaven-appointed institution of farming.

It is indeed surprising to me that we shall supinely permit such trust, against the happiness and the welfare of the human family, when by utilizing our monopoly in raw cotton production we can break the trust and restore to the people their rights and prosperity.

Should the Government take advantage of its position and exercise its power in the premises?

Should the Government permit so great an industry to languish and those engaged in it to become paupers by raising a staple so essential to the comfort of the world and so necessary for the extension of civilization, and permit the continuance of prices fixed in Liverpool, dictated by a foreign policy, to command the American crop with as little money as possible, when it possesses the power to prevent it, and can, with this staple under governmental supervision, provided for in my bill, in due time drain Europe of all its gold and put it into the Treasury of the United States? I speak for the cotton planter. He will willingly raise cotton upon the faith of Uncle Sam's credit, accept Treasury notes therefor, redeemable so as to never receive a dollar of gold for their product, and turn it over to the Secretary of the Treasury to sell for gold for Government account. I repeat, the cotton industry is second to no interest in the United States, and deserves the fostering care of the Government, especially when by exercising this care the Government can make it the weapon with which to drain Europe of her gold and break the trust on money. The condition of the cotton crop, from planting to harvest, as well as the statistical position of the product, with the regularity of the daily course of the sun is bulletined around the world, and its staple is as current as gold across the counters of every bank in Christendom (only we permit its value to be measured in gold, when the reverse could be accomplished by action on our part). It constitutes fully one-half of our export, and is the lever with which we can raise the balance in our favor. The greater purchasing power we can give to this our great export crop the better it is not only for the producers of the South, but for all sections of the country, which hold a joint interest in our national wealth, to which cotton is the largest contributor. Is it right for the few million of people, those engaged in this industry, at the expense of great labor, exhaustion of soil, and sacrifice of health to produce 80 per cent of the great staple which is necessary to the comfort of fourteen hundred million people, the population of the world, at prices that are ruinous to the producers, when this can be prevented by this Government supervision, and the industry converted into a blessing to them with profit to the Government, and to the good of every section of our country and all mankind?

For the purpose of verifying my arguments, that we hold the monopoly in cotton production, I will at this point refer to a tabulated statement furnished me by the Agricultural Department, showing the world's supply and distribution of cotton:

World's supply and distribution of cotton.

	Visible and invisible beginning of year.	Crops.			Total actual consumption.	Balance of year's supply.		
		United States.	Supply of other countries.	Total crop.		End of year.		Burned, etc.
						Visible.	Invisible.	
	Bales.	*Bales.*	*Bales.*	*Bales.*	*Bales.*	*Bales.*	*Bales.*	*Bales.*
1866–67	2,349,000	2,230,000	2,178,000	4,400,000	5,085,000	1,400,000	219,000	53,000
1867–68	1,619,000	2,718,000	2,107,000	4,825,000	5,058,000	1,280,000	58,000	48,000
1868–69	1,338,000	2,652,000	2,564,000	5,216,000	4,979,000	1,260,000	260,000	55,000
1869–70	1,520,000	3,431,000	2,113,000	5,544,000	5,259,000	1,350,000	375,000	80,000
1870–71	1,725,000	4,733,000	2,025,000	6,758,000	5,820,000	1,696,000	882,000	85,000
1871–72	2,578,000	3,241,000	3,036,000	6,277,000	6,312,000	1,785,000	668,000	90,000
Average		3,167,000	2,337,000	5,504,000	5,419,000			56,000
1872–73	2,453,000	4,283,000	2,083,000	6,366,000	6,425,000	1,591,000	729,000	74,000
1873–74	2,320,000	4,597,000	2,320,000	6,917,000	6,632,000	1,682,000	843,000	80,000
1874–75	2,525,000	4,216,000	2,309,000	6,525,000	6,656,000	1,619,000	705,000	70,000
1875–76	2,324,000	5,171,000	2,018,000	7,189,000	7,082,000	1,732,000	614,000	85,000
1876–77	2,346,000	4,933,000	1,897,000	6,830,000	7,140,000	1,318,000	643,000	75,000
1877–78	1,961,000	5,425,000	1,506,000	6,931,000	7,272,000	1,214,000	326,000	80,000
Average		4,771,000	2,022,000	6,793,000	6,868,000			77,000
1878–79	1,540,000	5,637,000	1,398,000	7,035,000	7,223,000	1,068,000	199,000	85,000
1879–80	1,267,000	6,556,000	1,894,000	8,450,000	8,081,000	1,499,000	49,000	88,000
1880–81	1,548,000	7,519,000	1,837,000	9,356,000	8,646,000	1,922,000	246,000	90,000
1881–82	2,168,000	6,073,000	2,510,000	8,583,000	9,035,000	1,362,000	254,000	100,000
1882–83	1,616,000	8,058,000	2,350,000	10,408,000	9,499,000	1,704,000	701,000	120,000
1883–84	2,405,000	6,485,000	2,434,000	8,919,000	9,290,000	1,505,000	434,000	95,000
Average		6,721,000	2,071,000	8,792,000	8,629,000			96,000

World's supply and distribution of cotton—Continued.

	Visible and invisible beginning of year.	Crops.			Total actual consumption.	Balance of year's supply.		
		United States.	Supply of other countries.	Total crop.		End of year.		Burned, etc.
						Visible.	Invisible.	
	Bales.	*Bales.*	*Bales.*	*Bales.*	*Bales.*	*Bales.*	*Bales.*	*Bales.*
1884–85	1,939,000	6,420,000	2,007,000	8,427,000	8,597,000	1,230,000	449,000	90,000
1885–86	1,679,000	7,480,000	2,100,000	9,580,000	9,371,000	1,210,000	590,000	88,000
1886–87	1,800,000	7,450,000	2,478,000	9,928,000	9,757,000	1,248,000	593,000	130,000
1887–88	1,841,000	8,000,000	2,100,000	10,100,000	10,167,000	965,000	649,000	160,000
1888–89	1,614,000	8,079,000	2,350,000	10,429,000	10,524,000	902,000	597,000	120,000
1889–90	1,499,000	8,525,000	2,580,000	11,105,000	11,055,000	1,140,000	294,000	115,000
Average		7,659,000	2,269,000	9,928,000	9,912,000			117,000
1890–91	1,434,000	10,170,000	2,488,000	12,658,000	11,726,000	1,706,000	560,000	120,000
1891–92	2,266,000	10,800,000	2,390,000	13,190,000	11,816,000	2,933,000	607,000	40,000
1892–93	3,540,000	8,044,000	2,600,000	10,644,000	11,470,000	2,400,000	263,000	50,000

I also refer to a similar statement showing the world's consumption of cotton:

The world's consumption of cotton.

	Great Britain.	Continent.	United States.	India.	Total.
	Bales.	*Bales.*	*Bales.*	*Bales.*	*Bales.*
1878–79	2,843,000	2,596,000	1,784,000	262,230	7,485,230
1879–80	3,350,000	2,750,000	1,981,000	301,480	8,382,480
1880–81	3,572,000	2,956,000	2,118,000	371,400	9,017,400
1881–82	3,640,000	3,198,000	2,197,000	389,600	9,424,600
1882–83	3,744,000	3,380,000	2,375,000	447,400	9,946,400
1883–84	3,666,000	3,380,000	2,244,000	520,700	9,810,700
1884–85	3,433,000	3,255,000	1,909,000	584,800	9,181,800
1885–86	3,628,000	3,465,000	2,278,000	630,300	10,001,300
1886–87	3,694,000	3,640,000	7,423,000	711,800	10,468,800
1887–88	3,841,000	3,796,000	2,531,000	771,670	10,938,670
1888–89	3,770,000	4,069,000	2,685,000	870,880	11,394,880
1889–90	4,034,000	4,290,000	2,731,000	988,293	12,043,293
1890–91	4,230,000	4,528,000	2,958,000	1,155,328	12,871,328
1891–92	4,020,000	4,576,000	3,220,000	1,142,619	12,958,619
1892–93	3,706,000	4,576,000	3,189,000	1,170,000	12,641,000

From these statements it appears the consumption is quite equal to the production and the crops of all other countries have not appreciably increased. I will read an extract from an interview with Mr. Sam Inman, of Atlanta, Ga., in the Minneapolis Tribune:

The extent and value of the cotton crop in the United States is hardly appreciated by people generally. During the past forty-two years, or since the discovery of gold in California, the gold product of that State amounts to $1,200,000,000. The cotton grown during the past four years was valued at $1,400,000,000. This immense yield is confined to a few States. If the cotton planters would be wise the South would eventually be the richest section in the world. The consumption of cotton in the world increases on an average of about 500,000 bales a year. There has been practically no increase in the cotton yield in the foreign cotton-growing countries of the world, so that the United States is expected to make up the increased consumption. Every part of the world, you might say, raises wheat; but it is not so with cotton.

But, Mr. Speaker, I am met with the argument that if we legislate in the interest of cotton specifically, that the grain grower, the hog, horse, and cattle raisers, and the producers of all other products will want similar legislation. My answer is that no other crop is analogous; besides, I am using cotton simply as the instrument to secure free coinage, and all of these producers admit that their prices will be doubled with free coinage.

Mr. Speaker, if it will be germane to the pending question, I will offer House bill No. 8353 as a substitute for the industrial commission bill; its sole mission is to collate information. This bill, which I now read, will collate information, without cost and in a most satisfactory manner, upon very important questions. It was for the purpose of information and instruction that I introduced it:

A bill (H. R. 8353) to submit to a direct vote of the people free coinage of silver at 16 to 1; a graduated income tax; the election of President, Vice-President, and United States Senators by a direct vote of the people.

Whereas this is a Government of, by, and for the people, and the people have the power to advise their servants, the President and Congress, concerning their governmental policies; and

Whereas it is highly important that they should be advised of the will of the people on important questions, that their will may be executed: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That at an election for Presidential electors to be held in November, 1896, there shall be submitted to the citizens qualified to vote for such Presidential electors at said election the following questions:

First. Shall Congress make a law allowing free and unlimited coinage of silver at the ratio of 16 to 1, as it was prior to 1873? Yes. No.

Second. An amendment to the Constitution providing for the election of the President and Vice-President and United States Senators by direct vote of the citizens of the United States. Yes. No.

Third. An amendment to the Constitution providing that taxes shall be imposed as Congress in its wisdom may deem proper. Yes. No.

Fourth. Shall Congress, so soon as it may do so constitutionally, make a graduated income-tax law? Yes. No.

SEC. 2. That the intention of the voter shall be expressed, if he votes in the affirmative, by canceling the word "No"; and if he votes in the negative by canceling the word "Yes."

SEC. 3. That it shall be the duty of the judges and clerks of election appointed or elected as judges and clerks of said election for Presidential electors to also act as judges and clerks of this special election to determine the questions heretofore set forth. And the ballots and ballot boxes shall be returned to and canvassed by the same persons who by law are required to canvass the returns and determine the election of Presidential electors in each State; and the said persons so canvassing the returns shall certify to the President the number of votes for and the number of votes against each question. As soon as the President shall have received these returns, certified through the proper officers, he shall transmit them to Congress for its advice and consideration.

Pass this bill and you will not only have been informed but instructed by the people how you shall act.

Mr. Speaker, the President, the Senate, and I fear the House, is too far removed from the people; they all seem careless and indifferent of the people's needs and wants, and we are inaugurating and making permanent a system that removes all office-holding classes from the people. I refer to the civil-service laws. That is creating a life tenure in all appointive offices. In my opinion it is the creature and the ally of the single standard that will create the office-holding and the property-owning classes out of one and the same class, and both will be indifferent to the needs and wants of the people.

On January 14, 1896, I introduced H. R. 3959, and will now read the same:

A bill (H. R. 3959) to repeal the civil service laws.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, with sections 1753 and 1754 of the Revised Statutes, section 4, page 374, paragraph 1 of chapter 667, page 772 of the Supplement to the Revised Statutes, volume 1, and all the amendments to said act of January 16, 1883, be, and the same are hereby, repealed.

I can not enter upon an extended argument for the repeal of the civil service laws. Briefly I will state that I believe in the doctrine of Marcy, that to the victors belong the spoils; and in the language of our late Senator from North Carolina, Vance, the horse that pulls the plow should eat the fodder.

Again, the civil-service law practically closes the doors to the plain people holding office. It is only the educated and the upper classes that can stand those technical examinations; the plain honest farmer boy and girl with the old-school learning need not apply. This law says to them, "Plow on; the offices of the country were not created for you." Again, experiences have proven that life-tenure, office-holding classes become in time careless, arrogant, and indifferent to the good of the people. I believe the best service will be secured by making all offices, appointive and elective, as near to the people as possible, and as dependent upon their favor as practicable. It makes them more considerate, more cautious, more attentive, and more anxious to render the best practical service. Grover Cleveland is extending the service, and in a few years all Federal officers except Congressmen will be holding for life, and in time these will desire to be embraced within its provisions.

Doubtless this industrial commission, if created, would become permanent, and in time covered and saved to life service by Executive order. This would certainly follow if their reports should prove favorable to the single standard.

The people of this country are at the present time suffering from the effects of thirty years of blundering, if not dishonest, legislation. During this entire period, in my opinion, not a single law has been placed upon the statute books of the nation that has for its ultimate result the welfare and prosperity of the people. This species of legislation has continued so long and its results are so disastrous that a radical change for the better must be made in the immediate future or the beginning of the next century will disclose a condition of affairs in this nation that will jeopardize, if not destroy, the grandest experiment in self-government that the world has ever witnessed.

Mr. Speaker, the people have suffered beyond all reason, and if

carefully considered, beyond all conception, through this vicious and criminal legislation which has been forced upon the country, reeking with treachery and corruption that "smells to heaven."

The manipulation of our finances in connection with unfair laws granting special privileges to corporations, trusts, and syndicates are the controlling factors in all the discontent and misery now seen among the people. The destruction of our silver currency, followed by a general contraction of our medium of exchange, is the prime cause of all our financial woes. The laboring people of our country were the first to feel the effects of this financial brigandage. Previous to this labor was abundant and wages were remunerative; now more than twenty million of our people are unemployed and thousands are in hunger and want. Then the laborers of our country were prosperous and contented; now more than five million are tramping our streets and swarming throughout the land, appealing alike to our sympathy and alarm. This class of people, dependent upon the labor of their hands, have been ruthlessly thrown out of work, to become mendicants and criminals, in order that a favored few might revel in luxury and idleness. The second class to feel the iron hand of this oppression was the farmer, the strength and bulwark of our free institutions.

This class of people have been dragged down from prosperity and progress to a condition of absolute bankruptcy and stagnation. All species of agricultural property has declined fully 50 per cent, while its products have fallen so low in price as not to repay the cost incident to production. In 1850 the wealth of the United States amounted to $8,000,000,000, of which the farmers owned $5,000,000,000. In 1890 the wealth of the country amounted to $65,000,000,000, of which the farmers owned but $16,000,000,000. In 1850 the farmers owned five-eighths of the wealth of the nation, while in 1890 they owned less than one-fourth. During the past thirty years the mortgage indebtedness of the farms of this country has increased, upon a conservative estimate, more than 2,000 per cent. The number of farms in the United States in 1890 was 4,555,734. Of this number, 2,302,941 were under a mortgage. From being comparatively out of debt in 1866, over 50 per cent of the farms of this country were mortgaged in 1890. I might continue statistics upon this point, but have given enough to show that the farmers of the country are in a most deplorable condition on account of unjust and unfair legislation.

The third class to feel these depressing conditions are the manufacturers. They are becoming unwilling victims of this same vicious legislation. With 20,000,000 of people out of work, with 50 per cent of the farms under mortgage and our agricultural population bankrupt, is it any wonder that manufacturers are going out of business or into the hands of receivers and their goods remaining unsold? A bankrupt and idle people can not consume products of either the farm or factory. This wholesale destruction of values following such vicious legislation is but the natural results of cause and effect. These conditions will continue to intensify, unless speedily remedied, until all business will become paralyzed and all labor efforts abortive.

MINNESOTA:

The Field for the Laborer and the Home for the Immigrant.

SPEECH

OF

HON. ANDREW R. KIEFER,

OF MINNESOTA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 21, 1896,

On the bill (H. R. 6119) authorizing the appointment of a nonpartisan commission to collate information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital.

Mr. KIEFER said:

Mr. SPEAKER: It may have escaped the attention of many of the members that most all of the immigration measures reported with a favorable recommendation originated and are advocated by our Eastern friends. And it has already become apparent during the progress of this discussion that of the two bills recently under consideration which proposed to throw certain restrictions around immigration into this country the one which merely requires that the incoming foreign stranger who desires to become a citizen of the greatest nation on earth shall be able to read or write in some language was the more popular. Mr. Speaker, that qualification, in addition to the many other restrictions that have been placed on our statute books, will not bar the worthy and desirable person from seeking our shores. I intended to offer an amendment providing that any parent who has children residing permanently in the United States may be permitted to land and become part of our people, providing always that there are none of the objections raised under the laws that exist at the present time, but the special rule would not permit.

Mr. Speaker, we are a nation of immigrants. Ever since the landing on our shores of the *Mayflower* there has been an incoming flow of the people from other climes—from Brittany, Germany, Norway and Sweden, Poland, Ireland, France, Italy, and from every other government where liberty has been fraught with continual danger, and where the individual under government regulations has not been permitted to enjoy that freedom which has made this country the haven of the oppressed from every other nation on the globe. It may be true, Mr. Speaker, that the people of Massachusetts and of Pennsylvania do not desire to add to the material wealth of those great commonwealths by offering any inducements whatever to immigration. It may also be true that the people on the far-away Pacific Coast are fearful lest the honest Polander or the intelligent and industrious Scandinavian or German come in and secure, even at the price that agricultural lands are held at, some of the choice acres of those five and ten thousand acre bonanza farms for which California has become famous.

But, Mr. Speaker, the people of Pennsylvania to-day owe it to the sons and daughters of foreign lands that they have developed into such a prosperous and progressive community. The thrifty German immigrant made his home in Pennsylvania and has become such a part of that great State that his descendants in the Western States are very frequently spoken of as "Pennsylvania Dutch," and the phrase has come into such general usage that it is used to designate many of our Western immigrants. We hear no demands for restrictive immigration as embodied in the bill offered by the gentleman from Pennsylvania [Mr. WILLIAM A. STONE] coming from the great Mississippi Valley, that magnificent empire which has only reached a preliminary stage of development. The people of that great domain will not, I am quite sure, oppose this proposition of establishing an educational test for the intending citizen. Indeed, they will throw every safeguard possible around the elective franchise by State legislation. But this does not mean that Minnesota desires to place any obstacles in the way of the deserving and honest son of toil who chooses to make that great productive region his future permanent abiding place. Within the past six months our State has been organizing for the purpose of offering every possible inducement to the immigrant and the laborer. Conventions have been held and local effort is being put forth to induce any honest man who desires to make a home or build up a business to locate in our midst.

In November last there was organized a State immigration association, and since that time every Congressional district in the State has held a convention in the interests of immigration.

On Friday last there was opened for settlement a portion of the great Red Lake Reservation, which is an agricultural garden, and where the industrious head of a family may soon become the possessor of a home. I desire to insert (with the permission of the House) an extract from the official circular which presents the aims and objects of the State immigration association. It is as follows:

A cordial invitation is extended to the citizens generally to join hands with the members of the executive committee from their respective Congressional districts, the county organizations, and with the secretary of the association in the important movement to increase the population of the State by 100,000, the mark set by the president of the association to reach at an early day, and within a reasonable period of time to double the present number (1,500,000) of inhabitants of the State and aggregate a population of 3,000,000.

Every citizen of Minnesota is invited to send the names and addresses of friends and acquaintances living in other States, Canada, or foreign countries to the secretary of the association at St. Paul, so that publications descriptive of the diversified resources of this great agricultural, stock-raising, and dairying State can be mailed to them. Also to request that their friends and acquaintances send the names of any intending settler whom they may know.

Farmers are invited to prepare letters giving their practical experience in farming since their settlement in Minnesota; give the name of the town, county, and State, or foreign country from whence they came; the amount of means, stock, etc., which they had on arrival in the State; the means they now have and the details of their progress in acquiring an independent home. It is the intention to print letters from farmers in the descriptive publications which are to be issued by the association in bringing to the attention of intending settlers the many advantages which Minnesota offers for new settlement.

As the agricultural lands and the timber and mineral resources of the State vary in localities, citizens are requested to prepare full descriptions of their respective counties and districts and send to the secretary at St. Paul for use in publications for distribution by the association. Include a description of the towns, manufactories, transportation facilities, public buildings, the number of churches, schools, population, the unoccupied lands, and other opportunities for securing new homes.

Local publications should be arranged for by cities, towns, counties, and districts, containing letters from farmers and descriptive matter containing the advantages and opportunities which their respective localities offer for the success of settlers. This can be done by special illustrated editions of local newspapers, or by local folders and pamphlets. If several thousand copies of such special or local editions are provided for by citizens, it is requested that a portion of each of such publications be sent to the secretary of the association at St. Paul to mail to intending settlers in answer to letters of inquiry, or to otherwise distribute.

It is the intention of the secretary to visit various counties and districts in the State to confer with citizens on plans for organized efforts to induce new settlement as soon as the duties at headquarters connected with the preparation of printed matter and the perfecting of other arrangements to advance and facilitate the work in hand will admit.

Members of county organizations and citizens generally are invited to visit St. Paul, when they can find it convenient to do so, and confer with the secretary on the subject of the best and most practical methods for promoting settlement in the State.

Truly, yours,

P. B. GROAT.

Secretary and Treasurer Minnesota State Immigration Association.

But our State is not alone in making extra efforts at this time to induce immigration. I will here insert a letter, or rather extracts from a letter, from Hon. T. L. Schurmeier, president of the State association, in which reference is made to an interstate association.

[Theodore L. Schurmeier, president; P. B. Groat, secretary and treasurer.]

MINNESOTA STATE IMMIGRATION ASSOCIATION,
HEADQUARTERS, 309 JACKSON STREET,
St. Paul, April 3, 1896.

MY DEAR SIR: The Minnesota State Immigration Association, an outgrowth of the Northwestern Interstate Convention, held at St. Paul last November 19, 20, and 21, has surpassed all expectations in the enthusiastic support which has been given to the movement in all parts of the State. Minnesota was the first of the Northwestern States represented at the interstate convention to organize after the adjournment of that body. The delegates to the interstate convention from Minnesota appointed an executive committee of seven members, one from each Congressional district. These, acting in conjunction with the secretary of the association, appoint county immigration committees. This measure has been carried out with so much vigor that we have county immigration committees organized and actively at work in 68 of the 81 counties in the State. The interest manifested in furthering the immigration movement is surprisingly great—in fact, has surpassed all expectations.

It has resulted in calling county and district conventions, mass meetings, etc.

A county convention was held at Hinckley, Pine County, soon after the State organization was formed, and was largely attended. A convention was held at Duluth for the Sixth Congressional district, and was attended by delegates from all over the district. It was held January 22 and 23 and was largely attended. Prominent speakers from various parts of the State were present and addressed the convention.

All of the other Northwestern States have organized State associations on or about assembling for that purpose, and the Northwestern immigration movement is assuming wonderful proportions and will result greatly to the advantage of the whole region, and Minnesota especially.

Very respectfully, yours,

T. L. SCHURMEIER.

Hon. A. R. KIEFER,
Washington, D. C.

The gentleman from California [Mr. JOHNSON] presented early in the session a bill which if enacted into law would stop the progress and hinder the prosperity of any unsettled and undeveloped community. It seems to be aimed directly at the Polish people, and I have received and presented here many petitions from the Polish-American citizens of my district protesting against the passage of the Johnson measure. I am glad that the Committee on Immigration have not reported it to the House for consideration.

MINNESOTA AND CALIFORNIA.

Mr. Speaker, on March 3, 1849, the Congress passed the bill giving to Minnesota a Territorial government. On July 4 of the same year the returns of the first census were taken, and it gave the Territory a population of 4,680. At that time the California gold fever was at its height, and the rush to the Pacific Coast during that period has never been equaled. In 1850 California had increased so rapidly that Congress received her as one of the States of the Union. It was an entire decade before Minnesota was admitted. And yet to-day we have as many Representatives on this floor as California, and we have a population of a million and a half of as intelligent, enterprising, successful, and patriotic people as exists in any Commonwealth in the Union. I now desire to quote, with the permission of the House, the law in respect to restricting immigration. The acts approved March 3, 1891, provides as follows:

That the following class of aliens shall be excluded from admission into the United States, in accordance with the existing acts regulating immigration, other than those concerning Chinese laborers: All idiots, insane persons, paupers, or persons likely to become a public charge, persons suffering from a loathsome or a dangerous or a contagious disease, persons who have been convicted of a felony or other infamous crime or misdemeanor involving moral turpitude, polygamists, and also any person whose ticket or passage is paid for with the money of another or who is assisted by others to come, unless it is affirmatively and satisfactorily shown on special inquiry that such person does not belong to one of the foregoing excluded classes or to the class of contract laborers excluded by the act of February 26, 1885; but this section shall not be held to exclude persons living in the United States from sending for a relative or a friend who is not of the excluded classes under such regulations as the Secretary of the Treasury may prescribe: *Provided*, That nothing in this act shall be construed to apply to or exclude persons convicted of a political offense, notwithstanding said political offense may be designated as a "felony, crime, infamous crime, or misdemeanor involving moral turpitude" by the laws of the land whence he came or by the court convicting.

That certainly is effective and far-reaching. It may not always have been enforced, but in spirit and intent it is in my judgment sufficient for the ample protection of our people from the dangerous classes. Of all the suggestions and recommendations made by the Immigration Investigating Commission appointed under the act of June 13, 1894, there are none more important than those referring to the proper distribution of immigration. And I may say with a feeling of pride that the people of Minnesota were among the very first to take action on the lines suggested by the Commission in the following:

DISTRIBUTION OF IMMIGRATION.

"While this Commission fully believes in the exclusion of all undesirable immigrants, it is nevertheless its sincere conviction that the solution of the vexatious immigration problem is to be found not so much in a restriction of immigration as in a wise distribution of it. There are some comparatively small, densely-populated sections, to be sure, where no immigrants or only the most highly qualified are desired; but in the larger part of this country those immigrants are still needed who are only fitted for unskilled manual labor. This is particularly true of the vast undeveloped agricultural and lumber areas of the Northwest, South, and Southwest. And now that the business depression has practically passed, manufacturing and construction enterprises, in both the newer and the older sections, will cause a steady demand for labor. Some arrangement should be made, therefore, whereby all immigrants who arrive without a fixed destination can be helped to find one of exactly the right sort. Such an arrangement the Commission has to propose.

"At present, many immigrants herd together in the densely populated centers. Nearly half of the steerage arrivals at the port of New York, for example, give their destination to the immigrant inspectors as New York City, because they know of no other place to go. That a considerable portion of them eventually drift elsewhere, for better or worse, is evident from the figures of the census; but quite too large a proportion remain to swell the ranks of the paupers or depreciate the labor market. Only a small percentage get where they really ought to be—that is, into the work for which they are peculiarly fitted, in the localities where they are peculiarly needed. Existing conditions, in a word, exhibit a clear case of maladjustment, and the maladjustment is principally due to the lack of reliable knowledge on the part of the immigrants and their complete inability to obtain it.

"Notwithstanding the rapid mail and cable connection and the enormous transatlantic trade, the geography, topography, resources, and industrial and social conditions of the different sections of the United States are practically unknown in Europe. The only information accessible to an intending immigrant is contained in the letters received by himself or his neighbors, or in the circulars of speculators, and steamship and railroad companies, within or without the limitations imposed by sections 3 and 4 of the act of 1891, as the case may be. He leaves home finally with the expectation of abundant opportunities of bettering his condition, and with an eager determination to avail himself of them, but without any precise knowledge of where or how he is to do it. Under the circumstances it would be strange indeed if glib-tongued agents did not sometimes, in spite of all the vigilance of the Federal authorities, induce him to invest his funds in worthless lands and played-out enterprises, or to let his labor to an unscrupulous padrone. The officers of the immigration service have no authority to direct immigrants where it is to their advantage to go, nor could they, even if they had the authority, undertake so difficult and complicated a task in addition to their present duties.

"The Commission therefore recommends the erection on the unoccupied space of Ellis Island of a large, permanent exhibition hall. This hall should contain, in easily accessible form, maps, charts, photographs, printed descriptions, and sample products; also tabulated up-to-date records of the demand for particular kinds of labor in particular localities and the oversupply in other localities. All immigrants should be conducted leisurely through the hall by immigration officials and given an opportunity to choose their destinations. The building should be erected by private enterprise, said private enterprise being allowed to recoup itself for its outlay by being granted for a term of years, possibly ten, the exclusive privilege of letting offices to State boards of immigration and such private companies as are eligible from their known character and reliability.

"The wisdom of intrusting the erection of the building to private enterprise will be readily seen. It not only avoids the assumption of a new and possibly burdensome responsibility by the Federal Government, but it also precludes the possibility of serious complications with foreign governments and the governments of the States and the varied and powerful transportation and colonization companies involved. At the same time the building should be under the control and supervision of the Federal Government to such an extent as may be necessary to guarantee the best interests of the community at large.

"The practicability of such an exhibition hall and labor clearing house has been demonstrated on a small scale by the Italian bureau of Professor Oldrini, already referred to. (See page 25.) It is significant of the great possibilities of such an institution on a large scale that the news is gradually traveling through the sections of Italy from which most immigrants come that at the Italian bureau in New York information and assistance may be had that is not mercenary.

"The Commission feels sure that the adoption of this or a similar plan for bringing about an intelligent distribution of immigrants will not only be the death of the padrone system, but will permanently silence the majority of the complaints now made against immigration."

Let us for a moment consider what immigration and the policy which has characterized our laws heretofore have accomplished for our country. There arrived in this country from the year 1820 to 1892, 16,611,060 immigrants. It will be interesting to note, in passing, the proportion of each of the leading nationalities in the grand aggregation.

There came from Germany, 4,748,440; Ireland, 3,592,247; England, 2,534,955; Norway and Sweden, 1,032,188; Austria and Hungary, 585,666—1 to 140 people; Italy, 526,749; Russia and Poland, 517,507; France, 379,637; Scotland, 347,900; Switzerland, 185,488; Denmark, 163,769; China, 296,219; all other countries, 2,700,295.

From this aggregation I gather that these immigrants and their offspring unquestionably contain fully one-half of our present population of 70,000,000 people. I find that there arrived at the port of New York during the six months ended June 30, 1892, 152,360 immigrants above 20 years of age, who brought with them $3,060,908.05, 22,351 being German immigrants, who brought $791,672. All of them brought willing hands, honest hearts, and healthy bodies, and all have found or will find the object for which they came here—a home in this land of liberty, justice, and equality. They have materially assisted in making this Government the progressive empire that it is to-day; they have given their adopted country laborers, farmers, mechanics, merchants, manufacturers, lawyers, doctors, teachers, bankers, ministers, soldiers, and statesmen. They have erected colleges, schools, and churches. I refute the statement which we have heard made, that a large proportion of the immigrants remain in the big cities. It is the Scandinavian, Irish, and German aliens who have settled upon the fertile prairies and fruitful fields of the great Northwest and made it a wealth-producing empire. It is they who have aided in building up cities, towns, and villages. Take, for instance, the city of New York, with its population of over 2,000,000. Less than 39 per cent of that population consists of the German nationality. Chicago has less than 38 per cent. The progressive and enterprising city of St. Paul, the great commercial metropolis of the Northwest, has less than 32 per cent. Minneapolis has less than 13 per cent, and so on through the long list of cities until we find Portland, Me., with less than 2 per cent. This all goes to show that the foreign-born citizen is found largely outside of big cities.

In dealing with this question it will not do to rely too much on sentiment. The argument of existing condition and the logic of the pocketbook is far more potent than all the theories of the persistent pessimist who invariably is on the outlook for danger signals. What part have our alien citizens played in the history, growth, and development of the United States during the last half century? Eliminate their record, and while not detracting in the least from the name and fame of our noble, native-born citizens, I say, without fear of successful contradiction, that the very best thought, noblest action, and patriotic impulses from other lands have been given ample play and have found full vent in the resources of the United States. Now, it is held by some that the resources of our country have been fully tested by the present population and no more labor should seek employment within our borders. This argument, I am free to say, has been advanced with some force since the present Administration of our Government assumed control; but such argument in general can not maintain. Our own State, the imperial Commonwealth of Minnesota, contains 53,000,000 acres of the finest agricultural and grazing lands in the world, of which less than 7,000,000 acres are under cultivation. Upon a territory covering 80,000 square miles there now resides 1,500,000 happy, law-abiding Christian people, the larger part of them being of foreign birth or descent. In no locality has this country been more lavishly enriched than has our State; and yet consider the opportunity yet open in that magnificent domain under conditions which have prevailed during the last decade up to the time when dire distrust and free importation of materials manufactured by cheap labor have threatened disasters to our commercial and industrial growth.

We are a people claiming to stand upon the very pinnacle of Christian civilization. We are proud of being called the most magnanimous and unselfish of all nations. We are proud, too, of being the owners of untitled land enough in our own borders to give labor and happiness to millions and millions of our fellow-beings. Let us not forget that many of our noblest citizens were happy to find this country the land of plenty, peace, and prosperity, and were permitted to make this their home by those who came before us.

Yes, it is claimed, and justly so, that the Mississippi Valley alone, with its neighboring territory, is capable of furnishing homes for fully 500,000,000 people. We own nearly one-seventh of the fertile lands of the world, and yet you hear people say that we are too thickly populated, and that we must take measures to stop immigration, that no more room is left for newcomers. People who talk thus know nothing of the geography of the country wherein they are born. In this country 500,000,000 men, women, and children can find bread, can live and be brought up. We need not fear to double and triple our present population. What we must do is to educate their children when they reach here, and in a generation or two we will see them American citizens of whom the Republic may well be proud. Who knows of better citizens than those hundreds and thousands of foreign-born citizens who risked their lives to save the Union and Republic? Do you not regard them as just as high and worthy as the native born? Their minds, their hearts, their views, are what we should look to. We should not ask where one is born, but ask, "Is he a good man? Is he willing to grant others what he demands for himself?" That seems to me to be the true test.

What American does not know the noble and patriotic words of Jefferson, embodied in the Declaration of Independence, and sanctioned in the Constitution, which makes ours the land of liberty and the asylum of the oppressed of every nation? These are his words:

Every attempt to abridge the present privilege of becoming citizens and owners of soil among us ought to be resisted with the same spirit which swept the alien and sedition laws from our statute books.

Labor.

SPEECH

OF

HON. GEO. B. McCLELLAN,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 21, 1896.

The House being in Committee of the Whole on the state of the Union and having under consideration the bill (H. R. 6119) authorizing the appointment of a nonpartisan commission to collate information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital—

Mr. McCLELLAN said:

Mr. CHAIRMAN: In a partly civilized community where ignorance is prevalent, labor is of necessity, on the surface at least, content. Whatever discontent may exist among the laboring classes finds no intelligent method of expression. In such communities labor can only assert itself by uprisings accompanied with physical force. Under such circumstances the laborer knows that his condition is not what it should be, but is unable to either discover the cause or suggest a remedy. Uprisings may occur in partly civilized communities, but they are eventually suppressed and labor finds itself in even a worse condition than before. It is a curious commentary on modern conditions that the greater the civilization the greater the apparent discontent of labor.

The almost universal discontent of labor at the present day is due primarily to the great increase of education and intelligence among the wage earners of the world, to the specialization of labor with the introduction of modern machinery, and to the displacement of labor through more economical methods of production and distribution.

All concede the truth of the abstract proposition that it is the duty of government to legislate for the good of the greatest number. It is certainly the duty of Congress, in accordance with a strict construction of its constitutional powers and limitations, to do all that it can for the improvement of the condition of the great majority of its citizens, the wage earners.

THE "FREE AND UNLIMITED COINAGE OF SILVER" ARGUMENT.

During the present session of Congress I have heard gentlemen in all seriousness charge the present discontent of labor in this country to what they are pleased to call the "demonetization of silver," and suggest, as the only relief for the struggling masses, the free and unlimited coinage of silver at the ratio of 16 to 1.

Free-silver advocates base one of their strongest arguments in favor of the free and unlimited coinage of silver upon the fact that since the so-called "crime of 1873" prices of almost all commodities have fallen. Observing that the price of silver has fallen even more than that of other commodities, they have jumped to the conclusion that there is the relation of cause and effect between these two facts, and that the fall in the price of silver has caused the fall of prices in other commodities, and that were the price of silver to be restored by any means the prices of other commodities, including labor, would in consequence rise. This argument is absolutely unwarranted, and more worthy of the nursery than of the House of Representatives.

It is one of the canons of logic and of common sense that where simple explanations for given phenomena are at hand complex explanations should not be sought. It is safe to assume that where

the price of an article rises greatly the demand has outrun the upply, and that where the price falls the supply has outrun the demand. With this simple explanation of the cause of the fall in prices in the last quarter of a century, it is scarcely conceivable that anyone should attribute a general fall in prices to the fall in the price of one specific article. The claim that the fall in the price of silver has caused the fall in the price of other articles can not be proved and never has been proved. Gentlemen have generalized upon the floor of this House, free-silver advocates have repeatedly made the claim, but they have never attempted to prove it. The logical and sensible explanation that the fall of prices has been caused by overproduction is, on the contrary, capable of proof.

HON. DAVID A. WELLS PROVES THE CORRECT THEORY.

The wonderful advances of the world during the last quarter of a century in improved and economical methods of production and distribution, which have been mainly due to the progress of invention and discovery, have resulted in an enormous production of all the necessaries of life. While the demand has to a certain extent kept pace with the supply, competition and greater facilities of transportation have constantly kept the supply in excess of the demand.

The Hon. David A. Wells, in his epoch-making book, Recent Economic Changes, has proved this view of the case by giving a detailed history of each of the leading commodities the price of which has fallen, and has shown that in every case the fall of price has been preceeded by a very great increase of production; that the supply has outrun the demand, not the demand in the abstract, for in a certain sense there is no limit to the demand for useful and desirable things, but the demand at the preexisting price. He cites instances, not only of the naturalness of the decline of price, but also of the benefit that that decline has afforded to the great majority of the people of the world.

The beet-sugar industry, for instance, has been built up largely at the expense of the cane-sugar industry. Regardless of the question of the soundness of the policy of paying bounties, the result of this has been that the world now gets very low-priced sugar. The industry of tea cultivation has, in a natural manner, been transferred from China to India, and the price has greatly fallen. Quinine, which not long ago sold for $1 an ounce, is now cultivated in the East Indies and is sold at but a fraction of its former price. These are merely instances taken from Mr. Wells's book. The list might be continued indefinitely. They are sufficient, however, as an illustration, and it may be said in passing that the Europeans engaged in raising beets and making beet sugar have to work upon the gold basis, while most of the countries interested in cane sugar are upon the same silver basis as are the Chinamen who have been injured in their tea industry, but never raised a hand against silver, and that South America, which has been deprived of its quinine industry, is also upon a silver basis. It will be seen that in none of these three cases has the silver standard succeeded in maintaining the price of the injured industry.

WAGES HAVE RISEN AND PRICES FALLEN.

Prices have constantly fallen since 1860, except during the period of inflation under the suspension of specie payments. If gentlemen interested in the free and unlimited coinage of silver would carefully examine part 1 of Senate Report 1394, second session, Fifty-second Congress, called the "Aldrich report," they would find therein many facts that would probably shake their allegiance to the white metal.

I have prepared a table, which I shall ask the permission of the House to insert in the RECORD, which is merely a comparison taken from a number of tables in the Aldrich report. All the prices are computed upon the basis of 1860, being percentages of the averages during that year. The average price of 53 articles of food rose during the period of inflation of 1865 to 216.5, fell in 1873 to 129.8, and has since then been falling until 1891, when it reached 103.9. The average price of 28 articles of cloths and clothing rose in 1865 to 299.2 and has been steadily falling ever since until 1891, when it reached 81.1. The average price of 10 articles of fuel and lighting rose in 1865 to 237.8 and has been falling since then until it reached 91 in 1891. The average price of 54 articles of metals and implements rose in 1865 to 191.4 and has since been falling until in 1891 it reached 74.9. The average price of 35 articles of lumber and building material rose in 1865 to 182.1 and had fallen in 1891 to 122.3. The average price of 18 drugs and chemicals had risen in 1865 to 271.6 and fallen in 1891 to 86.3. The average price of 15 articles of house furnishings rose in 1865 to 181.1 and had fallen in 1891 to 70.1. The average price of 10 miscellaneous articles, such as soap, etc., rose in 1865 to 208, and in 1891 had fallen to 95.1. The average price of these 223 articles, all necessaries to the wage earner and all used in daily life, rose in 1865 to 216.8 and have been falling ever since until 1891, when their average was 92.2.

The advocates of free silver are undoubtedly sincere in thinking that a rise of prices would be a benefit to the community. They overlook the fact that while the prices of most commodities have fallen during the last twenty-five years, the price of that all-important commodity, labor, has risen.

Estimating as before upon the basis of 1860, the average price of labor in the following leading industries, agricultural implements, ale, beer and porter, books and newspapers, building trades, carriages and wagons, city public works, cotton goods, dry goods (stores), ginghams, groceries (stores), illuminating gas, leather, lumber, metals and metallic goods, paper, railroads, sidewalks, spice, stone, white lead, woolen goods—21 in all, was, in 1865, in currency 143.1, in gold 66.2; in 1870, in currency 162.2, in gold 133.7; in 1873, the year of the so-called "crime," in currency 167.1 in gold 148.3; in 1875, immediately after the so-called "crime of 1873," in currency 158.4, in gold 140.8, and has been rising ever since the resumption of specie payments until in 1891 the average had reached in gold 160.7.

The hours of labor in these twenty-one industries have steadily fallen from eleven per diem in 1860 to ten and a half in 1873 and to ten in 1891.

A further examination shows that the average wages paid to anthracite coal miners rose in currency in 1870 to 233.4, and are in gold to-day 177. The average wages paid to iron-ore miners rose in currency in 1865 to 161.8; in 1870 to 214.7; and are to-day 213 in gold. The average wages paid to teachers in four cities, St. Louis, Boston, Cincinnati, and Baltimore, rose to 134.7 in 1865, 186.3 in 1870, 183 in 1873, and have been rising ever since to 1891, when the average was 186.3. Meanwhile it may be interesting to note that while the ratio of silver to gold in 1860 was 15.29; in 1865, 15.44; in 1870, 15.57; in 1873, 15.92; in 1875, 16.59; in 1880, 18.05; it has been steadily increasing, until in 1894 it was 32.56; and while the value of the silver dollar in gold was in 1873, 1.004; in 1875, 0.964; in 1880, 0.886; it was in 1894, 0.491. In other words, beginning in 1860, with the exception of the period of inflation exaggerated by the speculation incident to the war, prices of the necessaries of life have been steadily decreasing until to-day they have reached the lowest point in modern times.

Silver has had about the same price history as all other commodities. It may have fallen lower than some others, but if it has, it is merely because the supply has more greatly outrun the demand and because the demand has fallen farther behind the supply.

FALLING PRICES A BENEFIT TO THE PEOPLE.

Were the buyers and the sellers in a community numerically equal, a rise or fall of prices would have no relative effect; but as the buyers vastly outnumber the sellers, as the wage earners outnumber the capitalists, a fall in prices must benefit the great majority of the people. While invention and discovery and the increase of supply over demand have forced the producer to place his goods upon the market at greatly reduced rates, he has at the same time been obliged by competition and organized labor to pay higher wages to his employees.

There can be no question but that incomes have been reduced. Since the period of inflation the rate of interest has gone down, and possibly the well-to-do, living upon the interest of their capital, are poorer to-day than they were twenty-five years ago; but wages have increased steadily since the "crime of 1873," and the prices of the necessaries of life have fallen, and the hours of labor have been reduced; so that the condition of the wage earner is infinitely better to-day than it was before 1873.

If the so-called demonetization of silver has brought about this condition, it was certainly the greatest act of beneficence ever performed by a legislative body. Applying the same reasoning to the rise in the rate of wages that the free-silver advocates do to the general fall in prices, it would be no more ridiculous to say that the improved condition of labor to-day is due entirely to the so-called demonetization of silver. Had there ever been any danger prior to 1873 of our drifting upon a silver basis this argument might hold. But it is ridiculous, for the "crime of 1873" was merely the recognition of existing conditions brought about by the fact that in 1837 the bullion value of the silver dollar was made a little greater than its face value in gold, which resulted in silver being driven from the country under the operation of Gresham's law: that the least valuable money always drives the more valuable out of circulation.

It is a fact that during a period of rising prices the price of labor is the last to join an upward movement. The price of this commodity is the slowest to adjust itself to a general rise in the prices of all commodities. Were the free and unlimited coinage of silver to be permitted, it is probable that for a time we would pass through a period of inflation, of rising prices and of mad speculation. The prices of most commodities would probably be doubled to adjust themselves to the new 50-cent dollar. Manufacturers and producers, realizing the short duration of the boom, would greatly increase the prices of their commodities to take advantage of the inflation; but, until the speculative era had passed by and we had established ourselves upon a silver basis, no producer could afford to raise the price paid for labor.

CHEAP MONEY THE WAGE EARNER'S CURSE.

The chief sufferers from the free coinage of silver would not be the rich but the poor. The capitalist, with his credit or hoard of merchandise, could stand the strain of a depreciated currency, and, joining the mad debauch of speculation incident to inflation, double or treble his capital. The wage earner, who has but one commodity for sale, labor, would be the chief sufferer. Labor can not be hoarded, but must be sold at once. A man having nothing for sale but his own labor must find a ready market for it, as he lives from hand to mouth and from day to day depending on his daily wages. The employer would be able to take advantage of unsettled prices in selling his goods, but could not afford to pay increased prices in purchasing labor. Wages would remain the same, while the prices of other commodities would not only be doubled to adapt themselves to the depreciated dollar, but would receive a speculative upward impetus. The price of labor would, for the time at least, remain at the same nominal rate, which, with a 50-cent dollar, would be half what it formerly had been. In the end wages might possibly adapt themselves to the new order of things; but it is noteworthy that during the civil war, while the prices of the 223 articles before mentioned rose 116.8 per cent, during the same period the price of labor only rose 43.1 per cent; and during the period of inflation the prices of labor never caught up to the prices of other commodities measured in the depreciated dollar. The same has been the case in free-silver Mexico, in Chile, in Italy, and in fact in every country using depreciated money. Even if wages were eventually to adjust themselves to the silver dollar it would be the task of many years filled with untold misery and suffering to the men who have made this country what it is, the wage earners. The advocates of free silver are the worst enemies the laboring classes have.

THE INTERESTS OF LABOR AND CAPITAL THE SAME.

Many of the causes of the discontent of labor in specific instances are due to the disregard of the fact that the interests of labor and capital are the same. It must be acknowledged that only too often capital is grasping and exacting in its demand upon labor and that labor regards capital as its natural enemy. In civilized communities the only redress ready to the hand of labor is the strike. One of the usual methods employed by capital for enforcing its demands upon labor is the lockout. No strike and no lockout can possibly occur without tremendous loss to both employer and employed; greater to the employed, for they are not in a position to successfully withstand the suffering incident to the loss of employment. It is one of the hopeful signs of the times that we are tending in all the affairs of life to settle differences by arbitration. Most of the differences between labor and capital are in part susceptible of explanation and would almost always be subject to adjustment could the natural bitterness of a contest for mastery be eliminated.

THE ERDMAN BILL.

There have been reported from the Committee on Labor two bills—one the Phillips bill, which we are now discussing, and the other the Erdman bill, which I understand is to be considered before adjournment. They are both drawn in the interest of labor and capital alike.

The Erdman bill provides for an easy, economical, and certain method of arbitration. It appears to be satisfactory to both labor and capital. It shows on the part of its author a profound knowledge of labor problems, a deep interest in the cause of labor, and extreme care in drawing it so as to make it apply with equal fairness to both employer and employed.

THE PHILLIPS BILL.

The Phillips bill proposes the appointment of a commission to investigate the causes of the discontent of labor and to suggest to the different States of the Union uniform legislation for the solution of the problem.

In 1878 Mr. Thompson submitted a resolution to the House of Representatives, which was agreed to, for the appointment of a committee of seven "to inquire into and ascertain the causes of general business depression, etc."

The royal (British) commission on the depression of trade, which reported to Parliament in 1886, went more deeply into the subject than has any similar body.

The British gold and silver commission, which reported in 1888, also investigated to some extent the causes of the question of the discontent of labor.

The Aldrich committee, to which I have previously referred, collected a vast amount of valuable data bearing upon the subject, but did not attempt to draw conclusions.

CAN THE DISCONTENT OF LABOR BE REMOVED?

It is an open question whether or not the discontent of labor can be removed by legislation, and whether it is not caused by natural laws and by the complicated conditions of modern society, which legislation would be powerless to change. The commission proposed in this bill would have powers and facilities which no other commission has ever possessed. While it might not find a remedy, it would at least be in a position to suggest the probable causes. It is urged against this bill that the commission would be a costly luxury born in the mind of a doctrinaire. The gentleman who has drawn this bill is not only a close and able student of economic problems, but one of the most practical and successful business men in the country. In the preparation of his bill he has consulted all the interests involved, and it is the result of the best thought obtainable among laboring men and capitalists. If the commission accomplishes an infinitesimal part of the work that has been laid out for it, it will be the most successful in history. When the happiness and the welfare of millions of people are at stake, the expenditure of a few thousands of dollars is not worth considering.

The Government, however, has a duty to perform more essential to the welfare of the country than any legislation on any one specific question; it is a duty that it owes to the capitalists of the country and to the business men, but more especially to the wage earners. The most important duty of this Government is the maintenance beyond question of the present standard of value—the gold dollar.

Table showing the rise of wages and the fall of the prices of all other commodities since 1860.

Articles.	1860.	1865.	1870.	1873.	1875.
Food, 53 articles	100	216.5	153.8	129.8	130.5
Cloths and clothing, 28 articles	100	299.2	139.4	136.9	120.1
Fuel and lighting, 10 articles	100	237.8	196.5	134.6	156.5
Metals and implements, 54 articles	100	191.4	127.8	129.8	117.5
Lumber and building material, 35 articles	100	182.1	148.3	171.9	143.7
Drugs and chemicals, 18 articles	100	271.6	149.6	141.5	144.2
House furnishings, 15 articles	100	181.1	121.6	109.1	95
Miscellaneous, 10 articles	100	202.8	148.7	132.4	122.9
All articles, 223	100	216.8	142.3	137.5	127.6
Wages in 21 industries	100	143.1	162.2	167.1	158.4
Same in gold	100	66.2	133.7	148.3	140.8
Hours of labor in same	11	10.7	10.5	10.5	10.3
Anthracite coalminers' wages	100	191	233.4	232.8	183.7
Iron ore miners' wages	100	161.8	214.7	204.9	180.1
Teachers' (4 cities), wages	100	134.7	186.3	183	188.1
Ratio of silver to gold	15.29	15.44	15.57	15.92	16.59
Value of silver dollar in gold (average)	.....	.....	.....	1.004	.964

Articles.	1880.	1885.	1890.	1891.	1894.
Food, 53 articles	107.6	98.7	104.6	103.9	.....
Cloths and clothing, 28 articles	104.5	84.8	82.4	81.1	.....
Fuel and lighting, 10 articles	100.2	89.6	92.5	91	.....
Metals and implements, 54 articles	96.3	77.4	73.2	74.9	.....
Lumber and building material, 35 articles	130.9	126.6	123.7	122.3	.....
Drugs and chemicals, 18 articles	113.1	86.9	87.9	86.3	.....
House furnishings, 15 articles	85.2	70.1	69.5	70.1	.....
Miscellaneous, 10 articles	109.8	97.5	89.7	95.1	.....
All articles, 223	106.9	93	92.3	92.2	.....
Wages in 21 industries	141.5	150.7	158.9	160.7	.....
Same in gold	141.5	150.7	158.9	160.7	.....
Hours of labor in same	10.3	10.3	10	10	.....
Anthracite coal miners' wages	178.7	175	177	177	.....
Iron ore miners' wages	213	213	213	213	.....
Teachers' (4 cities), wages	182.8	186.3	186.3	186.3	.....
Ratio of silver to gold	18.05	19.41	19.76	20.92	32.56
Value of silver dollar in gold (average)	.886	.823	.81	.764	.491

Apsley on Protection.

Protection and Reciprocity—Repeal of the Tariff Law of 1890—Its Effect on National Revenues and on Commercial Conditions.

SPEECH

OF

HON. L. D. APSLEY,

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 21, 1896,

On the bill (H. R. 6119) authorizing the appointment of a nonpartisan commission to collate information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital.

PRESIDENTIAL HYSTERICS.

Mr. APSLEY said:

Mr. SPEAKER: Our present Chief Executive has on several occasions dealt largely in literary hysterics. Among his latest examples is his message of December 17, 1895, on the Venezuelan boundary question; but that in his message of August 7, 1893, on the repeal of the Sherman law is still more extraordinary.

All that was required in the Venezuelan matter was a simple statement of the facts then known and an intimation to Congress that he desired funds to enable him to ascertain such additional information as he thought necessary. All his suggestions as to war, as to resisting by every means within our power, as a willful aggression by Great Britain, the exercise of jurisdiction over lands which she claimed in an unknown region under the equator, were wholly uncalled for. It was worse than this. Such idle and needless threats against a friendly nation can only be properly designated as a political crime. Should occasion unfortunately arise, we trust all Americans would be united for any national interest or sentiment; but it is a well-known fact that those who have once fought have more conservative ideas as to war than those who have delegated their fighting to a hireling. To add to the inconsistency of the action, on the third day thereafter he sent a melodramatic message to Congress begging them to vote him money to relieve the nation from impending bankruptcy caused by the maladministration of national affairs by his own party and aggravated by the hysterical deliverance to which I have just alluded.

Even these are eclipsed by the words he used in the midsummer message of August 7, 1893. He had then been President for more than five months, President-elect for nine months, and having been President once before he was no groundling. He well knew, or should have known, that the conditions which he described so graphically were caused by the change in national policy foreshadowed by the election of November, 1892, when his party, the champion of free trade and of a tariff for revenue only, had been voted into power at the polls.

THE COUNTRY UNDER PROTECTION.

Let us look on the two industrial pictures—the one drawn by Harrison of the condition of affairs under the Republican policy, and that shown by Cleveland under the Democratic policy of free trade.

President Harrison, fourth annual message, 1892:

In submitting my annual message to Congress I have great satisfaction in being able to say that the general conditions affecting the commercial and industrial interests of the United States are in the highest degree favorable. A comparison of the existing conditions with those of the most favored period in the history of the country will, I believe, show that so high a degree of prosperity and so general a diffusion of the comforts of life were never before enjoyed by our people.

* * * * * * *

There never has been a time in our history when work was so abundant or when wages were as high, whether measured by the currency in which they are paid or by their power to supply the necessaries and comforts of life.

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WHERE ARE THESE SAVINGS NOW?

Another indication of the general prosperity of the country is found in the fact that the number of depositors in savings banks increased from 693,870 in 1860 to 4,258,893 in 1890, an increase of 513 per cent, and the amount of deposits from $149,277,504 in 1860 to $1,524,844,506 in 1890, an increase of 921 per cent. In 1891 the amount of deposits in savings bank was $1,623,079,749. It is estimated that 90 per cent of these deposits represent the savings of wage earners.

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THE PROTECTIVE SYSTEM.

I believe that the protective system * * * has been a mighty instrument for the development of our national wealth and a most powerful agency in protecting the homes of our workingmen from the invasion of want.

He did not attempt to argue as to the merits of protection. That system, he said, had now been put into the hands of its avowed enemies, and the results of their action would be awaited with intense interest. While he warned us that the immediate results would be a decreased revenue from customs duties, he was yet generous enough to say that those who had so advocated protection and had predicted dire results from its abandonment could well afford to be disappointed in their forecasts.

We had had, he said, in our history several experiences of the contrasted effects of a revenue and a protective tariff; but this generation had not felt them, and the lessons learned by one generation were not always accepted by that which followed it. He added, however, that the friends of the protective system would await with confidence the verdict of the future.

INCREASED MARKETS ABROAD.

In his review he noted as the only serious question the low prices of wheat and other farm products. This condition had been due to increased production in other countries and to our exports being discriminated against. To remedy this he announced the negotiation of reciprocity agreements with Brazil, Spain for Cuba and Puerto Rico, Germany, Austria, and various Latin-American countries. Others were in course of negotiation, and had it not been for the change announced and determined on by the incoming party these would have soon included nearly every nation with whom such were advisable.

While these treaties were just beginning to demonstrate their value he was even then able to show that our exports of domestic products, mostly in wheat, flour, meat, and dairy products, manufactures of iron, steel, and lumber, to these countries had increased $20,772,621, in this way widening the market of our farmers for the wheat and other products which had been displaced by recent extraordinary outputs in the Argentine Republic and Russia, and had caused such a marked decrease in the Old World prices. All who were interested knew then that our flour was going by carload lots from far interior towns to the seaports for export to Cuba, where, for the first time in the history of the nation, the Spanish Government had been obliged, because of the retaliatory clauses of the tariff of 1890, to let in our food products on favorable terms. We are all well aware that the Wilson law repealed these provisions and that as a consequence our magnificent new trade was stricken down, our favorable terms of importation into Cuba and Puerto Rico were promptly done away with by the Spanish Government, and our flour and other productions had to find consumers at home.

WHAT IS RECIPROCITY?

Many Democratic authorities declare that reciprocity in trade between nations is in fact free trade, pure and simple. They forget the first condition to such treaties. There must be a tariff list from which to except certain articles. Without this the United States would have nothing to give. If all the products of a foreign country were already free they would laugh at our offer to make them any freer by means of a treaty. Having given away our markets, our appeal would have to be made to the generosity and not to the self-interest of other nations. Lord Salisbury once said that free trade might be noble but it was not business; but whatever may be said of reciprocity, it is certainly business. It is fair and open exchange. We say to Spain we will remove all duties upon your sugar if you will admit our flour free, and the American people taste the sweets of free sugar, the Cuban people eat untaxed bread, and the producers of flour and of sugar have an enlarged market.

UNDER THE M'KINLEY LAW WE HAD A TARIFF.

The law of 1890 had been so framed that the President could negotiate treaties, conventions, and agreements with foreign nations to secure larger sale of our surplus agricultural and manufactured products, and if such nations would not join us in this effort he could impose retaliatory duties on the imports from that country.

This confronted these nations with a condition and not a theory; where they had to consider whether they should lose this great market entirely or whether they should give us something of value in return.

NATIONS MAKING SUCH TREATIES.

The following is a list of the nations which entered into the special tariff agreements: Brazil, in effect April 1, 1891; Spain for Cuba and Puerto Rico, September 1, 1891; German Empire, effective February 1, 1892; Salvador, British West Indies, Nicaragua, Guatemala, Costa Rica, Honduras, France, and her colonies, Austria-Hungary, and others.

WHAT WE GAINED BY RECIPROCITY.

With Spain (to Cuba and Puerto Rico) we gained at once at the rate of more than ten millions per year; with Brazil, from ten to fifteen millions; Guatemala, nearly one and a half millions; Venezuela, one and three-quarter millions; Haiti, two millions three hundred and sixty thousand; British West Indies, over two and a half millions; and so on through the list, so that the net gain, allowing for all losses by reason of civil war and financial disturbances in some of these countries—to the South was for the year over twenty-five millions. All this and all the growth of this trade, which was estimated as certain to grow to more than one hundred millions, was thrown away by the Democratic repeal. It did more than lose this; it gave our trade to these countries such a blow, because of the dishonor which attaches to this abrogation of a treaty, as will require time to recover from.

All the increase in these exports was in grain, corn, wheat, flour, lard, provisions, and the general list of manufactured articles. These people all want our goods, but they had to pay extra duties on them, so as to foster the mother country back in Europe, until the law of 1890, by the clauses mentioned, enabled the President to call a halt on such acts and to say to them, Let in our goods on fair terms or we will tax your goods out of our markets. Of course these various European countries did not love the Republican party for this action. They looked with little favor upon the party which had enacted a law declaring in effect that America was for Americans, and their great public newspapers were a unit in demanding its repeal. So soon as the Republican tariff was out of the way these nations, France, Germany, and others, shut out our food products or discriminated against them so as to almost ruin our trade there in many lines. It is useless for our ministers to protest; we have deliberately thrown away the only lever, the only weapon, with which we could have prevented this action, and we now have to pay, in the great loss in our export trade, the cost of Democratic incompetence and hostility to the interests of labor and agriculture in the United States.

PRESIDENT CLEVELAND'S MESSAGE OF 1893.

The evil results of the change in national policy which was to be inaugurated by the Democratic party began to show themselves with the first days of the year 1893. By the time the new President was installed this had become so threatening that Cleveland was censured by many for not at once convening Congress. Perhaps he was afraid of the newly elected Representatives. At any rate, he neglected to avail himself of their counsel and assistance until the industries of the country were in a state of complete prostration. No such spectacle had ever before saddened the American people; their honest workmen were idle in hundreds of thousands; anarchists and "Coxeyites" held high revel, and all the world looked on in surprise at the awfulness of the disaster which had so suddenly come upon us.

After waiting five long months he finally called Congress in special session. On the 8th of August he addressed them a message, which stands, and I trust may ever stand, separate and apart among the utterances of our Presidents—an abject confession of incapacity and a blind accusation of all existing conditions on the party and policy which had ever been successful in preventing such conditions from arising:

The existence of an alarming and extraordinary business situation, involving the welfare and prosperity of all our people, has constrained me to call together in extra session the people's representatives in Congress, to the end that, through a wise and patriotic exercise of the legislative duty with which they solely are charged, present evils may be mitigated and dangers threatening the future may be averted.

The President thus proceeds to give his diagnosis of the sudden prostration which had come upon the country coincident with the beginning of his Administration:

Our unfortunate financial plight is not the result of untoward events nor of conditions related to our natural resources; nor is it traceable to any of the afflictions which frequently check national growth and prosperity. With plenteous crops, with abundant promise of remunerative production and manufacture, with unusual invitation to safe investment and with satisfactory assurance to business enterprise, suddenly financial distrust and fear have sprung up on every side. Numerous moneyed institutions have suspended because abundant assets were not immediately available to meet the demands of frightened depositors. Surviving corporations and individuals are content to keep in hand the money they are usually anxious to loan, and those engaged in legitimate business are surprised to find that the securities they offer for loans, though heretofore satisfactory, are no longer accepted. Values supposed to be fixed are fast becoming conjectural, and loss and failure have invaded every branch of business.

HE STATED CONDITIONS CORRECTLY.

All the facts he states above were true, too true, as we are all aware. And what a contrast to the times left by the preceding Administration, and which were correctly portrayed in the message of President Harrison sent to Congress only eight months before. National and individual prosperity on the one hand; national and individual poverty on the other.

HE ASKS THE REPEAL OF THE SHERMAN LAW.

He had waited five months to find some other excuse for the awful ruin in view, to find some other cause to allege than the plain and well-known one of impending free trade. At last he chose his "Bogy," the thing with which to cover with obloquy; on which he might safely vent his spite. With a Treasury bankrupt because importers chose to wait for the promised free trade, he found the sole and only cause was the so-called Sherman law. Here is what he said of this:

I believe these things are principally chargeable to Congressional legislation touching the purchase and coinage of silver by the General Government.

This legislation is embodied in a statute passed on the 14th day of July, 1890, which was the culmination of much agitation on the subject involved, and which may be considered a truce, after a long struggle, between the advocates of free silver coinage and those intending to be more conservative.

If the principal cause be removed the evil must needs soon pass away. Has this happened?

THE SHERMAN LAW IS REPEALED.

We of the United States have now endured existence nearly three years since this awful law was repealed, and have we grown sleeker and fatter since? Has the steady decline in every branch of legitimate industry ceased for a day, or have we found our resources ever growing less day by day? Did this country, so prosperous in 1892 in spite of this Sherman law, regain even that prosperity after its repeal in 1893? Let the undeniable business conditions answer; let the people of this country answer, waiting, as they have been, for the time to pass and counting the months and days until they should have an opportunity to express their opinions on the conduct of affairs and to return to the policy of protection, under which this country has ever had its widest and safest prosperity.

The Democratic party repealed the Sherman law; the purchase of silver bullion stopped for once and all. And what have been the results? Not even the bullion in the Treasury or the seigniorage or profits on the coinage of silver can be used, while we have pledged the future to pay for current expenses to the extent of $260,000,000, against a saving of $250,000,000 in the public debt by the last Republican Administration.

Has business improved? Are all financial distrust and fear passed away? Not exactly! If not, then it must have been a false alarm of President Cleveland, an incorrect diagnosis of the national ills. Or was it not in fact caused by the threat of the tariff reduction, a threat made good by the passage of the "Wilson-Gorman" bill, a measure so corrupt and ill designed that the President himself was compelled to let it become a law without his signature?

The Sherman law had done but little harm under the Republican conditions of a solvent Treasury and an increased export trade to foreign countries; but the reduced revenues caused by the impending reduction of the tariff brought about incipient national bankruptcy, a condition which Democratic blindness charged entirely to the Sherman law.

THEY PUT THEIR HEADS IN AMBUSH.

After four months of wrestling, the Democratic party, in November, 1893, finally repealed this awful law, and, thinking the country was now saved from Republican wickedness, took a few weeks' rest before giving us the "simonpure" free trade which they had promised the country. With their heads safely hidden, ostrich-like, in the bushes, they could not sense the terrible storm of ruin then sweeping the country. They had done their duty, and if the people did not know when they were saved it was no fault of the party. Indeed, many of them charged that merchants were deliberately throwing away their money, sacrificing their whole fortunes, just to say so to the Democrats. The American people were to their eyes like the obstinate and opinionated patient who insisted on dying when the doctor declared he had given the proper remedies, that he must get well, that all the Democratic doctor books said that was the proper treatment, and that he did not treat the physician rightly by insisting on going off when in fact all theories said he should get on and recover.

THE WILSON-GORMAN BILL.

Now, with clear decks, with President and Senate and House, all the machinery of the Government, in their hands for the first time since poor, old, pottering Buchanan was their political idol, they fell to with shouts of glee to execute their long-cherished desires. The chief manufacturing and agricultural industries of these now unfortunate United States lie, for the most part, to the north of the Ohio; and it would have seemed only the part of ordinary prudence to let the representatives of these States have a chief hand in the pulling down of the columns of the building. But no, this mighty work was intrusted in the House to a college professor from West Virginia, to distinguished ex-Confederates from Georgia and Tennessee. From the House this bill, halting and lame on its new theoretical lines, strong only in the ruin it wrought, went to the Senate to be developed by other Southern statesmen—JONES of Arkansas, MILLS of Texas, and VEST of Missouri—with BRICE of New York and Ohio, and GORMAN of Maryland assistants for the rescue of trusts and special interests. We all know that this bill, with 600 amendments, returned to the House, where the esteemed college professor swallowed them all at one gulp and then fled to far-away Mexico to try to forget what his party had forced him to do, while the Chief Executive reluctantly let it become a law without his signature.

AFTER THIS THE DELUGE.

What has transpired since the passage of this monstrous bill is a part of the bitterest history of the country. That there should be hard times during or after a great civil war is a thing to be excused, to be expected. But to have ruin heretofore unknown and unparalleled in extent and duration come in a period of profound peace, to have our national credit at so low an ebb that the Government was compelled to appeal to the money changers of Europe for rescue, to burden the energies and lives of another generation with the immense burden of a debt of $260,000,000 in less than three years, where, under the wise policy of the preceding Administration, this debt had been reduced $250,000,000 without being felt by the people; this mere recital would seem enough to damn such a party and such a policy to another period of thirty years outside the breastworks. But this does not begin the recital of the wrong done or the ruin caused by this suicidal policy of the Democratic party.

IN HANDS OF RECEIVERS.

Heretofore these United States, in peace and in war, through evil report and good report, had been for thirty years managed as a great and solvent corporation. Since March, 1893, it has been in the hands of an incompetent receiver. He has begged and borrowed money for current expenses when all that was needed was to take advantage of the plain resources of the country and make it self-supporting and helpful to all the people. With the Governmant in such a condition it is idle to expect any marked or permanent improvement in the general business of the country.

Under the last Republican Administration we had an ample Treasury supply, we decreased the debt almost as much as this one has increased it, and the magic breath of life and public credit was throughout all. With similar conditions the now serious problems of silver and sufficient money for the exchanges for the needs of the country will all solve themselves in natural and orderly sequence. It has been shown to be idle to expect such wise and patriotic action from the party now in power.

FREE TRADE THE TRUE CAUSE.

When one fatal and strong-rooted disease gets hold of a sick man it follows, as a matter of course, that symptoms of many other minor diseases come to the front. It is not, however, the policy of the wise physician to turn all his attention to these, but rather to reach the seat of the main difficulty and expect the removal of the main cause to bring about the amelioration or disappearance of the minor ones. Thus with a safe, protective tariff—one framed to secure a just degree of protection to the labor of the farm and the workshop, and the capital which nourishes and keeps these all in successful operation—we will once more be on the highway of national prosperity. With this we will have ample provisions for a wider market abroad for the rapidly growing surplus of our agricultural and manufactured products under the wise system of reciprocal treaties inaugurated by Harrison and Blaine and so contemptuously repealed by the "Wilson-Gorman" law.

To Prevent the Issuance of Interest-Bearing Bonds Without Further Authority of Congress.

SPEECH

OF

HON. MARION BUTLER,

OF NORTH CAROLINA,

IN THE SENATE OF THE UNITED STATES,

Friday, May 29, 1896.

The Senate having under consideration the bill (S. 1341) to prohibit the further issuance of interest-bearing bonds without the consent of Congress—

Mr. BUTLER said:

Mr. PRESIDENT: The opposition which this measure has met every time it has come before Congress in any shape this session has surprised me no little. This bill does not affect in the least the bonds that have already been issued. It does not refer to the coin to be used in the payment of the same bonds. It does not provide that no further bonds shall be issued. It simply provides that the President of the United States shall not issue further bonds without the consent and advice of Congress. Its language is plain, simple, and direct. It is in these words:

That the issuance of interest-bearing bonds of the United States for any purpose whatever without further authority of Congress is hereby prohibited.

There may be some reason why the President of the United States should desire that this bill should not pass, but why any member of Congress, whether in favor of bonds or opposed to bonds, should oppose the bill is strange indeed—very strange, to say the least. It is true that the greed of the bondholder has not yet been satisfied, because the greater the public debt and the more it is refunded the more oppressive it is to the people and the greater the blessing of such a debt to the bondholder and gold combine. But why should even the bondholders oppose the bill? Do they feel satisfied that they can rely upon the President more safely than they can upon Congress to tax the people for their benefit?

I hold in my hand a letter which the bankers and the bondholders have just sent out to their agents and correspondents all over the United States, which shows clearly that they are determined to control the nomination and election of the next President of the United States from either the Democratic party or the Republican party. They are not sufficiently frightened with the strength of the People's Party to send out orders to their agents to control our convention; but they want one of their old and trusted servants; they want one of the parties that have been serving them for so many years to be fixed on this question, and they do not care which. Four years ago they were anxious to fix the Democratic party. Why? Because the Republican party had made itself odious. The Republican party had not only to bear the result of its mistakes but also the blame of the people for hard times and depression. Therefore the same gold combine sent out its instructions and raised its campaign fund and nominated Grover Cleveland for President and elected him in 1892.

The Democratic party went into that campaign promising the people that they would repeal the infamous laws put upon the statute books by the Republican party. The Democratic party went into that campaign denouncing the infamous crime of 1873. They denounced the Senator from Ohio as the archenemy of civilization. They denounced the financial legislation that has been put upon our statute books under his guidance and by the Republican party. That party, though they had a candidate for President who seemed to be the willing tool of this gold combine, promised to correct the evils. They promised to wipe out the evils that the country was suffering from, placed upon them by bad Republican legislation.

In my State every Democratic candidate on the stump declared that the last Democratic platform meant free silver. Every Democratic elector declared that Mr. Cleveland was for silver. I canvassed my State as one of the electors at large for the People's Party. The Democratic elector that I canvassed with on every stump promised the people of my State that if that platform did not mean free silver, and if Grover Cleveland did not stand for free silver, he would repudiate them after election. He promised the people on the stump that if the people would only give them "one chance," that was, a Democratic President, a Democratic House, and a Democratic Senate, and that if that Congress and that President did not wipe out the infamous financial laws put on the statute book by the Republican party and restore the money of the Constitution, as it was provided for in our Constitution and placed on the statute books by Jefferson and our forefathers, he and those who felt like him would leave the Democratic party and join the People's Party.

These were the promises in my State and over the whole South. Where are the performances? Every promise broken and the people basely betrayed to SHERMAN and the gold ring.

The Democratic party went into power the last time under false pretenses. Its victory was won by fraud. Broken promises and base treachery stand out to-day as the hideous and ghastly record of that party. That has not been forgotten by the voters of the country. That party came into power and broke every pledge that it made to the American people. That party stands to-day disgraced and dishonored. It stands to-day with shame written across its brow for its perfidy and its treachery to the American people. It not only did not keep its promises, but it adopted the policy of Mr. SHERMAN and the Republican gold combine, and commenced right away where he left off and carried on the infamous work. Instead of restoring silver they wiped out the only silver law on the statute book and placed us as near on the gold standard as they could, and with the help of Mr. Carlisle and Mr. Cleveland and their interpretations of the law, using their discretion against their own people and Government and in favor of SHERMAN'S gold combine, we are to-day on the gold standard—on the gold standard not by law altogether, but by the abuse and disregard of law.

Therefore the Democratic party is odious. It is more odious, if anything, than the Republican party was four years ago. Hence the gold combine can not use the Democratic party this year as a stalking horse to fool the people and to put a gold candidate in the White House under more false pretenses.

The purpose of this circular, the purpose of the men behind it this year in instructing their bankers, their agents, to use their influence on every creditor of the banks is to control the Republican party. The purpose is to nominate a gold man at the head of the Republican ticket. I guess they will put up a free-silver straddling bagatelle around his brow to fool the people with, because it is against their training and their interests to be bold and straightforward. Duplicity is their father and their godfather and the food they nurse on. This gold ring will nominate McKinley, but they are getting alarmed at the growth of the silver sentiment; they are getting alarmed at the awaking of the people and the independence manifested. Therefore it is now necessary to fool a number of free-silver Republicans and get them to vote for McKinley. To do this they are now having some of their gold organs in the East to declare that they are not satisfied with McKinley on the money question, and that if they do not become better satisfied that the gold men of the East can not support him. This is the Eastern end of the goldbug scheme. How is it worked in the West, where a large majority are for silver? The so-called free-silver papers are publishing this very day the threats of the gold papers made yesterday in the East. They say that the fact that the East is not satisfied with McKinley is the best proof that McKinley is for silver and that the West should support him and ram him down the throats of the gold men.

This is the game and it is now at work. In the meantime the Senator from Ohio [Mr. SHERMAN], who is on the inside, smiles and looks knowingly. But this game will not work. The people are now too wide awake and too thoroughly aroused to be caught in such a trap as that. This will fool only those who want to be fooled. It will fool only those who are willing to take Senator SHERMAN for their free-silver leader.

The gold ring is now putting nearly all of its attention to the Republican party. They will not try to control the Democratic party because they have no use for it this year. They will allow

the free-silver men to control the convention. Why? Because they know that the most effective way to hurt silver, the most effective way to make the silver cause lose votes and to make it odious is to make the cause of silver and financial reform suffer for the crimes, misdeeds, treachery, and sins of omission and commission of the Democratic party. On this scheme the gold combine has deliberately made up its mind. It is a plot; they will lay upon the head of silver and financial reform all of the crimes and the odium and the bad odor that hangs around the Democratic party for its treachery. It is fine politics. There is no more effective way that the gold combine can damage the cause of financial reform than to have this party to attach its label to it.

The gold ring can not be beaten unless those who are opposed to Shermanism and Clevelandism unite in a common fight against the common enemy. They can not unite in the Democratic party. No man wearing the Democratic label can be elected President this year. Therefore the only thing that can possibly make the election of a gold man for President certain is for the silver Democrats to put up their own candidate and go it alone. This will surely divide the silver forces. This must not be done.

And here and now I appeal to the friends of silver in the Democratic party that if they love their country, if they are anxious to see the money of the Constitution restored, if they are anxious to see the Republican crimes, augmented by their own crimes, wiped from the statute books, if they are anxious to see prosperity return to the American people—I appeal to them in the name of all that is good and holy, in the name of our forefathers, in the name of the Constitution, in the name of the American people who toil and spin, in the name of our wives and children, to have the manhood and the patriotism to join hands this year with all other silver forces in America regardless of party name. For God's sake do not drag the name of your bad-odored party into this cause. Leave that name that has become a stench in the nostrils of the American people. Have the manhood to shake it off and to step out on a common footing with all other independent voters who put country and financial reform above party. Throw aside the name and return to the principles of true democracy and true republicanism. Do that, and let us draw the issue squarely in this campaign between the gold combine and the people. This course would beat the gold combine and give the people relief. This is the only way it can be done. Then let us do it.

The greatest duty and responsibility to-day rests upon the silver Democrats. You may be able to defeat silver this year by hanging to your party and hanging your party label upon silver; but it will not defeat the cause of silver more than four years, for in 1900 your party will go out of existence for want of members. The people, regardless of party, will unite. Let us do it now. I met a prominent man yesterday who is a silver Democrat. I believe he is as good a silver man as I am; I believe he is as sincerely desirous to see silver restored as I am. Yet he said to me, "It is the duty of all you silver men in other parties to come into our party and help us to get silver in it." I can see how a man who is honest and brave and conscientious can feel that way. He has venerated the name of the Democratic party so long that it has become a part of his religion, and his prejudice has persuaded him against his better judgment that inside the party is the best way to get silver. But if that silver Democrat and every other silver Democrat will shake from their brains their party prejudices and their special pet love for names that no longer represent the principles of Jefferson and Jackson, they must agree with me in this statement of facts. What is it? The gold trust can not be defeated in this country unless you combine all the friends of silver together under one banner in the coming campaign.

I asked that silver Democrat if he would be willing to leave his party and go into the Republican party if they should declare for free silver, and he said no. He said, "I would not go into the Republican party if they put the Ten Commandments in the platform."

Now, I want to say to you, silver Democrats of the South, if that is your feeling how can you expect the Western Republican, who also stands for silver, to be more patriotic than you are? If you are not willing to put silver and financial reform and country above party, then do you admit that the men you have invited to come with you are better and more patriotic than you are? That is the only logical conclusion. Every silver Republican of the West loves the name of his party as well as you love the name of yours. The Southern Democrats can never be moved en masse into the Republican party as such. The Western Republican who puts silver above party will not go into the Democratic party as such.

The People's Party came from both of these parties. Every man in the People's Party was a few years ago either a Democrat or a Republican. Why did they leave those parties? Because they were true Republicans and true Democrats; because they reached the time, before others did, when they were willing to put country above party. Every man who left the Democratic party and joined the People's Party did it why? Because he believed in the principles of Thomas Jefferson and Andrew Jackson. He saw and believed that the party he loved, the party that he was born in, the party that his father belonged to, and his grandfather before him, had deserted the principles of the Democracy. He saw and knew that that party was controlled by the money power, which had also been controlling the Republican party.

Every man who left the Republican party and joined the People's Party did it for the same reason—that is, because his party had deserted the principles of Abraham Lincoln and sold out to the gold ring. Can these men be expected to ever go back into these old parties and follow the leadership of the men who fooled and betrayed them? No. Therefore the time has come when all patriots must meet on common ground outside of the two old parties and allow the gold bugs and party bugs of the two old parties to get together in one party, and call it the Demo-Republican party.

But let us return for a moment to that silver Democrat to whom I referred. He said to me that I could not charge all these hard times and evils, from which the people suffer, to the Democratic party. In answer to that I say this: That while the Republican party has been guilty of placing nearly all of this bad legislation upon the statute books, yet the Democratic party in every campaign since the war has nominated for its candidate for President a gold man. I challenge any Democrat here to contradict it. I will wait for a reply. [A pause.] Therefore, if you had won every election, been in power constantly since the war, you would have done just what the Republicans have done. You nominated every time the same kind of men for your standard bearers. Your conventions have been controlled for twenty years by the same influence that has controlled the Republican conventions and nominated the Republican candidates. They happened to get in every time up to 1884. Therefore nearly all the mischief was done under the name of the Republican party. But no matter which party won, the gold ring has had its agent in the White House. Therefore for twenty years the machinery of these parties has been controlled by the same influence that now has determined to use the Republican party as the agent of the gold combine in the next campaign.

I ask permission to print in my remarks at this point the same secret bank circular which I presented and made public for the first time a few days ago. The circular will be found in full on page 6113 of the CONGRESSIONAL RECORD for May 22. The following is the essential extract from it:

THE AMERICAN BANKERS' ASSOCIATION,
2 WALL STREET AND 90-94 BROADWAY,
New York, March 23, 1896.

[President, Eugene H. Pullen, vice-president National Bank of the Republic, New York; first vice-president, Robert J. Lowry, Lowry Banking Company, Atlanta, Ga.; chairman executive council, Joseph C. Hendrix, president National Union Bank, New York; treasurer, William H. Porter, vice-president Chase National Bank, New York; secretary, James R. Branch, 2 Wall street, New York.]

To the bankers of the United States:

At a meeting of the executive council of the American Bankers' Association, held in this city on March 11, 1896, the following declaration was made by unanimous vote:

THE EXISTING STANDARD OF VALUE.

"THE EXECUTIVE COUNCIL OF THE AMERICAN BANKERS' ASSOCIATION DECLARE UNEQUIVOCALLY IN FAVOR OF THE MAINTENANCE OF THE EXISTING GOLD STANDARD OF VALUE AND RECOMMEND TO ALL BANKERS AND TO THE CUSTOMERS OF ALL BANKS THE EXERCISE OF ALL OF THEIR INFLUENCE AS CITIZENS IN THEIR VARIOUS STATES TO SELECT DELEGATES TO THE POLITICAL CONVENTIONS OF BOTH THE GREAT PARTIES WHO WILL DECLARE UNEQUIVOCALLY IN FAVOR OF THE MAINTENANCE OF THE EXISTING GOLD STANDARD OF VALUE."

Your influence is earnestly requested to give practical effect to this action.

* * * * * * *

The association seeks to unite all banks and bankers in one efficient national organization, and it solicits all national and State banks, savings banks, and banking firms to become members.

* * * * * * *

EUGENE H. PULLEN, *President.*
JAMES R. BRANCH, *Secretary.*
JOSEPH C. HENDRIX,
Chairman Executive Council.

As I said the other day when presenting this circular in reply to the Senator from Ohio [Mr. SHERMAN], that circular instructs these banks, which are creatures of and are protected by the Government, to try to corrupt politics and rob the American people. It instructs these banks, which are in charge of the circulating medium of the country to a large extent, to use their power, influence, and money to corrupt conventions and to control them in the interest of the bondholders. These banks that are given the great and dangerous power of contracting or expanding the circulating medium of the country at will; these banks which were brought into existence by the Republican party; these banks which were rechartered in 1882 with the help of the Democratic party; these banks which Thomas Jefferson opposed; these banks which Andrew Jackson, God bless his memory, fought and triumphed over as long as he was President; these banks which the Democratic

party in its platform before the war, before it was corrupted by the gold power, declared should never be chartered and that they were more dangerous to the liberty and prosperity of the American people than standing armies; these same banks, now enjoying the protection of the Government, enjoying the special privileges granted to them as a semi-function of Government, are to-day boldly using their power, their money gotten from their Government protection and special privilege—using this tremendous power to contract and expand the currency, to control legislation, to control nominations in this country, and to put an agent of the English gold trust in the White House.

Whether or not similar efforts are being made to control the election of the members of Congress, which would be much more expensive, is not yet known; but one thing is clear, and that is that the banks and bondholders are determined to control the Republican nominee for the Presidency at all hazards since they think the Democratic party has no chance of winning.

The man the Republican party nominates for President can be relied upon to serve the bondholding and bank interest this year and for the next four years, if unfortunately he should be elected, just as faithfully and as servilely as Grover Cleveland has done. The bill now under consideration, if enacted into law, simply restores the power to borrow money and to fasten a mortgage on the country to Congress, the legislative branch of the Government, where such tremendous, dangerous, and far-reaching power not only naturally belongs, but where the Constitution expressly places it.

I stand here now and lay this down as an incontrovertible proposition, that Congress has no power under the Constitution to delegate this power to the Chief Executive or to anybody else. I believe that any fair, honest court in America would decide that the law of 1875, if it does give to the President the power to issue bonds without limit, is unconstitutional. I believe the only power that Congress has in this direction is to authorize the issue of bonds for a specific purpose and for an amount not only limited, but a fixed amount to be executed by the President in his executive capacity. I do not think that any man who has any regard for his reputation as a fair, honest constitutional lawyer will contradict that.

This bill is a plain and just proposition, and that is why there is so much opposition to it. The great and violent opposition from certain quarters to so fair and just a proposition has caused me to investigate the question more fully than I otherwise would have done. Yes, I have been impelled to investigate this bond question from the bottom up, on account of the fact that this simple little bill has raised such a tremendous opposition from the agents of the gold trust; the fact that this little bill has been denounced more viciously than ever a free-coinage bill was denounced; the fact that this bill has raised all of the ire of the cold, placid Senator from Ohio [Mr. SHERMAN], and made him join loving arms with the Senator from New York [Mr. HILL]. That is a beautiful picture! A picture, however, that no true Democrat could look upon with pleasure, neither any true Republican with pleasure, to see the Senator from New York, the Tammany tiger (the man who parades and masquerades under the banner, "I am a Democrat," which is the beginning and the end of his vocabulary), and the placid and icy Senator from Ohio, the godfather and sponsor and wet nurse of the Republican party, run together as quick as lightning at the sound of danger to the British Rothschilds, and locked arm in arm, join together in the common defense, join together in making a common attack on the prosperity and welfare of their own country. It shows that they are close kin and are serving the same interest. It shows that there is in this country a party called the gold party, and it shows that the Senator from New York and the Senator from Ohio both belong to that party and consider themselves its special defenders. The gold men have formed a party. They stand together on all occasions. They run together at a moment's notice. May Heaven have mercy on the people and teach them to have the same wisdom of union and self-defense to run together against these common enemies of humanity and good government.

I said, Mr. President, that this peculiar conduct of the gold men on the Democratic side and the gold men on the Republican side, running together to denounce this bill, has caused me to look into the question of bond issues from the beginning up to now more thoroughly than I ever would have done. What do we find? Up to the late war the debt of this Government was a mere bagatelle. At the close of the war, or rather in October, 1865, the interest-bearing debt of the Government in the form of bonds was $1,144,832,100. The interest-bearing obligation in the shape of currency and used as currency was $1,208,885,378. This interest-bearing currency, together with other forms of currency, gave at that time a per capita circulation of about $52; and in spite of loss of life and property from a four-years bloody and disastrous war, the people were 100 per cent more prosperous then than they are to-day.

Think of it, Mr. President. At the close of the most terrible war the world has ever seen, at the close of the war where there was the greatest sacrifice of life and property, at the close of the war where it seemed that our fertile fields and happy homes of the South had been divested almost beyond hope of recovery—at the close of that terrible war the people were 100 per cent more prosperous than they are now after twenty years of peace, twenty years of unexampled prosperity in the fields and the workshop and in the mines—the greatest amount of production per capita, and yet the least amount of money per capita. At that time, right after the war, the general prosperity was so pronounced that Secretary McCulloch, in his report for 1865, made the following remarkable statement:

> The people are now comparatively free from debt. * * * Expansion has now reached such a point as to be absolutely oppressive to a large portion of our people, while at the same time it is diminishing labor and is becoming subversive of good morals. The remedy, and the only remedy, within the control of Congress, in the opinion of the Secretary, is to be found in the reduction of currency.

Look at that situation: The people out of debt, with plenty of money, with every business industry prospering, with good prices for products. And yet the Secretary of the Treasury is fearful that this condition would corrupt the people's morals; and to obviate this sad and threatening disaster (?) he recommends the destruction or contraction of the people's money; the money which made them prosperous then would make them prosperous; the money which put them out of debt then would get them out of debt; the money which made good times then would make good times now. He said it was dangerous, and he said we must contract it and reduce its quantity; though population was increasing each day, though business was increasing each day, yet we must contract the money, when every man knows, when every cornfield hand in North Carolina knows, and I believe the people over the rest of the country know, that as population increases, as business increases, the amount of money in circulation should increase in the same proportion. That is a fixed law, and it is one that can not be deviated from without disaster; and yet here was the Secretary of the Treasury, who deliberately recommended that that disaster be brought upon us. At that time Mr. Carlisle, the present Secretary of the Treasury, and Mr. SHERMAN both agreed that the contraction policy of Secretary McCulloch was wrong. But the bad and ruinous policy commenced then has been continued ever since. Since that time Mr. SHERMAN and Mr. Carlisle have both been Secretary of the Treasury, yet both have followed the disastrous policy of contraction, till the people are almost poverty stricken and the nation almost bankrupted.

On April 12, 1866, in response to the urgent demand of the Secretary of the Treasury, Congress passed the first contraction act, by which all of the interest-bearing obligations which were used as currency were to be called in and funded into interest-bearing bonds.

Through this operation the bonded debt of the country was increased to over $2,000,000,000 in 1868, and the currency among the people was contracted, according to several high authorities, to the extent of over $900,000,000, to be exact, $968,502,963. Mark it, this bonded debt was created after the war was over and peace was established. This currency which had enabled the Government to carry on the war; this currency which had been used to pay the soldiers on the battlefield; this currency which had enabled the Government to maintain the Union as it exists to-day, was, after peace had been restored, turned into a bonded debt at the instance and by the influence of the bondholders and the gold trust.

Strike down the currency, turn it into interest-bearing bonds—bonds that could not circulate as money, but bonds which would go to work day and night to draw what money was left from the pockets of the people and tie it up in the hands of the few. It was a double crime. To burn half the money and put nothing in its place was bad enough, but to burn half our money and put in its place a rapacious interest-bearing bond—an eating sore—an interest-bearing debt that would act as a force pump, or rather as a suction valve, to constantly draw what money was left from industry, from business, from the avenues of trade, and pile it up in the coffers of those who neither toil nor spin, those who produce nothing, those who do nothing to make this country rich, those who do nothing to defend the honor and integrity of the country, those who did not bear muskets in time of war, was one of the most cold-blooded and infamous acts that has ever stained the statute books of this or any other country. It was done, too, for the benefit of those who refused to loan the money necessary for carrying on the war except at ruinous rates of interest, those who were so unpatriotic that when Abraham Lincoln called upon them to furnish money to save the Union, they, with their cold-blooded, devilish greediness, proposed terms of usurious interest so exorbitant that that great patriot would not tolerate it, and then it was that he called upon Congress to exercise the supreme legislative power to issue Treasury notes, to issue greenbacks to enable him to carry on the war, and to defy the bondholder and the gold sharks.

They are the fellows to-day that the Senator from Ohio and the Senator from New York talk about as the sacred fellows whose rights must be preserved, and they say the integrity of the nation must be preserved—God save the mark—to make them rich; that contemptible lot of traitors, for they betrayed their country in the hour of peril, and tried to put a halter of usury around its neck to curse future generations; they cared not what might be the result of that war so that in the future they and their children should be pensioned with a pension that grew, not a pension of $50 a month that would be the same all the time, but a pension that grew with usurious interest each year bigger and bigger, a pension to be paid by those who would dig the wealth out of the ground in the future.

Mr. HAWLEY. I only caught a sentence of the Senator's speech, but I would ask him who are the bad men to whom he refers?

Mr. BUTLER. I will take great pleasure in informing the Senator. I am sorry that they are at large, and if we could by law make a properly constituted sheriff out of the Senator from Connecticut he would have plenty of duty to perform.

Mr. HAWLEY. I should very likely have to arrest somebody other than those to whom the Senator refers.

Mr. BUTLER. I let that quibble pass; but in answer to the question of the Senator from Connecticut, who asks me who the bad men were to whom I was referring, I will say that at the time I was referring to that class of capitalists who refused to furnish money to save this Union when Abraham Lincoln, the President of the United States, called upon them to lend their money to the Government at a reasonable rate of interest and under fair and honest conditions; the class of men who hoarded their gold and demanded such hard terms of that great patriot that before he would submit to their terms and pile up for future generations an unjust and burdensome debt he appealed to Congress to exercise its highest legislative power under the Constitution, to issue greenbacks, so that the war could be carried on without having the Government subject to the infamous demand of this gang of gold contractionists, or rather, I should say, greedy gold hoarders, who tried then and have since succeeded in fastening themselves like leeches upon the purse strings of the nation.

In continuation of my answer to the very pertinent question asked by the Senator from Connecticut, I have just described to him the particular kind of men which I was referring to when he asked me the question, but there are some others that I desire to refer to in this connection. But first I should like to ask the Senator from Connecticut if he approves the action of those bad men, or if he, too, does not think with me that they are bad men?

Mr. HAWLEY. You mean the men who would not lend money to the Government?

Mr. BUTLER. The men who would not lend money to the Government on fair and reasonable terms, such as President Lincoln was willing to accept.

Mr. HAWLEY. The Government issued its bonds to the world and was glad to have anybody buy them, and anybody could buy them who had the money to purchase them and pay the premium. Everybody had the privilege of taking the bonds.

Mr. BUTLER. I should like to ask the Senator what made Mr. Lincoln issue the greenbacks, or call upon Congress to do it?

Mr. HAWLEY. He did not do it.

Mr. BUTLER. He called upon Congress to do it.

Mr. HAWLEY. If any one man did it, it was Mr. Spaulding, of Buffalo, N. Y.

Mr. BUTLER. Does the Senator deny that Lincoln called upon Congress to issue legal-tender greenbacks, and that Congress did do it to escape the clutches of the gold sharks?

Mr. HAWLEY. I am sure I do not know what Mr. Lincoln said about the greenbacks. He had never been associated prominently with that movement. It originated in Congress. The greenbacks were simply the demand notes given by the Government—its promise to pay.

Mr. BUTLER. Does not the Senator know that President Lincoln, in a message sent to Congress, called upon Congress to come to the relief of the Government by issuing greenbacks?

Mr. HAWLEY. That is quite possible. The greenbacks, as well as the bonds, were simply the promise of the Government to pay, and every dollar of money agreed upon ought to be paid.

Mr. BUTLER. Does not the Senator know that the reason we did not raise the money by bonds, the reason we stopped raising it in that way at that time, and the reason why Mr. Lincoln called upon Congress to issue greenbacks, was because these "bad men" had a corner on gold, and refused to pay a decent price for the bonds, and demanded tremendous discounts or rates of interest?

Mr. HAWLEY. The money market is never controlled by any one, or two, or half dozen men. Our bonds were sold in every part of the world—in Germany, in England, and elsewhere—and they were largely in this country bought by patriotic people who do not gamble in such things, people who said if this Government wanted money upon its bonds they would take them, and if the Government survived the bonds would be valuable, and if it should be broken up they did not care whether or not they had any money.

Mr. BUTLER. Does not the Senator know that President Lincoln said, "By the Eternal, we will save this country in spite of these shylocks," and that then the greenbacks were issued by authority of Congress, that this broke the corner of the gold ring, and that then the bonds were sold at a better price? But I understand the Senator from Connecticut to refer to these shylocks as patriots.

Mr. HAWLEY. If the Senator will let me off I will never ask him another question; there are so many things he knows that I never heard of.

Mr. BUTLER. Then the Senator from Connecticut, barring his attempted irony, ought to be patriotic enough to state the facts as they are or show that what I state is not true; and if he could, there is no man in the Senate who would take greater pleasure in doing it. We can not find a gold man on this floor who will meet us in honest, fair argument on this question. They are driven from every position they take; they have to resort to subterfuge, and have to fall back on such catch phrases as "sound money" and "save the credit of the country" and "keep good faith" with these bondholders, and all such pretenses. Were it not for the word "parity" I think for the rest of their days they would be in misery to a superlative degree.

Mr. HAWLEY. I am perfectly willing to admit that gold men do not wish to meet the Senator.

Mr. BUTLER. That is very evident, because they have found so far in this discussion that they were getting the worst of it; that their side was showing up in a bad light; that they could not answer the arguments; and now they are the most anxious persons on this floor to take a vote and stop the discussion.

Now, Mr. President, since I have referred to the catalogue of bad men, I will call the Senator's attention to another class of bad men, or some of the same class which I just called bad men, who bought Government bonds as low as 47 cents on the dollar and paid for them in greenbacks. They bought bonds when they were below par. As soon as the war closed, and those bonds went to par and were worth 100 cents on the dollar, at once their values were doubled, and the bond holder had made 100 per cent clear outside of his interest. Were these bad men, whom the Senator from Connecticut would defend if he could, satisfied? No. What did they do? Just as soon as the war closed and they saw that they had made 100 per cent profit their greed increased. What was their next move? Their next move was to surround Congress and this Senate Hall with a hired lobby, paid by these usurers to come here and get this Congress to do what? Here is what they did. They came here and got this Congress to pass a law providing that certain bonds should be paid in coin, instead of lawful money, as the bonds read on their face. This act was passed on March 18, 1869, and is known as the act "to strengthen the public credit."

They came here and lobbied this Congress to change the contract in their favor, and I suppose if the Senator from Connecticut had been here he would have voted for it. Congress voted to change the contract and to make those bonds payable in coin instead of lawful money. Those bondholders would not furnish Lincoln the money to save the Union; they forced him to issue greenbacks; they took the greenbacks and bought bonds at 47 cents on the dollar. Then, when the bonds were worth 100 cents, they were not satisfied to take the same greenbacks, though they got in payment $3 in greenbacks for every dollar in greenbacks which they paid for bonds. They were not satisfied to take the greenbacks which saved the Union, which Lincoln called into existence; but they came here and got this Congress to pass this act of 1869 and change the contract and agree to pay them in coin. Those are some of the bad men to whom I refer.

And in this connection I might say that these are the same bad men who got Congress to put the exception clause on the back of every greenback, after the first issue, so that they would not be a full legal tender.

And it was this money based upon the faith and credit of the Government that sustained the Government in its most trying hour, while gold had slunk away in its hiding place, as it always does in war or times of need and danger. In war, gold is a coward. It goes in hiding, and often retreats beyond the seas at the firing of the first gun. Even before the first gun was fired at Fort Sumter every bank in New York suspended specie payment, refused to furnish the funds for carrying on the war except at ruinous rates, and left both the people and the nation to their fate. It was not gold or silver, but it was the greenbacks that whipped the South and sustained the Union.

Twelve years after the war, Hon. William B. Kelley, of Pennsylvania, addressing an assembly of ex-Confederate officers at Macon, Ga., said:

Your leaders were mistaken in their financial theory. They believed that the United States could use nothing but gold and silver as money, and that

as they had none of these metals they could not put armies in the field to overwhelm you, or fleets upon the ocean to blockade your coasts. They had not studied the Constitution to see that the Government has control of the question of what shall be money. We discovered that it had, and when we could not get gold or silver, we made the greenback, and it was that that whipped you.

Yes—

Said one of the officers with enthusiasm—

Judge Kelley, you are right; it was the greenback that whipped us.

And, Mr. President, it was this money that the bondholders and bankers urged to be destroyed and turned into an eating, cankerous bonded debt as soon as the war was over. Strange, indeed, that the faith and credit of the Government should be good enough to back a currency during the trying period of war, when the existence of the Government was in doubt, but that as soon as peace was restored, when the Government stood on a firm and unquestioned solvent basis, that the faith and credit of the Government should not be good unless backed by the gold of Shylock. How any fair-minded, honest man can advance such a preposterous claim is beyond my comprehension.

At that time, as now, the great metropolitan press manufactured public opinion, and the cry was started that the national credit must be sustained at all hazards, and to do this that it was necessary for the Government to change its contract and pay these bonds in coin. Upon this question there was considerable discussion throughout the country, and even in the Halls of Congress. The credit of the Government was good during the war, though it had no gold or silver. But when peace was restored Shylock said that the credit of the Government was not good unless he went Uncle Sam's security. The bondholder that fattened upon the misfortunes of the Government, while other men were giving their lives, their property, and their all as a free offering, now steps in and claims the right to be a special pet and bounty receiver.

In order that we may see what certain public men thought of the proposition at that time I will quote from the language of the present senior Senator from Ohio.

In a speech delivered in the Senate February 27, 1867, Mr. SHERMAN said:

Equity and justice are amply satisfied if we redeem these bonds at the end of five years in the same kind of money, of the same intrinsic value it bore at the time they were issued. Gentlemen may reason about this matter over and over again, and they can not come to any other conclusion; at least that has been my conclusion after the most careful consideration. Senators are sometimes in the habit, in order to defeat the argument of an antagonist, of saying that this is repudiation. Why, sir, every citizen of the United States has conformed his business to the legal-tender clause. He has collected and paid his debts accordingly.

In 1868 he wrote to a friend as follows:

DEAR SIR: I was pleased to receive your letter. My personal interests are the same as yours, but, like you, I do not intend to be influenced by them. My construction of the law is the result of careful examination, and I feel quite sure an impartial court would confirm it, if the case could be tried before a court. I send you my views as fully stated in a speech. Your idea is that we propose to repudiate or violate a promise when we offer to redeem the "principal" in legal tenders. I think the bondholder violates his promise when he refuses to take the same kind of money he paid for the bonds. If the case is to be tested by the law, I am right; if it is to be tested by Jay Cook's advertisements, I am wrong. I hate repudiation or anything like it, but we ought not to be deterred from doing what is right by fear of undeserved epithets. If, under the law as it stands, the holders of the five-twenties can only be paid in gold, then we are repudiators if we propose to pay otherwise. If the bondholder can legally demand only the kind of money he paid, then he is a repudiator and extortioner to demand money more valuable than he gave.

Truly, yours, JOHN SHERMAN.

I quote further on this subject from Senator Wade, of Ohio:

VICE-PRESIDENT'S CHAMBER, *Washington, December 15, 1867.*

Yours of the 8th instant is received, and I must cordially agree with every word and sentence of it. I am for the laboring portion of our people. The rich can take care of themselves. While I must scrupulously live up to all the contracts of the Government, and fight repudiation to the death, I will fight the bondholder as resolutely when he undertakes to get more than the pound of flesh. We never agreed to pay the five-twenties in gold; no man can find it in the bond, and I never will consent to have one payment for the people. It would sink any party, and it ought to. To talk of specie payments or a return to specie under present circumstances is to talk like a fool. It would destroy the country as effectually as a fire. And any contraction of the currency at this time is about as bad. But I have not time to give my ideas in full.

Yours, truly, BENJAMIN F. WADE.

Hon. Thad. Stevens declared in the House of Representatives in 1868:

If I knew that any party in this country would go for paying in coin that which is payable in lawful money, thus enhancing it one-half; if I knew there was such a platform and such a determination this day on the part of any party, I would vote for the other side, Frank Blair and all. I would vote for no such swindle upon the taxpayers of this country. I would vote for no such speculation in favor of the large bondholders, the millionaires who took advantage of our folly in granting them coin payments of interest.

Senator Morton, of Indiana, declared:

We should do foul injustice to the Government and to the people of the United States after we sold those bonds on an average for not more than 60 cents on the dollar now to propose to make a new contract for the benefit of the bondholders.

During the brief discussion on the public credit strengthening act Senator Bayard, of Delaware, said:

Suppose, instead of issuing paper money, it had pleased Congress to order an abasement of our national coinage. Suppose 25 per cent more of alloy or worthless metal had been interjected into our currency, and with that base coinage men had come forward to buy our bonds. What would be thought of the man who, when the day of payment of those bonds arrived, should say, "I gave you lead or lead in certain proportions, but for all the worthless metal I handed you you must give me back pure gold"? Whether he was more maddened or more dishonest would be the only question arising in men's minds.

Notwithstanding such declarations as given above, and in spite of a well-defined opposition, the bond owners corrupted public opinion and debauched Congress to such an extent that, as I have before said, on March 18, 1869, under the whip and spur of the previous question, what is known as the public credit strengthening act was passed, which in substance declared all the obligations of the United States payable in coin. For the purpose of information I will quote this act in full:

That in order to remove any doubt as to the purpose of the Government to discharge all just obligations to the public creditors, and to settle all conflicting questions and interpretations of the laws by virtue of which such obligations have been contracted, it is hereby provided and declared that the faith of the United States is solemnly pledged to the payment in coin or its equivalent of all the obligations of the United States not bearing interest, known as United States notes, and of all the interest-bearing obligations of the United States, except in cases where the law authorizing the issue of any such obligation has expressly provided that the same may be paid in lawful money or other currency than gold and silver. But none of said interest bearing obligations not already due shall be redeemed or paid before maturity unless at such time United States notes shall be convertible into coin at the option of the holder, or unless at such time bonds of the United States bearing a lower rate of interest than the bonds to be redeemed can be sold at par in coin. And the United States also solemnly pledges its faith to make provision at the earliest practicable period for the redemption of the United States notes in coin.

As Senator Davis declared at the time, this act added nine hundred millions to the public debt of the nation by making it payable in coin instead of lawful money. This act changed the contract between the people and the bond owners without the consent of the people and plundered them of the enormous amount of $900,000,000, which went directly into the pockets of the bond owners.

While Lincoln was President, when called upon to contemplate a proposition similar to this deed, he said: "If a government contracts a debt with a certain amount of money in circulation, and then contracts the money volume before the debt is paid, it is the most heinous crime which a government could commit against its people." Such a heinous crime was committed against the people and for the benefit of the bondholders in 1869. And, strange to say, there are men to-day who defend this national fraud and try to glorify it under the name of national credit and national honor. What would Lincoln or Jefferson say of such men? They would denounce them as public enemies.

Great as this crime was, yet this was but the beginning of that plundering financial legislation which has followed in all our financial changes.

These same bad men were not satisfied. Greed is never satisfied. A considerable number of bonds would, by their terms, mature in 1870. So in order to make this piece of public robbery secure and of the greatest value it was necessary that these bonds should be refunded in new long-time coin bonds. Therefore the bondholders followed Congress with another lobby in 1870 and had the refunding act of July 14, 1870, passed, which they said would still further strengthen the public credit. What was that law? This act refunded the entire amount of interest-bearing indebtedness into ten, fifteen, and thirty year coin bonds, bearing respectively 5, 4½, and 4 per cent interest.

The bondholder was so anxious that every one of his bonds should be paid in coin—he was so afraid that in the future Congress might authorize the bonds to be paid in any kind of lawful money—that he came to this Congress with a lobby and had this Congress pass a law providing that every one of those bonds should be refunded in coin bonds; and as to the new bonds that there should be written across the face of each one that this bond shall be paid in what? "Shall be paid in coin of the present standard value of July 14, 1870." They were so delighted with their success in getting Congress to change the contract and double the value of their bonds at the expense of the taxpayers; they were so delighted that this Congress (which is supposed to represent and guard the interests of the American people) could be so easily controlled by them for their own selfish and greedy ends, that they said to themselves, "Why not make more money?" These same bad men, these same men who would not help to save the Union, but hired substitutes or ran away to Europe to keep from hiring substitutes, were not satisfied. The next step—and here comes the kernel of this whole business—was to see how to make the coin dearer in which their bonds were to be paid. They got it put in the face of the contract that the bonds should be paid in coin.

Then they commenced the next grand step in their devilish and hellish conspiracy, which no honest man, in my opinion, can indorse or defend. What was it? It was to have the contract changed again and have their coin bonds changed into gold bonds. They had it on the face of the bonds that they should be paid in coin. In their opinion it would not do to change the contract on the

face of the bonds again so soon. They feared to arouse the attention and wrath of an outraged though still sleeping and unconscious people. They thought it safer to find some indirect method of accomplishing the same result. Now, they took counsel in Wall street and in London and said to themselves, "If we can strike down one of these coins, then there will be left but one kind of coin in which to pay us, and the one left as money will be doubled in value and we will make another hundred per cent; we will get Congress to again tax the people double the debt they owe us." They had doubled it once after the war; it was doubled when the bonds went to par; they doubled it again when they had them made payable in coin, and now they proceeded to double it the third time, when their infamous conspiracy of 1873 and 1874 striking down silver was consummated.

In the meantime there had been many conversions among those who had differed with these bond owners heretofore, notably that of the Senator from Ohio [Mr. SHERMAN]. Instead of standing by his position in 1867 and 1868, as I have quoted, he had changed his moorings some time about 1870 and become the leading advocate on the other side, and this makes it necessary to look into the real purposes for demonetizing silver. During all of this discussion regarding the restoration of silver to its constitutional position the reason to my mind why silver was destroyed in the first place has not been clearly established so that the average citizen might understand it.

While it is true that the destruction of silver as money reduced the volume of currency, and thereby reduced the remuneration of the laborer and the value of all property, and assisted in bringing about great financial distress and disaster, yet in my opinion these were but the effects and not the reason for destroying that portion of our metal money. It is as plain as the noonday sun that silver as money was destroyed in order that the bonded indebtedness of this nation might be paid in gold alone and at the same time to double the purchasing power of the gold in which the bonds were to be paid. This was the prime cause for such action, and the disasters which have followed are simply its sequence. These bonds were payable in coin. Coin meant at that time both gold and silver, and the destruction of silver as money meant the payment of these bonds in gold and doubling the price of gold. Here is the incentive for such action, and the only one that can be reasonably and safely put forth. I desire to call the attention of this Chamber and the people of this nation to this fact: That silver was destroyed absolutely in the interest of the bondholders; and that, to the payment of these bonds in gold, which less than ten years before had been bought with greenbacks at an average of 67 cents on the dollar, all the disasters and wretchedness which have come upon our nation for the past twenty-three years are directly chargeable.

I have said before on this floor, and I repeat it, and I defy contradiction, that the men who demonetized silver, the men who lobbied this Congress—who corrupted it, I was about to say (for what else can you call it?), and I will stick to it, because it could not have been done without corruption somewhere—the men who did it were the bondholders, the same bad men who would not furnish Abraham Lincoln with the money to save the Union. It was the bondholder who demonetized silver. The bondholder did it to double the value of his bonds; but as to every Senator and Congressman who voted for it knowingly—I say "knowingly," because there were lots of men who voted for it without knowing that that provision was in the bill—I say he committed a crime and a fraud, and not only a crime and a fraud, but a crime and a fraud purchased by perjury. Therefore, every man who voted for that measure knowingly is a man who deliberately stole from the pockets of the American people of this generation and the next, and turned money into the pockets of the shylocks—the bad men who would not furnish Lincoln with money on reasonable terms to save the Union.

How was that conspiracy worked? In 1873 a bill was passed to stop the coinage of the American silver dollar. Their crime was then only partially accomplished. They did not dare, it seems, to commit so great a tragedy in one act. There had already been appointed a commission to revise the statutes of the United States. I want to state exactly how this was done in 1873 and 1874. As I said before, the act of 1873 did not demonetize silver. As has often been said, it simply stopped the coinage of the silver dollar and refused to admit silver in the future to the mints; but it left what silver dollars had been coined a full legal tender. Nearly every man on this floor speaks of silver as having been demonetized in 1873. The coinage was stopped in 1873, but what silver had been coined was left a full legal tender. It was the act of 1874, or rather the action of the revisers of the statutes of the United States, who did their work in secret, who inserted the clause in the Revised Statutes without authority of law, and in violation of their oaths of office, which did the fatal work. The clause is as follows:

SEC. 3586. The silver coins—

Mark the language—

The silver coins of the United States shall be a legal tender at their nominal value for any amount not exceeding $5 in any one payment.

The words "the silver coins," etc., include all silver coin. Therefore that clause stuck into the Revised Statutes did what? Demonetized the silver dollar that was left unscathed by the act of 1873 and made it only subsidiary coin and a legal tender for the amount of only $5 in any one payment.

This section, as I have said, was put in the Revised Statutes against authority of law. What right has it to be there to-day? The law providing for the revision of the statutes did not give to the revisers any authority to change the law or to add any new sections to the law. The authority of the revisers was simply to codify the law. The first section of the act authorizing the revision of laws permitted and directed the revisers to do what? Here are the exact words:

Revise, simplify, arrange, and consolidate all statutes of the United States, general and permanent in their nature, which shall be in force at the time such commissioners shall make their final report of their doings.

That is all the authority they had—simply to codify what laws were in existence at the time they did their work. I defy any man living to show any place on the statute books where such a law ever existed as they stuck into the Revised Statutes.

Mr. President, who were these commissioners? These commissioners took solemn oaths to make the revision in accordance with the above restrictions and limitations. They made their report at the close of the year, and it was laid before Congress. General Butler, of Massachusetts, and Mr. Poland, of Vermont, gave assurances to the House of Representatives that the law had been rigidly carried out. General Butler said:

I desire to premise here that your committee felt it their bounden duty not to allow, so far as they could ascertain, any change of laws. * * * We have not attempted to change the laws in a single word or letter so as to make a different reading or a different sense. All that has been done has been to strike out the obsolete parts and to condense and to consolidate and to bring together statutes in pari materia, so that you have here—

[Holding up the volume]—

excepting so far as it is human to err, the laws of the United States under which we now live.

The book of Revised Statutes contains more than 1,000 large pages, and, of course, the Congressional committee to whom it was referred did not read the book and compare it with the laws in existence. They probably never read a page. They took the word of the revisers that the law had been rigidly executed. The law directing the revisers what to do and the oaths which they took were plain and could not be misunderstood. It is safe to say that the commissioners did not make any mistake; they knew what they were doing. They deliberately palmed off a forgery upon Congress, and they did it in disregard of their solemn oaths.

This is the way you get your honest money. This is the way you get your sound money. Honest money! Honest money, indeed! Money that was gotten by forgery and perjury as base as was ever proven in court of justice upon the fabrication of a clause in a will. Your "honest money" is a child of fraud and perjury and corruption. Let us in the future call it perjury money. Let us call it blood money, for that is what it is—perjury money, blood money, but like all men who want to advocate something dishonest, they put on the livery of heaven or use the words honesty and fairness. Their consciousness that their money is not honest, but obtained through perjury and forgery and fraud, prompt these men to call it honest money.

How can any man who knows this—and is there a man in the Senate who does not know it?—defend this fraud and this perjury without being particeps criminis?

Mr. Bogy, a Senator from Missouri, on April 25, 1876, referring to this transaction in a speech, said:

This is a fraud. There was no law of that character existing at that day in the country.

That charge was made by Senator Bogy on this floor and no Senator dared to deny the charge of fraud, and no Senator now when I make it and repeat it dares to deny it. I am willing to be interrupted by anybody now to deny it either in a short speech or an elaborate one. I repeat, Mr. Bogy charged it is a fraud, committed by perjury. No Senator denied it. I repeat it, and there is no Senator here who dares to deny it now.

Mr. Logan, of Illinois, asked Mr. SHERMAN how the demonetizing clause got into the Revised Statutes. What did Mr. SHERMAN say? Mr. SHERMAN said, "I do not know." He admitted it was a fraud; he admitted it ought not to have been there, but he simply satisfied himself with saying he did not know.

Mr. Beck, of Kentucky, on January 10, 1878, said:

Any provision of our statutes changing existing laws was and is a fraud upon the country, whether intended or not, and should now be corrected.

At that date, January 10, 1878, Mr. Beck appealed to this body to correct that fraud. Everybody admits it is a fraud. Nobody defends it. He appealed then to the Senate to correct the fraud. The Senate refused. I appeal to the Senate to-day to correct this fraud. On next Tuesday we shall see how many Senators vote deliberately to sustain this fraud, knowing that it is a fraud.

I have so far called attention to three acts of Congress, namely, the credit-strengthening act, so called, of 1869, the refunding act of 1870, and the demonetization acts of 1873 and 1874. The clear purpose of these acts was—

First, to double the value of the bonds by making them payable in coin instead of lawful money.

Second, to perpetuate the bonds and make them everlasting by the postponement and prevention of payment.

Third, to strike down silver and to force the payment of these bonds in gold, and to enhance the price of gold, in which they were to be paid. That was the mainspring and the moving force behind all of this dark legislation.

All of this was getting ready for the act of 1875, another part of this scheme of these bad men who would not help Mr. Lincoln to save the Union—the men who played traitors in the hour of need, the men who committed a crime a thousand times worse than the poor soldier who deserted and went home to get bread for his starving family and was shot for doing it. These same bad men were preparing for the grand act of 1875, to be followed by specie redemption a little later, in 1879. These bondholders, who had on the face of their contracts the pledge to pay in coin, determined that before the time came for specie resumption there should be no specie that was legal tender but gold. They deliberately determined to double every debt in the country. They appealed to every little usurer in the country and every bank and every little man who loans money to come to their side and share the profits in a small way by doubling the debts the people owed and had to pay to the bondholder.

Yes; the next step in that crime was in 1875, preparatory to the resumption of specie payment in 1879. But before the day for resumption came there was another important event in the financial tragedy, and again these same bad men played their accustomed part. What was it? When the people of this country found out, in 1876, that silver had been demonetized, when they realized the extent of the crime of 1873–74, there was almost as much an arousal of public sentiment from ocean to ocean on the silver question as there is now. The people pledged their candidates for Congress in 1877 to come here in 1878 and wipe out the crime of 1873 and 1874. They pledged their Senators to do it. They made the mistake of not pledging the President to do it, too. They elected their Congress, pledged to remonetize silver. The House was overwhelmingly for silver. They passed a free-coinage act wiping out the crime of demonetization before the resumption act took effect. The people were anxious before resumption began to restore silver as money, so they could pay in the money they promised to pay. They made haste to elect a Congress pledged to do this in 1878.

The House passed the bill. It came to the Senate, and here, as is always the case—either in this body or the other—these bad men, these bankers who are trying to capture the next national convention, who would not help Lincoln to save the Union, came here and captured one branch of Congress. They always center their efforts on one House. They never waste their time on two. They try one House. They always try to shield their President from having to veto a good measure; but when they fail on both Houses then they fall back on the President. This time they did not bother the House. They did not decide to capture the House as Mr. Cleveland did in 1893. They let the House go; let the House free, and it acted free; acted according to its pleasures and according to the wishes of the people, and passed the free-coinage bill in 1878 and sent it to this body.

These bad men centered their evil influences around the lobbies of this end of the building. They delayed. They put off. They held up the Senate, as it were, until they got the body fixed. This body at that time would not dare to kill the bill outright. But what happened?

Mr. GALLINGER. Does the Senator know of any one individual Senator who was corrupted at that time, or at any other time?

Mr. BUTLER. If I knew, instead of talking here I would use my efforts to put him in the penitentiary.

Mr. GALLINGER. The Senator does not know. He is simply talking about something that he does not know about.

Mr. BUTLER. I am talking what the people of this country have a right to believe, and what is a moral certainty, and what the Senator will never be able to dislodge from the minds of the people.

Mr. GALLINGER. If the Senator will permit me, there was a distinguished murder trial up in New Hampshire, and the party who was accused appealed to the court and said he thought it was very unjust that he should be convicted on the testimony of one man, when he could bring thirty men to swear they did not see him do it. The Senator has not even brought one witness to prove that any corruption has ever occurred in the Senate of the United States, or in the other House of Congress, in regard to the matters about which he is talking.

Mr. BUTLER. Let the Senator call it what he pleases. He would like to use a more euphonious term, and instead of calling it "corruption" would call it "influence," I suppose. Influence, influence! The Senator will not dare to deny that somebody tries to influence this body against every important measure that comes up that concerns the people of the United States.

Mr. GALLINGER. If the Senator will permit me, I do not know how that may be with the Senator himself, but I think I can speak for one Senator, and I will say he is not importuned by anyone as to important matters that are before the Senate for its consideration. Of course, if the Senator has had experience he knows about it. I do not.

Mr. BUTLER. Then it may be that the Senator is always on the side of these very fellows when he comes here who would do the influencing. It may be that he came here that way, and therefore he does not need to be influenced. I need to be influenced in their eyes very much, and they have to some extent tried it on me, but not successfully.

Mr. GALLINGER. I am glad the Senator is virtuous.

Mr. BUTLER. They did not succeed with me before I got here, either, and they have not since.

Mr. GALLINGER. If the Senator will permit me, I should like to ask him two or three questions in good faith and in calmness concerning the crime of 1873. I ask the Senator if he knows for how long a time that bill was before the Congress of the United States for consideration?

Mr. BUTLER. I have some slight knowledge about that point. Has the Senator finished his question?

Mr. GALLINGER. For the present; yes.

Mr. BUTLER. I was careful to get the information and have it in my desk, because I was certain I would find somebody just like the Senator from New Hampshire who would be ignorant on this question. He has heard somebody say—I am sure he would not be on the side of the question that he is if he were correctly informed—that the measure was fairly and fully discussed, that the measure was debated in this body a long time, that it was up time after time and printed and reprinted and the greatest amount of time taken on it, and therefore he sat back and thought to himself, "Well, how silly these men are to call it a crime and say it was slipped through!" and thus he has satisfied his conscience until he is perfectly happy that he is right.

Now, I am making this speech for his benefit. I have brought here the information to get him perfectly straight, and I shall try to do it in perfect good humor and coolness. I have it here, and it will surprise him and open his eyes, because it is going to convert the Senator, and next Tuesday when the vote comes he is going to be right on this question. When he finds that he has been imposed upon so basely, he is going to be very indignant with the people who have treated him that way. I hope he will not treat them roughly, but that he will try to convert them, too, unless they are beyond converting, beyond the hope of salvation.

I have brought along, as I said, the information for his benefit. I knew there would be some good men opposed to the measure who would do right if they knew the facts. I call attention to the act of 1873, and the conditions under which it was passed. I will elaborate on the conditions. The conditions under which it was passed deserve special attention, and that attention I will give right now.

The first step in this direction was the passage of the act of February 12, 1873, erroneously known as the act which demonetized silver. This act has been called the crime of 1873, which it undoubtedly was; but it has been so thoroughly discussed in this Chamber that I will not make any extended remarks upon it. I wish to say, however, that in my humble opinion that while this act may be truly called a crime on the one hand, yet it is an example of inexcusable negligence on the other.

Here are two classes of men I want to deal with—those who were standing up for silver and did not do their duty to silver. How all of these death-dealing provisions against the money of the Constitution and against the contract which the Government had made, how this "heinous crime," in the language of Lincoln, could be incorporated into this bill and escape the knowledge of the friends of the people, is beyond my comprehension. It shows beyond question the necessity of the People's Party on the floor of both Houses of Congress to watch the interests of the people with eternal vigilance. This act of 1873 dropped the standard full legal-tender silver dollar from the list of coins and substituted therefor a trade dollar of greater weight, and therefore of greater intrinsic value, and yet made it only a limited legal tender. This was a cunningly devised blow against silver. The alleged reason for coining this trade dollar of 420 grains was to supply the demand of trade with China and Japan. The real reason for its coinage, in my opinion, was to prevent the people from inquiry into why the standard silver dollar (which was a full legal tender) was dropped. It was to make the people think they had a better silver dollar on account of its weight being increased.

Of all of the acts of Congress, this is probably the most confusing. It suspends the coinage of the standard silver dollar of 412½

grains, but at the same time provides for a trade dollar of greater weight, and makes it a partial legal tender, and also continues the coinage of silver halves, quarters, and dimes at the rate of debasement provided by the act of 1853, and also made them a limited legal tender. Here is presented a condition without a parallel in monetary legislation. We have a standard silver dollar of 412½ grains, though no longer coined; a trade dollar of 420 grains, and minor coins containing but 384 grains to the dollar to be coined, all being of the same standard of fineness and each of the minor coins a legal tender to the same amount as the trade dollar, which contained 36 more grains of silver. I doubt whether there could be found in the coinage laws of any other nation on earth such a glaring inconsistency. If such legislation would not sooner or later bring silver coins into disrepute, such as to enable the gold men to raise a howl against it, it would be very strange indeed.

It has been questioned by some whether or not this act had the effect to demonetize the standard silver dollar, or whether it simply stopped the coinage of said dollar. But that question is not material in this discussion, because if the manipulators of the crime of 1873 bungled in their direful measure, they certainly completely succeeded in the act approved June 24, 1874, which was the report of a joint committee to revise and codify the laws of the United States. By turning to section 3586 of the Revised Statutes, as revised by this commission, we find the following under the head of legal tender:

> The silver coins of the United States shall be a legal tender at their nominal value for any amount not exceeding $5 in any one payment.

This certainly covered all of the silver coins of the United States and destroyed the full legal-tender quality of all. But probably the most fatal section of the act of February 12, 1873, was section 14, which reads as follows:

> That the gold coin of the United States shall be a one-dollar piece, which at the standard value of 25.8 grains shall be the unit of value.

Will the Senator from New Hampshire say that that was ever discussed on the floor either of the House of Representatives or of the Senate? The most important legislative act that any country can pass is one which changes the standard or unit of value in a country, and which at the same time contracts is legal-tender money. Up to that hour the legal-tender dollar of 412½ grains had been the unit of value in this country, and at one stroke of the pen it was wiped from the statute books and the gold coin made the unit of value.

Mr. GALLINGER. The Senator from North Carolina asks me a question. I wish he would answer my question before he asks one.

Mr. BUTLER. I am now answering your question, and I will answer it fully before I get through. It is necessary to get a few facts straight before we come to examine the pages of the CONGRESSIONAL RECORD on February 12, 1873, and at certain later periods in 1874 and 1876. Will you now answer the question I have just asked?

Mr. GALLINGER. I will answer the question of the Senator, and I will try to do it directly. I may be wrong about the historical facts connected with the crime of 1873, but my recollection is that the bill was drafted by the Hon. George S. Boutwell, I think in the year 1870, originally, and sent to the Congress of the United States.

Mr. BUTLER. Yes; they went to work on it just as soon as they got through that act in 1870 which made it certain that the bonds should be paid in coin.

Mr. GALLINGER. I am giving the historical facts as I understand them.

Mr. BUTLER. I want to correct the statement of historical facts.

Mr. GALLINGER. If I remember correctly, John J. Knox, Deputy Comptroller of the Currency at the time, gave an opinion on the question, and it was before the Congress of the United States, and I know that Dr. Linderman, who was a very distinguished financial authority in those days—of course he would not amount to anything in North Carolina, but he was a very distinguished financial authority——

Mr. BUTLER. If he would say that coin obligations can be paid in gold, and ought to be paid in gold, he would not amount to anything in North Carolina.

Mr. GALLINGER. He sent a communication to the Congress of the United States, from which I will quote a few words. Dr. Linderman gave it as his opinion that it would be wise "to discontinue the issue of the silver dollar altogether." That is what he said to Congress.

Mr. BUTLER. From what does the Senator read?

Mr. GALLINGER. From a communication of Dr. Linderman, of whom the Senator has heard.

Mr. BUTLER. To whom?

Mr. GALLINGER. To the Congress of the United States.

Mr. BUTLER. Is it in the RECORD?

Mr. GALLINGER. I think the Senator will find it there. He said:

> The gold dollar is really the legal unit and measure of value. Having a higher value as bullion than its nominal value, the silver dollar long ago ceased to be a coin of circulation, and being of no practical use whatever it should be discontinued.

Mr. BUTLER. Under what date is that?

Mr. GALLINGER. I think that was written about 1871 or 1872. I am not absolutely sure about the date; but it was while this matter was under consideration by the Congress of the United States.

Mr. BUTLER. I should like for the Senator to inform me where in the RECORD that can be found.

Mr. GALLINGER. I will refer the Senator to the RECORD. He can find it for himself. It is a report. It has been cited here over and over again before the Senator or I came to Congress, and it has been cited during the time I was here when the Senator was not a member of this body.

Mr. BUTLER. The Senator will, I trust, tell me where it can be found in the RECORD.

Mr. GALLINGER. I make the statement, and the Senator can hunt it up and disprove it if he can.

Mr. BUTLER. I hope the Senator will point to the place in the RECORD where that communication can be found.

Mr. GALLINGER. The Senator is a very industrious man, and he will find it if it is there. If it is not there, he will make that discovery.

Mr. BUTLER. The Senator says that it is in an official communication to Congress?

Mr. GALLINGER. Yes, sir; I make that assertion.

Mr. BUTLER. Under what condition was it sent to Congress?

Mr. GALLINGER. I can not say just what was being considered by the Congress of the United States at the time.

Mr. BUTLER. Was he an expert called upon by Congress to send his opinion?

Mr. GALLINGER. I do not know.

Mr. ALDRICH. He was Director of the Mint at the time.

Mr. GALLINGER. Certainly.

Mr. BUTLER. Then it is in his report as Director of the Mint and not in the RECORD?

Mr. GALLINGER. I think the Senator will find it there.

Mr. BUTLER. In what report, will the Senator from Rhode Island state?

Mr. ALDRICH. In 1870 or 1871.

Mr. BUTLER. The Senator will help me to find it?

Mr. GALLINGER. We will help the Senator to find it. I have answered the Senator's question. It was perfectly understood that the silver dollar was to be legislated out of existence. It was stated by Dr. Lindermann, as I read from his communication, and I think it was discussed by financiers generally. Now, I wish to ask the Senator a practical question.

Mr. BUTLER. Just a minute before you go any further. You say it was perfectly well understood that the silver dollar was to be legislated out of existence and the gold dollar made the unit of value?

Mr. GALLINGER. I think so.

Mr. BUTLER. Will you name a single Senator who was on the floor at that time who will say he knew it and understood it, or for whom you can say he knew it and understood it?

Mr. GALLINGER. I have not consulted the Senators who were here at that time.

Mr. BUTLER. The Senator from Ohio [Mr. SHERMAN] is in the city, he is in this Capitol, and I will wait for you to send for him and ask him if he will say that he understood it at that time.

Mr. GALLINGER. It is unaccountable that a bill of that kind should be discussed, with Dr. Lindermann's words before Congress and the opinion of Mr. Knox, the Deputy Comptroller of the Treasury, before Congress, without somebody understanding it. It does not speak well for the body of which the Senator is a member to be arguing that sixty or seventy men did not know what was going on or what they were voting on when the matter had been discussed for two or three years.

Mr. BUTLER. Will the Senator say that those opinions and expressions were used by any Senator on this floor in support of the bill when it was under consideration?

Mr. GALLINGER. I was not here and I can not say.

Mr. BUTLER. I say they were not, and there is not a line or a sentence in the CONGRESSIONAL RECORD which shows the real purpose of the act of 1873. Not a single Senator said on the floor of this Senate at the time that he was in favor of such a scheme and such robbery, and everyone who voted for it repudiated it afterwards and said he did not know that the act carried such a provision.

Mr. GALLINGER. The Senator will permit me another very brief question. The Senator speaks of corrupt influences being around Congress. I suppose he knows the assertion has been made on the floor of the Senate over and over again that the Bank

of England contributed £500,000 to send a trusted agent over here to corrupt Congress and pass the law.

Mr. BUTLER. I can not say where it came from. I should not be surprised if some of it did not come from there, because the large profits wrung from our people by the passage of that act have been going over there since. But wherever it came from or what kind of influence it was, it is my belief, and it is the belief, I am sure, of a majority of the American citizens, that there was undue influence used on a few to smuggle it through Congress. Of course the majority voted without knowing, but there must have been an undue influence used on a few to put that bill through with such radical and monstrous provisions in it without the knowledge or wishes of the American people. Those who voted for it brand it as a fraud.

Mr. GALLINGER. Does the Senator know what a silver dollar was worth when that act was passed?

Mr. BUTLER. I will have the Senator state.

Mr. GALLINGER. I will state that it was $1.02¼. Yet England, the great creditor nation of the world, came here and corrupted Congress to destroy money that was worth $1.02¼, so that she might be paid in money worth a dollar.

Mr. BUTLER. So she might be paid in money worth $2. So that she might get two pounds of cotton from the Southern cotton fields for every one we owed her.

Mr. GALLINGER. That is another thing.

Mr. BUTLER. So she might get two bushels of wheat for every one we owed her. Yes, this is another thing, but it is the thing that is true. There was not then, nor is there now, half gold enough in the world for money. England knew that the United States and the whole world was in debt to her and if she could reduce one-half of the money of the world then by the same stroke of the pen she would double the debts the people would pay to her. The Senator knows it. The Senator in his heart to-day is not for the single gold standard. He knows it is wrong. He knows it is an infamous wrong. The Senator—and I hope I do him no injustice—if he were a free man——

Mr. GALLINGER. Now, Mr. President——

Mr. BUTLER. And if his constituents did not happen to think like they do, or to be controlled in some way by certain agencies, I believe the Senator would vote now for free silver, for this anti-bond bill. There are a number of good men on this floor who vote wrong on this question. The question confronting them is this. It is when they are converted and convinced here, if they were not before they came, of what is right, whether they shall vote with the controlling influences among their constituencies, or whether they will vote for what they think here would be the best. I do not intend to impugn their motives in doing it, because it is a question with them whether it is their duty to vote their own sentiments or to vote the sentiments of their constituents, and you know a man has constituents and constituents.

Mr. GALLINGER. Mr. President, just a word in this connection. I am not going to get into any angry altercation with the Senator. He is amiable to-day, and I am always amiable. But I do want to protest against the methods of the Senator. This has not been his first offense in that direction, when standing on the floor of the Senate he makes assertions concerning what other Senators believe. I want to say for myself that I do not believe what the Senator attributes to me. I have convictions on this matter as he has convictions. I am not going to impugn his motives nor to call in question his convictions, but I do protest against the Senator putting in my mouth words that I have not uttered and attributing to me convictions that I do not have. That is all.

Mr. BUTLER. Then the Senator is not in favor of the single gold standard?

Mr. GALLINGER. I did not say so. I will in my own time, at my convenience, if I find it proper, state to the Senate what my views are on this question. I do not propose to have the Senator from North Carolina state them for me.

Mr. BUTLER. Of course what I said was in the utmost good humor; but at the same time I want to say to the Senate and to the country that I believe the time has come when it is the duty of every man here who believes that this gold conspiracy must be struck down before ever prosperity can come back to the people to raise his voice in no uncertain way. I believe the time has come for men who so believe to speak out boldly and use words that mean something, to express his honest conviction, to denounce what he considers wrong, and to call the attention of the country to it in fitting language and in no euphemistic terms.

I have spoken plainly on the floor of the Senate about this question because I feel earnestly about it. I feel that the salvation of the Republic as well as the prosperity of the people depends upon stopping this infamous crime that is now being carried out each day by the Secretary of the Treasury under such infamous legislation as has been plastered upon our statute books since the war. I believe it is necessary to arouse the conscience of the American people to the enormity of the wrong and to the still greater danger in store if this thing is not stopped. I believe that it is necessary to do it to solve this question peaceably, and if I know my conscience between me and my God, my greatest desire and the greatest sacrifice that I would make would be to see this question solved at the ballot box and at the earliest day possible. That is the way I pray for it to be solved. But it must be solved soon if ever solved at the ballot box. Therefore if I hurt anyone's feelings I am sorry for it. I do not mean it as a personal offense, but I will speak plainly, and I will call things by their right names.

Mr. GEAR. Mr. President——

Mr. CHANDLER. I should like to have the attention of the Senator from North Carolina. He found fault, I understood, because an agreement had been made to vote upon the bill on Tuesday afternoon next.

Mr. BUTLER. No, I did not.

Mr. CHANDLER. If the Senator did, then I will ask unanimous consent to rescind the agreement to take a vote on Tuesday afternoon.

Mr. BUTLER. I object, Mr. President.

Mr. CHANDLER. Then the Senator does not think the gold-bugs got a time fixed in order to avoid the discussion of this subject?

Mr. BUTLER. I do not know that, but I think they are realizing that they were not getting the better of the discussion.

Mr. CHANDLER. They have had no chance. The authors of the measure have had the whole time, and if it is all to be taken up by the friends of the measure between now and 5 o'clock Tuesday afternoon, or whenever we get through with the business of the Senate, it seems to me the unanimous-consent agreement ought to be rescinded.

Mr. BUTLER. I distinctly gave notice that I would not even permit one hour to be used to-day upon the conference report if there was anybody who wanted to speak upon the pending bill. I gave notice that if anybody wanted to speak this evening, either for the bill or against it, I would give way, but no other Senator was ready to speak.

Mr. CHANDLER. I am unwilling that the assignment shall stand for a vote upon the bill if the Senator insinuates that it was made unfairly or is unwilling to have it stand.

Mr. BUTLER. I do not say it was made unfairly, because the Senate agreed to it and nobody objected. It was an agreement that if I had been here I would not have agreed to myself; but I do not desire to have it changed unless the Senator is anxious for a vote at an earlier day. I will stop talking now if a vote can be had this evening.

Mr. CHANDLER. That is quite a consideration, perhaps.

Mr. BUTLER. I thought I would offer the greatest one possible. Of course to a representative of the gold men it would be a consideration.

Mr. CHANDLER. I do not think it would be in order for the Senate to vote upon the bill before the time fixed next Tuesday.

Mr. GEAR. I wish to ask the Senator a question. The Senator said that this question might be settled at the ballot box. Is there any other method which the gentleman proposes except by the ballot box? I should like to have the Senator inform the Senate if there is.

Mr. BUTLER. I propose no other method.

Mr. GEAR. I understood him to propose other methods, at least by implication; that if it were not settled at the ballot box it might be settled in another way. The Senator occasionally has such a way of talking, and I would like to know by what other method he proposes to settle this question other than at the ballot box.

Mr. BUTLER. I do not know whether it would add to the gentleman's comfort and ease to tell him, but I might remind him how questions similar to this one are settled in a much less civilized country than this—China, for instance. Of course we are getting very civilized, but in countries less civilized they have to settle these questions in another way. Whenever the class of fellows like those who sent out the bank resolutions which I read buy up and corrupt political parties and use their influence on the legislative halls and steal from the people indirectly or directly by having their banks break and not paying their depositors, they take such a man out and hang him or they take him to a block, if he prefers and is fastidious about it, and chop off his head. But I propose and favor no method but the ballot box for correcting these financial evils. We consider China much less civilized and progressive than the United States, yet the Chinese Government, when recently it borrowed $75,000,000 and issued its bonds for the same, managed to get it from the money trust by paying a commission of 5¼ per cent. This was a large bonus, but how does it compare with the financial operations of this great, strong, and highly civilized Government of ours?

Last year, in February, our President, without consulting Congress, made a contract with a private syndicate by which a loan of $62,000,000 was floated. The private syndicate paid 104½ for the bonds and sold them at about 119. That is, the rich, stable,

highly civilized, and honest American nation, that never defaulted and never threatened to default on a dollar of principal or interest, had to pay a commission of 14½ per cent.

On the last loan of $100,000,000 the President paid to these money sharks a commission or bonus of over 10 per cent. Thus we see that China is either smarter than we are or else her credit is better than ours. And it is in China that whenever a bank fails they chop off the head of the bank president. The consequence is they never have bank failures in China, while here we have them by the thousand.

Mr. GEAR. The gentleman would prefer that method of punishment probably.

Mr. BUTLER. I say the time might come when an outraged people might swing some man to a limb. I hope that time will not come, because I prefer not to correct evils and crimes of any kind by that method if avoidable. I have, however, seen criminals hung to a limb that were less criminal and less dangerous to the peace of this country than the men who are to-day fastening this infamous system upon the country.

Mr. GEAR. That is the way they act down in your country. It is not the way they administer justice in my part of the country.

Mr. BUTLER. No; because it seems in your State that the people are not opposed to or as yet have not realized the extent and enormity of the evils of the gold standard.

Mr. GEAR. I should have been sorry to be sent from North Carolina if my people were of the same opinion as those who sent the gentleman here. I represent as good a constituency in my State of Iowa as lives on the earth; they are a man-loving, God-fearing, and law-abiding people. They commit no crimes such as the gentleman adverts to.

Mr. BUTLER. If inadvertently I reflected upon the gentleman's constituency I beg——

Mr. GEAR. That is all right.

Mr. BUTLER. I did not so intend. I want that distinctly understood.

Of course, if I did not speak pleasantly in my tones, I want to say that I do not feel any personal animus in regard to the matter. But of course some States send men here holding one view and other States send men here holding a directly opposite view. Of course, States like North Carolina, that have a large agricultural population, that have the great bulk of their people engaged in farming and wealth producing, a people like that where there are only a few who are gathered into towns, would send a different representative here from a State where the population is congested in and around great cities. The Senator's State is also agricultural, I think, but my State more so than any other State in the Union. There are fewer people in towns compared to the percentage of population in North Carolina than in any other State of the Union.

Mr. GEAR. May I make a statement? In the State I represent in part on this floor there are more people engaged in agriculture than there are in the State the gentleman represents. These questions have been submitted to them time and time again, and the good people of that State have rendered their verdict, and that is the reason why they have sent me here, because I am in full harmony and sympathy with the views which they express at the ballot box.

Mr. BUTLER. The people of your State may have grown rich, but mine continue to grow poorer while they work harder. They create more, they make two blades of grass grow where one grew before, they carry out the divine injunction to earn bread by the sweat of the face; but the more they make, the harder they work, the poorer they get under the policy you advocate.

Mr. GEAR. I beg to say that in the State I represent, although the people may have less money, they are in a more prosperous condition; their farms have been advancing more in value in the last ten years than they did before in twenty. It is true the price of property is low, and yet with all that our people, while they earn their bread with the sweat of the face, live in comfort and peace, and piety, I might say.

Mr. BUTLER. Then there is no dissatisfaction among your people about their present financial system?

Mr. GEAR. There are a majority of the Democrats in my State, who take the same position on financial questions that the gentleman takes, who believe in debasing and destroying the credit of the Government as the gentleman proposes to do by the pending bill.

Mr. BUTLER. Destroying the credit!

Mr. GEAR. Destroying the credit, as it would be destroyed by the passage of such a law.

Mr. BUTLER. Destroying the credit!

Mr. GEAR. And not only expel the gold from this country, but you would bring us to a gold basis, and thereby bring to the same basis every dollar of paper that the Government issues.

Mr. BUTLER. How much gold is there in the State of Iowa? They must have it all.

Mr. GEAR. It is not much, but they have enough for the banks to pay their debts with, and plenty for individuals to pay their debts where the contract is that they shall pay in gold.

Mr. BUTLER. The Senator may speak over his State and ask every man in the audience when he spoke who had a gold dollar in his pocket to raise his hand, and if the Senator got all the votes of those who had gold dollars he would not get enough votes to elect him constable of one township if he had all the votes in the State.

Mr. GEAR. The people of my State keep bank accounts. They do not carry money around in their pockets. They simply draw checks and pay their debts in that way.

Mr. BUTLER. That will be news, I suspect, to the farmers of Iowa.

Mr. GEAR. Not much.

Mr. BUTLER. It will be news to the farmers of Iowa that they are all strutting around with bank accounts. There must be close communication between them and Wall street, and there must be a "divvy" between them. That is the only way I can understand it. I hope it is so; but if it is so, then I appeal to what patriotism there is in your hearts, and I believe there is a great deal, to turn your eyes to view and consider the condition of the remainder of the country, and not to do like the President, who can not see anything out of Wall street and Buffalo. I appeal to you to turn your eyes over this country and see what misery and distress there is from ocean to ocean—the business of every wealth producer going down who is trying to live honestly. Their farms are going down, their land is falling, the price of their products is falling in value, and they can not pay their honest debts. I appeal to what patriotism there is in you to help change this policy which is helping nobody but Iowa and Wall street and bringing the curse of hard times on all the rest of the country.

I am glad that Wall street and Iowa are prosperous. I am glad that they are not suffering from hard times as are the people in the rest of the country. But, Mr. President, I do protest against their kind of patriotism when they are satisfied to see everybody suffer and go to the poorhouse but their own chosen few, the four hundred of Wall street and Iowa.

And, Mr. President, before proceeding, there is something else that I wish to protest against. It is the habit of certain gold Senators on this floor to try to misrepresent every Senator who, when discussing earnestly the financial question, expresses a hope that this irrepressible conflict may be settled peaceably and at the ballot box. I say it is the custom of certain Senators to try to misrepresent such statements and to make it appear that the expressing of such a wish implies lawlessness and a desire for bloodshed. I protest against such unwarranted and unfair methods. It is resorted to by those who can not answer our arguments. I expressed, a few moments ago, the wish that these financial evils might be corrected, and the contest between labor and capital might be settled peaceably and at the ballot box. I submit that that is a patriotic sentiment, and one that every good citizen joins me in.

In fact, if we did not have so much sad history to the contrary in the fall of empires and republics; if the pages of history were not strewn with the failures of republics and governments that started out in a manner which allowed the people to prosper and then have decayed, fallen from evils and unjust conditions like these which now curse our body politic; if we did not have——

Mr. HAWLEY. Will the Senator yield to me for a moment?

Mr. BUTLER. I will not yield just now. If we did not have those warning examples, our best and most patriotic men would not feel so solicitous about seeing this country continue on the downward road it is going, nor would they have occasion to express such sentiments. It is a patriotic sentiment, and I hope the Senator from Iowa feels that way. It would be unworthy of him not to hope, whatever his views of this question are, that this irrepressible conflict should be settled at the ballot box.

But what I do want to protest against is this: I do it in no bad feeling, but I protest against the method of Senators who favor the gold standard taking advantage of those opportunities and statements like that to rise on the floor to try to twit the Senator who makes the statement or to try to goad him with questions of their own framing into saying something that can be perverted.

The Senator from Iowa knows that the statement I made is one that is worthy of any patriotic citizen, and it is one that he can make himself, I hope, and one that will be worthy of him and do credit to him to make.

Mr. GEAR. May I interrupt the Senator to say a word?

Mr. BUTLER. In the heat of discussion it is often the case—and I have seen Senators other than myself do so—that Senators answer those questions and do so in such a way that their answers can be misinterpreted.

Mr. GEAR. Will the Senator permit me to say a word? It was not what the Senator said or his words or terms, but what he said by implication. I want to say right now that I do not believe the Senator wished to be understood as even by implication saying anything harsh. If I have said anything unjust with regard

to the people of North Carolina, whom the Senator represents, I want to say that I have no desire and no wish to say anything reflecting on the people of his State.

Mr. BUTLER. I thank the Senator from Iowa for his very candid statement, because I felt it was my duty to make a statement. What he has said makes it almost unnecessary for me to put in the RECORD what I am about to say. No more law-abiding people live in the United States than the people of North Carolina. I challenge any State of the Union to show a people more conservative, more law abiding; a people who suffer longer and endure even when they feel they are suffering from wrongs, than the people of good old North Carolina. They are slow to move. They do not go off suddenly at a tangent. They are not volatile in their temperaments. They are of the old original Anglo-Saxon stock, and there is a smaller foreign element to-day in North Carolina than in any other state in the American Union.

Mr. PEFFER. Oh, the Senator is mistaken.

Mr. BUTLER. I repeat it.

Mr. PEFFER. The Senator is wrong.

Mr. BUTLER. Name your State.

Mr. PEFFER. Kansas.

Mr. BUTLER. Kansas?

Mr. PEFFER. Yes.

Mr. BUTLER. I appeal to the census. The last census of this Government shows that there were more men living in North Carolina who were born there, whose fathers were born there, and whose great-grandfathers were born there, whose ancestors lived on the soil and fought in the Revolutionary war as citizens of North Carolina—there are more of those people; that is, a larger percentage, in my State than in any other State in the Union. It is the pure, original American stock. I do not say it as reflecting on any other State in this Union, but I state as a fact that our people are, as the criminal records will show, as law abiding as any people in the American Union, and one thing is sure, that I correctly represent them and their sentiments on this financial question. If I have said anything here that can be twisted into a different construction or leaving a different impression as to the kind of people who compose the citizenship of my State, then I was simply unfortunate in not expressing myself clearly.

Mr. GALLINGER. The Senator is good-natured to-day. He has had put in the RECORD two or three times a resolution of the bankers of New York City in favor of the gold standard. Will the Senator yield to me just a moment to have a resolution go into the RECORD which was adopted by the New York Association of Savings Banks, representing 1,700,000 depositors, with aggregate deposits of $700,000,000? The most of that money is deposited by poor men and women and children. I should like to have the resolution read from the desk. It is very brief.

Mr. BUTLER. All right.

The Secretary read as follows:

Resolved, That this association, representing the interests of 1,700,000 depositors, with deposits aggregating over $700,000,000, solemnly protests against any and all efforts to change the gold standard now existing for the currency of the country, and affirms its conviction that any departure from this standard will not only impair the prosperity of the laboring classes, but that the only classes or individuals to be benefited would be the capitalist and foreign investor, who would be quick to take advantage of the rise and ultimate fall in prices sure to follow a premium on gold.

Mr. BUTLER. I did not hear that resolution, but I heard just enough. I think the savings banks folks were protesting. Were they?

Mr. GALLINGER. Yes, sir; the representatives of 1,700,000 depositors, poor people in this country who have a little money in the savings banks.

Mr. BUTLER. And they were protesting against any change from the gold standard?

Mr. GALLINGER. Yes, sir.

Mr. BUTLER. Mr. President, of all the kinds of cunning men who use cunning devices that are first cousin to his satanic majesty; of all the men who play upon the laborer and the supposed interest of the laborer, in order that they may deceive the laborer and help to rob him, is the class of bankers that I have referred to here, who are the very conspirators who are behind that movement to hoodwink the poor depositors of savings banks and get them to ask for laws that will each year diminish their earnings. These bankers are the same fellows who are trying to capture your convention and will do it; trying to put a gold bug, the agent of Shylock, in the White House, and they will do it unless the people get together, as I hope they will, on financial reform. They are the very men who are behind that movement. A part of their campaign fund which they raised has been used to get that resolution passed.

Yes; they go to the laborer and tell him that now you have got a chance to get a drop on somebody else. You have got so many dollars put in the savings banks. Now, they go and appeal to that man's selfish instincts and ignorance—I say ignorance in no offensive sense, but because the laborer, who has to work ten hours a day on scant food and lie down to sleep on a hard bed and not get sleep enough to refresh himself the next morning, has not time to inform himself on such a question—they appeal to that man's ignorance and cupidity—for we all have some of it in us—and say to him, "You have $10 in the savings bank. If you vote for the gold standard your $10 will be $20." That is the kind of infamous argument that is poked at these men who are being ground down daily by this system, the men who can not get work to-day. Out of the millions of men in this country who want to work, there is not 25 per cent of them who can get work. That is what is the matter. And these gold men go to a few who happen to have several dollars and appeal to them to vote to double their dollars at the expense of their brother laborers who are out of employment.

They appeal to them to keep the other laborers from getting employment. They appeal to those laborers to keep producers from getting a fair price for the products of the field. They appeal to those laborers to have themselves taxed in order that we may pay Great Britain double what we owe her. The Senator knows himself the kind of spirit, the kind of greed that is behind the movement that got them to pass that resolution; and I am astonished that he stands up here and helps them to continue the deception, to continue the fraud by giving credence to it and publishing it.

Mr. GALLINGER. The Senator has offended again in saying that I know a thing that I do not know. I wish that he would confine himself to statement of fact concerning himself and not me.

Mr. BUTLER. The Senator is so intelligent looking that I am bound to suppose he does know some of these things, but if he does not I beg pardon for transgressing the limit of his intelligence.

Mr. GALLINGER. That is right. Of course, you can not measure me by yourself in that direction.

Mr. BUTLER. No; that would be unfair. The Senator from Iowa [Mr. GEAR] has gone from his seat. I was interrupted. I was not quite through with him. I am very much interested, extremely interested, now, in Iowa.

Mr. GEAR entered the Chamber.

Mr. BUTLER. Here he is. I have just referred to the Senator from Iowa. I am glad to see that he has returned. Here is a letter, under date of March 10, 1890, written by the distinguished Senator from Iowa. These honest convictions to which he referred—we all have them, but they get wobbly sometimes and they wobble and wobble, and then they turn a somersault, and sometimes they are not as pretty when they turn a somersault as before they did.

Mr. President, I guess it is not out of order, inasmuch as we are anxious to get the truth about this question and to do what is the greatest good to the greatest number, to ask that the letter be read.

The Secretary read as follows:

HOUSE OF REPRESENTATIVES,
Washington, D. C., March 10, 1890.

MY DEAR JUDGE: I have yours of March 6, and note what you say on the silver question. There is no question in my judgment that you are absolutely correct in the position you take on this question. We dig silver as we dig potatoes, and it is as much a product of the soil as anything else which costs labor to produce, and I always have been of the opinion that it was the bounden duty of the Government to coin silver for anybody who may present bullion, still you know, as I do, that a large number of Eastern people are bitterly opposed to free coinage. The Administrations for the last twenty years, without exception, have used all their influence adverse to such a measure, but I think the day will come, and that at no distant time, when anybody who has bullion can take it to the Treasury and have it coined on his own account. I will send you to-morrow a copy of the Allison bill, which is looked upon with great favor, and if enacted into law and honestly carried out it would in my judgment advance the price of silver in less than sixty days; still it is not as good as free coinage itself.

With kind regards, I am, yours, truly, JNO. H. GEAR.

Hon. P. HENRY SMYTHE, *Burlington, Iowa.*

Mr. BUTLER. The Senator from Iowa at that time could have been elected a Senator from the State of North Carolina.

Mr. GEAR. I should have been very sorry if I had been. I ask, Mr. President, the date of the letter which has been read.

Mr. BUTLER. It is dated March 10, 1890.

Mr. GEAR. In 1878 or 1880—I have forgotten in which year it was—I had the honor of being chief magistrate of my State. At that time I took up and discussed in my inaugural message to the general assembly of my State the question of free silver. The demonetization act had been passed but a short time before. I stated then, if I recollect aright—I can not quote the exact words—that I was not in favor of that act. I can say now, perhaps with equal truth, that I am not in favor of it. I thought then as a great many men did, and I thought as a great many men think now who have not thoroughly investigated the question, that the way was open for free coinage, and I advocated that, I am frank to say, but when I became a member of the other House of Congress, and when it became my duty to examine and investigate this question with all due care, being called upon as I was to represent in part the interests of 2,000,000 people, I investigated it carefully and gave it much study, and I came to the conclusion, as very many must who investigate the question without prejudice and without bias, that free coinage as proposed then and as proposed now would be

a detriment to the American people, a damage to their currency, and a damage, above all others, to the farmers and laborers of this country. I can not see, Mr. President, how any fair-minded man who thoroughly investigates this subject can come to any other conclusion.

I do not take back anything contained in the letter which has been read. At the time it was written I believed just exactly as I there stated; but I have changed my mind, as I presume the Senator has changed his mind, and I presume there are many Senators and members of the House of Representatives who had not investigated this question until they were obliged to examine it, as they were to be called upon to vote upon it, and when they fully investigated it they came to the same conclusion I have, and as many others have, and perhaps some of them have come to the same conclusion which the Senator now maintains.

Mr. BUTLER. How long had the Senator been in the House of Representatives when he wrote that letter?

Mr. GEAR. One session.

Mr. BUTLER. The Senator had not been in the House of Representatives long. The Senator was not very well acquainted with national legislative matters at that time?

Mr. GEAR. That is true.

Mr. BUTLER. And, therefore, he was lead off into the support of free-silver coinage?

Mr. GEAR. I had been about the same length of time in the House of Representatives as the Senator has been in the Senate, and was probably as well posted then as the Senator is now. [Laughter].

Mr. BUTLER. Possibly, but inasmuch as that is about the only kind of reply that a man can give for becoming a gold bug, I want to give the Senator the full benefit of that. The Senator from Massachusetts [Mr. LODGE] seems to enjoy it so much, and he has had so little comfort for him and the goldites in this debate that I will wait a minute if that remark adds to his pleasure, because I am going to reply to it.

Mr. LODGE. I think the remark of the Senator from Iowa has been quite sufficient. I do not think it is necessary that I should say anything.

Mr. BUTLER. The Senator from Iowa admits frankly enough that he was mistaken; so does Hoke Smith, so does John G. Carlisle, and——

Mr. GEAR. I object to being placed in the same category with John G. Carlisle.

Mr. BUTLER. I beg pardon. I will not place the Senator in that category if it is disagreeable to him; but the cases are similar.

Mr. GEAR. I wish to have some choice with regard to the company I am in. The difference between John G. Carlisle and me is this: John G. Carlisle voted for free silver, as he stated, when he was in the other House, and I had the honor of being in the House with him, to embarrass the Republicans. That was his excuse for that vote. I do not want to be put in that category.

Mr. BUTLER. Then the Senator from Iowa comes to the defense of the Secretary of the Treasury.

Mr. GEAR. Not at all. I do not want to be put in that position.

Mr. BUTLER. To explain why he so voted, he gives an excuse that Mr. Carlisle, the Secretary of the Treasury, has never, I believe, given himself. I congratulate the Secretary of the Treasury upon having the addition of the help of the Senator from Iowa in getting him out of his apparent great difficulties in explaining his position. It is well to have somebody to stand sponsor for him and give a reason which I think Mr. Carlisle never has dared to give himself. The difference between the Secretary of the Treasury and the Senator from Iowa is that the Senator from Iowa was for square free coinage, while the Secretary of the Treasury hedged and quibbled on that little dividing line that, though in favor of coining silver into legal-tender dollars, he was not in favor of free mintage, and therefore the only injustice done is that it seems the Senator from Iowa has backslided farther from his original position and convictions than has the Secretary of the Treasury. The Senator gave better reasons in 1890 for his position then than he seems to be able to give now for his new and opposite position.

Mr. GEAR. I want to say in reply to that that it is only fools who do not occasionally change their minds. This is a great question, a question that ramifies amongst and affects all the people of this country. The gentleman who wrote that letter was one of my neighbors—I will not express an opinion about his sending a private letter to a Senator here; that is a matter for him to settle—and has been an intimate friend of mine for forty years. The only crime I can charge myself with in connection with him was that once when he was a candidate for supreme judge of my State on the Democratic ticket I was weak enough to vote for him. I apologize for that. I do not deny the letter; I affirm it, and say just what I said before, that any intelligent man who gives this question proper study must, in my judgment, come to the same conclusion at which I have arrived.

Mr. BUTLER. The gentleman to whom you wrote this letter has not been able to see the error of his way, as you have, and he is a near neighbor of yours——

Mr. GEAR. He is a Democratic Populist.

Mr. BUTLER. He is a man who refuses to go backward. He believes in standing by the principles of Thomas Jefferson, Andrew Jackson, and Abraham Lincoln; he is a man who is so good a Republican and so good a Democrat that he is a Populist. It has gotten now so that a man does not dare to talk patriotism or express patriotic sentiments unless he is willing to be classed as being a Populist. Some men claim to think that it is almost equivalent to ridicule to charge a man with being a Populist, but when this present goldbug reign is over we will be merciful to those who favor the gold standard, because they will need mercy. Patriotism then will be at par.

Mr. GALLINGER. Will the Senator yield to me a moment?

Mr. BUTLER. In one moment; I wish to say first that I had some hesitancy about using a private letter, but the gentleman to whom it was sent requested that it should be used, and I saw nothing in it that was private. It was about public affairs, and it was a letter which was not marked "private"; it was about no private business, but it was exclusively in relation to the great and important question which is now before this body, and I was sure that the Senator from Iowa was not ashamed of his sentiments then.

Mr. GEAR. I made no objection to the Senator reading the letter.

Mr. BUTLER. Therefore the Senator can have no objection to the letter having been read.

Mr. GEAR. Not at all.

Mr. GALLINGER. With the indulgence of the Senator, as he suggested a little while ago that he trusted I would assist him in finding certain facts that I stated regarding Mr. Knox and Dr. Lindermann, I have found one important fact in relation to the "crime of 1873," and I will promise the Senator to find one or two more before I get through. I want to read to the Senator, under date of April 25, 1870, a communication which he will find in this book, which I will be pleased to call to his attention.

Mr. BUTLER. What is it?

Mr. GALLINGER. A letter of the Secretary of the Treasury, Mr. Boutwell, to the chairman of the Committee on Finance, communicating to Congress the bill which has been referred to. Mr. John Jay Knox, who signs himself Deputy Comptroller of the Treasury, expresses these views. This was in the year 1870, nearly three years before "the crime of 1873" became an established fact:

> The coinage of the silver dollar piece, the history of which is here given, is discontinued in the proposed bill.

There was not any ambiguity about that.

Mr. BUTLER. What was that?

Mr. GALLINGER. That was "the crime of 1873."

> It is by law the dollar unit, and assuming the value of gold to be 15½ times that of silver, being about the mean ratio for the past six years, is worth in gold a premium of about 3 per cent (its value being $1.0312) and intrinsically more than 7 per cent premium in our other silver coins, its value thus being $1.0742. The present laws consequently authorize both a gold-dollar unit and a silver-dollar unit, differing from each other in intrinsic value. The present gold dollar piece is made the dollar unit in the proposed bill and the silver dollar piece is discontinued. If, however, such a coin is authorized it should be issued only as a commercial dollar, not as a standard unit of account, and of the exact value of the Mexican dollar, which is the favorite for circulation in China and Japan and other oriental countries.

That is the communication.

Mr. BUTLER. From what book is the Senator reading?

Mr. GALLINGER. I am reading from Miscellaneous Documents of the Senate of the United States in 1871.

Mr. BUTLER. Was it printed then as a document?

Mr. GALLINGER. It is a letter of the Secretary of the Treasury to the Congress of the United States.

Mr. GRAY. And written three years before 1873?

Mr. GALLINGER. Yes; three years before "the crime of 1873" was an accomplished fact.

Mr. GRAY. And it gave three years' notice?

Mr. GALLINGER. Yes; it gave three years' notice by the Comptroller of the Currency communicating the bill to the Congress of the United States, which was prepared by Mr. Boutwell in 1871.

Dr. Linderman, in his report as Director of the Mint—I do not find in this report the exact language I used, but I will find that later, for I will say to the Senator I looked that matter up very carefully at a time when I had to be exact—Dr. Linderman in 1871 said:

> In general, the country's currency must always be, as it has been, chiefly in paper redeemable in gold. A perfect domestic money system would seem to be bank or Government notes for large payments, gold coin for occasional use in large or small, silver coins for the fraction of a dollar down to the tenth part, and an inferior alloy for smaller denominations.

That was the opinion of the Director of the Mint when the so-called "crime of 1873" was pending before Congress.

Mr. BUTLER. Was that ever laid before Congress?

Mr. GALLINGER. I do not know.

Mr. BUTLER. That is important.

Mr. GALLINGER. They were official documents communicated to Congress, and if the Senator's friends, or those who sympathized with his views then, and presumably do now, overlooked this official communication and were ignorant of the fact that Dr. Linderman, the Director of the Mint, and Mr. Knox, the Deputy Comptroller of the Currency, had given notice to Congress three years before "the crime of 1873" was going to be committed by Congress, of course we can not at this late day be held responsible for the culpable negligence of the men who at that time were here.

Mr. BUTLER. It is very important to know whether that was ever laid before Congress and went into the CONGRESSIONAL RECORD.

Mr. GALLINGER. I do not know about that.

Mr. BUTLER. When the Senator from New Hampshire said he would look up that wonderful information, of course I realized then, as I do now, that it was immaterial to this discussion. But as I am always anxious to get all the information that is going, I certainly wanted to know whatever the Senator knew that caused him to take such a strange position on this question. I was very anxious indeed to know it, and see how much weight it had, to see on what kind of facts and information he has been misled into taking up the views he holds; but the fact that that statement was in a document, something which was stuck up in the pigeonholes in the document room, is no more evidence that the Senators knew what was being done here in that bill on February 12, 1873, or that the country knew that they were being put on a gold standard, than it is for the Senator to point to the act which passed and say the bill provided for it as it was afterwards published. Nobody denies that the bill itself probably lay on the desks of Senators on that day. So that is no evidence, because the bill itself which was passed was better evidence than that. That document probably never came into the Senate Chamber. If it did, it was never read, as such documents are not usually read.

The point I make is that Senators on the floor at the time who knew of that document and what it said, and who knew the provision in the act of 1873 which demonetized silver, quietly kept the fact to themselves and never mentioned it on the floor of the Senate; they never once said in all the discussion here that this bill contained that important provision.

But, on the other hand, I have lying on my desk the CONGRESSIONAL RECORD, with marked extracts. The Senator from Ohio—if I am mistaken I can be corrected—assured the Senate, and the same was done in the other House, that that bill simply made a few minor changes in the mint act, some little minor things which did not make any material difference. It was in a great big report, in a great big document, which nobody could go through except a few men who were specially charged with the duty to do it. Nobody now would attempt to go through 3,000 pages. If you were to codify the laws of this country and the report was brought in and laid on our desks, and if the Senator from New Hampshire was a member of the committee, and the one who did the work were to stand up here and assure the Senate that there was nothing important in it, no one here would take the trouble to wade through 3,000 pages to scan every line of it.

Mr. STEWART. If the Senator from North Carolina will allow me, I will call his attention to abundant evidence.

Mr. BUTLER. I have it all here.

Mr. STEWART. To abundant evidence of what those who were present said of that report.

Mr. BUTLER. I have it all lying here. I am coming to that in a minute.

What I wanted to set forth before coming to that was what Senators said afterwards when it was found out by the people. But I will take that up last. What you have claimed to be documentary evidence is no evidence at all, and even less evidence than the bill itself. What I claim is, and what the people claim is, that that bill was not known to contain the provision that demonetized silver. The bill as it came to the Senate did not contain the provision, and the CONGRESSIONAL RECORD does not show that such an amendment was adopted in open Senate, but it was found in the act after it was a law. What I charge is, that provision was put in by fraud, and that the men who had charge of it never told the truth about it.

Mr. GALLINGER. That must be a serious reflection upon the Senator from Nevada [Mr. STEWART], who was here.

Mr. BUTLER. It would have been no reflection upon the Senator from New Hampshire if he had been here and had accepted the statement of the gentlemen having charge of the bill; but I tell you what you would have done if they had fooled you. You would have done as the Senator from Nevada has done since; you would have stood up, when you found out you had been fooled and how the country had been tricked and robbed, and grown indignant and denounced it as a crime, and that is what I think you ought to do now, and I believe you will when I get all the facts before you.

Mr. GALLINGER. I think, if the Senator will go to the speech of the Senator from Nevada, he will find that that Senator uttered very different sentiments from what are now attributed to him.

Mr. STEWART. What is that?

Mr. CHANDLER. If the Senator from North Carolina will allow me, I will say to him that there is a very general desire that he should yield the floor to the Senator from Nevada in order that he may state his views on this subject.

Mr. STEWART. Will the Senator from North Carolina allow me to ask the Senator from New Hampshire a question?

Mr. BUTLER. I will yield in a moment.

Mr. GALLINGER. If the Senator from Nevada will permit me to say so, I will say that I have read some of the most eloquent and conclusive arguments I have ever read anywhere which the Senator has made once in his lifetime while a member of the Senate in favor of the gold standard.

Mr. STEWART. Never.

Mr. GALLINGER. Then I did not understand the Senator's language.

Mr. STEWART. I have repeatedly stated what that was. That is a trick of the enemy. Of course we knew nothing about the demonetization of silver when that bill was passed. No word to indicate such a purpose was ever uttered in this Chamber during the time.

Mr. GALLINGER. I was going to ask the Senator right there if he had not read Mr. Knox's statement concerning it?

Mr. STEWART. I had not read it. Nobody pays attention to the reading of these public documents. The Senate had not read that. It was not known during the whole of the debate upon this bill from beginning to end. It was never suggested by anyone that there was to be a change in the currency law.

With regard to what I said about the gold standard, it occurred in the debate on the resumption of specie payments. When I used the word "gold" I meant specie—gold and silver. No distinction had been made; but it had been the popular language on the gold board, and we got in the habit when we meant gold and silver coin of frequently saying "gold." As I said, I was arguing in favor of the resumption of specie payments; that was the bill before us; and I used on one or two occasions the term "gold." They wrenched my language from its context. There was no question in that debate on the bill before the Senate of discriminating for or against either metal.

I made that speech, I think, in 1874. It was after that bill had been passed; but nobody then knew its contents. I did not know that silver had been demonetized until after I left the Senate. My term expired in March, 1875. I had no idea that it had occurred. More than that, there were others who had not any idea of it. If the Senator from North Carolina will hand me the RECORD he has, I want to call attention to others who were in company with me in regard to the same transaction.

The idea that that bill should have been pending here, of such great importance as it was, and that the chairman of the committee never mentioned the fact that it demonetized silver, is hardly credible, yet such is the fact.

In this connection I may remark that the chairman of the committee who had charge of that bill which demonetized silver visited London in 1867. He then visited Paris. At Paris there was a convention to equalize weights and measures and coins. In 1865 the Latin Union was formed which made the coin of five nations a legal tender in each. France, Italy, Greece, Belgium, and Switzerland were parties to it. Louis Napoleon undertook to extend that to all the civilized nations. We had a delegate there, Samuel B. Ruggles, whom I dined with the night before he left, discussing weights and measures and coins. No word was spoken of dropping either one of the coins, but we were in favor of the metrical system, and it was thought that this would facilitate trade. Mr. SHERMAN, after visiting London, visited Paris, and at Paris he wrote a letter advocating the single gold standard, which was translated into French and printed in the French papers, laid before the Emperor, and also laid before the committee of the conference having the matter in charge.

The conference finally decided in favor of the single gold standard. The United States and Great Britain made it a condition to entering the union to maintain a common coin that it should be a gold coin. The other nations all protested. There was a long debate. Mr. Ruggles reported it to the United States frequently. France and the other nations finally conceded that it should be a gold coin alone which should be the common coin. The Senator from Ohio came home. He introduced a bill in 1868, adopting the gold standard, with a harmless title, a bill with reference to the coinage. The bill was referred to the Committee on Finance and reported back favorably. Nobody paid any attention to it, no more than they would to any other abstract matter. They did not know what was in it. The title did not indicate it at all.

E. D. Morgan, a Senator from New York, was on the committee. He filed a minority report which set forth the evils which would result from it. But nobody saw the report. It was not called up

for action at all until after Mr. Morgan's time expired. His term expired in 1869.

Then there was a committee formed in the Treasury Department to codify the mint laws, and John J. Knox was at the head of it; and the extracts I have here are from the report of the committee. An elaborate bill was prepared, codifying the mint laws. It was sent to the Senate and introduced by the Senator from Ohio in the spring of 1870.

Mr. MITCHELL of Oregon. The Senator neglected to state that the bill he referred to was never called up in the Senate at all.

Mr. STEWART. Yes, it was.

Mr. MITCHELL of Oregon. I think not.

Mr. STEWART. It was called up in January, 1871, and the Senator from Ohio offered an amendment to it. That amendment provided for a seigniorage on coinage, a charge of three-tenths of 1 per cent upon the coinage of gold and silver, and that raised a discussion. It was the only discussion that was had on the bill. It was carried in the Senate as in Committee of the Whole, and when it was reported to the Senate the fight was renewed. It lasted two days, and the amendment was then rejected. The bill then passed, and the Senator from Ohio voted against his own bill.

The question that in that codification the silver-dollar coin would be left out was never raised and never known. It went to the House, and in the House it was acted upon. Finally, late in the discussion, after it had been there a year or more, Clarkson Potter discovered that it demonetized silver, that it changed the coinage laws, and a very lively discussion arose over it. It was withdrawn by Mr. Hooper from consideration, and some days after that, when Clarkson Potter was not in his seat, a substitute was presented by Mr. Hooper. He asked to have it passed without being read. It was passed without being read. But it raised questions on every side. They asked questions, and the questions and answers occupy two pages. They asked Mr. Hooper if the coinage laws were changed; if those matters which had been discussed were left out. He assured them that every matter that had been discussed and objected to was eliminated from the bill.

It came here. It went through the Senate without the attention of anybody being called to it. Nobody, of course, had read the discussion in the House. I had not. It was a codification bill. It passed here without anybody knowing anything about it. Here is the evidence—and it may as well go in—as to how the bill was passed. I read from the Senator from Ohio, Mr. Thurman, who was a most attentive member, observing with great care the proceedings in this Chamber. He was always in his seat, taking part in important legislation. On the 15th day of February, 1878, Mr. Thurman, in the debate, said:

> I can not say what took place in the House, but I know when the bill was pending in the Senate we thought it was simply a bill to reform the mint, regulate coinage, and fix up one thing and another, and there is not a single man in the Senate, I think, unless a member of the committee from which the bill came, who had the slightest idea that it was even a squint toward demonetization.—*Congressional Record*, volume 7, part 2, Forty-fifth Congress, second session, page 1064.

In the face of this we are accused of negligence, of participation, because, not being on the committee, not having our attention called to it, we did not stop it. How many things go through here daily coming from the Finance Committee, as to the details of which one-half of the Senate are ignorant? Senator Conkling, in the Senate March 30, 1876, during the remarks of Senator Bogy on the bill (S. 236) to amend the laws relating to legal-tender silver coins, in surprise inquired:

> Will the Senator allow me to ask him or some other Senator a question? Is it true that there is now by law no American dollar; and if so, is it true that the effect of this bill is to make half dollars and quarter dollars the only silver coin which can be used as a legal tender?—*Congressional Record*, volume 4, part 3, Forty-fourth Congress, first session, page 2062.

Mr. BUTLER. And that is the first time, as the CONGRESSIONAL RECORD shows, that any Senator on this floor (except the few who had charge of the bills of 1873 and 1874) had any suspicion that silver had been demonetized. In this connection it is important to note who answered the above question and what the answer was. It was the Senator from Ohio [Mr. SHERMAN]. What did he say? Here it is:

"I will answer the Senator from New York that since the law of 1853 the use of the silver whole dollar has been discontinued and none have been issued. That has been so since 1853."

Mr. Conklin further asked: "Is there power to issue it?"

Senator SHERMAN answered: "There is no power, and has been none."

It was this answer of Senator SHERMAN that gave the first direct knowledge to the public that the standard silver dollar of 412½ grains had been destroyed and the unit of value changed. Right here it is highly important that the facts be gotten straight. It is highly important for this Senate and the country to understand that from 1873 until 1876, through all the intervening legislation which had been so important to American industry and to the prosperity or adversity of our people, the fact that the silver dollar of our forefathers had been stealthily destroyed had remained a profound secret. I doubt whether the annals of history can parallel such an instance. This discovery led to inquiry as to how such legislation was made possible, and it is both painful and amusing to read the confessions of our eminent legislators upon the fact that they were absolutely ignorant that silver had been demonetized until the declaration of Senator SHERMAN that such was the fact. In fact, it was impossible to discover one single individual who was willing to stand up and become responsible for the outrage.

And now, if the Senator from Nevada will pardon me, for I see that he is still standing, I will say that, in further answer to the question asked by the Senator from New Hampshire, I intend now to proceed to take up the explanations, every one or as many as time will permit, that the various Senators made on the floor when they found that silver had been demonetized, and expressing their opinion about it and how it was done and the fact that they did not know it. I have all of those facts collected here. They have been put before the Senate by the Senator from Nevada [Mr. STEWART] and by a number of other Senators, but they can not be put before the Senate and have the attention of the country called to them too often, especially in view of the fact that we have a few men, patriotic men, like the Senator from New Hampshire, who want to do what is right and who have been imposed upon. It is important to get the facts before the Senate.

Mr. STEWART. I trust that the Senator from North Carolina will yield to me for a moment before he proceeds, for I can not sit in my seat when the Senator from New Hampshire accuses me of participation in this crime. The Senator from North Carolina will put these other things in.

Mr. GALLINGER. The Senator will permit me. I did not accuse him of participation in a crime. I accused him of participating in what I think was very patriotic action.

Mr. STEWART. Patriotic to rob the people and destroy their money? [Laughter.] A new kind of patriotism. Will the Senator allow me to point out this fact? There is one thing which the Senator may not have observed himself, to which I should like to call his attention.

Mr. BUTLER. Even if the Senator from Nevada had favored the gold standard, he was patriotic enough to change from it, and I am sure the Senator from Iowa does not object to a man changing his opinion.

Mr. STEWART. The Senator will indulge me for one moment. I will not read what numerous Senators have said in regard to the way the bill was put through, when they knew nothing of it. The Senator from North Carolina will do that. But I want to call attention to a little piece of strategy that was played on the passage of the bill. The provision of the bill which demonetized silver was contained in the sixteenth section. It was an amendment proposed by the Committee on Finance. All the other amendments were considered consecutively and acted upon until the sixteenth section was reached. The sixteenth section was stricken out by the Senate on the recommendation of the committee, but the Globe (the RECORD) does not show that the Senate ever took action on it, or that anything was put in its place by a vote of the Senate. The Globe read thus:

> The PRESIDING OFFICER. The question is on the amendment striking out the fifteenth section.
> The amendment was agreed to.
>
> The record then skips.
>
> * * * * * * *
>
> The next amendment was to strike out section 17, in the following words:
> "SEC. 17. That the minor coins of the United States shall be a 5-cent piece, a 3-cent piece, and a 1-cent piece; and the alloy for minor coinage shall be copper and nickel, to be composed of three-fourths copper and one-fourth nickel; the weight of the piece of 5 cents shall be 5 grams, or 77.16 grains troy; of the 3-cent piece, 3 grams, or 46.30 grains; and of the 1-cent piece, 1½ grams, or 23.15 grains; which coins shall be legal tender, at their nominal value, for any amount not exceeding 25 cents in any one payment."
> And to insert in lieu thereof the following:
> "That the minor coins of the United States shall be a 5-cent piece, a 3-cent piece, and a 1-cent piece; and the alloy for the 5 and 3 cent pieces shall be of copper and nickel, to be composed of three-fourths copper and one-fourth nickel; and the alloy of the 1-cent piece shall be 95 per cent of copper and 5 per cent of tin and zinc, in such proportions as shall be determined by the Director of the Mint. The weight of the piece of 5 cents shall be 77.16 grains troy; of the 3-cent piece, 30 grains, and of the 1-cent piece, 48 grains; which coins shall be a legal tender, at their nominal value, for any amount not exceeding 25 cents in any one payment."
> Mr. SHERMAN. There is an omission in the matter proposed to be inserted by the committee. I move to insert, in line 11, after the words "25-cent piece," the words "and a dime, or 10-cent piece."
> The amendment to the amendment was agreed to.
> The amendment as amended was adopted.
> The next amendment was, in section [18] 19, line 2, to insert, etc.

So, in passing the measure through the Senate, section 16, the section which demonetized silver, was not read at the desk, and if read at the desk it was not reported. It was skipped over, and I defy any man to find in all the proceedings in the Senate the slightest allusion to this transaction. The section which has made this country poor was not read at the desk, as all others were, and passed upon. Another peculiarity is that the Senate was full——

Mr. BUTLER. I call the attention of the Senator from New Hampshire to that, and I want him to help me find in the RECORD

some reference to the passage of the section which demonetized silver.

Mr. GALLINGER. It was printed in the bill.

Mr. BUTLER. But the point the Senator from Nevada makes is that it was not printed in the bill, but that it was an amendment proposed by the committee, and there is no record of it ever being offered in the Senate for action and there is no record of the Senate ever having acted upon it, or of it ever being read at the desk while the other amendments were being acted upon or upon the final passage of the bill.

Mr. GALLINGER. The Senators could not read.

Mr. BUTLER. They proceeded to act section by section——

Mr. GALLINGER. Does the Senator from Nevada charge that the Clerk, who was acting under his oath of office——

Mr. STEWART. I charge that it was not read. I charge nobody. I charge, according to the RECORD, that it was omitted; that it was an amendment which was not read, but which afterwards appeared in the law which demonetized silver.

Mr. GALLINGER. I will ask the Senator if it was not in the printed bill?

Mr. STEWART. No; it was not in the bill that lay on Senators' desks that day; it was a proposed amendment of the committee.

Mr. GALLINGER. And it had been printed, I suppose?

Mr. STEWART. Yes; it had been printed.

Mr. GALLINGER. Very well. I do not see who was deceived or imposed upon. It seems to me that if Senators could read in those days—I do not know how that may have been—they could not have been imposed upon in that manner.

Mr. STEWART. How many bills are there where the Senator from New Hampshire follows the amendments that are printed and thrown aside? Do you get the amendments? No; you rely upon their being read at the desk. They are read very carefully, sometimes repeatedly. When you have a bill under consideration you rely on the desk for information as to amendments which are being passed upon.

Mr. GALLINGER. I should like to ask the Senator what proof he has that the amendment never was read at the desk?

Mr. STEWART. Because it is not reported as all other amendments were.

Mr. BUTLER. The Reporter takes down everything that is read.

Mr. STEWART. He takes it down, and he has plenty of time to take down an amendment, if it is read. It does not appear in the Globe. It was omitted.

Mr. BUTLER. Now, this one very important fact is fixed beyond controversy, and we have the CONGRESSIONAL RECORD, or rather the Globe, as it was then called, for the proof. So now, if the Senator from Nevada will excuse me, I propose to show by the RECORD that when the specie resumption act of 1875 was passed Congress and the country did not know that silver had been demonetized, and I will prove this by the discussion that took place on this floor while that act was under consideration. I will also show that Congress would never have passed the act of 1875 if the fact had been known. Next, I propose to show by the testimony of Senators who, as soon as they discovered that silver was demonetized by the acts of 1873 and 1874, stood here in their places, whom we all know to be patriotic, wise, careful, and diligent—that they stood here and testified that they did not know that any such provision was contained in the act which was passed.

This specie resumption act of January 14, 1875, was introduced early in December, 1874, was briefly discussed in both Houses, but not a single reference was made to the fact that silver as one of the money metals had been destroyed. But, to the contrary, there is ample evidence that the fact of silver being demonetized was entirely unknown save to the few conspirators who manipulated that crime; that this act of specie resumption never could have become a law with the full knowledge of the destruction of silver is clearly proven by the passage of the Bland Act, and the Stanley Matthews resolution of 1878, which followed its discovery. This act was reported from the Committee on Finance by Senator SHERMAN on December 22, 1874, and after less than three hours' debate it was passed. It went to the House, where, on January 7, 1875, it was called up, and after being read was passed with even less debate than in the Senate.

In this hurried manner one of the most important, if not the most important, financial bill that ever passed any Congress was rushed through. During the brief discussion, however, in the Senate, we find a number of expressions which go to show that no one in this Chamber, save perhaps those who were managing the bill, knew or imagined that silver as money had been destroyed. It would be proper here to say that the present Senator from Ohio [Mr. SHERMAN] had full charge of this bill. Senator Schurz, in the course of a few remarks, said:

> The matter which I want to consider so as to give an intelligent vote is whether under present circumstances we can issue silver and keep it in circulation, or whether the circumstances surrounding us to-day or liable to surround us to-morrow are not such as will make it probable that silver put out will be melted into bullion and sent abroad.

The very fact that all the silver being coined at that time excepting the trade dollar was worth less than 100 cents in any market is conclusive evidence that Senator Schurz was not alluding to subsidiary coin. In discussing the bill, Senator Bayard, in objecting to some of its features, said:

> It is to contract your paper currency until you shall have such a volume that gold and silver, the money of the world, shall flow into the country to swell the combined volume of paper and coin again.

Senator Hamilton also declared in the course of the debate:

> The idea that this American Republic, this great country extending from the Atlantic to the Pacific, a gold producing and silver producing country, should at this day be paralyzed in all its industries, its shipping interests, its manufacturing interests, its agricultural interests, all going to the ground, mainly, if not altogether, from the fact that we have not a competing currency with the world, is insupportable.

Certainly none of these men knew that silver had been demonetized. But perhaps the most positive proof that this bill was passed without the knowledge that silver had been destroyed may be found in the special message sent to Congress January 14, 1875, by President Grant when he signed the bill. After making some suggestions as to providing for specie resumption, he said:

> In fact, to carry out the first section of the act would take a period probably beyond that fixed by law for final specie resumption. * * * It would seem a fair argument in favor of adopting one or more of these cities as the place or places for the establishment of new coining facilities.

In brief, President Grant recommended the establishment of mints at Chicago, St. Louis, and Omaha for the coinage of silver money in order to provide for this resumption act.

Not only this, but eight months after the passage of the bill President Grant wrote a letter to Mr. Cowdrey, which shows that he was still ignorant of the fact that silver had been demonetized. The following is an extract from that letter:

> The panic has brought greenbacks about to a par with silver. I wonder that silver is not already coming into the market to supply the deficiency in the circulating medium. When it does come, and I predict that it will soon, we will have made a rapid stride toward specie payments. Currency will never go below silver after that. The circulation of silver will have other beneficial effects. Experience has proved that it takes about forty millions of fractional currency to make small change necessary for the transaction of the business of the country. Silver will gradually take the place of this currency, and, further, will become the standard of values, which will be hoarded in a small way. I estimate that this will consume from two to three hundred millions, in time, of this species of our circulating medium.
>
> It will leave the paper currency free to perform the legitimate functions of trade and will tend to bring us back where we must come at last, to a specie basis. I confess to a desire to see a limited hoarding of money. It insures a firm foundation in time of need. But I want to see the hoarding of something that has a standard of value the world over. Silver has this, and if we once get back to that our strides toward a higher appreciation of our currency will be rapid. Our mines are now producing almost unlimited amounts of silver, and it is becoming a question, "What shall we do with it?" I suggest here a solution that will answer for some years, and suggest to you bankers whether you may not imitate it: To put it in circulation now; keep it there until it is fixed, and then we will find other markets.—*McPherson's Handbook of Politics for 1874*, pages 134 and 135.

This, supplemented with the fact that such champions of the free coinage of silver as the Hon. Richard P. Bland is recorded as not voting against the bill, ought to be sufficient evidence to every fair-minded man that it was passed without the knowledge that silver had been destroyed as one of the money metals of this country. Imagine, for a moment, the real situation and the amount of scheming and plotting that it had required to bring about the final and successful action upon this bill. President Grant had signed February 12, 1873, the act which prohibited the further coinage of the standard silver dollar. On June 22, 1874, he had signed another act which completely demonetized that silver dollar, and now, on January 14, 1875, he signs still another act to bring about specie resumption, and on that date sends to Congress a special message urging the establishment of two or more mints for the avowed purpose of coining these silver dollars which by his own acts he had previously destroyed. Such ignorance and want of ordinary care fails to inspire the political student of the present time with any marked degree of confidence in American legislation, except where the people are so thoroughly aroused that their representatives are as vigilant as their enemies. This act of 1875 was the most destructive in its final interpretation of any act which has passed Congress during the last quarter of a century.

It is this act which has kept sequestered in idleness in the vaults of our National Treasury one hundred millions in gold, upon which the people have been paying interest at the rate of 4 and 4½ per cent for bonds sold to obtain this vast hoard for the past twenty years. It is this bill that vitalized the act of 1870, and the still more infamous act of 1873. It is this bill, or rather the interpretation placed upon some of its provisions, under which the President of the United States claims the right to issue bonds to-day. It is under this act that he has issued two hundred and sixty-two millions of interest-bearing bonds in times of peace—issued them under questionable authority, issued them at less than their market value under questionable circumstances and

conditions to say the least, and issued them under the nose of Congress; issued them last year with a Democratic Congress sitting in these Halls; issued them again this year with a Republican Congress sitting in these Halls, with the country indignant at the outrage, with a majority of members privately criticising his action; and yet no bill has been offered by either Democrat or Republican to stop it.

It is this act, under the construction of the present Administration, which makes possible the so-called "endless chain," which is used to furnish speculators with gold from the United States Treasury whenever they so desire. In fact, this act, which was the crowning infamy of a series of infamous legislation, was consummated and successfully placed upon the statute book by the deepest fraud and deception. These United States bonds, which had been purchased at such a ruinous discount, were made payable in gold alone through the several acts which I have stated, each having been passed through both Houses of Congress and signed by the President without the knowledge that they contained provisions which destroyed silver as one of the money metals of this country and made our entire national indebtedness payable in gold alone, which has doubled the debt. This want of information as to the real status of the silver dollar was at last given to the public through an incident in a debate in this Chamber. During a discussion of a bill concerning the trade dollar, on March 30, 1876, Senator Conkling said, in speaking to Senator Bogy:

Will the Senator allow me to ask him or some other Senator a question? Is it true that there is now by law no American dollar; and if so, is it true that the effect of this bill is to make half-dollars and quarter-dollars the only silver coin which can be used as a legal tender?

This was referred to and read a few moments ago by the Senator from Nevada [Mr. STEWART], and in the same connection, it will be remembered, I called attention to the fact that it was the Senator from Ohio [Mr. SHERMAN], who made haste to reply. The reply of the Senator, which I read, was the first information that silver had been demonetized.

Now, let us see what other Senators said on this floor about the matter.

Senator ALLISON, on February 15, 1878, when the bill (H. R. 1093) to authorize the free coinage of the standard silver dollar and to restore its legal-tender character was under consideration, observed:

But when the secret history of this bill of 1873 comes to be told, it will disclose the fact that the House of Representatives intended to coin both gold and silver, and intended to place both metals upon the French relation instead of on our own, which was the true scientific position with reference to this subject in 1873, but that the bill afterwards was doctored, if I may use that term, and I use it in no offensive sense, of course—

Mr. Sargent interrupted him and asked him what he meant by the word "doctored."

Mr. ALLISON said:

I said I used the word in no offensive sense. It was changed after discussion, and the dollar of 420 grains was substituted for it.—*Congressional Record*, volume 7, part 2, Forty-fifth Congress, second session, page 1058.

On February 15, 1878, during the consideration of the bill above referred to, the following colloquy between Senator Blaine and Senator VOORHEES took place:

Mr. VOORHEES. I want to ask my friend from Maine, whom I am glad to designate in that way, whether I may call him as one more witness to the fact that it was not generally known whether silver was demonetized. Did he know, as Speaker of the House, presiding at that time, that the silver dollar was demonetized in the bill to which he alludes?

Mr. BLAINE. I did not know anything that was in the bill at all. As I have before said, little was known or cared on the subject. [Laughter.] And now I should like to exchange questions with the Senator from Indiana, who was then on the floor and whose business it was, far more than mine, to know, because by the designation of the House I was to put questions; the Senator from Indiana, then on the floor of the House, with his power as a debater, was to unfold them to the House. Did he know?

Mr. VOORHEES. I very frankly say that I did not.

(*Ibid.*, page 1063.)

Senator Beck, in a speech made in the Senate January 10, 1878, said:

It [the bill demonetizing silver] never was understood by either House of Congress. I say that with full knowledge of the facts. No newspaper reporter—and they are the most vigilant men I ever saw in obtaining information—discovered that it had been done.—*Congressional Record*, volume 7, part 1, Forty-fifth Congress, second session, page 260.

Senator Hereford, in the Senate, on February 13, 1878, in discussing the demonetization of silver, said:

So that I say that beyond the possibility of a doubt (and there is no disputing it) that bill which demonetized silver, as it passed, never was read, never was discussed, and that the chairman of the committee who reported it, who offered the substitute, said to Mr. Holman, when inquired of, that it did not affect the coinage in anyway whatever.—*Ibid.*, page 989.

Senator Howe, in a speech delivered in the Senate on February 5, 1878, said:

Mr. President, I do not regard the demonetization of silver as an attempt to wrench from the people more than they agree to pay. That is not the crime of which I accuse the act of 1873. I charge it with guilt compared with which the robbery of two hundred millions is venial.—*Congressional Record*, volume 7, part 1, Forty-fifth Congress, second session, page 764.

Mr. President, these are some of the expressions of Senators. Now, let us see what Congressmen and public men said on the floor of the House and elsewhere at that time.

The first witness I will introduce is Mr. Kelley, of Pennsylvania, who had charge of the bill. In a speech made in the House of Representatives on March 9, 1878, he said:

In connection with the charge that I advocated the bill which demonetized the standard silver dollar, I say that, though the chairman of the Committee on Coinage, I was ignorant of the fact that it would demonetize the silver dollar or of its dropping the silver dollar from our system of coins, as were those distinguished Senators Messrs. Blaine and VOORHEES, who were then members of the House, and each of whom a few days since interrogated the other: "Did you know it was dropped when the bill passed?" "No," said Mr. Blaine, "did you?" "No," said Mr. VOORHEES. I do not think that there were three members in the House that knew it. I doubt whether Mr. Hooper, who, in my absence from the Committee on Coinage and attendance on the Committee on Ways and Means, managed the bill, knew it. I say this in justice to him.—*Congressional Record*, volume 7, part 2, Forty-fifth Congress, second session, page 1605.

Again, on May 10, 1879, Mr. Kelley said:

All I can say is that the Committee on Coinage, Weights, and Measures, who reported the original bill, were faithful and able, and scanned its provisions closely; that as their organ I reported it; that it contained provision for both the standard silver dollar and the trade dollar. Never having heard until a long time after its enactment into law of the substitution in the Senate of the section which dropped the standard dollar, I profess to know nothing of its history; but I am prepared to say that in all the legislation of this country there is no mystery equal to the demonetization of the standard silver dollar of the United States. I have never found a man who could tell just how it came about or why.—*Congressional Record*, volume 9, part 1, Forty-sixth Congress, first session, page 1231.

Mr. Holman, in a speech delivered in the House of Representatives July 13, 1876, said:

I have before me the record of the proceedings of this House on the passage of that measure, a record which no man can read without being convinced that the measure and the method of its passage through this House was a "colossal swindle." I assert that the measure never had the sanction of this House, and it does not possess the moral force of law.—*Congressional Record*, volume 4, part 6, Forty-fourth Congress, first session, appendix, page 193.

Again, on August 5, 1876, he said:

The original bill was simply a bill to organize a bureau of mines and coinage. The bill which finally passed the House and which ultimately became a law was certainly not read in this House.

* * * * * * *

It was never considered before the House as it was passed. Up to the time the bill came before this House for final passage the measure had simply been one to establish a bureau of mines; I believe I use the term correctly now. It came from the Committee on Coinage, Weights, and Measures. The substitute which finally became a law was never read, and is subject to the charge made against it by the gentleman from Missouri [Mr. Bland], that it was passed by the House without a knowledge of its provisions, especially upon that of coinage.

I myself asked the question of Mr. Hooper, who stood near where I am now standing, whether it changed the law in regard to coinage. And the answer of Mr. Hooper certainly left the impression upon the whole House that the subject of the coinage was not affected by that bill.—*Congressional Record*, volume 4, part 6, Forty-fourth Congress, first session, page 5237.

Mr. CANNON, of Illinois, in a speech made in the House on July 13, 1876, said:

This legislation was had in the Forty-second Congress, February 12, 1873, by a bill to regulate the mints of the United States, and practically abolished silver as money by failing to provide for the coinage of the silver dollar. It was not discussed, as shown by the RECORD, and neither members of Congress nor the people understood the scope of the legislation.—*Ibid.*, Appendix, page 197.

Mr. Burchard, of Illinois, in a speech made in the House of Representatives on July 13, 1876, said:

The coinage act of 1873, unaccompanied by any written report upon the subject from any committee, and unknown to the members of Congress, who without opposition allowed it to pass under the belief, if not assurance, that it made no alteration in the value of the current coins, changed the unit of value from silver to gold.—*Ibid.*, page 4560.

General Garfield, in a speech made at Springfield, Ohio, during the fall of 1877, said:

Perhaps I ought to be ashamed to say so, but it is the truth to say that, I at that time being chairman of the Committee on Appropriations, and having my hands overfull during all that time with work, I never read the bill. I took it upon the faith of a prominent Democrat and a prominent Republican, and I do not know that I voted at all. There was no call of the yeas and nays, and nobody opposed that bill that I know of. It was put through as dozens of bills are, as my friend and I know, in Congress, on the faith of the report of the chairman of the committee; therefore I tell you, because it is the truth, that I have no knowledge about it.—*Congressional Record*, volume 7, part 1, Forty-fifth Congress, second session, page 989.

Mr. Bright, of Tennessee, said of the law:

It passed by fraud in the House, never having been printed in advance, being a substitute for the printed bill; never having been read at the Clerk's desk, the reading having been dispensed with by an impression that the bill made no material alteration in the coinage laws; it was passed without discussion, debate being cut off by operation of the previous question. It was passed, to my certain information, under such circumstances that the fraud escaped the attention of some of the most watchful as well as the ablest statesmen in Congress at that time. * * * Aye, sir, it was a fraud that smells to heaven. It was a fraud that will stink in the nose of posterity, and for which some persons must give account in the day of retribution.—*Congressional Record*, volume 7, part 1, second session Forty-fifth Congress, page 584.

Here are the unqualified acknowledgments of eminent statesmen that certain laws upon our statute books were placed there by fraud, stealth; that they were never knowingly acted upon by Congress, or in any manner were a part of the legislation of any Congress; yet, in the face of all this, every effort to rectify this wrong, to set aside this fraud, or to relieve the people from the baneful effects of this statutory monstrosity, has been met with

the most vicious resistance by the beneficiaries of these frauds and their advocates and abettors in both Houses of Congress.

Mr. President, was there ever an occurrence more strange or remarkable than this in the legislative history of this or any other country? Was there ever before passed as a law a measure of such tremendous and far-reaching results without the knowledge of the legislators? Has there ever before been slipped through such an important and dangerous measure, that has been so indignantly denounced by so many of the legislators and public men as a fraud and a crime, yet which continued to remain on the statute books with all the force and effect of law in spite of its paralyzing and poverty-breeding results for more than twenty years?

Mr. President, it is not only strange, but it is monstrously strange. Three-fourths of the American people demand that this fraudulent act be wiped from the statute books; yet for twenty-three years this fraud and this crime and its perpetrators have flourished, while the people have grown poorer, business has become stagnated and paralyzed, and the Government itself is on the verge of bankruptcy.

If there were sitting in the gallery of the Senate to-day a stranger from a foreign land who was not familiar with our political conditions, he would ask. "How is such a thing possible in a free government where each man has a vote and where the will of the people as expressed at the ballot box is the supreme law?"

There may be such a man now in the gallery, so I will explain it to him. It has happened in this way: In this country, until very recently, every voter has been bound and tied as a slave—a party slave—to one of the two old political parties. Each one of these parties had bound to them about the same number of slaves or voters. The masters or party leaders (as we call them) of these slaves have taught them that their greatest enemies were the poor slaves in the other party, and therefore that their highest patriotic duty was to beat the other slaves and to see to it that their own masters were placed in power.

These masters or party leaders not only took for themselves all the offices when they won, but they also accepted large campaign funds from the few gold gamblers and speculators who had been benefited and made immensely rich by the passage of this fraudulent law. Hence this fraudulent law has remained upon the statute books by the connivance and treachery of these masters or party leaders of both old parties, while their slaves have grown poorer each year and been bled and robbed by these money changers and gold sharks.

But you ask, "Why do not these slaves or voters rebel against such false and treacherous leadership?" The answer is, because the slaves are not organized, and therefore can not act in unison and concert. If one slave rebels, he has nowhere to go but over into the ranks of the other slaves. He simply changes masters and is still a slave and has no better master. Several hundred thousand of these slaves have been doing this very thing every election for the last twenty years, and hence first one set of masters or party leaders have gone into power and then the other. But the result each time has been the same. Everything has continued to go from bad to worse. It has proven to be a case of jumping from the frying pan into the fire.

But you ask, "Why do not these voters on both sides rebel at the same time, come together, assert their independence, and form a party of their own?"

That is just what they are now doing. They are rebelling from both sets of masters. They are coming together and forming a great and grand People's Party, and now there is for them hope in the near future. They will soon wipe out this fraud of 1873. They will wipe out many other crimes that these false and treacherous old-party masters have placed upon the statute books to rob the people for the benefit of the few. They will break down class legislation; they will provide for equal justice to all and special privileges to none. They will stop falling prices and restore prosperity to every laborer and to every honest industry.

As soon as this fraud of 1873 was discovered by the people in the year 1876, indignation ran high, and they determined to wipe out the crime through the instrumentality of one of the old parties. They elected a Congress in 1878 pledged with a large majority to repeal the demonetizing act and to restore the money of the Constitution.

The House of Representatives promptly passed a free-coinage bill and sent it to the Senate, but here the bondholders again succeeded in partially defeating the will of the people. The senate doctored the measure until it was only a shadow of its former self. Instead of the free coinage of silver bill, the Bland-Allison Act, providing for coining only a limited amount of silver by purchase, was passed. Thus the will of the people was defrauded by the Bland-Allison Act, which did not wipe out the crime of 1873, but which simply gave to silver a limited coinage under unfavorable conditions, and, besides, there was an exemption clause stuck in the Bland-Allison Act which almost entirely destroyed its limited good purposes and which has been of material help to the gold men. Under that section of the Bland-Allison Act, the provision allowing gold notes and mortgages, the gold sharks and usurers have plastered this country, and the same gold-exception clause is in force to-day. All of the act that was good has been repealed; the bad is left on the statute books. When the Senator from Iowa [Mr. GEAR] sent the bill to his constituent at home in 1890, and told him that it was not so good as he wanted, he did not know then, as strong as he was then for free coinage, that it provided for appreciating gold and depreciating silver. The Senator states in his letter which I have here that that bill would cause silver to rise, and he hoped it would go to par.

Mr. GEAR. It did, I believe.

Mr. BUTLER. It did rise for a short while only, but just as soon as the gold notes and mortgages which were provided for began to operate and the gold sharks had time to plaster this country with them, just so soon did the disparity begin to appear, and has almost steadily grown greater each year.

The people saw that they were defrauded by the Bland-Allison Act, so again in 1890 they rose up in arms with their ballots and elected another Congress pledged to completely wipe out the crime of 1873 and to restore silver to its constitutional place as legal-tender money on equal footing with gold. This time the Senate promptly passed a full free-coinage bill by a majority of 17, and sent it to the House.

The House had a large majority favoring the measure, but before it could be brought to a vote the bondholders and the bankers again got in their work. The party leaders in a Republican House, with the use of the party lash and with the use of Executive patronage, with the cooperation of their co-conspirators in the Senate, framed as a substitute a bastard bill known as the Sherman Act. Under the whip and spur of the party lash this act of 1890 was passed, which, instead of restoring silver as the people demanded, instead of improving on the Bland-Allison Act of 1878, as Congress was pledged to do, it actually struck another death blow to silver and resulted in a still greater triumph for the gold monopoly. Again the people were betrayed in the House by those elected as their friends. The indignation of the people against this cowardly makeshift, this latest crime in the galaxy of crimes, had no avail.

Mr. GEAR. I believed the Sherman law would perhaps raise silver to par. Silver did advance under that act at first, but then it began to go down, and the Republicans joined with the Democratic party to repeal that law, because they thought it was doing detriment to the country.

Mr. BUTLER. I will come to that in a minute; but did not the Senator know that that act could not bring back parity as long as the exception clause was in the law, permitting gold notes and mortgages payable in gold alone? Does he not know that that act is one of the most potent agents in the fall of prices and the appreciation of gold, to say nothing of treating silver as a commodity and denying it free coinage as gold has? Nothing but the purchasing clause of the Sherman Act was repealed. The gold exception clause and the infamous "parity clause" are still in force.

Mr. GEAR. Would the Senator set aside the law of contracts?

Mr. BUTLER. This Congress has the power to say to-morrow that there shall not be another gold note or a gold contract made in this country. I would not violate past contracts, but I would make them unlawful in the future if they call for payment in any particular or special kind of the lawful moneys of the United States. Every contract or obligation should be payable in any kind of lawful money.

Mr. HILL. Mr. President——

The PRESIDING OFFICER (Mr. PUGH in the chair). Does the Senator from North Carolina yield to the Senator from New York?

Mr. BUTLER. Not if the Senator wishes to move to adjourn. I desire to conclude my remarks this afternoon, and I am now nearly through.

Mr. President, when I was interrupted I had just shown how the bondholders had defeated the free-coinage bill in 1890 and put in its place the Sherman law, which was even worse than the Bland-Allison Act. It not only contained the fatal gold exception, but it reduced silver to a commodity, and provided for coining even a smaller amount.

But the greed of the bondholder was still unsatisfied, and he set about to control the nominee of both old parties in 1892, as he is now doing to control them in 1896, for the purpose of wiping out the last feeble resistance to the sway of the bondholders. Grover Cleveland and the Democratic party were this time the chosen agents for the deed. But in spite of the fact that the gold men controlled the nominee for the Presidency, the people, determined upon putting free coinage in the place of the Sherman Act, elected a Congress pledged to the free coinage of silver; but again, by the use of patronage and the party whip, this majority for the people was turned, in the special session of 1893, into a majority for the bondholders. What a humiliating, what an alarming spectacle!

And thus we stand to-day, with the mints of the United States closed to silver, with the people bound in the gold standard, with the Administration paying the debt of the country in a gold dollar three times more valuable than the Government promised to pay, with a Government not satisfied with this, but piling up more bonds under the fraudulent act of 1875 to be paid in still dearer dollars by future generations. Not only this, but every debtor forced to pay his debts in a constantly appreciating currency, while *his labor* and products constantly diminish in price measured in this unsound and dishonest gold standard. When shall this be stopped? If this Congress can not wipe out the crimes that have been committed, will it not at least raise the legislative arm of the Government and stop the Executive from piling up more debt upon the already outraged, oppressed, poverty-stricken, overburdened people?

This bill does not ask for much in behalf of the people of America; it does not even ask for the righting of past wrongs; it simply asks that no more crimes be committed upon the people. The burdens they have now are too grievous to bear. Shall the pillaging go further? Will either party raise its hand to stop it? The People's Party stands with six votes in this body to give either side a majority, or to join with patriots from both sides against the goldites to stay the hand of the gold thief and the bond grabber.

If you do not pass this bill you can not go into the next campaign and fool the people by telling them that you and your party are opposed to these infamous bond deals.

Let us pass this bill at once and send it to the other House for their action before we adjourn Congress. Notice the reports from the Treasury Department every morning. Over a million of dollars of gold is being now daily drawn from the Treasury under the "endless-chain" process and shipped to Europe to satisfy the demands of the ever unsatisfied gold ring. The President refuses to exercise the option vested in him by law to stop this raid, but he yields the option of the Government and bows to the demands of these foreign gold sharks. If we do nothing, bonds will be issued before Congress meets next December and more debt will be heaped upon the backs of an already overburdened and outraged people. Let us pass this bill and put a stop to such folly, to such madness, and to such crimes against the people.

Against Independent Free Coinage of Silver.

SPEECH

OF

HON. ROBERT J. GAMBLE,

OF SOUTH DAKOTA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 21, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 6119) authorizing the appointment of a nonpartisan commission to collect information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital—

Mr. GAMBLE said:

Mr. CHAIRMAN: My remarks may not in all respects be germane to the subject now under consideration, but I desire at this time to ask the indulgence of the committee to a question that, in my judgment, seriously concerns every interest of labor, agriculture, and capital. After the subject has been so ably and exhaustively discussed by so many of the distinguished leaders upon either side in the present Congress, it may seem presumptuous in me at this time to claim your attention. Sufficient reasons to myself, however, justify me in asking recognition and expressing myself unreservedly upon the question of the independent, free, and unlimited coinage of silver by the United States at the ratio of 16 to 1. Such a discussion in every aspect is immediately concerned with the interests involved in the pending measure.

It is not my purpose to enter at large upon the history or philosophy of money. Its history and important functions have already been traversed by those more competent to illumine this great subject with the product of their research and the statement of their argument. It is sufficient to say that money has been one of the most potent factors in civilization, and probably next to language itself has been "the greatest instrument of association" amongst the peoples of the world. Its certain and steady influence upon all the forces of organized society for good or ill during the history of the race makes it especially important that in the closing years of the nineteenth century no step be taken involving such vast consequences without due regard to the history of mankind or an enlightened judgment from the world's experience.

I will confine myself to a more practical view of present conditions, the causes for their existence, and the duty of the Government in remedying existing evils, whatever they may be.

HOUSE REVENUE AND BOND MEASURES.

Very early in the present session, and before this House was fully organized for the proper transaction of business by the appointment of its committees, the President, on December 20, 1895, communicated to Congress, requesting that it—

Grant prompt aid, as it alone had the power to give, to prevent in a time of fear and apprehension any sacrifice of the people's interest and the public funds, or the impairment of the public credit in an effort by executive action to relieve the dangers of the present emergency.

The report of the Secretary of the Treasury at that time showed that during the fiscal year ended June 30, 1894, there was a deficiency of $69,803,260.58; for the year ended June 30, 1895, $42,805,223.18; and from the last-mentioned date to December 1, 1895, $17,613,539.24; making an existing total deficiency of $130,222,023. At the end of the present fiscal year it will amount to over $140,000,000.

The Republican majority of this House promptly and patriotically responded to the President's appeal, and within one week from the receipt of the message, by a decisive vote, passed House bill No. 2749, entitled "A bill to temporarily increase revenues to meet the expenses of the Government and provide against a deficiency." It was in no sense a Republican measure, but was born of the exigencies of the occasion to meet the admitted deficiencies in the revenues of the Government and to protect the integrity of the Treasury. The measure was only intended to be temporary, and by the limitations of its provisions would have expired, had it been enacted into law, on the 1st day of August, 1898.

It is idle to claim that the provisions of the measure were in all respects satisfactory to the Republican membership of this House. But, with a hostile Executive to confront, it would have been a disregard of the business interests of the country to have consumed the public time in the preparation of a measure strictly in line with Republican principles, well knowing, even if it met the sanction of the coordinate branch of the legislative department of the Government, it was sure to receive the disapproval of the President. Any other course than the one pursued would have added a still greater uncertainty and placed a still heavier burden upon the business disturbance without any prospect of compensation or relief.

It was admitted that the measure prepared would have added to our depleted revenues an annual increase of exceeding $40,000,000. It would have placed the Government in time of peace in a position so that it could meet its engagements without negotiating bond sales, or conducting itself as a spendthrift—living beyond its income—a condition in our business affairs that ought to bring a blush to every self-respecting citizen of the Republic.

The Republican majority of this House, in answering the President's appeal, did not stop with the passage of the revenue bill. On the 28th day of December, 1895, to more surely protect the credit of the Government, it passed House bill No. 2904, entitled "A bill to maintain and protect the coin-redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue."

By the courtesy of the House I was permitted to express my approval of the bill, when it was pending for consideration, and summarized my conclusions thereon, in part, as follows:

The bill is no departure from Republican doctrine, but simply supplements the present statute, leaving all existing provisions in full force upon the subject.

The provisions are all in favor of the Government, making the rate of interest lower and the time for which the bonds are to run much shorter.

It will preserve the gold reserve for the use which the original law contemplated, and prevent it from being wantonly diverted to replace the deficiencies in the revenues.

This bill was returned by the Senate with a free-silver substitute, and on the 14th day of February last was nonconcurred in by this body by the decisive vote of 215 to 90.

REPUBLICANS OF SOUTH DAKOTA ON SILVER IN 1894.

In obedience to the following resolution of the convention by which I was nominated, my vote upon the proposition was recorded in the affirmative:

We favor the use of both silver and gold as money, at a ratio of 16 to 1, confining the coinage of silver to the American product at the net cost of the actual expense of coinage; and we demand that silver as well as gold shall be a legal tender for the payment of all debts, both public and private; and we pledge the Congressional nominees of this convention to support the principles herein contained.

Since that time, however, the Republicans of my State have spoken upon this question, in their convention recently held, and I am released from the obligations of that instruction.

It is the highest gratification to me that henceforth I am permitted to follow my own judgment upon this important subject, guided by the declarations of the national platforms, and as interpreted by the great leaders of the party. I acknowledge the right of a convention to bind by affirmative expression its candidates upon any legitimate issue, and the Representative who would willfully violate such an instruction is unworthy of public confidence. In principle I was and am opposed to the Senate substitute to the bond measure of the House. If I misunderstood my obligation I am willing to accept the fullest responsibility. If I erred in the construction of my duty under the resolution I meant it should be against my bias as well as my inclinations. To me it seemed plain I could not in good faith take any other course under the conditions existing. I could not with propriety, when the question was pending, speak one way, in harmony with my convictions, and vote another, according to the instructions.

In my remarks upon the coin redemption fund I endeavored to show that the real seat of the present trouble is largely, if not wholly, due to a false economic policy, insisted upon by the Democratic party, in the face of overwhelming facts, as well as the logic of the present unfortunate condition of our industrial and commercial interests. As shown by the official records of the Government, the net loss in trade balance of the United States has been enormous during the operation of the Wilson-Gorman tariff as compared during a like period with the McKinley law.

I feel justified in making these preliminary observations for the reason I believe the subject of the tariff, as well as Democratic maladministration, alike project themselves into this discussion, and that the tariff is the controlling question for wise and conservative legislation. The reversal of the tariff policy of the Government, in my judgment, brought about the unfortunate condition in our financial operations, which heretofore did not manifest itself under Republican legislation.

"THE CRIME OF '73.

It is a favorite prelude to many of the advocates of free and unlimited coinage of silver to revert to the "crime of '73." For my part, I am not so much concerned as to the manner of the passage of that act as I am with the mighty changes that have been wrought in our own and in the world's history during the period intervening, and especially in its great industrial, commercial, and monetary relations. I trust I am candid enough at the outset to admit that, in my judgment, a great mistake was committed by demonetizing silver, not alone by this Government, but practically by the whole of Europe. I believe it ought to be restored, and in due time will be by international action. Could the hands be turned back upon Time's dial, and could we stand in the presence of the conditions then existing, I would favor undoing what was then done. But now we are confronted by changed conditions that are not lightly to be reduced by speculation or theory, or by bold denunciation or declamation. It sounds well to assert the necessity for a new "declaration of independence," and an absolute freedom in our commercial and monetary systems. It is a matter for just pride to proclaim that, although we are the youngest among the great powers of the world, we are the greatest in population, in wealth, in the producing power of labor, in the product of our manufactories, in physical resources, and in all the potential powers of development and growth.

It is well, however, to remember that a nation, like an individual, does not live unto itself alone. Our commerce and exchanges have a world-wide relation. We stand associated, in spite of legislation and of boundary, to the great governments of the world. We meet them in every port, compete with them in every market, and our transactions are measured by the world's recognized medium of exchange. Forceful as we are as a nation and as a proud and powerful people, yet our laws largely stop at the sea. They can not reach beyond and control and dominate the great nations of the earth in their commercial and monetary relations, which have been fixed by the world's experience and by its common consent.

Mr. Chairman, if we were called to act upon this proposition, and could we disassociate ourselves from the great world of commerce and its exchanges, with which we are most intimately related, it would be a much simpler proposition. It occurs to me, however, that we are dealing with a question world-wide in its proportions, and is not confined distinctively by geographical limitations. The consensus of the world's enlightenment and its judgment must be considered.

To my mind the advocates of free and unlimited coinage of silver by this Government alone take too narrow a view of the question. It is contended by no one with any degree of information upon the subject that the demonetization of silver by the United States alone brought about the appalling disaster to that metal and produced its tremendous fall. It must be conceded that the action of this Government was only a part of the transaction. Germany, Russia, France, Austria, Denmark, Norway, Sweden, Belgium, Holland, Switzerland, India, and to say nothing of Great Britain, alike struck the blow by which it was assailed, These are the powers that joined in the general assault.

After the lapse of over twenty years, and years the most marvelous in all the world's history, can it be asserted that this Government can now undo what was then done, and unaided and alone lift this tremendous weight that the world's civilization has pressed upon this metal, and make it current coin, which this overwhelming judgment has denied? If disaster has befallen silver, that as a matter of fact it has depreciated 50 per cent as the result of adverse legislation by the Governments named, as well as by the United States, what rule of logic will justify the assertion that this Government alone, without the concurrence of a single one of these powers, can replace silver to its position in the world, in monetary exchange, on a parity with gold at its old ratio, to whose demonetization they alike contributed?

WOULD CONTRACT INSTEAD OF EXPAND CIRCULATION.

The proposition, it occurs to me, would not lead to bimetallism, but would result in silver monometallism. Gresham's law would prevail and gold at once would go out of circulation. Instead of expanding our circulating medium it would contract it. This would mean the instant withdrawal of the entire stock of gold in the country, which is shown by the Report of the Director of the Mint for 1895 to be $636,229,825. It would mean even more than this if the advocates of free coinage failed in their prophecy, that by this act of the Government the price of silver did not raise in its commercial value 100 per cent. Nothing can be more certain in human affairs than as a result we would be on a silver basis. That such act by our Government would raise the commercial price of silver there is no question, but as to what amount, it occurs to me, is entirely speculative.

The amount and kinds of money in circulation in the United States when the Senate substitute was under discussion was as follows:

Gold coin	$499,262,686	
Gold certificates	49,847,849	
		$549,110,535
Silver dollars	56,629,676	
Subsidiary silver	64,387,135	
Silver certificates	331,614,339	
Treasury notes	110,221,185	
		562,852,335
Paper money:		
Greenbacks	245,745,840	
Current certificates	28,925,000	
United States national-bank notes	203,086,897	
		477,757,737
Total		1,589,719,607

As I have heretofore stated, the entire volume of gold coin and gold certificates would disappear, and it would cause a contraction of our circulation exceeding 34 per cent. Under such a condition our silver coin would not be sustained by gold as it now is, and it would be obliged to take its chances in the broad commercial world for its own survival. Upon the assumption of silver remaining at the same price in the markets of the world, unaffected by the proposed legislation, and assuming there would be an appreciation in the prices of all commodities in this country equal to the increase in the legal over the commercial ratio of silver, then the silver coin, silver certificates, and notes outstanding would in purchasing power be lessened one-half. Under such circumstances the same would be true as to the amount of uncovered paper. It would take years to supply the deficiency in the circulation with the mints of the Government run to their fullest capacity for that purpose, to say nothing as to the needs for the ordinary increase in population.

At any rate, serious if not disastrous consequences would follow if the disparity between the two metals were even 20 per cent, as it was admitted in the discussion it might be, when now it is 50 per cent. This disparity would have relation to all values and would not be confined alone to our circulation in the change from one standard to another.

COMPARISON IN COMMERCIAL TRANSACTIONS.

Our industrial business and commercial interests could in no way be benefited by such a course. We can not afford to chance all on assumption and bare hypothesis. It would be unwise to part company in our commercial relations with the great governments of mankind, representing the most potent factors in the world's civilization, in intellectual, social, and material development, and which, according to Muhleman, represent over 87 per cent of the world's commerce, and ally ourselves in a monetary policy with governments of an inferior civilization which have to do with less than 13 per cent of the commercial exchanges.

In order to make still more direct application to our own Government, let us examine the following table as to the value and destination of the exports of the United States during the period

named, based upon the authority of the Bureau of Statistics of the United States Treasury for 1895:

Valuation and destination of the exports from the United States.

Countries.	Exports, 1885 to 1894, inclusive.	Annual average.	Per cent of total.	Approximate population.
1. United Kingdom, Great Britain and Ireland	$4,060,135,619	$406,013,562	51.12	40,000,000
2. British colonies and dependencies	712,054,131	71,205,413	8.97	{ *10,000,000 / †300,000,000
	4,772,189,750	477,218,975	60.09	350,000,000
3. France, Germany, Holland, and Belgium	1,809,533,962	180,953,396	22.78	104,000,000
	6,581,723,712	658,172,371	82.87	
4. Russia, Austria, and other European states	482,379,273	48,237,927	6.07	230,000,000
	7,064,102,985	706,410,298	88.94	
5. China, Japan, and other countries in Asia not under British rule	116,481,826	11,648,182	1.47	
6. Africa, not under British control	6,847,818	684,782	.09	
7. Hawaiian, Philippine, and islands not British or Spanish	44,348,757	4,434,876	.56	642,000,000
8. Small unenumerated places	13,953,245	1,395,324	.17	
	7,245,734,631	724,573,462	91.23	
9. South America, omitting British Guiana	295,285,939	29,528,594	3.70	36,000,000
10. Spanish and French West Indies, Haiti, and Santo Domingo	244,755,771	24,475,577	3.08	2,500,000
11. Mexico	113,517,519	11,351,752	1.43	12,000,000
12. Central America, omitting British Honduras	44,053,995	4,405,309	.56	3,500,000
13. United States				70,000,000
Total	7,943,346,955	794,334,695	100	1,450,000,000

*White. †Mixed.

In the first, second, third, fourth, and practically the whole of the sixth group named with which we have any export trade silver is not admitted freely to the mints, and substantially the gold standard prevails. The silver standard prevails in the balance, subject to the following exceptions: In the ninth, Brazil, Uruguay, Chile, and Venezuela have discarded silver, and as our export trade to these countries amounts to over two-thirds of the whole group, the per cent of the whole as applying to this group would be 1.23 instead of 3.70.

In the tenth group the French colonies and Santo Domingo should be excluded. The same is true of Cuba and Puerto Rico, as they are under the Spanish system and silver has not been admitted to the mints of Spain since 1878, except on Government account. The volume of the metals in Cuba in 1895 was as 1 to 6 in favor of gold. Our export to these countries amounted to over three-fourths of the whole, and this would leave the per cent as representing that group 0.77. Combining, then, as thus corrected, the fifth, seventh, eighth, ninth, tenth, eleventh, and twelfth groups, we have 6.19 per cent as against 93.81 per cent.

In other words, the value of our exports to the countries practically upon a silver basis represents 6.19 per cent of the whole volume of our export trade, as against 93.81 per cent with the great governments of the world that have denied silver coinage on private account at their mints and to-day, although using silver enormously, are upon a gold basis. If free silver is to open to us so enchanting a field in our export trade as the silver advocates picture, it would seem from this view there is an intense necessity for its development. Their statesmanship, I think, is hardly equal to the task from such an outlook.

WHERE FREE COINAGE EXISTS SILVER ALONE CIRCULATES.

No country can be named where free coinage exists in which both metals circulate upon equal terms. Gold has disappeared in every nation where it is now attempted, and silver alone is the medium of exchange. Shall we take the highway that leads to the same sure result? History and experience are more weighty than assertion, and practical applications of principles as well as theories are best known by their fruits. If there were no other element to be considered in this discussion than the simple demonetization of silver by this Government alone, it could be approached with some degree of assurance. It might then be safely conceded that the injury could be repaired by its restoration to its old position by the sole act of this Government. But, Mr. Chairman, as I have already endeavored to show, it was not this single cause that wrought the injury, but the combined action of practically the whole of Europe. Nor is it seriously contended by any standard authority on monetary history that the action of this Government in 1873 alone produced this result. How could such an effect have been produced by such a cause under the conditions then existing?

EARLIER COINAGE OF THE UNITED STATES.

As shown by the last report of the Director of the Mint, the total amount of silver coined at our mints from 1793 to 1873 was $146,589,000. It practically all consisted of subsidiary coin. During this entire period only $8,000,000 of silver went to our mints and received the stamp of the Government in one-dollar coins.

From 1803 to 1839, a period of thirty-six years, only 1,621 silver dollars were coined. In consequence of our mintage law of 1834 undervaluing silver, it sought a market elsewhere, and when in 1853, in order to prevent it, we debased our subsidiary silver, there was practically none in circulation. In 1861 our metallic money entirely disappeared from circulation, and this condition existed in 1873. As a matter of fact, at that time as a nation we were in possession of little or no silver. The total coin in circulation was $25,000,000, and this consisted almost entirely of gold, and was confined to the Pacific Coast. In 1878, the year before the resumption of specie payments, the total amount of silver in circulation was $16,269,079. Is it possible the act of 1873, when it only had direct relation to so small a volume of our circulating medium, could impress itself with such disastrous consequences upon the coined silver of the world, at that date amounting to $1,816,516,657? Some other power must have been in operation aside from the law upon our statute books of that period to work the tremendous change.

If other causes intervened, and causes which we can not now control by legislation, in what manner can those forces be readjusted except by the concerted action of at least a part of those powers which brought about the original disturbance? It is asserted that opening the mints of the United States to the free coinage of silver at the old ratio, backed by the unlimited resources of this Government, would fix the price of the product the world over. Were this statement sustained by sufficient proof, historical or otherwise, I would be willing to accept it. But this assertion is the very essence of the contention, and ought to be sustained by substantial evidence. In a matter of such tremendous consequences to the business and commercial interests of the country an argument should be sustained by something other than assertion, something more than a mere hypothesis, something aside from speculation, and not in contravention of the teachings of history and the experience of mankind.

BALFOUR ON BIMETALLISM.

The position of Mr. Balfour, the recognized leader of bimetallism in England, a man of great learning and ability, and silver's conscientious friend, has often been referred to in this discussion, and especially by the advocates of the free and unlimited coinage of silver. He recognized grave difficulties at the outset in the solution of this question, as mentioned in his Mansion House speech in 1894. The first difficulty was the ratio between the two metals. He next asserts that no nation independently and for itself can successfully regulate its currency without regard to other governments, and that he who asserts to the contrary is a "dreamer of idle dreams." The following is that part of his address to which I refer:

> Now, the question with which we are concerned is whether it be or be not inexpedient to adopt by international agreement this double standard, and I am far from denying—and I think a bimetallist is a very poor friend of his cause who would deny it—that there are difficulties, difficulties of detail it may be, but still difficulties, inevitably attaching to the solution of this question.
>
> I have only to mention one of these difficulties—the difficulty, namely, of what shall be the ratio on which the nations of the world are to agree as that which is to govern the future relations between gold and silver in the double standard?
>
> I believe there are individuals who cherish the dream that currency is a matter for the State to regulate independently and for itself alone; that with its currency no foreign nation has a right to interfere; that it is a matter simply for the citizens of every community in relation to each other, and that the outside world need not be taken account of at all in coming to a decision upon a question which is one of purely domestic policy. Ladies and gentlemen, this is a dream. I will go further and say it is a dream worthy only of a mediæval dreamer. We have long passed that stage of civilization when each country was a self-contained or approximately self-contained national unit, and when it could afford to disregard the internal commercial relations of other countries. Those days have gone by; they have gone by never to return, and I do not think there is a man in this room who regrets it.

INTERNATIONAL BIMETALLISM IN EUROPE.

And this same eminent statesman and high authority on bimetallism stated no longer ago than the 17th day of last March, in the English House of Commons, when the Whitely bimetallic motion was pending before that body, that "he regarded the resolution as an indication that England was prepared to bear her fair share in establishing an international agreement for the use of both metals in the currency on a reasonable basis, just to debtor and creditor alike."

England, he says, is prepared to bear her "fair share in an international agreement." The thought of that great money power

alone assuming the responsibility does not seem to him worthy of consideration. Upon the same day the Protectionists' leader in the French Chamber of Deputies presented a resolution that the Government open negotiations for the bringing about of an international monetary agreement. The premier of the Belgian Government before the Chamber of Deputies of that Government, on March 13 last, urged "the reestablishment of international bimetallism, and assured the Chamber that the Government would acquiesce in any measure insuring by international agreement the stability of the monetary exchange of gold and silver."

No longer ago than last December a resolution passed the German Reichstag, by a decisive vote, declaring in favor of a larger use of silver and favoring international action looking to that end. From no quarter in Europe do we hear independent action by one government suggested, much less advocated by any respectable authority. They seem to recognize the fact that money has an international relation that can not be independently or arbitrarily controlled or regulated by the separate powers.

As stated by Mr. Balfour in his Mansion House speech, even the question of the ratio is an important consideration, but this is passed over lightly by our friends, as though 16 to 1 were the fixed and immutable law of nature, designed by the Creator from the foundation.

HAMILTON AND JEFFERSON ON LEGAL AND COMMERCIAL RATIO.

It did not appear to be so considered by Mr. Hamilton or Mr. Jefferson, the founders of the system in our early history. They sought most carefully and diligently to determine in the first instance the commercial relation between the metals, and thereby be able to declare by law the fact as it then existed in the commercial world irrespective of the statute. It does not appear to have been contemplated by these wise and farseeing statesmen that legislation as to the ratio would have any effect, or in any manner would modify the commercial ratio as then recognized by the business and commercial world.

Hamilton stated in his famous report to Congress:

> There can hardly be a better rule in any country for the legal than the market proportion. * * * The presumption in such case is that each metal finds its true level, according to its intrinsic utility, in the general system of money operations.

Jefferson entirely agreed with this position and expressed himself as follows:

> Just principles will lead us to inquire into the market price of gold in the several countries with which we shall be principally connected in commerce and to take an average from them.

CHANGING OF LEGAL RATIO BY UNITED STATES.

The ratio determined upon by the act of Congress of April 2, 1792, was 15 to 1. It was very soon made manifest in the exchanges that an error had been made, and which the law was unable to control. Although the mints were open to the free coinage of both metals at the above ratio, gold was undervalued, although by only a small per cent, yet it sought the markets of the world at its commercial value, avoided our mints, disappeared absolutely from circulation, and this in the face of our legislation, which in no manner appeared to control or affect it. Silver was current coin.

This was the condition up to 1834–1837, and again an attempt was made to fix the legal ratio so as to conform to the commercial value of the metals, and thereby be able to secure the concurrent use of both gold and silver in circulation. Congress fixed the ratio at 16 to 1. The new order was no better. A mistake was again made. This time silver was undervalued at its commercial ratio, and instead of silver seeking our mints and retaining its place in our coinage and circulation it absolutely disappeared and gold alone was in circulation. To such an extent did silver disappear from use by the shipment of our coins abroad that in 1853, in order to retain in circulation the subsidiary silver coin, it became necessary to reduce the amount of silver contained in them, and thereby prevent their shipment.

The greater part of the silver coins that had been in circulation from the organization of the Government up to this time was foreign and had been made legal tender by act of Congress. But on February 21, 1857, an act was passed declaring "that all former acts authorizing the currency of foreign gold and silver coins and declaring the same a legal tender in payment for debts are hereby repealed." This act struck down the larger part of the silver then in circulation and was the first act in its demonetization.

I cite these facts of our monetary history, not to sustain the proposition that the two coins can not be maintained in concurrent circulation at a fixed ratio or that this is absolutely necessary, but that they did not do so under most favorable conditions when the legal and commercial ratio only varied in a slight degree, and when we had the cooperation practically of all the great powers of the world. If we failed then, how can it now be asserted, with the disparity in ratio between gold and silver of 50 per cent, that we alone could succeed in lifting this tremendous weight with the pressure of the commercial world against it, and without their recognition or assistance.

I may be mistaken in my conclusions, but I shudder at such a step for the safety of my country. To my mind every interest of labor would be imperiled, all commercial, business, and industrial prosperity would hang in the balance. If the lessons of history are any guide, it occurs to me the results would be disastrous in the extreme. I hesitate to accept the opinion of any man, and refuse to take such a step unsupported by any evidence and contradicted by every parallel in the world's experience.

FOLLOW EXPERIENCE OF ENLIGHTENED GOVERNMENTS.

The Latin Union, after a fair trial, under favorable conditions, surrendered the responsibility, and shall we now assume what they laid down, with the tremendous changes that have since ensued? Shall we profit by the experience and enlightened judgment of French statesmanship that now maintains the parity of the two metals in full circulation, or shall we join Mexico in free coinage, with practical silver monometallism? Shall we place less reliance in the German Empire, with its high order of talent in statecraft, in philosophy, and in learning, than in China, that stands palsied in the presence of modern civilization? Shall we join progressive Japan in a policy recognized by her as entirely inadequate to her growing necessities, and from which she is struggling to release herself? There free coinage of silver has recently been arrested except on Government account. Shall we break the commercial bond with the Anglo-Saxon race, upon which rests the highest aspirations for the world's future in civil government and ally its endeavors in the Western world with the stolid movements of the Orient?

In short, shall we keep in commercial sympathy with the leaders and potential factors in the world's enlightenment and progress, that have given it its history and its genius in civil government, or shall we turn our eyes for brighter hope to nations of inferior standing in all the elements of mental, social, and material development?

USE OF SILVER BY UNITED STATES SINCE 1873 AND ITS FALL.

We have listened to very much harsh criticism as to the hostile treatment of silver by this Government since 1873. It is well to admit it was demonetized and robbed of full money function. But it suffered like treatment at the hands of the other governments I have named. Aside from this one fact (which I am free to admit is a very grave one), no other government has been more generous in its recognition or use. Under the Bland-Allison Act of 1878 and the Sherman Act of 1890, which authorized and directed the Secretary of the Treasury to purchase a certain amount of silver per month, and in pursuance of that legislation the Government up to the latter part of 1893 purchased practically the entire product of the mines of the United States, amounting to nearly 460,000,000 ounces. The vast output of silver which has been coined by the Government since 1873, as shown by the Director of the Mint, amounts to $538,444,467, and which by the legislation of the Republican party has been maintained at a parity with gold. And by the same authority it is stated we had on hand on July 1, 1895, of silver (including bullion in mints and mercantile safe deposit companies), $625,854,949.

Yet, notwithstanding this immense purchase of silver bullion by the Government during this period, it apparently had little or no influence upon its market value. It constantly, with but little variation, declined. The following table, taken from the Report of the Director of the Mint for 1895, shows the average price of silver per fine ounce during the period to which I have referred:

Average price of silver from 1878 to 1894.

1878	$1.2048	1887	$0.9810
1879	1.1218	1888	.9547
1880	1.1440	1889	.9338
1881	1.1328	1890	.9668
1882	1.1351	1891	1.0901
1883	1.1174	1892	.9402
1884	1.1120	1893	.8430
1885	1.0897	1894	.7313
1886	1.0334		

WORLD'S PRODUCTION AND USE OF SILVER SINCE 1873.

In addition to the large use of silver by our own Government we find its coinage was marvelously augmented in the mints of the world, as shown by the Report of the Director of the Mint for 1895, at page 51. It is there stated that from 1873 to 1894 there was coined in silver $2,756,423,015. By the same authority, at page 41, we find the stock of coined silver in the world on January 1, 1895, was $4,070,500,000, and that of this amount $3,439,000,000 is full legal tender. Excluding recoinages, it will be observed that exceeding 66 per cent of the present stock of the coined silver of the world has gone to the mints since the act of 1873 was passed.

It occurs to me, Mr. Chairman, there is another fact, aside from the act of demonetization in 1873, which ought to be considered in connection with the tremendous fall in silver during the period in question. Two facts are practically coincident in the year 1873—demonetization and enormous production of silver—which has

since continued. The following table is taken from the Report of the Director of the Mint for 1895 (pages 248–249):

Production of gold and silver in the world since the discovery of America.

[From 1493 to 1885 is from a table of averages compiled by Dr. Adolph Soetbeer. For the years 1886 to 1894 the production is the annual estimate of the Bureau of the Mint.]

Period.	GOLD. Annual average for period.		SILVER. Annual average for period.	
	Ounces, fine.	Value.	Ounces, fine.	Coining value.
1493–1520	186,470	$3,855,000	1,511,050	$1,954,000
1521–1544	230,194	4,759,000	2,899,930	3,749,000
1545–1560	273,596	5,656,000	10,017,940	12,952,000
1561–1580	219,906	4,546,000	9,628,925	12,450,000
1581–1600	237,267	4,905,000	13,467,635	17,413,000
1601–1620	273,918	5,662,000	13,596,235	17,579,000
1621–1640	266,845	5,516,000	12,654,240	16,361,000
1641–1660	281,955	5,828,000	11,776,545	15,226,000
1661–1680	297,709	6,154,000	10,834,550	14,008,000
1681–1700	346,095	7,154,000	10,992,085	14,212,000
1701–1720	412,163	8,520,000	11,432,540	14,781,000
1721–1740	613,422	12,681,000	13,863,080	17,924,000
1741–1760	791,211	16,356,000	17,140,612	22,162,000
1761–1780	665,666	13,761,000	20,985,591	27,133,000
1781–1800	571,948	11,823,000	28,261,779	36,540,000
1801–1810	571,563	11,815,000	28,746,922	37,168,000
1811–1820	367,957	7,606,000	17,385,755	22,479,000
1821–1830	457,044	9,448,000	14,807,004	19,144,000
1831–1840	652,291	13,484,000	19,175,867	24,793,000
1841–1850	1,760,502	36,393,000	25,090,342	32,440,000
1851–1855	6,410,324	132,513,000	28,488,597	36,824,000
1856–1860	6,486,262	134,083,000	29,095,428	37,618,000
1861–1865	5,949,582	122,989,000	35,401,972	45,772,000
1866–1870	6,270,086	129,614,000	43,051,583	55,663,000
1871–1875	5,591,014	115,577,000	63,317,014	81,864,000
1876–1880	5,543,110	114,586,000	78,775,602	101,851,000
1881–1885	4,794,755	99,116,000	92,003,944	118,955,000
1886	5,135,679	106,163,900	93,297,290	120,626,800
1887	5,116,861	105,774,900	96,123,586	124,281,000
1888	5,330,775	110,196,900	108,827,606	140,706,400
1889	5,973,790	123,489,200	120,213,611	155,427,700
1890	5,749,306	118,848,700	126,095,062	163,032,000
1891	6,320,194	130,650,000	137,170,919	177,352,300
1892	7,102,180	146,815,100	153,151,762	198,014,400
1893	7,609,242	157,297,000	165,165,876	213,547,800
1894	8,705,836	179,965,600	166,601,995	215,404,600

While the production of silver from 1493 to 1873, a period of three hundred and eighty years, amounted to $589,088,000, yet from 1873 to 1894, a period of twenty-one years, it amounted to the enormous aggregate of $1,978,296,000. In other words, in the brief period of twenty-one years the output exceeded that of nearly the four centuries preceding by almost 350 per cent.

I am free to admit the production of gold also increased in almost like ratio from the year 1850 and that it has been greatly accelerated during recent years. From the mere inspection of the table it occurs to me other causes have contributed to the fall of silver aside from the act of our own Government. Physical causes, as well as legal, have alike been potent. In consequence of the vastly increased production of gold there has been much more of that metal to take the place of silver in the mints where the free coinage of the latter is denied. And of the vast amount of silver now in use in the world, as before stated, over 85 per cent is full legal tender. And this, with the gold, has thus been enabled to do the work that heretofore was performed by both metals with silver having free access to the mints.

If silver has had such a large use during this period, greater than during any like era in the world's history, must there not be some far-reaching and controlling cause other than the action by this Government that has gradually borne it down? To assent to such a proposition seems to me the very acme of credulity. And to assert that by the mere fiat of this Government, great as is its wealth, its resources, and its potential energies, it can add 100 per cent in value to the immense stock of silver in the storehouses of the world is outreaching the limits of the possible in human affairs. The ablest champion of the proposition on this floor, and to whom I have heretofore alluded, admitted it might not be possible, and there might be a difference in the ratio in favor of gold of 20 per cent. Such a confession, it seems to me, destroys the force of the whole contention. If we lost our gold at one time and our silver at another in the earlier part of our history, when the difference in the ratio was only nominal, there can be no question under such a condition that every dollar of our gold would at once disappear from circulation.

EFFECT ON VALUES, BUSINESS, AND LABOR.

Mr. Chairman, I will not stop to consider or even forecast the condition of our business affairs under the impending change. Every man could foresee it. When it was known that the Congress of the United States would pass such a measure, and that a President would approve it, every creditor would seek to enforce his demands and reduce his holdings to money or its equivalent. The foreign as well as the domestic holders of our bonds and securities would flood every market in the eager rush for their redemption before such a law could be placed on our statute books. The same would be true of every security and obligation. All would want to convert into cash, and none would be purchasers.

Every debtor would be pushed to the extreme. No extensions would be granted, and every debtor would go down in a general maelstrom of disaster. Pandemonium in business disasters would run riot. The selfish creditor would make haste to secure the full equivalent of his securities before the impending disaster of a depreciated currency would ensue. Defenseless debtors would be driven into hopeless bankruptcy, their mortgages foreclosed, their collaterals sacrificed upon a market where chaos reigned, with capital in hiding and bidders dumb. Wealth could protect itself, but the debtor of whatever class would be swept down in the common avalanche of disaster. And labor, until a readjustment under the new order was made, would be helpless; at best the purchasing power of his wages would be reduced immeasurably, and in proportion to the depreciation of the money in which it was paid.

The level of all prices would advance as measured by the inferior money. But wages never have increased in like proportion to the depreciation in the value of money in circulation or in the increase in the price of commodities. Labor in the meantime would stand at a tremendous disadvantage and would suffer untold loss for an indefinite period. This fact was abundantly demonstrated during our late war. It was four years after the close before the rates of wages corresponded with the rise in prices of commodities. During the intervening period, in which we had a depreciated currency, there was a difference between the advance in the rate of wages and of commodities which the laborer was obliged to purchase for his necessaries as follows: In 1862, nearly 18 per cent; in 1863, 38½ per cent; in 1864, 65 per cent; and in 1865, 74 per cent. It was 1869 before the equilibrium was finally established.

FALLING PRICES.

It occurs to me, Mr. Chairman, that we might stop here for the absolute lack of evidence on the part of the advocates of free coinage to sustain in any manner their contention. I desire, however, to enter into another branch of the discussion upon which so much stress is laid, and that is, the fall in the prices of commodities since 1873. I will not claim "that there is not a single important product of industry in agriculture, manufacturing, transportation, or commerce in which there has not been a reduction in the cost of production or distribution which will not more than account for any reduction in price which has occurred between 1873 and 1892." I believe, however, the statement is to a certain extent correct.

The method usually pursued to sustain this claim is inaccurate and misleading in the extreme. Miscellaneous articles are combined without any relevancy as to character or method of production, an index number is taken for a particular year at 100, and averages follow for corresponding years. Conclusions are arrived at surprising in the extreme, but absolutely lacking in credibility when subjected to analysis.

"Falling prices" in certain articles is that for which ingenuity and mechanical skill have been persistently struggling. The manufactured article has fallen, fallen enormously, and it is well that it should. The forces of modern civilization must have wrought in vain if this desired result has not in some manner been realized. The inventive ingenuity of our citizenship has displayed itself in every avenue of our industrial and commercial life. As a result, labor-saving devices have been multiplied. Within these years the artisan has changed from a mere laborer to a director of mechanical appliances, and his product has been vastly augmented. Improved processes in manufacture, the lowering of rates of transportation by more than one-half, the lessening rates of interest, the forces of more extended competition, a higher culture, and the greater efficiency of labor itself have all alike contributed, as they properly should, to the lessened cost of production, and hence to the price of the manufactured article, and with which the act of 1873 bears no possible relation.

PRICES OF AGRICULTURAL STAPLES AND FOOD PRODUCTS SUSTAINED; MANUFACTURED ARTICLES DECLINED.

If in the preparation of these tables the articles of manufacture are included with the staple products, the result will and should show a fall in prices. But, on the other hand, if these articles be kept separate, the result demonstrates the fact that, while the fall in price is most marked in the products of manufacture, the agricultural staples and food products as a whole have been sustained, especially up to the latter part of 1892, when it was known that Democracy and "tariff reform" were triumphant. Illustrating as well as demonstrating this statement, I insert as a part of my remarks the following table, subdivided into groups, prepared by the eminent statistician, Dr. Soetbeer, from the most trustworthy data, based on the prices of 100 articles at Hamburg and 14 leading articles of British manufacture from 1851 to 1885. The average price of all of these articles from 1847 to 1850 was taken as the base, or 100

in the comparison, for the reason that these years prices as a whole were normal:

Groups.	1866-1870.	1881-1885.
Products of agriculture, etc	137.74	130.77
Animal and fish products	138.35	150.65
Southern products, etc	121.54	134.41
Tropical products, etc	118.32	119.91
Mineral and metals	95.47	81.55
Textile materials	129.17	96.65
Miscellaneous	105.90	91.11
14 British manufactured articles	130.55	103.28

As further demonstrating the same proposition, and having perhaps a more direct application, for the reason of its more recent compilation, and as practically having relation to our own domestic concerns, I insert the following table. It is from the Forum of April, 1895, which has heretofore been referred to in this discussion. In the compilation of the table the prices and wages are derived from the report of the Finance Committee of the United States Senate, compiled under the direction of the Hon. Carroll D. Wright. The prices, as well as the prices in London, which are given in terms of gold, compiled by Mr. Augustus Sauerbeck, have been completed and compared on the unit of 100 in 1860 by Prof. Roland P. Falconer, of Johns Hopkins University:

Prices, wages, purchasing power.

	1845.	1850.	1855.	1860.	1865.
Meat	79.4	86.6	104.7	100	197
Other food	82.8	80.7	114.5	100	240.3
Cloths and clothing	97.1	91.3	94.7	100	209.2
Fuel and lighting		102.6	121.1	100	237.8
Metals and implements	110.8	114.8	117.8	100	191.4
Lumber and building materials	106.7	102.2	103.4	100	182.1
Drugs and chemicals	121	123.6	129.2	100	271.6
House furnishing	102.3	125.6	121.1	100	181.1
Miscellaneous	114.8	107.7	115.2	100	202.8
Average of all prices	102.8	102.3	113.1	100	216.8
Average of all wages	86.8	92.7	98	100	143.1
Average wages by importance	85.7	90.9	97.5	100	148.6
Salaries of city teachers	74.8	83.8	91.4	100	134.7
Paper money	100	100	100	100	49.5
Gold price of silver bullion in London	95.3	97.3	100	100	99
Purchasing power of wages	84.4	90.6	86.6	100	66

	1870.	1875.	1880.	1885.	1890.
Meat	174.3	140.4	103.6	107.6	99.6
Other food	146.3	135	116.9	97.2	103.5
Cloths and clothing	139.4	120.1	104.5	84.8	82.4
Fuel and lighting	196.5	156.5	100.2	89.6	92.5
Metals and implements	127.8	117.5	96.3	77.4	73.2
Lumber and building materials	148.3	143.7	130.9	126.6	123.7
Drugs and chemicals	149.6	144.2	113.1	86.9	87.9
House furnishing	121.6	95	85.2	70.1	69.5
Miscellaneous	148.7	122.9	109.8	97.5	89.7
Average of all prices	142.3	127.6	106.9	93	92.3
Average of all wages	162.2	158.4	141.5	150.7	158.9
Average wages by importance	167.1	158	143	155.9	68.2
Salaries of city teachers	186.3	188.1	182.8	186.3	86.3
Paper money	81.1	88.8	100	100	100
Gold price of silver bullion in London	98.2	92.2	84.7	78.7	77.4
Purchasing power of wages	114.1	124.1	132.3	162	172.1

It is evident from an inspection of the foregoing table that the products of agriculture in 1890 maintained and even exceeded the prices of 1860, when silver was admitted to the mints. All articles of manufacture, with the single exception of lumber and building material, have been wonderfully reduced in price, and very much below that prevailing in 1860, and especially in the succeeding years up to 1890. The implements of husbandry, the furnishings of the home, clothing—these articles so indispensable to comfort and domestic happiness—were brought within the reach of the individual.

And at no time in our history or in the history of the world had the product of the day's labor so great a purchasing power. What was true in 1890, as demonstrated by the foregoing table, was still further manifested in 1892. And although wages had increased 58 per cent since 1860, the purchasing power had increased 72 per cent, indicating that this greatest of all commodities had been most marvelously conserved. At that time also the most fortunate conditions prevailed in all our industries, and labor found the fullest employment, and few, if any, were unemployed.

The same distinguished authority, in the May number of the same periodical for 1892, speaking of the conditions then existing, which it will be remembered was when Mr. Harrison was President and before the calamity of the present Administration was foreshadowed, stated:

There has never been a period in this or any other country when the general rate of wages was so high as it is now or the price of goods relatively to the wages as low as they are to-day, nor a period when the workman, in the strict sense of the word, has so fully secured to his own use and enjoyment such a steadily and progressively increasing proportion of a constantly increasing product.

FLUCTUATION IN ENGLISH GOLD PRICES BEFORE AND SINCE 1873.

I desire now to show the fluctuation in the English gold prices of forty-three articles of necessity which are in common use, comprising vegetable and animal foods, tea, coffee, sugar, minerals, textile materials, and sundries. The table was compiled by Professor Falconer from Sauerbeck's table of gold prices in London, the unit or index number being taken at 100 in 1860. Silver had free access to the mints in the period between 1846 and 1872, inclusive; and in the second period the gold standard practically prevailed. In the first period unusual conditions prevailed to abnormally raise prices. The great conflicts between Austria and Prussia, Germany and France, the Crimean as well as our own great struggle, occurred in this period. The war of England with China also marked this era. During the second period it was practically a time of peace and of unusual production and competition, which is conducive always to lower prices:

1846 to 1873, inclusive.

1846	92.2	1856	102.8	1866	106.5
1847	97.9	1857	106.9	1867	103.9
1848	79.9	1858	93.3	1868	103.1
1849	76.4	1859	95.2	1869	101.9
1850	79	1860	100	1870	100.3
1851	77.1	1861	99.6	1871	102.6
1852	80.8	1862	105.6	1872	112.5
1853	96.9	1863	109.3	1873	116.6
1854	106.2	1864	112.3		
1855	103.1	1865	105.8		

1873 to 1891, inclusive.

1883	116.6	1880	91.8	1887	70.7
1874	107	1881	88.5	1888	73.9
1875	100.3	1882	88	1889	76.7
1876	97.5	1883	86	1890	76
1877	97.4	1884	79.3	1891	75.4
1878	91.2	1885	75.4		
1879	86.7	1886	72.4		

Recourse, as a rule, is always had by the advocates of unlimited coinage to the table prepared by Mr. Sauerbeck to establish the "fatal fall" in prices since the demonetization of silver in 1873. From a careful survey of the foregoing table it will be discovered that during the first—the bimetallic—period, when the price of silver was practically uniform, there was a fall in the year 1849 to substantially the same average as in 1890 and 1891. Then a rise, a fall, and a rise in 1864 to nearly the same level as prevailed in 1873. Succeeding 1864 there was a fall, and then succeeded "The final great speculative rise and financial debauch in 1873, when English credit and goods began to spread over the world in a way which but lately culminated in the disastrous losses in Australia and South America."

Will some advocate of unlimited coinage explain the lack of parallelism between silver and commodities in the first period, when there was constant fluctuation of the price of commodities, and silver remained fixed and stationary? In the second period, however, they argue there is the closest sympathy and inseparable relation. I do not believe the demonetization of silver in 1873 is a sufficient answer.

As further explaining the tables in question I read from the article to which I have referred:

It will be observed that there were greater fluctuations and variations in the course of prices and almost as great a fall at one period between 1846 and 1872, when the Latin Union was in existence, and silver was coined in France freely at the ratio of 15½ of silver to 1 of gold, as there have been since silver was deprived of its full function of legal tender.

When each separate type of the 43 articles is dealt with year by year, it is found that a few have risen since 1873, others have fallen but little, others greatly, others have varied from year to year, but there is no sign of any influence causing a steady tendency to depression, such as is asserted by the so-called bimetallists.

Since 1873 there have been less fluctuations than before, rather an orderly reduction in most prices, varying slightly with the difference in seasons in each year, but corresponding closely with reduction in cost. This beneficial fall has been accompanied by a corresponding or correlative rise in wages—greater in the United States than in any European states. Since 1873, under the influence of peace and the stability of the gold unit of value, this beneficent fall in prices has also been accompanied by a vast development of international commerce.

FALL IN PRICES COMMENCED BEFORE 1873.

Mr. Chairman, as a matter of fact, and as conclusively established by the tables of Mr. Sauerbeck, in which full reliance is placed by the advocates upon either side of this controversy, not only on account of the eminent character and ability of the author, but by his exhaustive and far-reaching investigations, the "fatal fall" in prices really commenced in 1864–65 instead of in 1873. In the latter year and the one preceding it abnormal and unusual conditions existed, that forced prices up in the speculative and financial excesses then prevailing, to which I have heretofore alluded. The facts of our own history conclusively demonstrate that falling prices set in almost immediately after the close of the civil war.

These tables further show, and as most forcibly illustrated by the chart prepared therefrom and used by my learned and able friend from Minnesota [Mr. McCLEARY] in his speech recently upon this subject, that the average fall in prices during the bimetallic period between 1818 and 1852 was as great as, and even greater than, during the gold period from 1873 to the present time. The year 1873 was not the commencement of the fall of prices in that era, but such a condition had for some time been prevailing.

This position is sustained by one of the most eminent authorities, Jevons, in his admirable work on Money and the Mechanism of Exchange. In speaking of the value of money, he states: "From 1809 to 1849 it rose again in the extraordinary ratio of 100 to 240, or 140 per cent." In other words, if the purchasing power of money rose so enormously it means that prices fell in a corresponding degree, or at the ratio of 240 to 100. Can it be claimed by the most ardent advocates of unlimited coinage that the fall in prices since 1873 bears any like proportion to the conditions then existing, and that, too, at a time when silver was freely admitted to the mints and practical bimetallism was in force with the commercial nations of the world?

During the existence of the mint ratio of France, from 1803 to 1873, though persistently asserted to the contrary, it is nevertheless true that the prices of commodities constantly fluctuated. Evidence is wholly lacking to show any relation as between prices and silver, which, during this period and long prior to the enactment of the French law, had maintained the same unvarying ratio with gold. Another fact is strongly brought to light by the tables of the eminent statistician, Dr. Soetbeer, that from 1851 to 1885, inclusive, the years covered by his investigations, at no time did the average prices of agricultural products fall below his standard of comparison (the prices from 1847 to 1850), when bimetallism was in force, and in 1885, as well as the average price from 1873, was very much higher.

It is further demonstrated by these tables, and it was strikingly illustrated by appropriate charts in the discussion recently had by the learned gentleman to whom I have already alluded, that the chief animal food products, which is a subject of especial interest to the agriculturist, although subject to frequent fluctuations, have since 1873 maintained a price very much above that prevailing with the standard of comparison in 1847–1850, when silver was admitted to the mints.

SENATE REPORT ON PRICES AND WAGES.

We are not confined, however, to the data even of such eminent authorities as Dr. Soetbeer and Mr. Sauerbeck. The investigation made upon the subject of prices and wages under the authority of the Finance Committee of the United States Senate, to which I have heretofore referred, covered 223 different articles from 1860 to 1891, but only embraced 85 from 1840. The accuracy of the deductions I have never heard questioned. Partisanship in no sense entered into the inquiry, and the report has been accepted as unbiased.

This report shows that the average of all wages, without taking into consideration the lessened hours of labor, as I have already stated, had increased 58 per cent as compared with those prevailing in 1860, and that its purchasing power had increased 72.1 per cent. If regard be had, however, to the hours of employment, real wages had increased 97 per cent in effectual purchasing power. The report further shows that food products from 1873 to 1891 had fallen less than 10 per cent, but making the comparison with the prices prevailing in 1860 they were higher in 1891 by 18 per cent. Building materials had fallen nearly 20 per cent, house furnishings 27 per cent, clothing 32 per cent, and agricultural implements 35 per cent.

As further showing the enormous increase in the rate of wages, I refer to a recent address delivered by Hon. Carroll D. Wright, in which his examination covered an extensive period, the most important in modern times—from 1850 to 1890. They show a constant increase from an average of $247.38 per year in 1850 to $302.08 in 1870, and to $444.83 in 1890. Strange as it may seem, the rate of increase has been at a much higher percentage since the act of 1873 than before. Marvelous discoveries and the multiplicity of inventions in these years have amazingly developed man's capacity in production, and it has become an age more of mental than physical exertion in every department of life. As stated by an eminent authority, "the productive capacity of an average operative in a given mill, working year by year throughout the period, has increased from 4,320 yards a year in 1830 to 9,607 yards in 1840, and in 1894 was over 30,000 yards."

It is also stated by Mr. Wright, in the address to which I have already referred, wherein he combats the proposition of the growing proportion of the unemployed, that a comparison between 1870 and 1890 shows that in the former year 32 out of every 100 population were engaged in some gainful occupation, while in 1890 the ratio was 36 to the 100, a very considerable gain as affecting our entire population. He also states that the total number of employees in the manufactories of this country increased from 731,137 in 1850 to 3,745,123 in 1890, while the wages rose from $236,750,000 to $2,225,000,000; that while in 1860 Great Britain exceeded us in the amount of her manufactured product by more than 50 per cent, yet in 1890 the United States outstripped her great rival by nearly 125 per cent. He further speaks of the "decadence of profitable agriculture, the absorption of the small farm and homesteads by the land sharks and the shylocks, and as to the increasing burden of mortgages," which are some of the themes so often sung, and at no time so persistently as in this discussion. The facts are, however, that the 1,500,000 farms in the United States in 1850 had increased in 1890 to 4,500,000, and their value had risen from $151,500,000 to nearly $500,000,000. The average size of the farm had fallen in the same time from 203 to 137 acres.

WHEAT RAISING AND PRICES.

The subject of unprofitable wheat raising, especially in my own section, is a theme for most hostile attack, and I desire to briefly allude to it in this connection. After such able discussions upon this subject during the present session it seems like a waste of time to further pursue it. If any article has had a "fatal fall" in the last few years it surely is wheat. I am at a loss to persuade myself, however, that the causes for its decline are alone to be found in the legislation of 1873. In the first place, the production of wheat in this country has been wonderfully augmented since 1873. Compare the last crop marketed before that year with that of 1891, the last one marketed before the election of Mr. Cleveland. It increased from 225,035,000 bushels to 570,833,000—over 150 per cent. The exports of wheat-raising countries have also wonderfully increased during the same period, and have been brought into direct competition with our own production.

In 1873 the Argentine Republic exported no wheat, while in 1892 she exported over 470,000,000 kilos. India increased her export from 394,000 hundredweight in the same year to 30,306,000 in 1892. Russia increased her exports from 6,957,000 chetverts in 1873 to 16,206,000 in 1891.

It is needless to enter at large into a discussion of the lessened cost of wheat production from the year 1873 to 1891. Modern appliances, both in preparing the ground, the seeding, harvesting, and thrashing, have been perfected, simplified, and cheapened so that they have come into general use. The occupation has practically changed from one of drudgery to that of mechanical skill.

The following table is taken from the Monthly Crop Report for December, 1895, United States Department of Agriculture, and the figures are for the month of December each year:

Production, value, price, and exports of wheat since 1880.

Year.	Total area of crop.	Total production.	Total value of crop.	Average value per bushel.	Average yield per acre.	Average value per acre.
	Acres.	*Bushels.*		*Cents.*	*Bushels.*	
1880	37,986,717	498,549,868	$474,201,850	95.1	13.1	$12.48
1881	37,709,020	383,280,090	456,880,427	119.2	10.2	12.12
1882	37,067,194	504,185,470	444,602,125	88.2	13.6	11.99
1883	36,455,593	421,086,160	383,649,272	91.1	11.6	10.52
1884	39,475,885	512,765,000	330,862,260	64.5	13	8.38
1885	34,189,246	357,112,000	275,320,390	77.1	10.4	8.05
1886	36,806,184	457,218,000	314,226,020	68.7	12.4	8.54
1887	37,641,783	456,329,000	310,612,960	68.1	12.1	8.25
1888	37,336,138	415,868,000	385,248,030	92.6	11.1	10.32
1889	38,123,859	490,560,000	342,491,707	69.8	12.9	8.98
1890	36,087,154	399,262,000	334,773,678	83.8	11.1	9.28
1891	39,916,897	611,780,000	513,472,711	83.9	15.3	12.86
1892	38,554,430	515,949,000	322,111,881	62.4	13.4	8.35
1893	34,629,418	396,131,725	213,171,381	53.8	11.4	6.16
1894	34,882,436	460,267,416	225,902,025	49.1	13.2	6.48
1895	34,047,332	467,102,947	237,938,998	50.9	13.7	6.90

An inspection of the foregoing table discloses the fact that the most prosperous year for the wheat raisers of the country in the sixteen years enumerated was the last crop marketed under a Republican Administration, that for 1891, when the average value per acre was $12.86. The paralysis that struck the country in November, 1892, before that crop was marketed, by the announcement of the election of Grover Cleveland and a Democratic Congress, wrought its work most speedily and the producers of wheat were the first to feel its effect. The conditions of 1891 can be brought back, as they surely will be, under a Republican President and Congress that an impatient but patriotic people will restore to power in the coming election. False economic policies, first threatened and then carried out in the Wilson law, had more to do in depressing the price of wheat and of all prices than the demonetization act of 1873.

COMPARATIVE PRICES OF FARM PRODUCTS IN 1878 AND 1891.

From a table prepared by the Statistician of the United States Department of Agriculture on February 4, 1896, for use in this discussion, giving the average prices of the following-named agricultural products for the month of December each year from 1873 to 1895, I extract the following for the years 1878 and 1891. The

reason for taking the year 1878 is that in the following month we resumed specie payment and prior thereto we were on a paper basis. I have heretofore stated why the year 1891 is selected. From an examination of the table it is made plain that the prices of these articles had not fallen, and instead of being lower they were actually higher. The average price of the products named was $0.509 in 1878, and $0.546 in 1891.

Products.		1878.	1891.
Wheat	per bushel	$0.777	$0.839
Corn	do	.318	.406
Rye	do	.526	.774
Oats	do	.246	.315
Barley	do	.580	.540
Buckwheat	do	.527	.579
Potatoes	do	.589	.371
Hay	per ton	7.21	8.39

Another misstatement has been persistently made, and that is, that under the free coinage of silver in India the price of wheat remained uniform. By the courtesy of my friend from North Dakota [Mr. JOHNSON], whose ability and research added so much to this part of the discussion, I will embody the table used by him in his remarks upon this branch of the subject. The figures were compiled by the United States Department of Agriculture, taken from the official publication of the Indian Government from 1873 to 1893, and are reliable. The prices given are in gold.

Average price of wheat per bushel in India reduced to equivalents in United States gold coin.

1873	$1.05	1880	$1.14	1887	$0.90
1874	.92	1881	.86	1888	.85
1875	.86	1882	.86	1889	.80
1876	.89	1883	.88	1890	.76
1877	1.24	1884	.80	1891	.90
1878	1.47	1885	.76	1892	.89
1879	1.48	1886	.79	1893	.68

It will be observed that prices fluctuated there as in our own country, and they have gradually fallen. The abnormally high price prevailing from 1877 to 1880 is explained by the existence of the great famine, and practically there was little or no wheat produced or for sale.

FREIGHT RATES AS AFFECTING PRICE OF WHEAT IN 1871 AND 1891.

The important item of freight rates is usually lost sight of in the measure of the fall of prices. To no article scarcely has it a stronger application than to wheat in comparing the relative prices between 1873 and 1891. Freight rates are now less than half what they were in 1873. The average freight rates in 1873 were nearly 2 cents per ton per mile, while in 1891 they were less than nine-tenths of 1 cent. This reduction means in itself a vast sum saved in the aggregate to all the consumers of the country when the extent and magnitude of our internal commerce is considered. It might be well to make its application to the matter now in hand. The subject has already been presented, and I assume the risk of repeating.

The New York Produce Exchange shows the average export price of wheat to the London market for the year 1871 was $1.367. I take that year for the purpose of comparison with the year 1891 for the reasons heretofore stated. The average export price for the latter year was $1.094. This statement taken by itself would show a higher price for the former year of $0.273 per bushel. An examination, however, of the Statistical Abstract for 1895, page 330, shows the average freight rates, including transfer charges, for the carriage of 1 bushel of wheat from Chicago to New York in 1871 was 0.258 cents and in 1891 0.101 cents, or 0.157 cents less for the latter year. The difference in the efficient price at Chicago in the two years would then be 0.116 cents in favor of 1871.

But it is shown by the same authority that the average cost of moving 1 ton of freight per mile on the Chicago and Northwestern and the Chicago, Milwaukee and St. Paul, the two great railway systems entering my State, in 1871 was upward of 2.30 cents and in 1891 it was 1.07 cents. Upon this basis, suppose a farmer had shipped his wheat from a point 500 miles northwest from Chicago in these years, he would have saved in freight in 1891 0.181 cents per bushel, which would have been sufficient to make up the difference in the price received in Chicago for his crop of 1891, and it would have netted him 0.065 cents per bushel more than that for the year 1871. The farmer in 1891 secured net to himself as high or a higher price per bushel for his wheat and it had a tremendously greater purchasing power in providing the comforts, the adornments, and the necessities for the home and the farm.

RESULTS IN MINNESOTA AND ILLINOIS, 1862 TO 1894.

A most valuable contribution has recently been made to this subject by Mr. L. G. Powers, chief of the bureau of statistics of Minnesota. It not only demonstrates the enormous reduction in the cost of transportation from 1862 to 1894, but also the fact that the gold price of wheat received by the Minnesota farmer in 1891–1894 was higher than in 1862–1866. In the period 1867–1870 he received only one-third of the price paid in the London market, two-thirds being consumed in transportation and by middlemen. I insert the table prepared by Mr. Powers as a part of my remarks:

Comparative statement of the average gold values for wheat per bushel upon the farms of Minnesota and New York, and the market value in cents of American wheat in London, England, from 1862 to 1894.

Year.	Minnesota.	New York.	London.	Differences.	
				Minnesota and New York.	Minnesota and London.
1862–66	56.5	115		58.5	
1867–70	65.3	138.6	175.6	73.3	110.3
1871–74	73.1	134.1	176.3	61.1	103.2
1875–78	72.7	110.5	149.2	37.8	76.5
1879–82	92.2	132.4	149.6	40.2	47.4
1883–86	64.2	92.4	113.5	28.2	49.3
1887–90	73.4	95.3	106.1	21.9	32.7
1891–94	62.1	83.5		21.4	

It will be observed the average price of wheat advanced in Minnesota after the act of 1873 as well as declined. In what manner will this fact be reconciled with what has been asserted as a uniform and harmonious decline with silver from that date.

Another striking table is also submitted by Mr. Powers in dealing with the farm values of nine crops in the State of Illinois, from the year 1862 to 1894, inclusive. He treats of corn, oats, wheat, rye, barley, buckwheat, potatoes, hay, and tobacco. The values are given in gold. He takes this State as typical of a vast region of which it is the center. In the years named the State raised 354,711,624 tons of the crops named, of the farm value of $4,570,148,391. He gives in detail the average value per ton of the nine crops in the first table, and in the second that of corn, wheat, and oats. The several products are combined in fixed proportion by weight so as to give each its relative importance. It will be observed that the value per ton for the period of 1891–1894 exceeds each of the others in both tables, except that for 1879–1882:

The gold value of all crops combined.	Per ton.
From 1862 to 1866, averaged in gold	$11.98
From 1871 to 1874, currency prices being reduced to gold	13.13
From 1879 to 1882, the period of great scarcity in Europe, in gold	15.59
From 1891 to 1894, in gold	13.19

Dealing with the crops of corn, oats, and wheat as distinct from the other six crops included in the nine, we get the following results:

Average gold value of corn, oats, and wheat.	Per ton.
From 1862 to 1866, in gold	$13.69
From 1871 to 1874, currency prices reduced to gold	14.40
From 1879 to 1882, in gold	17.72
From 1891 to 1894, in gold	14.61

COMPARATIVE POSITION OF FARMER, 1872 AND 1891.

As still further illustrating the better position of the farmer in 1891 as compared with 1872, the year prior to the demonetization of silver, let us examine the prices of the two years of the products of the farm, and also the prices of those articles which the farmer bought in the way of clothing, house furnishings, and for the maintenance of the farm. I take these tables from an address by Mr. Edward Atkinson, to whom I have already referred, before the Manufacturers' Club at Philadelphia, on the 17th of last month. They are based upon the data in the Senate report.

All the leading articles of food which the farmers produce and sell were in 1872 at the index number of 122, a rise of 22 points in paper from the gold unit of 1860. How about the farmers' purchases of that date?

Cloth and clothing stood at	131 in paper money.
Fuel and light at	136 in paper money.
Metal and implements at	117 in paper money.
Lumber and building materials at	153 in paper money.
Drugs and chemicals at	123 in paper money.
House-furnishing goods at	113 in paper money.
Miscellaneous at	121 in paper money.

Now let us go to the gold prices of 1891. The food products of all kinds dealt with by Commissioner Wright brought to the farmers, the meat packers, the millers, etc., 104 in gold, a rise of 4 points as compared to 1860; but with respect to the farmers' purchases witness the change:

Cloths and clothing were reduced in cost to him as compared to 1872	from 131 to 81
Fuel and light	from 136 to 91
Metal and implements	from 117 to 75
Lumber and building materials	from 153 to 122
Drugs and chemicals	from 123 to 86
House-furnishing goods	from 113 to 70
Miscellaneous	from 121 to 95

These tables clearly demonstrate the advanced position of the farmer in the year 1891 over that of 1872. While his products represented the position in price over the unit of 1860 for the year 1872 of 122, yet the necessaries which he bought were greatly advanced. The price of his products stood in the average of comparison with the things he bought of 122 to 127½. In other words, the purchasing power of the farmer's products was not equal to

but less than the things he purchased. In 1891 the condition was reversed. Then the purchasing power of his products stood in the average of comparison as 104 to 88¼ of the things he purchased.

At the same time wages had advanced and labor was fully employed. Although the prices of the manufactured article had been enormously reduced, yet at no time in our history was the manufacturer so prosperous, and no like era ever marked so extensive a development in the manufactories of our country.

FARMING IN IOWA IN 1873.

As illustrating the condition of the farmer in the State of Iowa, a close neighbor of my own, in 1873—that year in which the Republic is now pictured as in the possession of her highest achievements and most wonderful prosperity—let us look at the picture presented by Mr. C. H. Rogers in his address before the Harrison County fair for that year, which is preserved in the annual report of the State Agricultural Society of that State:

Proud of these aspects and of her progress in practical agriculture, still the condition of the laboring man and farmer is far from what is desirable. They have worked, watched, and waited for an adequate reward until weariness has well-nigh turned to hopelessness. Farming has been a financial failure for the past three years. Hard toil has opened up fine farms and brought to the bins the products of unexampled harvests, but the sales have hardly paid expenses and bought cheap clothing until the coming harvest. There is no surplus to improve buildings, purchase thoroughbred stock, and furnish the home with any of the luxuries of art and literature.

In the same report the price of the principal agricultural products at the city of Des Moines, Iowa, for each month of the year 1873 is preserved, and is as follows:

Month.	Wheat.	Rye.	Barley.	Corn.	Oats.	Hay.
January	$0.95	$0.35	$0.40	$0.16	$0.20	$6.00
February	1.10	.35	.45	.17	.20	6.00
March	1.00	.35	.45	.17	.20	6.00
April	1.00	.35	.45	.18	.20	6.00
May	1.10	.45	.45	.22	.22	6.00
June	1.10	.35	.40	.23	.28	6.00
July	.85	.35	.....	.20	.20	6.00
August	.85	.35	.50	.22	.20	5.00
September	.75	.45	.60	.22	.27	5.00
October	.75	.45	.70	.22	.27	5.00
November	.75	.40	.70	.22	.20	5.00
December	.85	.40	.70	.22	.23	5.00

From an examination of the foregoing prices, little satisfaction, it occurs to me, could be derived from them by even the advocate of free coinage. They, however, sustain the truthfulness contained in the words of Mr. Rogers. If the difference in freight rates be considered between that period and the present, from Iowa to the seaboard, and the fall in the price of the manufactured article, that much-vaunted era would seem barren to the possibilities of our imagination comparing it even with the hopelessness of this the fourth year of the second reign of Grover.

SAVING IN TRANSPORTATION IN 1893 OVER RATES IN FORCE IN 1873.

From the Statistical Abstract of the United States for 1894 and 1895 we find the average charges for the carriage of 1 ton of freight for 1 mile upon 18 of the representative railroads of the United States in the year 1874 to be 1.869 cents. The freight rate had fallen in 1893 to 0.801 cent, a difference of 1.068 cents. I can find no data as to charges for 1873. I assume these as the average rates on all the railways. The figures are substantially correct and from the most trustworthy authorities. For the year ending June 30, 1893 (being three-fourths of the last year of Harrison's Administration), there were moved 93,588,111,833 tons of freight on the railroads of this country 1 mile. This sum multiplied by the difference in freight charges between the two years would equal $999,521,034. In other words, this tremendous sum was saved to the consumers as well as the producers of the United States in one year by the lessened difference in the average rates of the years in question. This does not take into consideration transportation by water, which in 1890 stood to railways very nearly in the proportion of 1 to 4. The reduction of freight rates has been even greater in this class of transportation than by railway. If we take this into consideration we have the total amount saved in one year in the item of transportation alone, as between the two years, the vast aggregate of $1,249,411,292.

In sustaining this statement, and even a greater fall in freight rates than I have claimed, I quote from the work of Mr. Schoenhof, which has just been issued, A History of Money and Prices, in which he states:

If I were to bring the freight decline into an average figure, I should say that the charges are, all around, not much more than one-third of what they were about twenty-five years ago.

To assert that such a vast saving to the people of this country annually in this one item would not manifest itself in falling prices is to shut our eyes to a stupendous fact and grope vainly in the shadows to connect it with another cause to which it is but dimly associated—the act of 1873.

EFFECT ON EXISTING CONTRACTS.

Another subject is worthy of consideration, if the proposed legislation shall in any degree alter existing contracts and allow payments to be made in a depreciated currency. The amount due individual depositors from a certain class of corporations is almost fabulous. They rest now upon the existing standard. The responsibility assumed is a grave one, and should not be lightly taken. From the most reliable data, furnished by the Department of Labor, and from the Statistical Abstract for 1895, I take the following:

Deposits in savings banks	$1,844,357,798
Deposits in national banks	1,715,200,000
Deposits in State and private banks	794,235,555
Deposits in loan and trust companies	546,652,657
Deposits in building and loan associations	450,667,594
Amount paid annually in wages (1890)	2,225,000,000
Total	7,576,103,604

Add, in addition to this vast sum, perhaps upward of $5,000,000,000 of liabilities to policy holders in life insurance companies, to say nothing of the pensions and of obligations of trust funds of every character. If silver did not appreciate these institutions would make a profit of 50 per cent, or at any rate whatever the difference in the ratio of the two metals might be.

APPRECIATION OF GOLD.

Another argument that is used with great force by the opposition is the assumption that gold has enormously appreciated. This is stating in another form that prices have fallen as measured by gold. If I have at all made myself clear, it is to demonstrate the proposition that there has been a fall in the prices of those articles which are the product of manufacture. This fact is demonstrated by the tables to which I have referred. It is a condition of hopefulness rather than discouragement or despair. Measured by the price of these articles, and of all commodities combined, the same is true, but not to so great a degree. But measuring gold with wages, or by their purchasing power, the supremest of all tests, gold between 1860 and 1890 fell 58 per cent in the one case to 72 per cent in the other. Measuring it also during the same period by the food products and the great agricultural staples, it has not appreciated, but on the contrary has fallen.

Mr. Chairman, during the eventful years of national development from 1873 to the present, human ingenuity has never been so active, and never has it been so potent in developing mechanical appliances. Its results are everywhere made manifest, not only in the means of production and manufacture, but in the distribution of all productions. Electricity, with its multiplicity of appliances, both in lighting and as a motive power, belongs to this era. The labor-saving devices that have been applied in all lines of manufacture are manifold, and as a result the American workman has been enabled to compete with the world in his products, under Republican legislation, at the highest rate of wages ever received by labor at any place on the civilized globe. The saving in transportation within this period, as I have shown, has amounted to much more than one-half. The number of patents issued by the Government during the twenty-two years succeeding 1873 has increased more than 300 per cent over the twenty-two years preceding that date. This fact in itself is significant of the actual results attained.

THE EXPERIENCE OF FRANCE.

Reference in this discussion is always made to the experience of France. It is persistently asserted that, as a result following her action in establishing in 1803 the mint ratio at 15½ to 1, France alone sustained the commercial ratio of the world up until 1873 at her legal ratio. The proposition is then stated: If France alone could do this for silver and maintain the ratio, can not this Government, with its exhaustless wealth, its infinite resources, its productive and potential possibilities, safely assume a like responsibility, and that France during the years referred to was as a pygmy in comparison with our present power and ability. The answer I would make to the proposition is, there is no proof to sustain the allegation. France sought to do what our own Government attempted in 1792, to fix as the legal ratio what was the commercial ratio recognized by the nations of the world.

An examination of the following table, from the Report of the Director of the Mint for 1895, discloses the fact that the commercial ratio was no more uniform or steady for the seventy years succeeding 1803 than for the one hundred and sixteen years prior to the enactment of the French law. Even if it were admitted that the action of France aided in sustaining the ratio, and this I am free to do, yet during her experience she had the cooperation and direct support of the great commercial world except England, but did not even have her hostility. France adopted it as its commercial ratio when it had been stable for over a century. While the proposition here is for this Government to adopt a legal ratio, not equal to, but 100 per cent above, the commercial ratio, assuming that the United States by its fiat alone can bear the burden, to which there is no direct proof that France carried little or any more than her ordinary responsibility with the other

powers of Europe as well as the United States during the same period:

Commercial ratio of silver to gold for each year since 1687.

[NOTE.—From 1687 to 1832 the ratios are taken from the tables of Dr. A. Soetbeer; from 1833 to 1878 from Pixley and Abell's tables; and from 1878 to 1892 from daily cablegrams from London to the Bureau of the Mint.]

Year.	Ratio.	Year.	Ratio.	Year.	Ratio.	Year.	Ratio.	Year.	Ratio.
1687	14.94	1729	14.92	1771	14.66	1813	16.25	1854	15.33
1688	14.94	1730	14.81	1772	14.52	1814	15.04	1855	15.38
1689	15.02	1731	14.94	1773	14.62	1815	15.26	1856	15.38
1690	15.02	1732	15.09	1774	14.62	1816	15.28	1857	15.27
1691	14.98	1733	15.18	1775	14.72	1817	15.11	1858	15.38
1692	14.92	1734	15.39	1776	14.55	1818	15.35	1859	15.19
1693	14.83	1735	15.41	1777	14.54	1819	15.33	1860	15.29
1694	14.87	1736	15.18	1778	14.68	1820	15.62	1861	15.50
1695	15.02	1737	15.02	1779	14.80	1821	15.95	1862	15.35
1696	15.00	1738	14.91	1780	14.72	1822	15.80	1863	15.37
1697	15.20	1739	14.91	1781	14.78	1823	15.84	1864	15.37
1698	15.07	1740	14.94	1782	14.42	1824	15.82	1865	15.44
1699	14.94	1741	14.92	1783	14.48	1825	15.70	1866	15.43
1700	14.81	1742	14.85	1784	14.70	1826	15.76	1867	15.57
1701	15.07	1743	14.85	1785	14.92	1827	15.74	1868	15.59
1702	15.52	1744	14.87	1786	14.96	1828	15.78	1869	15.50
1703	15.17	1745	14.98	1787	14.92	1829	15.78	1870	15.57
1704	15.22	1746	15.13	1788	14.65	1830	15.82	1871	15.57
1705	15.11	1747	15.26	1789	14.75	1831	15.72	1872	15.63
1706	15.27	1748	15.11	1790	15.04	1832	15.73	**1873**	**15.92**
1707	15.44	1749	14.80	1791	15.05	1833	15.93	1874	16.17
1708	15.41	1750	14.55	1792	15.17	1834	15.73	1875	16.59
1709	15.31	1751	14.39	1793	15.00	1835	15.80	1876	17.88
1710	15.22	1752	14.54	1794	15.37	1836	15.72	1877	17.22
1711	15.29	1753	14.54	1795	15.55	1837	15.83	1878	17.94
1712	15.31	1754	14.48	1796	15.65	1838	15.85	1879	18.40
1713	15.24	1755	14.68	1797	15.41	1839	15.62	1880	18.05
1714	15.13	1756	14.94	1798	15.59	1840	15.62	1881	18.16
1715	15.11	1757	14.87	1799	15.74	1841	15.70	1882	18.19
1716	15.09	1758	14.85	1800	15.68	1842	15.87	1883	18.64
1717	15.13	1759	14.15	1801	15.46	1843	15.93	1884	18.57
1718	15.11	1760	14.14	1802	15.26	1844	15.85	1885	19.41
1719	15.09	1761	14.54	**1803**	**15.41**	1845	15.92	1886	20.78
1720	15.04	1762	15.27	1804	15.41	1846	15.90	1887	21.13
1721	15.05	1763	14.99	1805	15.79	1847	15.80	1888	21.99
1722	15.17	1764	14.70	1806	15.52	1848	15.85	1889	22.09
1723	15.20	1765	14.83	1807	15.43	1849	15.78	1890	19.75
1724	15.11	1766	14.80	1808	16.08	1850	15.70	1891	20.92
1725	15.11	1767	14.85	1809	15.96	1851	15.46	1892	23.72
1726	15.15	1768	14.80	1810	15.77	1852	15.59	1893	26.49
1727	15.24	1769	14.72	1811	15.53	1853	15.33	1894	32.50
1728	15.11	1770	14.62	1812	16.11				

It is apparent from observation that a period of thirty years, from 1820 to 1850, the commercial ratio was below the mint ratio of France, and at no time were the two ratios equivalent. I cite the following from the report of the French monetary commission of 1867, as to the concurrent circulation of the two metals in that country:

It is well known by all that this ratio (of 1803), by the simple reason of its being fixed, could not remain correct. There was quickly a premium on gold, and silver remained almost alone in circulation until near 1850. The discovery of the mines of California and Australia suddenly changed this situation by throwing into the European market a very considerable quantity of gold. There was a premium on silver to the extent of 8 per mille, and it disappeared almost completely from circulation, yielding place to gold.

RESULTS SINCE DEMONETIZATION.

If the demonetization of silver has wrought the grave wrongs our friends allege, and they assert it is the duty of this Government alone to assume the very serious and hazardous responsibility of the free coinage of silver, surely the burden is upon them to demonstrate its absolute safety to the labor, industrial, and commercial interests of the country. Do not the results of the past twenty years refute their contention? From the commencement of this unparalleled era let us recite a few of the achievements up to the election of Grover Cleveland in November, 1892. With his Administration, as Republicans, we bear no responsibility, for it wantonly reversed the policies of the Government that brought such unexampled prosperity and made possible such wonderful accomplishments.

My contention relates to a period and to conditions existing anterior to the election of Mr. Cleveland and a Democratic Congress in 1892. I make little or no comparisons with conditions or prices existing since that time. I admit the depressed and unusual conditions now existing, that have most injuriously affected the producers of all commodities, the farmer, the laborer, and the manufacturer. The disastrous policy of this Administration has lessened the price of all articles of production, has driven labor into enforced idleness, has unsettled all values, and discouraged enterprise of whatever character. These abnormal conditions, I hold, are the result of unwise legislation, and independent of the money question. They may be corrected and the favorable conditions existing under the last Republican Administration can be restored by wise and proper legislation.

Commencing with 1873, in twenty years we reduced the national debt $1,230,000,000, and the annual interest charge over $91,000,000. From 1870 to 1890 we increased our national wealth from $30.000,000,000 to $65,000,000,000. In addition to paying the national debt and adding so vastly to our wealth, individuals had deposited over $2,000,000,000 in savings banks and building and loan associations, largely acquired during this period. The amount paid in wages to the 3,750,000 employees in our manufactories in 1890 was $2,225,000,000, and the value of the product aggregated $9,372,000,000, exceeding by 125 per cent that of any other Government in the world. In the like time the manufacture of pig iron increased 200 per cent, railroad mileage over 150 per cent, the passenger traffic 500 per cent, and the number of freight tons moved nearly 400 per cent.

Such magnificent results could not have been accomplished under adverse conditions. The record of the world nowhere shows a parallel. This history can not be rewritten, or these facts obliterated. They are there to remain, and they can not be erased by acrimonious denunciation. During the whole period, up to and including the Administration of President Harrison, no government had been so blest by Providence in all that went to make up a great, free, and prosperous people. If the statements of our economists and most eminent statisticians are to be given credence, as deduced from the last census by the General Government, the wealth of the nation at no time since its foundation was so generally distributed amongst the people as in the year 1890. No people under any government, now or heretofore, was so well housed, fed, or clothed as the average American citizen in the year 1892.

Mr. Chairman, I glory in these mighty achievements of my country and in the policies of administration that have made these accomplishments possible. I take pride that in this golden era of the Republic it was led under the genius of Americanism by the great party of the people that lead it in triumph through peace as in war to its high and manifest destiny.

CHANGED CONDITIONS SINCE ELECTION OF 1892.

How changed the conditions prevailing since the election of the present Administration! It was elected upon an issue that proposed a reversal of the economic policies that had brought to the nation these marvelous results. Since then our energies have been stifled, hope and courage have almost fled, and instead of the chorus of plenty, Want's gaunt hand has pressed close upon many of our people. Prostrate industries, idle wheels, smokeless furnaces, palsied capital, idle labor, unsought production have cried in vain for help, and the only answer of "triumphant Democracy" was the Wilson bill, with its "perfidy and dishonor," that wrecked our prosperity and ruined our industries. The hope of the nation is in the Republican party, whose policies have energized every industry, given life and strength to every production, stimulated labor and capital to their highest endeavors, and brought happiness and plenty to every home. All these will surely call back to power this great party in November next, for upon it are centered the hope and the well-being of the nation.

Under Republican legislation the largest use of silver has been made possible. It has been its policy to maintain the whole volume of our currency in circulation and to sustain the parity of each kind with the best. In this it has succeeded. All kinds of money circulate on an equality, and each in our business transactions possesses equal purchasing and debt-paying power. With an abundant revenue that Republican legislation always provided the redemption fund was protected and we had the most extended use of silver without fear or apprehension to the gold reserve. This can be done under the protective policy that will again be inaugurated as soon as the party is in full possession of the executive and legislative departments of the Government.

A reversal of that policy by the present Administration has necessitated the borrowing in times of peace of $262,000,000 to maintain the gold reserve and the ordinary expenses of Government. Under Republican legislation, for thirteen years succeeding July 1, 1879, the total withdrawal of gold from the Treasury only amounted to $43,310,896. But under Democratic threats and free-trade legislation, from July 1, 1892, to May 20, 1896, the withdrawals of gold amount to upward of $447,000,000, and over $351,000,000 of that amount has been exported to foreign countries to make good the balances against us in our trade relations. Under such a disastrous policy how is it possible, with the most favored conditions, to sustain our financial relations under any system we may see fit to inaugurate?

We need ample protection to defend our home market as well as our labor.

REPUBLICAN VICTORY WILL RESTORE PROSPERITY.

Under the Republican system our export trade was sustained and it gave us a balance in our favor. Reinaugurate it, and our present disturbances will soon be adjusted and our financial perplexities will largely, if not altogether, right themselves. With a Republican victory in November the conditions that existed in the early part of 1892 may be restored, confidence return, and that splendid era of Republican prosperity again bless the country.

The Republican party has demonstrated its capacity in administering the affairs of the Government under its legislation for

nearly thirty years. It marks the greatest industrial achievements in the history of the world. I believe the grave problems involved in the present discussion will be solved by it in the interests of the whole people.

A stable currency should be maintained, and its volume should be enlarged to keep pace with our increasing population. There must and should be a measure of value, just alike to debtor as well as to creditor. There should be neither an appreciating nor a depreciating dollar. As far as legislation can control it even and exact justice should be the sole aim. An "honest dollar" means one that is equally so to rich and poor, to the employer and to the employee, to the producer as well as to the consumer, to the borrower as well as to the lender—one that possesses as nearly as may be the same relative purchasing power it had within a reasonable limit in the past and no greater, and one that will liquidate a just obligation in the future fairly and honorably without appreciation or depreciation to the wrong or injustice of either party.

It occurs to me the present issue should be disposed of upon its own merits. It is the assertion of a false doctrine for members of the same party to involve with it the great principle of protection that has done so much to ennoble labor and develop our industrial life. In the end no great cause can be promoted by such a course, nor will the American people accept for it as an explanation that, under existing conditions, just objections may be made against the revenue bill passed by this House. Disguise the position as it may be, in my judgment the Republicans of the nation will resent it as an unjust and arbitrary assertion and unworthy the forum of fair and honorable discussion.

REPUBLICAN PARTY FAVORS BIMETALLISM.

All Republicans confessedly must stand upon the national platform of 1892 until the party otherwise announces itself. The party then declared for bimetallism and the use of both gold and silver as standard money, and that the purchasing and debt-paying power of every dollar should be equal. All Republicans practically are bimetallists, and they must be such if they adhere to the declared principles of the party. They differ, however, widely as to how that desired object shall be accomplished. The advocates of free coinage assert that by the sole legislative act of this Government admitting silver to our mints at the ratio of 16 to 1 true bimetallism will be attained. Those who do not share this view believe such a course would at once drive gold out of circulation, contract our currency, reduce us to a silver basis, and instead of bimetallism we would have silver monometallism.

They also believe that money has a world-wide relation and that a nation in and for itself can not act independently without having regard to its commercial relations with the potential governments of the world. Law may control domestic transactions, but it is largely impotent outside the limits of its own sovereignty. They further believe that concurrent action may be brought about by the leading powers, so that this undertaking may be jointly assumed and silver again restored to its rightful place. Such has been and I believe is the position of the great body of the party to-day.

The Republican party has always been generous and not arbitrary. It believes in the largest liberty and trusts that honest differences may be reconciled. It, however, believes in the rightful rule of the majority and that no arbitrary confederation within its membership should seek to strike down or withhold its assent to cherished principles of the party's faith in order to coerce the employment of their particular method by which silver is to be restored, which method was recently here repudiated by the great majority of the representatives of the party, and, I believe, will be by the party itself, if recent expressions in the State conventions are any guide.

THE ISSUE IS THE USE OF GOLD AND SILVER AGAINST SILVER MONOMETALLISM.

Let the issue be fairly and candidly made, so that it alike may be understood on the farm, in the shop, and in the counting room. To my mind the issue is not between the gold standard and bimetallism, as the advocates of free coinage would state it. It might, rather, with accuracy be said, that it is a contest on the one hand between gold and the largest use of silver ever employed in the world's history and silver monometallism on the other. The real issue, however, is the method to be employed by which real and genuine bimetallism may be secured. Shall it be by this Government alone assuming the responsibility and the unlimited coinage of silver at our mints, or by intelligently and consistently seeking the cooperation of other great powers to that end, and in the meantime avowedly adhering to our present standard?

To my mind the agitation of free and unlimited coinage of silver by this Government alone is harmful in the highest degree to the industrial and commercial interests of the country; is destructive of confidence where capital is looking to new enterprises and more extended employment. Upon the issue thus made, I oppose it. I am in favor of existing standards until changed by international agreement. I favor earnest and honest cooperation to that end, and that this Government should take the initiative. Each dollar that bears the stamp of the Government, whether of silver, gold, or paper, must possess equal purchasing and debt-paying power. Our national credit must be maintained at home as well as abroad, and must be kept as untarnished as our honor. Good faith demands that every obligation must be sacredly kept, and paid in the same currency or its equivalent as that upon which the original transaction was based. I believe the overwhelming judgment of the country favors this course, which, to my mind, is the one of safety as well as national honor.

Contested Election Case—Mitchell vs. Walsh.

SPEECH

OF

HON. JAMES G. MAGUIRE,

OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, June 2, 1896.

The House having under consideration the following resolutions—

"*Resolved*, That James J. Walsh was not elected a Representative to the Fifty-fourth Congress from the Eighth Congressional district of New York and is not entitled to his seat.

"*Resolved*, That John Murray Mitchell was elected a Representative to the Fifty-fourth Congress from the Eighth Congressional district of New York and is entitled to his seat"—

Mr. MAGUIRE said:

Mr. SPEAKER: In the majority report in this case there are express findings of fact, which we say are absolutely unsupported by the evidence. There is a finding that Tammany Hall was a beneficial organization and not a political organization in its inception. I say there is no evidence in the case to show that. They say that Tammany Hall constituted, in the election of 1894, a conspiracy for the purchase of votes for the Democratic ticket and for the contestee. I say there is not a word of evidence to show that. They say that Tammany Hall appointed captains for the several election districts, and leaders—naming them—for the several assembly districts. I say there is no evidence of that. The majority, in its report, names certain men as Tammany captains: In the twenty-fifth district, Thomas Collins; in the thirtieth district, James P. Divver; in the thirty-fifth, John O'Rourke; in the thirty-sixth, Mike Callahan; and in the forty-fourth, Thomas Dineen.

I told the gentleman from Kansas [Mr. LONG] on Friday last that I should call upon him to furnish the evidence in support of these findings, and he has failed to do it. I call upon him now, in the remainder of his time, which he has reserved, to show the truth of these findings by any evidence in the case. There is no such evidence. He refers to a printed book, purporting to have been printed by somebody in New York, and purporting to contain a list of Tammany members and officers. So far as I know he relies upon that book alone to prove these facts. Is that evidence? Is that the kind of evidence on which the majority of this committee, acting judicially, are willing to find facts? Is that the kind of evidence on which the majority of this House are to be asked to unseat a member of the House who is returned elected? Certainly no judicial tribunal worthy of the name ever acted on such evidence to render judgment in any cause. There is no evidence in the case that these men were ever appointed by Tammany Hall for any purpose, or that they acted for Tammany Hall in any capacity on election day. There is not a word of evidence to support these findings as to any of these districts in question.

Their next finding is as follows:

The work of bribing the voters in each district was intrusted to a Tammany captain, who carried on his operations near the voting booth.

I say there is absolutely no evidence to support that finding. There is no evidence that Tammany Hall appointed captains for that or for any other purpose, or that these men represented Tammany Hall in any way whatever. What is the evidence by which the majority of the committee seek to support this finding? They set forth in their report the best evidence they have been able to find to sustain these positions. The first testimony which they cite is that of John Sanford.

If gentlemen will turn to page 4 of the majority report they will find his testimony there quoted. He testifies that on election day he took two or three men to a man whom he supposed was a Tammany worker in the twenty-fifth election district, but he admits that he did not know the man, and he nowhere testifies that that man ever was appointed by Tammany Hall, or that he represented Tammany Hall, or the Democratic party, or Mr. Walsh, the contestee, in any capacity whatever. Let me say further there is not a word of evidence to show that any man was asked to vote for Mr. Walsh or that any man was paid upon the understanding or suggestion that he should vote for Mr. Walsh. There is no evidence directly connecting Mr. Walsh with the matter at all, and,

as Mr. Walsh himself has said here, there is no evidence that he was connected with Tammany Hall at the time of the election, and no evidence in the case to show that he ever was connected with it, unless this House is willing to take as evidence a printed document identified by a witness as a list of Tammany Hall officers and members, but of which he knows nothing except that it purports to give a list of such officers and members.

There is no testimony of anybody and no evidence of any kind, except the fact that some person has printed a book which contains certain names—among them the name of Mr. Walsh as a vice-president of Tammany Hall. In fact, he was not a vice-president of Tammany Hall at the time of the election. But I do not care to go outside of the record to discuss this case. If this case is to be decided judicially, it must be decided upon the evidence in the record. If it is not to be decided judicially upon the evidence in the record, then the contestee is in the hands of his political enemies, to be dealt with according to their prejudices. To treat this book as evidence is to ignore the rules of evidence. I say that this printed document, without any evidence to show that a word contained in it is true, or that these men were really selected or appointed to represent Tammany Hall in any capacity, without a word to show that they acted for Tammany Hall, is utterly worthless, and vitiates the finding that is based upon it. John Sanford, whose testimony the majority cite in support of these findings, certainly did not show by his testimony that there was a Tammany captain in the twenty-fifth district representing Tammany Hall for the purpose of bribing voters or for any other purpose. He was asked this question concerning the conduct of this alleged Tammany captain, this man whom Sanford supposed to be a Tammany worker, but whom he did not know:

Q. Did he (referring to this alleged Tammany worker) say anything to them about whether they would receive anything for voting?
The WITNESS. He did not, that I know of.
Q. Did you see this Tammany man give them money?
A. No, sir; I did not see that worker, but I saw another man told to give them money give them a silver dollar."

Who was the other man? It nowhere appears who he was or what he was, or who "told" him to give money. The witness further testified that he was not sure that this occurred at the twenty-fifth election district; that he "kind of thought" it was the twenty-fifth district, but never took much notice of it.

The testimony of the next witness, Patrick J. Lynch, is equally irrelevant and worthless. He testified that some man, whom he does not know and can not describe, gave him 50 cents for registering on a date which he does not remember; that the same party who paid him 50 cents for registering paid him for voting on election day. He testifies that at the time of registering nothing was said to him about voting either the Republican or the Democratic ticket; that as he was going from the lodging house to the polling place he saw the same man; that the man called to him, "Come here, I want to see you all," referring to the witness and his three companions. He testifies that this man handed him a Democratic ticket and a paster; that he did not look at the paster, but recognized the ticket as a Democratic ticket; that the man said to him, "I will see you all right," and showed him how to vote the ballot. When the witness had learned to vote the ballot the man said, "All right," and put the paster on the ballot.

Mind you, this witness testifies that he does not know what the paster was, that he did not notice what it was, that he recognized the ballot as a Democratic ballot, but did not know what the paster was, but that he voted the paster and not the Democratic ticket. He testified that the man named $2 as the price of a vote and gave him a bill which he supposed to be a two-dollar bill, but afterwards discovered to be only $1, and that he asked the man for the odd dollar, but never got it. [Laughter.] He testifies that he could not tell the name of the man who gave him the Democratic ticket and the paster; he testifies that he voted; but he does not testify for whom he voted for Representative in Congress or for any other office, and he says he did not recognize the paster that he voted.

Here I will call attention to the fact that nearly all of these witnesses testify to being asked to vote by men whom they did not know, or men whose connection with Tammany Hall or with the Democratic party they knew nothing of and do not state in their testimony. They testify generally that they were asked to vote the Democratic ticket, but the evidence here shows that Mr. Walsh's name was not on any ticket which was denominated the "Democratic ticket" on that day.

Mr. QUIGG. Did not that same witness testify that he saw this same Democratic worker pay——

Mr. MAGUIRE (interposing). Democratic worker! How does it appear that the man was a Democratic worker? That is an assumption, and that is the fatal weakness of this testimony.

Mr. QUIGG. Well, that he saw the same person who had given him a Democratic ticket and a paster and asked him to vote and paid him a dollar and owes him a dollar still [laughter]—did not that witness testify that he saw that same man buy 18 or 20 other votes?

Mr. MAGUIRE. No; he does not. He testifies that other men got money and told him about it—that they got money from some man, whom he nowhere names and whom he in no manner connects with the contestee, or with any organization or party to which the contestee belonged. Nor does he show that either himself or any other person voted for the contestee, or voted any ticket upon which the contestee's name appeared.

Mr. QUIGG. The gentleman surely does not contend——

Mr. PRINCE rose.

Mr. MAGUIRE. I yield to the gentleman from Illinois [Mr. PRINCE], because he has the record in his hand, and I hope he will do what no other member of the committee has yet done—show from the record some evidence to support the charge of bribery.

Mr. PRINCE. Did I understand the gentleman from California to say that John Sanford did not say that he himself saw this worker pay money to other workers?

Mr. MAGUIRE. John Sanford did not say he saw that worker pay money to other workers. He said he saw another man who was directed to pay money to other voters; he does not say who directed him to do it, nor in what capacity, nor of what politics was either the man who gave the direction or the man who was directed to pay the money.

Mr. PRINCE. What does the gentleman say in regard to this extract from the evidence?

Q. How many do you think you saw outside of these three men that received money from that man or men around there?
A. Oh, I suppose 15 or 20; I do not know.
Q. Fifteen or 20, at the least?
A. Yes, sir; I suppose so.
No cross-examination.

What does the gentleman say to that?

Mr. MAGUIRE. I say that it is absolutely irrelevant. The witness does not say and does not know from whom he saw them get the money, or for what purpose they got it. He so testifies. That is no evidence whatever of bribery in the interest of the contestee—not in the least.

Mr. QUIGG. May I now ask the gentleman a question?

Mr. MAGUIRE. Yes, sir.

Mr. QUIGG. The gentleman from California does not wish to be understood as alleging that there was any difference whatever between the Democratic ticket in the city of New York at the last general election—that is, in 1894—and the Tammany Hall ticket, does he?

Mr. MAGUIRE. I do, most positively. The evidence shows it as clearly as it is possible for evidence to show anything. The contestant introduced the Democratic State ballot, which does not contain the name of the contestee. It is the official ballot. The ballot on which the contestee's name appeared was the Tammany Hall ballot, officially designated by that name, and that name only, and introduced by the contestant in evidence.

Mr. QUIGG. Does the gentleman when he speaks of the Democratic State ticket mean the ticket containing the names of men who were to be voted for as State officers?

Mr. MAGUIRE. As State officers, including Representatives in Congress. And I refer to the evidence offered by the contestant to support that statement.

There is not a scintilla of evidence—even hearsay—and you have nothing else; there is not a particle even of hearsay evidence to show that Mr. Walsh received any vote of any man who was bribed, or in any way otherwise influenced, unless it be inferentially concluded from such evidence (worthless as it is) that he must have received the votes of those who voted the Democratic ticket because his name was on that ticket. I say his name was not on the official "Democratic" ticket, nor upon any ticket denominated "Democratic." I say that testimony that a man was bribed to vote the Democratic ticket, when it appears from the evidence that the contestee's name was not on any ticket denominated Democratic—was not on the official ballot designated as Democratic—can not possibly give rise to the inference that he received any advantage from any such bribery by whomsoever committed. That is what I say on that point. It is only by that false and unwarranted inference that contestee can be found to have received any bribed votes.

Mr. TAYLER. Will the gentleman yield a moment?

Mr. MAGUIRE. Yes, sir.

Mr. TAYLER. Does not the contestee admit that he was indorsed by the State Democracy and by the Empire State Democracy?

Mr. MAGUIRE. The contestee must have his rights determined by the evidence in the record, and not by any quizzing on the floor.

Mr. TAYLER. I mean does he not admit it by his formal stipulation and assent incorporated in the record?

Mr. MAGUIRE. That his name was on the ticket?

Mr. TAYLER. That he was the candidate of the Empire State Democracy.

Mr. MAGUIRE. I admit that, of course, but his name was not on their ticket.

Mr. TAYLER. But if he was the candidate of all organizations known by the name of Democratic as well as of the Tammany organization would he not be voted for upon the Democratic ticket?

Mr. MAGUIRE. No; not necessarily. The Democratic ticket (official) was printed without his name and those who voted that ticket did not vote for him unless they wrote his name in.

Mr. TAYLER. Does he not admit that Tammany Hall was a regular Democratic organization?

Mr. MAGUIRE. I do not admit anything that is not in the record. There is no such showing. I am not here to admit anything. I do not believe that to be the proper way to try an election case on this floor. The evidence of both parties is in the record, and it is not for members arguing the case to admit or deny anything outside of the record.

Mr. TAYLER. But my colleague on the committee, the gentleman from California, I regret to say, seems to be more remarkable for what he does not know about this record than for what he does know.

Mr. MAGUIRE. That is my opinion of the majority of the committee. Their judgment does not seem to have been directed by the evidence in the record. As for myself, I have carefully examined the evidence and base my judgment upon it alone.

Mr. TAYLER. Is not that admission in specific form in the record—that Tammany Hall is the regular Democratic organization of the city of New York?

Mr. MAGUIRE. Such an admission, if in the record, is unimportant. That would not show or tend to show that a witness who testifies that he voted the "Democratic ticket," or that he had seen others vote the "Democratic ticket," meant that he had voted or had seen others vote the "Tammany Hall ticket," when it conclusively appears by other evidence that there was a ticket denominated and officially designated the "Democratic ticket," voted regularly at that election.

Contestee's name was not on the "Democratic ticket," but was on the "Tammany Hall ticket." Yet, in order to find that any person was bribed to vote for contestee, you are driven to the absurdity of contending that such person voted the "Tammany Hall ticket," although the witnesses testify that those persons voted the "Democratic" ticket.

Now, I say this: I do not admit and will not discuss anything outside of the record; the record shows or contains an admission that Mr. Walsh was indorsed by the State Democracy. But it appears further that his name was not on the ticket. It does appear that Edward J. Dunphy was their nominee. It also appears that shortly before the election he declined the nomination and Mr. Walsh was indorsed by the State Democracy, but it seems the indorsement was not in time to get his name on the ticket.

Mr. WALSH. That is a mistake; it was in time.

Mr. MAGUIRE. Well, at all events, the name does not appear on the ticket. It is immaterial whether it was in time or not.

I think, Mr. Speaker, the trouble is, the fact that he was indorsed by the State Democracy does not show that he received the vote of any man who voted that ticket, or the ticket of that party, unless it is expressly testified that his name was on the ticket. The voting of that ballot does not give rise to a presumption that his name was voted.

Mr. TAYLER. The gentleman from California does not want to do any injustice or to create a misapprehension?

Mr. MAGUIRE. Certainly not.

Mr. TAYLER. The gentleman understands, no doubt, that the title "State Democracy" is a mere title, and that it does not relate to the area over which the State Democracy spread itself——

Mr. MAGUIRE. I know of nothing of that kind in the record.

Mr. TAYLER. That is what I thought.

Mr. MAGUIRE. I know of no such evidence in the record at all.

Mr. TAYLER. Very well; then I have nothing further to say.

Mr. MAGUIRE. I believe the gentleman from Kansas desired to ask me a question.

Mr. LONG. From the record as made up in this case, what does the gentleman understand to have been the regular Democratic organization in this particular Congressional district?

Mr. MAGUIRE. I am not discussing regular Democratic organizations now.

Mr. LONG. From the record——

Mr. MAGUIRE (continuing). Nobody testifies that he voted the ticket of a regular Democratic organization. Some witnesses do testify that they were hired to vote the Democratic ticket—hired by somebody, they do not know whom, and whose connection with the Democratic party they do not understand or know anything about. Now, the question to determine is how far that testimony has any connection whatever with this contestee in any manner, when the witness simply declares that he voted the Democratic ticket, and does not say for whom he voted, does not say that he voted for Mr. Walsh, and does not in any way connect Mr. Walsh with his vote.

Mr. LONG. Now, will the gentleman answer my question?

Mr. MAGUIRE. What question?

Mr. LONG. As to the regular Democratic organization in this Congressional district. What was it called?

Mr. MAGUIRE. I know that there were three tickets there purporting to be regular in their way. One was called the Tammany Hall ticket, another the State Democracy, and the other the Empire State Democracy.

Mr. LONG. I want to know whether the gentleman repudiates this admission, found on page 133 of the record:

The contestee concedes that the regular Democratic organization is commonly called Tammany Hall.

Mr. MAGUIRE. That is all right.

Mr. LONG. You admit that?

Mr. MAGUIRE. I do not question it. But how does that show that a man who says he voted the Democratic ticket voted for Mr. Walsh, when it appeared conclusively by the official ballots that his name was not on any ticket so designated?

Mr. LONG. Was his name on the Tammany Hall ticket?

Mr. MAGUIRE. Yes, sir.

Mr. LONG. The Tammany Hall organization and the Democratic organization were identical, or rather the Democratic organization in this district, the regular one, was known as Tammany Hall.

Mr. MAGUIRE. I am not going to decide a dispute between the State Democracy and the Tammany Hall Democracy, as to which was the regular organization. It is quite immaterial. The question here relates to tickets, not to party organizations.

Mr. LONG. I am not speaking of the State Democracy. You admit that Mr. Walsh's name was on the Tammany Hall ticket, and the record shows that the regular Democratic organization was called Tammany Hall?

Mr. MAGUIRE. Yes, sir.

Mr. QUIGG. I wish we might get some of the Democratic members of the House to make the same distinction about the organization that the gentleman does.

Mr. SULZER. It will be made.

Mr. MAGUIRE. There is no evidence that anybody who claimed to have voted the Democratic ticket voted for Walsh. The evidence concerning the hiring of anybody to vote the Democratic ticket is no showing whatever that the man who did the hiring was in any way connected with Tammany Hall.

The gentleman made some considerable point on the fact that two of these districts are large lodging-house districts, and that from 20 lodging houses in New York 800 men voted.

Mr. LONG. I did not make that statement.

Mr. MAGUIRE. Then the gentleman stated that 800 were registered. Is that it?

Mr. LONG. I made that statement.

Mr. MAGUIRE. And he contends that it is extraordinary that 800 men should be registered from 20 lodging houses in the city of New York.

Mr. LONG. I did not state that it was extraordinary in the city of New York for anything like that to occur.

Mr. MAGUIRE. The testimony shows that these are lodging houses for poor men; that they are lodging houses for the classes paying from 15 to 50 cents for lodging. I do not know whether the record shows it or not——

Mr. FAIRCHILD. For how many nights?

Mr. MAGUIRE. The evidence is that many of them have lived there for many years. It does not appear anywhere that any of them had not been living there long enough to vote; and with lodging houses in that section of New York City, seven-story houses in which rooms or lodgings are rented at from 15 to 50 cents per night, it must appear manifestly that unless 20 lodging houses contained an average of 800 regular lodgers it would be impossible for the landlords or proprietors to pay the rent and carry on the houses. I see nothing extraordinary in the fact of such registration or of that number of voters from the lodging houses.

But unless the alleged wrongs or frauds or bribery are in some way connected with the contestee or with the men who were supporting the ticket on which his name appears, all evidence concerning false registration and bribery must fail so far as this case is concerned.

So much for the testimony of Patrick Lynch. He proves nothing. The next witness is William L. Wilson. His statement is that on the election day in question he lived in the house called the Bismarck, No. 9 Mulberry street; that he voted from that number; that he knows Dan O'Rourke; that O'Rourke is the Tammany captain in that district; that he saw O'Rourke around the polls on election day; that in the presence of ten or eleven men, of whom the witness was one, the witness asked O'Rourke, "What was into it?" and he said, "Two hundred." In answer to a question he said that by two hundred O'Rourke meant $2.

How he knew what O'Rourke meant does not appear. Then the witness testifies that O'Rourke asked him, "Where are you from?" The witness stated where he was from, and O'Rourke answered,

"I am not buying any votes out of the Bismarck." The witness further testifies: "I went right away then. When he said he wasn't buying anybody out of the Bismarck I went away. I seen I couldn't get nothing." He testifies that there was another young man assisting O'Rourke, but that he didn't know who he was. He further testifies that O'Rourke said to the ten or eleven men who were standing around, "There was two hundred in it. Go ahead. Push it along." He further testified that he knew the men who were standing around when Dan O'Rourke said there was two hundred in it; that they all lived in the Bismarck. He afterwards modified that statement by saying that five of them lived in the Bismarck, and that the others registered out of the Globe, on Park Row.

He was asked to give the name of any one of these men who were standing around at the time that O'Rourke made this very important statement, and although five of the men were living with him at the Bismarck, he testified that he did not know the name of any of them, because "they all have nicknames, such as Jack, Bill, John, or something else." The witness further testifies that he voted on that day, but was not paid anything for his vote.

Mr. LONG. May I ask the gentleman a question?

Mr. MAGUIRE. Wait a minute. To the question, "Did you see anyone paid for their votes on election day?" he answered, "No, sir." He testified afterwards that he knew of his own knowledge that several men were paid for their votes, but that he could not tell the right name of any of the men.

Mr. LONG. Now will the gentleman permit me to ask a question?

Mr. MAGUIRE. Yes.

Mr. LONG. Does the gentleman believe, in the light of that testimony, that these men lived at those lodging houses for years, when they did not know each other's names?

Mr. MAGUIRE. I do not see anything in this testimony inconsistent with it. This witness was simply lying. That is all there is about that, and the rest of his testimony clearly shows it. He was not with five other men from the Bismarck at that time.

Mr. TAYLER. Does the testimony of that witness show that Dan O'Rourke was a Tammany captain?

Mr. MAGUIRE. No; I think not.

Mr. TAYLER. Does he not say so, or is he a liar?

Mr. MAGUIRE. He shows no knowledge of it.

Mr. TAYLER. He is asked:

Do you know John O'Rourke?
A. Yes, sir.
Q. Is he the Democratic captain of that district?
A. Yes, sir.

Mr. MAGUIRE. Yes.

Mr. TAYLER. Now, one other question. Did Dan O'Rourke ever deny that witness' testimony?

Mr. MAGUIRE. As to what?

Mr. TAYLER. As to anything.

Mr. MAGUIRE. I think not.

Mr. TAYLER. That he was a Tammany captain, or that he had paid witnesses or parties to vote.

Mr. MAGUIRE. I think not. There is no testimony here that he paid voters to vote for anybody, or at all. The evidence is that he said he would not buy the votes of Wilson and the others who offered their votes for sale to him.

Mr. LONG. Will the gentleman in that connection also refer to the evidence on page 151 of the record, where the reason is given why O'Rourke would not buy anybody out of the Bismarck, somebody else having been designated to look after that house?

Mr. MAGUIRE. I will come to that later.

Mr. LONG. Very well; I hope the gentleman will.

Mr. QUIGG. They do not duplicate, in this system.

Mr. MAGUIRE. The witness further testified that one of the men——

Mr. LONG. I understand the gentleman will refer to that later.

Mr. MAGUIRE. I will refer to that later. The witness further testifies that one of the men was named Wolf, and that he lived at No. 9 Mulberry street, in the Bismarck; that "some other man" paid Wolf for his vote; that he could not tell who the man was; that he didn't see the money paid to Wolf; that the way he knew that Wolf was paid for his vote was that Wolf gave him (the witness) a drink out of the money; that he could not tell whether Wolf was telling the truth to him about getting the money or not. When asked the following question: "What did he (Wolf) tell you?" he answered: "He says 'Come on and have a drink; I have got a quarter.' I says 'What did you get it for?' and he says 'For my vote.'"

Q. And that is all you know about it?
A. Yes, sir.
Q. And that is all you know about anything being paid on election day for their votes?
A. Yes, sir. (Page 153.)

The witness further testifies that, prior to the election, he lived at the Bismarck four or five years continuously, and voted out of there three or four times. The testimony of William L. Wilson, from beginning to end, is that of an unscrupulous, common blackguard, who tried to sell his vote to Dan O'Rourke, who, he says, was a Tammany captain in the thirty-fifth election district, and whose vote O'Rourke refused to buy, and, after vainly attempting to sell his vote, he finally voted without pay at half past 3 o'clock in the afternoon.

The next witness whose testimony is cited in the report of the majority is John Reilly. His statement was made before William A. Hoar, before whom the statement of the last witness was also made. And here I may as well state the views of both the majority and the minority concerning the position of William A. Hoar, who acted as a notary public in the taking of this testimony. Mr. Hoar at the time of the taking of the testimony was not a notary public and was not authorized under any law to administer an oath or to certify to the testimony in a contested election case. Mr. Hoar had been a notary for Kings County, N. Y., in which he had resided. For the purpose of taking this testimony, or shortly before the taking of this testimony, he removed from Kings County to the city of New York, thereby vacating his office under the law of New York. He was selected by the contestant as the notary before whom these witnesses should be examined. He had no authority to administer oaths, and no prosecution for perjury could be instituted or maintained against any witness who testified before Mr. Hoar because of the falsity of any testimony there given. The testimony of Wilson and of Lynch, and I think the testimony of Sanford, though I have not time to ascertain, was all taken before this unauthorized notary.

Mr. LONG. What is the statement of the gentleman from California on that point?

Mr. MAGUIRE. It is that the testimony of most, if not all, of the witnesses of whose testimony I have spoken was taken before William A. Hoar, who was not a notary authorized under the law to take testimony.

Mr. LONG. Certainly the gentleman does not wish to make that statement to this House.

Mr. MAGUIRE. Yes, sir; I do.

Mr. LONG. Do you claim that the testimony of John Sanford was taken before Mr. Hoar under such conditions?

Mr. MAGUIRE. I said that I was not certain about the testimony of Sanford, but that is my recollection.

Mr. LONG. Was not that testimony taken before Mr. Hoar after his appointment as a notary for the county of New York?

Mr. MAGUIRE. I have not before me the date of the taking of that testimony, nor have I the date of Mr. Hoar's appointment. I find, however, that the testimony of Sanford was taken before William A. Hoar.

Mr. LONG. You do not claim that the witnesses in the thirtieth district, Lynch, for instance, testified before Mr. Hoar?

Mr. MAGUIRE. I have been speaking of the witnesses concerning the five districts.

Mr. LONG. He is one of them. Does the gentleman say that the testimony of Hermin, in the thirty-sixth, was taken before Mr. Hoar?

Mr. MAGUIRE. I have not charged my memory with it. The minority report states what testimony was taken before Mr. Hoar.

Mr. LONG. I am speaking of the facts.

Mr. MAGUIRE. Patrick Lynch's testimony was taken before Mr. Hoar—no; I do not mean Lynch, I mean Reilly. The testimony of Sanford, of Wilson, of Reilly, of Hermin, and of McDonald was taken before him.

Mr. LONG. You stated that the testimony of Lynch was taken before Mr. Hoar.

Mr. MAGUIRE. No, sir; I said that I was mistaken about Lynch. I meant Reilly's testimony.

The next witness whose testimony is cited by the majority in support of its finding is Frank Hermin. His statement was taken before Mr. Hoar, who, as I have said, was not authorized to administer an oath, and this testimony is therefore without the sanction of an oath. Hermin testified that he resided at the Grand Windsor Lodging House, No. 9, Chatham square, that he registered at the last election at the request of the night clerk of the lodging house, that the night clerk of the lodging house promised to give him $3 for registering, but did not give him anything. I read from his testimony:

Q. Did you see the night clerk on election day?
A. Yes, sir; I seen him in the morning, between 11 and 12. I can't tell what time positively, because I was about half drunk when I met him. I did not intend to vote at all, but he said, "Go and vote; you are good for the money."
Q. Did he tell you the ticket to vote?
A. The Democratic ticket.
Q. Did he tell you to see anybody on election day?
A. Yes, sir; and I got $2 from a man in Mike Callahan's, right inside, in the back room, and he had a roll of bills there.

This witness further testified that Mike Callahan's was a respectable house and saloon, and that the night clerk did not pay him the money.

Q. Who paid it to you?
A. Oh, I suppose some assistant in Mike Callahan's, it must be.
Q. Who was the night clerk?

Now, Mr. Speaker, what connection did the night clerk have with the contestee? There is nothing in the case to show that he had any connection either with contestee or with Tammany Hall. Again, what ticket did the night clerk ask the witness to vote? The Democratic ticket, the witness says. My recollection is——

Mr. QUIGG. I appeal to the gentleman to continue the reading of Hermin's testimony. The rest of it is extremely significant.

Mr. MAGUIRE. I will continue the reading of Hermin's testimony, and in that testimony I will refer the gentleman——

Mr. QUIGG. The gentleman in what he was reading just now stopped at the answer, "Oh, some assistant in Mike Callahan's." What immediately follows is very significant, I think.

Mr. MAGUIRE. What is the gentleman reading from—from the brief?

Mr. QUIGG. From the brief.

Mr. MAGUIRE. The part of the evidence to which the gentleman refers is not before me now, but I will read it from the record if the gentleman will give me the page.

Mr. TAYLER. It is on page 193—about the middle of the page.

Mr. MAGUIRE. I will first refer the gentleman to pages 549, 550, and 551—the testimony of Frank Hermin. I have already read his testimony as to his being hired to vote the Democratic ticket, as to his having voted the Democratic ticket, and as to his having gone into a saloon owned by a man named Mike Callahan and receiving a dollar from somebody who he presumed was an assistant of Mike Callahan. He testifies on page 549 and the following pages how he came to give that testimony, and that it was false; and he testifies to how he came to be a witness in the case:

I was picked up by a man named Nathan. Asked me to come and have a drink. We had several drinks, and he brought me down and said, "If you come down here you will make all kinds of money. Come down to 44 Pine street—to Rawson's office, attorney for John Murray Mitchell." Had several drinks before I went there. Half drunk when I got there. I had a bottle of beer in the office of Mr. Rawson. * * * Nathan said that I could make $10 to $50 and a suit of clothes out of it before the thing got through.

Nathan was one of the clerks in the office of Mr. Rawson, the attorney for John Murray Mitchell; and the man to whom these propositions were made is one of the principal witnesses of Mr. Mitchell, produced to show bribery in one of the districts, and whose testimony is cited and quoted by the majority of the committee in its showing of evidence supposed to be sufficient to overturn the election of Mr. Walsh, as certified to this House, and to justify the House in unseating him. The witness continues:

Nathan paid for my lodging that night. We had several drinks together; went to bed pretty well drunk. Saw him next morning. Had drinks with him. He brought me down to Rawson's office. He called me one side and asked me, "Don't you want to go up to New London?" Saw Nathan following day. Took me down to Rawson's office. Said when he left, "I guess I will take care of you again to-night." He showed me a two-dollar bill and a one. Saw him next morning. Went again to Rawson's office. Had several drinks on the way down. I had a bottle of whisky in my pocket when I got to Rawson's office. Nathan bought it for me at No. 9 Bowery, and when I went into the office I was pretty well full; and in that condition I gave my testimony. After that I went to New London; four men with me—McDonald, Bernstein, Paddy Ryan, and another. Saw Mr. Mitchell when I came down. He treated me to a couple of whiskies and one cigar—three rounds. I received $1 that night from Mr. Cochran, a witness in this case. The following Sunday Cochran gave three of us a half dollar apiece to come down the following Wednesday. Went down the following Wednesday; Bernstein gave me half a dollar. I had a couple of drinks before I signed my testimony—Bernstein and I. At New London I stopped at the Hoffman House with a man named Ryan—Lynch, Bernstein, McDonald, and myself. We were all pretty well druuk up there.

These men named by Hermin are the principal witnesses of the contestant, by whose testimony concerning alleged conversations that they had with voters whom they did not know, and with alleged Democratic workers whom they did not know, and could not name and could not describe, the majority of the committee undertake to show fraud and bribery in these several districts. Here is more of Hermin's testimony:

I saw plenty of beer in Mr. Rawson's office. We had all we wanted to drink at New London. I did not pay a cent for it; Mr. Rawson's agents paid for it.

Mr. QUIGG. From what page is the gentleman reading?

Mr. MAGUIRE. I am reading a condensation of the evidence. It runs over pages 549, 550, and 551. I have not time to read in full the questions and answers, or I would gladly do so.

Mr. LONG. Will the gentleman allow me a question?

Mr. MAGUIRE. Yes, sir.

Mr. LONG. Did the contestee introduce any evidence to controvert or refute the statement of Mr. Hermin?

Mr. MAGUIRE. Why, sir, Mr. Hermin testified that he did not know whether he voted the Democratic or the Republican ticket on election day; and he did not know that he voted at all. What need was there of contradicting Hermin? And let me say to the gentleman from Kansas that the record introduced by the contestant shows that Hermin did not vote at all on election day.

Now, sir, the testimony of all the witnesses whose testimony is cited and quoted in the majority report in support of the findings of the committee is of that character throughout. Most of it was taken before Mr. Hoar, who was not authorized to administer oaths, a fact which the contestant must have known when he selected him to take the testimony of these thrice-perjured and unworthy witnesses, who according to their own testimony were of the basest character, ready to sell votes and testimony for the merest trifle.

Mr. QUIGG. I want to call the gentleman's attention to the record on page 565, giving the testimony of Hermin subsequently to the incidents about which the gentleman has been reading. He read from this part of the record a while ago but stopped short at the statement about the witness going into a back room at Mike Callahan's. I want to call the gentleman's attention to these questions and answers, beginning near the top of page 565:

Q. "Did the night clerk pay you the money? No, sir." Is that correct?
A. Correct.
Q. "Who paid it to you?—A. Some assistant in Mike Callahan's." Is that correct?
A. That is right.
Q. "Did this night clerk turn you over to that man?—A. Yes; he said, "This man is all right"; in fact, he said two of us were all right."
A. That is right.
Q. "Did you give that man any money?—A. Yes, sir."
A. That is right, sir.
Q. "How much?—A. He gave me two one-dollar bills."
A. That is right, sir.
Q. "Did you say you voted on that day?—A. Yes, sir."

And he corroborates this whole testimony.

Mr. MAGUIRE. The record shows that he did not vote. He testified once that he did not vote, that he did not know whether he voted at all or not, and did not know what ticket he voted.

Mr. QUIGG. This is a statement of his evidence, and he pronounces it correct.

Mr. MAGUIRE. He states in the first instance that somebody—a night clerk in some lodging house—hired him to vote—to vote what?

Mr. TAYLER. To vote the Democratic ticket.

Mr. MAGUIRE. Not the Tammany Hall ticket, but the Democratic ticket. Now the fact is, he did not vote any ticket at all, and the record shows it.

Mr. QUIGG. Does not the gentleman know that in the Democratic State convention in New York all the contestants were turned out and Tammany Hall alone seated?

Mr. MAGUIRE. I know nothing that is not in the evidence in this case. That is the only knowledge with which we have to deal. I have not gone outside to find facts concerning this case, or to learn the current history of politics in New York, from the reports of either Democratic or Republican politicians.

Mr. QUIGG. I hope some of the Tammany members will say that their party is not the Democratic party. I am listening for that admission.

Mr. MAGUIRE. Unless it is in the record, you will not be gratified with such an admission, so far as I am concerned. I am discussing this case from the record—the only standpoint from which this House can consider the case, if it is to be considered judicially, and if it is not to be so considered we may as well submit in silence to your prejudgment; for you have the power to do wrong.

Now, Mr. Speaker, I have not attempted to go through the testimony of each witness; there is not time; but I say that all the testimony on behalf of the contestant is just as vague, just as inconclusive, just as incomplete, as that which I have analyzed and cited to the House. Most of the testimony concerning alleged bribery is by witnesses who say that "they learned" that men were bribed by talking with the men afterwards in the saloons, and hearing them say that "they had received money," and stating the amount they had received. But nowhere is there any testimony showing that they stated, even in these conversations, that they had voted for Mr. Walsh, or voted any ticket on which his name appeared, or that anybody who had been instrumental in securing the votes mentioned for Mr. Walsh had heard the witnesses say that they had voted for him.

Now contestant, as to some of the people who are alleged to have committed these frauds—these election frauds in the interest of contestee, and against the contestant—ought to show something of that kind; for upon no other theory can the contestee be unseated and the contestant seated.

These men who testify to having sold their votes on election day, at from one to two dollars apiece, are shown by their own testimony, and that of their associates, to have been gathered up by four or five employees of the contestant's attorney, given money, and board, and lodging, and drink, and some of them clothing, right along for a considerable period before they testified and were herded at Harlem, or in the town of New London, by the agents and representatives of the contestant's attorney; given money enough and food and drink, and other things of value to them, to a certainty to procure such wretches to testify to anything that they might be asked to testify to. And yet, after all, they do not give anything but hearsay evidence, evidence of the very poorest kind. They do not even name the men who told them that they had been bribed. They deny remembering the names in almost every case, and one of the witnesses who mentioned the name of four men that he claims had been bribed to vote the Democratic ticket within his knowledge, named three men who it was ascertained did not vote at the election at all.

That is the character of testimony upon which you are asked to unseat Mr. Walsh.

The SPEAKER pro tempore (Mr. GROSVENOR). The time of the gentleman from California has expired.

Mr. MAGUIRE. I just desire to say, Mr. Speaker—I had not expected the gavel to fall so soon—that if there is a lawyer on the Republican side who can take the majority report and the testimony and, examining them judicially, say that there is evidence sufficient to justify any court in this land in upholding any of the findings of the majority of the committee, I shall be exceedingly surprised. I venture to assert that if this House, on the evidence that is before it in this case, shall unseat Mr. Walsh, no crime that Tammany Hall ever committed would be would be worse than that act. I venture to say, further, that if any court in this land would declare judicially that Mr. Walsh is not entitled to a seat, and that Mr. Mitchell is, on that evidence, the judge would be subject to impeachment, and that the very House that will accept such evidence as sufficient in a political case to support this great wrong would impeach the judge who rendered such a decision, no matter to what party he belonged.

Pay the Honest Claims of Private Citizens.

SPEECH

OF

HON. JOSEPH H. WALKER,

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, June 8, 1896.

The House having under consideration the bill making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896—

Mr. WALKER of Massachusetts said:

Mr. SPEAKER: I do not know personally a man, woman, or child that will be benefited by one dollar of the French spoliation claims or the Bowman Act claims that were awarded from the Court of Claims in the vetoed bill. Neither do I know that there would a single dollar go into the district I have the honor to represent. I am interested in this purely from a sense of justice.

There is, however, a claim for $66,970 on the Calendar of this House as justly due to the heirs of J. C. Howe and to Sullivan Forehand and others, my constituents and neighbors, from the United States Government as any sum ever due from any member of this House for the food that has nourished his wife and children or the clothes that cover their backs or the shelter that has covered their heads. Not only did the officers of the Government rob these people of their property, but they compelled them to spend good money in prosecuting their cause through the courts. This will take a very large part of this $66,000, if they ever get it. This good money, spent in costs by these people, and the accumulated interest thereon, will eat up the whole sum, if not soon paid.

For sixteen years have they been pleading for justice. Thus the Government, appropriating their property in the most unjust manner in 1868, after the war had closed, refused them any compensation and compelled them to pursue their cause through the

This claim has been unanimously approved and reported to the Senate in three successive Congresses; it has passed the Senate twice and is now on our Calendar and only fails to pass the House because I am not allowed to bring it before the House.

This is the way justice is meted out to our citizens. This is no exceptional case. Bills for hundreds of just such claims are on the Calendars. A few of our citizens who were robbed by the strong arm of their own Government, which many of them fought to support in the days of its trial, were allowed a chance to pass their bills in the Republican Fifty-first Congress, practically none of them in the Democratic Fifty-second and Fifty-third Congresses, and now, in this Republican Fifty-fourth Congress, scarcely one is allowed to come before this House in the regular way. Such outrageous treatment of citizens of the United States by their own Government is justly condemned. The cheek of every man ought to blush in shame and indignation at the action of Congress, Democratic and Republican alike, and still more that the Chief Executive of the nation, in the pride of his power, should lend himself to this bad cause in the perpetuation of the spoliation of the helpless ones he has sworn to succor and defend. This is what governments are instituted for among men, and this is what ours has failed to do.

In the words of another:

I tremble for my country when I remember that God is just.

All history, sacred and profane, justifies the declaration of Holy Writ that "Righteousness exalteth a nation, but sin is a reproach of any people." And again, "He that oppresseth the poor to increase riches, and he that giveth to the rich, shall surely come to want."

No Congress has excelled this House in inviting the judgment of God in robbing the poor, in denying them their just dues, if it sustains this veto of the spoliation claims and the claims awarded our citizens under the Bowman Act, established in the Court of Claims; and also in giving to the rich, at the same time, by appropriating $70,000,000 for rivers and harbors. This is taking the bread out of the children's mouths to heap up riches.

Why this injustice? Why are the just dues of our people put off year by year and from generation to generation? Perish the thought that it is because there are votes in such a course. Perish the thought that men are willing to hold their places in this House at the price of blood, but it still remains that cheap glory may be gotten by a parade of economy in saving money to the public Treasury in refusing to appropriate the money to pay an honest debt. Only one vote, at the most, is thus to be lost, while a score of votes may be gained by getting an appropriation to spend thousands, and even millions, of dollars yearly in one's "deestrict." It can not be that this in any way accounts for the appropriation of $70,000,000 a year for rivers and harbors, and when $1,500,000 can not be gotten out of the House to pay honest debts to our citizens accumulated in the period of thirty years. What miserable subterfuges are resorted to in justifying members in such a course!

"Some of these 700 claims are unjust and ought not to be paid," forsooth! Shame on such pettifoggery. Have there ever been 700 claims decided by any court and jury, in the most carefully tried and hotly contested cases, where some of the verdicts were not contrary to abstract justice? Are not courts fallible? And shall we refuse to enforce any of the judgments of any of our courts because, forsooth, there may be some of them in error? I venture to assert that never in any 700 cases tried by any courts can so few erroneous judgments be found as in the 700 awards in the United States Court of Claims that this House proposes to repudiate the payment of. This is the miserable showing of the opposition in this debate.

I had rather hand down as a legacy to my children the memory of the burning words I have spoken in this House in denunciation of such wicked denial of justice as is involved in failure to vote to pay these vetoed claims than to deck them with all the honors the members of this House can ever attain in preaching and voting that economy in expenditure must rest on the tears and blood of thousands who are pleading for their own at our recreant hands.

I know my people, and I think they are like the people of other districts. I know they would resent with scorn any action of their representative that sought any saving of money for any profit to them in any act of injustice to any human being. They demand of me my utmost endeavors to secure justice to every citizen, at any cost in blood or treasure.

Strong words have been said. Yes, and they are required, to fittingly rebuke such injustice. Every one of us knows that a man gets no recognition and none of his rights and no hearing in this House who does not fight for them. This grievous system in legislation can only be corrected by agitation. Every honest man should cry aloud, and spare not. Such things as I am protesting against sow the seeds of socialism, of communism, and even of anarchy. They cause the poor and the weak to forget God in their wrath, in the injustice they suffer.

When shall these things end?

Rivers and Harbors.

SPEECH

OF

HON. JOSEPH WHEELER,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, April 6, 1896.

The House having under consideration the bill (H. R. 7977) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes—

Mr. WHEELER said:

Mr. SPEAKER: I have never opposed a river and harbor bill. I believe that there is no duty so important as for the Government to relieve the people of the burden of taxation which they are compelled to bear for the transportation of their products to the seaboard. God gave us these rivers in their crude state, and it is our duty to prepare them so that they may be navigable and useful for the purposes of commerce and to supply the wants of the people.

The gentleman from Tennessee [Mr. WASHINGTON] said that this bill was fair to all sections of the country. The Tennessee River, the third in importance of the rivers being improved by the country, I regret to say, has not had one-tenth of the appropriation which it usually has to carry on the important work now in progress on that stream. That river drains a section of the country connected closely with what is fast becoming the center of the iron industry of the world, a character of freight of more weight and of more value than any other kind of freightage known to commerce.

ALABAMA'S IRON AND COAL INDUSTRIES.

The enormous increase of coal and iron in Alabama is attracting the attention of the world. The annual average production of Alabama pig iron for the last three years has been 744,858 gross tons. A comparison of these figures with the production of foreign countries shows that Alabama now produces almost as much pig iron as Russia or Austria and Hungary, more than Belgium, almost twice as much as Sweden and Norway, three times as much as Spain, and ten times as much as the combined total production of Canada, Mexico, Africa, Australia, Japan, India, Greece, and Italy; and in a few years it will produce more of this metal than any other country on earth, except Great Britain, and its production will not be equaled by any State in the Union except Pennsylvania.

Alabama's great progress in iron industries is largely due to the exceptional advantages enjoyed by having all the materials for making that metal in great abundance, in close juxtaposition, and so near the surface that they can be assembled and manufactured into iron of a superb quality cheaper than at any other place in the world.

This was the condition as far back as 1890, and since that time the economies adopted have very materially reduced the cost of production.

ALABAMA IRON CHEAPEST IN THE WORLD.

Again, the iron ore, lime rock, and coal are so easily mined that plantation negroes become efficient with a few weeks' experience, and within three months they become good miners of coal. To show the result of these advantages, I give the exact figures of the cost of the principal items in 1891 and 1895:

Cost to ton of pig iron.	1891.	1895.
Ore, coke, and lime rock	$7.795	$4.1025
Wages and salaries	1.777	.9143
Other items	.50	.257
Total	10.072	5.2738

Of course it would not be fair or correct to say that iron can be produced in Alabama at $5.2738 per ton, because we must add the cost of maintenance, relining, and other repairs, interest on capital, and actual value of materials on the ground.

But the great future prosperity of Alabama is doubly assured by the late successful experiments in the manufacture of steel. After years of struggle with this problem, involving disappointments, misfortunes, and losses, we are now producing in one of the Alabama furnaces, from materials in the immediate vicinity, a superior quality of pig suited to the basic open-hearth steel process, holding both sulphur and silicon below the limit prescribed by the best German practice. The daily output at present is but 150 tons, but plans are being perfected for the rapid development of this industry.

Following the successful inauguration of a steel plant behind which is the cheapest fuel and pig iron on the globe will come iron and steel manufactures of every character, and I confidently assert that at no distant period Alabama will become the center of the iron and steel industry of the world.

ALABAMA IRON SOLD IN ENGLAND.

Alabama is now profitably shipping her iron to England in such immense quantities that the London Iron and Coal Trade Review, in referring to the arrival of several cargoes of Alabama iron, says:

England is threatened with an invasion of American pig iron. This is one of the most serious blows to the supremacy of Great Britain as a manufacturing nation.

The reason for our rapid growth in iron industries is that within the limits of the Alabama mineral fields and those immediately adjacent there are more coal, more iron ore, more valuable timber, and more oil than in any other section of the United States, comprising varieties from the finest coking to the best steam, domestic, and gas coals, and including the largest deposit of cannel coal in the world. The iron ores, in quantity, quality, and variety are greater than in any other section, from the high phosphorus basic ore, carrying 3 per cent and more of phosphorus, down to the cranberry Bessemer, carrying less than 0.05 per cent.

ALABAMA'S MINERAL WEALTH.

The wealth of the mineral region of Alabama is by no means confined to its mines of iron and coal. In addition to these productions oil and gas are found in inexhaustible quantities. Building stone of superior quality exists without limit, and quarrying would become a more general industry were it not that other vocations are more inviting.

Gold has been mined for many years in the State, and the late discoveries in the Arbacoochee district gives promise of the development of ore of a very rich character.

Bauxite, or the ore of aluminum, exists in large quantities in the Coosa Valley in Alabama, extending up the valley into Georgia. This valuable mineral has also been found in Arkansas and New Mexico, but up to this time it has not been discovered at any other point in the United States.

The mineral conditions which exist in Alabama are also enjoyed in equal richness and abundance in the adjacent parts of Tennessee and north Georgia, which is designated as the Chattanooga iron district. The vast iron works which have been erected at Chattanooga and vicinity, and Sheffield, Florence, and Decatur, further down on the Tennessee River, must have water transportation for their products. These enterprises were inaugurated under a promise by Congress that the work to open the Tennessee River to navigation would be pressed forward with all possible rapidity, and for the Government to allow this work to drag along with inadequate appropriations is doing the greatest injustice to these enterprising people.

Pensions.

REMARKS
OF
HON. WILLIAM E. ANDREWS,
OF NEBRASKA,
IN THE HOUSE OF REPRESENTATIVES,
Wednesday, June 10, 1896.

Mr. ANDREWS said:

Mr. SPEAKER: I desire to submit for the information of the House the following resolutions and report relating to private pension bills. I ask that the resolutions and report be read in full in my time.

The Clerk read as follows:

Whereas marked confusion and delay have resulted from the want of some uniform rule in the consideration of private pension bills: Therefore

Be it resolved, That it is the sense of the House that all private pension bills should be drawn according to the rates of pension indicated by the general pension laws unless the evidence should clearly show that a higher rate is justly required to relieve actual distress, the question of the soldier's rank being considered wholly immaterial in determining an exceptional rating.

Resolved, That all recommendations from committees should be in harmony with the sentiment of the foregoing resolution.

Mr. ANDREWS, from the Committee on Invalid Pensions, submitted the following report:

"Your Committee on Invalid Pensions, to whom were referred the resolutions (H. Res. 341) relating to private pension bills, have considered the same, and report as follows:

"Said resolutions seek to economize the time and labor of the House in the consideration of private pension bills. Such bills are usually drawn at rates much higher than those indicated by general pension laws, and consequently much time is consumed by committees and by the House in making amendments as to rates. If such bills were drawn according to rates fixed by general pension laws, and each bill were accompanied by a brief of the necessary evidence when it reaches the proper committee, many meritorious bills could be passed in the time frequently consumed by repetitions of opinions relative to exceptional ratings. It is assumed that the members of the House will readily recognize the benefits that could thus be conferred upon many deserving soldiers whose bills ought to be passed immediately.

"If the rates fixed by the general pension laws are not fair and just, a bill removing unjust discriminations should be put upon its passage immediately and enacted into law.

"Thus one discussion would settle the question of rates, and Congress would be relieved of a large volume of business which would be and ought to be transacted through the Pension Bureau. The adoption of the resolutions would give a rule of action to members, committees, and the House in the transaction of business relative to private pension bills; and your committee therefore recommend that said resolutions be agreed to."

Mr. ANDREWS. I introduced these resolutions in the House on the 18th of last May. They were referred to the Committee on Invalid Pensions. They were duly considered by that committee, and I was instructed to report them to the House with the recommendation that they be agreed to. They would have been called up for action if the way had not been obstructed by an unyielding objection to a request for unanimous consent for their consideration.

I think the members of the House realize the necessity for some definite rule of action in such matters.

It would be a protection to members, committees, and the House, and would avoid unjust and unreasonable discriminations.

It is hoped that the objection which has prevented an early consideration of these resolutions will not interfere with their adoption in the early part of the next session.

Silver and Money.

REMARKS
OF
HON. JOS. W BABCOCK,
OF WISCONSIN,
IN THE HOUSE OF REPRESENTATIVES,
Monday, June 8, 1896.

Mr. BABCOCK said:

Mr. SPEAKER: Under the leave which has been granted by the House I desire to make some practical observations on silver and money, and especially on the proposition that the United States should open its mints to the gratuitous and unlimited coinage of silver at the rate of 16 to 1.

And in doing this I can best express my views in a simple and easily understood manner by adopting as my own a conversation on the subject on three evenings between Mr. Smith, a practical business man and careful student of finance; Mr. Jones, an intelligent farmer; Mr. Vance, formerly a Greenbacker, now a Populist and silver man, and Mr. Burns, a common-sense laborer.

THREE EVENINGS WITH SILVER AND MONEY—A TALK OF FOUR NEIGHBORS ABOUT MONEY AND SILVER.

First evening.

These four neighbors chanced to meet one evening at the house of one of their number. As these are times when all good citizens are thinking, studying, and debating this question, they naturally began talking about it.

Mr. Jones opened the conversation by remarking that he had been reading one of the numerous pamphlets written and distributed by an association supported by silver-mine owners, which seeks to have the United States, by itself and alone among the commercial nations of the world, open its mints to the free and unlimited coinage of silver at a ratio of 16 to 1, and he asked Mr. Smith to give his ideas of the proposition.

Mr. SMITH. Well, we have an evening before us; and as I have had considerable experience in business affairs, and have given a good deal of study to money problems and am interested in them, I always like to talk with intelligent, practical men on these subjects, and I find that their experience helps me to a better understanding of such questions. The subject is too big a one to cover in one evening. But I would be willing to come here several evenings until we have gone over the whole subject.

Mr. JONES, Mr. VANCE, and Mr. BURNS (speaking at the same time). That is very kind of you, Mr. Smith; we want to be sure that we have the right understanding of this money question.

THE NATURE AND USES OF MONEY.

Mr. SMITH. Now, the first thing we need to do is to obtain a clear idea of what money is, and what are its uses in modern business, that we may be better able to understand the points at issue. Of course we all know that money is the standard or measure of the values of all products, the financial yardstick, so to speak, and also the tool of exchange, by which I mean it is a substance which, by common consent, is accepted by everybody as equivalent in value to that which is sold. Before this common medium of exchange was adopted the primitive world had to resort exclusively to barter, or a direct exchange of one product for another. This was a very bungling, unsatisfactory method of making exchanges. For instance, "A" had a certain article which he did not need. He had to hunt up some one else—B, for instance—who did not have what A had in surplus and did have have what A was short of.

Mr. JONES. Oh, yes; I remember reading that in very early times this common medium of exchange which we call money was oxen, and in the early Roman period it was sheep; still later iron; then silver, first weighed out to the purchaser and subsequently coined; and then gold. I have read that the precious metals when used as money were not coined at first, but weighed in each transaction. I remember the account in the Bible of Abraham's purchase of a burial ground with a certain weight of silver. On account of the trouble of weighing and dividing the silver or gold in each transaction, convenience naturally suggested that the government of each country should divide the silver or gold bullion into pieces of different weights and stamp one fixed designation upon the various pieces of the same weight and another designation upon the pieces of another weight, which would in effect be a certificate of the weight of each that could be relied upon as accurate. This is what coinage practically is.

Mr. SMITH. That is true. And you will notice that as any people have advanced in civilization the article selected by common consent as this common medium (for law simply recognizes what common consent has already adopted) has been less and less bulky and clumsy. China and India find silver alone adapted to their conditions. Every modern first-class commercial nation can not successfully do its business without gold for the larger transactions and for the settlement of foreign balances as well as for reserves. But in all times property money—that is, money of intrinsic value and therefore money of final redemption—has been some product which possessed value aside from its use as money, because no one who had a valuable product would exchange it for anything else unless it had an equivalent value.

THE FIAT IDEA OF MONEY.

Mr. VANCE. This is where you and we Greenbackers, or Populists, differ. I am willing to sell my labor or any other valuable thing I may have for a bit of almost valueless paper called a greenback, on which is printed the stamp of the Government, with the figures $1, $2, $5, etc., or for a piece of paper issued by a national bank with similar figures, or for a similar bit of paper called a silver certificate. Doesn't this show that whatever the law declares to be money is money, and that nothing can be money which is not thus made by the fiat of the law?

Mr. SMITH. You must remember, Mr. Vance, that the bit of paper called a greenback, which we call credit money, is a promise of the Government to pay the gold or silver coins which we call property money; and the bit of bank paper is a similar promise of the bank which issues it. The silver certificate or the gold certificate is simply a receipt of the Government showing that the number of silver or gold dollars which it calls for has been deposited in the Treasury, and may be drawn from the Treasury any day that the holder of the certificate desires the deposited coin. All of these pieces of paper are used instead of the coin which they represent, for convenience.

During the war of the rebellion we had only paper credit money, which, although declared by law to be dollars, was more or less depreciated below the coin which it purported to represent—the depreciation depending upon the degree of distrust which prevailed at any time as to whether the paper promises would be redeemed in coin or property money. In 1879, when the Government had provided a fund of coin to pay its paper promises as presented, and had announced its purpose to do so, armed as the Treasury was with authority to borrow, confidence was restored, and the notes of the Government were everywhere regarded as equivalent to coin and therefore at par.

Property money, that is, coin containing the full value of bullion indicated by the stamp (and all coin that has the privilege of free and unlimited coinage must be of this character), does not need redemption nor the legal-tender power conferred by law to give it currency at its face value, for the reason that it has the same value as bullion before coinage as after. All that the legal-tender quality can confer is simply the power of discharging debts; but as every new debt will be contracted on a basis of the real value of the money on which it is to be discharged this really adds nothing to its value. A dollar note issued by a bank which does not have the legal-tender quality is of the same value of a greenback dollar with a legal-tender quality.

A FIAT IDEA IN COINAGE.

Mr. VANCE. How does it happen, then, that our silver dollar, which you sometimes call a 50-cent dollar when the market value of silver bullion in it is only 50 cents, is just as good in making purchases as a gold dollar, whose bullion is worth 100 cents in the market?

Mr. SMITH. That is because the Government coins the silver dollar on its own account and for its own profit, and does not allow private owners of bullion to have their bullion coined for their own profit. By limiting the coinage and undertaking indirect redemption of this limited quantity, by receiving them for gold duties or for taxes, the Government, as to the 50 cents in excess of the intrinsic value of the standard silver dollar, maintains them at par with gold precisely as it maintains greenback dollars at par.

In other words, the silver dollar is maintained at par by its practical redemption by the Government, just as our fractional silver coins are maintained, as neither has the intrinsic value which the stamp indicates. France maintains her silver at par with gold in the same way.

Mr. VANCE. But is not money a creature of law, and can not the Government make anything a dollar that it chooses to?

When Mr. Cheek gave his lecture on money before our club, I remember that we all cheered and clapped when he raised his arm and stamped his right foot and declared that law made money, and if the people would only have the right lawmakers we could drive the "goldbugs" to the wall.

Mr. SMITH. You must bear in mind that while the Government can declare anything to be money that it pleases, yet it can not create value in the money. That must be in the substance declared to be money if it is property money; or, if it is credit money, a redeemable promise to pay property money. The Government can declare a clam shell to be money; may declare every shell a dollar; but the purchasing power or value of the dollar will practically be what clam shells are worth, unless the Government, by direct or indirect redemption, undertakes to add to its value.

The name dollar given by law to our metal unit of value may be given to anything, but the value of the thing called a dollar, aside from redemption, depends upon the value of the quantity of the substance of which it is made, plus the charge for coinage. The law, under free coinage, may call 25.8 grains of standard gold (the weight of a gold dollar), or 412½ grains of standard silver (the weight of a silver dollar), or half that weight, a dollar, but the piece called a dollar (when its value is not maintained by redemption) will be of the value of the substance of which it is made.

Mr. JONES. If the idea that the "fiat" of the law or the stamp of the mint creates values—making whatever is declared or stamped as money just the value indicated by the stamp—were true, it seems to me it would be useless to have valuable gold or silver for money when it would do just as well for this valuable stamp to be put on an almost valueless piece of paper.

Mr. SMITH. You are right. If the Government can make 50 cents' worth of silver bullion worth 100 cents by stamping "one dollar" upon it without redemption, then it would be wrong to do this for private owners of silver bullion without charging them an equivalent for the value added to their property by the Government stamp. With such a stamp as this—more wonderful than Aladdin's lamp—the Government would have plenty of revenue without resorting to taxation, and would make everybody rich. All of the schemes for depreciating the currency to give relief in times of business depression are outgrowths of the "fiat" idea of money.

THE RATIO OF COINAGE.

Mr. VANCE. Am I to infer from what you have said that when the Government grants free and unlimited coinage to both silver and gold it can not fix the coinage ratio between the two?

Mr. SMITH. The Government, of course, can fix this ratio by law as it pleases, but unless that ratio is approximately the bullion ratio of the two metals, then the metal which is undervalued by the ratio will not be taken to the mint for coinage, and will be withdrawn from use as money and sold as merchandise, for the reason that it would be worth more as a commodity than as money.

The only metal which would be taken to the mint for coinage would be that overvalued by the ratio, in accordance with the well-known monetary law that where two or more different kinds of legal-tender dollars are authorized only the cheaper dollar will be coined and used. If the cheapest dollar authorized is a depreciated paper dollar (as was the case in this country from 1861 to 1879), then neither silver nor gold will be taken to the mint, and the only dollar used will be the cheapest paper dollar, which will become the practical standard of value, no matter what the law declares to be the unit.

Mr. BURNS. When you say that the piece of coined money called a "dollar" can be worth only what the bullion in it is worth under free coinage, you mean that its purchasing power will only be that.

Mr. SMITH. That is just what I mean. When the dollar which is paid the laborer for his day's work is depreciated, the laborer who thinks he is receiving a "dollar" for his labor really receives as much less as the purchasing power of his money may be. And as prices of what the laborer has to buy always rise faster than the price of his labor, he is the man who is always first cheated by a depreciated dollar.

Mr. BURNS. I know that is so by experience. I very well know that the workingman always gets the most for his labor when the money is of the best quality—every dollar as good as gold. I remember when the greenback was depreciated, and I thought I was getting $3 per day, that it took more days' labor to buy anything than it did in 1892; and I do not propose to be drawn into any scheme to make the laborer's dollars poorer than the banker's.

Mr. JAMES. Then it seems to me that the practical standard or measure of value in any country where there are two or more kinds of full legal-tender dollars authorized by law will always be the least valuable dollar, provided they are of different values—no matter what the law declares to be a unit or standard.

Mr. SMITH. That is so. Between 1792 and 1834, 371¼ grains of pure silver (412½ grains standard silver), and also 24¾ grains of pure (25.8 grains of standard gold) were each a legal dollar or unit (a quarter eagle being the smallest gold coin minted), but as that quantity of gold bullion was worth a little more than the silver in a silver dollar, the silver dollar was the practical standard.

From 1834 to 1861 a gold dollar of 25.8 grains (standard) was the practical standard, for the reason that the gold in a gold dollar cost less than the silver in a silver dollar, and the cheaper full legal-tender dollar will always take the field—the whole field—where there is considerable difference in the value of the two full legal-tender dollars.

From 1861 to 1873 the depreciated greenback dollar was the practical standard of value, notwithstanding the silver dollar was also a legal unit or dollar, because the greenback dollar was the least valuable.

In 1873 the gold dollar was made the legal unit, but the practical standard continued to be the depreciated greenback dollar until the resumption of specie payments in 1879, when the gold dollar again become the practical standard, as it was from 1834 to 1861, and also the legal standard.

THE COINAGE RATIO OF THE FATHERS.

Mr. VANCE. Well, the "fathers" did maintain the ratio of 16 to 1, and secured both silver and gold until silver was demonetized in 1873, and I believe the moment we now remonetize silver we shall find that 16 ounces of silver will be worth everywhere as much as 1 ounce of gold, as they were once.

Mr. JONES. I thought we did not have the ratio of 16 to 1 till 1834.

Mr. VANCE. Oh, yes; the "fathers" in 1792 fixed the ratio at 16 to 1, and we were all right, and should have continued all right if it had not been for "the crime of 1873."

Mr. SMITH. You are mistaken in saying that the "fathers" adopted the ratio of 16 to 1, unless you mean the "fathers" of 1834. The "fathers" who lived at the discovery of America found 11 ounces of silver equal in value to 1 of gold. The "fathers" of 1792 paid no attention to what their "fathers" of 1493 did, strange as it may seem to our "fiat" brethren, but proceeded to establish a coinage ratio of 15 to 1 (not 16 to 1), because they estimated that 15 ounces of silver were equal in value, on the average, to 1 ounce of gold. Subsequently it was found they had made a slight mistake in estimating the bullion ratio of silver and gold—only 2 per cent—which very largely kept gold from the mints; and so the later "fathers," in 1834, changed the ratio to 16 to 1 (to be exact, 15.98 to 1), and even then a slight undervaluation of silver and overvaluation of gold to the extent of only 2 per cent by this ratio resulted in the taking of very little silver to the mints between 1834 and 1861.

You will see that the object in fixing and changing the coinage ratio was to keep that ratio as near as possible to the bullion ratio in order to retain both metals as money, and that the ratio of 16 to 1 was not adopted until 1834, and was continued practically only twenty-seven years, as neither gold nor silver was coined to any extent from 1861 to 1873. The ratio of 16 to 1 was not a fixture. It was simply a temporary adjustment of the coinage ratio to the market ratio of gold and silver bullion in 1834, just as 15 to 1 was an adjustment to the market ratio of 1792 and 11 to 1 an adjustment to the market ratio of 1493.

Mr. VANCE. But if the ratio of 16 to 1 worked from 1834 to 1861, why won't it work now?

Mr. SMITH. Because the relative conditions of gold and silver production and use have greatly changed, and silver, which was then worth $1.30 per ounce, is now worth only half that price. Silver bullion must be worth at least $1.29 per ounce in order to maintain the ratio of 16 to 1 and hold both metals in our coinage. Silver has declined partly because all Europe has closed its mints to its free coinage, but chiefly for the same reason that cotton cloth, steel, kerosene oil, and other things have declined—it can be produced more cheaply than formerly. Forty years ago 3 yards of cotton cloth were equal in value to 1 bushel of corn in Illinois. Now a bushel of corn will buy 8 yards of cotton cloth, because it can be made at less cost. It would be just as sensible for the manufacturers of cotton cloth to demand that the ratio between cloth and corn should now be 3 to 1 because that was the ratio forty years ago as it is for the silver mine-owners to demand that 16 ounces of silver shall be regarded now in coinage as equal in value to 1 ounce of gold because that was the ratio twenty-odd years ago.

Mr. JONES. I can not see why silver bullion should not decline as well as other products, provided the discovery of richer mines and cheaper processes of separating the ore has reduced the cost of production. I was reading from a silver pamphlet a few days ago a complaint that silver is denied the privileges accorded to gold; but, as I understand it, the silver-mine owners resent the suggestion that silver should be coined at its bullion value, as gold is.

Mr. SMITH. That is the fact. They talk about the restoration of silver to its old position, by which they mean not its coinage at its bullion market ratio, as it formerly was, but a ratio that assigns twice the bullion value to silver that it has in the market.

WHAT HAS CAUSED THE DECLINE OF SILVER.

Mr. VANCE. But the silver-mine owners claim that it costs as much to produce silver as it ever did—far more than it has sold for since 1880—and that it is adverse legislation closing the mints to the free coinage of silver which has caused silver to decline.

Mr. SMITH. The simple and conclusive answer to the claim that it costs as much to produce silver as ever, and more than it has sold for since 1880, is that it is not possible to have any article produced in increasing quantities year by year for fifteen years—four times as much as was produced in 1865—when its selling price is uniformly less than its average cost, and it is absurd to contend otherwise. Whenever year after year enough persons

stand ready to produce all the world wants of an article for 75 cents or 85 cents per ounce, that must be accepted as the market value with which we have to deal.

Undoubtedly the general closing of the mints of Europe to the free coinage of silver, by diminishing what would have been the demand if they had been open, has carried the price of silver some lower than it would have otherwise gone. But, however much this action of Europe may have affected silver, there is no way of overcoming it except by inducing these European countries to unite with us in international action. Even if it were true, as the silver extremists claim, that all the fall in silver as compared with gold has been caused by the closing of mints to the free coinage of silver, this would not justify the opening of our mints alone at the ratio proposed, because it is the effect of European adverse legislation (not legislation here) with which we must deal.

Our legislation of 1873, striking the standard silver dollar from the list of coins to be minted, could not have had any influence in lowering the price of silver, because we had not coined silver to any extent for twelve years prior to 1873; while, on the other hand, we began in 1875 to coin subsidiary silver, and in 1878 resumed the coinage of the standard silver dollar, using five times as much silver as money in the twenty years from 1875 to 1895 as we used in the eighty-one years from 1792 to 1873.

Mr. VANCE. Do you not think the legislation of 1873 was instigated by foreign holders of our securities to increase the value of their debts?

Mr. SMITH. Nonsense! When the legislation of 1873 was had the gold in the gold dollar was 3 cents cheaper than the silver in the silver dollar; and if anyone had had in mind the idea of increasing the value of debts by manipulating the coinage he would have proposed to drop the coinage of gold, so as to have only the more valuable silver dollar. The legislation of 1873 was the very natural adaptation of our coinage to the condition which had existed from 1861, during which time silver had been worth more than gold and had disappeared from the country, and was regarded of so little consequence that it attracted no attention. Undoubtedly if there had been no such legislation in 1873 we should have been obliged to have followed the action of France, which stopped the free coinage of the standard silver dollar in 1875.

But to return to the causes of the decline of silver. After making all due allowance for the effect of the closing of European mints in depressing silver—the remedy for which is to be found only in international bimetallism—the chief cause of the decline of silver lies in the abnormal increase of production of silver in the face of a declining price.

INCREASE OF PRODUCTION OF SILVER.

Mr. VANCE. I have heard a great deal about an alleged increase of production of silver since 1873; but I have here a statement of the secretary of a Western silver league, who has published a book called Coin, in reply to a remark of Senator SHERMAN that this increase of production is the chief cause for this fall, which I will read:

> You will find by examining the table of silver production in that while during the first fifty years of this century the world produced 78 per cent more silver (coining value) than gold, that during the last twenty-one years (1873 to 1892) the production of silver (coining value) over gold has been less than 5 per cent.

This is an emphatic declaration that seems to show from official figures that proportionately more silver was produced before 1873 than in the twenty-one years after 1873.

Mr. SMITH. I have these official figures of gold and silver production for ten-year periods from 1800 to 1850 and five-year periods from 1850 to 1875, and from 1875 to 1895, both for the average annual production and the total production for each period, and, omitting the odd numbers and giving simply the round millions, they are as follows:

Average annual and aggregate ten or five years' gold and silver production in millions of dollars.

Period.	Annual.		Total.	
	Gold.	Silver.	Gold.	Silver.
1800–1810	11½	37½	118	371½
1811–1820	7½	22½	76	224½
1821–1830	9½	19	94½	191
1831–1840	13½	24½	134½	248
1841–1850	36½	32½	364	324
1851–1855	132½	36½	662½	184
1856–1860	134	37½	670	188
1861–1865	123	45½	615	228
1866–1870	129½	55½	648	278½
1871–1875	115½	81½	577	409
1876–1880	114½	101½	573	509
1881–1885	99	119	495½	594½
1886–1890	112	150	555	722
1890–1895	150	200	753	1,004

[After examining this statement of Coin, Smith continues:]

Now, this silver publication conveys the impression that these figures prove that Senator SHERMAN'S statement, that the production of silver has proportionately increased in the twenty-one years from 1873 to 1892, inclusive, beyond the production of a similar period before 1873, is the reverse of the fact. You so understand it, do you not?

Mr. VANCE. Of course that is what everybody would suppose to be its assertion.

Mr. SMITH. That, of course, is the impression that the general trend of the pamphlet's reply to Senator SHERMAN was intended to convey. But the cunning fellow who wrote it is careful to so phrase his reply as not to directly assert it, but to leave it implied. After much loose talk he finally ventures to be specific in the paragraph you have read. You and others seem to have swallowed this summary of official figures as a conclusive reply to the Senator, thus showing how easy it is to deceive in monetary discussions.

Senator SHERMAN'S statement was that the production of silver in proportion to that of gold increased in the years between 1873 and 1892 beyond what it was in the twenty-one years preceding. Coin replies that this is the reverse of the fact, and then proceeds to compare the production, not with twenty-one years before that date—as candor, not to say honesty, in the use of statistics demands—but with the fifty years from 1800 to 1850, omitting entirely the twenty-one years immediately before 1873.

Mr. BURNS. Is that so? I should be afraid to put the slightest confidence in a man who would attempt to mislead in that way.

Mr. SMITH. Well, here is the book; read for yourself and see if that is not exactly what he has done. And this is a specimen of the misleading treatment of the subject all the way through.

Mr. BURNS (after reading). It is as you say, although, as I read the page hurriedly, I did not notice the trick. Now, won't you add up the figures and give us the total production of gold and of silver twenty-one years after 1873 and twenty-one years before, giving the coinage value of each, as this pamphlet does?

Mr. SMITH. That is what I have done, and here are the totals for each period: The production of gold twenty-one years before 1873 was $2,510,575,000, and of silver (coining value) $989,265,000, or 150 per cent more of gold than silver. Production of gold twenty-one years after 1873 was $2,157,197,000 and of silver $2,246,519,000, or 5 per cent more of silver than gold.

In other words, while the production of gold was a little less between 1873 and 1892 (inclusive) than it was between 1852 and 1873, the production of silver in the twenty-one years since 1873 has been 125 per cent more than in the twenty-one years before. Yet in the face of this obvious fact, told by the very tables that he refers to, this 16-to-1 silver advocate so manipulates figures by omitting entirely the twenty-one years before 1873 as to seem to show otherwise.

Mr. VANCE (after examining the figures). I must confess that I was misled by the statement I read. Yet it seems that between 1800 and 1840 silver production was even larger in proportion to gold production than between 1873 and 1892.

Mr. SMITH. You must bear in mind that no intelligent comparison can be made of monetary demands and conditions from 1800 to 1840 with the strikingly changed conditions of the last twenty-five years. In the first forty years of this century silver constituted the chief money of Europe and other countries; but in the last forty years, in consequence of the immensely larger transactions, the use of gold has proportionately increased and that of silver has increased much less. This tendency can not be changed by legislation, and it is a factor that must be reckoned with.

It is for this reason that it is absurd to go back to the silver production of 1800 for figures to compare with silver production since 1873, especially when the figures from 1851 to 1873 are before us.

Mr. JONES. What has been the silver production (coinage value) of the world in the past five years as compared with that of the five years before 1870?

Mr. SMITH. The silver production from 1865 to 1870 was, in round numbers, two hundred and seventy-eight millions and the gold production six hundred and forty-eight millions, while from 1890 to 1895 the silver production was one thousand and four millions (almost four times what it was in the first period) and the gold production seven hundred and fifty-three millions. A simple statement of these figures, bearing in mind that between 1865 and 1870 silver was worth nearly $1.35 per ounce, while between 1890 and 1895 it was worth considerably less than $1 per ounce, ought to convince the most prejudiced, not only that there has been an abnormal increase of silver, but also that the cost of production must have largely declined, entirely outside of the influence of the closing of European mints to free coinage of silver.

Mr. VANCE. I must confess that this increase of production of silver, under the circumstances, does seem to indicate that the

discovery of richer mines and new and more economical processes has cheapened silver somewhat; but has not the reduction of demand for silver, caused by closing the mints to free coinage of silver, had a still greater influence in depressing it?

Mr. SMITH. As I have already said, both causes have had their influence; and it is impossible to tell how much is to be ascribed to one cause and how much to the other, although the great increase of production of silver in the face of a constantly falling price indicates that the reduction of cost of production must have been the more important factor.

THE MONEY OF THE WORLD.

There is an impression that because the European mints no longer give free coinage to silver, therefore silver is not used much as money. But, as a matter of fact, Europe still uses an immense quantity of silver as money. Indeed, there is about the same amount of silver as gold used to-day by the whole world as money—about four thousand millions of each, all of which but four hundred millions is full legal tender.

Of this silver one thousand eight hundred and fifteen millions are in India, China, and other Eastern countries that use only silver, leaving about one thousand six hundred millions of full legal-tender silver, with six hundred millions of limited tender silver, and four thousand millions of gold, with two thousand five hundred and thirty-three millions of uncovered credit money for the rest of the world.

The gold and silver and credit paper money of the leading commercial nations, all of which have a gold standard, is thus stated by the Director of the Mint:

	Gold.	Full legal-tender silver.	Limited tender silver.
United States	$625,600,000	$549,700,000	$75,600,000
France	825,000,000	434,300,000	59,900,000
United Kingdom	550,000,000		112,000,000
Germany	625,000,000	105,000,000	110,000,000
Belgium	55,000,000	48,000,000	6,900,000
Norway and Sweden	13,800,000		6,700,000
Denmark	14,200,000		5,400,000
Austria	130,000,000	81,000,000	40,000,000
Total	2,839,600,000	1,218,000,000	414,500,000

You will see that this country has five hundred and forty-nine millions of full legal-tender silver, including the one hundred and thirty millions of silver back of that amount of Treasury notes, in addition to seventy-five millions of subsidiary silver, an aggregate of six hundred and twenty-five millions of silver money—almost exactly the same as we have of gold (one thousand two hundred and fifty millions of gold and silver), whereas in 1860 we had only two hundred and fifty millions of both gold and silver money, of which not over fifty millions was silver, not over fifteen millions of this silver being full legal tender.

Mr. BURNS. I am surprised at these figures from the report of the Director of the Mint, for I had got the impression from statements made by Coin that the world had deprived itself almost entirely of silver as money, whereas it seems that to-day as much silver is being used as money as there is of gold. I suppose, however, that very little silver has been coined in the world the past few years, and that this may have had a specially temporary depressing influence on silver.

Mr. SMITH. I know that this is alleged to be the case; and yet the world has used far more new silver as money the past five years than ever before. The Director of the Mint states in his last report that while up to 1865 less than $28,000,000 of new silver was coined in any one year, yet the silver coinage of the world in 1893 was $135,000,000, of which one hundred and twenty millions was new silver—four times as much as was coined in any one year before the war. In 1893 Mexico coined twenty-eight millions of silver, India thirty-nine millions, Austria eighteen millions, Japan twelve millions, this country eight and three-quarter millions (fifty-four millions annually having been used by us as money for each of the three previous years), Great Britain five millions, and Germany two millions.

Mr. JONES. Evidently those who are asserting that the world is now deprived of half of its money because of what they call "demonetization" don't know what they are talking about.

Mr. SMITH. Many of them do not want to know. The difficulty which we are trying to get the commercial world to unite with us in overcoming is not that silver is not used by the world to as great an extent as gold as money (for it is), but that the leading commercial nations do not coin it as full-value money, which is essential in free and unlimited coinage, but as token money that must be maintained at par directly or indirectly by redemption. Of course silver monometallic countries on a silver basis, like Mexico and China, do coin it as full-value money, but at such a ratio as drives out gold and gives them only silver.

What we are seeking to do is to secure the cooperation of a sufficient number of the leading commercial nations in an international agreement on a coinage ratio that can be maintained with free coinage, and thus give us and these cooperating nations both silver and gold as our final redemption money. Experience has shown that no one country can bring this about alone—certainly not at any such ratio as that proposed by the 16 to 1 silver men.

THE BIMETALLIC THEORY RUN INTO THE GROUND.

Mr. VANCE. I have here a free-coinage book, which states that when there is free coinage of both metals by any one country, like the United States, at any ratio, an unlimited demand is created for silver at the fixed price established by the ratio thus determined, and that this at once makes a price for silver for the whole world. This book says that is conceded.

Mr. SMITH. As Josh Billings quaintly remarked, "It is better not to know so many things than it is to know so many things that ain't so." What you have read in that book is an absurd exaggeration of the bimetallic theory as expounded by its scientific defenders. They never claimed for the compensatory or altering principle of bimetallism any such potency as this.

They simply claimed what is true, that where several leading commercial countries adopt substantially the same coinage ratio for gold and silver, and that ratio when fixed approximates the bullion ratio, then whenever one of the metals begins to rise the demand for the cheaper metal is increased and the demand for the more costly metal is diminished, and this alternating increase and decline in demand tends to maintain the two metals at an equilibrium so long as the condition of production does not materially change, and the potency of this compensatory principle depends upon the commercial strength of the union of countries opening their mints at a common ratio.

Mr. VANCE. But if the United States stands ready to take all the silver that is brought to our mints at $1.29 per ounce (which is the price required to make the coinage ratio 16 to 1) and pay for it in silver dollars coined from the silver bullion, why does that not make a price for the world's silver?

Mr. SMITH. I remarked at the beginning of our discussion that the "fiat" fallacy of money is at the bottom of this free silver, 16 to 1, movement. And Mr. Vance now owns up. You assume that when the Government, under free and unlimited coinage, stamps 50 cents' worth of silver "one dollar" and gives it the legal-tender power, then this "fiat" of law at once adds 50 cents to the value of the silver and makes it worth everywhere 100 cents, as good as a gold dollar, and to an unlimited extent.

Mr. JONES. As I understand it, under free coinage the Government does not buy any silver; it simply takes the silver brought to the mints by private owners and coins it into silver dollars containing 412½ grains of standard silver. Why, then, do you say that the Government by this operation fixes the price of silver at $1.29 per ounce, in the face of the fact that silver can be freely bought in the market for half that price?

Mr. VANCE. Because the owner of the silver receives one silver dollar and twenty-nine hundredths of a silver dollar for each ounce of his silver. So long as any owner of silver can exchange his silver in this manner it seems to me as if the price was fixed at that figure for the whole world.

Mr. SMITH. Don't you see that what the owner receives for each ounce of his silver dollar is what one silver dollar and twenty-nine hundredths of another dollar will bring in the market? And that after a brief time, under free and unlimited coinage, the value of this dollar and a fraction will be simply the value of so much silver bullion?

In other words, free and unlimited coinage of silver don't create an "unlimited" demand, but simply the limited demand for that kind of coin in the country where minted. Neither does it establish a "fixed price"—only the varying price of so much bullion.

You have simply fooled yourself by your talk of an unlimited demand at a fixed price, and all because you have swallowed whole the "fiat" fallacy of the nature of money.

Mr. BURNS. As you remarked a little while ago, it seems to me that if Government can make a piece of silver worth anything it stamps on it, it would be far better not to waste 50 cents' worth of silver in making a dollar, when an almost valueless piece of paper can be made a dollar by having the Government stamp it such. It looks to me as if the old fiat greenbackism was much better than this modified form of silver "fiatism."

Mr. SMITH. You are right. The only influence that free and unlimited coinage of silver can have on the value of the coin and the silver of which it is made is that exerted by the probable increase of demand for silver; but the increased demand arising from the opening of the mints of only one country would be too small to materially affect the price. A union of leading commercial nations on a fixed common ratio, having regard to the bullion ratio, would exert a potent influence not only in somewhat raising the price of silver bullion, but also especially in steadying the relative value of the two metals by the influence of the alternating or compensating influence of bimetallism of which I have spoken.

THE FRENCH EXPERIENCE.

Mr. VANCE. I read in Coin that for over seventy years, from 1800 to 1873, France maintained silver and gold at a market ratio of 15½ to 1 by opening her mints to the free coinage of silver at 15½ to 1. If France alone did this, why can't the United States, which is a more populous and important country than France, by independent action maintain free and unlimited coinage of both metals and keep them together as France did?

Mr. SMITH. There are two answers to the assertion. First, that not only France but all Europe (England excepted) coined silver at approximately the ratio of 15½ to 1 from 1800 to 1870; so that whatever influence was exerted on the piece of silver by governmental action was not exerted by France alone but by nearly all Europe. And secondly, that during these seventy years there was no material change in the conditions and cost of silver production. The average annual production of silver was $37,000,000 from 1800 to 1810, $22,000,000 from 1810 to 1820, $19,000,000 from 1820 to 1830, twenty-four and three-fourths millions from 1830 to 1840, $32,000,000 from 1840 to 1850, $37,000,000 from 1850 to 1860, and $50,000,000 from 1860 to 1870—a change so small as to make stability a necessity; while the increase of production of silver since 1870 has been by leaps—$81,000,000 in 1875, $120,000,000 in 1880, $142,000,000 in 1888, $173,000,000 in 1890, and $196,000,000 in 1892.

Mr. JONES. How long were France and the other countries of the Latin Union (Belgium, Switzerland, Italy, and Greece) able to withstand this early increase of silver production and the closing of the German mints in 1871?

Mr. SMITH. In 1874, when the production of silver had reached only eighty-one millions, all these countries acting together found they could not overcome even the slight deviation of 5 per cent from the ratio of 15½ to 1, and were obliged to suspend the coinage of full legal-tender silver. And not a dollar has been coined for private owners of bullion since.

The experience of France is a most complete demonstration of the impossibility of the United States alone opening its mints to the free and unlimited coinage of silver at 16 to 1 without driving out gold and making us a silver monometallic country.

In reply to an inquiry, M. Ribot, the French minister of finance, said a few months ago in the Chamber of Deputies that while France was anxious to secure bimetallism and was ready to join with other nations to bring it about, yet that neither France nor any other country alone could accomplish this result.

THE EXPERIENCE OF THE UNITED STATES.

Mr. BURNS. How about the experience of the United States?

Mr. SMITH. As I have already said, the experience of the United States has shown the impotency of one country alone in materially affecting the market ratio of gold and silver by adopting a coinage ratio even but slightly different from the bullion ratio. The ratio of 15 to 1 adopted by the United States in 1792 undervalued gold about 2 per cent, and the result was that between 1792 and 1833 less than ten millions of gold were taken to our mints for coinage, while over forty millions of silver were coined. Of the forty millions of specie estimated by Secretary of the Treasury Gallatin to have been in this country in 1833, not even five millions were gold.

In 1834 we changed the ratio to 16 to 1, so as to secure gold as well as silver; but the new ratio undervalued silver about 2 per cent. The result was that even this small divergence from the actual bullion ratio brought less than thirty-five millions of silver to the mints between 1834 and 1854, while two hundred and fifty millions of gold (the cheaper metal) were coined. Indeed, the silver coined went to the melting pot so rapidly that in 1853 Congress was compelled to reduce the weight of subsidiary silver and make them token coins.

And I have already said of the two hundred and fifty millions of specie estimated by the Secretary of the Treasury to have been in this country in 1860 probably not over ten millions was full legal tender.

After such an experience as this it is absurd for anyone to claim that this country alone can maintain bimetallism by free and unlimited coinage of silver at 16 to 1 when the market ratio of bullion is 30 to 1.

Mr. JONES. I think it is clear that the only way we can have both silver and gold as our money under free and unlimited coinage is by making the coinage ratio approximately the same as the ratio of the bullion value of the two metals.

Mr. SMITH. It ought to be apparent to everyone that the Government can not make 16 ounces of silver equal in value to 1 ounce of gold by fixing 16 to 1 as the ratio for free and unlimited coinage of silver and gold, unless approximately 16 ounces of silver will exchange for 1 ounce of gold in the markets of the world. To establish such a ratio, when the market ratio is now about 30 to 1, is practically to say that we intend to have nothing but silver as our money and to make 50 cents' worth of silver the dollar and unit of value, for not one dollar of gold would be coined under such a law, and what gold we have coined would at once cease to be used as money.

THE EXPERIENCE OF MEXICO.

Mr. JONES. What has been the experience of Mexico, which maintains the policy of the equal and unlimited coinage of silver and gold at a ratio of 16½ to 1?

Mr. SMITH. Well, let us look at that country near our own doors which has tried and is trying the policy which is urged upon us ostensibly in the interest of bimetallism.

Mexico has unlimited coinage of both gold and silver at the ratio of 16½ to 1, valuing silver a little less than our 16-to-1 silver advocates propose, with a uniform charge of 4 per cent for coining either metal. And after trying this policy ever since the market value of silver declined, resolutely refusing to join in any "crime of 1873," she has become what? Why, a silver monometallic nation on a silver basis, without any gold in her metallic money. That is what 16½ to 1 silver coinage has done for Mexico, and what 16 to 1 unlimited silver coinage would do for us.

Mr. VANCE. But Mexico is a comparatively small country, and we can not judge what free coinage at 16 to 1 by this country of 70,000,000 people will do by what has taken place there.

Mr. SMITH. Why not? The "fiat" of Mexico is as potent within its limits as the "fiat" of the United States is within ours. Besides, Mexican dollars have an advantage over the silver coins of any other country—they are current in China, which has a population five times as great as the United States. The experiment of Mexico is practically the experiment of more than 400,000,000 people.

Mr. JONES. A gentleman who recently visited Mexico told me that he carried with him to that country some American silver dollars, which, having been coined for the profit of our own Treasury, are maintained at par with gold by indirect redemption by our Government; and that he frequently made a purchase of an article whose price was 50 cents and, on giving to the seller one of our dollars, received the article which he had purchased and a Mexican dollar besides.

Mr. SMITH. Certainly; for every dollar of our money has a purchasing power of 100 cents in Mexico as well as in this country; but every dollar of Mexican money, although called a dollar, has a purchasing power of only 50 cents there or here.

Mr. VANCE. Prices there are higher than here; and that is a good thing.

Mr. SMITH. Yes; prices are higher, just as they would be here if we should cut our dollar into halves and call each half a dollar. But notwithstanding prices are higher, estimated in Mexican dollars, not one article thus elevated in price will exchange for any more of any other product than it would have done before.

Mr. JONES. How is it with imported articles?

Mr. SMITH. Every imported article sells in Mexico for twice as many dollars as before, with an extra charge for brokerage because of the uncertainty of the value of their money.

Mr. JONES. How does it affect articles exported by the Mexicans?

Mr. SMITH. As all her exports are sent to countries on a gold basis, and to pay for them these countries buy silver exchange at a profit, with an added brokerage for the uncertainty of the value of silver, the Mexicans get less for what they export than they would if they were on the same basis as the leading commercial nations.

Mr. BURNS. What has been its effect on labor?

Mr. SMITH. Wages have not risen as much in Mexico as prices have risen. In other words, a depreciated currency has cheated the laborer, as it always does.

But it is getting late, and we must postpone further conversation on this interesting question to some other evening. I can meet here again with you on next Monday evening if you desire to continue the discussion.

Mr. VANCE, Mr. SMITH, and Mr. BURNS (speaking together). By all means, let us continue this talk.

Mr. SMITH. Let it be understood, then, that we will meet here next Monday evening and continue this conversation on silver and money.

Second evening.

It was five minutes earlier than the time set for the reassembling of the four neighbors who had met on a previous evening to talk over the silver and money question when Mr. Smith, Mr. Jones, Mr. Vance, and Mr. Burns took their seats around the little table on which the lamp rested.

Mr. VANCE, leaning back in his chair and holding up in one hand a worn copy of the silver mine-owners' pamphlet called Coin's Financial School, opened the conversation: After thinking over the facts brought out at our previous meeting, I am not disposed to contend that silver has not fallen somewhat, but it seems to me that gold has risen much more than silver has fallen.

Mr. SMITH. Even supposing this to be the fact, that would not change the situation. So long as the market ratio between silver

and gold is 30 to 1 it is absurd to contend that the United States alone can set up a coinage ratio of 16 to 1 and obtain bimetallism, no matter what caused the divergence.

It is the fact of the market ratio with which we must deal, no matter whether it is caused by gold rising or silver falling, or both. Even if it were established that the divergence of the two metals from the old ratio of 16 to 1 was caused entirely by the rise of gold, this would not in any manner change the fact that the adoption of free coinage of silver at 16 to 1 would give us nothing but silver in our coinage.

Mr. VANCE. But has not gold appreciated since 1873?

Mr. SMITH. The opinion of experts like Professor Fawcett is that gold declined (many think 10 or 15 per cent) between 1850 and 1865, in consequence of the increased production, notwithstanding most of the increased production was offset by increased demand; and that it appreciated between 1870 and 1891 just about as much as it declined between 1850 and 1865. The Director of the Mint, as well as Professor Fawcett, thinks that the largely increased production of gold since 1891—already larger than in the palmiest Californian and Australian days—has stopped the appreciation, and that the probabilities are strong that in the near future another decline of gold will set in.

But it must be remembered that by common consent gold varies less in value than any other substance—but a fraction of a cent in any one year—and that for this reason the commercial world makes it the international standard of value.

When gold was declining, between 1850 and 1860, even the "fiat" money men looked very kindly on gold, and were entirely content to have it the practical standard of value.

If it were true that gold has risen and silver remained stationary—which it is not—this fact would furnish an excuse for reducing the weight of the gold dollar, but not the slightest ground for trying to have free coinage at the ratio of 16 to 1. The ratio would still be 30 to 1 if the gold dollar should be reduced one-half and the silver dollar be left as it was.

Mr. BURNS. That is evident, and yet at first view many overlook this fact.

Mr. SMITH. I ask you to notice particularly the large increase of the world's production of gold since 1890, as shown by the figures I read the other evening from the report of the Director of the Mint:

1890	$118,489,000	1894	$170,000,000
1891	130,579,000	1895	203,000,000
1892	146,817,000	1896 (estimated)	250,000,000
1893	157,000,000		

Mr. VANCE. But with the world's production of gold this year estimated at $203,000,000, is not a large proportion of it used in the arts, so as to leave almost none for coinage?

Mr. SMITH. The Director of the Mint estimates the world's annual consumption of gold in the arts at $60,000,000, and Mr. Soetbeer at $90,000,000, and taking the highest estimate the gold remaining for new coinage in 1895 would be $133,000,000 and in 1896 about $160,000,000. Bearing in mind that the precious metals used in coinage are not consumed from year to year, but added to the accumulated stock, this annual increase of $150,000,000 in the world's stock of gold money is noteworthy, especially in view of the fact, as stated by Professor Fawcett, that Great Britain requires only $15,000,000 of new gold for monetary purposes each year.

Mr. VANCE. Coin assumes that gold has appreciated 50 per cent since 1873.

Mr. SMITH. "Assumes" is good. There is not the slightest evidence of anything of the kind.

Mr. VANCE. Coin, if I understand him, claims that prices have declined 50 per cent since 1873, and as gold is the measurer of prices, that this proves that gold has risen 50 per cent.

Mr. SMITH. I shall take occasion before we are through to show you that between 1873 and 1892—and of course the great fall of prices the past years is due to exceptional causes entirely outside of gold or silver—the average decline of prices, as shown by Labor Commissioner Wright's investigations under the direction of the Senate Committee on Finance in 1891-92, was only 29¾ points. And between 1879 (when we resumed specie payments) and 1892 only 4½ points. Of course the prices of 1873 were inflated by a depreciated currency and the effects of the war, from which we did not fully recover till 1878, and are not a fair basis for comparison.

Coin makes his argument entirely on cotton and wheat, which declined more than other products, for reasons of which I will hereafter speak.

Everybody knows that all products into whose production machinery or other labor-saving devices enter are constantly and naturally declining under the stress of competition, and it is simple nonsense to contend that a fall of prices of such articles shows that gold, which measures prices, has appreciated to the extent of the decline of prices.

By taking all articles together—all machine-made articles naturally decline—a fall in prices of only 4½ points between 1879 and 1892 shows that there could have been very little of the decline due to an appreciation of gold.

THE STANDARD OF VALUE.

Mr. JONES. Much is said now about a double standard. It seems to me from what you have said that there can be practically but one standard in any country at the same time.

Mr. SMITH. Strictly speaking, that is true. The term double standard, which seems to me to be an unfortunate term, is used by financial writers as a synonym of bimetallism and simply means that the dollar unit is measured in two money metals adjusted to each other at such a ratio as to be equivalent in value, thus making two equal units but one and the same, therefore really one standard so long as the equality continues. And, of course, their idea is that the equality shall be maintained in fact. So long as the equality of value of the two metals is preserved and both gold and silver circulate concurrently the standard is gold or its equivalent, but both metals are used as money.

But our 16-to-1 silver advocates mean by "double standard" that silver shall be coined at such a ratio to gold that only silver will be minted. This is a "double standard" on paper, but in fact a single silver standard and a single metal (silver) used as money.

It is for this reason that if we should to-day authorize the free and unlimited coinage of silver at 16 to 1 the silver dollar would at once become the practical unit, and thus our unit or standard of value would be suddenly changed from the gold 100-cent dollar to the silver 50-cent dollar, and nothing but silver would be used as money. I think those who advocate this change hardly realize the shock such a sudden change would give to business and what a panic it would create. A railroad collision would be a pastime compared with it. When we changed from a gold to a depreciated paper standard in 1861-1866 it came about so gradually that the change was slowly discounted.

Mr. VANCE. Inasmuch as a silver dollar of 412½ grains of standard silver was the legal unit prior to 1873, why not return to it?

Mr. SMITH. As I have said already, the silver dollar was no more a legal unit between 1792 and 1861 than the gold dollar, and not the practical standard at all after 1884. The practical standard was the gold dollar from 1834 to 1861, and from 1861 to 1879 the depreciated greenback dollar.

The objection to now making 412½ grains of standard silver as a legal unit is that silver is not what it was in 1792, nor even from 1834 to 1861. It has, first, greatly depreciated in consequence of a reduction of cost of production; second, the changed conditions of production have made it much more variable in value and therefore less suitable as a standard than it was a hundred years ago; third, all the leading commercial nations, which a hundred years ago made silver their standard, now make grains of gold their unit or standard of value, so that in fact international prices are everywhere fixed in gold and not in silver.

Mr. VANCE. When gold is made the standard we make our dollar cost twice as much as we do when silver is made the standard.

Mr. SMITH. Not if we coin both metals at their bullion ratio. Of course if we coin silver at its bullion value and gold at twice its bullion value, we should make one dollar twice as valuable as the other. The question as to what any country will make its standard is entirely distinct from the other question as to how many grains it will put in its unit. We can depreciate our dollar unit just as well by making 13.3 grains of standard gold the unit as by making 412½ of standard silver the unit.

If we intend to depreciate the dollar one-half, and at the same time keep both metals in our coinage with free and unlimited coinage, it would be a great deal better to diminish the weight of our gold one-half than to diminish it one-half by establishing free coinage of silver at 16 to 1. In the former case we should have 50-cent dollars of both silver and gold, and in the latter case we should have 50-cent dollars only of silver and no gold.

Mr. JONES. That is a good idea. If we are going into the business of depreciating our dollar so as to pay our debts easier—for I suppose that is the real animus of the 16-to-1 free-silver movement outside of the silver-mine interest—it is better to do it squarely, by reducing the weight of the gold dollar one-half, and then coining the 412½-grain silver dollar alongside of it, as in that case we should have both gold and silver dollars of equal value and real bimetallism. That would be free coinage at a ratio of 30 to 1, whereas free coinage at 16 to 1 would give us nothing but silver.

Mr. SMITH. That is it. Nobody would be deceived by that, although I presume when fully stated the men who want to depreciate the dollar like the deceptive method better.

Mr. BURNS. What could possibly be gained by bimetallism with silver for the unit of value over gold for the unit if it is proposed to coin at such a ratio as will give us both metals as money?

Mr. SMITH. Obviously nothing. There would be a loss, however, in adopting a different metal as the standard of value from that adopted by the controlling element of the commercial world; and, worse than that, we should have so variable a standard of value as to subject us to constant friction and brokerage to compensate for the uncertainty of the future value of silver.

Indeed, there is another view of it which ought to impress the advocates of a cheap dollar. This is that silver has fallen in value, and is undoubtedly too low to-day to encourage its production; and if we should now adopt a silver standard we should soon find our dollar increasing in value. Would it not be funny to see the advocates of a silver basis to-day contending, if silver should rise, that debts contracted under a silver basis were being increased by the rise of silver and advocating the making of copper the unit of value to protect debtors?

INTERNATIONAL BIMETALLISM.

Mr. JONES. It seems to me that nothing is clearer, from the examples you have given, than that the influence on the price of silver of unlimited coinage of both metals by any one country alone is very small, but that when the leading commercial nations unite on a coinage ratio, under free coinage, they together exert a very strong influence, not only in maintaining the relative price of the two metals but also in steadying their value.

Mr. SMITH. You are right. The influence exerted is that of demand for monetary uses. The demand of one country exerts a slight influence, but the demand of the leading commercial nations acting in unison at a fixed ratio is a potent force, although of course even the united demand of the leading commercial nations must have regard to the probable production of each metal at the coinage ratio.

The small influence of the United States alone in maintaining the price of silver is shown by our experience under the Bland silver-purchasing act of 1878 and the amendatory act of 1890. Under the former act we purchased about $27,000,000 worth of silver annually for fifteen years to use as money, and silver continued falling every year. Under the act of 1890 we purchased for three years 54,000,000 ounces of silver annually, over a third of the world's product, and substantially the whole of the American product; and yet, after a brief speculative spurt, the price of silver went on declining, simply because the new demand we had created, promising an increase of price that offered a big profit, stimulated production.

Now, with free and unlimited coinage of silver at 16 to 1 the United States could not coin so much silver in three years as we purchased from 1890 to 1893. How absurd, therefore, it is for anyone to contend that free coinage by this country alone would raise silver from 68 cents to $1.29 per ounce.

On the other hand, the influence exerted by nearly all Europe, as well as the countries of this continent, coining silver and gold at substantially the same ratio prior to 1870, was well shown during the great increase of gold production between 1850 and 1860. To be sure, during that period the increase of gold was offset by a general tendency throughout the world to use more gold and less silver as money—a tendency arising from the greater convenience of the less bulky money as transactions increased in magnitude, and which of course is beyond the reach of law.

Mr. BURNS. I think you have made it clear that international bimetallism is the only practical bimetallism, and that we should steadily seek to bring that about.

Mr. JONES. And so long as we give Europe hope that we propose to sustain silver alone, Europe will look on and let us bear the burden.

Mr. SMITH. That is so. Nothing is exerting so great an influence to prevent the successful reestablishment of bimetallism as the 16-to-1 free-silver agitation in this country, which encourages Europe to think that we will continue to assume the burden alone.

Mr. VANCE. But if no leading commercial nations of Europe will unite with us in international bimetallism, isn't it our duty to try it alone?

Mr. SMITH. I have clearly shown that neither the United States nor any other nation can secure bimetallism alone, certainly not at any such ratio as is proposed, and the silver-mine owners won't permit a ratio equivalent to the bullion ratio. For us to attempt it alone at a ratio of 16 to 1 is simply to drive out gold and have nothing but silver. There would be no serious opposition to coining silver at its bullion value—certainly none beyond the fact that its bullion value would be unstable if European nations did not unite with us.

Mr. VANCE. But we didn't drive out gold after 1878 when we began again to coin silver. On the contrary, our gold increased.

Mr. SMITH. I have already explained that the silver dollars we have coined since 1878 have been coined by the Government for its own profit, and maintained at par with gold by limitation and indirect redemption. Of course such money is equivalent to gold. But silver coined under free and unlimited coinage for private owners of bullion is a very different thing, and depends entirely on the value of the bullion.

I have little doubt that if we hold where we are, sooner or later enough European nations will unite with us to make bimetallism a success.

All authorities in bimetallism, both in this country and Europe (outside of some politicians in this country), hold that bimetallism is possible only by a cooperation of leading commercial nations. President Andrews, Professor Walker, and the late Dana Horton are pronounced in their opposition to the 16-to-1 silver movement, regarding it as sure to bring, not bimetallism, but silver monometallism.

THE ATTITUDE OF THIS COUNTRY AND FRANCE.

Mr. VANCE. Then it seems to me that the alternative this presents is the gold monometallism which we now have, unless we can persuade other countries to unite with us in restoring bimetallism. As between our gold monometallism and silver monometallism I prefer silver monometallism.

Mr. SMITH. You are entirely mistaken in assuming that we now have gold monometallism. Great Britain is a gold monometallic country, because it coins no full legal-tender silver, using only a small quantity of silver for subsidiary coins.

But the United States and France—for both are pursuing the same policy toward silver—are limited bimetallic countries which use a large volume of full legal-tender silver, and are steadily seeking by international action to bring commercial countries into an international agreement on a coinage ratio under free coinage that will insure full bimetallism.

The United States, as I have already stated, uses over six hundred millions of silver as money—as much silver as gold—of which five hundred and forty-nine millions is full legal tender. And France uses a little more than half as much full legal-tender silver as she does gold.

We hear much said about what is styled the "unfriendly attitude" of the United States toward silver, and yet as a matter of fact this country has gone to the very verge of safety, if not beyond, in its efforts to maintain silver as a money metal and meet the wishes of silver-mine owners. After what we have done it is rank injustice to stigmatize any considerable body of our people as "silver haters" or "goldbugs."

Mr. JONES. That is, the situation demands that we shall hold on to the limited bimetallism we now have, which gives us five hundred and forty-nine millions of full legal-tender silver, until we can persuade leading commercial nations to unite with us on an international coinage ratio that can be maintained. And this is just what France is doing.

ABOUT "BASIC" MONEY.

Mr. VANCE. But notwithstanding we as well as France use this large volume of full legal-tender silver, yet, as Coin says, none of this silver is final-redemption money; therefore really as to basic money we have nothing but gold.

Mr. SMITH. You mean by "basic" or final-redemption money property money, which has in itself the full value that it purports to be.

That kind of money must necessarily be gold or silver coined at its actual bullion value—money worth just as much before the piece of metal is coined as after; and the only reason we do not have silver money of that kind is that you and the 16-to-1 silver men who agree with you will not allow it to be coined at its bullion value.

In other words, you insist that it shall be coined at a ratio which prevents it from being "basic" or final redemption-money, and not at its bullion ratio, and then turn around and find fault because our silver is not final-redemption money, i. e., money of full value intrinsically.

Mr. VANCE. But we insist that silver would be final-redemption money if it should have free coinage at 16 to 1.

Mr. SMITH. Yes, final-redemption money for whatever the silver in each dollar is worth, but no more, just as silver bullion is now practically final-redemption money for what it will sell for. Your 16-to-1 plan contemplates that our only "basic" money shall be silver, as gold would be driven out.

No one would welcome any plan that would assure both silver and gold as final-redemption money more heartily than myself. What I object to is the 16-to-1 plan, that would leave us nothing but depreciated silver as "basic" money.

The claim of the 16-to-1 free-silver men that they are "bimetallists" is without any foundation. They are silver monometallists and friends of a silver basis.

Mr. BURNS. I am fully convinced that is the fact.

VOLUME OF CURRENCY.

Mr. VANCE. The remonetization of silver would have a most beneficial effect on prices by increasing the volume of our final-redemption money, for, as Coin says, this volume largely determines prices.

Mr. SMITH. So far as the volume of money in any country affects prices it makes no difference what the character of the money is so long as it is equal in value to gold. Our present volume of silver and paper, and even substitutes for money, like checks and bills of exchange, have the same effect on prices as gold money has. Indeed, it is only money used that affects prices. Money unused don't affect prices.

Mr. VANCE. I think the source of our trouble is want of sufficient money to transact business.

Mr. SMITH. Even if this were so, your 16-to-1 scheme, which would drive out gold, wouldn't give us more money, but much less. Indeed, by injuriously affecting its quality, it would seriously affect our business.

But as a matter of fact we never had so much outstanding money as we have had the past few years (sixteen hundred millions), about twice as much per capita as we had before the war.

The trouble is that on account of distrust, which causes depression of business, only a part of our money is used. A large part is unused. We find money apparently scarce because it is inactive, while in fact the outstanding volume never was so large. You confound inactivity, caused by want of confidence, with scarcity; and your remedy is to so manipulate the currency as to increase the distrust. You might add hundreds of millions to the currency and make matters worse by increasing the distrust.

You must remember that however much money is authorized nobody can get it without paying for it. Even with free coinage of silver at 16 to 1 only the owners of silver bullion can take advantage of it. And they won't give away their dollars, you may rest assured.

BIMETALLISM WITHOUT GOLD.

Mr. VANCE. Let me read from Coin's Financial School:

In this controversy one point should never be lost sight of, and this is that higher prices—bimetallic prices—will come with the remonetization of silver (through free coinage at 16 to 1 by this country alone), even though gold goes to a premium.

Mr. SMITH. Have you stopped to think of the supreme nonsense of the bombastic paragraph you have read from your silver leader? "Though gold goes to a premium" (which would of course take gold out of circulation), he proposes through free coinage of silver at 16 to 1 to have bimetallism. Don't you realize the absurdity of bimetallism without gold?

SILVER AND PRICES OF EXPORTS.

Mr. VANCE. But we claim that giving free coinage to silver at 16 to 1 will enable us to keep our gold. Let me read from Coin:

The way to keep our gold is to remonetize silver. Remonetization will give us higher prices for our exports and will make a balance of trade in our favor large enough to bring us both English gold and silver.

Mr. SMITH. Is it possible you swallow as gospel truth the statement that free and unlimited coinage of silver at 16 to 1—which is what this writer means by remonetization of silver—will increase the prices of our products in England?

Mr. VANCE. Why not, if it would increase the prices here?

Mr. JONES. You seem to think that an increase of prices here caused by cutting our dollar (for that is what 16-to-1 free coinage would do) is a real increase of the exchangeable value of our exported products. As Mr. Smith has said, we do not have any more cloth when we measure it with an 18-inch yardstick than when we measure it with a 36-inch yardstick, notwithstanding we continue to call the half-yards yards.

Mr. BURNS. I know from experience during the times we had a depreciated greenback dollar that prices raised by diminishing the value of the dollar simply delude us and benefit no one except speculators. As I have already said, a depreciated currency always injures the laborer.

Mr. SMITH. What you have said is all true, but I want to call Mr. Vance's attention to the fact that when we sell our exports in English markets the prices are estimated on a gold basis and not on a silver basis. If we should make one dollar 50 cents, and thereby appear to double prices here, that would have no effect on prices in England or other countries in Europe, where prices are estimated in gold; on the contrary, it would diminish the return of the former by imposing a brokerage charge because of the fluctuations of silver.

A SILVER BASIS.

Mr. VANCE. I have here a pamphlet on A Silver Basis, published by the American Bimetallic Association, written by Mr. Hillyer, in which it is said that bimetallism, as we understand it—

Is not the constant contemporaneous circulation of both gold and silver, but that when the silver dollar becomes cheaper than the gold dollar the employment of gold should cease and the entire money service be performed by silver alone.

Mr. JONES. Then the bimetallism which you 16-to-1 free-coinage men expect is that "the employment of gold should cease and the entire money service be performed by silver alone," if under free coinage of silver at 16 to 1 silver should be cheaper than gold?

Mr. VANCE. That is what I understand.

Mr. SMITH. I wish all the 16-to-1 silver men were as frank as you are. We could then squarely meet the question of a "silver basis" which the American Bimetallic Association pamphlet advocates. Isn't it an imposition to call a scheme "bimetallism" which contemplates the use of silver alone as money? Don't you think that the American Bimetallic Association, which indorses this pamphlet by sending it out and placing its imprint upon it, had better change its name to American Monometallic Association, so that its name may agree with its purposes?

Mr. BURNS. I think that would be the honest thing to do.

Mr. VANCE. I am gratified to say that I am in favor of silver monometallism and a silver basis; and I think this pamphlet has clearly shown that it would be better for us to have silver and let our gold slide than to go along as we are.

OUR FOREIGN TRADE AND A SILVER BASIS.

Let me read from this pamphlet the advantages which would come to our foreign trade on the whole. While admitting that the adoption of a silver basis might "increase the fluctuations of the rate of exchange" in our trade with the gold-standard nations of the world, and of course hamper and injure this part of our foreign trade, yet he says their population is only 300,000,000; and what we would lose in our trade with them "would be offset by closer trade relations that would come with the silver-basis countries, whose population is 900,000,000."

Mr. SMITH. Yes, I have heard that plea privately made before; and I am glad the American Bimetallic Association is getting up its courage to avow that a "silver basis" is what they expect and to squarely defend it.

Now let me examine the claim that our foreign trade with silver-basis nations is more important than that with gold-standard nations.

In the first place, this pamphlet includes Russia, Argentina, Brazil, and the Spanish, French, English, and Danish West Indies among the silver-basis countries. The first three are on a depreciated paper basis and the remainder on a gold basis; so that 150,000,000 of population must be deducted from the 900,000,000 assigned to the silver-basis side, leaving 750,000,000 to 350,000,000 on the other side.

Now, as a matter of fact, the 350,000,000 people that are on a gold basis consume of imported products far more than the 750,000,000 on a silver basis. The fact that they are on a silver basis—which, the writer admits, subjects a people to "greater fluctuations in exchange," that is, greater friction and expense—shows that they are not so far advanced, and have a lower standard of living and consume less.

Mr. JONES. Can you give us the aggregate value of our exports to gold-basis and also to silver-basis countries?

Mr. SMITH. I can. I find by the report of the Bureau of Statistics that in 1893, of over one thousand six hundred millions of foreign trade, nearly one thousand three hundred millions, or nearly 90 per cent, was done with countries on a gold basis, of which seven hundred and sixty-five millions was exports and five hundred and thirty millions imports, and only one hundred and seventy millions with countries on a silver basis, of which only fifty-two millions was exports and one hundred and seventeen millions imports, together with one hundred and fourteen millions of foreign trade with countries on a depreciated paper basis.

Mr. BURNS. So it seems the 16-to-1 scheme proposes to hamper our foreign trade with gold-basis nations, whose trade with us is one thousand three hundred millions annually, in order to get the trade of silver-basis nations, who deal with us to the extent of only $170,000,000. Is that the feast to which we are invited by the friends of a silver basis?

Mr. SMITH. That is it. Why, our trade with Great Britain alone, which Coin proposes to exchange for that of China, in 1893 was $614,000,000, of which $421,000,000 was mainly agricultural exports from this country—eight times as much as all the silver-basis countries of the world took.

HOW TO DOUBLE THE VALUE OF PROPERTY.

Mr. VANCE. But let me read again from Coin:

With silver remonetized and gold at a premium, not one-tenth the hardships could result that now afflict us. Why? First, it would double the value of all property; second, only 4 per cent of the business of the people of this nation is carried on with foreign countries. Is it not better to legislate in the interest of 96 per cent of our business than the remaining 4 per cent?

Mr. JONES. How would the free coinage of silver at 16 to 1 "double the value of all property"?

Mr. VANCE. By doubling prices.

Mr. JONES. No man's property would have any higher value after you made 50 cents a dollar than before. Its price estimated in the new dollar unit would be doubled, but it would not exchange for any more of the things he wanted to buy than before.

Any man may sit down and call 50 cents a dollar, and multiply the price of property now worth $1,000 by 2 and call himself worth $2,000, and when he has gone through with this imaginative feat he will just as truly "double the value of his property" by this process as he would by having the Government depreciate the dollar to 50 cents by free coinage of silver at 16 to 1.

Mr. SMITH. Yes; this is the "fiat" idea of money and wealth again. If depreciating the dollar one-half will double the value of all property, why be so modest when by calling a 25-cent piece a dollar we can quadruple "the value of all property"?

Mr. BURNS. By using paper "fiat" money we could increase "the value of all property" a hundredfold.

Mr. SMITH. This fellow Coin, whoever he may be, does not seem to know the difference between value and price. Doubling prices by depreciating the measure does not change value a particle. Cutting the yardstick in the middle and measuring with the 18-inch rule does not give you any more cloth. Value is the exchangeable relation of one product to all other products. Price

is the relation of a product to the standard by which we measure values.

Mr. JONES. But I know from observation that when there is a depression in business it is the easiest thing in the world to make thousands believe any absurd theory relative to the influence of the currency on the situation.

Mr. SMITH. If an inquirer will only exercise a little common sense in the matter, he will set aside the prices from 1893 to 1896 as exceptional for very obvious reasons; and then by comparing the prices of 1840 to 1860 or of 1879 to 1890 with those of 1891 he finds no difficulty in accounting for the 25 per cent average decline of manufactured products by the increased use of labor-saving machinery and the reduction of profit by competition, and for the increase of prices of all agricultural products on the farm or at the market near the farm (except wheat and cotton) by the fact that they are produced mainly by hand labor, and by the increase of wages.

THE FALL OF PRICES.

Mr. Vance (with his finger on the page of Coin, professing to give the average prices of wheat and cotton in New York from 1873 to 1895) asked if it was not well-nigh certain that such a fall of prices must have been caused by an appreciation of our gold unit, in which prices are measured.

Mr. SMITH. Why do you take 1873 as the point of comparison of prices?

Mr. VANCE. Because that was the year silver was demonetized in this country, and this was the beginning of the fall of prices.

Mr. SMITH. As a matter of fact, according to the tables of Labor Commissioner Wright, who made a careful investigation under the direction of the Senate Committee on Finance, prices began to rise soon after the inauguration of the war of the rebellion in 1861, and rose 36½ points up to 1866, and then began to decline, falling 14½ points in the seven years up to 1873, before what you call "the crime of 1873" was perpetrated, and when the law authorized free coinage of silver, and also fell 13½ points in the nine years between 1873 and 1882, when silver was demonetized.

If the "crime of 1873" caused a decline of 13½ points in prices in the nine years after 1873, pray what caused the decline of 14½ points in the seven years before 1873?

Mr. JONES. Does not the fact that prices rapidly rose during our civil war 36½ points and then after 1866 as rapidly declined 14½ points to 1873, when the law allowed free coinage of silver, and 40 points to 1879, when the law did not allow free coinage of silver, clearly show that silver was not the cause of either the rise or the fall? It would be as logical to say that free coinage of silver caused the fall of prices between 1866 and 1873 as that repeal of free coinage caused the fall after 1893.

Mr. SMITH. Certainly. A mere statement of these facts shows that the very natural cause of the rise of prices between 1861 and 1866 was the war, which took 2,000,000 men from the ranks of producers and made them destructive consumers, together with the depreciation of the currency consumers; and that the equally natural cause of the fall (aside from the ordinary causes of decline of prices of machine-made goods) was the return of the disbanded army to productive pursuits and the gradual recuperations and restoration of industries and of the currency to their normal condition between 1866 and 1879.

Mr. BURNS. Evidently the rise of prices during the war and the gradual fall up to 1879 should be entirely set aside in any discussion of the course of prices. A big rise on account of the war was inevitably gradually offset by a corresponding fall during the period of readjustment and recuperation up to about 1879, when we got back to specie payments.

Mr. JONES. How much lower were average prices in 1879 than in 1860?

Mr. SMITH. Only 3½ per cent.

Here is Commissioner Wright's table of average prices of 246 articles and also of wages from 1840 to 1891, the prices of 1860 being represented by the index number 100 as the basis of comparison, and the index number for each year indicating the rise or fall from that basis. I have added the London price of silver per ounce for each of the years named:

Year.	Average prices.	Average wages.	Prices silver per ounce.
1840	116.8	87.7	$1.37
1843	107.5	86.6	1.28¾
1846	106.4	89.3	1.30
1849	98.7	92.5	1.31
1851	103.9	90.4	1.31¾
1856	113.2	99.2	1.34¼
1860	100	100	1.35½
1866	136.3	108.8	1.34
1870	117.3	133.7	1.37¼
1873	122	148.3	1.29⅜
1879	96.6	139.9	1.13
1882	108.5	149.9	1.13¼
1885	93	150.7	1.06
1889	94.2	156.7	.93½
1891	92.2	160.7	.98¼

Mr. BURNS. What was the average decline of prices between 1879 and 1891?

Mr. SMITH. Only 4½ points. That makes the fall of prices between 1860 and 1891 average only 7¾ per cent. The average fall of prices of manufactured articles was about 25 per cent—some articles, like steel rails and wire nails and kerosene oil, falling 80 per cent, and others only 10 or 15 per cent. But agricultural products on the whole advanced in price 2 per cent between 1860 and 1891. The only two agricultural products that fell in price were cotton and wheat. Other agricultural products rose from 8 to 15 per cent.

Mr. BURNS. Why do the 16-to-1 silver men always take only wheat and cotton when they are talking to farmers about the fall in prices?

Mr. SMITH. For the obvious reason that if they took any other farm products they would have no stock in trade.

Mr. JONES. When they refer to wheat don't they usually take New York prices, so as to be able to make the decline on account of reduction of cost of transportation, said to be at least 25 cents since 1868, appear to be the farmer's loss?

Mr. SMITH. Certainly; that is one of the tricks of these agitators. And they also take cotton because, in consequence of the utilization within a recent period of the former waste product of cotton seed, the real cost of production of cotton has been much reduced.

But I notice that it is getting late, and we must close for to-night. I have discussed somewhat the question of prices in connection with silver, and as these and payment of debts are the great stock in trade of the 16-to-1 free-silver advocates, I desire to further consider them another evening, if you are willing to come here again next Wednesday evening.

Messrs. JONES, BURNS, and VANCE (speaking together). By all means we will be here.

Third evening.

Just as the minute hand indicated the hour set for the third and last of the series of talks of the four neighbors on the silver and money question, and the last rays of the setting sun gilded the church spire across the street, Mr. Smith, Mr. Jones, Mr. Vance, and Mr. Burns walked up the lane by the little red schoolhouse, in front of which waved the Stars and Stripes, entered the door of the old farm mansion, and took their seats around the old table. As promised at the last meeting, Mr. Smith said he desired to add a few words to what he had said at the last meeting on the question of prices.

PRICES OF FARM PRODUCTS ON THE FARM.

Mr. JONES. Have you the average prices in this country of leading agricultural products on the farm or in the market nearest the farm in recent years?

Mr. SMITH. The report of the Statistician of the Agricultural Department for 1894 gives them for wheat, corn, and oats from 1880. They are as follows:

Year.	Wheat.	Corn.	Oats.	Year.	Wheat.	Corn.	Oats.
1880	$0.95	$0.395	$0.36	1888	$0.925	$0.345	$0.278
1881	1.19	.635	.465	1889	.698	.283	.23
1882	.88	.485	.375	1890	.838	.505	.425
1883	.91	.425	.328	1891	.84	.405	.315
1884	.645	.358	.278	1892	.625	.395	.318
1885	.77	.328	.285	1893	.538	.365	.295
1886	.688	.365	.298	1894	.49	.458	.325
1887	.68	.445	.305				

The average price of wheat on the farms of the country between 1879 and 1889, it will be seen was 84.5 cents, and between 1889 and 1891, inclusive, 81.5 cents; but between 1892 and 1894 it was only 58 cents. There was very little change in the average price on the farm until 1892, 1893, and 1894—since the exceptional depression of business and reduction of consumption. One-fourth less wheat per inhabitant was consumed in 1894 than was consumed in 1892. This shows what has had a potent influence in depressing wheat and other farm products in the past three years. The average farm price of corn, which is the most important farm crop in this country, between 1879 and 1889 was 39.3 cents, and it was 42.4 cents between 1889 and 1894; the average price of oats, first period, 31 cents; second period, 33 cents. And the value of our oat crop in 1894 was about the same as that of our wheat crop.

I have also the export prices at New York of bacon, lard, pork, beef, butter, and eggs, from the report of the Bureau of Statistics, which shows that all of these articles were higher on the average in the seven years from 1885 to 1892 than in the seven previous years.

Mr. JONES. You have given the average price of wheat on the farms, which of course includes the price on the farms of the East. Now, have you the average price of wheat in different years in Chicago, which gives us a better idea of the movement of the price of wheat at the West? The price in the New York

market, given in "Coin," is obviously misleading, because in that fall of prices is included the decline of cost of transportation of wheat from Chicago to the seaboard, which has been 25 cents since 1868. This obviously is not the loss of the farmer or anybody else, for wheat could have fallen 25 cents since 1870 and still the Western farmer would get the same.

Mr. SMITH. I am glad you called my attention to this. Here is the average price of wheat in Chicago for the years named:

Year.	Range.	Price.	Year.	Range.	Price.
1860	$0.66 to $1.13	$0.9C	1877	$1.01 to $1.26	$1.30
1861	.55 to 1.25	.87	1878	.77 to 1.14	.90
1862	.65 to .92½	.80	1879	.81 to 1.33	1.05
1863	.80 to 1.12½	.90	1880	.86 to 1.32	1.08
1864	1.07 to 2.26	1.50	1881	.95 to 1.43	1.16
1865	.85 to 1.55	1.20	1882	.91 to 1.40	1.14
1866	.77 to 2.03	1.30	1883	.90 to 1.13	1.00
1867	1.55 to 2.85	2.00	1884	.69 to .96	.82
1868	1.04 to 2.20	1.60	1885	.73½ to .91½	.80
1869	.76½ to 1.46	1.10	1886	.69½ to .84½	.77
1870	.73½ to 1.31	1.02	1887	.66½ to .94½	.80
1871	.99½ to 1.32	1.10	1888	.71 to 2.00	1.10
1872	1.01 to 1.61	1.30	1889	.75 to 1.08	.90
1873	.89 to 1.46	1.12	1890	.94 to 1.08	.90
1874	.81 to 1.28	1.00	1891	.85 to 1.16	1.00
1875	.83 to 1.30	1.05	1892	.69 to .92	.80
1876	.83 to 1.26	1.02	1893	.54½ to .88	.72

You will observe that the prices of wheat in 1860, 1861, 1862, and 1863 were substantially the same as the prices from 1884 to 1891. Of course the prices from 1864 to 1872 are the inflated prices due to the effects of war, from which we did not recover fully till 1879. The prices of wheat and cotton since 1892 have been abnormally depressed by the impairment of the consuming power of the people by causes that did not exist between 1879 and 1892. Wheat was higher in 1877, 1879, 1880, 1881, 1882, 1883, 1888, and 1891, after the so-called crime of 1873, than it was in any year from 1860 to 1863 or any year prior to 1848.

It is noticeable also that the price of wheat is subject to great fluctuations, dependent on the supposed shortage or excess of supply in the whole world.

Mr. JONES. Then, outside of wheat and cotton, which seem to have been exceptions to the rule for the reasons you have stated, farm products in recent years, up to 1892 at least, show no decline on the farm, the apparent decline in great markets removed from the farm being mainly due to reduction of cost of transportation, which is a gain to the consumer and not a loss to the producer.

Mr. SMITH. That is the fact. Of course, if prices have been diminished by the material appreciation of gold, all prices would have been uniformly affected.

COTTON AND WHEAT.

Mr. JONES. I can understand why cotton has fallen because of the utilization of cotton seed and the enormous increase of production, although, of course, it has not fallen so much as the agitators try to make out by taking the exceptionally big price during the reconstruction period. But why is it that wheat has fallen, while corn has maintained its price?

Mr. SMITH. There are two reasons why wheat has fallen: First, it is the one agricultural product in whose production new machinery and cultivation on a large scale have recently entered; and secondly, it has had within a few years the increased competition of the wheat fields of South America and India, developed by the construction of railroads by the British Government.

Mr. VANCE. Yes; and it is largely because England can buy silver at a discount and purchase as much wheat as ever in India with an ounce of silver that we find Indian competition so destructive.

Mr. SMITH. And you propose to overcome this by having the United States alone adopt the silver basis of India, so that England can buy wheat of our farmers by paying them in depreciated silver instead of gold, as she now pays us. This is a remedy for low prices which England, from selfish considerations, would be glad to see us adopt.

Mr. BURNS. Is it not singular that England finds men who are shouting fiercely against her ready to go in for a policy that will enable her to come the same silver scoop on our farmers that they say she is using on the India farmers?

Mr. SMITH. Before I pass from prices of farm products I want to give you figures of comparative prices of farm products in Maine in 1858 and 1892, furnished me by a Maine gentleman. It seems from these figures, which I will not stop to read, that the average prices of farm products in Maine (little wheat and no cotton being raised in that State) were 28 per cent higher in 1892 than in 1858. The gentleman further informs me that this increase of average prices was mainly due to the increased introduction of manufacturing enterprises, which have furnished a home market for the products of the farm and saved the loss of cost of transportation.

Mr. JONES. I suggest that if our Western farmers would study such facts as these, and pay less attention to 16 to 1 silver schemers, we should find a practical remedy for hard times.

Mr. SMITH. It should be borne in mind that there was very little difference in the average price of wheat and cotton for fifteen years before 1860 and the fifteen years from 1878 to 1892, inclusive. Cotton was 10⅝ cents per pound in the former period and 10⅜ cents in the latter period. Cotton was only 5½ cents in New York in April, 1843. Wheat in Chicago averaged 92 cents in the former period and 98 cents in the latter period. The average price of wheat in Chicago from 1840 to 1846 was only 67 cents. It is since 1891 that the abnormally low prices of cotton and wheat have prevailed, and it is certain we shall have a higher range of prices as business recuperates.

ABOUT WOOL.

Mr. VANCE. There is wool, which has declined 11 cents per pound within two years. How do you account for that except on the ground that gold, which measures its price, has appreciated? This is one of the articles to which Coin refers.

Mr. SMITH. The world's price of wool is made by the great wool-producing countries of South America, Australia, and South Africa, where land costs almost nothing, labor is cheap, and the flocks do not have to be housed or fed. As their product has increased, produced at reduced cost, the world's price has naturally declined.

We imposed a duty of 11 cents per pound on clothing wool to protect our farmers and encourage woolgrowing here. The election of 1892 decided, among other things, that this duty should be abolished, and as soon as this became known the price began to fall in anticipation of the removal of duty, as woolen goods are made many months before they go into consumption. Thus even before the duty was actually removed in August, 1894, the price here had settled down into a free-trade basis, and for this reason was 11 cents lower than before the election of 1892, and is now sold here at the world's price.

I may mention the fact that wool in London is no lower now than in 1892, a fact which shows that, so far as the price of wool indicates, gold can not have appreciated since that time on the basis of your own arguments.

PRICES OF SILVER.

Mr. JONES. I notice that the present silver agitation finds its support in the abnormal fall of prices in the past two years in consequence of the paralysis of industries caused largely by the anticipation at first and subsequently the realization of disturbing tariff changes. By skillfully charging this exceptional decline to "the crime of 1873" the agitators have made many unthinking persons believe that it is really so.

Mr. SMITH. That's so. Strange as it may seem, thousands have swallowed the charge that the so-called demonetization of silver in 1873 caused the exceptional fall of prices in the past two years, without stopping to ask themselves how it happened that there was so little fall in prices between 1873 and 1892, when this cause was operating just the same as in the past two years. By general consent the most prosperous period of this country was between 1879 and 1892.

Mr. BURNS. Here is a picture in Coin presenting a contrast between what he calls the prosperous "bimetallic" times of 1872 and the depression of the past two years.

Mr. SMITH. That's amusing, because in 1872–73 we had no "metallism" whatever—not a dollar of either silver or gold in our currency.

Besides, Coin has so little regard for facts that he forgets that in 1872–73 we were by no means so prosperous as we were from 1879 to 1892, during all of which time what he calls "the crime of 1873" was in force.

Mr. VANCE. Coin says that an ounce of silver will buy as much of anything as ever, and that this shows that it is not silver that has declined, but gold that measures prices.

Mr. SMITH. If it were true that an ounce of silver would buy as much of anything as ever, that would only show that the cost of producing silver had declined the same as the cost of producing articles, and would simply prove that silver is not a stable measure.

But it is not true, except as to articles whose cost of production has declined the same as silver. Except as to cotton and wheat (and only part of the time as to them) an ounce of silver will not buy as much corn, oats, pork, beef, or any other agricultural product as it would have done before 1860. It will buy more steel, kerosene, and other articles whose cost of production has declined 80 per cent, and less of all products whose cost of production has declined less than 50 per cent.

Mr. BURNS. I was reading a silver speech a few days ago in which it was said that silver would buy as much labor as ever in silver-basis countries like Mexico and India.

Mr. SMITH. Very likely that is so, for the reason that when the currency is depreciated wages are the last thing to rise. This is the reason that a depreciated currency always cheats labor first.

Mr. BURNS. This free-silver 16-to-1 feast is evidently one which workingmen should avoid.

DIFFERENT KINDS OF FALLING PRICES.

"What we all understand, I think," said Vance, as he thought of the havoc made in the market by the "bears," "is that falling prices are very injurious to any country, and that they should be got rid of by the right kind of monetary legislation. Don't you look upon falling prices as a great evil?"

Mr. SMITH. That depends upon what causes falling prices.

Falling prices that come naturally from labor-saving machinery and improvements in means of transportation are a blessing and to be sought after, while falling prices caused by a reduction of wages of labor or by a sudden arrest of the industries through distrust of the future and the consequent diminution of the consuming power of the people, as we have had the past two years, are a curse.

Those who are trying to make the people believe that legislation in respect to silver in 1873 has caused the depression of business in the past two years ought to ask themselves how it happened that we had such unexampled prosperity between 1879 and 1892 under this very legislation.

Mr. JONES. I think that we farmers have got the impression that prices have greatly fallen by having had our attention fastened on nothing but wheat and by the exceptionally low prices of everything the past two years.

Mr. SMITH. Undoubtedly. The 16-to-1 silver agitators have seized on the depression of business as a favorable time to agitate. They must hurry up their work, for they will soon be as dead as the Greenbackers were when business revived in 1879. When farmers see wheat and cotton rising, as they already have risen as business revives, they will not be long in discovering that silver had nothing to do with the fall of prices, as it is having nothing to do with their rise.

Mr. JONES. Before we pass from this question of prices, I want to inquire if you can give us any light on the course of prices between 1840 and 1860?

Mr. SMITH. I read to you a few minutes ago Labor Commissioner Wright's statistics as to general prices, from which it appeared that average prices declined 16¾ points between 1840 and 1860, and only 7¾ points between 1860 and 1892. So you will see that while the general trend of prices is downward with everything but hand-labor farm products, on account of labor-saving devices, and while the fall of prices of machine-made products has been greater in the past twenty years than ever before, because of increased inventions and severe competition that has reduced profits, yet average prices on the whole have fallen no more since 1860 than before.

RISE OF PRICES BY DEPRECIATING THE DOLLAR.

Mr. VANCE. Wouldn't the increase of prices that would come from a silver basis increase the prosperity of the country?

Mr. SMITH. Of course you would increase nominal prices by going to a silver basis and thus making 50 cents a dollar, just as measuring cloth with an 18-inch yardstick would give a greater number of such yards, but no more cloth.

What advantage would it be to anyone to call a half dollar a whole dollar and then proceed to adjust prices to the new clipped dollar? Of course it would raise the prices of what we have to buy, just the same as it would raise the price of what we have to sell. Nobody would gain anything by the change. It would take just the same number of bushels of any farm product to buy anything as before.

The disadvantage would be, however, in the unsettling of prices and disturbance of trade at home, and in giving us a different money standard from that of our customers abroad, thus necessitating the payment of a new brokerage by every farmer on export products. And aside from all this there would be the disturbance and expense of a varying silver standard.

WAGES OF LABOR AND INTEREST.

Mr. BURNS. What I should like to know is whether wages have not risen and rates of interest fallen since 1860, and even since 1879?

Mr. JONES. We all know that wages were 60 per cent higher in 1892 than in 1860, and 10 per cent higher in 1892 than in 1873, as stated by Commissioner Wright's tables, and that the rate of interest on loans in any part of this country was at least one-fourth lower in 1892 than in 1860, and even in 1873. These important prices, that of labor and that of use of borrowed capital, don't show an increase, which might be expected if gold, the measurer of wages and interest, had risen to any material extent. Daniel Webster once said that depreciated money always cheated the workingman.

Mr. SMITH. That is sound reasoning, for wages and interest are a much surer test of the value of money than prices of products subject for the most part to the reduction of cost of production by labor-saving devices and methods.

A SILVER BASIS AND DEBTS.

Mr. VANCE. The fact is, the strong reason for a silver basis is that it will relieve us from the great burden of debt which now oppresses the country—a debt which we believe has been doubled by the appreciation of gold under the gold basis. We object to gold because we believe when used alone as full redemption money it is constantly increasing in value.

Mr. SMITH. You have now undoubted y struck the argument on which the free-silver 16-to-1 scheme wins the most of its support outside of the personal interest of silver-mine owners. It appears to be a plan to discharge debts for 50 cents on the dollar, and this of itself is very taking in periods of business depression.

Mr. VANCE. But when debts have been doubled by the appreciation of gold, isn't it a fair thing to pay simply what was borrowed?

Mr. SMITH. I presume the supporters of the scheme to wipe out debts at 50 cents on the dollar have persuaded themselves that they are really not trying to cheat their creditors; but did it ever occur to you that the money which all these debtors borrowed was equal in value to gold when borrowed, and that in the ordinary life of private debts there can not have been much change in the value of the gold dollar?

Mr. JONES. What is the average life of private debts?

Mr. SMITH. Less than a year, and even in the case of loans secured by mortgage only three years. It is doubtful if there are any considerable number of existing private debts ten years old, and but very few five years old.

Mr. JONES. I think you said that even the rise of gold between 1879 and 1891 was not half of 1 per cent per annum, and that since 1892 it is believed there had been no rise. Also that this rise between 1870 and 1891 was about the same as the fall of gold between 1850 and 1865.

Mr. SMITH. That is believed to have been the case. The change in the value of gold in one year is so small that it can not materially affect deferred payments; and it is because it changes so little that by common consent in international trade, where no law can come in, gold is accepted as the standard of value. If there is in some periods a slight appreciation, in succeeding periods there is a corresponding decline. Unquestionably a period of decline of gold is already at hand.

Mr. BURNS. Is there the slightest evidence that gold appreciated 40 or 50 per cent between 1870 and 1892?

Mr. SMITH. Not the slightest. On the contrary, the small decline of average prices from 1879, when we got back to specie payments and normal conditions, to 1892, just before the exceptional business depression set in which temporarily reduced prices abnormally, makes it impossible that the rise of gold could have been, in the thirteen years before 1892, 10 per cent at the outside. So that a debt contracted within three years has probably not appreciated at all.

Mr. JONES. And because of this it is proposed to depreciate the currency 50 per cent?

Mr. SMITH. That is the fact. It is worthy of note that it is claimed gold appreciates under our present so-called system, by which in this country we use as much silver as gold as money; and it is proposed by the 16-to-1 schemers to remedy this by a plan that would eventuate in the use of only silver and drive out our gold, thus greatly contracting our currency.

Mr. VANCE. But does not the run on our Treasury reserve gold the past year show that there is not enough to go round?

Mr. SMITH. Even if that were the case we should only cause a bigger run on what we have by adopting the 16-to-1 scheme, for we couldn't use silver dollars in settling foreign balances. We should have to use silver as bullion then just as we do now. The 16-to-1 scheme would cause foreign investors to withdraw the capital they have here now. Indeed, it was distrust of our ability or intention to pay our foreign debts in gold or its equivalent that caused the run on our gold—a distrust which was made active by the failure to maintain our revenue equal to our expenditure—the failure to maintain our redemption fund.

That the run on our Treasury was not caused by scarcity of gold abroad was clearly shown by the fact that the gold taken from us was simply accumulated and held as idle money in foreign commercial centers.

DEBT PAYING IN WHEAT.

Mr. VANCE. But is it not true that, while a debt of $1,000 contracted in 1891 could have been paid with 1,000 bushels of wheat, last winter it would have required 2,000 bushels of wheat to pay it?

Mr. SMITH. But even suppose that was so—for I notice you select a year when the wheat crop was short and the price the highest and compare it with another year in an exceptional business depression, when the crop was large and the price the lowest—what does that have to do with the payment of a debt to be paid not in wheat but in money?

Supposing wheat should be $1 next year, as it would be if the crop should be short, how would it then be with a debt of $1,000 contracted in 1893, when wheat was 50 cents when the $1,000

would have bought 2,000 bushels? Would you contend that because of this fact the debtor should now give the creditor 2,000 bushels of wheat or its proceeds? You shake your head. But why not, if your argument in the first case is sound?

Mr. JONES. Neither view would be sound, because the money borrowed was not made payable in wheat, but in money. The man who loaned the money was not dealing in wheat futures. If he had been he would then have taken his chances in the future of wheat. He simply lent money equivalent to gold at a low rate, without charging anything for the risk involved in the future price of any product.

Mr. SMITH. Why do you not take corn, oats, pork, beef, lard, butter, or some other farm product to illustrate the position of the borrower? Corn was higher in Chicago in 1892 than in any other year but one since 1879. A debt contracted in 1879 for $1,000 would have required 2,225 bushels of corn to pay it, but in 1892 it could have been paid with 1,800 bushels. Do you think the creditor in 1892 was entitled to have the 425 bushels of corn extra in 1892?

Mr. VANCE. No, I don't.

Mr. SMITH. I agree with you. But why not on your theory?

Mr. JONES. Because it was a loan to be paid in money. And the same principle applies to Vance's wheat hypothesis.

Mr. VANCE. What I contend is that the value of the money has increased.

Mr. SMITH. And you propose to have the prices of wheat and cotton alone determine whether money has appreciated, when the price of other farm products (if such an argument from prices is sound) would prove the reverse.

Mr. VANCE. But you must admit that the farmer who raises wheat does suffer in debt paying just as I have pointed out.

Mr. SMITH. But an intelligent farmer may be relied upon to raise crops that in the long run pay best. One particular crop, especially a crop like wheat, whose price depends on the world's yield, may not pay one year, for various exceptional reasons, and may pay largely another year. This is a good reason for diversification of farm products. No good farmer raises wheat exclusively, especially when he knows by experience that wheat is an export product that goes up and down according to the favorable or unfavorable season, varying from 50 cents to $1.34 in Chicago—$1.02 in 1876, 90 cents in 1878, $1.16 in 1881, 77 cents in 1886, and $1 in 1891.

Mr. BURNS. It seems to me that any attempt to measure money by wheat or cotton would give us a very uncertain standard of value.

Mr. SMITH. Of course it would. And yet the 16-to-1 silver men are relying entirely on the price of wheat and cotton to prove that debts have appreciated.

Mr. JONES. But in view of the fact that both wheat and cotton have risen considerably since the spring of 1895, they must conclude that both gold and debts have greatly depreciated within a few months.

Mr. SMITH. We must remember that all the talk about the advantage or disadvantage to the debtor of a depreciation or appreciation of the dollar is of little consequence, for the reason that every new debt that is contracted will be made not on the basis of the former dollar but of the new depreciated dollar. It is a temporary advantage or disadvantage at the most, and not of the slightest consequence as compared with the value of confidence in the gigantic daily exchanges. The change in the gold dollar in any one year is so slight as to not materially affect either creditors or debtors. The dollar should be so stable as to inspire confidence. But when the value of the dollar unit is suddenly and materially changed by legislation, uncertainty reigns and paralysis seizes upon business.

DEBTS PAID WITH PRODUCTS.

Mr. VANCE. When it is considered that the private and public debts of the people of this country are forty thousand millions, I should like to know how anyone supposes we can pay with the mere pittance of six hundred millions of gold?

Mr. SMITH. That is a wild guess, for I am not aware of any reliable statistics as to our private indebtedness. We simply know our public and corporate indebtedness, and that is but a fraction of the big sum you name.

But whatever the sum may be, it is for value received. Every dollar for which we are indebted was borrowed in gold or its equivalent. More than that, it must be inferred that whatever has been borrowed has been in the main profitably used; so that the borrowing has made us richer.

Mr. VANCE. Our railroad bonds alone held abroad are a gigantic mortgage on the country.

Mr. SMITH. Practically the larger part of the railroad bonds held abroad represent the money which built the roads, and the holders of them are really owners of the roads. It is not expected that anything more than the interest on the bonds will be paid, as this is in reality a dividend to the owners when the roads pay. And instead of being impoverished by the construction of these roads by foreign capital, we have been enriched. The debt is only in name.

Mr. VANCE. But must we not send gold to Europe to pay the annual interest, estimated at two hundred millions, on these foreign investments or bonds? And where is it coming from if we can use only gold? We produce only thirty-five or forty millions of gold annually.

Mr. SMITH. We pay neither interest nor principal of our foreign or domestic indebtedness in gold. We pay in exported products, and one of these products is silver. Last year we exported about $40,000,000 in silver. If silver had free coinage here at 16 to 1 it could not go further in paying indebtedness or for purchases abroad than it does now. Gold is used only to settle the balance of trade.

DEBT PAYING IN LABOR.

Mr. BURNS. We laborers have the idea that after all it is labor (harnessed to capital in the form of labor-saving appliances, etc.) which finally pays debts through the products of labor and capital; and that the vital question is whether since 1873 (or perhaps 1879 would be a fairer basis of comparison) it would have required more labor in 1892 to pay a debt contracted in money in 1873 or in 1879 than it would have required at the time the debt was contracted.

Mr. SMITH. You are right in making the comparison on the basis of the wages of labor, for the reason that the true test is not how many pounds or bushels of any product, but how many days' labor it takes to produce the article used to make deferred payments. The price of an article may be 25 per cent less than a few years before, but if by reason of labor-saving devices it takes 33 per cent less labor to produce the articles, then of course the payment of the debt at the later period is easier than it would have been at the earlier period. Now, I find by Labor Commissioner Wright's tables that wages, estimated in gold, were 148 points in 1873 and 160¼ in 1891, or 12¼ points higher in 1891 than in 1873. In other words, a debt of $1,480 could have been paid with 10 per cent less labor in 1891 than in 1873 and with 15 per cent less labor in 1891 than in 1879.

Mr. BURNS. This does not look much like an increase of the burden of a debt between 1873 and 1891.

OUR FOREIGN DEBTS.

Mr. VANCE. But inasmuch as we are a debtor nation and England a creditor nation, I can see how it is England's advantage to make its debts as large as possible by holding onto gold as the standard of value. But isn't it for our advantage to keep our debts down by paying silver as our standard?

Mr. SMITH. It is true that we have a country of immense natural resources awaiting development, and therefore that we can and do profitably use foreign capital, while England is an old and finished country, with few natural resources that already are not developed, and hence has spare capital. This of course makes it for our interest to borrow in order to make more money.

Now, looking at this situation solely from the standpoint of our own welfare, it is for our advantage to maintain our credit so as to be able to borrow at a low rate of interest. It is because we have maintained our credit and kept our money at par with gold that for years we have been able to borrow abroad at so low a rate of interest, while the silver-basis countries that have a demoralized currency have to pay higher interest and pay in gold, too. In other words, because we are borrowers, it is for our interest to maintain all our currency equal to gold. Rest assured that if we should go to a silver basis we should have to pay dearly for it. England, if she looked at the matter selfishly, would not object to having us cripple ourselves by going to a silver basis.

I notice that China's new loan has been negotiated at 6 per cent, while ours has been negotiated on a basis about half that.

THE WEST AND THE EAST.

Mr. VANCE. The West is overwhelmingly in debt to the East, and this indebtedness is increased by the appreciation of money. The situation is well shown by an illustration in Coin of a cow generously fed by the West while the East gets all the milk.

Mr. JONES. Is it not a little ungenerous, not to say unwise, to reproach the longer-settled East for having confidence enough in us to loan us money to develop the West, especially when we have been able to use the money so profitably? When the West is as old as the East we shall be far richer than the East now is and can return the favor.

Mr. SMITH. That is well said, Mr. Jones. As a matter of fact, even our own mortgages have been generally given for loans of money to pay for our farms, to buy new land, or to construct buildings and improve our facilities for making money. And instead of growing poorer, as Coin would have you believe, the West has increased in wealth faster than even the East. I have here the census figures of the per cent and per inhabitant increase of wealth

of the different sections of country between 1880 and 1890, and let me read them:

Per cent and per inhabitant increase of wealth, 1880–1890.

	Increase wealth.	Increase per capita.
	Per cent.	
North Atlantic division	21	$23
North Central division	60	197
Western division	200	959
South Atlantic division	40	84
South Central division	70	148

Mr. BURNS. That looks very much as if Coin ought to have turned his cow around and placed the head at the East and the milkers at the West.

Mr. JONES. Of course, the fact is that we have been mutually benefited as parts of a common country. The fellow who will try to stir up prejudices and passions between different parts of our common country so as to accomplish his selfish ends is unpatriotic and reckless.

Mr. SMITH. The impression that the West is more deeply in debt than the rest of the country is a mistake. Take the State, country, and municipal debt of the West, and it is by no means as great as that of the East. According to the census of 1890 this debt, per capita, was $26.89 for New England, New York, and Pennsylvania, and only $14.32 for the 12 central Western States, and $22.09 for the States west of the Mississippi. The similar debt of Great Britain is $87.79 per capita.

Mr. JONES. I think that I voice the sentiment of the West when I say that the desire to depreciate the dollar in order to pay debts easier is exceptional. We are able to pay our debts and intend to do so. Whenever we can not we will not ask that the currency be depreciated and business demoralized to help us out, but will rely upon the insolvent laws which each State passes to relieve honest but unfortunate debtors.

NO DISTINCT DEBTOR AND CREDITOR CLASSES.

Mr. SMITH. It is a great mistake to suppose that there is a large, exclusive, distinct debtor class. Most men are both debtors and creditors. The only class that are exclusively creditors is the workingmen. They pay as they go, and their savings make the great mass of deposits in our savings banks.

Bankers make loans to a very small extent of their own money. It is their business to loan the money of depositors. The workingmen of this country have over one thousand seven hundred and fifty-eight millions of deposits in savings banks and a considerable part of the three thousand millions of deposits in all other banks, nearly four thousand seven hundred millions of deposits in all. It is these deposits that furnish the most of the loanable funds with which the business of the country is carried on.

A scheme to depreciate our money by going to a silver basis would rob the workingmen of this country of at least one thousand millions of dollars of their savings and would rob them far more than this of their wages.

Mr. BURNS. I want to say once for all that the workingmen of this country will drop this 16-to-1 silver scheme like a hot potato just as soon as they examine it.

DEPOSITS AND MONEY.

Mr. SMITH. Let me read to you the official statement of deposits in the various kinds of institutions:

In national banks	$1,779,295,862
In State banks	648,573,800
In loan and trust companies	411,650,000
In savings banks	1,758,329,618
In private banks	93,091,148
Total	4,690,890,433

Mr. VANCE. I do not understand how there can be four thousand seven hundred millions of deposits in banks to be loaned when there are only one thousand six hundred millions of money in the country. It seems to me that it would require four thousand seven hundred millions of money to make such deposits.

Mr. SMITH. You evidently have the misconception of the office of money that Coin has when he talks about the impossibility of paying five thousand millions of debt with one thousand six hundred millions of currency. Money is simply a common medium or tool of exchange, but the real wealth exchanged is products. A thousand dollars in money may perform a dozen thousand-dollar exchanges of property or pay a dozen thousand-dollar debts in a single day. The name "currency" means something that runs or circulates from hand to hand. So the money that a workingman deposits to-day is loaned, perhaps, before night, to the manufacturer, who pays it out again to his workingmen to-morrow, when it can be again deposited and reloaned, and so on.

You will see at once that the volume of money or number of tools of exchange required depends very largely upon the facilities for expediting exchanges. Bank checks, bills of exchange, etc., offer substitutes for money more convenient than money itself, and, what is more, have precisely the same effect on prices that coin or any other kind of money would have. Ninety-two per cent of all exchanges are made by means of substitutes for money, and only 6 per cent with money.

No one is wise enough to determine beforehand just how much money our country needs. That can be determined only by business demands. A supply of more than is required lies idle, and there is a loss of interest. More is required at some seasons than at others. The Government, for example, has coined $75,000,000 in half and quarter dollars and dimes, but it is found impossible to keep much more than $60,000,000 in circulation. When more is paid out it returns.

STABILITY AND UNIFORMITY OF STANDARD OF VALUE.

Mr. VANCE. While I can see now that it is impossible for us to get away from the world's standard of value (gold) in international trade, which is only 4 per cent of our entire trade, yet it seems to me that in our domestic trade, which is 96 per cent of our aggregate trade, we could adopt a silver basis with positive advantage.

Mr. SMITH. Does it not occur to you that there would be great confusion, friction, and unnecessary expense in having one standard of value (gold) for our foreign trade and another standard (silver) for our domestic trade?

All our imports, for example, are sold in our domestic markets. If they are bought on one standard and sold on another, there is increased expense and risk to be charged to our consumers, especially if our standard is more variable than the world's standard.

Again, all our exports would be bought here on one standard and sold abroad on another. And rest assured the producers of farm products would have to pay the brokerage incident to different standards of value.

Not only that, but the fact that silver is a fluctuating metal would bring a new element of risk in the fluctuations of exchange which we would have to pay for.

Mr. JONES. Inasmuch as prices are really made in the world's markets on a gold basis, would not the fluctuations of silver make more changeable and uncertain prices in our domestic trade than we have now, and thus introduce a new gambling element into our trade which would work serious injury?

Mr. SMITH. Certainly. The currency of any country is the life-blood of its commercial existence, and the fluctuating character of a currency on a silver basis would work serious evils. The greatest possible stability and the greatest possible uniformity of the standard of value in the leading commercial nations is a necessity. Any country which does not keep in touch with the commercial world as to its standard of value will be surely distanced in its foreign trade and seriously injured in its domestic trade.

It must be remembered that in these days of steam and electricity the whole world is one in a very important respect. There now can be no surplus of money or merchandise anywhere in the world that it is not hurried to fill the shortage. The facility of transfer tends to equalize values and prices throughout the world except so far as tariffs differ. We know every evening what has been going on in every part of the world during the day—the condition of the crops, where there is a surplus and where there is a shortage; and in every great market supply and demand meet and the adjustment of prices takes place, and the universal language in which these prices are expressed in grains of gold.

Mr. BURNS. Do you remember the extent of our domestic trade?

Mr. SMITH. I remember that the transactions through our national banks alone reach one hundred and twenty thousand millions per annum—more than two thousand three hundred millions per week, four hundred millions every secular day, and forty millions every business hour, in all of which the value of the practical standard dollar is the controlling element.

Not a bushel of corn or wheat, not a pound of hay or cotton, not a yard of cloth, not a day's work, is sold or bought into which this value does not enter. Surely legislation which proposes to suddenly disturb this value to the extent of 50 per cent, and especially to give us a fluctuating standard whose value is subject to the same changes as wheat, or cotton, or oil, a standard or measure whose own value must be first estimated, should be advocated with bated breath.

Mr. VANCE. But won't the fact that the depreciation of silver would give us rising prices be of itself a stimulator of trade and prosperity?

Mr. SMITH. We have the experience of past schemes to depreciate the currency to guide us. While temporarily the speculative spirit is stimulated, yet the final result has been to demoralize, disturb, and finally wreck all business enterprises and plunge the country into despair, whenever the currency has been depreciated in peace. A forced depreciation of the currency in war is tided over as long as the war lasts because of war expenditures, but

after that the penalty must be paid. Depreciation and demoralization of the currency has the same effect on national life that excessive drinking does upon the individual life; first the delusions of the initial stages of intoxication, then the debauch, the delirium and the terrible penalties of the violation of eternal laws.

Commercial prosperity can exist only under permanent and settled conditions, at least so nearly permanent that annual changes are reduced to a minimum. By the consensus of all leading commercial nations, grains of gold give the greatest permanency as a standard of value; and while silver is to be used with gold, yet it can be used successfully only under conditions that make the silver dollar equal in value to the gold dollar and maintained at a parity with it.

Nothing promotes distrust, paralyzes trade, discourages investments, closes avenues of employment, and diminishes wages so effectually as a demoralized and depreciating currency.

Mr. JONES. You are right. And hence nothing is clearer than that it is the duty of every good citizen to resist the attempt to have this country adopt alone the free and unlimited coinage of silver at the ratio of 16 to 1, for this means silver monometallism, a silver basis, a depreciated currency, a brief period of intoxication, and then demoralization, business and industrial paralysis, a financial panic, and destruction.

Let the light of experience, shining in the tower of history and warning the present generation of the dangers of the yawning abyss into which a depreciated currency has repeatedly plunged nations, guide the destinies of the Republic.

Mr. BURNS. I would like to ask you, Mr. Smith, if you have any information as to the general condition of agricultural and other laborers in any of these countries which are on a silver basis—Mexico, for instance?

Mr. SMITH. I have here a very interesting document which is called Consular Report No. 67, and published by the Department of State at Washington. In that I find a report by Consul-General Sutton which gives a carefully prepared statement, covering more than 45 pages, by Mexican officials from 21 of the 27 States which compose the Mexican Republic. These replies were made in answer to a circular letter by the consul-general asking information as to—

1. Wages of agricultural laborers.
2. Conditions under which contracts for agricultural labor are made.
3. Supply of laborers.
4. Principal agricultural products, production, and prices.
5. Retail prices of principal articles of consumption, as meat, corn, etc.
6. Prices of neat cattle, horse stock, sheep, and hogs.
7. Private lands for sale, and prices.
8. Possible industries that might be established.

Fifty-five different officials, all of them evidently intelligent and careful students, answered these questions at full length and with great frankness. Here are extracts from some of them:

In the State of Aguas Calientes field laborers receive for a day's work 12½ cents and 2 quarts of shelled corn. Prices of articles of prime necessity are: Corn, 40 cents to 80 cents per bushel; frijol (the bean of the country and the principal food), $1.60 to $3.20 per bushel. What little beef they have sells for 16 cents, mutton for 15 cents, hog meat for 14 cents per pound.

In the State of Chiapas day laborers get 25 cents per day, with an almud (short peck) of shelled corn, the same of beans, and a ration of salt once a week. Laborers by the month get $5 per month and the privilege of building a house and having a small bit of a garden on the hacienda; 14 ounces of beef, 10 ounces of pork, 5 ears of corn, 1 pound of beans, 8 ounces of rice, and 10 ounces of lard, sell at 26 cents each.

In the State of Coahuila, which borders upon Texas and produces a considerable quantity of cotton, the wages are 37½ cents per day, paid in grain or goods, with no money and no allowances. In cotton-picking time, most of them work by the tarea or quantity, and make from 50 cents to 65 cents per day. Meat sells at 12½ cents a pound, shelled corn at 5 cents, and beans at 8 cents per quart, while flour is 8 cents and lard 31 cents per pound.

In Durango the agricultural laborers get from $4 to $6 per month, with the weekly ration of 13 quarts of shelled corn.

In Guanajuato the wages are from 18 cents to 19 cents a day, and this only for the days when the man is employed.

In Hidalgo 18 to 22 cents per day, with an allowance of corn. Flour sells at 6 cents, meat at 10 cents, lard at 30 cents, and Mexican brown sugar (piloncillo) at 6 cents per pound.

In Jalisco, the monthly wages are $5, with 33 quarts of corn, 4 quarts of beans, and 3 ounces of salt every eight days. Day laborers get from 12½ to 18¼ cents, with 13 quarts of corn per week. Meat sells at 10 cents, bread at 12 cents, sugar at 15 cents, and salt at 4 cents per pound.

In the Federal district, where the City of Mexico is located, agricultural laborers get by the day 31 cents and no allowances, and the work is from 6 a. m. to 6 p. m., with one hour in the middle of the day.

In Michocan, over on the Pacific Slope, and which produces sugar, wheat, corn, beans, fruit, and many other tropical crops, labor is 25 cents a day, by the day, and the hours from 6 a. m. to 6 p. m. Meat sells at 12 to 18 cents and lard at 25 cents per pound; beans 18 cents and corn at 6 cents per quart.

In Nuevo Leon, in which is the great city of Monterey, wages are $4 to $8 per month, with an almud of corn every eight days.

Oaxaca, a Pacific coast State, produces coffee, cocoa, sugar, tobacco, corn, beans, and fruit. Wages are 25 cents a day, except in coffee harvest, when they are increased from 50 to 100 per cent. Monthly contracts are from $4 to $7, with an allowance of corn for bread.

This shows pretty clearly how low are wages and how high are all the necessaries of life in Mexico. There are some other things in this report which ought to be studied. Practically one-half of all the agricultural laborers of Mexico, in spite of laws to the contrary and in spite of a general public sentiment against it, are slaves to the glebe. In other words, they all owe their masters a sum of money for trade at the store, advances for funeral expenses, baptisms, sicknesses, etc., ranging from $50 to $500. In Holy Week they may take a paper from their master showing how much they owe him, and if within those eight days they can get any other master to agree to pay that debt they may transfer their allegiance from the old to the new master. Unless they do this—that is, if they attempt to go off one man's property without settling up—they are very likely to be arrested on any one of a long list of minor charges—obtaining money under false pretenses, stealing, getting drunk, disturbing the peace, etc.—and be held practically a prisoner until they get tired and consent to return to work on the old terms. The local judges are always the great landed proprietors or their retainers, and justice in the district is modified to suit their own views. The head of the family works from youth to old age and dies usually owing more when he goes out of the world than when he assumed man's estate in it. Often a son or sons will assume the debt of a father and go on, generation after generation, in this manner. As they get very little money for their work and everything they have to buy is very expensive, their purchasing power is very limited. It is estimated that the average annual expenses by cash purchases—clothing, food, etc.—of the ordinary agricultural laborer and his whole family does not reach the total of $70 per annum.

The clothing of the man consists of a pair of sandals, a pair of cotton drawers rolled above the knees most of the year, a cotton shirt, which is usually hung carefully on the bushes during the day, and an immense sombrero. That of the woman is usually a chemise and a skirt. Some of them have shoes and stockings for everyday wear, but most of them wear sandals or nature's covering, while their attire is completed with a small black shawl. Only a few of the more ambitious have ventured upon that modern innovation—a hat. Bonnets are unknown among them. The children wear the same raiment they brought with them into the world until they get to be from 4 to 7 years of age, when they increase their toilet by one garment.

That is the class of labor, the methods and manner of life of our next-door neighbor, which has to-day and always has had the free and unlimited coinage of silver.

Any person who wishes to make a more detailed study of this subject should write to the Department of State and get a full copy of this very interesting report.

ANOTHER POINT OF VIEW.

Mr. JONES. Now, we as neighbors have talked this matter over pretty thoroughly. Last night I received a letter from a friend of mine in the Northwest, and with that letter he has sent me some figures and facts which I think will be of interest to us all. My friend is a hard-headed farmer. He is conservative and still enterprising; is a good farmer, and last year bought 80 acres more land (running in debt, of course, for a portion of the purchase money), and is pushing along as well as he can in these hard times. His farm is near a town, which was growing rapidly in 1890, 1891, and 1892. They had put up a woolen mill and a paper mill, besides several other manufacturing plants, and as usual in these Western towns, they had borrowed money for all of these enterprises, and had pledged the future with bonds to enable them to open new streets, build sidewalks, put in water, gas, electric lights, and a line of street cars. From a sleepy country village it had grown under the inspiration of the tariff law of 1890 into a brisk town, affording a large market for all the farm products in that vicinity. The Wilson-Gorman bill struck them below the belt; the mills have shut down, and they are in bad shape. This situation of affairs has caused him to study the situation from his point of view, and if you neighbors are sufficiently interested to desire to hear these, we might meet some other evening at the schoolhouse, and invite the other people of the community, and see what he has to say.

Mr. BURNS. That will be a capital idea. This is a big country; we are all interested in this subject, for what helps one portion helps all, and the same causes work out identical effects in every portion of this great country.

Mr. SMITH. Yes, we are all vitally interested in getting at the plain facts of this business, and we can't give it too much study or deliberation. What we want to arrive at is the truth—the plain truth and the whole of the truth.

Mr. VANCE. Well, I have read Coin and a whole lot of literature published by the Mine Owners' Association, and have got some radical ideas, yet I too desire to get at the facts. I have changed my views considerably during the three evenings we have been together, and I must say that while I am not prepared to abandon my original views, I have modified them considerably and become more anxious to keep at this thing until I get down to bed rock.

With this understanding they adjourned until the next Saturday evening.

FROM THE STANDPOINT OF A NORTHWESTERN FARMER.

They were all assembled in the schoolhouse on the Saturday evening appointed, and so lively an interest had all their neighbors in the question to be discussed that the house was packed full.

Among the audience was a fair sprinkling of ladies, some of whom thought they ought to vote as well as the men, and all of them were interested in hearing what some persons in another portion of this country thought about the present condition of affairs.

MR. BROWN'S LETTER.

"MY DEAR JONES: You know I was born down East, but that as a young man I struck out for the West, and have put in twenty years of hard work. I have 80 acres of land, 1 mile from town, all paid for. I have good buildings, teams, tools, and supplies on hand to run me through a year. Last year I bought 80 acres, which joins mine on the south, for $30 an acre. I only had $400 to pay down; leaving $2,000 on which I had to pay 6 per cent interest for three years. I don't suppose I can raise the $2,000 at the end of that time, but I hope—if I have my health and good luck—to reduce it to $1,000, and make a new loan for the balance, clearing that off in two years. I could have done this easily as things were a few years ago, but now, with the load of a two-thousand-dollar debt hanging over me, I shall have to plan carefully to come all right. Some of my neighbors are talking very strongly in favor of the free coinage of silver at 16 to 1, thinking that would make a great change in the condition of affairs. My opinion is, however, that it is not so much a question of free silver as it is of business confidence and a protective tariff. For instance, when I borrowed the $2,000 to buy that 80, the real-estate agent who negotiated the loan for me said that the laws of our State were so full and ample in securing such loans that money was freely offered him from the East for loaning at very low interest."

MR. BROWN'S STATEMENT.

Inclosed with his letter, Mr. Brown sent a paper which he had prepared, which Jones read at length. It excited so much interest and touched upon topics which were so important that it is given in full.

Mr. JONES, after clearing his throat, said: This seems at first to be a conversation between Mr. Richard Poor and Mr. Peter Sail.

The succeeding chapters describe Mr. Poor's discussions with several eminent persons, and the effect of such discussions on the audience.

Mr. Poor seems to be an independent, fairly educated, level-headed laboring man, who has carefully saved some of his earnings, got himself a house and lot, and has several thousand dollars invested. The hard times have hurt him, but they have not brought him to utter want. Mr. Peter Sail is also a hard-working man, but never got so good wages as Poor. His wife had been sick a good deal, and other troubles had hindered his getting ahead so much in the world. In December, 1892, he had his little house and lot paid for and fairly furnished, and $300 in the bank. At the date of this statement his money had long since been gone, he had got in debt for living expenses, and had tramped for work month after month, and only a few weeks before had been obliged to sell their little home to pay their debts, and with a small quantity had moved to a little rented house on the outskirts of the town. He now had absolutely no resources, and had it not been for Mr. Poor, who kindly risked loaning him money—to be repaid if he should ever get work—he and his family would have suffered for the necessaries of life.

THE INDEX OF PROSPERITY.

"The men who depend upon their daily toil for their daily bread," said Poor, "constitute the balance wheel in American commerce. There is no better index of the condition of a people than is indicated by the condition of the laboring men, known as wage earners. They are more adversely affected by depressions and stagnated business than any other of our population. Talk about the amount of money in a country indicating prosperity! There is nothing in that. It is the amount of money that reaches the pocket of the poor that makes a country prosperous. If all the money of the world were dumped upon American soil it would not be beneficial except in so far as it reached the pockets of the poor. It would only be beneficial in so far as it enabled our people to buy more of the necessities and comforts of life. If it should go into the hands of the people who have plenty it would fail to benefit anyone. It would not make a heart happy nor increase the consuming ability of our people. So I say in the broad sense of the term it would not be beneficial."

Poor here took a piece of white paper out of his pocket and with a lead pencil quickly drew two reservoirs, and continuing, said: "This reservoir represents a healthful condition of business. It shows the money in circulation, going from the capitalist to the farmer and wage earner, and from them to the capitalist again. This represents prosperity. The laborer is prosperous because he has work and is getting his part of the money of the country. The farmer is prosperous because, when money is circulating and the wage earners are all employed at good salaries, he has a larger demand for his products; and with an increased demand goes higher prices.

"Now," continued Poor, "this other drawing represents the country when the money is not circulating properly. Money is the blood of the nation. When the blood fails from any cause to circulate in any member of the human body, that member must perish. It can not live.

"Well, now," continued Poor, "the same is true of the members of our nation. The farmers and laborers are the main members upon which our nation to-day stands. In this drawing you will observe the money—the blood—is not circulating among the farmers and wage earners as it should. They can not stand that long. They must soon perish, and with them our nation, unless we can get the circulation revived.

"This money is congested, just as the blood would be in the body if it should cease to circulate in the legs and arms. There is just as much money in the country as ever, but the poor do not get it. When this condition prevails it is common to hear people say money is scarce, and that there is little money in the country, when they really mean that it is not circulating.

"I heard a man say the other day that to increase the amount of money in the country to $50 per capita would bring prosperity. What do you think of that as a means for relief?

"Suppose," said Poor, "all your blood should rush toward your heart and cease to circulate in your limbs. Suppose a doctor would propose to cure you by driving the blood from about the heart and compelling it to circulate throughout the whole system, revivifying every member and particle of the body. Suppose then another doctor would propose to bring relief by injecting into your body more blood. Now, between these two doctors which would you choose as your physician, under the circumstances?

"The one who would make the blood circulate, of course. I would have no assurance that if I employed the other doctor the blood would circulate after he injected it into my body.

"Before talking about increasing the volume of money let us first force into circulation the money we have.

MUST MAKE MONEY CIRCULATE.

"We must manage some way to compel the money to circulate. What I mean by circulation is passing among the masses. Money piled up in the vaults of the rich is not circulating at all. It is hoarded and is doing no one any good. To increase the amount so hoarded does not put any more in circulation. The problem to be solved is not how to increase the amount of money in the country, but how can we give to labor its just rewards and keep in circulation the money we now have. How can we give to the poor their share of our present volume."

HOME VS. FOREIGN LABOR—A CONVERSATION.

Poor went over one afternoon to see how Pete was getting along. He was pleased to find Mrs. Sail improving rapidly. It being a warm day and there being several in the house Poor and Pete went out and sat down on the grass in the shade of a tree. After they were comfortably seated Pete began the conversation by stating that his wife would soon be well again, and he would like to find work, and inquired of Poor about the prospects of finding any.

"I don't know," said Poor, "where you can get any work at present; but I hope the mills will start again soon."

"Poor," said Pete, "I have been thinking of this matter of work ever since I saw you at the bank. I have also been more impressed with the idea that the people are with us, and would help us if they only knew how to go about it. What has been worrying me is what to do. What do we need? What will give us work? What will bring happiness and prosperity to our land? I am free to confess I see no way out. The future to me is dark."

"It is well," said Poor, "for us to inquire what ails us. We are out of employment. That much we know. How can we get it, and what will be the best for the country are the things to be considered."

DO ALL OF THE WORK.

"Pete," continued Poor, "if you were idle a good part of the year, and there were things you needed, would it be better for you to make them during the time you would be idle, or would it pay you to buy them and do nothing part of your time? If you could make the articles as good as any one else, and you would put in your spare hours making them, would you not be worth more at the end of the year by reason of having saved your money and supplied your wants by your own labor?"

"I most certainly would," replied Pete. "I would be worth just as much more as the articles made would have cost."

"Then," said Poor, "if there are articles the people of this country can produce, and there are idle men to produce them, would it not, on the same principle, be to the interest of our country to have our idle men employed supplying the wants of the people and saving the money that would otherwise be sent abroad? Every dollar's worth of goods made in this country adds that much to our national wealth. It adds the same amount to the wealth of the men who produce them. If we had all our idle men employed, just think what an enormous amount of wealth would be added annually to our country. The amount of money sent abroad, if kept here and paid to our own workmen, would increase the wealth of the country to that extent every year. It would also increase the individual wealth of the men who would do the work. The beauty of that increase, Pete, is that it is among the poor. It increases their wealth, and that is the only way I know to increase the wealth of the poor. If you could increase the value of the property of the nation it would only benefit the property owners, and especially the rich; and the poor would get very little advantage from such increase. A law which will give the poor work, though, is especially beneficial to them and adds almost exclusively to their wealth.

CONVICT LABOR.

"Pete, are we out of employment because there is no work?" asked Poor.

"I think so," said Pete.

"Well," said Poor, "let us see if that is correct. There were in 1890 64,349 convict laborers at work in the penitentiaries of the United States manufacturing salable articles. Do you know what that means? The United States Commissioner of Labor, in his second annual report, in 1886, quotes a report of a commission to the legislature of New Jersey on convict labor. 'Every convict,' says that report, 'who makes any salable article does work that a free laborer might do, and therefore competes with the latter.' If every one of those 64,349 convicts does work that a free American might do they make work for just that many less free workmen. There are now about 70,000 convicts at work. If they were all stopped it would make a demand at once for about that number of free workmen. It does not seem right that one who has committed an offense and been put in the penitentiary should be so worked as to deprive a law-abiding man of his means of livelihood. Shut off the competition of convict labor, and there will be work for about 70,000 more free workmen. That would be beneficial, would it not, Pete?"

"Yes," said Pete, "but that would not supply the demand for work at the present time. It would be a good idea, though, to not permit convicts to do any work free labor would get were it not done by the convicts. I most heartily agree with you on convict labor."

THE IMPORTED PAUPER.

"There are tens of thousands of foreign pauper laborers coming to our shores yearly," said Poor. "They seek work in our mills and factories. They take work from that many Americans. Now, Pete, would it be beneficial or detrimental to the American wage earners to have all the work, and stop this constant drain from other countries? If it were stopped, would it make more or less work for our own workmen? If it would make more work it would be beneficial, would it not? If beneficial, why not make an effort to restrict immigration?"

"If we could abolish convict labor," said Pete, "and prohibit foreign pauper immigration, it would give quite an impetus to labor. It would cause an increase in wages, and give to at least a million people additional necessities of life."

IMPORTED GOODS.

"Yes; but hold on; I am not through yet," interposed Poor. "You will agree with me that every dollar's worth of work that can be done by the home workmen should be given to them. The people of the United States require about 6,000,000 wage earners to do their work; that is, make the manufactures, work the mines, build the houses, repair the machinery, and do all the work hired done. There are just about that number of wage earners in the country. Now, if we let 70,000 convicts do such work, and there are tens of thousands of foreign paupers coming here annually, in a few years there would be hundreds of thousands of American workmen in idleness and their families in want. It must always be remembered that every man has about three depending upon him for a living. One hundred thousand idle men means 400,000 people living without the necessities of life which our higher civilization demands. However important the questions of convict labor and foreign immigration may be, they fade into insignificance when compared to a more stupendous wrong which our people are now suffering."

Pete here unconsciously opened his mouth and gazed at Poor as though he were unfolding to him all the wisdom of the universe. Poor noticed how interested Pete had become and was rather amused at the expression on his face. He did not allow that to interrupt him, however, but went on:

"We are employing, to supply the demand of the United States, over a million foreigners who never saw the sun rise on American soil, who never saw America, who never pay one cent of tax to support the Government, and who spend their money for Indian and Russian wheat, for South American and Cuban tobacco, and for Australian wool and sheep. We pay them annually for that work more than $600,000,000."

Pete's mouth opened wider and his eyes seemed larger as Poor said this.

"Yes," said Poor, "we bring into this country annually work done by foreigners amounting to about $600,000,000, and yet there seems to be no concerted action on the part of the labor organizations to check it. The labor organizations will meet and resolute against convict labor, which involves the work of 70,000 men, and will pass unnoticed the importation of foreign labor of more than 1,000,000 men. Every foreigner who makes any salable article for our market which could be made by us takes just that much work from our own wage earners.

"Just think of it! A million foreigners employed by the American people! A million American workmen turned out of employment and their families tasting all the bitter experiences of poverty and the degradation of pauperism and tramping! When these poor wretches cry for relief resolutions are passed condemning convict labor and censuring the money power. Now, what we want is something practical. We want to take some concerted action in our own interest, prevent this large importation of foreign labor, make a demand for our work, put a million of idle men at work, and we will have a labor power controlling the affairs of our nation, and that much-discussed 'money power' will be unknown. When there is plenty of work to do we can dictate terms; when millions of us are idle we have to take such terms as are offered."

"Poor," said Pete, "I have heard a great many tell how to solve our present difficulties, but never before heard anyone suggest a remedy so practical and at the same time so easily secured."

"There is to be a meeting to-night at the Grand Opera House," said Poor, "for the purpose of considering this very question. I hope you will be present."

After bidding Pete good day Poor went home.

THE LECTURE.

The Grand Opera House was filled when the meeting was called to order at 8 o'clock. Several thousand people were present, anxious to advance, if possible, the cause of the working people. Nothing stirs up greater enthusiasm than a discussion designed for the betterment of humanity in general and the poor in particular. This meeting was not a gathering of partisans to discuss party issues, but was a gathering of citizens, regardless of party, to discuss questions calculated to elevate the masses.

After the proper organization of the meeting the chairman introduced Poor as the speaker, who said:

"Mr. Chairman and fellow-workmen: This is my first attempt to talk in public. I do not claim to be an orator, but shall endeavor to say a few words to the point, and try to stir the working people to greater activity in their own interest.

OUT OF EMPLOYMENT.

"Here we are to-night without employment, hunting work, families in need, children out of school growing up in ignorance, and we are doing without all the luxuries and many of the necessities of life. Some of our fellow-workmen and their families are actually at the point of starvation.

"'No work,' did I hear some one say? Is that the reason we are idle? Is that the reason we are here seeking relief? No, that is not the reason. As I was saying this afternoon to my friend, Pete Sail, who I am pleased to see is present, the American people sent to foreign laborers for work over $600,000,000 last year. We had during that year over 1,000,000 foreigners working for us. Now I need a suit of clothes. I must have it, too. I can not make it, so I will have to buy it. If I buy it here I give that much money to the workingmen. If I buy a suit made in Europe I deprive the American workmen of just that amount of work and money necessary to produce it on this side of the Atlantic. Yet that is just what we did last year and are doing this. Why do we do it? Why were 1,000,000 foreigners working for

the United States last year? Why did we send them over $600,000,000 for work? Why are we doing the same thing at the present time? If all the people of this nation had all the work they could do it would be all right; or if they could not do that kind of work, then there would be nothing wrong in sending out of the country to have it done. Were all of our workingmen employed the whole of the year? Were there no Americans who wanted the work? Were there no idle men in the country? If idle, why idle? It was not because there was no work to do, was it? No, that could not be, for at the very time you were idle we were employing this horde of foreign vandals. Why, then, were we employing them when we needed work so badly ourselves? There is but one answer, and that is incontrovertible; it is because the foreigners worked cheaper than the Americans would. There are some Americans who are so unpatriotic, care so little for their fellowmen, worship their money to such an extent they will let our own people suffer and send their money to Europe for the products of labor because it will buy a little more there than here. We must either work as cheaply as the workmen of other countries do, and sell the products of our labor as cheaply as they do, or we must prevent them from selling their labor and its products in our market. I want, in this connection, to ask you wage earners this question: If there were American workmen who were unemployed, and whose families were in need, would it not have been far better to have had them at work and receiving this money that was leaving the country, even though the purchaser would have paid a little more for the products of their labor than he would have had to pay for the products of the labor across the water? Would it not have been just and right to have given them that work at fair wages? [A voice, 'Of course it would!'] My friends, would it not have been to the interest of every wage earner in the country? [A chorus of voices shouted, 'Yes!']

AN ORGANIZATION.

"How many wage earners are there present who will agree to buy nothing made by foreign workmen if it could be made by our own labor? And who will agree to patronize no merchant who buys foreign-made goods that could be made at home? And who will agree to join an organization to prevent the importation of any products of foreign labor to sell in competition with the labor of our own people?"

"We will all agree to that," said a voice.

"I want to see if you will," said Poor. "All of you who are in favor of such an organization please rise to your feet." Every man in the house rose to his feet except Professor W———. "You may be seated," said Poor.

THE BUSINESS MAN'S WAY.

"The reason I am so in earnest," continued Poor, "is that public opinion and local custom are not strongly in favor of the rights of the poor workingman. You notice the business and professional men of any town. They do not like for the people of that town to go to some other place to trade or to procure professional services. One of you wage earners go to a neighboring city and buy some goods because they are cheaper than they are at your home town, and hear how your merchant will censure you and how public opinion will condemn you for not patronizing your home merchants. Then notice the merchants of your town when they buy a stock of goods. Instead of buying goods made by the workingmen of their own town, or even of the United States, they will buy goods made by workingmen in England. They will permit the American and home wage earners to starve. What, then, will public opinion say of the merchants? Will it censure and condemn them for buying the work of Europeans rather than Americans? No; it will commend them for their enterprise in so doing, and the citizens of the town will even encourage them by buying the foreign-made goods.

"Suppose one of you laborers should go to your town merchant and say, 'Mr. Merchant, we can buy everything a great deal cheaper in a neighboring town than we can from you. It would be to your interest for us to go to that town to trade and not buy anything you have for sale.' What would the merchant say to you for presuming him to be such an ignoramus? He would ask you if you took him to be a lunatic or a fool, and would probably apply the toe of his shoe to the seat of your pants by way of emphasis. When that merchant or anybody else tells you workingmen how you would be benefited by letting into this country the products of foreign labor, I know of no better argument for you to use on such persons than the toe of your shoe applied to the seats of their pants with neatness and dispatch.

THE ARGUMENT.

"Persons who will maintain such a preposterous proposition must be beyond the reach of reason and argument.

THE REMEDY.

"'What are we going to do about it,' did I hear you say?" continued Poor. "I will ask you if you want the work? That is the first thing to be determined. If you do not want it for yourself, do you want it for your fellow-men? If you do, it can be very easily secured. Let us form this organization I have mentioned, and work for the levying of a duty on all articles which we can manufacture sufficiently to supply the demand. Let us make that duty high enough to prevent the importation of any such products."

Professor W———, the noted orator, politician, and free-trade advocate, here rose and said: "Mr. Speaker, I would like to ask a question."

"Go ahead," said Poor.

"In what way," said the Professor, "and on what articles would you levy that duty?"

"I would levy it," said Poor, "upon such articles as can be made at home, and would let in free those articles we can not produce."

"Why would it not be better," queried W———, "to reverse that, and let in free of duty those things we can make and put the duty on those we can not?"

THE TWO PRINCIPLES.

"Your question," replied Poor, "involves a discussion of the underlying principles of levying duties on imports. I will show you what effect these two modes of levying duties would have upon the country, and will let these workingmen before me decide which mode they prefer. Tea, coffee, and other articles we can not produce you, Professor W———, would levy a duty upon. That would increase their cost to the consumer, to these workingmen, to the extent of that duty. They would have to pay it if they bought any of those imported goods. That would add to their burdens and increase the price of those necessities of life to the extent of the duty placed upon them. What compensation do you offer, then, for this additional hardship? After you have increased the price of these necessities, what do you do with the products of our labor? Do you make provision so that we may sell the products of our labor at an advance equal to the increased price of those things we have to buy? No, you do the reverse. The things our workingmen can make you let in free. You do this so they can not charge any more for them than the Englishman would sell them for. You say to them, 'We want work done, and unless you will do it as cheaply as the foreigner we will let the foreigner have the contract.' That means a reduction of about half in wages. In other words, you increase the price from about 40 to 60 per cent on all our workmen have to buy, and at the same time decrease the price of what they have to sell about 50 per cent. Then you ask me why the duty should not be levied in that way." [Applause.]

THE RIGHT WAY.

Poor was interrupted by the shuffling of feet and a low talking near the door. He stopped speaking, and looking in the direction of the noise observed Hon. Grover Fogg pressing forward through the dense crowd toward the speaker. When Fogg got near the speaker, some one, recognizing the important individual, got up and gave him a seat. Order being restored, Poor proceeded: "Here is the way I would levy the duty. You workingmen are entitled to all the work you can do. I would put a duty on such work so high that no foreigner could deprive you of a dollar's worth of it. [Applause.] I would make it so high that English workmen could not regulate your wages. After giving to you all this work I would let in free of duty all articles you had to buy. The trouble with your plan, Professor W———, is that it reduces the income of the wage earners about half, and at the same time doubles their burdens. You take the money from the very class of people who can least afford to lose it, and decrease those incomes which affect most adversely the interest and prosperity of the country. It is like taking blood from the human heart. It is taken from the most vital and dangerous place.

THREE OBJECTIONS.

"Your plan, briefly stated, has three very objectionable features." continued Poor.

"First. It would allow hundreds of millions of dollars to be taken directly from our wage earners and paid to the wage earners of other lands for the products of their labor.

"Second. It would only allow our workmen to charge for the work left for them English prices, which would be about half their present wages.

"Third. After taking hundreds of millions of dollars' worth of work from them and reducing their pay half for the remaining work you would add an increased burden by increasing the prices of the articles they can not produce."

PROFITS OF CAPITAL.

"Would not your plan enable the manufacturers to make large profits?" interrupted the Professor, feeling greatly encouraged by the appearance of his chief, Grover Fogg.

The profits of manufacturers was one of W———'s hobbies, and he thought if he could draw Poor out on that line of argument he would be able to get the better of the discussion. Professor W——— is a man of a good deal of conceit anyway, and just required such a man as Poor to let some of it out of him. After

W——— took his seat Poor looked at him and said: "Suppose the manufacturers do make profits I have no objection to that. We should not be deprived of our work and our means of support, and our families pauperized because some one else would make a profit out of our employment. We would prefer to have the American rather than the English capitalists make the profits anyway. Then, the profits of our manufacturers are not as great as their enemies would have people believe. Money is always seeking paying investments. There is plenty of idle capital in the country and plenty of money to loan at 3 and 4 per cent per annum. If there are such large profits in manufacturing, why do not some of these men who make it a rule to condemn all manufacturers put some of their wealth into factories, reduce the price of goods, and become public benefactors? Why do people loan millions of money at such low rates of interest if there is such a bonanza in manufacturing? Profits are no higher in this country than in England, and no higher in protected than in unprotected industries."

The Professor's face turned red and he appeared to be restless. Poor, looking at W———, continued: "Professor, reason is against your position. Some people, though, will not take reason for anything, so I will give you some authority. The first witness I will call to answer your question will be the Hon. William E. Gladstone, of England. In the North American Review for January, 1890, he said: 'No adversary will, I think, venture upon answering this by saying that the profits are larger in protected than in unprotected industries; first, because the best opinions seem to testify that in your protected trades profits are hard pressed by wages—a state of things very likely to occur, because protection, resting on artificial stimulants, tends to disturb and banish all natural adjustment.' Mr. Gladstone further says: 'As result of increased wages in the United States your shipbuilders do a small trade with a large capital instead of doing, as before, a large trade with a relatively small capital.' You will notice Mr. Gladstone admits that wages in protected industries are up pretty well to the selling price of the manufactured article, and leave little to the manufacturer for profits. He argues against a high duty because it increases wages, and a person can not do as much business—that is, buy as much work with a given amount of money—as he could formerly under a low duty. In other words, muscle, bone, blood, and manhood have increased in price until it requires a large amount of money to do a small business. This he complains of.

"Another witness I desire to call is the statistics of the United States, which show that 73 cotton manufactories in the States of Maine, New York, and Massachusetts have been paying dividends of not to exceed 3.69 per cent per annum on the amount actually invested. The factories in other lines have made no greater profits. In fact, there are perhaps 50,000 idle factories in the United States to-day. Is it to be supposed that these factories would be idle if they could be making profits? These thousands of silent factories tell a story about profits which needs no comment."

ENGLISH AND AMERICAN WAGES.

"I maintain," said Professor W———, "that wages are not higher in the United States than in England. It may be that our workingmen make more money during the year than the English do, but it is because they work faster and are paid by the piece. The Englishmen get as much per piece as the Americans do, do they not, Mr. Speaker?"

"This," said Poor, "is the stock argument of persons maintaining your side of this question. I want to show you the falsity of it, so you will never repeat it. It is one of the most ingenious arguments you produce; yet it is no argument. It is simply an assertion. Can the American blacksmith or carpenter do more work than the Englishmen following either of these trades? The English carpenter gets $7.50 per week, the American $15. Can the American engineer, who gets $21 per week, run his engine faster than the Englishman, who gets $10? Can the American laborer, who gets $8 per week, do more work than the Englishman, who gets $4.10? These prices show the relative amount paid for wages in these two countries. The difference indicated in the wages mentioned is maintained through all occupations.

THE SENATE REPORT.

"Perhaps the highest authority in the world on this question," continued Poor, "is the report of a committee of the United States Senate. That committee was composed of persons entertaining different views on the question, and had to assist it some of the ablest statisticians in the world. After a thorough investigation the committee came to the unanimous conclusion that wages in the United States are 77 per cent higher than in England. That is higher authority than your assertion, Mr. W———."

W——— dropped his head and seemed to be in deep meditation.

Poor continued: "But you may not be satisfied yet, Professor, so I will show you conclusively that wages are higher here than abroad.

IMPORTED WAGES.

"We import yearly," said Poor, "several hundred million dollars' worth of foreign work, pay the cost of transporting it from Europe to America, pay from 40 to 60 per cent duty, and yet get it as cheaply as the American workmen will sell their products. Now, if labor is not cheaper in England, how do they pay all this cost to get into our market and still undersell our products?

GLADSTONE SAYS.

"It seems to me," continued Poor, "that I have presented sufficient argument to convince anyone that our wages are higher than the English wages. I desire, though, to put Mr. Gladstone after you again, Professor. He says, 'The American rate of wages is higher than ours, I concede.' Can you, in the face of all this authority, have any doubt which country has the higher rate of wages? I put all this proof against your bare assertion."

Professor W——— did not look up, but continued to gaze on the floor and seemed to long for a hole through which he could drop out of Poor's sight.

GROVER FOGG RISES.

Fogg—the impulsive, self-important, and petulant Fogg—rose to his feet and attempted to assist his bosom friend W——— out of the difficulty he had gotten himself into. Fogg is a lawyer by profession and belongs to that class known as "bulldozers." As long as everything goes Fogg's way he is all right, but is very easy to become discouraged and is likely to leave his friends or clients in the thickest of the battle. He is not much on the fight himself; he prefers a substitute. He never loses an opportunity, though, to inflict his own opinion upon those present. This probably accounts for his great reputation of being such a shrewd man. When Fogg rose perfect silence prevailed throughout the hall. Poor's friends wondered if he could hold his own with Fogg. After standing a few seconds and looking around over the audience, to make sure they all saw him, Fogg said: "May I answer a question you asked a while ago?"

"You have my permission," said Poor.

"You asked this question," said Fogg. "'If we levy a duty upon imported articles we can not produce, and thereby increase the price of them, in what way would we compensate the laboring man for this great burden?' That question was not answered by anyone, and I desire to answer it now. Our workingmen would be fully compensated by giving them all the American products for about half the present prices. That is all the compensation any reasonable man should ask." Fogg looked around at the crowd, walled his eyes up, run his fingers through his long bushy hair, and sat down.

Jim Giles, who sat near him, became so amused at Fogg's actions that he laughed right out.

"That is your answer, is it?" said Poor, smiling.

"Yes, sir," responded Fogg.

A BOON OFFERED.

"That," continued Poor, "is great encouragement. It is indeed a great boon to offer these men the products of their own labor for half the present prices. You, Mr. Fogg, do not understand what these plain workingmen want. They do not want to be pauperized, nor do they want to give the products of their labor away, nor do they want the price of them decreased one-half, or any other amount. You offer them the same thing Professor W——— did. That is, increase the prices of the necessities of life they have to buy and decrease the price of what they have for sale. I guess, Mr. Fogg, your plan is not acceptable to them." [Cries of "No!" "No!"]

Fogg's sensitive, impulsive nature could not very well stand such an outburst of disapproval. He took it as a personal insult to his royal highness, and, taking his hat in his hand, started toward the door. The crowd, though, was so dense he could not get out, so he sat down again.

THEY AGREE ONCE.

"Mr. Poor," said W———, who now felt still more encouraged since Fogg had entered the arena to assist him, "I am opposed to letting foreign paupers or any other foreign workmen come to this country. I am a friend to these working people, and, as I view it, to prohibit foreign immigration is the only way we can give them immediate relief."

"Now," said Poor, "I am real glad you go so far in my direction. But why do you favor keeping out foreign paupers?"

"So as to give the work to our own people," replied Mr. W———, in a somewhat more confident tone.

"A good idea," said Poor. "Now, W———, if a foreigner comes here and works, is he or his labor detrimental to our wage earners?"

"It is his labor, of course," replied W———.

"Then, if they come here," said Poor, "and do not work they will not throw anyone out of employment, will they?"

"No," said the Professor, hesitatingly.

"Suppose again, Mr. W———," continued Poor, "that the products of foreign labor be sold in our market. Before you could

say whether that labor was detrimental to our wage earners you would have to investigate and learn where the work was done. [Great laughter and applause.] If you should find that the foreigners did the work in New York or Chicago it would be a national calamity, but if they worked in England and sent their labor over here in the form of finished products it would be a national blessing. As for my part, Mr. W——, I think the foreigner who works and sells the products of his labor in our market brings as much destitution to our people when he works in London as when he works in New York, and as much when he works in Paris as when he works in Chicago. It makes no difference where the man is, it is the products of his labor we are opposed to having in our country; and it is the products of his labor we desire to keep out. See the fallacy of your position! If a million foreign workmen were on their way to America, you will concede that if landed they would take work from that many of our own people, and spread destitution and financial ruin throughout our land. That same number of men are at work every day across the ocean and selling the products of their labor in our market. You pay no attention to that. You are unconcerned about a million foreigners working for us in other lands, and then express great anxiety about the few thousand who come over here.

"But why, I say, are you in favor of keeping out pauper laborers? If we should import, say, 3,000,000 paupers from European nations who would work for less than half the wages our workmen get, it would make everything cheaper, would it not? That is what you say would be a blessing to the country—cheaper goods. If cheaper goods are so desirable, why not offer an inducement for foreigners to come over here and work? It would be just as detrimental to our working people to have manufactures cheapened by importing foreign goods as it would to import the foreigners and let them make the goods here."

Professor W—— saw that Poor had shown his inconsistent position in advocating restricted immigration, and at the same time letting in unrestricted the labor of foreign workmen. He was very anxious to change the subject.

THE MANUFACTURERS IMPORT PAUPERS.

"Mr. Poor," said W——, rising to his feet and appearing more nervous than before, "do you not know it to be a fact that these manufacturers you are upholding import English laborers to displace our own workmen in their mills and factories?"

"Do you know it?" asked Poor.

"Yes, sir, I do," said Professor W——, emphatically, and at the same time striking the table with his fist.

"Mr. W——," said Poor, "you have now admitted what you awhile ago denied." W—— here dropped his head again as if looking to the floor for some inspiration.

Poor went right on: "You said labor is no cheaper in England than in the United States. You now say these manufacturers import English laborers. That admits that they can get English laborers cheaper, or they would not import them. It also admits that they are not only cheaper per day but cheaper per piece, or else why would the manufacturers want them? Your intimation that I am working in the interest of the manufacturers is not well founded. It is, in fact, not true, except in so far as our interests are identical. The organization I suggest is to prevent these manufacturers from importing cheap laborers and to keep such persons as you from importing the products of cheap labor. I am working for the elevation of the workingmen and for bettering their condition. The fact that my plan would benefit others than wage earners is all the stronger argument in its favor. I have nothing but contempt for these little fellows who go around condemning prosperity, thrift, and the powers of acquisition. I like to see everyone prospering. The fact that some are becoming rich is an encouragement for others to try. Abraham Lincoln, in 1864, said: 'That some may be rich shows that others may become rich, and hence is just encouragement to industry and enterprise. Let him not who is houseless pull down the house of another, but let him labor diligently and build one for himself, thus by example assuring that his own shall be safe from violence when built.'"

Poor here stated that he would now proceed to organize a club for the protection of the working people. The object of the club was briefly stated in the paper which he asked them to sign. It was as follows:

"We, the undersigned, agree to work for the interest of American labor and American industries in the following ways:

"First. We will buy no goods made in foreign lands if they could be made in America.

"Second. We will patronize no merchant who handles foreign-made goods that could be made by our own people.

"Third. We will vote for no man for office who is not in favor of preventing pauper immigration, and who is not in favor of prohibiting the importation of all products of foreign labor which would compete with the products of American labor."

After Poor read this to the audience he asked all who were in favor of organizing a club on these principles to come forward and sign the paper, thereby enrolling themselves as members. The crowd rushed forward to sign the paper and shake Poor's hand. Every person present except W—— and Fogg signed the paper. The meeting then adjourned. All who heard the lecture pronounced it one of the most practical talks they ever listened to.

When Jones stopped reading there was a very marked sensation among his auditors.

As he sat down Vance rose to his feet and said: "Friends and neighbors, I came here to-night to learn things, not to listen, and while listening, keep thinking up things to answer with. Mr. Jones has thrown a vivid light on some things which I never saw plainly before. He has not got quite through with the statement. I notice there are a few more pages, and if you people will not mind I will read them to you myself."

Old Squire Brown rose and said: "I am glad to hear such frank remarks from neighbor Vance. Sometimes those who hold different ideas will not listen to reason or be convinced. He shows an earnest desire to get at the underlying basic principles. If all our friends will be equally frank and sincere, this campaign will settle for once and all for this generation what we need to have done. Go ahead, Mr. Vance."

UNITED ACTION NEEDED.

This is what Vance read:

"POOR. Each individual interest would be injured if not ruined by free trade. And you go over the country advising the people to strike down each other's industry. You advise the stockmen to destroy the fruit business, the tobacco raisers to destroy the stock business, and the stockmen to destroy the tobacco industry. You go to the agriculturists, as a class, and advise them to destroy the manufacturing industries and reduce the wages of the laboring men. You then go to the nonproducers, the capitalists and moneyed men, the manufacturers and wage earners, and explain to them how much cheaper they could get their food products by removing the duty and letting them in free. You incite the farmers against the wage earners and try to get one to strike down the income and profits of the other. You are always trying to pick a quarrel, and are continually stirring up strife among the various industries of the country. Then you go around to each one separately and pretend to be his friend, and want him to help you tear down everybody else. 'Oh, ye backbiter!' Why do you not be magnanimous and respect the efforts and enterprise of the toiling millions? Why do you not say to the people engaged in each industry that they must do nothing to lessen the profits of their fellow-workmen in other industries? Upon the success of others depends your success. It is only by the producers standing together as a body that they can hold their own against the greed and avarice of the times.

"The man who will advise one part of the producers to work against another part is not only an enemy to the producing element of our country but an enemy to the moral, intellectual, and financial advancement which should characterize this people.

WHEN WAGE EARNERS CAN BUY.

"The wage earners, with their families," continued Poor, "constitute about one-third of our population. They consume about one-third of the farm products. Now, if you reduce their income one-half they would only have half as much money to spend for farm produce. They must then do one of two things; they must buy farm produce cheaper, or they must buy only half as much as heretofore. They can not well live on half as much as they have been accustomed to, but would be compelled to do so unless they could buy it cheaper. Should the farmers refuse to reduce the price of their produce, it would entail hardships and suffering upon the wage earners and their families, which I am sure you do not want to see. The wage earners consume about one-half what the farmers sell. If their incomes are decreased to such an extent that they can buy only half as much farm produce as formerly the farmers would have a large surplus of such products left on their hands. What would the farmers do with that surplus? The wealthy class buy all they need at present, and would buy no more if the farmers had ever so large a surplus. The foreign markets are fully supplied and they could find no market there. Then, on the other hand, if you should sell the wage earners your farm products 50 per cent cheaper than you have been selling them, you would have to sell the wealthy class their part at the same price. Every reduction in wages, you see, must be followed by a corresponding reduction in the price of farm produce.

"Let me illustrate to you how that works. Suppose A, B, and C to be a manufacturer, stockman, and farmer, respectively. B has 10,000 sheep from which he gets 50,000 pounds of wool which he sells A at 20 cents per pound, or $10,000 for all. The increase of the flock we will suppose is worth $20,000 annually, making his total annual income $30,000. Then, to feed his flock will require 10 bushels of corn per head, or 100,000 bushels annually.

C has 2,500 acres of land from which he raises 100,000 bushels of corn. He sells this to B at 20 cents a bushel, or $25,000. C employs 65 laborers on his farm, paying them annually $350 each, or $22,850 to all. Now, we will suppose the manufacturer can buy Australian wool at 10 cents per pound. B must sell his at that price. Then, instead of getting $10,000 for his wool he will only get $5,000. Since wool has depreciated 50 per cent sheep must have depreciated the same. B's income will be reduced to $15,000 instead of $30,000, and he can therefore pay only half as much for corn. The farmer can only get 12½ cents for corn, which would make his annual income $12,500 instead of $25,000. The farmer could not afford to pay the laborers more than half as much as formerly, so their income would be reduced from $22,850 to $11,425. Whenever you reduce the income of any class of people the blight is carried to all business enterprises, and they all share equally in the loss.

WHAT ARE RAW MATERIALS?

"Raw materials," said Poor, "is an indefinite expression. There is very little raw material, in one sense of the term. In fact, nothing is absolutely raw material except the mineral and ore lying in the ground untouched and those things which have not been enhanced in value by labor. Cotton is the finished product of the farm and the raw material of the manufacturer. Cloth is the finished product of the factory and the raw material of the tailor shops. As the term is generally used, I think I understand your meaning. I believe it is generally understood to include all products in the condition to be taken to the factory for fabrication or completion into a useful commodity. With that understanding of the meaning of raw materials, I will say that to admit them free would have the same effect as admitting all articles free. You have heard it said that free raw materials would give more work to our workingmen. If the raw materials were brought in from other countries, the labor of producing them, at least, would be taken from our laborers. Our manufacturers in 1890 used over $5,000,000,000 worth of materials. The factories turned out over $9,000,000,000 worth of finished products. Over half of the cost of our manufactures, then, is for raw materials. These raw materials represent labor, and our workingmen get more for the raw materials than they do for making those materials into the finished products. It requires more men to produce them, too, than it does to make the materials and make the manufactured article. To take the production of raw materials from our people would work a greater injury to labor and affect adversely more people than it would to take from them the fabrication of those materials into the finished articles. The men who are at work producing them are just as deserving of protection as any other part of the people. If you throw out of employment the millions engaged in producing raw materials, they will seek the factories for employment, which will bring about a deficiency of work and a surplus of workers. This would reduce all wages. You can not throw out of employment a large body of wage earners nor reduce their wages without affecting all wage earners adversely. Wages seek a level as naturally as water. You had just as well try to lower the water in one-half of Lake Michigan without lowering it in the other half as to try to lower the wages of one-half of the wage earners without lowering the wages of all, or to try to lessen the income of a large part of the producers without lessening the income of all producers correspondingly.

CUT THINGS IN TWO.

"If you can succeed in persuading the farmers to cut wages in two you can then very easily persuade the wage earners to cut the price of farm products in two. The free trader would stand back and witness such a slaughter no doubt with a feeling of gratification and pleasure.

"Then, again, what would be gained by free raw materials? After paying the money for producing them to peoples of other countries what would we gain and what compensation could we offer to the wage earners of our own country? It is claimed that free raw material would enable us to sell our manufactures in other countries. How it would help us in that direction is one of the unsolved mysteries. It is one of the absurdities peculiar to a free-trade discussion. Suppose, for instance, that we let raw materials in free and our manufacturers can buy them as cheap as the English manufacturer can. Our manufacturer buys some raw material. An English manufacturer buys the same amount. Each buys in the open markets of the world and pays exactly the same price. The Englishman makes of his material a certain kind of manufactures and pays for labor, say, $100,000. The American manufacturer makes exactly the same kind of commodities the Englishman made and pays for labor $177,000. Now, the American commodities have cost $77,000 more than the English commodities. The question that has always puzzled me is how the American manufacturer can send his goods to England or anywhere in the markets of the world and undersell the English manufacturer whose articles cost so much less for labor. This, I say, is one of the unsolved mysteries. There is only one way for our manufacturers to go into the markets of the world and sell their wares and merchandise. That is for them to pay less for labor than the manufacturers of the rest of the world pay. If you workingmen are anxious for your labor to sell in competition with other labor, reduce your wages about 60 per cent and try the experiment awhile to see if you like it. If you do not like it, increase your wages and sell your labor in the American market, and have a law to prevent foreign laborers from underselling you at your own home. See that your own wages are not reduced, and then see that all other laborers are employed at good wages. Then there would be no one to take your place. See that all producers are making profits, then observe the dollars now going abroad turning into the pockets of the needy. See the activity in every branch of business! See the quick, elastic step of our people supplanting the drowsiness and laggard movements of the present! See all the men at work, business revived as never before, money carrying its loads of blessings into every home in the land, making happy hearts and cheerful faces, and showing its favor to the poor and needy instead of the rich and opulent!

QUESTIONS AND ANSWERS.

"Previous to 1873 we had the free and unlimited coinage of gold and silver at the ratio of 16 to 1, did we not?"

"Yes."

"In that last year, 1873, silver was worth 2 cents more on the dollar than gold?"

"That is what it was."

"Why did not the free coinage of the two metals hold them at a parity then if it would now?"

"Are not Mexico, Russia, and Japan free-silver countries?"

"Yes."

"Is not the gold dollar in Mexico worth twice as much as the silver dollar, and is not the gold ruble of Russia worth 77 cents and the silver ruble worth 37 cents; and the gold yen in Japan worth 99.7 cents, while a silver yen is worth only 50 cents?"

"Those are facts."

"Then why is it that in no free-silver country on the face of the globe do they keep their gold and silver money of the same value, but leave it so speculators can manipulate it at pleasure and feast upon the people like vultures?"

"Give it up as a bad problem."

SILVER AND WAGES IN MEXICO.

Poor picked up the Bulletin of the Bureau of American Republics No. 9, 1891, and read as follows:

"One of the greatest evils (referring to Mexico) at the present time is the existence of a scale of wages which defies all power of reduction, which robs the laborers of all the sense of dignity or feeling of association with the rest of their fellow-citizens, and, having reduced them to a condition of abject abasement, deteriorates to like extent their productive power and the measure of their ability. They are content to regard themselves as a plant, or machinery which moves by extraneous aid only, and has no power of volition, and no desire to exercise it if it had. This is the condition prevailing in silver countries. It has, under the guise of increased wages, been gradually sapping the very energy and manhood out of the poor. Wages have been forced up 20 per cent in the number of dollars received, but in the actual purchasing power they have decreased 40 per cent. The laborer would each day take less of the necessities of life to his little fireside, and the condition of his family gradually became more wretched. Every pay day the dollar received was not quite as valuable as at the previous. The money sharks smiled at the way they were stealing from the families of the poor. They paid their workmen as many or more dollars; therefore the laborer should be thankful for the money received."

"Suppose I should hire you to work for me," continued Poor. "I agree to pay you so much per month. I want to make a large profit out of your labor. I get the Government to assist me in my scheme. The Government puts metal of less value in the dollar each month and cheapens the money. I pay you in the cheapened money the same number of dollars I agreed to. You accept it and are satisfied, because it is the number of dollars you agreed to take. You wonder, though, why your wages do not buy any more. The trouble is I have been robbing you through the guise of law and have been assisted in my nefarious scheme by the Government under which you live and for which you would fight and, if necessary, give your life. That country is robbing you by forcing upon you a depreciated money. Would our great Government be a party to such infamy?

"No," continued Poor, "our great Government would do nothing of the kind. It is founded upon justice and right and seeks to protect the weak from the strong. It says to the rich and wealthy: 'I will regulate the value of the money, and I will see that every dollar is just as valuable as every other dollar; and you shall not, under the guise of philanthropy, rob the poor and reduce their

wages without their knowing it. You shall not pretend to be giving them more when the amount you are giving them is in fact worthless.'"

Vance's reading of Poor's remarks had occupied nearly half an hour, and at its close he seated himself with the air of one who has given his neighbors a deal of valuable information. That this opinion was shared by the audience was evidenced by the hearty vote of thanks which was extended to him, to Mr. Jones for bringing the paper, and to their far-away fellow-workman and producer, whose words had come to them that night with the conviction which plain, substantial facts, told in a matter-of-fact way, always bring to the practical mind.

Just before the meeting broke up Vance said (and it is to be hoped that all others of his manner of thinking will give the subject the same careful, painstaking study which he has given it, and that at least a large portion of them may see their way clear to reach a similar conclusion):

Mr. VANCE. I have been on the Populist band wagon for some five years. This is a selfish world, and up to a certain point we are all governed directly by motives of personal expediency. When war comes we have patriotic fervor and impulses, and of course we would all fight and spend our money freely for the maintenance of our common country. But so long as the country is not in immediate danger our acts and votes and our opinions are likely to be shaded in a great degree by what we fancy will be of personal benefit to us.

I owe $1,000 balance of purchase money on my farm—I have been owing it for fifteen years. I had got the idea that the $1,000 balance which was going to Widow Smith, from whom I purchased the place, was worth a good deal more now than when I made the purchase. All that sort of argument has been fully disproven by what we learned during our three evenings, and to-night's experience has simply clinched that opinion.

We have discussed the alleged crime of 1873, and shown fully that it was a plain business proposition, which was fully discussed through five years of Congress and given entire publicity, and accepted as a matter of course as the then present condition, and as not subject to criticism.

In concluding I wish to say to my neighbors, and through them to all others, that whatever is right and just ought to prevail. We are a great nation, and to the peoples beyond the seas our civilization and civil liberty are a beacon, a watchword, and an inspiration to the toiling masses everywhere. Understanding this condition and appreciating our responsibility not only to ourselves but to all mankind, we must place the flag of our country and the honor and credit of our nation at the top of the mast and maintain American liberty, American labor, and American honor untarnished.

Our laws afford the widest liberty and the greatest opportunity for honest toil. We must see to it that our labor and our products are protected, and at the same time we must firmly resolve to steadfastly maintain that the dollar of the workingman, the dollar of the farmer, the dollar of the merchant, and the dollar which comes into the pockets of every man, woman, and child in all this mighty country is as good as the best—and good as the best not only for to-day, but for to-day one year, and five years; that it shall not be subject to discount, but that it shall pass current in every mart and for every purchase and for every payment wherever our flag may wave.

There was loud and hearty applause when Vance, after making what was for him a very long speech, took his seat. For a moment each one was busy talking with his immediate neighbor, approving the general trend of Vance's remarks. A few rose to go; but at that moment they noticed the stocky, sturdy, well-built form of Burns moving toward the area in front of the rostrum, and evidently full of some remarks which he wished to deliver. In a moment he began nervously fingering his hatband and explaining that he was more used to handling tools than pens, and more used to exercising the muscles of his arms and legs than his vocal organs. The following, in substance, is what he said:

Mr. BURNS. I have been studying this whole problem for some months, and have looked at it from the standpoint of the man whose capital resides in the muscles of his arms and legs and back, in a good eyesight, in a reasonably clear head, and in the employment of all these adjutants in making for himself, in any branch of industry, a fair day's work. I feel that I can speak, not only for myself, but for all those who work by the day or the month or the year and whose capital is impaired when we are sick and whose interest ceases to run the day we are out of work. President Lincoln said once that you can fool all the people part of the time and a part of the people all of the time, but that you could not fool all the people all the time.

You remember back in the seventies that we had a greenback craze, and good men went wrong trying to make fiat money enrich everybody—trying, in fact, to hoist themselves over the fence by tugging at their boot straps. Some very good men went off on this greenback craze, but most of them who had plenty of gray matter sooner or later came back. I remember that all of the Democrats egged on the greenback proposition. They pointed it out to the workingmen as a sure way to universal wealth. But greenbackism is dead, dead as a coffin nail. The only trouble, however, is that from its ashes springs up another theory equally pestilent, equally harmful to all the people. From the ashes of greenbackism sprung the Democratic project of free trade in 1892 that was to make everything cheap to the laboring man and bring about the millennium. In 1896 we see the same old enemy—the devil with a different suit of clothes on, his horns covered up, his tail rolled carefully under his coat, and a new quadrennial smile on his face—blandly assuring the workingmen who stand idle with empty dinner pails before closed factories that it is all a mistake; that it was not free trade that did it; and that if it was he now has a new and improved and certain sure cure for this campaign—that is, free silver. I think if we are hoodwinked again we would deserve a modification of that famous remark of Lincoln's. We were fooled in 1892. It is well for us to resolutely set our faces against being fooled again in 1896.

The Democratic party seems to me to assume the guise of that scriptural wicked individual. He clamored for free trade four years ago. Now he points eagerly toward free and unlimited coinage of silver at the ratio of 16 to 1. Possibly four years hence he may come up again smiling and demand a free and untrammeled entrance into his own dominions.

Coin Redemption Fund.

An Honest Dollar Needs no Apology.

REMARKS

OF

HON. DAVID H. MERCER,

OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 13, 1896,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. MERCER said:

Mr. SPEAKER: I am opposed to the Senate substitute. So is the country. The eternal, never-ending discussion and agitation of the free coinage of silver question in the American Congress at this time is full of damage to our industries and to our growth. It gives unrest in business circles and makes our credit a football in the marts of the world. How many times must the Senate pass a 16 to 1 proposition before realizing that the country is fully informed as to its opinion on that subject? Unless its zeal in this respect is soon abated, I fear every motion to adjourn will be coupled with a free-coinage amendment. It is talk, talk, talk, and the money thereby wasted would feed and clothe a million. If, instead, it would act, act, act, there would be less demand for an election of Senators by the people. Nothing can be accomplished for free coinage of silver this Congress; then why agitate the question?

The great conventions will soon assemble and the nominees thereof can go before the country on this proposition and allow the people to decide it at the polls. Such a course would be true economy. If the act of 1873 was a mistake—and upon that proposition people may honestly differ—how can we rectify the mistake, if it was a mistake, at this late day by returning to the financial condition existing prior to the passage of that act? Certainly not by passing this substitute; certainly not by reenacting the law which was repealed by the act of 1873. Why? Because conditions—and conditions over which we as a Government have no control—have radically changed. When we passed the act of 1873 many of the leading powers of the world followed us with similar legislation, and a revolution in finance the world over ensued. Would it not be a dangerous experiment for this country to retrace its steps and reestablish a financial system which existed prior to 1873 without the company of the same influence which joined us in our original course? I think so, sir, and I believe the experiment would be fraught with much danger.

An illustration in mind would not be out of place at this time. A few years ago a conductor on a motor line in the city of Omaha, and, by the way, we have the best system of electric street railways in the world in our city, was injured by a collision of cars,

his right leg being badly crushed. An inexperienced physician who happened to be near took charge of the case and advised amputation. He had just finished the operation when a skillful surgeon arrived. In a moment he saw that a blunder had been committed, and he roundly abused the physician for unnecessarily sacrificing the man's leg; but that did no good. The leg could not be returned to its place. So it is with the act of 1873; if a mistake then, its restoration is an impossibility now, for every change in the financial world since that time is against such a course. I am a bimetallist, a sincere bimetallist, and not a silver monometallist, and I believe that until the great commercial nations of the earth meet in harmony upon a proposition to increase the mintage of silver, America will not be justified in taking such a step alone.

In my opinion, free coinage of silver by this country alone and unaided, in the face of affairs elsewhere, would drive us to a silver basis so rapidly that we could not exchange our property in time to avert bankruptcy. I live west of the Missouri River, and, for one, deny that that stream is the dividing line in America between sound finance and inflation, between the payment of honest obligations and repudiation. Nebraska is the great agricultural State of the Union. Her people rank first in point of intelligence in the country, and although now and then a crevice is made in her stability through which crawls and squeaks a man apparently anxious and willing to discredit her at home and disgrace her abroad, such misfortune is only temporary, for the sober second thought of her broad-minded, patriotic people soon reasserts itself and her reputation for protection, sound money, and stalwart Republicanism is again intact.

There was a time when I could be intimidated by the orator who asserted with so much vehemence that 900,000,000 silver-using people—free-coinage-of-silver people, if you please—were demanding that we join them, both in the practice and demand, and to heed not was to lose their trade and treasure; but since I have had the opportunity to visit China, where reside 400,000,000 of these people, and to touch at India, where we find 300,000,000 more, and knowing from equally reliable authority that the remaining 200,000,000 is made up of people similar in kind to the 700,000,000 referred to, much of the scare has vanished. To cite China's system of finance as a proof of anything but imbecility is an insult to intelligence. China has no system of finance and her money is of as many kinds as Joseph's coat had colors. It is true there is a mint at Canton, and it issues a silver dollar, a dollar of equal fineness and intrinsic value to the Mexican dollar, intrinsically worth more than the American dollar, but in the markets of China, as well as in the markets of the world, only worth an American 50-cent piece, and it is so much discredited at home that it no sooner finds a lodgment in the hands of a native than a hole is punctured through it to test its genuineness.

It is suspicioned at home and discounted abroad, and has so little circulation that it is a stranger to nine-tenths of the Empire. I repeat, China has no monetary system. In each of the nineteen provinces there is a medium of exchange peculiar to the people and customs, and oftentimes the wants and necessities are so limited that the people waive the use of any medium of exchange. In one province we find silver, pure silver, serving as a medium of exchange, and an old pair of scissors does the mintage. Again, bits of opium serve the same purpose, while in a third pelts and hides take the place of money. In the Hankow district, some distance back from the Yangtse River, tea is compressed into small blocks or bricks, especially adapted to the Russian market, and known as brick tea, and this serves as money, while in other parts of China the small brass coin carried down through the ages and known as "cash" is the only coin recognized and receivable as money, and even it fluctuates in value, ranging from 1,300 to 1,800 of them to equal a tael, or $1.25 in Mexican money.

Then, again, thousands of Chinese live like the beasts of the field and fowls of the air, on nature; simply exist and have no more use for coin or commerce than did Adam and Eve in the Garden of Eden. In the seaport cities of China, the large cities, we find banks, generally managed by English capital and after a system common in other commercial centers, save that the currency issued is of uncertain value the minute it leaves the city limits of its place of birth. For example, the great Hongkong-Shanghai Bank, doing business at Hongkong, Amoy, Shanghai, and other cities in China, India, and Japan, issues paper currency—a promise to pay; and although this great banking concern is doing business in several cities, the issue of one bank is discounted by any other to which it may be presented, while its silver currency has only bullion value and is subject to the fluctuations of the London market twice a day. As I traveled from city to city I was exceedingly careful not to draw on my letter of credit for any more money than I needed in the different places visited for fear that I might be oversupplied with a coin or currency which would be subject to excessive discounts at the next abiding place. If such be free coinage of silver I will have none of it.

What is true of China applies to India and other countries similarly situated. In Japan we find a monetary system, a system national in character, but so full of uncertainties that one is reminded of the wildcat banking days of America. Values in money and property fluctuate daily, and prices on the London market govern all kinds of trade. Japan is the England of the Orient in many respects, and she will not much longer be satisfied with a financial system unstable, uncertain, and insecure while advancing so rapidly in science, manufactures, and the arts. She will soon demonetize silver. Some of her leading statesmen advocate the step to-day, and when this occurs she will command the trade of the Orient and threaten that to the East and West, even unto the circling of the globe. In so doing she is simply repeating history—that in the ratio which a country keeps pace with the commerce and growth of the great progressive powers, in the same ratio she approaches the demonetization of silver to such an extent that bimetallism and not silver monometallism prevails.

Japan has already begun her attack upon high wages and well-paid labor, and whether she is on a silver or gold basis there will be little difference in the injury inflicted upon the commerce and industries of Europe and America. The productions of Oriental labor, under the superior guardianship of ambitious Japan, are in the markets of the world to stay, and the competition will increase in violence with the lapse of time, unless some restrictions are originated and enforced. The result of the war between China and Japan has only enlarged this field of danger, for the latter country intends introducing modern methods among the Chinese, and as a race they can vie with the Japanese in any contention the moment their supreme egotism is destroyed.

Already Great Britain, France, and Germany have felt the effect of this influence in their Oriental trade, and I prophesy here and now that England will soon be compelled to both preach and practice protection on that account.

Japan is smaller in area than California, but her population numbers 43,000,000 of the busiest people on earth. Men, women, and children, from early morn until late at night, incessantly work, work, work, and they can imitate any device contrived by human hands. Most of them labor for 10 cents a day and save money. The difference in exchange does not give them an advantage over America, which could be remedied by financial legislation here or elsewhere. The only cure is a high protective tariff and restricted immigration. To-day China and Japan take our gold in exchange for commodities and deliver it to England. In 1895 this farce was carried to such an extent that the balance of trade between America and these countries was in their favor over $40,000,000. Protection and reciprocity is the only remedy for this unfortunate financial tangle.

This leads me to the true solution of our present financial evil, sir, and that is that the money question in America will take care of itself if we will only settle the tariff question along strong protective lines. Prior to the election of 1892 we heard nothing about a diminishing reserve. In those days confidence was abroad in the land and capital and labor were freely employed. The reserve received no thought, it created no fear, for this country was so governed as to make its receipts equal and exceed its expenditures. Our Republican policy attracted gold and built up a trade whereby the balances were in our favor. Had the American people not wandered after strange gods in 1892 we would still be enjoying the good times of the Harrison Administration. We have learned a valuable lesson, one not to be forgotten during the next generation at least.

We now realize that protection protects and free trade disorganizes, and the sooner we return to Republican men and measures the sooner will this great country recover from the sad plight into which it has been plunged by a party which is full of wisdom in defeat but full of blunders in victory. The advent of Democracy meant death to protection, and when such a calamity became an assured fact confidence was shaken, capital retreated behind bank vaults and into sundry hiding places, and business languished—aye, became paralyzed and bankrupt. All this did not result because there was not money enough in the country for business purposes. The free-coinage advocate always assigns this as one of the reasons why the mints should be opened to the free and unlimited coinage of silver at the ratio of 16 to 1, and perhaps with some effect prior to the remarkable expose of its fraudulency a few days ago, when almost $600,000,000 in gold was offered for $100,000,000 in bonds, and most of it by the patriotic American people.

This outburst of American confidence in American institutions and American credit has not only astounded and surprised the financial world, but it makes us the cynosure of the bankers and investors of the civilized globe. Let us hope that it is the first sign of a returning confidence which always holds sway under Republican Administrations, and that it sounds the death knell to financial heresies in this Republic. I hear it said that we do not have sufficient money in the country to transact our business. Why, sir, it is not so much a question of the amount of money as it is a question of quality and circulation. I glory in the fact

that our currency is as stable as the Rock of Ages—worth an hundred cents on every dollar, and nothing calls it from its hiding place so quickly as an intimation that the country will soon be in the control of the Republican party, a party of bookkeeping and business. Restore confidence and money will circulate; restore confidence and business will revive; restore confidence and prosperity will once more reign over a contented and happy people. Free coinage of silver by America alone will not restore confidence, neither will it restore silver to that ideal realm so often pictured by the enthusiast. Such a step means silver monometallism, and silver monometallism means Mexicanization. God forbid that we should come to that.

If we were living the life of the American Indian prior to the time he was discovered by Columbus, our law of coinage as well as our law of commerce would not concern us. We would have no use for either. But we have outlived that condition in life. We are a great commercial nation, rich in everything under the sun, and we seek a business intercourse with all nations, all people. We desire that we shall not be second to any power on the face of the globe in business, in civilization, in peace, or in war. We want our currency to be the peer, at least, of any which circulates, and if there is to be a "best," we claim that distinction. Free coinage of silver may do for China, but it will never gain a foothold in America under present conditions. Without it, we will soon lead England in finance, and America will be the clearing house of the world; with it, and we will furnish an apology with each 50-cent dollar.

In conclusion, allow me to say that the American people, irrespective of party, are a patriotic, God-fearing people, anxious to do right, and full of confidence in the public servant empowered to represent them. If that servant proves honest, conscientious, and courageous in the discharge of his duties, he will receive the commendation and good will of his constituency, although at times he seems to run counter to its opinions and beliefs. The gentleman from Missouri [Mr. HALL] gave utterance to information that has been of common knowledge on the floor of this House for some time, that there are members of the Senate and House who are at heart and head opposed to free coinage of silver, but through fear of a frowning constituency subvert their own views and the best interests of the public by voicing and voting in such a manner as to be most pleasing to a suffrage they are supposed to represent.

The Senate has not met the expectations of the country in returning to us a substitute hardly germane to the proposition sent it from the House. If that body desires to inflict upon this country such a law, let it boldly and manfully pass an original bill to that effect and not use it as a rider upon every conceivable bill that may stand a chance of passage. The Senate well knew that this House would not agree to the substitute; it knew that President Cleveland would veto such a measure if passed to him, yet in spite of such knowledge the country must be agitated and convulsed by needless attempts at the impossible.

I shudder at the consequences of a deadlock, fraught with so much danger. I see in it no legislation of benefit to the masses. The President insists upon free trade and the single gold standard; the Senate has no ear, no voice, no vote for any measure not looking toward the free coinage of silver at the ratio of 16 to 1, while the House of Representatives, with its large Republican majority fresh from the people, asserts itself in favor of saving the country from bankruptcy and against silver monometallism. The situation is indeed a grave one. A deficiency of many millions still stares us in the face, and no sign of its removal. The House has expressed a desire and intention to remedy the evil in part by passing a revenue bill which even its enemies admit would yield the Government $40,000,000 annually; yet because it does not also provide for the free and unlimited coinage of silver it is spurned and spit upon by the Senate, through a majority made up of Populists, Democrats, and erring Republicans.

I believe the people of America desire that we should expunge from the statute books the Wilson bill and restore in its place a Republican tariff measure, rich in protection, and then crown it with reciprocity; that we should take some steps toward securing an international monetary congress in the interest of silver; pass a bankruptcy bill, for this Administration has made such legislation a necessity; give to the country such remedial legislation as its urgent necessities demand; improve our immigration laws; enunciate as a Republican measure a vigorous foreign policy; pass the general appropriation bills, and then notify the President, the Senate, and the country that we are ready to adjourn. Upon such a record the Republican party could go to the country with the hope of receiving the glad tidings: "Well done, thou good and faithful servant."

The only hope for such a consummation is a Republican victory, complete and overwhelming, in November. The responsibility now rests with the people. If they do their full duty, I have some hopes of a national salvation; if they shirk, the slough of despond and misery will only increase in area.

Deficiencies Caused by the McKinley Bill—McKinley Bill Framed by the Interested Manufacturers Who Wrote the Schedules—Republican Change on Currency and War on Bimetallism—What this Congress Did Not Do—Prodigality of this Congress.

SPEECH
OF
HON. BENTON McMILLIN,
OF TENNESSEE,
IN THE HOUSE OF REPRESENTATIVES,
Tuesday, June 9, 1896.

Mr. McMILLIN said:

Mr. SPEAKER: From the time that the masses of the people in 1890 rose up and condemned the McKinley bill, the country has been tortured with the claims of its advocates that it was an all-wise and all-sufficient revenue measure. It was not only condemned in the Congressional elections of 1890 but also in the Presidential election of 1892. As the result of these two adverse decisions of the people it was repealed.

It had not only raised the duties on the necessaries of life in many instances to more than 100 per cent, but under the pretense of inaugurating reciprocity it surrendered the Congressional power of levying taxes to the President of the United States. Under the extraordinary powers conferred by this bill upon him the President could impose taxes to-day, release them next month, and reimpose them the month following.

Another extraordinary provision of the bill was that whereby millions of dollars were to be paid in bounties out of public taxes. Taxes were to be raised by contributions from the masses of the people and in turn paid to the beneficiaries designated by the statute under the bounty law. Thus money was taken from one citizen by taxation to be paid to another. The producers of sugar did not want this. They urged that it should not be done. They asked only that they be permitted to be placed under the same law that governed manufacturers of other things. They sent able representatives here to plead against this discrimination alleged to be in their favor, but all in vain. The sugar duty was repealed over their protest and bounty provided in its stead. The advocates of the McKinley bill, both before and since the repeal of that measure, claimed that it afforded ample revenue to meet the expenses of the Government. Nothing could be further from the truth. Yet we have heard it iterated and reiterated during this Congress.

DEFICIENCIES CAUSED BY THE M'KINLEY BILL.

Let us see what the facts are concerning the revenues raised from the McKinley bill and the deficiencies produced by it. I use a statement of Secretary Carlisle and figures taken from the records of the Treasury Department:

[Extract from letter addressed by the Secretary of the Treasury to Hon. William R. Morrison, October 2, 1894.]

* * * * * * *

The records of the Department show that during the fiscal year 1888 the receipts were $111,341,273 in excess of the expenditures; during 1889, $87,761,080; during 1890, $85,040,271; during 1891, the year after the passage of the McKinley bill, $26,838,541; in 1892, $9,914,453; in 1893, $2,341,674, and in the year 1894, during the whole of which the McKinley bill was in full force, the expenditures exceeded the receipts to the amount of $69,803,260, notwithstanding the expenditures were $16,752,676 less than in the preceding year. You will thus observe that the receipts in excess of expenditures diminished annually under the operation of the McKinley tariff act, until finally a large deficiency was the result.

The statement of Mr. McKinley that I had used the gold reserve to meet the daily expenses of the Government is incorrect.

I inclose herewith a printed document containing the statements made by me before the Committee on the Judiciary of the House of Representatives in January last, from which it will be seen (see page 13) that United States notes and Treasury notes of 1890 had been redeemed in gold to the amount of $58,641,866 in excess of the reserve fund raised by the sale of bonds. These redemptions were made with gold received from all the various sources of revenue. The total amount of United States notes and Treasury notes of 1890 redeemed in gold up to the present date is $249,808,494, while the whole reserve fund provided for by law was $100,000,000 in the first instance, and the proceeds of the bonds sold in February last, amounting to $58,560,000. Instead, therefore, of using the lawful reserve to defray ordinary expenditures, we have in fact largely used the ordinary receipts for the purpose of redemption—the purpose for which the reserve itself was intended.

On the 1st day of March, 1889, the beginning of President Harrison's Administration, the funds in the Treasury actually available, exclusive of the $100,000,000 reserve, were as follows:

Agency account	$64,502,445.02
Net balance in the Treasury	165,846,471.10
Total	230,348,916.12

On the 1st day of March, 1893, the beginning of the present Administration, the funds in the Treasury actually available, exclusive of the $100,000,000 reserve, were as follows:

Agency account	$38,365,832.90
Net balance in the Treasury	24,084,742.28
Total	62,450,575.18

This statement is made in accordance with the form now in use, and exhibits the actual condition of the Treasury at the dates mentioned, including all available assets of every kind.

In addition to the ordinary receipts of the Government, there was, as you know, covered into the Treasury during the Administration of President

Harrison $54,207,075.75, which was held in trust as a fund for the redemption of national-bank notes. This proceeding was authorized by the act of July 14, 1890, commonly known as the Sherman Act.

The item denominated "agency account" is that portion of the miscellaneous cash in the Treasury held for certain liabilities appearing on the books of the Treasury but not represented by demand certificates or Treasury notes of 1890 outstanding.

From the 1st day of March, 1885, the beginning of Mr. Cleveland's first Administration, to March 1, 1889, the public debt was reduced $341,448,449.20, and from March 1, 1889, to March 1, 1893, the reduction was $236,527,666.10.

It is true, as you suggest, that for some time previous to the close of the last Administration warrants upon requisitions were held up to a very considerable extent in order to avoid a reduction of the balance on hand, but the amount of these requisitions can not now be ascertained without devoting a great deal of time and investigation to the subject. I think, however, they amount to several million dollars.

It will thus be seen that the deficiency created under the McKinley law amounted the last year of its operation to $69,803,260; that in the first year of its operation whilst it yielded about $26,000,000 surplus it dwindled to less than $10,000,000 the second year, and to less than $2,500,000 the third year, and that for the four years of its operation it fell beneath the requirements of the Government over $30,000,000. The deficiency from it the last year of its operation was more than $69,000,000, notwithstanding the fact that there was a saving that year under Democratic economy of over $16,000,000 as compared with the preceding year. And for the last three years of its operations its aggregate deficiencies were over $57,000,000.

The bill that succeeded it is not responsible for the deficiencies that have characterized the revenues of the Government since its adoption. In fact, that measure, known as the Wilson bill, made ample provision for the revenue necessary to run the Government under the economies inaugurated by a Democratic Congress. It provided an income tax, which, with the other provisions of the bill, would have yielded all the revenues necessary; but the Supreme Court of the United States overrode its own decisions of nearly a hundred years and declared the income-tax feature unconstitutional. This remarkable result was reached through the extraordinary change of heart in one member of the court, who had decided on a previous hearing the law to be constitutional. This decision not only overrode the old decisions on the subject, but overrode the decisions made under the income-tax laws of the sixties, through which over $340,000,000 had been collected, the Supreme Court holding that income-tax law constitutional, which was in every essential particular similar to the one passed by the last Congress and overridden by the court. So that the failure of the revenues of last year and this is in consequence of perverted judicial decisions and not because of the failure of Congress to impose taxes or provide revenue.

M'KINLEY BILL FRAMED BY THE INTERESTED MANUFACTURERS, WHO WROTE THE SCHEDULES.

Availing myself of the leave given by resolution of Congress, I shall comment on the action of the convention which nominated Mr. McKinley for President and insert in the RECORD a history of how the McKinley bill was framed. These facts were called to the attention of the country both by the distinguished gentleman from Georgia, Hon. H. G. TURNER, and by the Hon. William L. Wilson, now Postmaster-General, then a member of this House, in a speech he made on the bill providing for free wool. He showed very ably and conclusively that the distinguished gentleman who presented the bill was not the "author," but merely the "compiler" of the McKinley bill. In fact, in presenting the bill to the House, on the conference report on September 27, 1890, Mr. McKinley said, in commenting on the wool schedule:

This schedule has the hearty approval of the National Woolgrowers Association, and of the several State associations throughout the country.

Immediately following this he also said:

And, Mr. Speaker, that is entirely true also of the tobacco schedule.

One of the greatest schedules embraced in our tariff laws is the metal schedule. During the period the bill was being framed Mr. James M. Swank, secretary of the American Iron and Steel Association, was in Washington and about the committee room. He made the following report as secretary to the president of that association:

During the long period in which this measure (the McKinley bill) received the consideration of Congress, the views of this association concerning the proper framing of the metal schedule of the new tariff law were frequently solicited and were promptly given.

He adds:

The schedule as adopted is the most harmonious and completely protective of all the metals schedules.

It would be very strange if it were not so, when the men interested in having high protection were permitted to frame the schedules wholly in their own interests, and without any regard to the public revenues or the public weal and without any restraint from the committee.

On page 290 of the hearings before the Committee on Ways and Means, Fifty-first Congress, which were the hearings that preceded the McKinley bill and held on it, Mr. William Whitman, president of the National Association of Wool Manufacturers, said he "had framed two clauses" prescribing the taxes on women's and children's dress goods. These clauses were incorporated as framed by Mr. Whitman in section 374 and section 375 of the McKinley Act. Is it any wonder that almost the highest rates of duty imposed by the McKinley Act were those on women's and children's dress goods? I cite the following from the speech of Mr. Wilson delivered in the House in 1892 on other schedules, concerning the action of the committee in allowing the outsiders to write what duties they wanted in the tariff law:

At page 281 of the hearings Mr. Isaac N. Heidelberger, in behalf of the wholesale clothing manufacturers, submitted a memorandum of their demands, and that memorandum, so far as it related to woolen clothing, is substantially embodied in paragraph 396 of the act.

The makers of firearms appeared at page 1255 with the sections they wished "incorporated and made a part of the tariff schedule of duties," and those sections appear in their own words as paragraphs 169 and 170 of the act, with a single trifling change.

Again, at page 92 of the hearings may be found the demands of the tinplate makers—that they were going to be—proffered by their trusted counselor, my friend from Michigan [Mr. BURROWS], and although thousands and tens of thousands of consumers and laborers protested against these demands, Mr. Cronemeyer's wishes are exactly embodied in paragraph 143 of the McKinley bill.

At page 79 of these hearings Mr. Charles S. Landers, representing the makers of table cutlery, presented the corrections and amendments which they wished in the Senate clause, and at paragraph 167 of the act his memorandum appears in the very words in which he wrote it.

On page 65 of the hearings Mr. W. F. Rockwell makes known the demands of the makers of pocket cutlery, and these demands literally reappear in paragraph 165 of the bill.

Now I understand, for the first time in my life, how a "consistent, logical, complete" protective tariff is framed, "with the different parts properly and justly related." Our friends upon the other side merely leave the blanks on the committee table, and look at the ceiling or stroll around the Capitol while the parties who desire to tax the people come and fill in the blanks according to the suggestions of their own greed or selfishness.

Other instances equally flagrant and outrageous could be adduced showing that the McKinley law was not made by Mr. McKinley, but was compiled by him at the dictation of the parties interested in the high tariff duties. The job was not only done by them, but so bunglingly done that the track of the different manufacturers can be traced through the Ways and Means Committee room, through the hearings, and into the very statutes where their exorbitant demands were made law. So shameless a surrender and perversion of the taxing power was never exhibited before, and it is hoped will never be again. This fact is recognized of all men so thoroughly that even the Republican convention that nominates Mr. McKinley dare not indorse his bill. What hope is there for the Republic, what prospect of faithful government, if interested parties are permitted to make the tax statutes of the United States, not in accordance with the needs of the Treasury, but in accordance with the greed dictated by their interests?

REPUBLICAN CHANGE ON CURRENCY AND WAR ON BIMETALLISM.

It is gratifying to note that the Republican party has at last quit trying to deceive people as to its views on financial questions and comes squarely out for gold monometallism. It has at last said what it felt for years—that it is for the single gold standard. It has raised the black flag against the white metal.

On June 21, 1888, when General Harrison was nominated for President, the platform on which they placed him not only declared for silver as money but blamed the Democratic Administration for an alleged effort to demonetize silver. Mr. McKinley, if my memory serves me correctly, was chairman of the platform committee. Here is the platform adopted:

BIMETALLISM.

The Republican party is in favor of the use of both gold and silver as money, and condemns the policy of the Democratic Administration in its efforts to demonetize silver.

What a revolution it must have taken to sweep him from this to the gold platform on which he now stands!

In 1892, in national convention, it adopted the following platform, which is given with its heading:

FREE AND SAFE COINAGE OF GOLD AND SILVER.

The American people from tradition and interest favor bimetallism, and the Republican party demands the use of both gold and silver as standard money, with such restrictions and under such provisions to be determined by legislation as will secure the maintenance of the parity of the two metals so that the purchasing and debt-paying power of the dollar, whether of silver, gold, or paper, shall be at all times equal.

At the convention just adjourned at St. Louis, which nominated McKinley, the following platform was adopted:

We are unalterably opposed to every measure calculated to debase our currency or impair the credit of our country. We are, therefore, opposed to the free coinage of silver except by international agreement with the leading commercial nations of the world, which we pledge ourselves to promote, and until such agreement can be obtained the existing gold standard must be preserved. All our silver and paper currency must be maintained at parity with gold, and we favor all measures designed to maintain inviolably the obligations of the United States and all our money, whether coin or paper, at the present standard, the standard of the most enlightened nations of the earth.

Sir, President Harrison was elected on the platform of 1888 denouncing demonetization. Mr. McKinley was elected to Congress on it, but instead of observing the platform on which they were elected they made the longest stride toward demonetization made in this country since 1873, by passing what is known as the Sherman Act of 1890, which repealed the Bland Act, stopped the compulsory coinage of silver, thereby converting silver into a mere commodity, and providing for the issue of paper redeemable in gold

and silver, not on coined silver, but on uncoined silver bullion stored in the Treasury.

Observe, if you please, the evolution of the Republican party from its platform of 1888, denouncing demonetization, to its platform of 1892, proclaiming for "free and safe coinage of gold and silver," "with such restrictions and under such provisions to be determined by legislation," etc., to the platform of 1896, which proclaims not for silver restoration, not for bimetallism, merely with statutory safeguards, but for the single gold standard. This platform also makes another fearful surrender. The platform of 1892 reserved to the United States to "determine by legislation" what safeguards should be thrown around coinage; but the platform of 1896 goes beyond all this, surrenders all claim of legislative control over the matter, and pledges the people of the United States to stand by the single gold standard until England and the other "leading commercial nations of the world" give their consent that we shall have it. They declare unalterable opposition to free coinage unless they can get an "international agreement with the leading commercial nations of the world," and declare:

Until such agreement can be obtained the existing gold standard must be preserved.

It will not be denied by any that outside of the United States Great Britain is the "leading commercial nation of the world." We are, therefore, hereby pledged never to move until she will move with us. Does any sane man expect her to move with us in this direction? He who does has read her history in vain. She demonetized silver eighty years ago. She has never made an agreement since looking to its restoration, and if the American people indorse this platform it is notice to her that she need not cooperate with us. And there this important matter ends forever! All she need do is hold out, and this platform pledges our opposition to coinage.

When will she give her consent?

When did she give their rights to our fathers? Not until eight years of heroic suffering and bloodshedding by our ancestors.

A fourth of a century after we had achieved our independence she searched our ships and seized our seamen. When we protested, did she desist? Not until she had invaded this very city, and burned its Capitol and Executive Mansion. Not until we had sent Jackson to New Orleans to drive back her invading veterans and capture the trained soldiers of the Peninsula. Not until we dispatched Perry to the Great Lakes to send back from their waters, red with the blood of our fathers, the immortal, soul-stirring message, "We have met the enemy, and they are ours."

When did our people ever before bow to England in anything? When we were only 3,000,000 strong we wrested the colonies from her grasp! When we were only 8,000,000 strong we broke the shackles by which she bound all sailors on the high seas! When only 10,000,000 strong, under what is known as the "Monroe doctrine," we made the map of North and South America and defied not only England, but all the balance of the world, to set a hostile foot on these shores! When we organized our Government, though we spoke the same language, we changed our money denominations from pounds, shillings, and pence to dollars, dimes, and cents in order to be fiscally free as well as physically free from England.

Yet after all of this glorious fighting we are asked to hold up our hands and let her shackle us now. Republicans make the surrender; Democracy declines to do it. Gentlemen who think this is possible mistake the spirit of the American people. When we changed the money denominations from pounds, shillings, and pence to dollars, dimes, and cents; when we determined to issue the greenback currency that has been a part of our circulation for a third of a century, did we ask England, France, or Germany to allow it? When we passed the Bland Act in 1878, under which we have coined hundreds of millions of money, did we go and get first the consent of "the leading commercial nations"? Not a bit of it. It is true that Mr. Hayes vetoed that measure in an effort to try to get us to obtain such consent, but his veto was overridden as it deserved to be.

When do gentlemen suppose we will be able to obtain the consent of England to an international agreement for free coinage? The present administration in England has said that it could not be given. Its predecessors for eighty years have said the same; and if you went to them begging this "international agreement" they would say to you, as Gladstone has substantially said in the past: "The world owes us enormous amounts of money. It is in the form of stocks and bonds and mortgages. To return to bimetallism diminishes the value of these debts; therefore we can not agree with you." That is what they have always said in the past. I concede that international agreement is much to be desired, but at the same time I realize that it is not obtainable with England, and when the Republican party through its platform pledges the American people, in substance, not to move until England gives her consent, it seals the doom of international agreement forever! Nothing has come from these conferences in the past. Day after day we have sent our dove across the waste of waters, but night after night it has returned weary winged and leafless.

FIRST SURRENDER TO ENGLAND.

Sir, I beg those who are infatuated with the idea that we can get England to join us in restoring silver, and that she is essential to the success of bimetallism, to remember that England demonetized silver in 1816, and has maintained the single gold standard since. Silver was at a premium in England when she did it. She was not essential to bimetallism then; she is not now. Our statesmen then did not consult her wishes nor pander to her rapacity. When she demonetized silver Thomas Jefferson, author of the Declaration of Independence, still lived. John Adams was yet alive. Madison, the father of the Constitution, lived. Monroe, who was soon to promulgate the Monroe doctrine, dictating to the whole world as to territorial acquisition, lived. Jackson, fresh from the victory at New Orleans, still lived. But in them also lived the spirit of 1776. Who of these immortal patriots ever intimated that England should dictate or influence our financial policy, and that we should demonetize silver because England had? When did one of them say that England should control us in finance? Never. Still the world moved on and the young Republic prospered. Then we numbered only about 10,000,000 people; now we number 70,000,000. Then we were comparatively a small factor in the world's progress and autonomy; now we are the greatest factor in it, equaling any three of the greatest powers. I would to God that the spirit of 1776 were in the Americans of 1896!

This Government has now existed for one hundred and seventeen years. This is more than one-fourth as long as Rome was free. During the whole period this is the first time that any party, in national convention, whether Whig, Federal, Democratic, Prohibition, Populist, or Republican, ever proclaimed in its platform for gold monometallism. The people will condemn this new departure from the money of the Constitution.

WHAT THIS CONGRESS DID NOT DO.

The Republican party obtained control of the House by inveighing against the Democratic party of the last Congress—especially charging it with doing nothing to relieve the country.

After getting the House by two-thirds majority, and organizing the Senate—appointing Republicans as chairmen of committees in the Senate—what has this Congress done to relieve the country? Nothing! Absolutely nothing! It has shown itself utterly inefficient. From lack of courage or other cause, it failed to try to solve many problems waiting solution at its hands.

They claim that the revenues were insufficient to meet the expenses of the Government. Did they send any revenue measure to the President to supply this deficiency? None!

In their platform of 1892 they inveighed against trusts and combines. What measure did they send to the President to restrain them? None!

And now they abandon the plank in their platform against trusts.

The debts due from the Pacific roads subsidized by the Government amount to more than $150,000,000 and are falling due. Some of the roads are in the hands of receivers, and consequently now have to be operated through the Federal court. What measure did they send to the President or pass through either House looking to the settlement of these claims or the collection of these debts? None!

Their platform complains because the Democratic party repealed a so-called reciprocity law which authorized the President to impose taxes without consulting Congress or the people. What measure did they pass through Congress looking to a restoration of these reciprocity provisions? None!

Their platform says:

The Nicaragua Canal should be built, owned, and operated by the United States.

What bill did they pass through the House or through the Senate authorizing this construction? None!

The platform contains a provision favorable to the independence of Cuba. Yet neither the Senate nor the House, with whom rests the power to declare war, sent any bills to the President or tried to send any for a declaration of the independence of Cuba.

They proclaim in the platform in favor of excluding from entrance to the United States those who can neither read nor write. What measure did they send to the President providing for this or even looking in this direction? None!

There was a very important measure pending in Congress providing for the settlement by arbitration of the disputes wherein labor was involved. It was introduced and urged by Hon. Mr. ERDMAN of Pennsylvania. Organized labor of the country strove to have some such measure passed, but in vain. The Presidential election was pending, and it was left to smolder.

Another bill was pending providing for the appointment of a commission of three men from the different walks of life—labor, commerce, etc.—to consider the grave questions arising there and report and recommend legislation from time to time to Congress. A similar commission exists in many countries, and is considered an advanced step for labor. If I am correctly informed, those engaged in advancing the best interests of labor throughout the country urge its passage. Was sucha measure sent to the

President for the approval of the executive branch of the Government in order that it might become a law? No. Not one law was passed to help the laborer.

This Congress considered it more important to break the record of early adjournments than to make a record passing the needed legislation. So the appropriation bills were rushed through Congress that Congress might rush away from the Capitol, leaving its legitimate work undone and the interests of the country neglected.

Under the rules of the House, Friday of each week is given to the consideration of private bills. Thousands of them were introduced and hundreds of them were reported by the committees, and by the Court of Claims. Yet every Friday except one or two in the entire session—I mean the day sessions—was taken from the Private Calendar, devoted to other uses, and these claims left unpaid and unconsidered.

This Congress pretended to favor a bankrupt law, but adjourned without final action on the bankrupt bill.

The copyright bill pending in Congress was an important one, and there was every reason why it should have been acted upon. Yet, in hot haste to get away, it was laid aside by Congress.

The Territories of Arizona and New Mexico are justly clamoring for admission to the Union as States. Democracy has favored their admission and does now. But they are supposed to be too strongly tinctured with Democracy. They have ample population to entitle them to admission. Every principle of "home rule" and "local self-government" dictated that they should be permitted to enter the sisterhood of States. Notwithstanding the merits of their case, they were refused Statehood, and now stand knocking in vain at the doors of a closed Congress for admission to the Union.

There are other measures clamored for by our Republican friends which they made no effort to advance. It will not do to say that they did not have time to consider these things. They adjourned and fled from their duties at an earlier date than any other Congress has for a third of a century. It will not do for the House to say that the Senate would not act because the House passed a resolution urging the Senate to join them in the adjournment on the 18th of May.

This Congress was afraid of itself and fled from the Capitol the earliest day possible; and in the light of its achievements well might the country be afraid of it.

PRODIGALITY OF THIS CONGRESS.

There is one thing in which it stands preeminent. It is the most extravagant Congress that ever assembled in time of peace since independence was achieved. The following and supplement table, taken from the speech of Hon. J. D. SAYERS on the appropriations of this Congress, proves the truth of what I say:

In conclusion, Mr. Speaker, it will be seen from the tables herewith that the appropriations made by the past three Congresses and at the present session have been as follows:

Fifty-first Congress, both sessions	$1,035,680,109.94
Fifty-second Congress, both sessions	1,027,104,547.92
Fifty-third Congress, three sessions	989,239,205.69
Fifty-fourth Congress, first session	515,759,820.49

Mr. Speaker, to show the expenditures of the Government more clearly, I add the following tables of receipts and expenditures, which will show the expenditures by administrations:

RECEIPTS AND EXPENDITURES FROM MARCH 1, 1885, TO JUNE 1, 1896.

Receipts, exclusive of postal.

From March 1, 1885, to March 1, 1889	$1,451,660,246.74
From March, 1, 1889, to March 1, 1893	1,539,723,590.58
From March 1, 1893, to June 1, 1896	1,036,104,413.98

Expenditures, exclusive of postal and principal of debt.

From March 1, 1885, to March 1, 1889	$1,085,600,326.04
From March 1, 1889, to March 1, 1893	1,364,286,307.22
From March 1, 1893, to June 1, 1896	1,174,364,983.26

When the Fifty-first Congress adjourned with an expenditure of half a billion dollars for one year and a billion in two years the country stood aghast at the enormous and unwarranted expenditures. But this Congress has broken the record. The expenditures of it all told amount to $7 for every man, woman, and child in America.

When we remember that the appropriations of the second session of the Fifty-first Congress were nearly $50,000,000 more than those for the first session, and consider that that will probably be the situation again with this Congress, it is appalling to contemplate the extravagance of the Fifty-fourth Congress. About two-thirds of all the money in the United States has to go through the hands of the Federal taxgatherer, according to the new schedule of expenditures adopted by this Congress every two years. With increases of expenditures it is proposed by this new platform and new departure to restrict the currency. I warn gentlemen against tempting too far the patience of an overburdened people.

SUPPLEMENT.

TABLE B.—*Appropriations made by the Fifty-first, Fifty-second, and Fifty-third Congresses, and first session of the Fifty-fourth Congress, fiscal years 1891 to 1897, inclusive.*

Title.	Fifty-first Congress.		Fifty-second Congress.		Fifty-third Congress.		Fifty-fourth Congress.
	First session, 1891.	Second session, 1892.	First session, 1893.	Second session, 1894.	Extra and first regular sessions, 1895.	Third session, 1896.	First session, 1897.
Agriculture	$1,799,100.00	$3,028,153.50	$3,232,995.50	$3,323,500.00	$3,223,623.06	$3,303,750.00	$3,255,532.00
Army	24,206,471.79	24,613,529.19	24,308,499.82	24,225,639.78	23,592,884.68	23,252,608.09	23,278,402.73
Diplomatic and consular	1,710,815.00	1,656,925.00	1,604,045.00	1,557,445.00	1,563,918.76	1,574,458.76	1,642,558.76
District of Columbia	5,769,544.15	5,597,125.17	5,317,973.27	5,413,223.91	5,545,678.57	5,745,443.25	5,905,082.48
Fortifications	4,232,935.00	3,774,803.00	2,734,276.00	2,210,055.00	2,427,004.00	1,904,557.50	7,397,888.00
Indian	7,262,016.02	16,386,284.86	7,664,047.84	7,854,240.38	10,659,565.16	8,762,751.24	*f* 7,390,496.79
Legislative, etc	21,030,752.75	22,027,674.75	21,900,132.97	21,865,802.81	21,305,583.29	21,891,718.08	21,518,834.71
Military Academy	435,296.11	402,064.64	428,917.33	432,556.12	406,535.08	464,261.66	449,525.61
Navy	24,136,035.53	31,541,654.78	23,543,385.00	22,104,061.38	25,327,126.72	29,416,245.31	30,562,739.95
Pension, including deficiencies *a*	123,779,368.35	164,550,383.34	154,411,682.00	180,681,074.85	151,581,570.00	141,381,570.00	141,328,580.00
Post-Office	72,226,698.99	77,907,222.61	80,331,276.73	84,004,314.22	87,236,599.55	89,545,997.86	92,571,564.22
River and harbor	25,136,295.00	----------	21,154,218.00	----------	11,643,180.00	(*g*)	*h* 12,621,800.00
Sundry civil	*b* 31,100,341.38	*c* 38,388,552.73	27,665,076.93	41,716,311.15	34,253,775.55	*i* 46,568,160.40	33,031,152.19
Deficiencies, except for pensions	13,295,541.61	9,364,148.62	8,230,859.50	8,127,361.51	11,811,004.06	9,825,374.82	*j* 15,326,503.05
Total	356,121,211.68	399,238,522.19	382,527,385.89	403,515,586.11	390,578,048.48	383,636,896.97	396,280,660.49
Miscellaneous	7,010,905.27	*d* 19,498,531.10	3,208,922.82	520,499.18	577,956.55	297,667.37	*k* 425,000.00
Total regular annual appropriations	363,132,116.95	418,737,053.29	385,736,308.71	404,036,085.29	391,156,005.03	383,934,564.34	396,705,660.49
Permanent annual appropriations	*e* 131,324,131.70	*e* 122,486,808.00	*e* 121,863,880.00	*e* 115,468,273.92	*e* 101,074,680.00	*e* 113,073,956.32	*e* 119,054,160.00
Total	494,456,248.65	541,223,861.29	507,600,188.71	519,504,359.21	492,230,685.03	497,008,520.66	515,759,820.49
Total Fifty-first, Fifty-second, and Fifty-third Congresses	1,035,680,109.94		1,027,104,547.92		989,239,205.69		

a Deficiencies included as follows: 1891, on account of 1890, $25,321,907.25; 1892, on account of 1891, $29,335,598.34; 1893, on account of 1892, $7,674,332; 1894, on account of 1893, $14,149,724.85.

b This amount includes $1,362,059.16 actual expenditures under indefinite appropriations for pay and bounty claims.

c This amount includes $978,188.74 actual expenditures under indefinite appropriations for pay and bounty claims.

d This amount includes $15,227,000 for refund of direct taxes in addition to the specific sum of $500,000 appropriated for that purpose.

e This is the amount originally submitted to Congress by the Secretary of the Treasury as estimated to be necessary under permanent specific and permanent indefinite appropriations, except that to the amount thus submitted for 1891, $101,628,453, there are added expenditures under permanent appropriations made by the Fifty-first Congress subsequent to said estimate, as follows: Salaries diplomatic and consular service, $27,758.79; redemption national-bank notes, $23,553,298.50; expenses of Treasury notes, $218,362.60; coinage of silver bullion, $210,893.14; rebate tobacco tax, $770,082.39; and repayments to importers and for debentures and drawbacks, customs service, $4,915,285.28; in all, $29,695,678.70.

f This sum is exclusive of $1,660,000 for second installment on account of purchase of Cherokee Outlet, which has been paid under "permanent annual appropriations," but is not included in the estimates thereunder for 1897. A like sum was included in the Indian appropriation act passed at the last session of the last Congress.

g No river and harbor act was passed during the last session, but the sundry civil act of that session carried $11,287,115 for river and harbor works under contract, while the sundry civil act of this session appropriates only $3,284,597 for such works.

h This does not include $3,000,000 estimated to be necessary under indefinite appropriation made in river and harbor act of this session to purchase property of Monongahela Navigation Company.

i This sum includes $5,238,289.08 to pay sugar bounty under legislation enacted by the Fifty-first Congress.

j This sum includes $1,496,679.56 for objects that are in no sense deficiencies; $3,614,133.77 to pay judgments of the courts and audited accounts certified by the accounting officers for 1893 and prior fiscal years; in all, $5,110,813.33.

k Estimated.

Free Coinage of Silver.

SPEECH

OF

HON. JAMES G. MAGUIRE,

OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 13, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. MAGUIRE said:

Mr. CHAIRMAN: I have no idea that I shall be able to aid materially in the solution of the problem now before Congress. Indeed, there seems to be an irreconcilable conflict of opinion between the legislative and executive departments of our Government, if not between the two Houses, upon all questions of coinage and finance, which renders it impossible during the life of the present Congress to have any plan adopted which may be expected to extricate our country from her present great and acknowledged difficulty. The whole question must, then, be submitted anew to the country at the coming election, and these arguments are intended rather to influence the thought of the country than to produce any immediate effect upon this House.

I have listened attentively to the arguments of the learned and experienced Representatives who have spoken on the bond bill passed by the House, and on the free-silver bill returned by the Senate as a substitute for it, and I have read much of the literature with which the country has been flooded during the last three years, in an effort to find a really scientific solution of the problem. I have no faith in the settlement of any such question upon lines of mere present expediency. What may, in your judgment, be expedient to-day may, under new and unforeseen conditions, work injustice or hardship to-morrow. It must be possible to find some scientific solution of the question. There must be some natural law governing the relation of money to the trade in which it is employed, which, if discovered and applied, will be better and more satisfactory in its results than any system that has yet been devised. I believe that men come together in communities by the force of natural laws which make them gregarious; that there is a natural law of social order; a natural law governing the relations of men to each other and to their natural environment, extending even to the domain of trade, with all its intricate and manifold combinations, which, if discovered and applied, must be best, as all natural laws, in every department of universal life and action, are better than any laws of human contrivance which can be substituted for them.

An examination of the questions of coinage and currency from this standpoint necessarily excludes from consideration all mere sentimentality in favor of any particular metal or commodity as a medium or as a media of exchange, and excludes from consideration likewise the interests of special classes, It excludes from consideration the interests of gold-mine owners and silver-mine owners, and deals with the medium of exchange as a means of satisfying a want arising out of the operations of trade alone.

Money and all other media of exchange must ever be subordinate to the trade of the people, which they are intended merely to facilitate, but never to control or limit or hamper in any way. All talk about the sacredness of gold and silver as money metals is childish. They have no sacredness that can be rationally recognized. Indeed, they are less to be regarded than the commodities comprising food, clothing, and shelter for the human race, the exchange of which they are used to facilitate. Neither does it aid in the least in the solution of the problem to discuss the motives of past Congresses or of Representatives or Senators in such Congresses in the passage of the laws that now govern our system of coinage. It is absolutely immaterial to the present discussion whether the act of 1873 was honestly or dishonestly passed. That act may have been passed in perfect honesty, or its passage may have been secured by the grossest fraud and suppression of truth, misleading the Senators and Representatives who voted for it, but it was constitutionally passed and approved. It is the law of the land, subject to amendment or repeal, just as other laws are subject to amendment and repeal, but not otherwise. There is no power within the Constitution that can in the slightest degree modify the law because of the fraud that may have been practiced in procuring its enactment. It is the law and it controls our system of coinage equally, whether honestly or dishonestly passed, whether its enactment was criminal or virtuous. We are confronted with the law as it is, and the question with us is simply, Is the system of coinage thereby established the best that, with the lights before us, can be established? If it is, it should be upheld, even though its enactment was procured by fraud. If it is not the best system, then it should be changed, or wiped out altogether, if necessary, even though its passage were prompted by the very best of motives.

Nor will I attempt to discuss the much-agitated question as to the exact period at which the gold standard now in vogue was really adopted by legal enactment. It does not seriously matter whether it was adopted in 1835 or in 1853 or in 1873 or at a later period. The important fact is that we have now a single gold standard for the coinage of our country, all other metals being coined at a fixed ratio with respect to gold, and the parity with gold at that ratio being guaranteed by the Government. All money other than gold is thus made token money. I have no doubt that by the passage of the act of 1873, and perhaps by the later acts, great injustice was done to the debtor class as it then stood for the benefit of the creditor class as it then stood. But in the mutations that have inevitably taken place since 1873 the individuals comprising the debtor and creditor classes no longer occupy the same relations to each other that they then did, and any attempt now to rectify the injustice of 1873 by passing another law for the benefit of the debtor class and to the corresponding disadvantage of the creditor class as they now stand would be wholly ineffectual to accomplish justice in more than a very slight degree. We should therefore look not to the wrongs of the past but to the needs of the future in establishing the best possible system of coinage and finance for the future.

Does the present system work well? Is it satisfactory? Does it meet the demands of trade fully and promptly without hardship or injustice to the people of our country in general? It seems to me that it does not. None are entirely satisfied with it.

The demand for money of all kinds arises out of the operation of the laws of trade; the kinds and the volume of money which may be used to satisfy that demand are fixed and determined arbitrarily by a political system which is not in touch with the independent system of trade. Our laws as they now stand limit the trade of the country, and by similar manipulation elsewhere the trade of all the leading countries of the civilized world is limited to gold as the money of ultimate redemption. The gold supply of the world is limited and is generally believed to be inadequate for the service which is thus by law imposed upon it. I believe that it manifestly appears that the gold supply of the world is inadequate, but I do not care to discuss that phase of the question, because, in the view which I shall take of it, that question is not properly to be determined by Congress or by the political organizations of any country, but must properly be left to the laws of trade under which alone the supply of media of exchange to meet the demand created by the operation of those laws can be harmoniously and satisfactorily adjusted at all times. I therefore believe that even the question as to the sufficiency or insufficiency of the volume of our money to meet the demands of trade may be properly eliminated from the discussion of the question of coinage unless we have already finally and irrevocably determined that the volume and the kinds of money to be used in trade must be fixed and determined by the lawmaking powers of our Government. It seems to me that so long as those questions are retained for practical decision as part of the jurisdiction of our political system the supply of money of the kinds needed will never be made to harmonize with the demands of trade. It is enough, then, from my standpoint, for present purposes to recognize the apparent inadequacy of the gold supply to perform the money function devolved upon it by law without endeavoring to determine by investigation whether the inadequacy of that supply be real or only apparent. Its consequences we may well consider, for the greatest difficulty which our Government is now facing, not excepting the dangers of foreign wars, is the difficulty of meeting the demand for gold made upon it by commerce under our existing laws.

During the last two years and a half this Government has been obliged to issue bonds to the amount of $262,000,000 in order to obtain the gold necessary to maintain the parity now artificially established by law between gold and silver upon the gold basis. Yet this enormous bond issue has not in the least changed the conditions which gave rise to the demand for it. There is not the slightest assurance that the very same obligations of the Government upon which this enormous amount of gold has been drawn out during the last two years and a half may not all be again presented to the Treasurer of the United States to be again redeemed in gold during the ensuing year. The means in private hands by which the Treasury may be drained of its gold and compelled to replenish its gold reserve to meet further demands are just as complete to-day as they were at the beginning of the period of which I have spoken. The present system is an endless chain running between the United States Treasury and the great banking center of the country, by means of which all kinds of token money—which means all money other than gold—are carried into the Treasury of the United States and back again to the banking institutions,

carrying with them an unending and undiminishing stream of gold and bonds.

The primary demand is for gold, and the basis of that demand is the obligation of the Government to maintain the parity between gold and silver; but the only means which the Government has of obtaining gold to satisfy this obligation is by the issuance of interest-bearing bonds. If this be so now it will be necessarily so in the future and for all time in the future, so long as the present system shall continue. In what other way can gold be obtained to meet this ever-present and ever-increasing demand for it? No other way has been discovered by the Administration, and I doubt if any other way can be suggested even by those who insist upon the continuance of the system, unless it be to pay immediately an immense premium for gold.

It has been suggested that the need of the Government for gold to maintain the parity—for that is the real purpose, although the nominal purpose is to meet the gold obligations of the Government represented by the greenbacks—may be met by requiring a fixed percentage of all duties and other taxes to be paid in gold. That clearly would not help the matter, because the Treasury would be required to supply the gold with which to make such payments. It is quite immaterial whether the Government be required to find and furnish gold for the payment of international balances and the like, or to find and furnish gold for the payment of a part of the duties and taxes which it collects. The gold required by the commerce of the country for all purposes must, under existing laws, be furnished by the Government of the United States, if the enforced parity is to be maintained upon the present gold basis.

It has been suggested that increased tariff taxes creating a full supply of revenue would cure the evil. Manifestly that could have no such effect, because even if the revenues derived from all sources by taxation were sufficient, or even far more than sufficient, to meet all of the obligations of the Government, yet that more than sufficient revenue would not bring gold into the Treasury to meet the demand for gold arising out of the operation of our present coinage and currency laws, and, as I have stated, even if that revenue were required to be paid partly or even wholly in gold, the gold drain upon the Treasury would not be relieved thereby, but the Treasury would simply be obliged to find and furnish the gold required for the payment of the duties and other taxes. Of course, it is conceivable that with a full revenue derived from taxes all greenbacks and other demand obligations of the Government redeemed would be held in the Treasury and not put into circulation again, thus, by one redemption, cutting off each gold obligation of the Government and preventing its renewed use for the purpose of extracting gold from the Treasury. But what would then become of the circulating medium of the country? Suppose that that course had been pursued from the time of the passage of the act of 1890, what would be the result? Simply an accumulation of a surplus of nearly four hundred millions of redeemed greenbacks and other notes of the Government and a contraction of the circulating currency of the country to the extent of $400,000,000, thus producing a commercial difficulty far more serious than the present embarrassment of the Government by rendering the money of exchange still more inadequate to the demands of trade.

What next? The Treasurer of the United States, under the direction of the Secretary of the Treasury, may refuse to pay any of the remaining paper obligations of the Government in gold. The act of 1890 authorized him to pay all obligations of the Government in gold or silver, at his option. But what would be the result of the exercise of that option in favor of paying silver? Why, according to the opinions of both the President and the Secretary of the Treasury, it would necessarily and immediately place the whole currency of the country upon a silver basis, in spite of the act of 1873 making gold the standard. Assuming that they are right in this judgment, the very moment that the Government of the United States refuses at its Treasury to make its obligations, no matter in what coin they are ultimately redeemable, equal to gold, by paying gold for them, they must immediately, in accordance with the laws of trade, take their places in exchange according to the relative commodity values of the coins in which they are redeemable. The law requiring the maintenance of the parity between gold and silver by the Government is an interruption of the laws of trade, continuing to operate just as long as the terms of the law are practically carried out, but no longer. I have said that this is the judgment of the Administration itself, but I wish to add that I agree with that judgment.

Now, it seems to me that there are but two possible ultimate results before this country. We must go on without limit, either as to time or amount, procuring gold by the issuance of interest-bearing bonds, year after year, until our bonds shall become absolutely unsalable, when the scheme will end in the ignominy of national bankruptcy, or we must find safety in a return to a silver basis.

We have, in my opinion, no alternative in the matter of returning to a silver basis. The nation can not long bear the strain of maintaining the present system. Our alternative, therefore, is merely as to the method of returning. We may return to a silver basis by legislation, in the enactment of which we may provide equitably for such existing obligations as ought to be paid in gold or its equivalent, or, failing of legislation to that end, we must return to the silver basis through the channel of national bankruptcy.

COST OF MAINTAINING GOLD STANDARD.

It costs the people of this country now $100,000,000 per annum to maintain the gold standard, and I do not see how, under the construction given to the currency laws of our country by the Treasury Department, we are ever to escape that burden or to make it less. I do not forget that for every dollar in gold that we give out we receive a dollar in the paper currency of the country which we can pay out at its nominal value. But we are paying a fearful premium for gold. We procure gold by the issuance of thirty-year bonds, bearing interest at the rate, approximately, of 3½ per cent per annum, amounting in thirty years to 100 per cent upon the amount borrowed. Now, the payment of interest by the Government of the United States is not like the payment of interest by a private individual or corporation upon money to be used productively. The private borrower of money puts it to uses that will yield interest equal to or in excess of the interest which he pays. Not so with the Government. The Government receives no compensating interest, because it does not use the money borrowed productively. The interest paid by the Government is a dead loss, which must be borne wholly by the people, and in this case 100 per cent upon every dollar of gold borrowed to maintain the parity is a mere gratuity paid by the Government, for which it receives no return whatever in any form. But the people must, within thirty years after each bond issue, pay the principal of the sum borrowed, with an equal amount added to the principal in the form of interest. How long will the people continue to bear this burden? How long can they continue to bear it? It seems to me that the question of abandoning the gold standard is not a debatable one, unless the advocates of the gold standard can first show that a time will come in the near future when it will not cost the people $100,000,000 per annum as an absolute dead waste of public money to maintain it.

Mr. BOATNER. Mr. Chairman, if it will not interrupt my friend from California, I should like him to explain, if his premises be correct, what has maintained and what is now maintaining the silver circulation at a parity with gold?

Mr. MAGUIRE. It is the promise of the Government of the United States to bear the expense of maintaining the parity between gold and silver coin and between gold and all other forms of currency at the established ratio; to receive silver and other forms of currency in payment of Government dues on a parity with gold, and giving to silver and other forms of currency, either with or without limit, the legal-tender character. It is the equality and the certainty of redemption on a gold basis that accomplishes that purpose now; but it is fearfully expensive to the people, and the expense of maintaining it must increase rather than diminish in the future. Silver, being demonetized, is degraded and reduced in value throughout the world because the limitation put upon the use of silver makes the demand for it less than the supply offered; and this condition under the well-known and universal law of supply and demand reduces its market price far below what it would be if the demand were permitted to be normal.

Mr. BOATNER, Will the gentleman permit another question?

Mr. MAGUIRE. With pleasure, sir.

Mr. BOATNER. If the propositions just stated by my friend be true, I would like to ask him to state what maintained the equality of the circulation issued under the Bland Act prior to the act of 1890? That circulation was issued at a time when there was no such pledge as that of which the gentleman speaks and no such promise on the part of the Government.

Mr. MAGUIRE. I presume that between the time of the passage of the Bland-Allison Act and the passage of the act of 1890 the demand for silver and for coin obligations of the Government to be used as money was greater than the supply, and that in spite of the fact that gold was made the sole money of ultimate redemption silver was more in demand for use than gold was for redemption. If the gentleman from Louisiana [Mr. BOATNER] means by his questions to suggest that it is not necessary to pay any of the outstanding paper obligations of this Government in gold in order to maintain the parity between gold and silver on the present gold basis, then I say to him that his opinion is based upon a supposed condition of fact the proof of which must be a fearful condemnation of the financial policy of both the present and the next preceding Administrations, for the people of this country have been called upon to bear the enormous burden of paying gold for greenbacks, notwithstanding the option of the Secretary of the Treasury under the law to pay them in either gold or silver, upon the theory that that course is necessary to the

preservation of the nation's honor and credit. The theory upon which they have been construed to be gold obligations is that, the Government having promised to maintain the parity between gold and silver, the honor of the nation would be impaired and blemished by a failure or refusal to pay them in gold, because such failure would immediately destroy the parity and reduce the country to a silver basis.

I have sought to proceed in the discussion of this question upon the theory that the principal supporters of the gold standard, and particularly those who have charge of the administration of the nation's finances under that system, understand and correctly state their reasons for exercising their option in favor of paying gold instead of silver upon these obligations of the Government.

Now, if the theory of the Secretary of the Treasury and also of the President of the United States, as expressed in his message to Congress in December last, be correct, this country, notwithstanding the law making gold the standard, must go to a silver basis whenever the Government fails to pay gold for any obligation of the Government or for any other money or currency. If that be so, and it seems to me reasonably probable at least, then the retirement of the greenbacks and the other $112,000,000 of so-called gold demand notes of the Government will not relieve us in the least of the burden of maintaining the parity between gold and silver and will not in the least reduce the necessity for selling interest-bearing bonds to procure gold for that purpose. If the greenbacks were all retired and $100,000,000 in silver certificates were presented to the Secretary of the Treasury and gold demanded for them, the Treasurer of the United States would be bound to give gold for them or the parity would fail, because the owner of the silver certificates, being obliged to get the gold from some source and being unable to get it at the Treasury of the United States, would go into the market and pay a premium for it. That premium would represent the extent of the failure of the parity. So that there is really no prospect under the present system of any diminution of the necessity for procuring gold by the sale of the interest-bearing bonds in order to maintain the parity.

Remember that while silver would unquestionably be increased in value by the opening of our mints, or of any mints, to its free and unlimited coinage, the commodity value of the silver would not be increased through going to a silver basis by reason of the failure of the Government to maintain the parity, because the coinage of silver would still be limited and the demand for silver left unchanged. So much for the burden assumed by the Government in maintaining the gold standard.

ONLY ONE STANDARD.

"But," say the gold men, "the unit of value must be in one kind of money only. You can not have two standards of value—one in gold and one in silver, and gold is the standard of value in all of the leading nations of the world." Both of these propositions are true; but it is equally true that the adoption of gold as the standard of value in the leading nations of the earth is not even a good argument in favor of our adopting it, and does not in the least tend to show that gold is a better standard of value than silver. If we must have but one standard of value, and I concede that, then I assert that every argument that should weigh in the selection of the standard is in favor of silver and against gold.

A word further about the systems of currency established in the older nations. Bear in mind that in those countries the people have never been consulted about the standard of value or the system of finance. The governments of those countries rely entirely upon the so-called expert financiers, the great bankers and money lenders, whose experience in banking and money lending is supposed to be the safest guide in all matters relating to coinage and currency, whereas in truth they are not experts in the use of money as media of exchange at all, and are expert only from the standpoint of the lender of money, who naturally imagines that the kind of currency which gives most advantages to the creditor class is the best money of ultimate redemption. From his point of view, naturally, if a metal money is to be selected as the standard of value and the money of ultimate redemption it should be the metal which can be most readily monopolized and manipulated by the wealthy, though numerically small, creditor class.

We have not attempted any scientific solution of the money question, but have basely copied our system from the monarchies of Europe, and we are now told that that system must be best for this country because the governments of those countries have adopted it.

MONEY IS DOMESTIC, NOT INTERNATIONAL.

But—

Say the gold monometallists—

unless we coin gold as our exclusive money of ultimate redemption we can not trade on equal terms with the leading nations, because they will not sell except for gold, and they will accept nothing but gold in payment of our trade balances to them.

I will not discuss the first of these propositions. I venture to predict that we shall not suffer by reason of their refusal to sell to us. The silver-standard countries of the world already produce nearly everything that we can not produce for ourselves.

As to foreign balances, we do not pay them in gold coin, but in gold by weight, and in the payment of such balances uncoined bar gold is generally at a premium over coined gold.

There is no such thing as an international money, nor can there be except by an international agreement, such as that of the Latin Union, and I very much doubt the practicability and the value of such an agreement.

Money is essentially a matter of domestic concern to the people of each country, and in establishing a money system for this country it is quite immaterial what system any other nation may have adopted. There is no more reason or sense in waiting for an international agreement on the subject of money than there would be in waiting for an international agreement on the subject of taxation or education or universal suffrage.

International bimetallism is a fraud put forward by the gold men as a temporary expedient, and is repudiated by them whenever, in moments of exuberance, they feel above the need of its help.

CHARACTER OF EXISTING DEBTS IMMATERIAL.

Silver was selected as the standard of value in this country at the suggestion of Thomas Jefferson more than one hundred years ago. The silver dollar continued to be the unit of value until 1873, when it was superseded by the gold unit, certainly not because of any general fault found with the silver standard nor because of any demand made among the people for the change, but probably, even without the knowledge of a majority of the representatives in the Congress adopting it, suggested by the large creditor classes in order to enhance the value of the public and private securities and claims which they held. After the passage of that act all demands to repeal it were met with arguments that could not be urged in favor of its passage originally and that do not support the theory that gold is a better standard of value than silver. It was urged and is still urged that all debts, public and private, contracted after the passage of the act of 1873 were contracted with reference to the law making gold the standard, and are therefore gold debts; that to change the standard would be an injustice to those who had contracted under the law with the expectation that they would be paid in gold according to that law, that it would be dishonorable by changing the standard to interfere with their vested rights. That contention might be answered by the suggestion that the act of 1873 was equally unjust to debtors, and that both debtors and creditors must take their chances upon changes in public laws, the indirect effect, but not the primary purpose, of which is to increase or diminish the values or burdens of individual obligations. In so far as existing debts are morally gold debts, they should be paid in gold or its equivalent. If under free coinage silver will become commercially equivalent to gold at the ratio of 16 to 1, all will be well, but the contingency that it may not do so should be provided for with respect to obligations that are morally payable in gold. But I will not discuss that phase of the question. Our system of coinage should not be controlled in any way by the fact that we owe obligations which ought to be paid either in gold or in silver. It is absurd to contend that we should forever maintain a bad system of currency in this country, because no matter at what time you propose a change in the system you are hampered by the fact that there are public and private debts which have been contracted under existing law and which ought not to be either increased or diminished in value by a change in the law. It can not be conceded that the people of this country are forever bound hand and foot to a vicious system of currency by the existence of that condition. We should be as free to-day to change our system of currency from bad to better or from worst to best, if we can find the best, as we would be if nobody owed a dollar, and we must assert that freedom in the matter of changing our currency system.

SILVER MONEY ESSENTIAL—GOLD MONEY NOT ESSENTIAL.

The uses to which gold is put in effecting the exchanges of the world involve very little demand for coined gold. Indeed, the gold coinage of our country might be absolutely and permanently stopped without materially hampering trade in any part of the United States. It is not the medium through which exchanges are effected by the use of money passing at the time of the exchange.

Not so with silver. If the use of silver as money were prohibited, half the exchanges of the country in value and nineteen-twentieths of the exchanges of the country in number would be thrown into the utmost confusion and continually embarrassed until the restoration of silver to use as money. Silver is the medium of the small exchanges that are made by the use of money passing at the time of the sale or purchase. No satisfactory substitute for silver as money has ever been found. It is essentially the money of the people, and as every dollar's worth of the commodities comprising the wholesale trade of this country must finally be sold in

comparatively small quantities to ultimate consumers who pay their small prices and bills in silver, which is the only money suited to small exchanges, it must be apparent that at least half in value of the exchanges of the country are made by the use of silver and can not be satisfactorily made in any other way or by the use of any other medium.

SUPERABUNDANCE OF SILVER.

It is highly important that our unit and standard of value shall be in the essential money of our domestic exchanges. It is absolutely indispensable that there be no necessity for calculating discounts or premiums on that money. Every unit of that money should be at all times exactly equal to the legal unit of value. Silver, as I have shown, is the essential money of our domestic exchanges. Gold, while very useful, is not essential. It is merely a convenient supplement to our silver coinage.

But—

Say the gold-standard advocates—

silver has become superabundant. Not more than half the present supply of silver could be used as money in all the countries of the world, even if its coinage were free and unlimited. This oversupply of silver has so far reduced its market value as to make it cumbersome as money.

I will not discuss the supply of silver relatively to the possible demand for it as money. I will assume that at least half of it must find employment in the arts. This condition, so far from being an argument for the demonetization of silver, is a very strong argument in favor of making it the standard, as against a metal the supply of which is confessedly far short of the demand for it. The supply of gold is so far below the demand for it that it is always safe to monopolize it, and to manipulate its price in the market, to the infinite enrichment of the monopolists and to the corresponding injury of the masses of the people. The superabundance of silver over the possible demand for it as money would serve as a perpetual bulwark against its monopoly and manipulation. It would never be safe to attempt its monopoly. If an attempt should be made to monopolize coined silver the surplus used in the arts would flow into the mints to meet the deficiency. To monopolize silver bullion would necessitate the payment of a price high enough to draw it away from the arts, with the certainty of being obliged ultimately to sell it for use in the arts.

The average cost of producing silver, which is considerably above its present market price, is the best possible guaranty against its further depreciation under any circumstances, and is the best possible assurance of its considerable appreciation in market value whenever the present law-created, abnormal condition shall be removed.

Under free coinage, which we all understand in common speech to mean unlimited as well as free coinage, the possible fluctuations in the market price of silver would be confined to the very narrow margin between the cost of producing it and its value for use in the arts.

These rigid limits of fluctuation would secure to us the steadiest standard of value conceivable.

Would the cheapness of silver make it cumbersome as standard money? I think not. Silver bears practically the same relation of value to-day to the staple commodities of commerce that it bore for the eighty-one years during which it was the standard of value. It can not be more cumbersome now than it was during that period.

Remember that the price of silver has fallen only with reference to the price of gold, not with reference to the prices of other commodities; and that apparent fall may have been occasioned either by the depreciation of silver and of the other commodities or by the appreciation of gold.

But if silver should be found cumbersome as money, a system of silver certificates, representing deposits of silver at the mints or subtreasuries of the United States, would overcome that difficulty. It will not be denied that a one-thousand-dollar silver certificate is less cumbersome than a twenty-dollar gold piece.

THE RATIO.

But—

Say our opponents—

gold and silver can not be used together at the ratio of 16 to 1 unless the Government guarantees the parity at that ratio.

My answer is that it is not a proper function of government to guarantee the parity between metal moneys.

The function of government ends with the free and unlimited coinage of such metals as the people desire to use as media of exchange at such ratios as are likely to make them proportionately equal to each other in use, leaving their actual relation to be governed by the laws of trade. I am certainly opposed to taxing the people $100,000,000 a year to maintain the parity, as we are doing now.

I am in favor of restoring the free and unlimited coinage of gold and silver at the ratio of 16 to 1, first, because our last experiment in the free and unlimited coinage of both metals showed that to be the true ratio at that time, and we can not ascertain either that there has been a change or the extent of the change without restoring the system of coinage then existing; secondly, because all of our gold and silver money now in use has been coined at that ratio, and it would be a great and expensive folly to recoin either our gold or our silver money at a new ratio until, by actual experiment, we ascertain whether or not the restoration of the free and unlimited coinage of both metals will restore the commercial parity which existed between them up to the time of the demonetization of silver. If gold should go to a premium, it will do no particular harm. In fact, gold is now at a tremendous premium, and the people, through their National Treasury, are paying it.

Free Trade or Protection.

REMARKS
OF
HON. CHESTER I. LONG,
OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, June 10, 1896.

Mr. LONG said:

Mr. SPEAKER: In these days of business depression, when those who are responsible for the Wilson-Gorman tariff law are endeavoring to change the issue of the coming campaign, and thus avoid their responsibility for its failure, it is well to remember that the result of this step toward free trade is the same as other resorts to this policy in the past.

Free trade may be better for Great Britain, but our experience has clearly demonstrated that it is not better for this country. We have prospered under protective tariffs, and we have always had panics and business disasters when we have tried free trade.

No clearer exposition of the principles of protection can be found than the following reply of James G. Blaine to William E. Gladstone in the North American Review:

There can be no doubt that Mr. Gladstone is the most distinguished representative of the free-trade school of political economists. His addresses in Parliament on his celebrated budget, when chancellor of the exchequer in 1853, were declared by Lord John Russell "to contain the ablest exposition of the true principles of finance ever delivered by an English statesman." His illustrious character, his great ability, and his financial experience point to him as the leading defender of free trade applied to the industrial system of Great Britain.

Mr. Gladstone apologizes for his apparent interference with our affairs. He may be assured that apology is superfluous. Americans of all classes hold him in honor, free traders will rejoice in so eminent an advocate, and protectionists, always the representatives of liberality and progress, will be glad to learn his opinions upon a question of such transcendent importance to the past, the present, and the future of the Republic.

Perhaps the most remarkable feature in the argument of Mr. Gladstone, as indeed of every English free trader except John Stuart Mill, is the universality of application which he demands for his theory. In urging its adoption he makes no distinction between countries; he takes no account of geographical position, whether a nation be in the Eastern or the Western Hemisphere, whether it be north or south of the Equator; he pays no heed to climate, or product, or degree of advancement; none to topography, whether the country be as level as the delta of the Nile or as mountainous as the Republic of Bolivia; none to pursuits and employments, whether in the agricultural, manufacturing, or commercial field; none to the wealth or poverty of a people; none to population, whether it be crowded or sparse; none to area, whether it be as limited as a German principality or as extended as a Continental empire. Free trade he believes advantageous for England; therefore, without the allowance of any modifying condition, great or small, the English economist declares it to be advantageous for the United States, for Brazil, for Australia; in short, for all countries with which England can establish trade relations. It would be difficult, if not impossible, for Mr. Gladstone to find any principle of administration or any measure of finance so exactly fitted to the varying needs of all countries as he assumes the policy of free trade to be. Surely it is not unfair to maintain that, deducing his results from observation and experience in his own country, he may fall into error and fail to appreciate the financial workings of other countries geographically remote and of vastly greater area.

The American protectionist, let it not be discourteous to urge, is broader in his views than the English free trader. No intelligent protectionist in the United States pretends that every country would alike realize advantage from the adoption of the protective system. Human government is not a machine, and even machines can not be so perfectly adjusted as to work with equal effectiveness at all times and under all conditions. Great Britain and the United States certainly resemble one another in more ways than either can be said to resemble any other nation in the world; yet, when we compare the two on the question at issue, the differences are so marked that we almost lose sight of the resemblance. One is an insular monarchy with class government; the other a continental Republic with popular government. One has a large population to the square mile; the other has a small population to the square mile. One was old in a rich and complex civilization before the establishment of the other was even foreseen. One had become the wealthiest nation of the world while the other was yet in the toils and doubts of a frontier life and a primitive civilization. One had extensive manufactures for almost every field of human need, with the civilized world for its market, while the population of the other was still forced to divide its energies between the hard calling of the sea and the still harder calling of a rude and scantily remunerative agriculture.

The physical differences between the two countries are far more striking than the political and social differences. They are, indeed, almost incalculable. Great Britain is an island less than 90,000 square miles in extent. It lies in the far north. Its southernmost point is nearly 30 degrees of latitude above the Tropics. Its northernmost point is but 9 degrees below the Arctic Circle. Within its area the exchange of natural products is necessarily limited. Its life depends upon its connection with other countries. Its prosperity rests

upon its commerce with the world. On the other hand, a single State of the Union is nearly three times as large as Great Britain. Several other States are each quite equal to it in area. The whole Union is well-nigh forty times as large. Alaska excepted, the northernmost point of the Union is but 60 miles south of the southernmost point of Great Britain, and the southernmost point of the Union is but little more than 100 miles from the Tropics. Its natural products are more varied, more numerous, and of more valuable character than those of all Europe. To quote one of Mr. Gladstone's phrases, we constitute "not so much a country in ourselves as a world." He tells us that we carry on "the business of domestic exchanges on a scale such as mankind has never seen." Our foreign commerce, very large in itself, is only as 1 to 25 compared to our internal trade. And yet Mr. Gladstone thinks that a policy which is essential to an island in the northern ocean should be adopted as a policy of a country which even to his own vision is "a world within itself."

With these fundamental points of difference between the two countries, I assume that varied financial and industrial systems, wrought by the experience of each, would be the natural and logical result. Hence I do not join issue with Mr. Gladstone on both of his propositions. He defends free trade in Great Britain. He assails protection in the United States. The first proposition I neither deny nor affirm. Were I to assume that protection is in all countries and under all circumstances the wisest policy, I should be guilty of an error similar to that which I think Mr. Gladstone commits. It might be difficult to prove that free trade is not the wisest financial policy for Great Britain. So far from guarding herself against material imported from other countries, her industrial system would wither and die if foreign products were withheld for even a brief period. She is in an especial degree dependent upon the products of other nations. Moreover, she does not feel bound to pay heed to the rate of wages which her labor may receive. That, like the fabrics which her labor creates, must take its chance in the markets of the world.

On many points and in many respects it was far different with Great Britain a hundred years ago. She did not then feel assured that she could bear the competition of continental nations. She was, therefore, aggressively, even cruelly, protective. She manufactured for herself and for her network of colonies reaching around the globe. Into those colonies no other nation could carry anything. There was no scale of duty upon which other nations could enter a colonial port. What the colonies needed outside of British products could be furnished to them only in British ships. This was not protection! It was prohibition, absolute and remorseless, and it was continued even to the day when Mr. Gladstone entered upon his long and splendid career in Parliament. It was not broken, though in some respects it was relaxed, until in the fullness of time British energy had carried the wealth and the skill of the Kingdom to the point where no competition could be feared.

During the last thirty years of her protective system, and especially during the twenty years from 1826 to 1846, Great Britain increased her material wealth beyond all precedent in the commercial history of the world. Her development of steam power gave to every British workman the arms of Briareus, and the inventive power of her mechanicians increased the amount, the variety, and the value of her fabrics beyond all anticipation. Every year of that period witnessed the addition of millions upon millions of sterling to the reserve capital of the Kingdom; every year witnessed a great addition to the effective machinery whose aggregate power was already the wonder of the world. The onward march of her manufacturing industries, the steady and rapid development of her mercantile marine, absorbed the matchless enterprise and energy of the Kingdom. Finally, with a vast capital accumulated, with a low rate of interest established, and with a manufacturing power unequaled, the British merchants were ready to underbid all rivals in seeking for the trade of the world.

At that moment Great Britain had reason to feel supremely content. She found under her own flag, on the shores of every ocean, a host of consumers whom no man might number. She had Canada, Australia, and India with open ports and free markets for all her fabrics; and, more than all these combined, she found the United States suddenly and seriously lowering her tariff and effectively abolishing protection at the very moment England was declaring for free trade. The traffic of the world seemed prospectively in her control. Could this condition of trade have continued no estimate of the growth of England's wealth would be possible. Practically it would have had no limit Could she have retained her control of the markets of the United States as she held it for the four years preceding the outbreak of the civil war, the American people would have grown commercially dependent upon her in a greater degree than is Canada or Australia to-day.

But England was dealing with an intelligence equal to her own. The American people had, by repeated experience, learned that the periods of depression in home manufactures were those in which England most prospered in her commercial relations with the United States, and that these periods of depression had, with a single exception, easily explained, followed the enactment by Congress of a free-trade tariff* as certainly as effect follows cause. One of the most suggestive experiments of that kind had its origin in the tariff to which I have just referred, passed in 1846 in apparent harmony with England's newly declared financial policy. At that moment a Southern President (Mr. Polk) and a Southern Secretary of the Treasury (Mr. Robert J. Walker) were far more interested in expanding the area of slave territory than in advancing home manufactures, and were especially eager to make commercial exchanges with Europe on the somewhat difficult basis of cotton at high prices and returning fabrics at low prices.

Under ordinary circumstances the free-trade tariff of 1846 would have promptly fallen under popular reprobation and been doomed to speedy repeal. But it had a singular history and for a time was generally acquiesced in, even attaining in many sections a certain degree of popularity. Never did any other tariff meet with so many and so great aids of an adventitious character to sustain it as did this enactment of 1846. Our war with Mexico began just as the duties were lowered, and the consequence was the disbursement of more than $100,000,000 in a way that reached all localities and favorably affected all interests. This was a great sum of money for that period, and for the years 1846, 1847, and 1848 it considerably more than doubled the ordinary outlay of the Government. In the middle of this period the Irish famine occurred and called for an immense export of breadstuffs at high prices. The discovery of gold in California the succeeding year flushed the channels of business as never before by rapidly enlarging the circulation of coin in all parts of the country. Before this outpouring of gold had ceased the three great nations of Europe, as precedence was reckoned at that time—England, France, and Russia—entered upon the Crimean war. The export of manufactures from England and France was checked; the breadstuffs of Russia were blockaded and could not reach the markets of the world. An extraordinary stimulus was thus given to all forms of trade in the United States. For ten years—1846 to 1856—these adventitious aids came in regular succession and exerted their powerful influence upon the prosperity of the country.

The withdrawal or termination of these influences, by a treaty of peace in Europe and by the surcease of gold from California, placed the tariff of 1846 where a real test of its merits or its demerits could be made. It was everywhere asked with apprehension and anxiety: Will this free-trade tariff now develop and sustain the business of the country as firmly and securely as it has been developed and sustained by protection? The answer was made in the ensuing year by a widespread financial panic, which involved the ruin of thousands, including proportionately as many in the South as in the North, leaving the country disordered and distressed in all the avenues of trade. The disastrous results of this tariff upon the permanent industries of the country are described in President Buchanan's well-remembered message, communicated to Congress after the panic: "With unsurpassed plenty in all the elements of national wealth, our manufacturers have suspended, our public works are retarded, our private enterprises of different kinds are abandoned, and thousands of useful laborers are thrown out of employment and reduced to want." This testimony as to the result of a free-trade tariff is all the more forcible from the fact that Mr. Buchanan, as a member of President Polk's Cabinet, had consented to the abandonment of protection, which in his earlier career he had earnestly supported.

If these disasters of 1857, flowing from the free-trade tariff, could have been regarded as exceptional, if they had been without parallel or precedent, they might not have had so deadly a significance. But the American people had twice before passed through a similar experience. On the eve of the war of 1812 Congress guarded the national strength by enacting a highly protective tariff. By its own terms this tariff must end with the war. When the new tariff was to be formed a popular cry arose against "war duties," though the country had prospered under them despite the exhausting effect of the struggle with Great Britain. But the prayer of the people was answered, and the war duties were dropped from the tariff of 1816. The business of the country was speedily prostrated. The people were soon reduced to as great distress as in that melancholy period between the close of the Revolutionary war and the organization of the National Government—1783 to 1789. Colonel Benton's vivid description of the period of depression following the reduction of duties comprises in a few lines a whole chapter of the history of free trade in the United States:

"No price for property; no sales except those of the sheriff and the marshal; no purchasers at execution sales except the creditor or some hoarder of money; no employment for industry; no demand for labor; no sale for the products of the farm; no sound of the hammer except that of the auctioneer knocking down property. Distress was the universal cry of the people; relief the universal demand."

Relief came at last with the enactment of the protective tariff of 1824, to the support of which leading men of both parties patriotically united for the common good. That act, supplemented by the act of 1828, brought genuine prosperity to the country. The credit of passing the two protective acts was not due to one party alone. It was the work of the great men of both parties. Mr. Clay and General Jackson, Mr. Webster and Mr. Van Buren, Gen. William Henry Harrison and Richard M. Johnson, Silas Wright and Louis McLane, voted for one or the other of these acts, and several of them voted for both. The cooperation of these eminent men is a great historic tribute to the necessity and value of protection. Plenty and prosperity followed as if by magic the legislation to which they gave their support. We have their concurrent testimony that the seven years preceding the enactment of the protective tariff of 1824 were the most discouraging which the young Republic in its brief life had encountered, and that the seven years which followed its enactment were beyond precedent the most prosperous and happy.

Sectional jealousy and partisan zeal could not endure the great development of manufactures in the North and East which followed the apparently firm establishment of the protective policy. The free-trade leaders of the South believed—at least they persuaded others to believe—that the manufacturing States were prospering at the expense of the planting States. Under the lead of Calhoun, South Carolina rebelled, and President Jackson, who had so strikingly shown his faith in the policy of protection, was not able to resist the excitement and resentment which the free traders had created in the cotton States. He stood between hostile policies, represented by his two bitterest personal enemies—Clay for protection, Calhoun for free trade. To support Clay would ruin Jackson politically in the South. He could not sustain Calhoun, for, aside from his opposition to free trade, he had cause for hating him personally. He believed, moreover, that Calhoun was at heart untrue to the Union, and to the Union Jackson was as devoted as Clay. Out of this strange complication came, not unnaturally, the sacrifice of the protective tariff of 1824–1828 and the substitution of the compromise tariff of 1833, which established an ad valorem duty of 20 per cent on all imports and reduced the excess over that by a 10 per cent annual sliding scale for the ensuing ten years. Like all compromises, it gave complete satisfaction to neither party, but it was received with general acquiescence from the belief that it was the best practicable solution of the impending difficulties. The impending difficulties were two. One was the portentous movement which involved the possibility of dissolving the Union; the other was the demand for a free-trade tariff as the only measure that could appease the Southern nullifiers. Disunion and free trade from that time became associated in the public mind—a source of apprehension in the North, a source of political power in the South. Calhoun was the master spirit who had given the original impulse both to disunion and free trade. Each in turn strengthened the other in the South, and both perished together in the war of the rebellion.

For a time satisfaction was felt with the tariff adjustment of 1833, because it was regarded as at least a temporary reconciliation between two sections of the Union. Before the sliding scale was ruinously advanced there was great stimulus to manufacturing and to trade, which finally assumed the form of dangerous speculation. The years of 1834, 1835, and 1836 were distinguished for all manner of business hazard, and before the fourth year opened the 30 per cent reduction (three years of 10 per cent each) on the scale of duties was beginning to influence trade unfavorably. The apprehension of evil soon became general, public confidence was shaken, the panic of 1837 ensued, and business reversals were rapid, general and devastating.

The trouble increased through 1838, 1839, and 1840 and the party in power, held responsible for the financial disasters, fell under popular condemnation. Mr. Van Buren was defeated, and the elder General Harrison was elevated to the Presidency by an exceptionally large majority of the electoral votes. There was no relief to the people until the protective tariff of 1842 was enacted; and then the beneficent experience of 1824 was repeated on even a more extensive scale. Prosperity, wide and general, was at once restored. But the reinstatement of the Democratic party to power, two years later, by the election of Mr. Polk to the Presidency, followed by a perverse violation of public pledges on the part of men in important places of administration, led to the repeal of the protective act and the substitution of the tariff of 1846, to which I have already adverted, and whose effects upon the country I have briefly outlined.

Measuring, therefore, from 1812, when a protective tariff was enacted to give strength and stability to the Government in the approaching war with Great Britain, to 1861, when a protective tariff was enacted to give strength and stability to the Government in the impending revolt of the Southern States, we have fifty years of suggestive experience in the history of the Republic. During this long period free-trade tariffs were thrice followed by industrial stagnation, by financial embarrassment, by distress among all classes dependent for subsistence upon their own labor. Thrice were these

*The phrase "free-trade tariff" involves a contradiction of terms. It is used to designate that form of duty which is levied with no intention to protect domestic manufactures.

burdens removed by the enactment of a protective tariff. Thrice the protective tariff promptly led to industrial activity, to financial ease, to prosperity among the people. And this happy condition lasted in each case, with no diminution of its beneficent influence, until illegitimate political combinations, having their origin in personal and sectional aims, precipitated another era of free trade. A perfectly impartial man, unswerved by the excitement which this question engenders in popular discussion, might safely be asked if the half century's experience, with its three trials of both systems, did not establish the wisdom of protection in the United States. If the inductive method of reasoning may be trusted, we certainly have a logical basis of conclusion in the facts here detailed.

And by what other mode of reasoning can we safely proceed in this field of controversy? The great method of Bacon was by "rigid and pure observation; aided by experiment and fructified by induction." Let us investigate "from effects to causes, and not from causes to effects." Surely it is by a long series of experiments, and by that test only, that any country can establish an industrial system that will best aid in developing its hidden wealth and establishing its permanent prosperity. And each country must act intelligently for itself. Questions of trade can no more be regulated by an exact science than crops can be produced with accurate forecast. The unknown quantities are so many that a problem in trade or agriculture can never have an absolute answer in advance. But Mr. Gladstone, with an apparent confidence in results as unshaken as though he were dealing with the science of numbers, proceeds to demonstrate the advantage of free trade. He is positively certain in advance of the answer which experiment will give, and the inference is that nothing is to be gained by awaiting the experiment. Mr. Gladstone may argue for Great Britain as he will, but for the United States we must insist on being guided by facts and not by theories; we must insist on adhering to the teachings of experiments which "have been carried forward by careful generalization to well-grounded conclusions."

As an offset to the charge that free-trade tariffs have always ended in panics and long periods of financial distress, the advocates of free trade point to the fact that a financial panic of great severity fell upon the country in 1873, when the protective tariff of 1861 was in full force, and that, therefore, panic and distress follow periods of protection as well as periods of free trade. It is true that a financial panic occurred in 1873, and its existence would blunt the force of my argument if there were not an imperatively truthful way of accounting for it as a distinct result from entirely distinct causes. The panic of 1873 was widely different in its true origin from those which I have been exposing. The civil war, which closed in 1865, had sacrificed on both sides a vast amount of property. Reckoning the money directly expended, the value of property destroyed, and the production arrested and prevented, the total is estimated to be nine thousand millions of dollars. The producers of the country had been seriously diminished in number. A half million men had been killed. A million more had been disabled in various degrees. Help was needed in the honorable form of pensions, and the aggregate required for this purpose exceeded all anticipation and has annually absorbed an immense proportion of the national income. The public debt that must be funded reached nearly three thousand millions, demanding at the beginning more than $150,000,000 for annual interest. A great proportion of the debt, when funding was complete, was held in Europe, calling for an enormous export of gold or its equivalent to meet the interest.

Beside these burdens upon the people, the country was on a basis of paper money, and all gold payments added a heavy premium to the weight of the obligation. The situation was without parallel. The speculative mania which always accompanies war had swollen private obligations to a perilous extent, and the important question arose of restoring coin payment. On the one hand it was contended that to enforce the measure would create a panic by the shrinkage of prices which would follow, and on the other hand it was urged with equal zeal that to postpone it longer would increase the general distrust among the people as to the real condition of the country, and thus add to the severity of the panic if one should be precipitated.

Notwithstanding the evil prophecies on both sides, the panic did not come until eight and a half years after the firing of the last gun in the civil war. Nor did it come until after two great calamities in the years immediately preceding had caused the expenditure of more than two hundred millions of dollars, suddenly withdrawn from the ordinary channels of business. The rapid and extensive rebuilding in Chicago and Boston after the destructive fires of 1871 and 1872 had a closer connection with the panic of 1873 than is commonly thought. Still further, the six years' depression, from 1873 to 1879, involved individual suffering rather than general distress. The country as a whole never advanced in wealth more rapidly than during that period. The entire experience strengthened the belief that the war for the Union could not have been maintained upon a free-trade basis, and that the panic of 1873 only proved the strength of the safeguard which protection supplies to a people surrounded by such multiform embarrassments as were the people of the United States during the few years immediately following the war. And, strongest of all points, the financial distress was relieved and prosperity restored under protection, whereas the ruinous effects of panics under free trade have never been removed except by a resort to protection.

Does Mr. Gladstone maintain that I am confusing post hoc with propter hoc in these statements? He must show, then, that the United States during the war could have collected a great internal revenue on domestic manufactures and products, when under the system of free trade similar fabrics would daily have reached New York from Europe to be sold at prices far below what the American manufacturer, with the heavy excise then levied, could afford to set upon his goods. And if the Government could collect little from the customs under free trade and nothing from internal products, whence could have been derived the taxes to provide for the payment of interest on public loans, and what would have become of the public credit? Moreover, with free trade, which Mr. Gladstone holds to be always and under all circumstances wiser than protection, we should have been compelled to pay gold coin for European fabrics, while at home and during the tremendous strain of the war legal-tender paper was the universal currency. In other words, when the life of the country depended upon the Government's ability to make its own notes perform the function of money, the free traders' policy would have demanded daily gold for daily bread.

The free trader can not offset the force of the argument by claiming that the laws regulating revenue and trade are, like municipal laws, silent during the shock of arms, because the five closing years—indeed, almost six years—of the decade in which the rebellion occurred were passed in peace, and during those years the ravages of war were in a large degree repaired and new wealth rapidly acquired. But I shall not give to Mr. Gladstone or to the American free trader the advantage of seeming to rest the defense of protection upon its marvelous value during the exhaustive period of war. Viewing the country from 1861 to 1889—full twenty-eight years—the longest undisturbed period in which either protection or free trade has been tried in this country—I ask Mr. Gladstone if a parallel can be found to the material advancement of the United States.

Mr. Gladstone admits the wonderful increase of wealth acquired under a protective tariff, but he avers that the results would have been larger under free trade. That, of course, is a speculative opinion, and is entitled to respect according to the knowledge and experience of the man who utters it. Every statement of Mr. Gladstone carries weight, but in this case his opinion runs directly counter to the fifty years of financial experience through which this country has passed with alternate trials of the two systems. Moreover, it is fair to say that Mr. Gladstone does not in his utterance represent European judgment. He speaks only for the free-trade party of Great Britain and their followers on this side of the ocean. The most eminent statesman on the Continent of Europe holds opinions on this subject directly the reverse of those held by the most eminent statesman of Great Britain. We feel assured in America that, so far as the question of protection may be affected, either favorably or adversely, by the weight of individual judgment, we may safely leave Mr. Gladstone to be answered by Prince Bismarck.

But better than the opinion of Mr. Gladstone, better than the opinion of Prince Bismarck, are the simple facts of the case of open record in both countries. A brief rehearsal of these facts, with the pertinent comparison which they suggest, will give the best answer to Mr. Gladstone's assumption that the United States would have made more rapid progress under a system of free trade. I take the official figures of the census in the United States, and for the United Kingdom I quote from Mr. Giffen, who is commended by Mr. Gladstone as the best authority in England:

In 1860 the population of the United States was, in round numbers, 31,000,000. At the same time the population of the United Kingdom was, in round numbers, 29,000,000. The wealth of the United States at that time was fourteen thousand millions of dollars; the wealth of the United Kingdom was twenty-nine thousand millions of dollars. The United Kingdom had, therefore, nearly the same population, but more than double the wealth of the United States, with machinery for manufacturing fourfold greater than that of the United States. At the end of twenty years (1880) it appeared that the United States had added nearly thirty thousand millions of dollars to her wealth, while the United Kingdom had added nearly fifteen thousand millions, or about one-half.

During this period of twenty years the United States had incurred the enormous loss of nine thousand millions of dollars by internal war, while the United Kingdom was at peace, enjoyed exceptional prosperity, and made a far greater gain than in any other twenty years of her history—a gain which during four years was in large part due to the calamity that had fallen upon the United States. The United Kingdom had added 6,000,000 to her population during the period of twenty years, while the addition to the United States exceeded 18,000,000.

By the compound ratio of population and wealth in each country, even without making allowance for the great loss incurred by the civil war, it is plainly shown by the statistics here presented that the degree of progress in the United States under protection far exceeded that of the United Kingdom under free trade for the period named. In 1860 the average wealth per capita of the United Kingdom was $1,000, while in the United States it was but $450. In 1880 the United Kingdom had increased her per capita wealth to $1,230, while the United States had increased her per capita wealth to $870. The United Kingdom had in twenty years increased her per capita wealth 23 per cent, while the United States had increased her per capita wealth more than 93 per cent. If allowance should be made for war losses, the ratio of gain in the United States would far exceed 100 per cent. Upon these results, what ground has Mr. Gladstone for his assertion?

With great confidence Mr. Gladstone proposes to carry the war for free trade into the enemy's country. Perhaps the enemy, who are only modest protectionists, may embarrass the march of his logic with a few pertinent questions, or at least abate the rate of speed which he proposes for his triumphant movement. I shall not give counter theories. I shall only cite established facts, and allow the facts to establish their own theories:

1. John Edgar Thompson, late president of the Pennsylvania Railroad Company, purchased 100 tons of steel rails in 1862 at a price (freight paid to New York, duty of 45 per cent unpaid) of $103.44, gold coin. (By way of illustrating Mr. Gladstone's claim to superior quality of manufactures under free trade, the railroad company states that many of the rails broke during the first winter's trial.) In 1864 English rails had fallen to $68 per ton in New York, the freight paid and the duty unpaid. English manufacturers held the market for the ensuing six years, though the sales at the high prices were limited. In 1870 Congress laid a specific duty of $28 per ton on steel rails. From that time the home market has been held by our own manufacturers, with a steady annual fall in price as the facilities of production increased, until the past summer and autumn, when steel rails were selling in Pittsburg, Chicago, and London at substantially the same prices. Does any free trader on either side of the ocean honestly believe that American rails could ever have been furnished as cheaply as English rails except by the sturdy competition which the highly protective duty of 1870 enabled the American manufacturers to maintain against the foreign manufacturers in the first place, and among American manufacturers themselves in the second place? It is not asserted that during the nineteen years since the heavy duty was first established (except during the past few months) American rails have been as cheap in America as English rails have been in England, but it is asserted with perfect confidence that, steadily and invariably, American railroad companies have bought cheaper rails at home than they would have been able to buy in England if the protective duty had not stimulated the manufacture of steel rails in the United States, and if the resulting competition had not directly operated upon the English market.*

*In 1870 only 30,000 tons of steel rail were manufactured in the United States. But the product under the increased duty of that year rapidly increased. The relative number of tons produced in England and the United States for a period of twelve years is shown as follows:

For the same period, 1877–1888, inclusive, the following table will show the number of tons of steel ingots produced in the two countries respectively:

Years.	England.	United States.	Years.	England.	United States.
1877	508,400	385,865	1877	750,006	500,524
1878	622,390	491,427	1878	807,527	653,773
1879	520,231	610,682	1879	834,511	829,439
1880	732,910	852,196	1880	1,044,382	1,074,202
1881	1,023,740	1,187,770	1881	1,441,719	1,374,247
1882	1,235,785	1,284,067	1882	1,673,649	1,514,687
1883	1,097,174	1,148,709	1883	1,553,380	1,477,345
1884	784,968	993,983	1884	1,299,676	1,375,531
1885	705,583	959,471	1885	1,304,127	1,519,430
1886	730,343	1,574,703	1886	1,570,520	2,269,190
1887	1,021,847	2,101,904	1887	2,089,403	2,936,033
1888	979,083	1,386,277	1888	2,032,794	2,511,161
Total in 12 years	9,963,454	12,980,054	Total in 12 years	16,401,688	18,035,622

Under the protective duty of 1870 the United States soon manufactured annually a much larger quantity of steel than Great Britain, and reduced the price from $100 per ton in gold to less than $35 per ton in gold.

2. English steel for locomotive tires imported in 1865, duty paid, was 34 cents per pound in gold. The American competition, under a heavy protective duty, had by 1872 reduced the price to 13 cents per pound, duty paid. At the present time (1889) American steel for locomotive tires, of as good quality as the English steel formerly imported, is furnished at 4½ cents per pound and delivered free of cost at the point where the locomotives are manufactured. The lowering of price was not a voluntary act on the part of the English manufacturer. It was the direct result of American competition under a protective duty—a competition that could not have been successfully inaugurated under free trade.

3. In the year 1860, the last under a free-trade policy, the population of 31,000,000 in the United States bought carpets to the amount of $12,000,000. Nearly half of the total amount was imported. In 1888, with a population estimated at 63,000,000, the aggregate amount paid for carpets was nearly $60,000,000, and of this large sum less than $1,000,000 was paid for foreign carpets, and about half a million for Oriental rugs. Does any free-trader in England believe that the United States without a protective tariff could have attained such control of its own carpet manufacture and trade? It will not be unnoticed, in this connection, that under a protective tariff, the population, by reason of better wages, was enabled to buy a far greater proportion of carpets than under free trade. Nor must it escape observation that carpets are now furnished to the American buyer under a protective tariff much cheaper than when a nonprotective tariff allowed Europe to send so large a proportion of the total amount used in the United States.

These illustrations might be indefinitely multiplied. In woolens, in cottons, in leather fabrics, in glass, in products of lead, of brass, of copper; indeed, in the whole round of manufactures, it will be found that protection has brought down the price from the rate charged by the importers before protection had built up the competing manufacture in America. For many articles we pay less than is paid in Europe. If we pay higher for other things than is paid across the sea to-day, figures plainly indicate that we pay less than we should have been compelled to pay if the protective system had not been adopted; and I beg Mr. Gladstone's attention to the fact that the American people have much more wherewith to pay than they ever had or could have under free trade.*

Mr. Gladstone boldly contends that "keeping capital at home by protection is dear production, and is a delusion from top to bottom." I take direct issue with him on that proposition. Between 1870 and the present time considerably more than 100,000 miles of railroad have been built in the United States. The steel rail and other metal connected therewith involved so vast a sum of money that it could not have been raised to send out of the country in gold coin. The total cost could not have been less than $500,000,000. We had a large interest to pay abroad on the public debt, and for nine years after 1870 gold was at a premium in the United States. During those years nearly 40,000 miles of railway were constructed, and to import English rail and pay for it with gold bought at a large premium would have been impossible. A very large proportion of the railway enterprises would of necessity have been abandoned if the export of gold to pay for the rails had been the condition precedent to their construction. But the manufacture of steel rails at home gave an immense stimulus to business. Tens of thousands of men were paid good wages, and great investments and great enrichments followed the line of the new road and opened to the American people large fields for enterprise not theretofore accessible.

I might ask Mr. Gladstone what he would have done with the labor of the thousands of men engaged in manufacturing rail, if it had been judged practicable to buy the rail in England? Fortunately he has given his answer in advance of the question, for he tells us that "in America we produce more cloth and more iron at high prices, instead of more cereals and more cotton at low prices." The grain growers of the West and the cotton growers of the South will observe that Mr. Gladstone holds out to them a cheerful prospect! They "should produce more cereals and more cotton at low prices"! Mr. Gladstone sees that the protective system steadily tends to keep up the price of "cereals and cotton," and he asks that manufactures of "cloth and iron" be abandoned, so that we may raise "more cereals and more cotton at low prices." Mr. Gladstone evidently considers the present prices of cereals and cotton as "high prices."

Protectionists owe many thanks to Mr. Gladstone for his outspoken mode of dealing with this question of free trade. He gives us his conclusions without qualification and without disguise. The American free trader is not so sincere. He is ever presenting half truths and holding back the other half, thus creating false impressions and leading to false conclusions. But Mr. Gladstone is entirely frank. He tells the laborers on protected articles that they would be better engaged in "raising more cereals and more cotton at low prices." Where does Mr. Gladstone suggest a market for the additional grain and cotton to be raised by American mechanics becoming farmers and increasing the production of those great staples? The foreign market is filled with a competing grain supply to such a degree that already the price of wheat is unduly lowered to the Western farmer. The farmer needs a still larger home consumption of his grain while Mr. Gladstone thinks he needs a still larger home production. The legitimate involvement of Mr. Gladstone's argument is that all mechanical and manufacturing enterprises in America producing articles of higher price than the same produced in Europe should be abandoned, and the laborers so engaged should be turned to the production of "more cereals and more cotton at low prices"! The Western farmer's instinct is wiser than Mr. Gladstone's philosophy. The farmer knows that the larger the home market the better are his prices, and that as the home market is narrowed his prices fall.

Mr. Gladstone's pregnant suggestion really exhibits the thought that lies deep in the British mind; that the mechanic arts and the manufacturing processes should be left to Great Britain, and the production of raw material should be left to America. It is the old colonial idea of the last century, when the establishment of manufactures on this side of the ocean was regarded with jealousy by British statesmen and British merchants. Some years before the Revolutionary struggle began Parliament had declared that "the erecting of manufactories in the colonies tends to lessen their dependence on Great Britain." A few years later the British Board of Trade reported to Parliament that "manufactures in the American colonies interfere with profits made by British merchants." The same body petitioned Parliament that "some measures should be provided to prevent the manufacturing of woolen and linen goods in the colonies." Finally Parliament declared that "colonial manufacturing was prejudicial to the trade and manufactures of Great Britain." These outrageous sentiments (the colonists characterized them much more severely) were cherished in the time of the glorious Georges, in the era of Walpole and the elder Pitt.

I do not mean to imply that Mr. Gladstone's words carry with them an approval, even retrospectively, of this course toward the colonies, but there is a remarkable similarity to the old policy in the fundamental idea that causes him in 1889 to suggest that Americans produce "too much cloth and too much iron," and should turn their labor to "low-priced cereals and low-priced cotton." Are we not justified in concluding that Mr. Gladstone's theory of free trade, in all its generalizations and specifications, is fitted exactly to the condition of Great Britain, and that British hostility to American protection finds its deep foundation in the fact—to quote the old phrases—that "it is prejudicial to the trade and manufactures of Great Britain," that "it lessens our dependence upon Great Britain," and that "it interferes with profits made by British merchants"?

Mr. Gladstone makes another statement of great frankness and of great value. Comparing the pursuits in the United States which require no protection with those that are protected, he says: "No adversary will, I think, venture upon saying that the profits are larger in protected than in unprotected industries." This is very true, and Mr. Gladstone may be surprised to hear that the constant objection made by American free traders against the "protected industries," as he terms them, is that the profits derived from them are illegitimately large. Mr. Gladstone sees clearly that as a rule this is not true, and he at once discerns the reason. He says "the best opinions seem to testify that in your protected trades profits are hard pressed by wages." The free traders of America try by every cunning device to hide this fact. Its admission is fatal to their cause. Not one free-trade organ or leader among them all dares to take his position beside Mr. Gladstone and plainly tell the truth to the American laborer. Not one free-trade organ or leader dares frankly to say to the great body of American workmen that the destruction of protection inevitably and largely reduces their daily wages. I thank Mr. Gladstone for this testimony, at once accurate and acute. It is fair to presume that he intends it to be applied to the unprotected manufacturer in England and to the protected manufacturer in America, both producing the same article. His logic gives, and I have no doubt truly, as large profit to the manufacturer of England, selling at a low price, as to the manufacturer of America, selling at a high price—the difference consisting wholly in the superior wages paid to the American mechanic.

There is another important effect of protective duties which Mr. Gladstone does not include in his frank admission. He sees that the laborers in what he calls the "protected industries" secure high pay, especially as compared with the European school of wages. He perhaps does not see that the effect is to raise the wages of all persons in the United States engaged in what Mr. Gladstone calls the "unprotected industries." Printers, bricklayers, carpenters, and all others of that class are paid as high wages as those of any other trade or calling, but if the wages of all those in the protected classes were suddenly struck down to the English standard, the others must follow. A million men can not be kept at work for half the pay that another million men are receiving in the same country. Both classes must go up or must go down together.

Mr. Gladstone makes another contention, in which, from the American point of view, he leaves out of sight a controlling factor, and hence refers an effect to the wrong cause. Regarding the advance of wages in England he says: "Wages which have been partially and relatively higher under protection have become both generally and absolutely higher, and greatly higher, under free trade." I do not doubt the fact, but I venture to suggest that such advance in wages as there has been in England is referable to another and a palpable cause—namely, the higher wages in the United

* In spite of these facts, President Cleveland made the following statements, which I quote from his free-trade message to Congress in December, 1887:

"Our present tariff laws, as their primary and plain effect, raise the price to consumers of all articles imported and subject to duty, by precisely the sum paid for such duties. Thus the amount of the duty measures the tax paid by those who purchase for use these imported articles. Many of these things, however, are raised or manufactured in our own country, and the duties now levied upon foreign goods and products are called protection to these home manufactures, because they render it possible for those of our people who are manufacturers to make these taxed articles and sell them for a price equal to that demanded for the imported goods that have paid customs duty. So it happens that, while comparatively a few use the imported articles, millions of our people who never use and never saw any of the foreign product, purchase and use things of the same kind made in this country, and pay therefor nearly or quite the same enhanced price which the duty adds to the imported articles."

I recall this quotation primarily for two reasons: First, Mr. Cleveland stands without a rival at the head of the free-trade party in the United States, and it is instructive to see how exactly he adopts the line of argument used by the English free trader. Second, it is a valuable admission from the head of the free-trade party when he affirms that "comparatively a few of our people use imported articles," and that there are "millions of our people who never use and never saw any of the foreign products." In what words could the complete success of the protective policy in the United States be more fitly expressed?

But when Mr. Cleveland asserted that our people pay for our domestic fabrics "nearly or quite the same enhanced price which the duty adds to the imported articles" he evidently spoke without investigating facts and accepted as true one of those fallacious statements which have been used in the interest of foreign importers to deceive the people. Mr. Cleveland's argument would have been strengthened if he had given a few examples—nay, if he had given one example—to sustain his charge. As he omitted all illustrations of his position, I venture to select a few which apparently establish the exact reverse of Mr. Cleveland's statement:

India-rubber goods are protected by a duty of 25 per cent; but instead of those goods being 25 per cent higher in price than the foreign goods, they are, in fact, cheaper. They undersell the English article in Canada and successfully compete with Canada's goods, which are protected by a duty of 20 per cent.

Patent leather is subject to a duty of 20 per cent; but patent leather is not, therefore, 20 per cent higher in the United States than elsewhere. On the contrary, it is cheaper. Five years ago the city government of London advertised for bids for a large amount of patent leather to be used in connection with the uniforms of the police. There were bids from several countries, but the lowest bid was offered by a manufacturer of Newark, N. J. He secured the contract and furnished the goods at a fair profit.

Steel rails are selling in London for £7 per ton. The duty is $15 per ton. The price, therefore, in the United States ought to be, according to Mr. Cleveland's doctrine, $50 per ton. But, in fact, the price is but $35 per ton, and during the last summer and autumn was as low as $25 per ton, and large sales were made at $30 per ton.

Boots and shoes are subject to 30 per cent duty. According to Mr. Cleveland they should be 30 per cent higher than the foreign article. As a matter of fact they are cheaper. American boots and shoes hold the Canadian market against the European manufacture.

Examples of this kind could be shown on almost the whole tariff list where an American manufacture is firmly established. In fact, the whole history of protection has vindicated what Alexander Hamilton said of it when he was at the head of the Treasury: "The internal competition which takes place soon does away with everything like monopoly, and by degrees reduces the price of the article to the minimum of a reasonable profit on the capital employed. This accords with the reason of the thing and with experience." Mr. Hamilton thus effectually answers both Mr. Gladstone and Mr. Cleveland.

States, which have constantly tempted British mechanics to emigrate, and which would have tempted many more if the inducement of an advance in wages at home had not been interposed. Especially have wages been high and tempting in the United States since 1861, when the country became firmly protective by the enactment of the Morrill tariff. It will be found, I think, that the advance of wages in England corresponds precisely in time, though not in degree, with the advance in the United States, and the advance in both cases was directly due to the firm establishment of protection in this country as a national policy. But it must not be forgotten that American wages are still from 70 per cent to 100 per cent higher than British wages. If a policy of free trade should be adopted in the United States, the reduction of wages which would follow here would promptly lead to a reduction in England. The operatives of Manchester, Leeds, and Sheffield recognize this fact as clearly as do the proprietors who pay the advanced wages, and more clearly than do certain political economists who think the world of commerce and manufactures can be unerringly directed by a theory evolved in a closet without sufficient data, and applied to an inexact science.

The zeal of Mr. Gladstone for free trade reaches its highest point in the declaration that "all protection is morally as well as economically bad." He is right in making this his strongest ground of opposition, if protection is a question of morals. But his assertion leaves him in an attitude of personal inconsistency. There is protection on sea as well as on land. Indeed, the most palpable and effective form of protection is in the direct payment of public money to a line of steamers that could not be maintained without that form of aid. I do not say that such aid is unwise protection; least of all do I say it is immoral. On the contrary, I think it has often proved the highest commercial wisdom, without in the least infringing upon the domain of morals. Mr. Gladstone, however, commits himself to the principle that "all protection is morally bad." If this has been his belief ever since he became an advocate of free trade, his conscience must have received many and severe wounds as session after session, while chancellor of the exchequer, he carried through Parliament a bounty—may I not say a direct protection?—of £180,000 to a line of steamers running between England and the United States; a protection that began six years before free trade was proclaimed in English manufactures and continued nearly twenty years after. In the whole period of twenty-five years an aggregate of many millions of dollars was paid out to protect the English line against all competition.

It may be urged that this sum was paid for carrying the Anglo-American mails, but that argument will not avail a free trader, because steamers of other nationalities stood ready to carry the mails at a far cheaper rate. Nay, a few years ago, possibly when Mr. Gladstone was premier of England, public bids were asked to carry the Anglo-Indian mails. A French line offered a lower bid than any English line, but the English Government disregarded the French bid and gave the contract to the Peninsular and Oriental Line, owned by a well-known English company. Still later, the German Lloyd Company contracted to carry the Anglo-American mails cheaper than any English line offered, and the German company actually began to perform the duty. But Englishmen did not want that kind of free trade, and they broke the contract with the German line and again gave protection to the English ships. Does not this justify the opinion that the English policy of free trade is urged where England can hold the field against rivals, and that when competition leaves her behind she repudiates free trade and substitutes the most pronounced form of protection?

Does Mr. Gladstone's estimate of the immorality of protection apply only to protection on land, or is supremacy on the sea so important to British interests that it is better to throw morals to the wind and resort to whatever degree of protection may be necessary to secure the lead to English ships? The doctrine of improving harbors in the United States by the National Government was for many years severely contested, the strict-construction party maintaining that it must be confined to harbors on the seacoast at points where foreign commerce reaches the country. During one of the many discussions over this narrow construction an Ohio member of Congress declared that he "could not think much of a Constitution that would not stand being dipped in fresh water as well as salt." I fear that Mr. Gladstone's code of morals on this question of protection will not secure much respect in other countries so long as it spoils in salt water.

It will not escape Mr. Gladstone's keen observation that British interests in navigation flourish with less rivalry and have increased in greater proportion than any other of the great interests of the United Kingdom. I ask his candid admission that it is the one interest which England has protected steadily and determinedly, regardless of consistency and regardless of expense. Nor will Mr. Gladstone fail to note that navigation is the weakest of the great interests in the United States, because it is the one which the National Government has constantly refused to protect. If since the civil war the United States had spent in protecting her shipping merely the annual interest on the great sum which England has expended to protect her ocean traffic, American fleets would now be rivaling the fleets of England, as they rivaled them before the war, on every sea where the prospect of commercial gain invites the American flag.

The failure of the United States to encourage and establish commercial lines of American ships is in strange contrast with the zealous efforts made to extend lines of railway inside the country, even to the point of anticipating the real needs of many sections. If all the advances to railway companies, together with the outright gifts by towns, cities, counties, States, and nation be added together, the money value would not fall short of a thousand millions of dollars. No effort seems too great for our people when the interior of the country is to be connected with the seaboard. But when the suggestion is made to connect our seaboard with commercial cities of other countries by lines of steamships the public mind is at once disturbed by the cry of "Subsidy!" We really feel as much afraid of protection at sea as Mr. Gladstone is of protection on land. The positions of the American Congress and the English Parliament on this subject are precisely reversed. England has never been affrighted by the word "subsidy," and while we have stood still in impotent fear she has taken possession of the seas by the judicious and even the lavish interposition of pecuniary aid. I have already said that the interest on the amount which England has paid for this object since she began it with great energy, fifty years ago, would give all the stimulus needed for the rapid expansion of our commerce. Let it be added that if the Government of the United States will for twenty years to come give merely the interest upon the interest, at the rate of 5 per cent on the amount which has been a free gift to railroads, every steam line needed on the Atlantic, the Pacific, and the Gulf will spring into existence within two years from the passage of the act. It is but a few years since Congress twice refused to give even $125,000 per annum to secure an admirable line of steamers from New York to the four largest ports of Brazil. And the sum of $125,000 is but the interest upon the interest of the interest, at 5 per cent, of the gross amount freely given to the construction of railroads within the Union. Is it any wonder that we have lost all prestige on the sea?

The opposition to the policy of extending our foreign commerce by aiding steamship lines with a small sum, just as we have aided internal commerce on railroads with a vast sum, originates with the American free trader. Mr. Gladstone can not fail to see how advantageous the success of this free-trade effort in the United States must prove to Great Britain. The steady argument of the free trader is that, if the steamship lines were established, we could not increase our trade because we produce under our protective tariff nothing that can compete in neutral markets with articles of the like kind from England. How, then, can the free trader explain the fact that a long list of articles manufactured in the United States find ready and large sale in Canada? The Canadian tariff is the same upon English and American goods. Transportation from England to Quebec or Montreal is cheaper than from the manufacturing centers of the United States to the same points. The difference is not great, but it is in favor of the English shipper across the seas, and not of the American shipper by railway. It is for the free trader to explain why, if the cost of transportation be made the same, the United States can not compete with England in every country in South America in all the articles of which we sell a larger amount in Canada than England does. I append a note naming the American articles sold in Canada, and the free trader, if candid, will admit that the list is one which is constantly and rapidly increasing.*

Giving heed to the cry of the professional free trader in America, Mr. Gladstone feels sure that, though the protected manufacturers in the United States may flourish and prosper, they do so at the expense of the farmer, who is in every conceivable form, according to the free-trade dictum, the helpless victim of protection. Both Mr. Gladstone and the American free trader have, then, the duty of explaining why the agricultural States of the West have grown in wealth during the long period of protection at a more rapid rate than the manufacturing States of the East. The statement of the free trader can be conclusively answered by referring to the census of the United States for the year 1860, and also for the year 1880:

In 1860 eight manufacturing States of the East (the six of New England, together with New York and Pennsylvania) returned an aggregate wealth of $5,123,000,000. Twenty years afterwards, by the census of 1880, the same States returned an aggregate wealth of $16,228,000,000. The rate of increase for the twenty years was slightly more than 216 per cent.

Let us see how the agricultural States fared during this period. By the census of 1860 eight agricultural States of the West (Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Nebraska, and Wisconsin) returned an aggregate wealth of $2,271,000,000. Twenty years afterwards, by the census of 1880 (protection all the while in full force), these same States returned an aggregate wealth of $11,268,000,000. The rate of increase for the twenty years was 396 per cent, or 180 per cent greater than the increase in the eight manufacturing States of the East.

The case will be equally striking if we take the fifteen Southern States that were slaveholding in 1860. By the census of that year the aggregate return of their property was $6,792,000,000. But $2,000,000,000 was slave property. Deducting that, the total property amounted to $4,792,000,000. Their aggregate return of wealth by the census of 1880 was $8,633,000,000. The rate of increase for the twenty years was 80 per cent. Consider that during this period eleven States of the South were impoverished by civil war to an extent far greater than any country has been despoiled in the wars of modern Europe. Consider that the labor system on which previous wealth had been acquired in the South was entirely broken up. And yet at the end of twenty years the Southern States had repaired all their enormous losses and possessed nearly double the wealth they had ever known before. Do not these figures incontestably show that the agricultural sections of the country, West and South, have prospered even beyond the manufacturing sections, East and North? And all this not merely with protection, but because of protection!

As Mr. Gladstone considers protection immoral, he defines its specific offense as "robbery. "To have been fully equal to the American standard of free-trade vituperation, Mr. Gladstone should have denounced our manufacturers as "robber barons." This is the current phrase with a class who are perhaps more noisy than numerous. The intention of the phrase is to create popular prejudice against American manufacturers as growing rich at the expense of the people. This accusation is so persistently repeated that its authors evidently regard it as important to their cause. It may perhaps surprise Mr. Gladstone to be told that out of the fifty largest fortunes in the United States—those that have arrested public attention within the last ten years—certainly not more than one has been derived from protected manufacturing; and this was amassed by a gentleman of the same Scotch blood with Mr. Gladstone himself. The forty-nine other fortunes were acquired from railway and telegraph investments, from real-estate investments, from the import and sale of foreign goods, from banking, from speculations in the stock market, from fortunate mining investments, from patented inventions, and more than one from proprietary medicines.

It is safe to go even farther and state that in the one hundred largest fortunes that have been viewed as such in the past ten years not five have been derived from the profits of protected manufactures. The origin will be found in the fields of investment already referred to. Moreover, the fear of the evil effect of large fortunes is exaggerated. Fortunes rapidly change. With us wealth seldom lasts beyond two generations. There is but one family in the United States recognized as possessing large wealth for four consecutive generations. When Mr. Jefferson struck the blow that broke down the right of primogeniture and destroyed the privilege of entail, he swept away the only ground upon which wealth can be secured to one family for a long period. The increase in the number of heirs in successive generations, the rightful assertion of equality among children of the same parents, the ready destruction of wills that depart too far from this principle of right, and, above all, the uncertainty and the accidents of investment, scatter fortunes to the wind and give to them all the uncertainty that betides human existence.

In no event can the growth of large fortunes be laid to the charge of the protective policy. Protection has proved a distributor of great sums of money, not an agency for amassing it in the hands of a few. The records of our savings banks and building associations can be appealed to in support of this statement. The benefit of protection goes first and last to the men who earn their bread in the sweat of their faces. The auspicious and momentous result is that never before in the history of the world has comfort been enjoyed, education acquired, and independence secured by so large a proportion of the total population as in the United States of America.

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*The following articles of American manufacture are sold in Canada more largely than like articles of English manufacture:

Brass goods, copper goods, cordage, ginghams, bottles, flasks, india-rubber goods, printing ink, ingrain carpets, wood manufactures, twines, tinware, ship rigging, wall paper, writing paper, envelopes, blank books, strawboard paper, boots and shoes, leather and skins, sole leather, leather goods, patent leather, figured oilcloths, grain drills, harrows, harvesters, hoes, forks, mowing machines, scythes, spades, shovels, builders' and cabinetmakers' hardware, house-furnishing hardware, nails, firearms, sewing machines, screws, stoves, axes, jewelry (sterling and plated), silverware, lamps, locomotives, hatchets, hammers, saws, mechanics' tools, organs, pianos, "notions," plain house furniture, especially hotel furniture.

Contested Election Case—Murray vs. Elliott.

SPEECH

OF

HON. WILLIAM A. JONES,

OF VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, June 3, 1896.

The House having under consideration the following resolutions:

"*Resolved*, That William Elliott was not elected and is not entitled to a seat in the Fifty-fourth Congress from the First Congressional district of South Carolina.

"*Resolved*, That George W. Murray was elected and is entitled to a seat in the Fifty-fourth Congress from the First Congressional district of South Carolina"—

Mr. JONES said:

Mr. SPEAKER: The duty has been devolved upon me of presenting the side of the sitting member in this contested election case. I regret exceedingly that in a case of its importance, a case which necessitates the examination of so much testimony as this, one in which is involved the right of a member to a seat in this House, it should happen that I alone of the members of the committee that examined this case can appear for the contestee. My associate upon the committee, Judge DE ARMOND, who is justly regarded by this House as a fair-minded man and a lawyer of exceptional ability, and who had intended to take part in this discussion, has been suddenly called to the bedside of a dying brother in the State of Iowa. I much regret that he can not be here to give to the House the benefit of his well-considered views upon this case.

I can not expect, Mr. Speaker, in the time that is to be occupied in the discussion of this case, to present the side of the minority as fully as it should be done. I may state in the outset that I regret exceedingly what I am sure every fair-minded man in this House must regret as much as I do, that although there is an elaborate report by the majority of the committee, that report makes no reference to the testimony, of which the record is full, that was taken on the part of the contestee. Nor did my friend from Indiana [Mr. OVERSTREET] deign so much as to refer to that testimony in the speech which he has just concluded. It would seem that if the report had been intended to shed any light upon the case, rather than make out a case upon paper for the contestant, it should at least have contained some comment upon the evidence produced by the contestee if no part of that evidence was quoted. But in this respect the gentleman who has just addressed the House has been no fairer than his report. He has occupied more than an hour and a half of your time, and he has studiously avoided even a reference to the fact that the record contained a line of any other testimony than that produced by the contestant. I submit that this House, which must pass upon this case, had a right to expect fairer treatment at the hands of the gentleman who has just addressed it. So far as the House knows from anything that it may have learned from either the report of the majority or the speech of my friend, the contestee permitted his case to go by default. How far from the truth this is I hope to be able to show.

Now, Mr. Speaker, reference has been made to the fact that the district from which this contest comes is known as the black district of the State of South Carolina. It has been said that there was a majority of 20,000 negro voters in this district. It has also been said that the larger portion of this district was once comprised within what was formerly known as the Seventh district—a district not a stranger to Congress, since there had been three contests from that district in the past. These statements were made with the evident design and purpose of prejudicing the case of the contestee, when, as a matter of fact, that part of the district from which this contest comes, where it is pretended that there was not a fair and honest election, was never a part of the old Seventh district.

The city of Charleston, where it is claimed there was no honest and fair election, was never a part of the Seventh district, and the contests which have been dragged into this case for no other purpose than to create prejudice against the contestee had no relation to any election ever held in Charleston. Whilst it may be true, although there is no evidence of that fact, that there are 20,000 negro majority in this district, it is also true that of that majority 18,000 reside in the counties outside of Charleston. There are less than 2,000 negro majority in the city of Charleston, and yet the committee throw out the entire vote of 20 precincts in Charleston on no better ground than the preponderance of negro voters over white voters, and find no fault with the election in the counties where that preponderance is far greater.

In the county of Beaufort, in this district, where there are 9 negro voters to 1 white voter, after the most searching examination as to the manner in which the registration was held and the voting done, my learned friend is obliged to abandon that county and to fall back upon the city of Charleston. where there were less than 1½ colored voters to 1 white voter.

In the county of Georgetown, to which particular reference has been made, and upon every single election board in which there was a Republican representative, there are 3 colored men to 1 white man who is entitled to vote, and it is conceded that the election there was a fair one. If the gentleman's reasoning be sound he should apply it to the 5 counties outside of Charleston, and instead of giving the contestant, Murray, the paltry majority of 434 he should give him at least 10,000. If this case is to be decided upon the theory that most of the negroes of voting age voted, and that they all voted for Murray, then he should be given at least 10,000 majority. If Colonel Elliott had received the negro vote in the counties where there were such immense negro majorities in the same proportion that the uncontradicted evidence shows he did in Charleston, his majority would have been something like 10,000 in the district.

I merely mention these facts in order to impress upon the House that it will not do to decide this case upon the bare fact that there were more negroes of voting age in Charleston than there were white voters. For if you do that, and you pursue the same course as to the remainder of the district, you will have a very different result from that arrived at by the committee.

Mr. HARDY. Will the gentleman allow me to ask him a question? He states that if the vote had been cast properly Colonel Elliott would have a majority of 10,000 in the district. Is that your statement?

Mr. JONES. No; I did not say that. I said that, according to the reasoning employed in this report, he should have.

Mr. HARDY. How could Colonel Elliott get a majority of 10,000 in the district, when there were only 9,563 votes cast in the district—3,913 for Murray and 5,650 for Elliott?

Mr. JONES. I will state to the gentleman how he could get it.

Mr. HARDY. I know how he got what he did get——

Mr. JONES. Had he received the same proportion of negro votes in the counties that he is shown by the evidence to have received in Charleston his majority would have been very much larger than it was.

Mr. HARDY. The colored men were prevented from registering because they were colored men and Republicans, and those who did register were prevented from voting.

Mr. JONES. I am now discussing the theory of the majority. I shall discuss the facts as they exist presently. The majority have entirely ignored the facts. One of the charges made is that in the city of Charleston there was not a fair registration, and that if there had been a fair registration Murray would have been elected. It is not contended that a single vote was counted for the contestee that he was not honestly entitled to. Nor is it contended that there was a single vote cast for the contestant that the managers of the election did not honestly count for him. The contention is that there were in that city six or eight thousand colored voters, and that by reason of the operation of the South Carolina election law, and the improper conduct of the officers of registration, those colored voters were not permitted to register.

The evidence of the contestant does not sustain this charge, and the record is full of testimony taken on the part of the contestee that utterly disproves it. The negroes of Charleston were not united in the support of Murray. The evidence of the contestant shows that many of them remained away from the polls, and that Colonel Elliott received the support of at least half of them, and that that half comprised the more respectable element. The committee say in their report that with the exception of some dissatisfaction on the part of a barbers' association in the city of Charleston it is not shown that there was any dissatisfaction or disaffection as to the contestant in that city. There was widespread and deep-seated disaffection among the colored people of this district as to the contestant. The record is full of the testimony of the most reputable colored people in the city of Charleston, of colored men who are not members of the barbers' association referred to, which clearly establishes that there was widespread dissatisfaction on the part of the negro voters of Charleston with Murray.

Let me tell the House why this dissatisfaction existed. The convention which nominated the contestant, as shown by the record in this case, was composed of 30 delegates. Eighteen of those delegates were sent from the city of Charleston and the county of Beaufort, and every one of them was unseated by the contestant and his friends. How this was done I am unable to explain, but it is in evidence and uncontradicted that it was done. The entire delegation from the city of Charleston, which had been chosen at a primary, and which was opposed to Murray, was unseated and driven from the convention by the contestant, who now claims that with the exception of a barbers' association in Charleston the colored voters of that city were united in his support. One of the most intelligent of the contestant's witnesses testified that

ex-Congressmen Smalls and Miller, as well as the chairman of the Republican party in Beaufort County, where all three of them resided, were delegates to the nominating convention. They were all unseated in the interest of Murray, who was not even a resident of the district which he wished to represent in Congress.

After having procured the nomination by such means it is not surprising that the men who had received this treatment refused to support Murray or to regard him as their candidate. But the majority of the committee say the dissatisfaction only extended to a barbers' association. Let us see whether that be true or not. Here is the testimony of H. G. Thomas:

Q. State whether you are a member of the Republican or Democratic party.
A. I am a Republican.
Q. How long have you been a member of the Republican party?
A. From its organization in the State after the reconstruction.
Q. State whether or not you have been prominent in politics during that time.
A. I have been.
Q. Did you vote for the Republican candidate for Congress, George W. Murray, on the 6th day of November last?
A. I did not.
Q. Give your reasons for not voting for him.
A. I did not regard Mr. Murray as the regular legal candidate of the Republican party, and did not regard him as a citizen of the district.
Q. Do you know whether Mr. Murray is a citizen of Charleston?
A. To my own knowledge I do not know, but he is not generally regarded as a citizen of Charleston and of this district.
Q. State, if you know, whether the colored people of Charleston took much interest in his election.
A. A large number did, mostly of persons who could not vote at a general election, not being qualified, and a large number of persons who is regarded as the rabble element of the community.
Q. State whether the intelligent colored people of the city of Charleston supported him.
A. As a rule they did not, but some of them did.

The contestant, as a matter of fact, was at the time of the election a citizen of the Seventh Congressional district and actually then representing that district upon the floor of this House. He did not reside in the First district when the election took place, but lived in Sumter County, in the Seventh district, and was representing that district in the Fifty-third Congress. The colored people of Charleston were opposed to him because he was not a resident of their city; and because, moreover, he had obtained his pretended nomination by fraudulently unseating every single delegate from the city of Charleston as well as those from the county of Beaufort. Is not, I ask, that a sufficient ground for the dissatisfaction that existed in the city of Charleston as to this contestant? Every one of the prominent colored politicians of this district, so far as I have been able to discover, was actively and earnestly opposed to his election.

Mr. OVERSTREET. Will the gentleman yield for a moment? I will ask you if it is not a fact that one of these witnesses testified that Murray lived in the same precinct with him, and that he voted with him on election day at his precinct?

Mr. JONES. If the gentleman so asserts, I will accept his statement. I do not remember any such testimony. Some one witness out of the hundreds who testified may have said something of that kind, but the testimony is absolutely overwhelming to the effect that Murray was a resident of the Seventh Congressional district; that he lived at Sumter, in that district, and that he was actually representing that district upon this floor when the election took place. It does not matter what any one witness may have said. There are the proven facts. It is well known by members here that he was at the time of the election actually representing the Seventh district upon this floor, and it is to be presumed that he resided in the district he represented.

But we are not left to presumptions. The record is full of the testimony of reputable witnesses that the contestant did not reside in Charleston or in the first district, of which it is and was a part. The negroes of that city did not look upon him as a resident, and the more intelligent ones in that city and district refused to support and did not support him. Gentlemen on that side of the House may adopt theories and indulge presumptions based upon the fact that there are more colored than white voters in Charleston, and those theories and presumptions may satisfy their consciences; but the stubborn fact remains that the negroes of Charleston, as shown by the evidence of colored men, were in a great measure opposed to Murray and refused to support him.

Here is the testimony of one W. A. Thomas. He testifies that he is a Republican and that he has never been a member of any other political party.

Q. Did you or not vote for Congressman on the 6th day of November last?
A. Yes.
Q. For whom did you vote?
A. For Colonel Elliott.
Q. Why did you not vote for the Republican candidate?
A. Because I objected to him.
Q. Why did you object to him?
A. Because at the time he was not considered a resident of the district he wanted to represent; and, furthermore, he was not my choice of candidate, and a generally understood antipathy that he had for a man that was not a black man, the color question being brought into the campaign.

The record shows that the colored question figured in this election in a somewhat unusual and novel way. It was generally understood that the contestant had an antipathy for a colored man whose skin was merely brown or yellow. He is himself a black man, and because he hated brown people, those of that color, it seems, would not support him.

Mr. OVERSTREET. Mr. Speaker, I desire to call attention to the evidence to which I referred awhile ago, as the gentleman did not seem familiar with it, the testimony of W. D. P. Arnan, on page 303 of the record. He says:

I was acting as chairman of managers at the Federal poll, Ward 9, first precinct, on 6th November last.

He was asked:

Q. Was Congressman Murray there that day?
A. Yes, sir; on three or four occasions; he voted there; he spoke to me; he knew me, and he said, "We have had a very quiet election, everything has passed off quietly"; and, in fact, he met me almost every day for three or four days after the election and spoke to me about it; he was living in the neighborhood was the reason that I saw him so often.
Q. Are you positively sure that Mr. Murray voted there that day?
A. I am positively sure.

That is the evidence that I spoke of as showing that Mr. Murray was a resident of the district and voted in the city at that election.

Mr. JONES. My friend reads that bit of testimony, which he says is the testimony of one of the contestee's witnesses. I congratulate him upon the fact that I have at last induced him to refer to some of the evidence which the contestee has introduced into this case.

Mr. OVERSTREET. Did I not refer to the testimony of Robson, one of the witnesses of the contestee?

Mr. JONES. In your report you do not refer to him or his testimony. But the witness whose testimony you have read was not testifying as to Murray's residence. He merely remarked incidentally that he lived in his neighborhood. He was there, I know, looking after his canvass, and that is all the witness meant to say. Here, Mr. Speaker, is the testimony of another witness, J. J. Young. He was examined upon this very point. He was asked the direct question as to whether Murray was or was not regarded as a resident of the First district. Here is his testimony:

Q. Are you a colored or white man?
A. I am a colored man.
Q. Are you a Republican or Democrat?
A. I am a Republican.
Q. How long have you been a Republican?
A. Ever since I have been allowed to vote in South Carolina and have been a citizen of this State. I have been here since 1850.
Q. State whether or not you have taken an active part in politics during all these years.
A. I have taken an active part in all elections, having been a manager and supervisor at various times.
Q. Have you ever held any official position under the Republican party of this State?
A. I have held the position of deputy coroner, have been port warden, light-house keeper, and also bailiff at the United States court.
Q. Do you hold any office in the colored regiment of the State?
A. Yes, sir; I am colonel commanding the Second Regiment of the National Guard.
Q. State whether you voted for Murray at the Federal poll on the 6th day of November last.
A. I did not vote at the Federal poll either for Mr. Murray or Mr. Elliott.
Q. Are you a registered voter of the city of Charleston?
A. Yes, sir [and shows his registration certificate].
Q. State whether you have always been a registered voter.
A. Yes; since 1882.
Q. Have you ever had any trouble in getting your certificate?
A. No, sir.
Q. Does any intelligent and respectable colored man have any trouble in getting a registration certificate?
A. I can't say that. I have never had any trouble in getting mine.
Q. Were the better class of the colored people of the city of Charleston—I mean the intelligent colored people—in favor of Mr. Murray?
A. I don't think they were.
Q. Was Mr. Murray considered the regular Republican candidate by the colored people of this city?
A. By a large majority of us he was not.
Q. Did they consider him a resident of this district?
(Objected to as leading.)
A. No, sir: I did not, and a great many others did not.

This is the testimony of an intelligent colored man, the commander of a regiment of the National Guard, a man who has filled four important trusts under a Republican Administration, and he declares under oath that the contestant was not the choice of a large majority of the colored Republicans in the city of Charleston, and was not regarded by them as a resident of the district. I will also read the testimony of D. L. Adams, a Republican, the chairman of the Congressional Republican committee in that district. This man whose testimony I am now about to read was not only a colored man and a Republican but he was the chairman of the Congressional Republican committee of the district. Surely his testimony should be accepted by my Republican friends over there.

Q. Are you a Republican or a Democrat?
A. I am a Republican.
Q. How long have you been a Republican?
A. Always have been.
Q. State whether you hold any position of prominence in the Republican party.
A. Up to the last election I was Congressional chairman of the Republican party, and also I am still Congressional chairman until the matter is settled. I mean there were two conventions in the city of Charleston and the matter has got to be settled by the State executive committee.

Q. For how many years have you been active and prominent in politics?
A. Some twenty-five years.
Q. And you have been a Republican during all this time?
A. Yes, sir.
Q. State whether you voted at the Congressional election on the 6th day of November last.
A. Yes, I did; but for neither of the candidates; I voted a blank ballot.
Q. Why did you not vote for Mr. Murray?
A. Because he was not my choice and I said I would not vote for him, and that is why I did not.
Q. Did you consider him the regular candidate of the Republican party?
A. No; I did not.
Q. Why did you not?
A. Because he was not nominated by the regular convention.
Q. Who was nominated by the regular convention?
A. Smalls was.
Q. Were the members of the regular convention unanimously in favor of Mr. Smalls, and in opposition to Mr. Murray?
A. No, sir.
Q. Were a great many of them?
A. A majority was in favor of Mr. Smalls and he got the majority of votes.
Q. Was not this the case with them at the election?
A. I can't say, for I took no part in the election.
Q. State whether or not you generally take a great deal of interest in the elections.
A. This is the first one where a Republican candidate was running and I did not take any interest in it.
Q. Do you consider Mr. Murray a resident of this district?
A. No; I never have.
Q. Do you know where his home and his family are?
A. I don't know now, but I knew up to that time that it was in Sumter County.
Q. Is that in the First or Seventh Congressional district?
A. Sumter County is in the Seventh.

I am not aware, Mr. Speaker, that any of the witnesses whose names and testimony I have read belong to the barbers' association to which we are told the dissatisfaction with Mr. Murray was confined. Here is the testimony of still another witness, Hastings Gantt. He testifies that he was a representative in the State house of representatives for fourteen years. This is what he says in part:

Q. Whom did you support for Congress from this district at the last election—November 6, 1894?
A. I voted for Colonel Elliott.
Q. Do you mean William Elliott, the contestee in this cause?
A. I don't know what meaning; I know I voted for him for Congress.
Q. Did you vote for William Elliott, of Beaufort, S. C., who was one of the candidates for Congress?
A. Yes.
Q. Did you give him your support for Congress at the last election?
A. The time was so short that I could not give him the proper support that I should.
Q. Did you give him the best support you could in the time?
A. Yes; I did.
Q. Are you a Democrat or a Republican?
A. Republican.
Q. Why did you support William Elliott and oppose George W. Murray, when Murray was the Republican candidate?
A. I supported Mr. Elliott because he got upon the stand and explained to the people at that meeting that he was the one that used every effort to establish the navy station in this district. That's one. The next particular one is that he succeeded in passing a law giving the former owners of these lands their money, and let we, the people, keep the land, who have got it. I say, when he has done that much for us, knowing, as I do, that the land could be taken from us, I say I could not do otherwise than vote for him for Congress, with thanks to him for doing it. And the candidate against him was not in this district, and it was known that he lived in another district.
Q. Were you in the legislature fourteen years as a Republican?
A. Yes.
Q. Do you know if other Republicans on St. Helena Island also supported Col. William Elliott for Congress?
A. Yes; there are other Republicans who supported him.
Q. Do you know if a number of Republicans supported him on this island?
A. I know a good deal more supported him this time than in the past.

The testimony of this witness is very long, and I can not take the time to read it all, but he shows that there was great dissatisfaction among the Republican colored men with the candidacy of the contestant. I have here also the testimony of York Smalls, another colored man who does not belong to the Barbers' Association. He testifies that large numbers of colored people were so dissatisfied with the way the nomination was secured by a candidate who was not a resident of the district that they would not support him and that many of them voted for the contestee. I will not take up the time of the House by reading it.

Then here is the testimony of Oliver Middleton, another colored man, a colored farmer living in Beaufort County. He was asked:

Q. Who did you support the last election day for Congress?
A. I supported Col. William Elliott for Congress.
Q. Did a large number, to your knowledge, support Col. William Elliott at this precinct?
A. Yes; the biggest he ever got here yet.
Q. Were they Republicans or Democrats that supported him?
A. Republicans.
Q. Are you a member of the Grand Army of the Republic?
A. Yes; old soldier.
Q. Please state the regiment and company to which you belonged during the late war.
A. Company H, Twenty-first.
Q. Twenty-first Volunteers or Regulars?
A. Twenty-first Volunteers.
Q. To what camp of the Grand Army of the Republic do you belong?
A. Hunter Post, No. 9, at Beaufort.
Q. Mention, if you know of any, what prominent Republicans supported Col. William Elliott, the contestee, on this island.
A. I can tell you there is William Capers, York Small, Robert Middleton, Senate Meyers, and a good deal of them boys—Simon Mitchell, Sancho Mitchell, Abel Pope, July Middleton, Julius Middleton; a good deal more, but I can't remember all now.
Q. Why did they vote against and work against George W. Murray when he was the Republican candidate?
A. Because all the boys were started out to vote for General Small; after General Small was defraud then all the boys turned and said they will give Colonel Elliott their vote.

But, Mr. Speaker, if I can produce the testimony of probably the leading colored man in the city of Charleston, a Republican now and always, a man who was put upon the stand by the contestant himself for the purpose of showing that he was the choice of the colored Republicans of Charleston and that he had received their united support, but who testified to just the contrary, I think I can justly claim that I have made out my case upon this point at least.

I read now from the testimony of W. H. Robertson, who swears that he is a cabinetmaker and upholsterer, colonel of the First Regiment of National Guard of South Carolina, and acting brigadier-general of the First Brigade, National Guard, of that State. He voted for Murray, and his testimony must be accepted by him, since he is his own witness.

I ask the careful attention of the House to the testimony of this man as I now read it:

Q. Give your name, occupation, and state whether or not you hold any official position; and if so, state what it is.
A. W. H. Robertson; cabinetmaker and upholsterer; I am colonel of the First Regiment National Guard of South Carolina, and now acting brigadier-general of the First Brigade National Guard of South Carolina.
Q. Are you a registered voter of the city of Charleston?
A. I am.
Q. How long have you been connected as an officer of the National Guard of South Carolina?
A. From its formation, in 1869.
Q. Are you acquainted generally with the intelligent and business colored people of the city of Charleston?
A. I am.
Q. Have or not your relations with them been of such character as to know the political feeling that exists among them?
A. To a great extent.
Q. Whom did they support at the last election for Congress between William Elliott and George W. Murray?
A. Both of them.
Q. I mean whom did the majority support?
A. I am not able to say.
Q. Whom did you support?
A. George W. Murray.
Q. There were, dnring the canvass, two factions of the Republican party in the city of Charleston, were there not?
(Objected to as leading.)
A. Yes.
Q. How, or in what manner, was a settlement between the two factions made?
A. By the national executive committee.

This man is one of the leading colored men of South Carolina. He was once chairman of the waterworks committee of Charleston. But I will read the remainder of his testimony:

Q. General, as a matter of fact, you hold as high a position of honor in the military circles as any colored man in the State, do you not?
A. I do.
Q. Have you not always held a position of honor and been well thought of and respected by the citizens of Charleston generally?
A. I have; I've held the position of alderman of this city and supervisor of High School of Charleston for two years.
Q. The High School of Charleston is a white school, is it not?
A. Yes; and was elected to the city council of Charleston, and was chairman of the committee on waterworks of the city.
Q. And have always been a Republican?
A. Always.
Q. Do you know R. C. Brown, colored attorney in this city?
A. I do.
Q. What official position does he hold in the Republican party at this time?
A. Congressional chairman of this district.
Q. Is he not also well thought of here?
A. To the best of my knowledge.
Q. Was he not bitterly opposed to Mr. Murray?
A. He was.
Q. Do you know J. H. Legaré?
A. I do.
Q. Is he not also well thought of by the colored people, and a leading and intelligent colored man?
A. He is; he is adjutant of my regiment.
Q. Was he not also bitterly opposed to Mr. Murray?
A. He so expressed himself to me.
Q. Did he not even vote for Mr. Elliott?
A. Not to my knowledge.
Q. Do you know D. L. Adams?
A. I do.
Q. Is he not a leader among the colored people, and does he not hold a high office in the Republican party?
A. He does.
Q. Then a great many of the leading intelligent colored Republicans were opposed to Mr. Murray?
A. They were divided upon that head.
Q. You finally got your certificate, did you not?
A. I did.
Q. You saw no fraud yourself while at the registration office, did you?
A. I saw none.
Q. And you could not say whether a majority of the colored people were in favor of or opposed to Mr. Murray?
A. They were equally divided, to the best of my knowledge.

Now, Mr. Speaker, there were about 8,000 colored voters in Charleston, and there were some 6,000 white voters in that city, and this contestant's witness placed on the stand by him to disapprove the charge that the colored people were divided at this election, testifies to the best of his belief and from a thorough

knowledge of the colored people of that city, that they were equally divided in their support of Murray and Elliott. Suppose you give, on this testimony, one-half of the colored voters of that city to Elliott. If you do you will increase his majority largely over that given him by the election boards. The gentleman who so ably, astutely, and adroitly opened the case for the contestant did not deign to refer to this testimony. He dismissed the subject by saying that there was no disaffection of any consequence on the part of the colored people of this district toward the contestant; that what little there was was confined to a colored barber's association. I have dwelt upon this somewhat in order to illustrate the unfairness with which the majority have treated the testimony in this case.

I have read to the House the whole testimony of the colored commander of the colored brigade of South Carolina, one who has been chairman of the city waterworks committee of Charleston, one who has always been a Republican, and who voted for Murray, and who was put on the stand by Murray.

Mr. OVERSTREET. Will the gentleman permit me?

Mr. JONES. Certainly.

Mr. OVERSTREET. Be kind enough to explain what kind of a division it was in the colored vote of Charleston when Murray was given but 397 out of a total vote of 6,000.

Mr. JONES. I will, with pleasure. I have shown already that a number of the very men who testify did not vote for either party to this contest. The testimony in the record shows that the colored voters in the main kept away from the polls and refused to vote, because they had no candidate. Of the comparatively few who voted, many voted for Colonel Elliott. There was not half of the white vote of Charleston cast at this election, because it was not supposed that Colonel Elliott had any serious opposition. But why do you adopt one rule in the city of Charleston and a different one in the counties? If you are going to take the census and count for Murray all the colored people of voting age in Charleston, why do you not count all in Beaufort for him? There the preponderance of colored people is as 9 to 1, and there the colored people remained away from the polls just as they did in Charleston, and for less reason. You utterly failed to secure any testimony in that county upon which to throw out its vote, and you have had to abandon the contest there. You have none that is reliable as to Charleston, but you say the testimony as to the manner of holding the election there justifies your action, and when it is shown that the testimony amounts to worse than nothing, you fall back upon the census and stolidly maintain that a negro always votes the Republican ticket, even when he swears that he does not. But how absurd is this contention when it is shown by your own witness that the colored vote was equally divided, and it can not be shown that a single white vote was cast for the contestant.

Mr. OVERSTREET. If he got 2,800 white votes, what became of the colored votes, as he only received 2,811 votes in all in Charleston?

Mr. JONES. He got all the white votes cast. If he got as many colored votes as Murray received, then only about 2,400 of the 6,000 whites voted, for all who went to the polls voted for Elliott. The white voters turned out badly as well as the blacks.

Mr. HARDY. Will the gentleman permit a question?

Mr. JONES. Well, my time is limited, as the gentleman knows, and his questions are usually very long.

Mr. HARDY. I wish to ask this question: In the county of Charleston there are said to be 8,000 colored voters and 6,000 white voters. Mr. Elliott received 2,811 votes. Presumably these were white votes, and maybe some of his colored friends, but out of 8,000 colored votes only 397 were cast for Murray. Now, what became of the 7,603 colored voters who did not vote at all? Did you disfranchise them by your nefarious and unconstitutional registration law, so that they were not permitted to vote at all?

Mr. JONES. How does the gentleman account for the fact that in the large negro county of Georgetown, where you admit the election was fair, Murray received only about 700 votes? The colored voters remained at home in Georgetown, Beaufort, and other counties, and they did the same thing in Charleston.

Mr. HARDY. Eleven hundred.

Mr. JONES. Exactly 743 votes were cast for Murray in the county of Georgetown.

Mr. HARDY. I can answer the gentleman's question.

Mr. JONES. I decline to be further interrupted.

Mr. HARDY. The gentleman has propounded a question, and I want to answer it.

Mr. JONES. I decline to be interrupted.

Mr. HARDY. Will you not allow me to answer your own question?

Mr. JONES. I will not be interrupted. I am not going to allow the gentleman to make another speech in my time. He has done enough of that already.

Mr. HARDY. I simply wanted to answer your question.

Mr. JONES. The point I make is this: The majority have singled out the city of Charleston, where there are very few more colored people than there are whites and where the colored vote was larger in proportion than it was in the country districts, and have assumed, without evidence upon which to base the assumption, that because Elliott received more votes in Charleston than his negro contestant did, there was something wrong about the election. I say the same reasoning ought to apply more strongly to the country districts, with the vote of which you can find no fault. Complaint is only made against Charleston, where there is a far less preponderance of colored voters than is to be found in the counties that were formerly in the Seventh district—counties from which contests, as you say, have come in the past. Think of this! There are 9 blacks to 1 white in Beaufort County. You took testimony there, and after the most searching investigation you abandoned the charges of fraud which had been made against the officers of election in that county and ask this House to believe that the loyalty of the colored voter to the Republican party is confined to Charleston, where, comparatively, they are not so numerous as in other parts of the First district.

You do this because you are driven to this course in order to take away the seat of a Democrat who was fairly elected and give it to a negro who was not elected. Upon your theory Murray should have been given by you 2,000 majority in Charleston, and 18,000 in the remainder of the district, but instead of this you content yourself with figuring out for him a bare majority of 434.

He is entitled to 2,000 in Charleston if he is entitled to the 217 that are given him there; and if you are going to proceed upon the theory that every man is a Republican whose skin is black—if, in spite of the fact that a colored voter swears on the Holy Evangelists that he did not vote the Republican ticket, you are going to hold that he did vote it—you ought to give the contestant 20,000 majority, and not cut down his majority to 437, as you have done. If you are going to count some of the colored voters for Murray merely because they are colored men, then you should have enough regard for consistency and decency to count all of them for him. There is just as much reason for counting all as there is for counting any part of them.

The report of the committee states that the chief ground of contest is the "alleged fraudulent conduct of the supervisors of registration, whereby many voters were deprived of their right to register, and the fraudulent and intentional mistakes in the registration certificates, which occasioned the rejection of the ballots." Now mark you, the report states this as the chief ground on which this contest is based. Yet when my friend from Indiana discussed the testimony bearing upon the registration he used these significant words:

When I refer to this testimony, it is not to place this case upon that testimony.

Well may he make this admission! To throw out twenty precincts upon such testimony as is to be found in this record would be to commit the grossest outrage ever perpetrated by blind partisanship.

There are 25 witnesses who testify as to the manner in which the registration was conducted—1¼ to a precinct. They are all ignorant, and most of them are without occupation. There is not one of them whose testimony is not rebutted by from one to three witnesses of character, good standing, and intelligence. Many of them make contradictory statements, and some of them are shown to be the associates of thieves and gamblers. One of them is shown by overwhelming testimony to have deliberately and knowingly perjured himself. Against that testimony the contestee has set the testimony of men of high character and standing in that community, men whose testimony has not been attacked or impeached, and, I take it, it can not be.

Those witnesses in the main do not testify to the time that they offered to register. They do not testify as to the circumstances under which they were rejected. It does not appear even from their testimony whether they were properly or improperly rejected. And as to every single one of these witnesses, as I have said, the contestee has introduced testimony absolutely refuting their statements.

I will read the testimony of one of the witnesses relied upon by the gentleman from Indiana. I submit that if this witness were uncontradicted his testimony would afford no excuse for throwing out the entire poll at the precinct at which he desired to vote. I will read all of his testimony in chief:

Q. Give your name, age, and residence.
A. Alexander McNeill; aged 39 years; reside at No. 63 King street.
Q. State where you were on the 6th day of November last?
A. At Federal poll, Ward 5, precinct 2.
Q. At what time did you arrive and how long did you remain at that poll?
A. I got there between 3.30 and 4 o'clock and remained until the poll closed.
Q. Did you vote there that day?
A. No, sir; they would not allow me.
Q. Did you have a registration certificate?
A. Yes, sir.
Q. The registration certificate that you had, did you try to have it changed?
A. I did, every Monday in the month until they finished and closed the office.
Q. Did you see the supervisor at any of the times you went there?
A. Yes, sir; and when it came on late the police would drive us away.

That is the testimony of one of the witnesses referred to and

relied upon by my friend. This witness states that he had a registration certificate. The law of South Carolina provides that where a man changes his residence, although he may have a certificate, he must surrender that certificate and be registered again. He does not state that he had not changed his residence. He simply states that he went there and they would not allow him to vote. But I appeal to the lawyers in this House to say, even if this witness was improperly denied the right to vote, whether the whole poll at his precinct should be thrown out and hundreds of legal voters disfranchised on that account? The most that this House can do if it be thought that this man was improperly denied the right to vote and that he would have voted for the contestant had he been allowed to vote, is to count his vote for the contestant. There can be found no warrant either in law or justice for the course which is advocated by the majority of the committee. To throw out this and other precincts upon such testimony as this, even were it admitted to be true, would be the greatest of outrages.

I may as well say now and here as later that if every voter who claims to have been refused the right to vote, or that it is claimed by anybody was not permitted for any cause to vote, were to have his vote counted by this House for the contestant, he would then lack more than a thousand votes of enough to elect him. Unless the number of voters whose rights have been denied is large enough to materially affect the result, such denial can not vitiate the election. That is the well-established doctrine upon this subject; so that if we concede that the managers of the election improperly refused those who are shown to have offered to vote, or who would have offered but for the knowledge that they would be refused, it would not vitiate the election. The majority of the committee would have counted the votes of such persons as this witness quick enough had there been enough of them in all to elect the contestant. There were not enough, and so they concluded that since he must be given a seat in this House the only way to do it was to throw out a sufficient number of polls to accomplish the result desired.

At Haut Gap precinct, in Berkeley County, there was no regular poll opened on the day of the election. The managers appointed did not appear. To remedy this the negroes appointed three of their number managers of election and caused a poll to be opened. At this improvised election there were 217 votes cast for Murray and none for Elliott. The entire committee are of the opinion that these votes should be counted, and they go to make up the 434 majority which the majority of the committee give Murray. Without these votes, which I concede to belong fairly to the contestant, his majority, as the majority of the committee have figured it out, would be only 217.

Mr. Speaker, it is but proper that I should add that it was no fault of the contestee that the election managers did not open a poll at Haut Gap precinct. The contestant, as the record shows, made every possible effort to have the polls opened at all the precincts in the district and especially at this precinct. In the speech made by the chairman of this committee [Mr. MCCALL of Massachusetts] in the Johnson *vs.* Stokes case a few days ago—a case that also came here from South Carolina—that gentleman said—I read from the CONGRESSIONAL RECORD:

> Furthermore, Mr. Speaker, there is nothing in the record, no evidence any where, that there was any special wrongdoing in connection with the election on the part of the contestee or on the part of any of the sitting members in these South Carolina contests. In one district, certainly, where they had not for years opened certain polls, where the black voters are greatly in the majority, the contestee, Mr. Elliott, before the election was held came out and urged that all the polls be opened, and it was against his protest that the polls were closed on that day.

Mr. Speaker, in the other cases from South Carolina that have been before this House, all of which were considered by the Elections Committee of which I am a member, the registration laws and the method of executing those laws played a much more important part than they do in the case now under consideration. Gentlemen should not permit any impressions that may have been made upon their minds concerning the registration of voters in South Carolina to prejudice them in this case. On the 24th day of December, 1890, the legislature of South Carolina provided for a new registration of voters in the city of Charleston. All persons registered prior to that date in the city of Charleston were required to register in order to be able to vote at any election. Before the passage of this act, which only applied to Charleston, it had been held throughout the State of South Carolina that all persons old enough and entitled to register in the year 1882, and who did not then register, were not thereafter entitled to vote. It was this construction of the registration law of South Carolina which gave rise to so much complaint, and it was to remove this just cause of complaint that the legislature passed the act I have just alluded to. Why it was not made applicable to the entire State I do not know.

The SPEAKER. The time of the gentleman has expired.

Mr. BELL of Texas. Mr. Speaker, I ask to be recognized, and I yield to my colleague such portion of the time I am allowed as he may desire.

Mr. JONES. Mr. Speaker, under the act of December, 1890, a new registration took place in the city of Charleston. Three gentlemen of high character, of social and business standing and reputation, were appointed to hold this registration. I am informed, and it is so stated in one of the briefs filed by counsel, that they were all bank presidents. They sat continuously for three months in the city of Charleston in the year 1891. They moved the place of registration from point to point in order that every man, white and black, in the city and entitled to register might have an opportunity to do so.

The record shows that there were at least 4,721 colored voters registered in Charleston on the day of the election. In other words, there were registered more than 4,000, more colored voters in Charleston than the contestant received votes.

Mr. OVERSTREET. From what source does the gentleman get that information?

Mr. JONES. I get it from this source: It appears from the record that the certificate of one of the voters who actually voted was numbered 11213. As there were only 6,492 white persons of voting age in Charleston, and presuming for the sake of this argument that all of them were registered, the difference between that number and 11,213 is 4,721. There must have been at least 4,721 colored people registered, and there were doubtless many more.

Mr. OVERSTREET. And that list of registration certificates would include the certificates issued by all the supervisors after 1890?

Mr. JONES. All of them, I think, after 1890.

Mr. OVERSTREET. All of them after 1882?

Mr. JONES. No, sir; not at all; because the law provided that every one of the old certificates should be surrendered, and that no man could vote in the city of Charleston unless he had a certificate issued after that date. The holder of certificate No. 11213 registered after the year 1890, or else he would not have been allowed to vote.

Mr. OVERSTREET. Now, then, were there not certificates by Cantwell alone and by George W. Williams alone, and when you compute the number, you must compute those issued by all the various registration commissioners?

Mr. JONES. My reply to that is that the certificate of which I have spoken was issued by the board of commissioners. The board sat prior to the appointment of Cantwell and Williams.

Mr. OVERSTREET. Another question——

Mr. JONES. But does that answer you sufficiently?

Mr. OVERSTREET. No, sir. Is it not a fact that when a certificate issued under the law of 1882 was surrendered under the new registration law, the supervisors, when a new one was issued in its stead, took the same number as the old certificate?

Mr. JONES. No, sir; there is not a line in this record to that effect, and I am informed by gentlemen familiar with the operation of this registration law that it is not true. It appears from the evidence in the record that the board of commissioners registered the bulk of those entitled to vote in Charleston during the early days of the three months that they sat, and that for days before they closed their books no one appeared to be registered.

Mr. OVERSTREET. Is it not true that the Charleston News and Courier, the morning after the election, stated that there were not 3,500 registration certificates issued by the new board?

Mr. JONES. I do not know whether that is true or not. I never heard it before.

Mr. OVERSTREET. Well, I know it is true.

Mr. JONES. I do not know and I do not care what the Charleston News and Courier, or the Boston Journal, or the New York Herald, or the Washington Post, or any other paper said about it.

Mr. OVERSTREET. Is not the Charleston News and Courier the leading Democratic paper of South Carolina?

Mr. JONES. I do not know whether it is or not, and if it were it would have no bearing upon this case.

Mr. OVERSTREET. You are deficient in political information. [Laughter.]

Mr. JONES. There is not a single word in this record to the effect that the News and Courier published anything on the subject, and if my friend from Indiana, able lawyer as he is, wants the House to try this case upon what he says appeared in the Charleston News and Courier, but which is not in the record, I can only express my surprise. When the gentleman has to fall back upon newspaper rumors to sustain his case he must feel that his cause is indeed a desperate one. If the News and Courier ever published anything in regard to the registration law of South Carolina it does not appear in the record, and I shall not travel outside of that.

But, Mr. Speaker, I will read some of the testimony in the record bearing upon this subject, and I will read from that given by one of the contestant's own witnesses.

The record which I hold in my hand contains a thousand pages. How many colored men testify in this record in the interest of the contestant I am unable to say, but this I do say: There is not a single witness for the contestant who assails the fairness of the

registration in the city of Charleston made under the act of 1890. There is not a witness who testifies for the contestant who has dared to say that the registration conducted by the board of commissioners in Charleston was not fairly and honestly conducted.

I call my friend's attention now to the testimony of one of his own witnesses, H. W. Purvis. This witness testifies as strongly as any witness in this case in favor of the contestant, and he is certainly one of the most, if not the most, intelligent of all his witnesses. He says of himself:

I have lived in Charleston County about seventeen years; I was a member of the legislature in 1868-1870; was special agent of Treasurer Department; adjutant-general of South Carolina for four years; was inspector of customs in 1877; deputy United States revenue collector and inspector of customs in 1880-1884; clerk in internal-revenue office, 1891.

That man ought to be a pretty good Republican, ought he not? We did not put him upon the stand. He is a witness for the contestant. Here is what he testifies to, and I want to call special attention to it. There is a part of this testimony that some of my friends from South Carolina will probably repudiate, but that portion of it which applies to Charleston no man testifying in this case has undertaken to assail or contradict. He was asked this question:

During the four years previous to the last election, what have you seen at the supervisor of registration's office?

He answered:

From the enactment of the law in 1882 up to the appointment of the commission of George W. Williams, Smalls, and O'Neil in 1890, who were appointed under an act to revise the registration in Charleston County, the whole system of registration, as far as the colored citizens are concerned, has been a shameful apology for registration, which I think any honest man would bear me out in saying. Under the commission I believe everybody was fairly dealt with, and none were refused who were entitled to register.

It will be observed that the witness states that from 1882 up to 1890 the whole system in South Carolina had been a shameful apology for registration; but when he comes to registration under the commission he says:

Under the commission I believe everybody was fairly dealt with and none were refused who were entitled to register.

Mr. Speaker, the gentleman from Indiana in the speech which he has just made assails the fairness of the registration made in Charleston, but not one of his witnesses has done so directly. Some ignorant negroes testify that they were refused registration certificates, but they do not tell the circumstances under which the refusals were made, and even their testimony—vague and indefinite as it is—is contradicted in every material particular.

I have shown out of the mouth of the most intelligent witness for the contestant that the registration was absolutely fair, and that no man who had a right to register was refused registration. In addition to that, it is clear that there were over 4,000 more colored people registered in Charleston than voted for the contestant. The only way by which this registration is attempted to be assailed is by showing that in 20 precincts a total of 25 people were not allowed to vote because they either did not have certificates or their certificates were improperly made out. All that can possibly be claimed is that those men would have voted for Murray had they been permitted to vote. Give their votes to Murray and give him every other vote of every negro who claims that for any cause whatever he was not permitted to vote for the contestant, and you can not elect him by 1,000 votes. Do not outrage justice and decency by throwing out the entire vote at 20 precincts and disfranchising 2,400 legal voters. To do this is to pay too dear a price for one seat in Congress, even if it is to be given to a negro contestant, when you already have an enormous majority of 150.

My friend from Indiana referred to the testimony of Alexander McNeill, Scipio Brown, Edward Grant, and James Carter. Even if these witnesses were uncontradicted, they prove nothing. They do not state when they got their certificates, and if they got them prior to 1891 they had no right to vote and were properly rejected. But as I have already shown all that could possibly be claimed is that the votes of these witnesses should be counted for the contestant.

There is no testimony showing improper conduct on the part of the managers of the election in Charleston. It is only claimed that 6 votes more than were actually received by the contestee were counted for him and I will speak of those later on.

What is true of the testimony of the witnesses referred to by the gentleman from Indiana is true of all who testified for the contestant. The testimony of everyone of them is rebutted. The contestee has by no means allowed this case to go by default against him; but in many instances where the contestant has offered the testimony of but one colored man the contestee has met that testimony with the testimony of as many as three intelligent and honorable white men. The report of the committee studiously and purposely avoids any mention of this testimony.

The majority of the committee cite testimony as if that testimony stood uncontradicted, and ask this House to judge this case upon that evidence. The Fifty-first Congress has been the subject of much bitter criticism for the manner in which it disposed of contested election cases. I have taken the pains to examine those cases, and I say without fear of contradiction that there was not a case decided by the Fifty-first Congress where its action was so open to just criticism as will be the action of this House if it adopts the report of the majority of the committee.

In this connection there is one matter that may as well be referred to now. Justice to the contestee as well as justice to this House requires that I mention it. It is that whilst my friend from Indiana has referred to his report as the report of the committee, and he may be right in thus speaking of it, he knows the difficulty he experienced in getting it out of the committee. He knows also, as I know, that when the vote was taken on this case in committee, however members may vote now, the resolution unseating the contestee was adopted by a bare majority of one vote. He also well knows that two of the Republican members of the committee have up to this moment refrained from expressing in committee any opinion upon the case. If either of them thinks the contestant ought to be seated I am unaware of that fact.

I have consumed much time in discussing the charges against the manner in which the registration was conducted. The charge is also made that no Republicans represented the Republican party on the election boards in the city of Charleston. That is true. The election law of the State of South Carolina does not provide for party representation on these boards, and the party in control in the city of Charleston did not put any colored people on the boards. The managers, or rather the commissioners of election, have testified that the Republicans did not make application for representation in time to enable them to put Republicans on the various boards, had they desired to do so.

But, Mr. Speaker, however that may be, is this House to be asked to declare the election held in certain precincts in Charleston void upon this ground? No man of ordinary intelligence and fairness will make any such contention. It must, however, be clear to everybody that if the election is to be vitiated in any precinct for this reason it must be set aside in every one where the same conditions existed. There can be no denying this proposition.

It is urged as another objection to the manner in which the election was held in Charleston that there were Democratic challengers present at the various polling places. This is true, and it is equally true that there were representatives of the contestant present at all of the precincts, whether called challengers or not.

Mr. OVERSTREET. Will the gentleman be kind enough to point out from the record where that statement appears?

Mr. JONES. I will.

Mr. OVERSTREET. Do you undertake to say that there were representatives of the contestant in all of the precincts in this election at Charleston?

Mr. JONES. I will undertake to show that in every single one such was the case.

Mr. OVERSTREET. Does the gentleman not know that there was not a representative of the contestant allowed in a single precinct in Charleston save one?

Mr. JONES. What do you mean by "in" the precincts?

Mr. OVERSTREET. I mean allowed in the polls, where the Democratic challenger was allowed to go.

Mr. JONES. The gentleman now presents an entirely different proposition. I say the contestant had representatives at the polls in all of these precincts. I do not say that they were actually within the rail.

Mr. OVERSTREET. Of course he had all of his voters at the polls.

Mr. JONES. He had men there to represent his interests. Many of them have testified that they had lists prepared in advance. They stood as the contestant's representatives at the polls, and asked to be permitted to witness the count as his representatives. The record shows this. But, Mr. Speaker, suppose the record did not show it; suppose the contestant had no representatives at the various polls, what is more common, I ask, than the presence of challengers at the polls? I undertake to say that not one-tenth of the States in this Union have passed laws specifically providing for the presence of challengers at the polls. And yet there is scarcely a State in the Union, or any precinct, where they are not permitted. Unless it can be shown that the presence of these challengers resulted in injury to the contestant the bare fact that there were challengers can not be made the excuse for throwing out the vote of 20 precincts.

Mr. HARDY. Will you yield to me for a question?

Mr. JONES. I will yield for a question, but not for another speech.

Mr. HARDY. Only a question, and a pertinent one. I would ask the gentleman if he claims or contends that the election in this district of South Carolina was honest and fair and resulted honestly in the election of Colonel Elliott?

Mr. JONES. I will say in reply to that question that I believe

that Colonel Elliott is as fairly, as honestly, and as legally entitled to his seat on this floor as any man in this House.

Mr. HARDY. Now, I wish to follow that up by another question. That was simply preliminary. I will ask the gentleman, as a member of the Committee on Elections, if he did not sign the report in the contested election case of Johnston *vs.* Stokes, to the effect that Mr. Stokes was legally elected as a member of this House and was entitled to the seat; and that when it came to a vote if he did not vote the other way, declaring that there was no legal election in the district in question and declaring the seat vacant?

Mr. JONES. I am glad the gentleman has asked me that question. I will answer it by saying that when it became evident to me, and those who thought as I did, that the Republican majority in this House intended to repudiate a report permitting a Democrat to retain the seat to which I believed him honestly elected, and to give that seat to a Republican who was not, in the opinion of a Republican committee, entitled to it, I, with other Democrats and many Republicans, voted to declare the seat vacant. I did what every sensible man would have done under the circumstances—I voted to declare the seat vacant to prevent your side of the House from perpetrating a greater wrong.

Mr. HARDY. They must have been Mugwumps.

Mr. JONES. They were Republicans, with as good standing as yourself in the Republican party, and they are your equals if not your superiors in every respect. [Applause.] Gentlemen came to us on this side and gave us to understand that there was no hope of having the House decide that Stokes should retain his seat. They said, "There are gentlemen on our side who do not believe that Johnston was elected, but if you force them to say that either he or Stokes is entitled to the seat they will vote for Johnston, but they are willing to vote if the opportunity is given them that there was no election." In deference to that statement we consented to vote that there was no election. Being in the minority we accepted the situation. I will say further in this connection, if the gentleman will pardon me, that this contested election case comes from South Carolina. This Republican House has, in the case of Johnston *vs.* Stokes, very recently decided the election laws of South Carolina to be unconstitutional.

Mr. HARDY. If it is unconstitutional in that district is it not unconstitutional in all?

Mr. JONES. That is just the point. This Republican House has decided that no valid election could be held in the Seventh district of South Carolina because the election laws of South Carolina are unconstitutional. How, then, can you say that the contestant in this case is elected, when the election was held under the very laws that you have only a day or two since declared to be unconstitutional? In the Johnston-Stokes case you solemnly declared that no valid election could be held under the election laws of South Carolina.

Mr. HARDY. Does the gentleman want this House to vote that there was no election in the district represented by Colonel Elliott?

Mr. JONES. I want this House to do what is right and just. I have already said that I believe Colonel Elliott to have been fairly and honestly elected. The Democrats are but a small minority in this body. They have no power to decide these cases, and so are not responsible for any decision that may be made. But if you gentlemen want to be consistent; if you want to observe the oaths that you took when you came here; if you want to do what is honest and right; if you still believe that the law of South Carolina is unconstitutional, as you held it be two days ago, and that no valid election can be held under it, you will do violence to your oaths and you will destroy every semblance of consistency by putting a man in this House who, even were he elected, was elected under the very law which you have repudiated.

Mr. OVERSTREET. Will the gentleman undertake to say that because a law is unconstitutional, therefore no election was held?

Mr. JONES. I never said anything of the sort. I contend that this law is not unconstitutional to such an extent as would render this election null and void, but I say that the House of Representatives, in which the Republican party has a majority of 150, has solemnly declared that the law was unconstitutional, and that no valid election could be held under it.

Mr. OVERSTREET. The gentleman voted that way, did he not?

Mr. JONES. I did, for the reasons I have given.

Mr. OVERSTREET. Will the gentleman be kind enough to state to us who the gentlemen were who made that bargain with him in the Johnston-Stokes case?

Mr. JONES. I insist, Mr. Speaker, that the gentleman has no right to speak of the representations made gentlemen on this side of the House by gentlemen on his side as a bargain.

Mr. OVERSTREET. You stated that they had made an agreement.

Mr. JONES. I think the gentleman is reflecting upon his colleagues when he makes this insinuation. I have already informed him why the Democrats joined with a number of his Republican associates in voting the seat from the Seventh district of South Carolina vacant. It was the only choice left us. The representations made us, and upon which we unhesitatingly acted, came from some of the leading, most intelligent, and most honorable men on your side of the House, and believing them to be the honest opinions of honest and fair-minded men, we accepted them as such and acted upon them. We accepted the friendly suggestions made to us, not because we had any doubt about the election of Mr. Stokes, but because we became satisfied if we did not do so enough Republicans would follow your leadership to give a seat in this House to a man who the most intelligent Republicans upon the Elections Committee of which the gentleman is a member believed had no shadow of right to it.

Mr. OVERSTREET. Now, will the gentleman answer my question? When that proposition was made to the representatives upon your side of the House, it was agreed to by you, was it not?

Mr. JONES. The gentleman may call it what he pleases. It was simply the statement of a fact which was apparent to most people. The votes that were taken convinced me, as they did everybody else, that whatever the action of the House might be Stokes would not be permitted to retain his seat. I was myself informed by a member from the State of New York, who was in no wise connected with the case, that, whilst he had voted that Johnston was not entitled to the seat, he should not vote that Stokes was. Statements like these induced the friends of Stokes to vote to declare the seat vacant.

Now, if you want to call that a bargain, if you want to reflect upon your Republican colleagues on the committee, you are welcome to get all the glory and honor and satisfaction out of it that you can get.

Mr. OVERSTREET. The gentleman knows that I have asked him three different times if they carried out the agreement, and he knows he has failed in each instance to reply to my inquiry.

Mr. JONES. I say to the gentleman that so far as I am personally concerned I voted as the record shows I voted, and I did so because I became convinced that under his leadership a man was about to be seated in this House who had no title to a seat here. [Loud applause on the Democratic side.] I voted to send the election back rather than have you perpetrate that outrage, and I am pleased to be able to say that a large number of the leading Republicans on your side, including the distinguished chairman of the Committee on Ways and Means, voted as I did.

Mr. OVERSTREET. The gentleman does me an unusual honor. I still want to ask him whether or not when that statement of facts was given to him the agreement was carried out by the men who made the agreement. I give you one more opportunity to answer that question.

Mr. JONES. And I answer the gentleman by saying that no agreement was made with me or with anybody else so far as I know. Enough Republicans voted with the Democrats to prevent the consummation of what we regarded as an attempt to commit an outrage. I presume they voted that way because they were not willing to become parties to a political outrage. I believe they acted from the purest and the best motives.

Mr. OVERSTREET. Just one more question. The gentleman has said that I was reflecting upon the members of this side of the Chamber. I simply want to inquire if it is not a fact that the men who supported that proposition, who were members on this side of the Chamber, voted as they already had voted, and made no change from the position which they had assumed when the entire Democratic side abandoned its position.

Mr. JONES. That absolutely is not true.

Mr. OVERSTREET. With the exception of the members of the committee.

Mr. JONES. No vote was ever taken to test the right of Stokes to retain his seat. It never got that far. The reports from Elections Committee No. 3 show that three Democrats and two Republicans found that Stokes was entitled to retain his seat. I was one of those Democrats. One Republican held that there was no election, and three, yourself among the number, filed a minority report setting forth that Johnston was elected. Two of the Republican members of the committee voted throughout as I did.

You say you did not intend to reflect upon the Republican members of the committee or other members on your side of the House, but you still insist that there was some bargain or agreement. It takes at least two parties to make an agreement; and if any corrupt agreement was entered into in the Johnston-Stokes case all who were parties to it must have been equally culpable. I have said I knew of no bargain or agreement. I deny that there was any. But I still maintain that if you seat the contestant in the case we are supposed to be now considering you will not only perpetrate a great wrong but you will stultify yourselves at the same time.

I have heard that the contestant had to be seated because he was a black man.

Mr. WALKER of Virginia. I would like to know whom you heard that from?

Mr. JONES. From everybody.

Mr. WALKER of Virginia. Name one.

Mr. JONES. The statement has been made all over this House, and everybody understands that such is the case.

Mr. WALKER of Virginia. I would like you to name one member who said that the contestant should be seated because he was a colored man.

Mr. JONES. I will say to the gentleman that numbers of members upon his side of the House have said it. It is not necessary to give names. If members desire their names published, they are here, some of them, within the sound of my voice, and they can speak for themselves. But this, Mr. Speaker, bears somewhat upon this question. This little clipping is from the Washington Post. I will read it for the benefit of my friend from Virginia.

Mr. WALKER of Virginia. I have read it.

Mr. OVERSTREET. Is that in the record?

Mr. JONES. I will give the House the benefit of it.

A delegation of colored ministers from city churches called at the rooms of Election Committee No. 3 of the House yesterday to urge action in the contest to which George W. Murray, of South Carolina, is a party. The ministers were Rev. J. T. Clark, Rev. Daniel Morris, Rev. Alexander Wilbanks, Rev. J. Anderson Taylor, Rev. H. C. Robinson, Rev. Walter H. Brooks, Rev. A. Creditt, Rev. I. B. Bryant, and Rev. Robert Johnson. Col. Perry Carson, at whose suggestion the visit was made, accompanied the ministers. They were received by Chairman McCALL, of the committee, and stated that they were interested in having Mr. Murray seated because the colored people, not only in the District but in the whole United States, were without a representative in Congress.

Mr. HARDY. If the Lord is for him, who can be against him? [Great laughter.]

Mr. JONES (continuing the reading):

Mr. McCALL replied that the case was upon the House Calendar and would be reached as soon as possible.

[Renewed laughter.]

Now, Mr. Speaker, I also saw in the Washington Post of either this or yesterday morning that a great mass meeting of colored people had just been held somewhere in this city or near this city; that among the speakers who addressed the meeting was the contestant here, and that at the conclusion of the meeting, which was intended to boom Senator ALLISON, I believe, and was gotten up by Perry Carson and his admirers, a resolution was offered and unanimously passed appointing a committee of 10 persons to call upon the leading Republicans of this House to demand, with Perry Carson at their head, that this contestant be given the seat which he seeks—be given it upon the distinct ground that he is a negro and because the negro race has no representative in Congress. I hardly think my colleague will deny that he has heard the same statements that I have heard.

Mr. WALKER of Virginia. I have never heard any such thing anywhere from anybody.

Mr. JONES. I do not know why my friend has not heard them.

Mr. WALKER of Virginia. I have been where honest people are. [Laughter.]

Mr. JONES. I am glad to know it, and I hope the gentleman does not mean to insinuate that the people who made the statements were not honest.

Mr. WALKER of Virginia. No. The gentleman seemed to wonder where I had been that I had not heard such statements, and I thought I would tell him. [Laughter.]

Mr. JONES. I hope he does not mean to make any such insinuation as that, for it is a fact known of all men that great pressure has been brought to bear upon this House to put this negro in; that it has been stated far and wide that it "would not do" for a House with the great Republican majority that this has to adjourn without putting at least one colored man in a seat upon this floor. If this contestant is seated it will be done in deference to this sentiment and in obedience to this demand. There is no evidence in this record that will justify the throwing out of twenty of the precincts in the city of Charleston. To throw them out will be to commit one of the blackest crimes against the right of suffrage that was ever enacted by any civilized body of men.

I doubt seriously, Mr. Speaker, if there is a single Republican member of this House who would be willing to say that he had not been approached by the contestant or by some other colored man in his interest. Gentlemen, this case is now in your hands. Three of the four contested election cases from South Carolina have been disposed of. This is the last. I have examined the testimony in this case as carefully as it was possible for me to do. My connection with it is now at an end. My Democratic colleagues upon the committee agree with me that there has never been a case before our committee where any claimant to a seat in this House has shown a better right to that seat than Colonel Elliott has shown.

Mr. McCALL of Tennessee. Will the gentleman yield for a question?

Mr. JONES. Yes, sir.

Mr. McCALL of Tennessee. Is this the case in which one witness states that at the election in Charleston "Ben Harrison," "Bill McKinley," "Matt Quay," and "Tom Reed" were refused the privilege of voting? [Laughter.]

Mr. JONES. No; this is not that case. Nor is this the other noted case from South Carolina in which a colored man was contesting who was a minister of the gospel, and who, in reply to the question, "What is your profession?" answered, "I am a minister of the gospel, a class-leader, and an extortionist." [Laughter.] This is neither of those cases. But in this case numbers of witnesses have testified for the contestant whose reputations for honesty and truthfulness would not begin to compare to those of the witnesses to whom the gentleman from Tennessee and myself have called attention in the other cases from South Carolina. And it is upon the testimony of such men, contradicted and discredited in nearly every single instance by the testimony of reputable witnesses, bear it in mind, that this House is asked to seat the contestant in this case.

Not only are the contestant's witnesses contradicted by those placed upon the stand by the contestee, but the testimony of many of them is shown to be false by that of other witnesses who testify for the contestant. In many instances they contradict themselves. The contestant's witnesses in most cases, like his supporters, belonged to the "rabble element" of the colored population.

If the evidence in this record establishes anything it proves beyond all question that the colored people of Charleston were bitterly opposed to the contestant; that he was not regarded by a large portion of them as their candidate or as a resident of the district; that many of those who voted at all voted for Colonel Elliott. It also shows that there is no ground for the pretense that colored voters were illegally refused registration, and that the charge that the managers of the election acted fraudulently is without any foundation upon which to rest. Mr. Speaker, time will not permit me to examine in detail the evidence relating to the charge that the votes of 6 persons who, it is alleged, did not vote at the Congressional election were actually counted for the contestee.

These 6 alleged illegal votes were all cast, if cast at all, at three precincts in the city of Charleston. There is no sufficient proof in this record to show that any of the persons whose names appear upon the poll lists as having voted did not vote. But should it be thought that I could be mistaken in regard to this, then I say to you to throw out the entire poll at each of these precincts. Illegal voting can only affect the polls where that voting is done. If the results at these polls are entirely eliminated from the case it will not materially reduce the majority of the contestee. The only way by which his election can be defeated is to do as the committee have recommended in their report to be done—throw out the entire vote of 20 precincts in Charleston, where the election was fairly conducted and where there was a new registration law which was fairly and honestly administered. No other plan can be devised which will elect the contestant, and therefore this plan must be followed, be the consequences what they may.

Now, gentlemen, if it is so important to you politically to have a representative of the negro race upon this floor that you can afford to disregard every rule of evidence and of law to secure that end, then I suppose that you will seat this contestant. If the political exigencies are such as to require you to commit this great wrong, I suppose it must be done. If you have so quickly forgotten your action in another case from South Carolina, in which you declared that the election laws of that State were unconstitutional and that no valid election could be held under them, and you care nothing for either law or consistency, you have the power to rob Colonel Elliott of his seat and you can exercise that power.

If you single out these 20 precincts in Charleston and throw them out upon such testimony as is to be found in this record you will commit such an outrage upon justice, right, and decency as I undertake to say no House of Representatives in the history of this Government was ever before guilty of.

I am fully aware that I have not presented this case before you in such a manner as I would have liked to have done. It is not possible to review in two hours testimony covering a thousand closely printed pages. At least, however, I have given the House to understand that the testimony cited by the committee and relied upon by them to sustain their action is contradicted by other testimony in the record; in my judgment, and I believe in the judgment of every fair-minded man who has read it, not only contradicted, but absolutely and completely destroyed. The majority in this House may prefer to accept the testimony of ignorant and discredited negro witnesses to that of intelligent white witnesses of character and high standing. I can not and I will not do violence to my conscience and my sense of right by adopting any such course.

[Here the hammer fell.]

[Mr. JONES took his seat amid loud applause on the Democratic side.]

Cuba.

SPEECH
OF
HON. JOSEPH WHEELER,
OF ALABAMA,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, April 4, 1896.

The House having under consideration the report of the conference committee in reference to Cuban belligerency—

Mr. WHEELER said:

Mr. SPEAKER: In order to be a great nation and a great people we must so conduct our affairs as to be worthy of the respect of the world. Of all the civilized nations, although we are the youngest, we are the first in wealth, progress, population, and all other material elements which accompany greatness and power. But with all these we can not command the respect of the world unless by every act we show not only that we are willing but that we are determined to maintain our convictions, enforce our policies, and be true to the principles upon which this Government is based. [Applause.] Unless the world believes we are ready and willing, able and determined, to sustain our convictions, our policies, and our principles by force and by the sword, we must lose the prestige we have so long enjoyed and drop from the high place of the first nation of the earth.

We are a nation born with the spirit of the love of liberty, and every breeze that wafts o'er the mild waters of the Gulf of Mexico wafts with it appeals from a suffering people who have laid down their lives, their fortune, and their sacred honor for the cause for which our forefathers laid down their lives, their fortunes, and their sacred honor; that is, the sacred cause of liberty. [Applause.] The question we are called upon to vote on is, Does war exist in the beautiful Isle of Cuba? That war most cruel and bloody now exists in that isle there can be no question. All that is asked is that we give belligerent rights to that struggling people; that we, as a great nation, believe that they may hoist the flag of liberty, that they may have the rights accorded to any patriotic people struggling for the boon of liberty.

What was our condition, Mr. Speaker, in 1775, when our forefathers left the plow and the shop, seized their trusty rifles, and offered their lives in the cause of liberty? Look back at our heroic fathers who fought at Lexington and Concord and Bunker Hill. They were a band of patriots who joined together to struggle against oppression, and they won. [Applause.] Until France recognized their belligerency they were not recognized by any people on earth as belligerents. They were defeated at Lexington, driven from Concord, defeated at Bunker Hill, driven from Boston, driven down to Long Island and defeated there. What a contrast in this respect between our forefathers and the victorious bands of Cuba! If our fathers were entitled to be recognized as belligerents, tenfold more are those struggling patriots of Cuba entitled to recognition and to liberty. They to-day have larger armies than our fathers had during their whole seven years' war for freedom. And yet, Mr. Speaker, people here say that the Cubans are not entitled to that recognition which would enable them to hoist their flag and would deprive the Spanish tyrants of their cruel claim that they have a legal right to shoot them down as banditti. I for one, Mr. Speaker, believe in a different policy from any that has ever been announced by the American people. The Monroe doctrine was well enough when we had only 10,000,000 people, but now this nation, the greatest nation on earth, should lay down a policy which would be respected if not followed by every nation, and a part of that policy should be that every people struggling for liberty should receive at least our sympathy and, if possible, our aid. [Applause.]

Mr. Speaker, I believe that a nation like Spain, which at one time controlled two-thirds of this continent and has been driven step by step till now she has only that beautiful island upon which to wreak her oppression—I believe that the sooner such a nation is driven from that island, lying as it does within two hours' sail of the coast of the United States, the sooner Cuba becomes free and independent or a member of this great Commonwealth, the sooner will the cause of civilization and of Christianity receive the vindication to which it is entitled. Mr. Speaker, these people are struggling in the cause of liberty. Every animated thing loves liberty. The eagle soaring to the starry heights, looking down upon the mountains where he dwells, loves liberty. [Applause.] The fierce Numidian lion, the monarch of the forest where he dwells, loves nothing as he loves liberty. The gallant 300 Spartans who lie buried at Thermopylæ gave up their lives in the cause of liberty. [Applause.]

The patriots of all ages who led the onslaught in battle gave up their lives in the cause of liberty. [Applause.] And, Mr. Speaker, when a band of people who for more than a year have maintained a government within 60 miles of our shores, driving, as they have driven, their oppressors to the very edge of the sea, confining them, as they have confined them, within two or three cities—when such a people achieve such results, how does it become us to ask whether they have a navy? How does it become us to ask whether they have a government located in a certain place? Why, sir, in the war of 1812, did we have a government with a fixed habitation? No, Mr. Speaker. Although we had been a nation for more than thirty years, yet during that struggle the President and his Cabinet were flying from one place to another, driven from the seat of Government, our Capitol burned, a hostile force within 30 feet of where I am now speaking. And yet, sir, we now, in the face of this past history of our own, contend that these struggling Cubans can not be recognized even as having belligerent rights until they have a fixed capital, a fixed congress to enact laws, and all those features which belong to a well-established government. Mr. Speaker, to expect such a condition of things in Cuba at this time is not reasonable. [Applause.]

The SPEAKER. The time of the gentleman has expired.

The "Fiat" Delusion and 16 to 1 Free Silver.

SPEECH
OF
HON. NELSON DINGLEY, JR.,
OF MAINE,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, June 11, 1896.

Mr. DINGLEY said:

Mr. SPEAKER: The natural tendency of the mind to judge from outward appearances rather than internal conditions opens up in monetary questions a wide field not only for honest yet dangerous misconceptions but also for more mischievous perversions.

It is unfortunate that monetary questions should ever be the football of partisan politics or the objects of passion and prejudice, for they are so purely scientific and exact, so completely controlled by irrevocable natural laws determined by the experience of ages, that any attempt to settle them by appeals to passion and prejudice are as much out of place as the solution of a problem of Euclid by polling a ward caucus.

In times of business depression and industrial paralysis, when men in financial straits are catching at rhetorical straws, when the diminishing purchasing and consuming power of the people is narrowing the demand for products and thereby abnormally reducing prices, the opportunities for crossroads financiers with infallible monetary remedies for every financial misfortune are so multiplied that we might expect to find in financial almanacs, under the head of "Business depression," as we are accustomed to find under the weather forecast of the "Old Farmers' Almanac" the warning words, "Look out for a storm"—in this case a storm of financial quacks—"about this time!"

At such times money, however abundant, is inactive, and inactivity is readily confounded with scarcity. What is really a result is mistaken for a cause. And scarcity of money having been erroneously assumed to be the cause of industrial stagnation, the same surface view as readily jumps to the conclusion that the stamp of the Government gives value to money, and therefore all that is needed to set the wheels of industry in motion is for the Government to stamp irredeemable paper or overvalued coin, and by some mysterious process which overlooks the fact that nobody can obtain money without giving an equivalent value in exchange, convert scarcity into plenty and industrial paralysis into commercial prosperity.

A deeper insight into economic and monetary principles would make it clear that distrust of the industrial and business future, no matter how brought about, is the cause of the dislocation of the intricate machinery of modern production and distribution, whose retarded motion or paralysis has no longer use for the volume of money which it circulated in periods of activity; and that any increase in such times even of good money—by which I mean coin of an intrinsic value equivalent everywhere to the stamp placed upon it, or promises to pay such coin redeemable on demand in such coin—is futile; while issues of bad money, whether in the shape of overvalued coin or irredeemable paper, only increase the distrust and intensify the inactivity which is confounded with scarcity.

THE "FIAT" THEORY OF MONEY.

The fundamental fallacy of the schemes to give prosperity to everybody by monetary legislation, which have obtained so much popularity at different times, lies in the assumption that money,

which is the common medium of exchange and standard or measure of value, is anything that the Government sees fit to stamp as such, regardless of its intrinsic or redeemable value, the law giving it the full value indicated by the stamp, instead of a substance possessing value in itself and accepted as such by common consent, whose coinage by Government is simply the certificate that the weight and fineness of the coins are such as to give them the value indicated by the stamp; paper or credit money, so called, being simply promises to pay such coined money on demand.

The "fiat" fallacy has its origin in the fact that governments successfully circulate token or underweight coins of less intrinsic or bullion value than the stamp indicates, just as all governments circulate the limited amount of fractional silver token coins required for daily use, and as the United States is now circulating overvalued standard silver dollars and France overvalued 5-franc pieces, by rigidly limiting the amount, so that the acceptance of such overvalued coins at the stamped value for customs duties and taxes payable in gold or its equivalent serves as a practical redemption of them at par by the Government that coins them on its own account and for its own profit, the token coins so minted being practically pledges of the Government to thus redeem them at par to whatever extent the stamped value exceeds the bullion value, as the greenback is an express pledge of the Government to pay its full stamped value.

Those who are accustomed to look on the surface of monetary operations easily jumped to the conclusion that it is the Government stamp, and not practical Government redemption, which has made 50 cents' worth of silver or a piece of almost valueless paper as good as a gold dollar; and that all that is needed to instantaneously lift all the world's present and prospective silver bullion from its present market price of 68 cents per ounce to $1.29 per ounce is for this Government alone to authorize the private owners of the same to take their bullion to the mints and have each 412½ grains nine-tenths fine coined and stamped, free of charge, into 100-cent dollars.

Why, with such a wonderful stamp in the possession of the Government, a stamp possessed of more magical power than Aladdin's lamp, any faithful representative of the people's interests on this floor should propose to give the private owners of silver bullion the profit that would accrue from its operation in doubling the value of the one hundred million dollars' worth of silver produced annually in the world, when the whole people ought to have it; or why anyone should favor the wasting of 50 cents' worth of silver in making a dollar when a piece of paper worth 1 mill can be converted into a dollar and multiplied by hundreds of millions by simply starting a printing press, is a conundrum which I should be glad to have answered.

All will remember the potency, during the palmy days of the Greenback party, of the conundrum, "If greenbacks are good enough to pay the soldier, why are they not good enough to pay the bondholder?"

But this "fiat" conundrum disappeared from the stump as soon as the people came to clearly see that the interest-bearing obligations of the Government," called "bonds," and the noninterest-bearing notes, called "greenbacks," are both promises to pay coin, any creditor of the Government having been at liberty to choose either when we had no money of final payment to give either soldier or other creditor, and that neither promise will be finally paid until the holder of it is paid in coin. Individuals may discharge their liabilities by tendering to their creditors the notes of the Government, but the Government itself which issues its notes can not make final payment of its own promises by tendering new notes. Mr. Wilkins Micawber and our "fiat" money advocates have the exclusive patent on this method of getting out of debt.

FREE COINAGE OF SILVER AT 16 TO 1.

Mr. Speaker, with these preliminary observations as to the nature and uses of money and the character and sources of certain fallacies respecting monetary legislation, I now address myself specifically to the proposition which has been so zealously advocated by many gentlemen in this Hall during the present session, and which is being pushed with such energy throughout the country—that this country alone shall immediately open its mints to the free and unlimited coinage of silver at the ratio of 16 to 1, notwithstanding the bullion ratio of silver in the markets of the world is such that 30 ounces of silver (instead of 16) are required to be equal in value to 1 ounce of gold.

It would greatly simplify the discussion if such free coinage as is proposed were advocated on uniform and consistent grounds. But when I find not only different supporters of this policy, but also the same advocate in different parts of his argument, contending in one breath that silver has declined in consequence of hostile legislation, and in another breath that silver has been stable and unchanged; another affirming in his introduction that what he seeks is the equality of both gold and silver in the circulating medium, and in his peroration denouncing gold as the money of the rich, the enemy of the country in time of need, the tool of the foreign shylocks at all times, and eulogizing silver as the money of the poor, the friend of the Republic, and the open sesame to prosperity; and still another declaring in one part of his argument that free coinage of silver at 16 to 1 by this country alone will make every silver dollar as good as gold, and in another part affirming that such coinage will raise prices and make it easier to pay debts, its advocates seem to me to be very much in the don't-care-ativeness state of mind of the showman who, to the inquiry of the curious spectator as to which was the tiger and which the lady, spitefully responded with a far-away look: "Madam, you pays your money and you takes your choice."

Notwithstanding most of the arguments for such free coinage of silver ultimately reach silver monometallism as their logical and inevitable goal, yet this proposed policy obtains popular acceptance mainly on the assumption that it will secure both gold and silver as our redemption money by making the coins of both metals intrinsically equal in value; and this fact makes it necessary for even those who seek the silver standard and silver monometallism of Mexico to claim that they are bimetallists because they propose free and unlimited coinage of both metals.

WILL FREE COINAGE 16 TO 1 GIVE US BIMETALLISM.

The first inquiry, therefore, Mr. Speaker, of every friend of bimetallism—and I account myself one—should be whether, with a bullion ratio of silver to gold of 30 to 1 in the markets of the world, this country alone can open its mints to the free and unlimited coinage of silver at the ratio of 16 to 1 and retain gold in its coinage.

For surely if it can not, if the practical effect of such free coinage as this will be to drive out gold and give us silver alone as our metallic money, and bring us to a silver standard, as I affirm it inevitably would, then I believe the great body of the people of this country who are inclined to look on the scheme with more or less favor, because they have been led to assume that it would give us both gold and silver as our metallic money, would set their faces against it as mischief and only mischief.

MUST DOUBLE PRICE OF WORLD'S SILVER.

In considering this vital inquiry it should be first of all borne in mind that it is conceded on all sides that under free and unlimited coinage of silver, after the brief period required to materially enlarge the coinage, during which the owners of silver bullion will secure the profit, there can be no difference in value between a coined silver dollar and an equal weight of silver bullion. This is shown not only by the logic of the situation under free coinage, which gives the holder of bullion anywhere the right to send it to our mints and have it coined and returned to him free of expense, but also by the fact that under the free and unlimited coinage of gold 25.8 grains of gold nine-tenths fine coined into a dollar is worth no more after coinage than before. Therefore, it necessarily follows that in order to make coined silver dollars under free and unlimited coinage at the ratio of 16 to 1 worth 100 cents (which is what they must be worth in order to be at a parity with gold) not only the silver in each dollar but all the silver in the world must be lifted in value from 68 cents (the present price) to $1.29 per ounce, which is the equivalent of gold at the ratio of 16 ounces of silver to 1 ounce of gold. For if it does not do this, but on the contrary leaves 16 ounces of silver less valuable than 1 ounce of gold, then the silver dollars coined will be less valuable than the gold dollars. When this comes to pass, then, under the operation of an irrevocable monetary law, known as Gresham's law, the cheaper silver dollar alone will be used as money and only silver taken to the mints, while gold bullion and the gold coins withdrawn from circulation will be sold for export or for use in the arts.

The only way in which both gold and silver coins can be retained in any country as money under free and unlimited coinage is by having the coinage ratio approximately the actual bullion ratio in the market.

THE "FIXED PRICE" THEORY.

It is argued, however, by the friends of free coinage of silver at 16 to 1—and I quote from a free-silver publication everywhere circulated—that the opening of the mints of this country alone to such coinage will create an unlimited demand for silver bullion at the fixed price of $1.29 per ounce (which is the price required in order to sustain the ratio of 16 to 1 of gold), and that this unlimited demand at a fixed price meeting a limited supply will make that the price of silver everywhere, and thus that the condition of successful free coinage which I have referred to as indispensable, viz, an equality of the coinage with the bullion ratio, will be secured.

The statement of this curious theory, on which all arguments for free coinage at the ratio of 16 to 1 rest, shows how easy it is to mislead in monetary discussions. Indeed, this theory is only an ingenious variation of the "fiat" fallacy. It rests entirely on the assumption that whatever the Government, under any and all circumstances, stamps as a dollar is therefore necessarily always a dollar as good as gold. The so-called "unlimited demand" for

coinage is simply the limited demand of business for the purchase of coin, for it must be borne in mind that under free and unlimited coinage the Government does not purchase silver any more than it does gold. It simply impresses the dollar stamp or certificate, without charge, on every 412½ grains of silver or 25$\frac{8}{10}$ grains of gold nine-tenths fine brought to the mints, and the owner takes away the dollars so stamped from his gold or silver, and disposes of them as best he can. We know that the owner of the gold dollars gets no more for them than the bullion was worth before coinage. What, therefore, the owner of silver bullion receives from the mints is simply 1$\frac{29}{100}$ of a silver dollar for each ounce he has deposited. What this coined silver will yield the silver-mine owner is entirely dependent on the quantity of gold he can buy with it in the markets of the world. The stamp of the Government will not help him under free and unlimited coinage to get any more for his silver dollar than the bullion in it will bring. The absurd theory of a "fixed price" for silver equal to the stamp under free and unlimited coinage vanishes into the thin air of all "fiat" ideas of money.

INFLUENCE OF FREE COINAGE BY THIS COUNTRY ON PRICE OF SILVER.

The only influence on the price of silver bullion that the opening of the mints of this country alone to its free and unlimited coinage could have would be simply whatever increased demand for silver it would create—not a demand at a "fixed price," as I have already shown, but simply at whatever price would naturally arise from the meeting of the supply with such demand, as this must be the value of the silver dollars coined from the deposited bullion.

Fortunately we are able to approximately measure the influence on the price of silver of the possible demand for coinage by our mints under free coinage. That would be limited, first, by the silver coins that would be purchased and used by the people; and, second, by the capacity of our mints. Now, the capacity of our mints and the ability of our people to absorb silver coinage under free coinage could not for some time be greater, in proportion to population, than the 54,000,000 ounces purchased annually for monetary purposes for three years under the act of 1890, which was substantially the American product of silver, and more than one-third of the product of the world. Yet, while the temporary effect of this increased demand was to slightly increase the price of silver—not for a day, however, anywhere near $1.29 per ounce—yet in a very short time the increased demand so stimulated production that the price went lower than ever before, thus demonstrating conclusively that no possible demand under free coinage by this country alone could have the effect to restore silver to its old price, evidently for the reason that the cost of production had declined and new and richer sources of supply been discovered.

If those who dwell on the legislation of this country in 1873, which struck the silver dollar from the list of coins authorized to be coined after that date, as a potent factor in causing a decline of silver by diminishing the demand would only allow their good judgment to control, they would see that it could hardly be possible that legislation discontinuing the coinage of the silver dollar which had not been coined for circulation for twelve years prior could have had any effect in diminishing the demand for or the price of silver. Indeed, when it is considered that two years after 1873 we began to coin fractional silver, and in 1878 again began to coin the silver dollar, and that in the eighteen years between 1875 and 1893 we used five times as much silver bullion for monetary purposes as we had used in the eighty years previously, it must be admitted that so far as this country is concerned our demand for silver for coinage has within twenty years been greatly increased instead of diminished, so that no charge can be justly made against the United States that its legislation has been hostile to silver. On the contrary, it has gone to the farthest verge of safety, if not beyond, in its efforts to restore silver, so far as natural conditions would admit, to its old position.

THE ACTION OF GERMANY AND FRANCE.

I have no doubt that the discontinuance of free coinage of silver by Germany in 1871, by France, Belgium, Switzerland, Italy, and Greece (the Latin Union) first by limitation in 1872 and then in full in 1875, and by other countries of Europe subsequently has, by diminishing the demand for silver for their coinage, had a marked influence in increasing the decline of silver, which would have inevitably taken place to a considerable extent because of the reduced cost of production and abnormal increase of supply. Although I do not regard it possible for these countries, reenforced by Great Britain and the United States, by reopening their mints to free coinage of silver to restore the old ratio of 16 to 1 so long as the present conditions of silver production continue, yet I am persuaded that by joint action all these countries, acting together in the adoption of a fixed international coinage ratio at some intermediate point that shall have regard to the probable cost of production and the consequent bullion ratio of silver to gold in the markets of the world, can accomplish the desirable result of securing both gold and silver, under free and unlimited coinage, as the final redemption money of the world. I do not believe the United States or either of these countries alone can bring this about. Neither does any bimetallist of authority in Europe or in this country (outside of politics) so believe.

THE THEORY OF BIMETALLISM.

The theory of bimetallism, as held by all its great advocates, is not, as some of its defenders assume, that free and unlimited coinage of gold and silver at any ratio which the law of any one country may declare will secure the maintenance of that ratio by increasing the demand for the metal that tends to fall and diminishing the demand for the metal that tends to rise, but that such coinage by a sufficient number of leading commercial nations to give a potent demand, at a ratio substantially the same as the coinage ratio, will do this, unless there shall be radically changed conditions of production and use of either metal.

It is important to keep in mind the fact that bimetallism is a system which seeks to have one monetary unit or standard of value represented in two different metals adjusted to a ratio that makes them equal, and which tends to keep them approximately equal by the operation of an alternative lessened or increased demand on either metal. When two full legal-tender dollars of different values are authorized in any country the practical standard is always the least valuable dollar. Thus from 1792 to 1834 the silver dollar was the practical unit or standard, from 1834 to 1861 the gold dollar was the practical unit or standard, and from 1861 to 1879 the depreciated greenback dollar was the practical unit or standard, notwithstanding the gold dollar was the legal unit from 1873 to 1879, as it has been since 1879 both the legal and practical unit or standard. And yet within proper limitations the alternating lessened or increased demand on either metal for coinage under bimetallism, when that alternating demand is made potent by the concurrence of enough commercial nations, and when the coinage ratio is approximately the bullion ratio at the time it is fixed, has been found a factor sufficiently effective to prevent any serious divergencies of the two metals from that ratio so long as the conditions of their production and the monetary status of the world were not seriously disturbed. It must be evident that the potency of this compensating and equalizing principle is very small when one country alone adopts bimetallism, and that it increases wonderfully as commercial nations unite in its maintenance at a fixed ratio. It is for this reason that all authorities on bimetallism, outside of politics, agree that under present conditions "international bimetallism" alone is possible.

THE FETICH OF 16 TO 1.

In many minds bimetallism seems to be regarded as the free and unlimited coinage of both silver and gold at the weight ratio of 16 to 1. To such the ratio of 16 to 1 in coinage is apt to be a permanently established principle of the fathers that has come down to us like the principles of the Declaration of Independence or the doctrines of the Constitution. They talk of the free coinage of silver at 16 to 1 as the restoration of "the policy of the fathers," and ask why silver should not have the same privileges as gold.

Now, it may surprise some of those who have adopted such ideas to learn that the "fathers" who established the first mint in 1792 did not set up the coinage ratio of 16 to 1, but that of 15 to 1, and that in establishing this ratio they turned their backs on the "fathers" who discovered America, for in those days the ratio was 11 to 1. Indeed, the evidence is conclusive that under the earliest Egyptian monarchy gold and silver were equally valuable by weight.

How did it happen that the "fathers" of 1792 adopted the ratio of 15 to 1? It was simply because Hamilton reported that after a careful investigation he found that the average market ratio of silver and gold was 15 ounces of silver to 1 of gold. And so the "fathers" supposed it to be the proper thing to make the coinage ratio the same in order to secure both silver and gold. That was their conception of bimetallism. Strange as it may seem to some of our modern crossroads financiers, no one reminded them that the earlier "fathers" held to 11 to 1 as the right ratio because then 11 ounces of silver would buy 1 ounce of gold.

How did it happen that we set aside the ratio of 15 to 1 established by the "fathers" of 1792? Simply because those "fathers" took it for granted that the coinage ratio must follow the bullion ratio in order to maintain bimetallism. In 1834 it was found that the bullion ratio had changed and was (as was supposed) 16 to 1, whereupon these "fathers" or their disciples changed the coinage ratio to 16 to 1. So it appears that the "fetich" of 16 to 1, which so many are worshiping to-day on the supposition that it is a fundamental principle which the "fathers" fought to maintain, comes down to us only from 1834.

COINAGE AND BULLION RATIO MUST BE IDENTICAL.

There is a monetary principle which comes down to us from these "fathers" which every authority in finance sustains, which every European bimetallist and every bimetallist outside of politics

in this country holds, and this is that to maintain successful bimetallism the coinage ratio must be approximately the bullion ratio, for while experience shows that coinage laws, by creating a demand for a metal, can thus exert some influence on the price, yet this influence is comparatively small when exerted by one country, and even when exerted by a combination of countries can not work miracles.

Gold is given free and unlimited coinage at exactly its bullion value, and consequently a gold dollar after it is coined is worth no more than before coinage. If the owners of silver bullion would consent to its free and unlimited coinage at its bullion value in the markets, just as we coin gold, the only objection would be that the ratio could not be permanent unless there was concurrent action by the leading commercial nations, and no material change in the conditions of production of the two metals; but what they want is to have 50 cents' worth of silver, as it sells in the markets of the world, received at our mints and certified to be a dollar worth 100 cents. They are not willing to accept the coinage principle of the fathers that both metals should be coined at their bullion ratio, whatever that may prove to be, but insist that because 16 ounces of silver were equal in value to 1 ounce of gold and given coinage at this ratio in 1834, therefore silver must have the same ratio to gold to-day that it had then. The wonder is that they do not insist on going back further, to the discovery of America, and making the coinage ratio 11 to 1; or even to the days of Thebes, when 1 ounce of silver was equal in value to 1 ounce of gold—the only time that silver and gold had equal "rights."

THE CAUSES OF FALL OF SILVER.

Mr. Speaker, it is not necessary to invent any fanciful reasons for the decline of silver bullion from $1.32 per ounce in 1870 to 68 cents per ounce in 1896, for, after making all reasonable allowance for the influence of the action of Germany, France and the other States of the Latin Union on the demand for silver—an influence which unquestionably has sent silver lower than it would have otherwise gone—every candid investigator must admit that the most potent cause for this decline must be sought for in the reduced cost and consequent exceptional increase of production.

INCREASE OF DEMAND FOR SILVER.

Indeed, the demand for silver has gone on increasing more rapidly than ever before in the history of the world. In the fifty years before 1860 the world's annual demand for silver and for the arts never exceeded 28,000,000 ounces. Even up to 1865 the the annual average consumption of silver did not exceed 40,000,000 ounces, but in 1890, 1891, and 1892 the average annual consumption of silver reached 125,000,000 ounces, of which 100,000,000 was for the world's coinage alone, more than three times the use of new silver for money in any year before 1873. According to the Director of the Mint, the silver coinage of the world was $135,000,000 in 1893, of which $120,000,000 was from new silver, four times as much as was coined in any year before the war. Mexico in 1893 coined twenty-eight millions; India, thirty-nine millions; Austria, eighteen millions; Japan, twelve millions; the United States eight and three-fourth millions, Great Britain, five millions, and Germany two millions.

Such facts as these, Mr. Speaker, set aside the theory that the fall in silver is mainly due to a decreased demand caused by what is styled hostile legislation, especially our legislation in 1873; and that all that is required to restore silver to its old price and ratio is to open the mints of this country to the free coinage of silver at 16 to 1.

REDUCED COST AND INCREASED PRODUCTION OF SILVER.

Evidently if an important discovery of exceptionally rich mines and of more economical metallurgical processes had not greatly reduced the cost of production of silver and largely increased the supply—in other words, if the conditions of silver mining had continued since 1870 as they had existed for seventy-five years before—silver could not have declined to any considerable extent.

The official statistics of silver production from the report of the Director of the Mint show so clearly the inevitable connection between an abnormal increase of supply accompanying a regular decline in price, in the relation of cause and effect, that I invite attention to them:

Period.	Average yearly production.	Silver per ounce in London.	Period.	Average yearly production.	Silver per ounce in London.
	Ounces.			*Ounces.*	
1800-1810	28,746,922	$1.29	1880-1885	92,003,944	$1.08
1840-1850	25,090,342	1.30	1889	125,830,000	.93½
1855-1860	29,095,428	1.35	1891	137,170,900	*.98
1860-1865	35,401,972	1.34½	1892	152,940,000	.87½
1865-1870	43,051,583	1.32½	1893	161,776,100	.78
1870-1875	63,317,014	1.29	1894	158,000,000	.63½
1875-1880	78,775,602	1.18	1895	158,000,000	.68

*First effects of silver purchases under act of 1890.

This official table presents a metal, mined by human labor, whose annual production for the seventy years from 1800 to 1870 increased from twenty-eight to forty-three million ounces—only 15,000,000 ounces, or one-fourth of 1 per cent per annum—and whose market price in gold during that period did not vary 5 cents per ounce; the most convincing evidence possible that during those seventy years the sources of supply and cost of production must have been remarkably uniform.

On the other hand, this table presents the same metal, commencing with the five-year period ending 1875, with a suddenly increased production of 4 per cent per annum—sixteen times the average rate of increase before 1870—swelling to a higher and higher pace as the years went on, in the face of a steady decline in price of almost 3 per cent per annum on the average since 1875, until in twenty-three years the 43,000,000 ounces of silver produced in 1870 mounted up to 161,000,000 ounces in 1893, all affording the most conclusive evidence of a reduction of cost of production and discovery of richer sources of supply, which rendered a fall of price inevitable.

I am aware that, in order to avoid the logical conclusion from these figures, the claim has been made that the precious metals are not governed by ordinary economic laws, but that their production is speculative and without regard to profit and their price made by law in providing for coinage. It is even seriously contended that on the average the silver which has been produced in this country and in the world in such increasing quantities in the past twenty years, at a price declining steadily from $1.29 in the five-year period ending 1875 to $1.08 in the five-year period ending in 1885, 93¾ cents in 1889, 87½ cents in 1892, 78 cents in 1893, and 68 cents in 1895 cost the silver-mine owners $2 per ounce.

It is sufficient to say in reply that while it is true the mining of the precious metals is a peculiarly precarious business, in which many lose, as is fruit-raising and many other kinds of business depending on the uncertain bounties of nature, yet it is pursued for profit, like all other industries, and not for amusement. To argue that the shrewd business men of Colorado, Montana, Idaho, and the other mining States have gone on doubling, yes, quadrupling, their output when they were really losing money by wholesale is to talk nonsense.

Certain it is that when there are thousands of capitalists and mine owners standing ready, as they have in the last fifteen years to furnish the world with all the silver it will use—more than twice as much per capita as it ever used before 1870—at less than $1 per ounce, so eager, indeed, that they have been constantly enlarging their production at a lower price, it is impossible by law or any other device to increase the price to $1.29 per ounce. Why so many men, who are sensible in everything else, should think it practicable by law to make 16 ounces of silver equal in value to 1 ounce of gold, when the tens of thousands of silver producers in the world would consider they had struck a bonanza if they could exchange 24 ounces of silver for 1 ounce of gold, and would come under bonds to largely increase their production in the future at such a figure, is one of the inexplicable phases of the "fiat" money delusion which now and then breaks out in periods of business depression. It evidently presents a case where the obvious fact that the law can exert a moderate influence on the price of one of the precious metals by increasing the demand for it for coinage is accepted by surface thinkers as conclusive evidence that the law, by its mere "fiat," can add to or even create value without limit.

An exaggerated idea of the influence on price of the demand for either of the precious metals under free and unlimited coinage has prevailed because of the fact that the great increase of production of gold between 1850 and 1865 caused a decline in gold, estimated not exceeding 10 to 15 per cent, and a divergence of only 5 per cent from the old bullion ratio of gold and silver. It is the opinion, however, of such authorities as Professors Fawcett, Cairnes, and Jevons, who have carefully examined all the facts, that this comparatively small disturbance, caused by the sudden increase of production of gold between 1850 and 1865, was not so much due to the compensatory influence of international bimetallism as to the great impetus given international trade by the Crimean war, and the opening up of new continents, and the tendency of the commercial world, then well under way, to use more gold and less silver as money, because of the greater convenience of the former in the large transactions of modern commerce, at a time when silver production was stationary and relatively small.

IMPOSSIBILITY OF BIMETALLISM NOW WITH FREE COINAGE AT 16 TO 1.

Mr. Speaker, the evidence that silver has greatly declined in the past twenty years is so conclusive that, in order to avoid the logical consequences, the advocates of the free and unlimited coinage of silver at 16 to 1 by this country alone insist that this is a decline only in appearance, only as measured in gold, and that what seems to be a decline of silver is really a rise of gold.

It is strange that it does not occur to these 16 to 1 advocates that such an explanation, even if it accorded with the facts, would not in the least modify the impracticability, not to say absurdity, of their scheme to declare by law that 16 ounces of silver are equal in

value to 1 ounce of gold, when in every market of the world 1 ounce of gold will buy 30 ounces of silver.

If it were true that the present divergence from the ratio between silver and gold that existed twenty years ago has been entirely caused by the rise of gold—which is not the case—that situation might justify gradual reduction of the weight of the gold dollar one-half in order to make the gold dollar one-thirtieth of the weight of the silver dollar, and thus to accord with the bullion ratio, but it would furnish no justification for attempting the free coinage of the silver dollar by the side of the gold dollar of one-sixteenth the weight, when such a gold dollar would be twice as valuable as a silver dollar.

THE EXPERIENCE OF FRANCE AND OTHER COUNTRIES.

Mr. Speaker, the last resort of those who, shutting their eyes to the developments of the past twenty-five years, insist that all that is necessary to make 16 ounces of silver equal in value to 1 ounce of gold the world over, notwithstanding 30 ounces of silver are only the equal of 1 ounce of gold to-day, is for the United States to repeal the legislation of 1873 and open its mints to the free and unlimited coinage of silver at 16 to 1 of gold, is to appeal to the example of France between 1800 and 1872. It is said that France preserved the ratio of 15½ to 1 between silver and gold for eighty years by simply keeping her mints open to the equal and unlimited coinage of silver at this ratio.

The conclusive answer to this assumption is, first, that, as I have already shown, between 1800 and 1865 the production of silver was so uniform (not exceeding 29,000,000 ounces per annum until 1861 and 35,000,000 until 1865) that this fact itself, entirely regardless of other considerations, made material variations of the price impossible, whereas now we have to deal with a sudden increase of production of silver to 160,000,000 ounces in 1893; second, that France was only one of many European nations that opened their mints to the equal and unlimited coinage of silver during that period at substantially the same ratio; and third, that even in spite of both of these conditions combined silver did vary in price more than 5 cents per ounce at different times during this period.

And when in 1872, 1873, and 1874 the changed conditions in silver production began to throw on the market a gradually and abnormally increasing product of silver, France and the four other nations in the Latin Union—Belgium, Switzerland, Italy, and Greece—threw up the sponge, admitted their inability to cope with the increased product and maintain the old coinage ratio, and closed their mints to any further coinage of private silver at a time when the product was less than half what it is now.

Surely, if France and four other nations of Europe could not cope with less than half the product of silver by unlimited coinage, what, with twice the product—and mines ready to quadruple the product if the price should reach $1 per ounce, to say nothing of $1.29 per ounce, required by the ratio of 16 to 1—could be expected from the United States alone now opening its mints to the world's silver at such a ratio?

I am amazed, Mr. Speaker, that anyone should come to seriously believe it possible for the United States to successfully grapple with the existing silver situation by opening its mints to the free and unlimited coinage of silver at 16 to 1 without going with headlong speed to silver monometallism.

EXPERIENCE OF UNITED STATES.

Even the experience of the United States between 1792 and 1861 affords most important instruction as to the limitations of the compensatory principle of bimetallism through the alternative demand caused by the workings of equal and unlimited coinage, which, as I have already said, is the extent of the influence of monetary laws on the value of either silver or gold.

In 1792, after an investigation by Hamilton as to the bullion ratio of gold and silver, the United States adopted a coinage ratio of 15 to 1. It was soon found that there was a slight divergence of about 2 per cent in this coinage ratio from the actual bullion ratio in the markets, gold being undervalued. The result was that in the forty years between 1793 and 1833 less than ten millions of gold were coined, including recoinage, while over forty millions of silver were coined and recoined. Of the one hundred and forty millions of specie estimated by Gallatin to be in the United States in 1833, not over five millions were in gold. During these forty years silver was the actual standard of value.

Finding that even with this small divergence between the coinage ratio and the bullion ratio the compensatory principle in free coinage of both metals would not offset the margin, Congress in 1834 readjusted our coinage laws and made the coinage ratio 16 to 1. This proved to undervalue silver about 2 per cent, in consequence of which silver began to be withheld from coinage. In the twenty years between 1834 and 1854 nearly two hundred and fifty millions of gold was coined and recoined, while, with this slight divergence of the coinage ratio from the bullion ratio, less than thirty-five millions of silver was coined and recoined. Indeed, the silver coined was so rapidly withdrawn from its use as money because it was worth 2 per cent more as bullion that in 1853, in order to secure sufficient fractional silver for small payments, Congress reduced the amount of silver in the half dollars and smaller silver pieces and made them token coins. And from 1853 to 1861, while over two hundred and sixty millions of gold was coined and recoined, the coinage and recoinage of full legal-tender silver was less than $1,000,000. Indeed, of the two hundred and fifty millions of specie estimated by the Secretary of the Treasury to have been in the country at the beginning of 1861, probably not over ten millions was full legal-tender silver. From 1834 to 1861, while the legal standard was both gold and silver, yet the actual standard was the gold dollar; and the actual standard from 1861 to 1879, when specie payments were resumed, was the depreciated greenback dollar—both silver and gold being withdrawn from use as money and selling as merchandise at a premium during this period in accordance with the well-known monetary law by which the least valuable full legal-tender dollar takes the entire field of circulation and becomes the actual unit or standard of value regardless of what may be the legal unit, while the more valuable dollar goes to the melting pot.

Certainly such an experience as that of our own country in establishing by law a coinage ratio only 2 per cent divergent from the bullion ratio ought to satisfy any inquirer of the futility of the attempt to maintain bimetallism with a coinage ratio 50 per cent divergent from the bullion ratio.

THE EXAMPLE OF MEXICO.

But we need not speculate. We have at our doors a country which has for years opened its mints to the equal and unlimited coinage of silver at 16½ to 1 of gold. I refer to Mexico. Has Mexico been able to keep both gold and silver as its redemption money and its circulating medium? In short, has Mexico made itself a bimetallic country? Has Mexico made her silver dollars as good as gold? I pause for a reply. No one answers, because you all know that Mexico, under this policy, has become a silver monometallic country on a silver basis, without any gold in the country as a part of its money. Instead of increasing its redemption money it has driven out every dollar of gold and has nothing but silver dollars whose power of redemption or purchase is only half that of gold. Instead of dollars equal in value to gold she has dollars worth only half as much as the dollars of this country are worth. Indeed, an American silver dollar, coined on the account and for the profit of the Government and maintained by our Government at par with gold by limitation and indirect redemption, can be exchanged for two Mexican dollars, and will purchase twice as much in Mexico or here as a Mexican dollar will buy.

Worse still, when Mexico exports any of its products it sells them at the gold price abroad, and when it imports anything from abroad it buys at the gold price abroad and then has to double the price at home, and is subject, either when exporting her own products or importing products from abroad, to an extra charge for the risk of further depreciation of her uncertain silver standard.

And it must be of interest to wage earners to learn that labor in Mexico and other silver-standard countries has not risen as fast as the silver dollar has diminished, so that one practical effect of the free coinage of silver at the ratio of 16½ to 1 has been to greatly injure the workingmen of that country. On the other hand, in this country, on a gold standard, the wages of labor increased 61 per cent between 1860 and 1892; and 15 per cent, estimated in gold, and 25 per cent, estimated in purchasing power, between 1873 and 1892.

THE ARGUMENT SUMMED UP.

Mr. Speaker, I might close the discussion here of the practical question presented, viz, whether free and unlimited coinage of silver at the ratio of 16 to 1 by this country alone would give the United States what the people understand by bimetallism—both gold and silver as redemption money—for, as I have already said, it receives its chief support from the impression which has gone abroad that it would secure this result. I have shown that the adoption of this policy would not give us bimetallism but, on the contrary, silver monometallism and a silver standard and basis without a dollar of gold in our currency, and for the following, among other reasons:

First. Because bimetallism, or gold and silver as money under free and unlimited coinage of both at a ratio which secures the concurrent circulation of both, is possible only when the coinage ratio is approximately the same as the bullion ratio, and this proposition is to make the coinage ratio 16 to 1 when the bullion ratio is 30 to 1.

Second. Because every authority in bimetallism in Europe and in this country, outside of politics, holds that such a course on the part of this country alone, or any other country alone, would inevitably result in failure, and speedily bring the country attempting it to silver monometallism, for the reason that the compensatory influence of the alternation from the cheaper to the dearer metal, which is the basis of the bimetallic idea, never in theory or

practice was claimed to cover a fraction of the divergence which now exists from the old ratio.

Third. Because the existing divergence from the old ratio of 16 to 1, after making all due allowance for the effect of the closing of European mints, is clearly due largely to a reduced cost of production and abnormal increased yield of silver now continuing for more than twenty years, causing such a marked change of existing conditions of production of silver and gold that it necessitates a readjustment of the ratio, not by our nation alone, but by concurrent action of the leading commercial nations.

Fourth. Because, even if this divergence from the old ratio has been entirely caused, as some claim without good reason, by a rise of gold, this would not change the impracticability of one nation alone undertaking free coinage at the old ratio or the necessity of concurrent action by the leading commercial nations in fixing a ratio and reopening their mints.

Fifth. Because the experience of this country, the experience of France, and the present experience of Mexico all show the impossibility of one nation alone undertaking under present conditions the free and unlimited coinage of silver at the ratio of 16 to 1 without driving out gold and bringing itself to silver monometallism.

Important, Mr. Speaker, as I regard the establishment of true bimetallism, these considerations make it clear that the only safe and practicable method of reaching it at present is by continuing to press other leading commercial nations to unite with us in fixing a common coinage ratio that can be maintained by all and that will secure both gold and silver in the redemption money of the commercial world, and that the adoption of the plan of having this country alone open her mints to the free and unlimited coinage of silver at 16 to 1 would make bimetallism impossible and rapidly carry us to silver monometallism.

THE FIAT CHAMPIONS OF FREE SILVER AT 16 TO 1.

Mr. Speaker, although this conclusion must on reflection be accepted by all friends of true bimetallism who have been inclined to adopt free coinage of silver by this country alone at 16 to 1, yet it will not be accepted by those who adopt the "fiat" theory of money, and who favor free silver at 16 to 1 as they favored irredeemable greenbacks, because they think they see in the scheme a realization in part of their favorite idea of a cheaper dollar, not in the sense of a cheaper price (rate of interest) for its use, but cheaper in the sense that it will have less real value or purchasing power. With these gentlemen a cheaper dollar of silver is only a halfway station on the road to still cheaper ideal dollars of paper that cost nothing but paper and printing.

These gentlemen frankly admit that they are opposed to "international bimetallism," for that would not give them the depreciated dollar they seek.

They are not bimetallists, but silver monometallists, and look at cheaper silver only as a stepping stone to something cheaper still.

Thus the desire for a cheaper dollar and the blind antagonism to gold because the commercial world regards it as the standard money have led the "fiat" money advocates, notwithstanding their claim that more money is needed, to overlook the fact that free coinage of silver at 16 to 1 by this country alone must reduce rather than increase the volume of full legal-tender coin by driving out gold and diminish the exchangeable value of both silver and paper. For while our present monetary system is one that needs thorough revision, and while we earnestly seek the establishment of true bimetallism in every practicable way, yet the system we now have is not gold monometallism, but a limited bimetallism, under which six hundred millions of gold, four hundred and twenty-five millions of full legal-tender silver, together with one hundred and thirty millions of silver represented by one hundred and thirty millions of full legal-tender Treasury notes, three hundred and forty-six millions of greenbacks, and two hundred millions of national-bank notes, in addition to seventy-five millions of fractional silver, all maintained at a parity with gold, constitute the volume of our outstanding currency—twice as much per capita as before the war, 25 per cent more than any leading commercial country in the world except France, whose per capita is more only for the reason that France has but few banks and her people are not accustomed, as are other commercial nations, to the general use of substitutes for money like checks and bills of exchange. For checks, bills of exchange, and other substitutes for money, employed to such an extent in countries having extensive banking facilities, are more convenient and as effective as coin or other forms of money in making exchanges and deferred payments and have the same influence on prices as either.

THE APPRECIATION-OF-GOLD EXCUSE.

Recognizing the seriousness of a step which would not only deprive us of gold as money, but would also depreciate our dollar one-half and place us on a silver standard, thus dislocating our export and import trade and suddenly changing the price of every article in this country and the basis of our immense domestic trade—as the free and unlimited coinage of silver by this country alone at the ratio of 16 to 1 inevitably would—the "fiat" money advocates have seen the necessity of justifying such a revolutionary step on some ground that affords a plausible defense. Accordingly they have set up the plea that the silver dollar to-day has really the same value that it had twenty-five years ago; but that the gold dollar, which measures the price of silver as well as everything else, has doubled in value, and thus reduced prices one-half and doubled debts contracted twenty-three years ago.

But, as I have already said, even if this were true—which it is not—it would not afford the slightest excuse for discarding gold as our unit and standard of value, and thus breaking our monetary tie with the commercial world, whose standard of value is grains of gold, in order to depreciate our dollar. Reduction of the weight of the gold unit, even if this state of facts existed, would depreciate the dollar just as effectually as the adoption of the silver standard would, but would still leave us in touch with the standard which makes the world's prices and finally determines our prices, and at the same time would give us gold as well as silver as our money, while the adoption of free coinage at 16 to 1 by this country alone would not only carry us to a silver standard but would also deprive us of gold.

But the assumption of the "fiat" money advocates that silver has been stationary and the wide divergence of silver and gold from the old ratio of 16 to 1 has been caused solely by the appreciation of gold is without foundation, as has been clearly proved by the statistics of silver production which I have already cited. While gold is the nearest stable in value of any known substance, according to the consensus of opinion of every scientific authority, yet it varies somewhat in value under the influence of supply and demand. There is no doubt that gold declined somewhat (probably from 10 to 15 per cent) between 1850 and 1865 under the influence of the increased production of California and Australia, although this decline was counteracted in part by the increased demand caused by the great extension of commerce following the Crimean war and by the increasing tendency on the part of advanced commercial nations to use more gold and less silver; and it is probable that gold appreciated between 1870 and 1890 about the same that it depreciated in the first period in consequence of increased demand. At least Professors Fawcett, Cairns, and Jevons, probably the highest authorities on the subject, conclude that the appreciation in the latter period and the depreciation in the former period substantially offset each other, and that in consequence of the rapidly increasing production since 1890 it is doubtful if there has been any rise of gold since, and that the probabilities favor the view of a movement in the near future in the opposite direction.

Director of the Mint Preston calls attention to the fact that the world's annual production of gold, after rising to $134,000,000 in the five-year period ending 1860 and falling but slightly below up to 1870, and then running along slightly above the one-hundred-million mark up to 1890, rose in 1891 to one hundred and thirty millions and increasing from eleven to sixteen millions regularly each year thereafter, culminated in 1895 with two hundred and three millions (probably two hundred and fifty millions in 1896), which was sixty-nine millions more than the highest yield in any year of the Californian and Australian period, and more than the output of both gold and silver in any year previous to 1873. Mr. Preston estimates the world's consumption of gold in the arts at sixty millions, which leaves one hundred and forty-three millions of the annual product to be added to the store of gold devoted to monetary uses, which is estimated at four thousand millions, with about the same amount of silver set apart for similar purposes. As Professor Fawcett states that Great Britain, which engrosses so large a share of the world's commerce, requires only fifteen millions of new gold annually to meet her monetary wants, it is easy to see that, with the supply of gold already in sight, we have already passed the point of its appreciation, and that the rise of gold between 1870 and 1890 caused but a small part of the divergence from the old ratio to silver of 16 to 1. The chief cause of the divergence must be ascribed to an actual decline of silver.

THE FALL OF PRICES.

Mr. Speaker, probably no argument has had so much influence in support of the view that silver has not really declined in value in the past twenty years as that derived from the fall of prices. The inevitable fall of prices of all articles whose production has been cheapened by labor-saving devices has been exaggerated by selecting as a basis of comparison the exceptionally high prices of 1873, when we had only partially recovered from the inflation and boom of war, and an erroneous impression as to the movement of prices of agricultural products as a whole given by dwelling upon two articles (cotton and wheat) which have been subject to exceptional influences. And the erroneous impression thus created has been further exaggerated recently by using the exceptionally low prices of the past three years of industrial and business depression as if they represented a permanent rather than temporary situation.

Fortunately we have the report of an official investigation made by Labor Commissioner Wright, under direction of the Senate Committee on Finance, as to the movement of prices and wages in this country between 1840 and 1892, which will serve to correct much of the misinformation that finds so ready acceptance in times of business depression. Commissioner Wright's tables take the year 1860 as the basis of comparison, and assigns the index number 100 as the average prices and wages of that year, selecting 223 leading articles for investigation, and increasing or reducing the points each year according as the investigations indicate the comparative average prices and wages. I give below enough of these figures to indicate the changes of average gold prices and wages for the years named, adding thereto the London price of silver:

Average gold prices and wages ascertained by Commissioner Wright.

Year.	Average prices.	Average wages.	Average price silver per ounce.
1840	116.8	87.7	$1.32
1843	101.5	86.6	1.29⅛
1847	106.5	90.8	1.30⅛
1849	98.7	92.5	1.31
1851	105.9	90.4	1.33⅛
1856	113.2	99.2	1.34⅛
1860	100	100	1.35⅛
1866	136.3	108	1.34
1870	117.3	133.7	1.32⅛
1873	122	148.3	1.29⅛
1875	113	140.8	1.24⅛
1878	99.9	140.5	1.15⅛
1879	96.6	139.9	1.12⅛
1880	106.9	141.5	1.14⅛
1882	108.5	149.9	1.13⅛
1886	91.9	150.9	.99⅛
1889	94.2	156.7	.93⅛
1891	92.2	160.7	.98⅛

Observe the almost universal disregard of the price of silver shown in the movement of prices as a whole. Prices fell more than 16 points in the twenty years between 1840 and 1860, with silver a little higher in 1860 than in 1840 and entitled to free coinage all the time. Pray what caused this decline of prices? Surely not the fall of silver or the appreciation of gold.

On the other hand, prices as a whole fell only 7.8 points in the thirty-one years between 1860 and 1891, notwithstanding silver declined 36⅛ points and gold appreciated probably 10 points.

Is it not clear that something besides the movement of gold and silver was the potent factor in determining prices, and that this "something" was the diminished cost of production through labor-saving devices, etc.?

This table exhibits the absurdity of selecting the prices of 1873 as the basis of comparison, because that is the date of the legislative "crime" selected by the "fiat" advocates as the cause of falling prices. Why take 1873 as the initiative of falling prices, when war prices began to fall not in 1873 but in 1866? The fall in prices between 1866 and 1873 was 14⅛ points, during all which time silver was at a premium over gold and was entitled to free coinage—a fall three times that from 1879, when specie payments were resumed, to 1892. Surely the silver excuse will not explain the fall in prices between 1866 and 1873. Of course candid investigators must admit that the abnormal rise of 36 points in prices from 1860 to 1866, and the abnormal fall of 36 points between 1866 and 1878, simply represent the boom of inflation and war on the one hand and the gradual rebound during the process of readjustment of industrial conditions to a peace basis. And whoever selects prices between 1861 and 1878, or between 1893 and 1895, as a basis for the study of the normal movement of prices will either deceive himself or those whom he addresses.

The more detailed tables of Commissioner Wright show that the prices of agricultural products, as a whole, rose 2 points between 1860 and 1891 in the commercial centers, and outside of cotton and wheat rose much more; and that, too, notwithstanding the cost of transportation from the farm to the great markets has been greatly reduced. Indeed, an investigation of prices of agricultural products in Maine, where neither cotton nor wheat is grown to any extent and where farm products are sold at home, shows that they rose 28 per cent between 1858 and 1892, notwithstanding silver fell 36 points while the prices of the non-agricultural products (generally machine-made articles) which the farmer buys declined over 25 per cent. A little investigation would satisfy those Southern and Western farmers who listen to fanciful suggestions of mischievous monetary legislation as a remedy for low prices that the true remedy is such a diversification of industries as will give farmers a home market for varied products at good prices, instead of a short-sighted concentration on cotton and wheat for which markets must be secured at long distances from the farm, where the cost of transportation practically reduces, to that extent, the return of the farmer.

While the variation in the value of gold, which is the standard or measurer, affects prices somewhat, yet the annual variation is so small as to have little effect. The potent factor which modifies prices is cost of production. Where production is mainly by hand labor the rise of wages, which has been so constant in this country for years, tends to increase the price; but where the production admits of labor-saving devices the invention of new and improved machinery and the improvement in methods diminishes the amount of manual labor more than wages are increased, and the result is a lower cost of production and consequently lower prices.

Thus we find that while manufactured products have fallen in price an average of 25 per cent—some articles, like steel, wire nails, steel rails, and kerosene, 80 per cent—the great mass of small products of the farm, cultivated mainly by hand labor, beef, pork, and many other articles, have risen 25 per cent since 1860; and the average decline of all prices between 1840 and 1860 was 16⅛ points; between 1860 and 1892, 7⅛ points; and between 1879 and 1892, 4⅛ points. And looking more closely at the movement of prices between 1879 and 1892, we find that prices rose 8⅛ points between 1879 and 1882; fell 16⅛ points between 1882 and 1886; rose 2⅛ points between 1886 and 1889; and again fell 2 points between 1889 and 1892—the variations marking the changes of condition of the crops and of the general state of business and the slight trend downward indicating the irresistible tendency of competition to stimulate labor-saving devices and more economical methods and curtail profits.

PRICES OF COTTON.

I have spoken of cotton and wheat, especially the former, as standing out as exceptions to the general trend of improvement in prices of agricultural products between 1860 and 1892. It is for this reason that they are always selected by the "fiat" money advocates as object lessons for the peculiar kind of instruction in which they delight, the exceptional boom prices of 1873 always being selected as the basis for comparison. The prices of corn, beef, pork, etc., and the prices of farm products before the war are rarely alluded to, as would be necessary if the object was to ascertain the whole truth, because they tell quite another story.

It would be amusing, if it did not result in deceiving the public, to hear one of these "fiat" money advocates gravely quoting 20 cents as the price of cotton in 1873 (the year of "the crime of crimes," you know) and then proceed to expatiate on the fall since, as if he did not know that the price of 20 cents (gold, 18 cents) in 1873 was an abnormal one due to the sweeping destruction of industries in the South by the war, which did not fully recover their normal condition until later. Why do not the gentlemen who make so much of the fall of cotton from 1873 also declaim about the fall of cotton from 43 cents in 1866 to 20 cents in 1873, when silver was at a premium and entitled to free coinage by law? Pray, did not the same causes that made cotton decline between 1866 and 1873 also make it decline between 1873 and 1879?

The statement sometimes made in defense of the stability of silver, that an ounce of it will buy as much of anything as it ever would, and no more, even if true, would only show that silver, instead of being stationary, had been subject to the law of diminishing cost, instead of being stable. The fact is that an ounce of silver will not buy as much of any agricultural product (except cotton and wheat) as it would in 1860. Neither will it buy as much of any manufactured product except the few articles whose cost of production has been reduced one-half by improved machinery. It is inevitable that if the standard of value is stable—as it should be, at least as near as possible—the prices of all articles into whose production labor-saving machinery enters in constantly increasing measure will fall, while the prices of those articles into whose production labor-saving machinery does not materially enter will either remain stationary or rise, if wages rise. And the claim that silver as a unit or standard of value would have averted present falling prices for cotton, cloth, iron, steel, wire nails, and other manufactured products is simply a confession that it is utterly unfit to measure values.

The simple fact is that cotton varied before the war from 5⅛ cents in April, 1843, 8 cents in 1848, 7⅛ cents in 1849, 12 cents in 1850, 9⅛ cents in 1852, 11 cents in 1853 and 1854, 10⅛ cents in 1855 and 1856, 13⅛ cents in 1857, and 12 cents in 1859 and 1860, at a period when the cotton seed was a waste product; and after the full reestablishment of Southern industry varied from 11 cents in 1879, 11⅛ cents in 1880, 12 cents in 1881, 11⅛ cents in 1882 and 1883, 10⅛ cents in 1884, 10⅛ cents in 1885, 9⅛ cents in 1886, 10⅛ cents in 1887 and 1888, 10⅛ cents in 1889, 11 cents in 1890, and 8⅛ cents in 1891—an average substantially the same in the twelve years before the war and the twelve years beginning with 1879, when the cotton seed was utilized so as to yield a large return and thus practically reduce the cost of production. In 1891 and 1892 the price went down to 8⅛ cents and 7⅛ cents, almost exactly what it was in 1848 and 1849, and in 1894 and 1895 went abnormally low under the influence of enormous crops, the fruit of the bad policy of putting industrial eggs into one basket instead of distributing them and

the influence of the general demoralization of business the past two years, but in the past year it has risen 25 per cent over the price of 1895.

PRICES OF WHEAT.

The fall in the price of wheat has been greatly exaggerated by selecting the quotations of the inflation and boom period between 1862 and 1878 and of the New York or London market, distant from the point of production, in consequence of which the great reduction in cost of transportation has been made to appear as a decline in the price realized by the farmer, when, as a matter of fact, this reduction is not a loss to the producer, but a gain to the consumer. Since 1868 there has been a reduction of 25 cents per bushel in the cost of transportation of wheat from the West to New York, and more than this from the farm, not in consequence of fall of silver or appreciation of gold, but solely because of the improvement of means of communication.

Taking the quotations of spring wheat in Chicago—the great market nearest the wheat fields and therefore the market where the effect of reduction of cost of transportation will be partly eliminated—as I find them given in Commissioner Wright's report for each year from 1840 to 1891, I find that the price between 1878 and 1891—fourteen years—averaged 93 cents per bushel; the highest price being at $2 at one time in 1888 and the lowest 69¼ cents on one day in 1884 and 77 cents in 1878. The average price in 1891 was $1 and in 1892 81 cents. On the other hand the average price of wheat at Chicago between 1846 and 1860—the same number of years—was 82 cents. The average price between 1840 and 1846 was only 67 cents, frequently falling to 50 cents. Indeed, wheat fell at one time in 1861 to 55 cents, and all this time silver had free coinage by law and did not fall below $1.30 per ounce. The following average price of spring wheat in Chicago from 1878 to 1892, taken from Commissioner Wright's tables, with the price of silver for each year, ought to open the eyes of those persons who have swallowed the theory that the price of wheat depends upon the price of silver:

Year.	Price wheat.	Price silver.	Year.	Price wheat.	Price silver.
1860	$0.90	$1.35¼	1885	$0.82½	$1.06
1878	.90½	1.15½	1886	.77	.99½
1879	1.07½	1.12½	1887	.80	.97½
1880	1.09	1.14½	1888	1.36	.94
1881	1.18	1.13½	1889	.92	.93½
1882	1.15½	1.13½	1890	.91	1.04½
1883	1.01½	1.11	1891	1.00	.98¾
1884	.80½	1.11	1892	.81	.87½

Observe the fact that wheat in 1860, when silver was $1.35¼, was slightly lower than wheat in 1889, when silver was 93½, and also that wheat in 1888 was $1.36, with silver at 94, and only 80½ cents in 1884 with silver at $1.11. Wheat rose in 1879, 1881, 1885, 1887, 1888, and in 1891, notwithstanding silver fell; and wheat fell in 1883, 1886, 1889, and in 1892, when silver happened to fall. It is so clear that the rise and fall of wheat are due to other causes that it is astonishing anyone should attempt to impose upon a credulous public, and especially to base a scheme to put the country on a silver basis, on such an assumption.

The methods by which a class of agitators seek to make farmers believe that the price of agricultural products is bound up in the price of silver is, as I have already said, not only by taking the exceptional articles of wheat and cotton, but by giving the highest New York price (not Chicago price) for one day—not the average price for the year—in depreciated currency in the period from 1873 to 1878, when we had only partly settled down from the boom of war. I have before me a pamphlet published by the agitators for a silver basis, and extensively circulated, in which they give the price of wheat in 1874 as $1.35 (which it did reach on one day), when the average price in Chicago was $1.05; and when the pamphlet gets down to 1892 and 1893 it selects, for purposes of comparison, the lowest price on any day. Of course such a dishonest presentation to the people of an important subject is a confession that the truth will not serve their purpose.

By taking advantage of the exceptionally low prices which have prevailed for wheat as well as everything else in the industrial and business depression of the past three years—a period in which the shrinking of the consuming power of the people, and consequently the demand for products, by well-known causes having no relation to silver, has forced prices temporarily below the paying point—these agitators have created the impression that the cause of our industrial ills is to be found in the decline of the price of that metal, and that the remedy is to depreciate our unit or standard of value.

While the decline in the price of wheat, setting aside the exceptional period from 1862 to 1878 and the present depression, has by no means been so much as represented, yet there is no doubt that the tendency has been for several years to lower prices, although, of course, short or abundant crops always cause great variations of price. Whatever effect the silver situation has had on the decline, even on the theory of the advocates of silver monometallists, has been due entirely to the fact that India, one of the competing wheat-growing countries, is on a silver basis, in consequence of which it has been possible for Great Britain to buy silver at a discount and use it in purchasing wheat in India at a price which afforded an extra discount to the purchaser, and therefore tended to force wheat lower than it would have been if India's currency had been on a low basis. It is surprising that those who present this as a reason why wheat growers in this country should favor a silver basis here do not see that such a fact is a strong argument for us to maintain our currency on a gold basis, making our silver equal to gold, for the reason that a silver basis would place us at the same disadvantage as to the real price obtained for our wheat that India now is. While true bimetallism—that which would give us both gold and silver equal in value to gold—would be of great advantage, silver monometallism and a silver standard would place us where India and Mexico are.

The chief causes for the declining tendency of wheat, unlike the tendency of most agricultural products, outside of the great reduction of cost of transportation, are to be found in the rapidly increasing competition of Argentina, India, Russia, and other countries, and in the fact that wheat has been cultivated in the great Northwest in recent years with so little hand labor and so extensive a use of labor-saving machinery and on so large a scale as to introduce economizing methods.

The fact that neither corn (a more important crop than wheat), bacon, lard, pork, beef, butter, eggs, hay, potatoes, nor most other agricultural products has declined on the whole since 1860, or even 1878, shows conclusively that exceptional causes have affected wheat and cotton, for if the decline of wheat and cotton had been caused by a fall of silver and appreciation of gold, then there would have been a similar decline of other farm products. The following movement of prices of many farm products since 1878, taken from the report of the Bureau of Statistics, which gives New York prices, will serve to emphasize this conclusion:

Year.	Corn.	Bacon.	Lard.	Pork.	Beef.	Butter.	Eggs.
1879	47	6.9	7	5.7	6.3	14.2	15.5
1882	66	9.9	11.6	9	8.5	19.3	19.2
1885	54	9.2	7.9	7.2	7.5	16.8	21.5
1889	47¼	8.6	8.6	7.4	5.5	16.5	13.9
1892	55	8.1	7.2	6	5.7	16	18

In the report of the Statistician of the Agricultural Department for 1894 the following average prices on the farm or at the nearest local market for wheat, corn, and oats from 1880 to and including 1894 fully substantiates the view that there has been no such general decline of prices of farm products as would indicate an appreciation of the dollar measurer. We call attention to these statistics, indicating that wheat and cotton are the only articles that have fallen:

Year.	Wheat.	Corn.	Oats.
1880	$0.95	$0.39½	$0.36
1881	1.19	.63½	.46½
1882	.88	.48½	.37½
1883	.91	.42½	.32½
1884	.64½	.35½	.27½
1885	.77	.32½	.28½
1886	.68½	.36½	.29½
1887	.68	.44½	.30½
1888	.92½	.34½	.27½
1889	.69½	.28½	.23
1890	.83½	.50½	.42½
1891	.84	.40½	.31½
1892	.62½	.39½	.31½
1893	.53½	.36½	.29½
1894	.49	.45½	.32½

The average price of corn (which is the most important farm crop) was 39½ cents between 1879 and 1889, and 42½ cents between 1889 and 1894.

The average price of oats in the first period was 31 cents, and in the second period 33 cents. The value of the oat crop was about the same as that of the wheat crop.

I notice in the "fiat" publication to which I have alluded that even the decline in wool is referred to as having been brought about by a decline of silver, when the fact is that wool has fallen 11 cents in this country since 1892 because, first, of anticipation and then as a realized result of the removal of the 11 cents duty on wool; and the decline before that period in the price of wool in the world's markets was due to the increase of production in South America, Australia, and South Africa, where sheep do not require to be housed or fed. Wool in London is slightly higher to-day than it was in 1892, but 11 cents lower here.

VALUE AND PRICES.

But, Mr. Speaker, there is an entire misapprehension in many minds as to what prices really are. Price and value are confounded. Value is the relation of one product to all other products; in other words, how much of other products any one product will exchange for. Price is simply the relation of any product to the unit or standard of value; in other words, how much of gold any one product will exchange for. There can not be such a thing as a general fall or rise of values (and value is the essential thing), because so long as products maintain the same relation to each other (all rising or falling together) there can be no change in their value. One product may rise or fall in relation to other products, and this would be a real increase of value of that particular article.

There may be a general fall or rise of prices, caused by a variation of the value of the standard or measure, but this would not be a fall of values. The value of a bushel of corn continues the same so long as it will exchange for the same quantity of other products, although its price may be changed by an appreciation or decline of the standard of value. When the standard of value appreciates and thus causes all prices to fall, this does not change in the least the value of any article (although all bear a less price), for the reason that each article continues to exchange for the same quantity of other products as before.

If, for example, we should listen to the appeals of the "fiat" money advocates who want a "cheaper," that is a less valuable, dollar, and make 50 cents' worth of silver coined into a dollar our standard of value, in order to raise prices, we would find that, in suddenly lifting prices in this deceptive way we had accomplished nothing except to deceive those who had been led to believe that we should have more cloth by cutting the yardstick used in measuring into two parts of 18 inches each, or more money by dividing our measuring dollars into halves. Prices raised by the restoration of confidence, the resumption of industrial operations, and the increase of demand for products are real blessings. Prices raised by depreciating our standard or measures of value give no one more of other products for his corn, or wheat, or pork, or beef, but on the contrary create distrust, and in the end only evil. Who can measure this?

If such a scheme gives us more so-called dollars, those dollars are diminished in purchasing power at least to the extent of their seeming increase in number; for it must be remembered that whatever one produces he sooner or later desires to exchange for what others have produced. Money is only the medium by which the exchange is effected. Indeed, when the money used in exchange is depreciated or of doubtful value, an extra share is always taken by some intermediary, which comes partly out of producer and partly out of consumer, for the risk of change of value during the time required for distribution of products. That standard of value and that money best serves the people which has the largest degree of confidence of the commercial world.

All of our money now, notwithstanding five hundred millions—with that back of the Treasury notes, six hundred millions—of it is silver, is equal in value to gold, and prices are adjusted to this basis so far as the standard of value affects prices. This adjustment has been going on since 1834 with so slight annual changes as in no manner to disturb exchanges. Imagine the tremendous shock that would be given to all our immense business, to all of our exchanges, to all of our markets, by the sudden change of our standard of value from gold to silver involved in free coinage of silver at 16 to 1, and the sudden substitution of a dollar of 50 cents for a dollar of 100 cents as the measurer of prices. And for what possible advantage?

THE DEBT-PAYING EXCUSE.

Mr. Speaker, the only possible benefit that I have ever heard suggested as the result of this tremendous leap in the dark is that "cheaper" dollars would make it easier to pay debts, which of itself is a confession that free coinage of silver at 16 to 1 is not expected to make silver and gold coins of equal value. This is the whole of it. This is the meat in the cocoanut. This is the insinuating argument which reaches thousands, although they may not be ready to confess it.

Of course where there were debts contracted previous to the adoption of free and unlimited coinage of silver at 16 to 1 on the basis of a 100-cent dollar, where 100-cent dollars had been borrowed or purchases had been made at prices measured by 100-cent dollars, the sudden adoption of a 50-cent dollar as the standard of value would give the creditors the legal (not the moral) right to discharge such debts by paying in the new depreciated money—that is, by paying 50 cents on the dollar. From one point of view that would benefit the debtor and injure the creditor to this extent, provided the creditor should not demand payment before the scheme of depreciating the currency could be carried out, as he certainly would.

But the apparent benefit to the debtor would end here. Every new debt contracted and every new purchase made would be on the basis of the new depreciated dollar or standard of value. The probabilities indeed are that the apparent advantage gained by the debtor by this legalized robbery (for discharge of a debt by depreciating the standard of value has not the justification of an insolvent or bankrupt law which relieves debtors who can not pay, for the reason that the former relieves those who are abundantly able to pay as well as those who are not) would in the end prove a curse rather than a benefit by the shock it would give to confidence, which is not only the basis of credit but of commercial prosperity.

Such a deliberate plan to rob creditors so shocks the moral sense that it becomes necessary to invent a seeming excuse for it. And the excuse is that the dollars which the debtor promised to pay the creditor have been increased in value by the appreciation of the gold unit to an extent that justifies their payment in depreciated silver.

Let us see, Mr. Speaker, how much basis exists for this excuse. The highest estimate that any scientific authority makes of the possible appreciation of gold between 1870 and 1890—for such experts believe that there has been no appreciation since—is one-half of 1 per cent per annum, substantially the same as the depreciation between 1850 and 1865. The great mass of deferred payments average about nine months. Certainly there was no material change of the dollar in any one year, or even two years, since the return to specie payments in 1879. And the amount of debts which continue more than two years is proportionately small. At any rate, the existing indebtedness contracted prior to 1890—for since that time it is probable there has been no appreciation of gold, at least none of any importance—is very small outside of the bonded indebtedness of railroads. And in most cases of railroad bonded indebtedness, especially at the West, the bonded debt is practically a perpetual annuity, both roads and bondholders being content with the payment of the semiannual interest. And as the rate of interest is lower than it ever was prior to 1879, this burden on debtors has been reduced instead of increased. Indeed, the fact that the cost of the rent or interest of money (gold or its equivalent) is 25 per cent less than before the war, and less than ever known before, is very convincing evidence that there can not have been any material appreciation of the money itself. The rise or fall of the rental or charge for the use of any form of wealth is a gauge of the movement of the value of the wealth itself.

But it is urged with much vehemence, as a reason for practically repudiating a part of existing indebtedness by depreciating the money, that it requires 2 bushels of wheat to pay a debt where 1 bushel would have sufficed fifteen years ago.

The answer to this insinuating excuse for repudiation is—

First, that while it is true that in consequence of the complete demoralization of business and industry prices have exceptionally fallen during the past three years—wheat and cotton almost alone of agricultural products having fallen since 1879—yet in 1889, 1890, and 1891 1 bushel of wheat would pay more indebtedness than it would have paid in 1860, 1861, 1878, 1884, 1885, 1886, or 1887; and in 1892 1 bushel of corn, 1 pound of pork, 1 pound of butter, 1 pound of bacon, 1 dozen of eggs, and 1 unit of almost any article of farm produce outside of wheat and cotton would pay more indebtedness in Chicago, or even New York, than in 1879, or on the average before the war or since 1879.

Second. That while money, in whose terms all indebtedness must be stipulated, varies but slightly in value from year to year, while products vary much in value—some rising and others falling—so it will happen from the necessity of the case that it requires sometimes more and sometimes less of products to make a deferred payment at maturity than it would have required at the date of the contraction of the debt; yet as the prices of products in the long run are eventually made by the labor cost of production, and permanent falling prices mean simply that machinery and labor-saving devices have been used in larger measure, the ultimate payment of all indebtedness is really made in labor (or fruits of labor); so that the fact that in case of a deferred payment it may happen that more of a particular product is required to pay a certain amount of indebtedness at maturity than would have been required when the debt was contracted is not necessarily evidence that the payment costs more of labor.

Third. That the fact that wages (the compensation paid labor) increased every year from 1860 to 1892—the wages of 1892 having been 60 per cent higher than in 1860 and all deferred payments being ultimately paid in labor—is conclusive evidence that the burden of discharging indebtedness has not been increased as charged, but, on the contrary, lessened from year to year since 1860 and 1878 down to and including 1892.

What has happened since 1892 is exceptional and abnormal, as I have already explained, and furnishes no basis for intelligent comparison.

What I have already said as to the means by which deferred payments are really met is a sufficient answer to the suggestions

of those who never get below the surface of economic and monetary questions, that the magnitude of the indebtedness of our people is such that we can not hope to pay it in gold, but must necessarily pay it in something depreciated. Debts, I repeat, are not paid in gold or money even, but in products, or, in the last analysis, the labor which produces products. It must be assumed that every dollar our people have borrowed abroad or here has been invested profitably; that is, in such a way as to pay the interest charge on it and leave a surplus to the debtor. It must be assumed that those who have borrowed had their means of payment more than proportionately increased by the transaction. When a farmer borrows to obtain means to enlarge or improve his farm; when a manufacturer obtains loans to enlarge his plant; when a business man borrows to extend his facilities for distribution, and when the projectors of a railroad borrow to construct improved means of transporting products to market, it is reasonable to infer that, as intelligent men, the indebtedness which they have incurred will eventually increase their assets far beyond the increase of obligations.

I have no patience with that class of unthinking or reckless agitators who endeavor to arouse prejudices between creditors and debtors, between the men who have loaned their surplus means and the active men who regarded it at the time a great favor to be able to borrow this surplus means and use it in developing the West or the South to the advantage of the whole people.

I have here a pamphlet published by this class of public enemies, the whole burden of which is an effort to arraign the South and West as debtor communities against the East and New England as creditor communities. The unholy and unpatriotic mission of the pamphlet is set forth by a full-page cartoon which represents a well-fed and thriving cow at whose head is pictured the debtor West feeding liberally with the bounties of the farm and getting nothing for its work, while at the other end of the animal sits the creditor East drawing all the milk. The impression sought to be conveyed is that the West is growing poorer and poorer with its commercial and political relations to the East, while the East is drawing in the riches of the West and fattening on the spoils.

If such demagogues, who seek to carry out some selfish schemes by such groundless and unpatriotic appeals to passion and prejudice, could be persuaded to seriously think not only of the unreasonableness of their position but also of its disregard of official facts, they would be ashamed of themselves.

It would be strange indeed if the older sections of our country had not accumulated some surplus capital, not required for their fully developed States, which they would be willing to loan; and if the younger sections, with a rich virgin soil to be tilled and immense resources awaiting development, should not seek and hire this capital in order that the West might grow richer and more populous than it could have otherwise done. For certainly it must be supposed that the sagacious business men and farmers of the West obtained such loans for their own advantage, notwithstanding the demagogues who publish such stuff as I have referred to seem to think that Western financiers were fools. Indeed, a glance at the wealth statistics of the last census shows very clearly that the West has made a good use of the surplus capital which they borrowed at the East. According to the census, the five divisions of the United States increased in wealth between 1880 and 1890 as follows:

	Increase.	Per inhabitant, increase.
	Per cent.	
North Atlantic division (New England, New York, etc.)	21	$23
Western division	200	959
North Central division	60	197
South Atlantic division	110	84
South Central division	70	148

Evidently those who pictured the East increasing enormously in wealth at the expense of the West forgot that the official statistics spoiled their cartoon, for the official evidence shows that the wealth of the West per inhabitant increased forty-five times as much as New England.

They also overlooked the fact that their assumption that the West was exclusively the debtor section of the country and the East exclusively the creditor section is contradicted by the official figures. According to the census of 1890 the per capita State, county, and municipal debt of New England, New York, New Jersey, and Pennsylvania was $26.89; while the similar per capita debt of the 12 Central Western States was only $14.32; and even of the Western States beyond the Mississippi, only $22.09. Even the public debt of Great Britain is $87.79 per inhabitant.

The fact is that there are no distinctively creditor and no distinctively debtor States or classes of citizens. Nearly all of our citizens, outside of our workingmen, who are creditors only, are both creditors and debtors. As a rule, the heaviest debtors are active business men of large wealth. Even bankers are debtors to as great an extent as they are creditors, for they bank on funds lent or deposited with them. The deposits of all the savings, national, State, and private banks, very largely made by workingmen, are over four thousand millions of dollars; and that class of our people would suffer directly more than any other by this proposition to scale down debts by depreciating our money.

Depreciated money means also lower wages and salaries estimated in purchasing power, a reduction of pensions, the overthrow of credit, and general distrust.

THE BEST MONEY FOR ALL.

Mr. Speaker, I have heard it frequently said by way of advocacy of a depreciation of our money that gold—the gold dollar or its equivalent, whether silver or paper—is the money of the rich, and silver—the depreciated silver dollar, as it would be under free and unlimited coinage at 16 to 1—is the money of the poor.

I know of no reason, Mr. Speaker, why the poor should have a less valuable dollar than the rich; no reason why the workingman should receive for his labor a dollar that will buy any less than the dollar paid the rich. All, whether poor or rich, laborers or bankers, are entitled to receive the best money there is—money every dollar of which is equal in value to gold and will purchase as much of the necessaries and comforts of life as the gold dollar.

WOULD A SILVER BASIS BE BENEFICIAL?

Mr. Speaker, it would be a very serious step by one act of legislation to suddenly change the unit and standard of value in this country from a dollar of 100 cents to a dollar of 50 cents and drive gold from our currency, which would be the inevitable and speedy result of the free coinage of silver at 16 to 1 by this country alone.

I know that those who are back of this movement laugh to scorn the suggestion that it would be much of a shower, and even depict in glowing terms the grand results that would follow our discarding the standard of value of Europe and joining Mexico and the South American States and China.

I have here a pamphlet entitled A Silver Basis, published by the American Bimetallic League—the organization that is pushing and molding the 16 to 1 scheme—in which it is affirmed that, as the writer understands the so-called "double standard" which it is intended to adopt, it contemplates not "the constant contemporaneous circulation of both gold and silver," but that "when the silver dollar becomes cheaper than the gold dollar * * * the employment of gold should cease and the entire money service be performed by silver alone"; and in which the idea that there is any purpose to make our money as good as gold is repudiated. And having laid down this platform of silver monometallism, which repudiates bimetallism notwithstanding it is still flippantly called by that name, the writer goes on to argue at length on the alleged advantages of having a silver basis and only silver for metallic money.

Inasmuch as the adoption of the scheme of free and unlimited coinage of silver at 16 to 1 by this country alone means this and nothing more, the so-called American Bimetallic League—whose name should now be changed to Silver Monometallic League, so as to have their name correspond with their real end—is to be congratulated on frankly meeting the real issue involved in the 16 to 1 scheme, viz, whether this country will make silver its sole metallic money and standard of value.

A SILVER BASIS AND FOREIGN TRADE.

After pointing out that the adoption of the silver dollar, worth half as much as a gold dollar, would open the way for the payment of our national debt in such depreciated dollars, and thus save one-half of its amount, notwithstanding every dollar borrowed by the Government was gold, the writer of this American Bimetallic League plea for "a silver basis" goes on to argue that while the adoption of a silver basis on our part might "increase the fluctuations of the rate of exchange" in our trade with the gold-standard nations of the world, whose population is put at 300,000,000, this would be offset by closer trade relations that would come with the silver-basis countries of Central and South America and Asia, including Russia (which is not on a silver but a depreciated paper basis), whose population is placed at 900,000,000, or 800,000,000 deducting Russia. In this estimate of silver-basis countries the pamphlet includes Cuba and Puerto Rico and the British, Danish, and French West Indies on a gold basis; Brazil, which is by law on a gold basis, but, in fact, on a depreciated paper basis, and Chile and Argentina, which are on a depreciated paper basis. So that the only countries on this continent on a silver basis are Mexico, Central America, Venezuela, Colombia, Uruguay, and Bolivia.

I have heard so much in sounding rhetoric of the great trade of silver-basis countries ready to pour into our ports if we would only adopt such a basis that I am pleased to have the opportunity afforded by this silver appeal to contrast it with the volume of our trade with countries on a gold basis. The suggestion that there are two or three times as many people doing business on a silver basis as on a gold basis sounds very enticing until we come to

measure the fact that the barbarous or semicivilized races of the earth said to do business with silver and copper alone have very little production and very little trade comparatively.

I find that in 1893 of our sixteen hundred millions of foreign trade nearly thirteen hundred millions was done with countries on a gold basis, of which seven hundred and sixty-five millions was exports and five hundred and thirty millions imports, and only one hundred and seventy millions with countries on a silver basis, of which only fifty-two millions was exports and one hundred and seventeen millions imports, together with one hundred and fourteen millions with Brazil, Russia, Argentina, and Chile, on a depreciated paper basis.

The proposition of this silver-basis writer, then, is to have this country break its monetary tie with countries with which our foreign trade mounts up to thirteen hundred millions, and to which we sell seven hundred and sixty-four millions of our exports, including nearly all of our agricultural products, and thus increase the friction and expense of exchange, which necessarily to that extent diminish the prices received for our exports, in the glittering and airy hope of offsetting our losses in this direction by our gains in dealing with silver-basis countries, whose trade with us reaches one hundred and sixty-nine millions only, of which only fifty-two millions is exports from this country.

Why, our trade with Great Britain alone in 1893 was six hundred and fourteen millions, of which four hundred and twenty-one millions was exports and one hundred and eighty-three millions imports—more than double the entire foreign trade of the silver-basis countries of the world.

It is only necessary to state the facts, without comment, to show every thinking man how absurd, not to say stupid and reckless, is the scheme to put this country on a silver basis to catch the trade of silver-basis countries.

One of the most serious objections to going to a silver basis is the fact that it would place us not only on a different value basis from the rest of the commercial world, with which most of our foreign trade is carried on, but also that it would place us on a fluctuating silver basis instead of a comparatively stable basis, and this increased fluctuation of exchange would introduce a new element of risk in dealing with us, against which there must be an insurance charge that comes out of the exporter of wheat, flour, pork, bacon, beef, etc., and the importer of foreign products, and is by him transferred to the farmer who grows the grain or the consumer who buys the sugar, coffee, etc.

After all the articles that have been published by bimetallists pointing out the losses to which silver-basis countries are subject by the world's hesitancy to adopt true bimetallism, it would indeed be a strange result if the advocates of free coinage at 16 to 1 by this country alone should succeed in forcing us to a silver basis and to subjection to such losses also.

EFFECT OF SILVER BASIS ON DOMESTIC TRADE.

Mr. Speaker, having considered the arguments adduced in favor of a silver basis in its bearing on our foreign trade, I now desire to examine the assertions of this writer, having the approval of the American Bimetallic (so called) League, that a silver basis would benefit our domestic trade and increase the prosperity of our people.

An important change of a monetary standard, even when it comes comparatively gradually, as it did during the war, and has the increased consumption of war as an offset, is always a serious matter. But the change of the unit or standard of value from the gold dollar, composed of 100 cents' worth of gold bullion, to the silver dollar, containing 50 cents' worth of silver bullion, as proposed by the advocates of free and unlimited coinage of silver at 16 to 1 by this country alone, would come suddenly, and the whole brunt of it would have to be borne by our own people.

Legislation proposing such a great and sudden change in the currency of this country is of far graver import than, I think, is fully appreciated by most of its advocates. The currency of any country is the lifeblood of its commercial existence. Consider for a moment the extent of the commercial transactions of this country into which the value of the legal-tender dollar enters.

The transactions through the national banks alone reach one hundred and twenty billions annually, more than two thousand millions every week, four hundred millions every secular day, forty millions every hour—in all of which the value of the standard dollar is the controlling element. Not a bushel of wheat, not a bushel of corn, not a pound of hay or cotton, not a yard of cloth, not a day's work is sold or bought into which this value does not enter. Surely legislation which proposes to suddenly disturb this value to the extent of 50 per cent should be advocated with bated breath.

Commercial prosperity can only exist under permanent and settled conditions—at least, conditions so nearly permanent that annual changes are reduced to a minimum. And nothing promotes distrust, paralyzes trade, discourages investments, closes avenues of employment, and diminishes wages so effectually as a demoralized and depreciating currency. One of the most graphic of Macaulay's chapters is that in which he depicts the gloom and palsy which brooded over England at the close of the seventeenth century in consequence of the depreciation of the current silver of the Kingdom, caused not by a decreased market value per ounce, as in this case, but by the constant wear and clipping of the coins in use. And yet, in the face of the warnings of the past, we have those who have deluded themselves with the idea that prosperity can be conjured by clipping the dollar by law.

RISING PRICES, ABUNDANT MONEY, AND PROSPERITY.

But we are told that by depreciating the dollar we shall make prices rise, and that rising prices always stimulate trade.

That depends upon what causes rising prices. If the rising prices are caused by increased activity—especially after a season of depression—by the increased purchase and consuming power of the people, then indeed they are healthy and stimulating. Such rising prices are to be sought after by every means at hand, and are in fact the concomitant of a sound monetary system. Unquestionably one of the causes that has aided during the past three years in strengthening the distrust that originated in a disturbance of our economic system, as well as with the inevitable cycles of boom and rebound that accompany the intensity of modern industrial life, has been a growing fear that we might not eventually be able to maintain the stability of our currency.

But rising prices made by clipping the dollar which measures prices—prices which rise only in imagination, only by calling 18 inches a yard and 50 cents a dollar, and never in reality—are a cheat and a lie, and while they may produce temporary intoxication, in the end bring curses rather than blessings.

It must be borne in mind that the accepted quantity theory of money and prices is not, as some persons erroneously suppose, that the volume of outstanding money, but that the volume of circulating or used money, including paper and token, as well as full redemption money, and also such substitutes for money as checks and bills of exchange, makes prices. Money hoarded or unused has no effect on prices. Those persons who think they can raise prices by coining or issuing more money, regardless of the demand for use, without changing the value of each dollar, misunderstand the nature and uses of money. For, however much each of us would like to have more money if we could get it without giving an equivalent for it, none of us is prepared to buy more than we require for use. Every well-adjusted currency system should have provision for an increase in response to a demand; but the demand is in proportion to the activity of business, and activity of business is largely dependent upon confidence, while nothing impairs confidence more than schemes to demoralize and depreciate money.

This is a sufficient answer to the assertion of this "silver-basis" advocate that abundant money, without regard to its quality or whether it is used or unused, and high prices, without regard to whether they are real or apparent, promote national prosperity. Abundant money used, which is only another expression for business activity, is promotive of prosperity. But however large may be the volume of money unused—indeed we never had so large a volume of money outstanding and so large a proportion unused as we have had the past three years—it has not the slightest effect in raising prices (so long as the dollar is not depreciated) or promoting prosperity.

The assumption that a silver basis would give us more money is without foundation. Under free and unlimited coinage by this country alone, for reasons which I have already shown, the value and purchasing power of each coined silver dollar would be in a short time the value of the silver bullion in it—not much exceeding the present value of such bullion. Prices generally would apparently—not really—rise to keep pace with the diminished value of the measurer. Inasmuch as the silver dollar when coined could be no more valuable and have no more purchasing power than the bullion in it uncoined, as is now the case with gold, there would be no inducement to coin silver beyond the demands for business, and to supply the loss of gold. Of course, as the purchasing power of the new dollar would be largely diminished, it would require more of them to do the same business as before. The result would be that with the drop to a silver basis there would for a time be less money than before, and in the end no more abundant money, so far as effectiveness goes, than before. The loss in quality, in stability, in confidence, however, would be incalculable.

UNITY OF NATIONS IN MONETARY RELATIONS.

Mr. Speaker, there is another serious objection to the proposition to abandon the common monetary unit of grains of gold, which has practically been the standard of value of this country since 1834—barring the depreciated paper period—and substitute for it the standard of grains of silver as well as silver monometallism, and this is, that our present standard is not only that of the commercial world but practically the monetary unit to which are adjusted the prices of every market.

It is sometimes asked why the United States should follow the

great commercial nations in adopting grains of gold as the standard of value. Why not have a monetary policy of our own, it is asked, and adopt a more plebeian substance—silver, for example? It might as well be asked, Why slavishly follow the Old World and use steel screw steamships to navigate the oceans? Why not continue the exclusive use of the old wooden sailing vessel, a more plebeian ocean transport, and maintain an independent system of navigation?

The answer is plain. The steel screw steamship has proved to be the best instrument of quick and convenient transportation of persons and most property, although the sailing vessel still continues to do good service in its proper place; and grains of gold have been found to be so much better adapted to the purposes of a standard of value, and so much nearer stable than any other substance, that by common consent the commercial world has made them the world's measurer of value, and will always continue to use silver as money adjusted to this standard. And any country that sets up any other substance as its standard of value finds itself not only out of adjustment with the world's measurer and subjected to friction and extra expense, but also trammeled and inconvenienced in its domestic exchanges by a more fluctuating standard into which it has to daily translate the pulses of commerce.

It must be remembered that in these days of steam and telegraph the whole world is one in a very important respect. There now can be no surplus of money or merchandise anywhere in the world that is not hurried to fill the shortage, if there be one anywhere. This facility of transfer tends to equalize values throughout the world. We know every evening what has been going on in every part of the world during the day—the condition of the crops, where there is a surplus and where there is a shortage; and in every great market supply and demand meet, and the adjustment of prices takes place, and the language in which those prices are expressed is grains of gold.

It is absurd—yes, suicidal—for us to think for a moment that we can or should get outside of the world's commercial current and set up a standard of value which the world has laid aside because experience has shown a better and more convenient one.

But in continuing the standard of value which we have found so useful it should be borne in mind that we shall continue to use the largest amount of full legal-tender silver possible with a maintenance of its parity with gold, and at the same time we do not in any manner relax our efforts to have the world also continue the use of silver as money, in free and unlimited coinage, too, at such a ratio as will make gold and silver coinage equal in value everywhere. For when the leading commercial nations unite in an agreement which establishes a fixed coinage ratio of gold and silver throughout the commercial world—the only method in which full bimetallism can be secured—then there will be one common standard in international trade, and that standard will still be gold or its equivalent.

Speed the Plow—It Feeds All—The Condition of the American Farmer.

SPEECH

OF

HON. HARRY SKINNER,

OF NORTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, June 10, 1896,

On the joint resolution to adjourn Thursday, June 11, 1896, at 4 o'clock.

Mr. SKINNER said:

Mr. SPEAKER: The managers of the Senate and House have agreed and arranged that this resolution of adjournment shall pass, and that the first session of the Fifty-fourth Congress shall close at 4 o'clock to-morrow. To resist the passage of the resolution would doubtless prove futile, and a persistent and protracted effort with this purpose would be regarded as trifling with the desires of the great majority on both sides. Notwithstanding I can assign cogent reasons why the resolutions should not pass and present overwhelming evidence why Congress should remain in session until they shall work out some relief to the depressed, distressed, and almost despairing people.

In these closing scenes I have observed that the mind and heart of the Republican party are at St. Louis, and consequently centered upon the best interest of their party and the success of their personal favorites. The Democratic leaders are looking to Chicago, and their anticipated declaration for the free coinage of silver at 16 to 1, as the star of hope that at least will preserve their organization from disintegration and restore them to the confidence of the people. Mr. Speaker, the Democratic party is prolific in good platforms and party promises, but it is a better platform breaker. The past indicates that they make platforms to get on and off, and not to keep. From 1868 to the present hour there is not a single plank in any national platform that they have not repudiated, and consequently they have deservedly lost the confidence of the plain, honest masses, whose champion they professed to be, and whose interest they should have faithfully guarded.

A DESIRE FOR FREE COINAGE AND PROTECTION.

I feel, I know, personal contact has convinced me, that there are sincere and honest advocates of free silver at 16 to 1 in this House both in the Democratic and Republican parties. These, together with the Populists, have a common cause, a cause higher and stronger than party ties, because in that cause is involved the strength, stability, and continuance of American institutions, the contentment, happiness, and prosperity of the American people.

I had hoped, Mr. Speaker, that those of this faith and order might get together and pull together, forgetting old party ties, and thinking only of the perpetuity of our institutions and the prosperity of the American people. The common ally of the bimetallist is the protectionist, not the sectional or class protectionist, but the broad-minded American protectionist, the protectionist that would protect labor against immigration and convict and pauper labor; the protectionist that will care for the fields as well as the shops; the protectionist that wants and desires to protect all and every interest in this country so as to bring that equalization that will assure the greatest good to the greatest number. Bimetallism and this class of protection are one and inseparable. Consequently I had hoped that the protectionist of this order in the South and West, together with the bimetallist at 16 to 1, might come together and make a common battle against monopoly, combine and trust, and the single gold standard, and thereby save the Union, restore confidence to the people, and reinstate conditions from which may be evolved a hope for the future.

THE OPPORTUNITY OF DEMOCRACY.

The Democratic party has a grand opportunity just ahead of it. It remains to be seen if it possesses the wisdom, the statesmanship, the patriotism, the intuition, the inspiration to take advantage of the ripened fruit and pluck it, not for the eclat or success of their political organization, but for the good of the country and the material benefit of the people. To do so they must so act at Chicago as to convince the people that they are the organized force capable and patriotic to espouse and defend their cause. They must, so far as practcal, disassociate themselves from the goldbug Eastern Democracy; so long as these enemies of the people are permitted in their council, so long will the people look upon Democracy with suspicion, and justly so, because they will always constitute a respectable and very powerful minority of the Democratic party, and will always be effectual in defeating measures that mean relief to the people by uniting with the minority party. Will the leaders of the Democracy permit me to blaze the way for them? Let every Democrat that favors free silver at 16 to 1, with or without an international agreement, meet in Chicago at least three days in advance of the national convention. Let the distinguished Senator JONES, of Arkansas, call a caucus of the silver forces at least two days before the national Democratic convention, a conference to be provided for by this caucus. Let them invite the executive committee of the Populists, the bimetallists, and the silver Republicans to meet them at least one day before the meeting of the national Democratic convention and make an honest effort in this general conference of the silver forces to name such a ticket as will be satisfactory to the silver Republicans and that will be ratified by the two conventions that will meet in St. Louis July 22. In this conference let the good of the people—the success of silver—prevail, and you will sweep the country and bring dismay and disaster to time servers and enemies of the American institutions and American people.

RESULT OF PARTISANSHIP.

On the contrary, if you meet in a clannish manner, looking alone to your political organization, and you make no conciliations or concessions to the honest, patriotic silver sentiment of the country, then you await a defeat not only of the ticket that you shall name, but an elimination of the word Democracy from the political dictionary, and upon your wreck and ruin a true People's Party will be increased into numbers sufficient to sweep the country in A. D. 1900. If I desired party success I should want you to so act. But I want and the people I represent want action now and without delay. I am careless or indifferent as to the name in which relief shall be vouchsafed to the people. What we want is relief, and we will take it from the Republican party, the Democratic party, the silver party, or a party of any other name; but it occurs to me that the People's Party is the proper name in which to win a great victory that means a real people's victory. A people's victory means the restablishment of conditions that meaneth life, hope, and contentment to the people, out of which can be secured a higher state of civilization and a greater capacity to enjoy the blessings and wise provisions of Providence.

TELLER AND SOME YOUNG SOUTHERN SILVER MAN.

I do not desire the privilege of naming your ticket, but only to suggest that a ticket named under these conditions would mean success in November. If you will permit me, I will suggest that a national figure such as H. M. TELLER, of Colorado, who led the battle against the force bill and has constantly fought for silver at 16 to 1, and now adheres to those principles and places them above party—when his party would give him anything at its command for him to remain silent—such a character and figure around which all the silver forces of this country could and would rally and inspire confidence all along the line, that would marshal the silver forces in such companies, regiments, and brigades as to successfully attack and rout the common enemy of America and humanity—the single gold standard—whether fighting the American people openly or in disguise.

I may be pardoned for advising the Southern silver Democrat, with whom I have a common feeling and interest to secure the best possible local government consistent with the reign of the people, that the election of H. M. TELLER as President of this country would mean a better and more substantial recognition of Southern interests and Southern statesmen and policies than could possibly be secured by the election of any straight Democrat in sight. With his nomination you can with impunity take a Southern man as his running mate. I would suggest one without a war record, a young man. I have many in my mind. I will not disparage any by the mention of names, and I only mention TELLER, because he stands out like the tall oak, he is a commanding figure at this stage in politics; he can unite the South and West as no other man in sight can possibly do.

THE STATUS OF THE POPULIST PARTY.

Mr. Speaker, should the Democratic party, when it meets in Chicago, think that it is strong enough to live and succeed alone without advice, consideration, or council with the other silver forces of the country, then we shall regard them as party servers and proceed with our middle-of-the-road fight to the finish, and we will not be the minority party. We have now the balance of power in the Senate, and as sure as the ides of November shall have passed we will have the balance of power in this House and dictate its organization. The people know that we have kept faith with them. We mean what we say. They can trust us, and they will trust and give us their certificate of confidence in the shape of that small white sheet of paper called the ballot, which falls as noiselessly as the snowflake, but the accumulation of which can arrest the iron horse in progress carrying travel and freight, as well as it can resist the machinations of party leaders and cause tyranny to be resisted and truth established.

TO THE LEADERS OF THE OLD PARTIES.

Mr. Speaker, I desire that the leaders of Democracy in this House, including Mr. SAYERS of Texas, BAILEY of Texas, DOCKERY of Missouri, CRISP of Georgia, LITTLE and MCRAE of Arkansas, LIVINGSTON of Georgia, MCLAURIN of South Carolina, RICHARDSON of Tennessee, MCMILLIN of Tennessee, DE ARMOND of Missouri, and others that I might mention whom I believe to be sincere advocates of free silver—16 to 1—shall understand before this House adjourns that if they want to succeed and win a victory they must confer before acting at Chicago with such true silverites as the Populists have proven themselves to be and such silver Republicans as TELLER, DUBOIS, CANNON, ALLEN of Utah, HARTMAN, TOWNE, and others, and if all these silver forces shall agree and unite you will demoralize the Republican party from the beginning. They will go into the campaign upon a plea of confession and avoidance; whereas you will go in with the true doctrine of universal protection and bimetallism, one and inseparable, and both necessary to the doctrine of "America for Americans" and the happiness and prosperity of all Americans.

RELIEF IN THIRTY DAYS.

Mr. Speaker, I will never consent to the resolution to adjourn. If the President, if Democrats and Republicans in the House and Senate would for thirty days forget that they belong to any political party and would act as the Populists have desired to act and have acted, and Congress should remain in session thirty days, I believe, by conference or otherwise, some legislation might be reached that would give the people relief; but as long as we place party victory in advance of the people's interest the people must suffer, and no relief will be in sight.

Mr. Speaker, when I appeal to the action of the Populists in the House and Senate as a guide for the silver Democrats and Republicans, I do so for the purpose of challenging the closest scrutiny as to their conduct, their action, their votes, and the measures introduced by them in the Fifty-fourth Congress. I can, in these closing hours of the first session of the Fifty-fourth Congress, point with pride and satisfaction to the record made in this Congress by the Populist party. We have been few in numbers but constant in industry, punctual in attendance, attentive to business in the House and in committees, ceaseless in energy, and faithful to our platform and husting promises in giving votes. We have introduced measures in the Senate and the House that meaneth and carry with them relief to the people, but unfortunately we are impotent to crystallize these measures into law.

CONFESSION AND AVOIDANCE.

Mr. Speaker, these closing scenes, the speeches made by Mr. DINGLEY, the very able chairman of the Ways and Means Committee, who by virtue of his official position, as well as by his information and natural ability, is entitled to be the leader of the House, have been a simple plea in confession and avoidance. He is an expert in special political pleading; that is, he has excused the large appropriations, not that they were not necessary or were extravagant, notwithstanding, with the wise and frugal Speaker, he tried to keep them down and tried to be economical, but he has promised that under the anticipated Republican Administration, through a wise system of protection, the Treasury would be so repleted as to be able to stand such appropriations without detriment to the service; and likewise the distinguished chairman of the Appropriations Committee, Mr. CANNON, notwithstanding he has tried earnestly, and I know honestly, to be economical, yet, even though his wishes have been overruled and this Congress must go into history as extravagant, in his closing remarks he tries to palliate the effect; that with a full Republican Administration the Treasury will be so repleted through the effective service of a wise protective system that we can stand large appropriations without creating a deficit in the Treasury or creating the necessity for bond issues.

The leading Democrats of the House have simply contented themselves with attacking these appropriations, seemingly forgetful that the present Republican Congress has not exceeded the extravagance of the last Democratic Congress.

THE INDIVIDUAL AND COMMUNITY OVERLOOKED.

Both the Republican and Democratic leaders seem to overlook or forget the condition of the individual citizen, community, and nation when separated from politics, and are absolutely barren in suggestions or measures that shall bring and assure contentment, happiness, and prosperity to the people. The Populist party, and the Populist party alone, seems to be fertile and persistent in measures that mean and intend to carry relief to the plain and toiling masses. Mr. Speaker, I desire to observe just here, before I protract my remarks further, that while the people desire to understand and know that the money that is expended shall be wisely and properly expended, they would not complain at reasonable public expenditures, if you convince them it is honestly expended and accurately accounted for; if you will bring about conditions out of which they may meet these public expenditures without causing personal deprivations and sacrifices, and surround them with conditions out of which they may be enabled to support themselves and those dependent upon them with an education that shall equip them to grapple with the future. Mr. Speaker, we all know that these enormous public expenditures, such as they are or may be, must be paid by labor and agriculture. The accumulated wealth of the country, whether in the shape of United States bonds or incomes from any source, is franked "free from taxes" and is not called upon to meet these expenditures, consequently it is indifferent as to their volume. It is the day laborer, the tenant, the farmer, and the small commercial dealers whom these matters affect.

PUBLIC EXPENSES.

Mr. Speaker, it may be of interest and a matter of information to the public to recapitulate the public expenses of the first session of the Fifty-fourth Congress, and if I had the time and the House had the patience I would tabulate these in detail; but for my present purpose it is sufficient to refer to these as comprising, in round figures, $500,225,000. If this is to be repeated in the second session, this Congress will go into history as the billion-one-hundred-million-dollar Congress.

We are expending for the Federal Government entirely too much money. It is indeed alarming when we couple these with city, county, and State governments, which the census of 1890 places at $569,252,634 per annum; and these, added to the appropriations of the Fifty-fourth Congress, make a sum total for Federal, State, and municipal government more than $1,100,000,000 per annum, a sum far exceeding the expenditures of any other Government on earth.

Russia expended in 1895 $885,005,996; France, $690,184,119; Great Britain, $469,592,105; Italy, $337,868,552; the German Empire, $297,240,240; Spain, $164,727,145.20. Our expenditures are $4,000,000 per day, and the monarchial and imperial nations of Europe, which we have been accustomed to regard as extravagant, are spending much less. A sum greater than the entire value of the cotton crop, corn crop, wheat crop, oat crop, and tobacco crop, all put together—these fruits of toil and soil—are wasted in government.

HOW TO REDUCE EXPENSES.

Mr. Speaker, a burning question, one that the politician may as well prepare himself to meet, is how can these public expenditures be decreased without detriment to the public service.

First, lay the ax to the root. All public officials are receiving more salary than they should receive, and are living in a state of extravagance that fails to keep them in touch with the condition, needs, and wants of the people. So, then, let a reform begin at the beginning by reducing all official salaries at least 33⅓ per cent. Second, the river and harbor appropriations need to be severely pruned. I am not opposed to the principle of Federal river and harbor appropriations. I have the distinction of representing a meritorious river and harbor district—the Albemarle, Roanoke and Pamlico districts of North Carolina. I can name here and now worthy objects for Federal appropriations, to wit, the inland commerce from the Chesapeake Bay to Florida, the free connection of the Virginia and North Carolina waters, the opening of Currituck and Nags Head inlets, and the deepening of Oregon Inlet and Ocracoke Inlet, and the making of Lookout as a harbor of refuge, and others that I could, if time would permit me, mention. Notwithstanding these worthy objects of Federal assistance I felt constrained and did vote to sustain the President's veto of the river and harbor bill, because I believed that the President was right, and because I believed I was serving the best interest of my district and the people by trying to assist the President in stopping and resisting the diversion of this Federal assistance from proper channels.

As to the pension appropriation, it is simply alarming. I believe in a wise dependent pension bill, but I am opposed to this special legislation whereby officers and their widows are given an unusually large pension. Our statesmen need apply themselves to reform along this line, unless their consideration for the old soldier will permit the public revenues to be absorbed in special increased pensions.

But, Mr. Speaker, I have not the time now to analyze the extravagance of the public service. My purpose in occupying the attention of the House was to demonstrate the discontent, unrest, misery, distress, and dissatisfaction of the great masses, and to show that their cause was just, above party considerations, and demanded the best thought and heart of the Republic.

CONDITION OF THE FARMER.

God created the farmer to begin with in all the ages that have passed. Wherever his interest has been the first concern of government this heaven-appointed institution has prospered and all conditions that are dependent on agriculture have likewise flourished. The Good Book verily saith that "When the virtuous are in authority, the people rejoice; but when the wicked beareth rule, the people mourn."

Mr. Speaker, in this connection I desire that the public shall be fully and intelligently informed as to the true and accurate condition of the American farmer, and to this end I desire to freely quote from a pamphlet entitled The Condition of the American Farmer, by Hon. H. E. Taubeneck, chairman of the national committee of the Populist party.

THE FARMER'S INCOME.

The mind can not grasp the true condition of the American agriculturist until his income is properly analyzed. Though much has been written on this subject, yet few writers have gone to the bottom and presented the facts in their true significance.

The statistics of the Tenth and Eleventh censuses, as well as the agricultural reports, contain many startling facts and figures in regard to the average income from the average farm in the United States.

THE CENSUS OF 1880.

The report of 1880, volume 1, pages 684 and 685, gives the following figures:

Number of farms in the United States	4,008,907
Number of acres in farms	536,081,835
Number of acres in average farm	134
Number of persons engaged in agriculture	7,670,439
Representing a population of	23,011,317
Average number of persons depending on each farm for a living	5.74
Value of farm products sold, consumed on the farm, and on hand, for the census year 1879	$2,213,462,564
Value of farm products per average farm	$552
Per capita income of agricultural population	$96.16

THE CENSUS OF 1890.

Census Bulletin No. 378, issued March 19, 1894, and the report of the Statistician of the Department of Agriculture for December, 1894, pages 742 to 751, inclusive, contain the agricultural statistics for 1890, of which the following is a synopsis:

Number of farms in the United States in 1890	4,564,641
Number of acres in farms	623,218,619
Number of acres in average farm	137
Total value of farms and stock	$15,982,267,689
Value of farm products sold, consumed on the farm, and on hand	$2,460,107,454
Value of farm products per average farm	$538.94

These figures [says the bulletin] are subject to modification for the final report.

Carroll D. Wright, in reply to a letter asking if the value of farm products quoted above included all that was produced on the farms, said:

I desire to inform you that the figures relative to the value of farm products were furnished by the farmers themselves to the enumerators in answer to the following query: "Estimated value of all farm productions (sold, consumed, or on hand) for 1889." These statistics, therefore, include all farm productions.

According to this estimate, the annual income from the average farm, containing 137 acres, was $538.94. If we allow 5.74 persons to each farm for 1890, as reported by the census for 1880, and divide this $538.94 among them equally, we receive for our agricultural population an average annual per capita income of $93.89. If we again divide this amount by the number of days in the year (365), we receive for those who have to depend on the farm for a living an average per capita income of 25.8 cents per day.

It must be remembered that this $538.94 per farm, or 25.8 cents per day per capita, is not the profit made from the average farm or day's labor, but constitutes the value of the entire crops. It includes that portion consumed on the farm as well as that portion sold. Out of this amount the farmer must pay his taxes, insurance, interest, the cost of seed, hired help, wear and tear of farm implements, repairing of fences and buildings, and feed for his teams for one year while cultivating the crops. All these items must be paid out of the $538.94 before the farmer can have anything for himself and family. The question then is, How much will the average farmer and his family have for their own support after paying all these items? Will they have 15 cents per day per capita? No. Will they have 10? Possibly yes, but I doubt it. For argument's sake, however, we will admit that our agricultural population received a per capita income of 10 cents per day, with which to buy food and clothing, educate the children, and pay incidental expenses.

PAUPERS AND CONVICTS.

The board of supervisors of Clark County, Ill., as stated by the county clerk, W. S. Lowery, pays $2 per week for keeping each pauper, the keeper providing board, clothing, medical attendance, and funeral expenses. If we accept this as the average amount paid by other counties and in other States, it amounts to 28.5 cents per day, almost three times as much as the net per capita income of those who have to depend on the farm for a living.

According to the report of the commissioner of the Illinois Southern Penitentiary for 1890, the State for years received an average of $36,000 per annum for 250 convicts leased, which amounts to $144 per year, or 39.4 cents per day for each convict. Thus we are confronted with the cold fact that our agricultural population is compelled to live on an income below that provided for paupers, and receive less for their labor than is paid for convict labor.

THE ILLINOIS AGRICULTURAL REPORT.

The statistical report of the Illinois State Board of Agriculture, issued August 1, 1895 (Circular No. 170, page 4), contains a table giving the area, yield, value, and cost of raising wheat in that State for thirty-six years, from 1860 to 1895, inclusive.

For the twenty-three years beginning with 1873 and ending with 1895 the farmers of Illinois produced 711,201,270 bushels of wheat. The total cost of raising the wheat was $513,796,560, or an average of 72 cents per bushel. The total value of the wheat crops for the twenty-three years was $570,196,855, or an average of 80 cents per bushel, leaving the wheat growers an average net profit of 8 cents per bushel.

For the fifteen years beginning with 1881 and ending with 1895, the wheat growers of Illinois produced 433,622,246 bushels of wheat. It cost them $317,938,450, or an average of 75.6 cents per bushel, to raise the wheat, and they received for it $314,901,674, or an average of 74.9 cents per bushel, leaving a net average loss to the wheat growers of Illinois, for fifteen years, of seven-tenths of 1 cent per bushel.

For the three years from 1893 to 1895, inclusive, the wheat growers of Illinois produced 78,324,916 bushels of wheat. It cost them $54,398,410, or 69.4 cents per bushel, to raise the wheat, and they received for it $37,705,974, or 48.1 cents per bushel, leaving a net loss of 21.3 cents for every bushel produced since the demonetization of silver by the present Administration.

The same circular, on page 5, contains a similar table in regard to the statistics of the oat crops.

For the same twenty-three years the farmers of Illinois produced 2,032,054,015 bushels of oats. It cost them $579,402,111, or an average of 28.3 cents per bushel, to raise the oats, and they received $532,953,288, or 26.2 cents per bushel, leaving a net loss to the oat growers of Illinois of 2.1 cents per bushel.

For the three years from 1893 to 1895, inclusive, since the demonetization of silver, the oat growers of Illinois raised 326,012,952 bushels of oats. It cost them $94,105,341, or 28.6 cents per bushel, to raise the oats, and they received $77,116,027, or 23.6 cents per bushel, leaving a net loss to the oat growers of Illinois for the three years named of 5 cents for every bushel produced.

Circular No. 163, issued December 1, 1893, contains a similar table giving the statistics for the corn crops.

For twenty-two years, from 1872 to 1893, inclusive, the farmers of Illinois produced 4,579,699,946 bushels of corn. It cost them $1,609,625,941, or an average of 35.1 cents per bushel, to raise the

corn, and they received for it $1,518,676,296, or an average of 33.1 cents per bushel, leaving a net loss of 2 cents per bushel for every bushel produced since 1871.

In 1893 the farmers of Illinois produced 167,687,971 bushels of corn. It cost them $57,422,269, or an average of 34.2 cents per bushel, to raise the corn, and they received for it $51,099,698, or an average of 30 cents per bushel, leaving a net loss of 4.2 cents per bushel for every bushel produced.

The total profit since 1872 on raising wheat was $54,400,295, and the loss on oats $46,448,823, and on corn $90,949,645, which leaves a net loss to the farmers of Illinois on the three staple products of $82,998,173. These are cold facts gathered from the statistics of official documents. Illinois is one of the best agricultural States in the Union. Her soil is as fertile, her climate as genial, and her farmers as enterprising as those of any other State. Whatever is true of the condition of the Illinois farmer is also true of the farmers of all other States.

THE MICHIGAN AGRICULTURAL REPORT.

Senator Peffer, in his report on "Agricultural depression," published a table giving the value and cost of raising wheat, oats, and corn in the State of Michigan for the year 1889, as follows:

	Cost.	Value.	Loss.
Wheat	$18,200,328	$16,728,803	$1,471,525
Oats	10,130,655	7,390,457	2,740,198
Corn	12,269,032	7,254,245	5,014,787

The farmers of Michigan received $9,226,510 less for these crops in 1889 than it cost to raise them.

THE UNITED STATES AGRICULTURAL REPORT.

The report of the Secretary of Agriculture for 1893, pages 515 to 518, inclusive, gives the estimated cost of the principal items and the total cost of the production of wheat and corn per acre for 1893, as consolidated from the returns of nearly 30,000 leading farmers scattered throughout the United States.

WHEAT.

The items and the total cost of raising an acre of wheat were as follows: Rent of land, $2.75; fertilizing, $2.34; preparing ground, $1.85; seed, 87 cents; sowing, 35 cents; harvesting, $1.17; thrashing, $1.13; housing, 33 cents; marketing, 69 cents. Total, $11.48.

The same report, on page 481, contains a table giving the value of the wheat crops for fourteen years, from 1880 to 1893, inclusive. The value of an acre of wheat in 1893 was $6.16, and the cost of raising it, as stated above, $11.48, which leaves a net loss to the wheat growers of the United States of $5.32 for every acre produced in that year.

The report also says that the average annual value of an acre of wheat for the fourteen years (from 1880 to 1893) was only $9.73. If the cost of raising an acre was no greater for each of the thirteen years preceding 1893 than for that year ($11.48), then we are confronted with the stubborn fact that the wheat growers of the United States have lost $1.75 for every acre produced since 1879.

CORN.

The items and the total cost of raising an acre of corn for 1893 were as follows: Rent of land, $2.90; fertilizing, $2.10; preparing ground, $1.60; seed, 14 cents; planting, 38 cents; cultivating, $1.72; gathering, $1.37; housing, 42 cents; marketing, $1.08. Total, $11.71.

The same report, on page 478, contains a table giving the value of the corn crops from 1880 to 1893, inclusive. The value of an acre of corn for 1893 was $8.21, and the cost of raising it, as stated above, $11.71, which leaves a net loss to the corn growers of the United States of $3.50 for every acre produced in that year.

The report further says that the average annual value of an acre of corn for the fourteen years (from 1880 to 1893) was only $9.61. If the cost of raising an acre was no greater for each of the thirteen years preceding 1893 than for that year ($11.71), then the corn growers of the United States received $2.10 less per acre since 1879 than it cost to produce the corn.

Thus the investigation made by the United States Department of Agriculture corroborates the statistics of the Illinois and Michigan agricultural reports. Since 1880 the farmers of the United States have been producing products below the cost of production. Whatever is true of corn, oats, and wheat is also true of every other staple product produced by the farmers of the United States.

These are facts and figures taken from official documents, the best evidence we can get. They tell us in language as plain and forcible as words can make it why there is distress, unrest, and discontent among our agricultural population; why there is a mortgage on the farm, and why the farmer who once owned the soil he cultivates is now a tenant. It is because for years he has been compelled to raise products below the cost of production. The results of this loss is disclosed by the increase of mortgages and the loss of farms and homes, together with the enforced idleness seen on every hand.

DEPRECIATION OF FARM PROPERTY.

Senator PEFFER, on page 13 of his report on "Agricultural depression," in speaking of the depreciation of farm property, says:

In Illinois improved lands fell from $20.81 in 1873 to $11.18 in 1892; wheat fell in the same time from $1.10 to 69 cents a bushel; corn fluctuated, but about maintained its normal price; oats was 3 cents higher in 1892 than it was in 1873; cattle dropped nearly 60 per cent; horses and mules went below that; hogs fell 50 per cent, and sheep 33 per cent.

In Iowa all classes except sheep declined from 1870 to 1892.

In Nebraska improved lands fell from $4.60 to $3.72, more than 20 per cent, since 1885, and live stock dropped on an average about 40 per cent.

In Kansas land was about 15 per cent lower in 1892 than it was in 1874 and 1884.

In New York, according to the report of the State comptroller submitted January, 1891, farm lands in that State had depreciated at least 33⅓ per cent within a few years.

In Pennsylvania, while correspondents differ, it may be stated that on the whole farm lands in that State have fallen 25 to 30 per cent in less than twenty years.

In the New England States lands used for agricultural purposes are not valued as high now as they were in 1875 by 30 per cent.

INCREASE OF TENANT FARMERS.

Fred Perry Powers, in an article published in Lippincott's Magazine for February, 1895, gives some important statistics, compiled from the census report, in regard to the rapid increase of "tenant farmers" in the United States:

Between 1880 and 1890 the number of owning farmers decreased in every New England State and the number of tenant farmers increased. In each of these States there was a marked increase in the percentage of farmers who plowed the fields of another man and in the sweat of whose brow somebody in Boston ate cake. In the six States, in the ten years, the owning farmers diminished 24,117 and the tenant farmers increased 7,246. The percentage of tenant farmers in Massachusetts, though not large in 1890, was nearly double what it was in 1880; over 17 per cent of the farmers in Vermont and Connecticut and 25 per cent of the farmers in Rhode Island were tenants in 1890.

In each of the four Middle States the number of owning farmers decreased and the number of tenant farmers increased. In the group the owners decreased 42,304 and the tenants increased 24,075. In New Jersey the tenants increased from nearly a fourth to nearly a third of the whole. In New York the loss of owning farmers was 26,534 and the gain of tenant farmers was 12,108. For Pennsylvania these figures were 11,292 and 9,222, respectively. * * * Of twelve Southern States six show a decrease in the number of owning farmers. In the group there was an increase of 13,915 owning farmers and 275,785 tenant farmers. In three Southwestern States—Missouri, Arkansas, and Texas—there was a gain of 47,882 owning farmers and 114,510 tenant farmers. * * * Each of the three States of the Middle West—Ohio, Indiana, and Illinois—gives evidence of the same change, and the group lost 31,259 owning farmers and gained 48,864 tenant farmers. In Illinois the tenants increased from 31.37 to 36.72 per cent of the whole. In eight States of the Northwest, in several of which public lands have been obtainable till quite recently, the number of owning farmers increased 129,322 and the number of tenant farmers increased 108,507. In Iowa the number of owning farmers increased 3,521, while the number of tenant farmers increased 16,563. In Kansas the owning farmers increased 2,121 and the tenant farmers increased 30,463. In the Pacific and Mountain States and the Territories, the number of owning farmers increased 65,512 and the number of tenant farmers increased 20,350.

In forty-seven States and Territories the number of owning farmers increased 158,951 and the number of tenant farmers increased 599,337. In 1880 25.62 per cent of the farms were cultivated by tenants; in 1890, 34.13 per cent of the farm families hired.

In commenting on these figures Mr. Powers has this to say:

The American farmer is following the English yeoman into extinction, and the creation of landlord and tenant classes has already made considerable progress here. Specialization is one of the incidents of evolution, and evolution in agriculture is giving us, instead of one class of farmers, who were simultaneously landlord, tenant, and laborer, farmers of the three classes permanently distinct.

The economic change is already producing political changes. The Populist movement of the day is the beginning of the dying struggle for political power of a race of farmers who supplied most of the Fathers of the Republic, who were for many years the controlling power within it, but who are now losing their land, and with it their political weight. * * *

The man who owns a farm of three or four sections will find town life within his reach and much more to his taste, and especially to the taste of his wife and children, than life in the country, and this means the three agricultural classes of England: The owner, who lives in the city or in Europe and enjoys the revenues formerly distributed among a considerable number of owning farmers; the tenant farmer, who has increasing difficulty in paying his rent; and the farm laborer, who gets not quite enough food to keep him thoroughly nourished, and who is attached to the soil, not by any law of serfage, but by the iron law of poverty, ignorance, and lack of spirit.

I hope that every farmer in the land will read these quotations from a plutocratic pen, and ponder well the future condition of his class therein predicted—serfdom as degrading and ignominious as that of the feudal ages.

DECADENCE OF HOME OWNERSHIP.

Mr. J. A. Collins, in an able article in the American Magazine of Civics for January, 1895, on "The decadence of home ownership in the United States," says:

The census of 1890 shows that on June 1 of that year the total population was about 63,450,760, or 12,690,152 families of five members each, or an aggregate of that many homes, both owned and rented. Out of this 12,690,152 families, the number owning and occupying mortgaged homes and farms was 2,250,000, leaving 10,440,152 families occupying hired homes and farms or those they own free of incumbrance. About 8,250,000 occupy hired homes or farms—that is, they are tenants—leaving 2,190,152 who occupy their homes free of incumbrance. This is only about 16 per cent of the total number of families, leaving 84 per cent of the total number as occupants of hired and mortgaged homes. As about 18 per cent of the whole number occupy mortgaged homes, the percentage of actual tenants is about 66 per cent. But the occupant of a mortgaged home is virtually but a tenant of the mortgagee, and we find 84 per cent of the families of the nation are virtually tenants.

It may be stated as an undeniable fact that fifty years ago the United States was a nation of home owners; a mortgaged home was an unusual condition; to-day almost 70 per cent of our population are actually tenants, and a mortgage stands on record against every seven individuals of the entire

population—almost one to every family in the nation. * * * Already above 70 per cent of our population are reduced to the condition of tenants; the free home owner is becoming the exception; a landlord system is being rapidly established, and the great mass of the population, under our boasted free institutions, is dependent upon a class for the very roofs which shelter them. The American people, from a nation of free home owners, are becoming the dependents of a favored class, not only for the employment which gives them food, but for the roof which shelters their helpless families.

The United States to-day shows a greater proportion of dependents or tenant families than any nation of the civilized world, with the exception of Great Britain, and is not far behind that.

Country.	Per-centage of ten-ants.	Country.	Per-centage of ten-ants.
Australia	10.17	Holland	39.60
Belgium	33.62	Portugal	28.17
Denmark	66.09	Sweden	17.32
France	28.94		

United States, over 70 per cent. In the United Kingdom the great bulk of the population is of the tenant class. In the other countries the percentage is given of the average, which probably is not far from the percentage of population.

Country.	Per-centage of ten-ants.	Country.	Per-centage of ten-ants.
Canada	12.01	Norway	31.82
Germany	34.31	South Africa	55.00
Italy	35.19		

Is it not startling that in the greatest Republic on earth, whose free institutions and free homes have been its boast for a hundred years, the percentage of its dependent population should be greater than even in the monarchies of Europe?

DEPRECIATION OF FARM PRODUCTS.

Gen. A. J. Warner, in an able article on "The depreciation in the value of farm products," published in the New York Sun January 12, 1894, says:

Take first the leading staples—wheat, cotton, corn, oats, and hay. The average value of an acre's product of these crops in 1873 was $15.65; in 1893, for the same quantity of products, $8.15, a fall of nearly 48 per cent.

If we take wheat alone, the fall has been from $13.16 to $6 per acre, or over 54 per cent; and if we take cotton, the fall has been greater still, or from $28.01 to $10.65, or a decline in value of an acre's product, the quantity being the same as for 1873, of 62 per cent. The average acre's value of the crops of 1873 was 85 per cent greater than in 1893. * * * If the farm products of this year (1893) could be sold at the price prevailing in 1873 they would bring the farmers nearly $1,500,000,000 more than the price prevailing this year. This would make a big difference in the debt-paying power of the farmers.

Again, in "Facts about silver," pages 34 and 35, he continues:

In 1872 milch cows were worth $33 each. In 1893 not over $20 each. The number of cows in 1872 was one to a little less than four of population. In 1893 the number was one to a little more than four of population, so that, relatively to population, the number of cows had decreased, and their value at the same time had fallen 40 per cent. * * * At the price of wheat in 1873 the value to the farmers of the crop of 1893 would have been $455,000,000 instead of $178,000,000, a difference of $277,000,000. This would have gone a long way toward paying off mortgages. The corn crop of 1893 at the price of 1873 would have yielded $660,000,000 instead of $412,000,000.

The cotton crop of 1893 at the price of cotton in 1873 would have been worth to the South $496,000,000, instead of $184,000,000, its actual value in 1893.

The New York Sun, in an able editorial of September 10, 1893, among other things has this to say in regard to the decreased purchasing power of the farmer's products:

The extent of the reductions made in revenue from each acre under staple crops is best shown by saying that the acreage revenue from 1866 to 1870 was $7.59, or 93 per cent greater than in 1893; from 1871 to 1875 it was $7.04, or 86 per cent greater than in 1893; from 1876 to 1880 it was $3.73, or 46 per cent greater than in 1893; from 1881 to 1885 it was $3.13, or 38 per cent greater than in 1893; from 1886 to 1890 it was $1.74, or 21 per cent greater than in 1893. The great diminution in the purchasing power of the farmer, implied by these progressive reductions in acreage revenue, without compensating reduction in the cost of cultivation, is thus clearly shown, but the enormous yearly aggregate of lost purchasing power is comprehensible only when we multiply the acres now employed in growing staples by the decline shown in the acreage value of products since 1870.

As 206,000,000 acres are now employed in growing staple crops, it follows that the power of the farmer to purchase is this year (1893) $1,563,000,000 less than it would be if he were receiving the price of 1866-1870 for his great staples. If the prices now realized in the farm markets equaled those received from 1871 to 1875, the farmer would this year be able to spend $1,450,000,000 more for manufactures and other commodities than he will be able to spend with prices at the present level. Were prices now equal to the average of those obtained from 1876 to 1880, the purchasing power of the farmers would this year be augmented by $768,000,000. Should the crops of 1893 give average yields and prices equal those current from 1881 to 1885, the farmers' spending power would be $645,000,000 greater than with present prices. Even with prices as low as those prevailing from 1886 to 1890 the farmers of the United States would have $358,000,000 added to their debt-paying and purchasing power in 1893, and like advances on the other products of the farm would create an ample fund for building and general improvement, thus employing more labor.

THE OVERPRODUCTION FALLACY.

The next question is, Why is the farmer compelled to raise products below the cost of production?

We are told that it is overproduction, that prices are low because farmers produce more than can be consumed. This is a serious question, and deserves careful consideration. If the farmer has reduced the price of his products below the cost of production by raising too much and working too hard, then the only remedy required is for him to work less and produce less.

If the farmers of the United States produce more wheat, corn, cotton, and other products per capita to-day than they did five, ten, or fifteen years ago, or the increase in food products has been greater than the increase in population, then I will admit that overproduction has something to do with it; but, upon the other hand, if we can prove that the United States and the world produce less agricultural products per capita at the present time than they did five, ten, or fifteen years ago, or that the increase in population has been greater than the increase in food products, then overproduction is a myth and has nothing to do with these abnormal conditions.

WHEAT.

The following table gives the annual production and the farm price of wheat in the United States, as compiled by the Department of Agriculture. The bushels per capita is obtained by dividing the number of bushels produced by our population:

Year.	Number of bushels produced.	Bushels per capita.	Price per bushel.
			Cents.
1880	498,549,868	9.9	95.1
1885	357,112,000	6.3	77.1
1886	457,218,000	7.9	68.7
1887	456,329,000	7.7	68.1
1888	415,868,000	6.8	92.6
1889	490,560,000	7.9	69.8
1890	399,262,000	6.3	83.8
1891	611,780,000	9.5	83.9
1892	515,949,000	7.9	62.4
1893	396,131,725	5.9	53.8
1894	460,267,416	6.6	49.1
1895	467,103,000	6.7	50.9

Take a glance at this table and then think of the overproduction theory. In 1880, when we produced almost 10 bushels per capita, wheat sold for 95.1 cents per bushel, and in 1889, ten years later, with 2 bushels less per capita, it sold for 69.8 cents.

Again, in 1893, with but 5.9 bushels per capita, it sold for 53.8 cents per bushel, 41.3 cents less than in 1880, when our per capita production was 9.9 bushels. If overproduction was the cause of low prices, these figures would be reversed; the farmers would have received more for their wheat in 1893 and 1892 than they did in 1891 and 1880. In 1893 we produced 4 bushels less per capita than in 1880, and yet it sold for 41.3 cents less per bushel; and again, in 1894, with 6.6 bushels per capita, the farmer received only 49.1 cents per bushel, while in 1888, with 6.8 bushels, wheat brought 92.6 cents. If overproduction was the cause, why should there be so much difference in the price when there is comparatively none in the quantity produced?

CORN.

The following is a similar table, from the same source, in regard to the production of corn:

Year.	Number of bushels produced.	Bushels per capita.	Price per bushel.
			Cents.
1880	1,717,434,543	34.2	39.6
1885	1,936,176,000	34.3	32.8
1886	1,665,441,000	28.8	36.6
1887	1,456,161,000	24.7	44.4
1888	1,987,790,000	33.0	34.1
1889	2,112,892,000	34.3	28.3
1890	1,489,970,000	23.7	50.6
1891	2,060,159,000	32.2	40.6
1892	1,628,462,000	24.9	39.4
1893	1,619,496,131	24.3	36.5
1894	1,212,770,052	17.6	45.7
1895	2,151,139,000	30.7	26.4

This table is far more significant than the one for wheat, because it may be said that the price of wheat in this country is fixed by the Liverpool market, and the production of that cereal in India, Australia, and South America has a tendency to depress prices here; but this can not be said of corn, because we are the only great corn-producing nation on earth, and its price here is not fixed by foreign competition.

The average annual export of corn from 1870 to 1890 has been but 3.8 per cent of the amount produced, which is too small to exert much influence on its price here. But what does this table teach? In 1880, with 34.2 bushels per capita, corn was worth 39.6 cents per bushel, and in 1889, ten years later, with 34.3 bushels per capita, it sold for 28.3 cents per bushel. Again, in 1890, with 23.7 bushels per capita, it sold for 50.6 cents per bushel, and in 1893, with 24.3 bushels per capita, it brought only 36.5 cents. Again, in 1891, when we produced 32.2 bushels per capita, corn was worth 40.6 cents per bushel, and one year later, with but 24.9 bushels per capita, it sold for 39.4 cents per bushel. If overproduction was the

cause, these figures would be reversed; we would have received more for our corn when we had but 24.9 bushels per capita than when we had 32.2 bushels.

COTTON.

The same is true of cotton. The following table gives the annual production from 1885 to 1894, inclusive. The figures for the first seven years are those compiled by the Department of Agriculture, in its miscellaneous series, Report No. 5, for 1893; those for 1892 are taken from the Statistical Abstract for 1893, page 218; those for 1893 are taken from General Warner's article published in the New York Sun January 12, 1894, where he estimates the crop of 1893 at 6,600,000 bales; and those for 1894 are taken from the report of the Statistician of the Department of Agriculture for January and February, 1895, in which the crop is estimated at 9,088,000 bales. The price is also that given by General Warner in "Facts about silver," except for 1894, which is taken from the report of the Department of Agriculture. The number of pounds per capita is obtained by dividing the annual product by our population:

Years.	Number of pounds produced.	Pounds per capita.	Price per pound.
			Cents.
1885	3,182,350,531	56.4	10.6
1886	3,157,378,443	54.7	9.9
1887	3,406,068,157	57.8	9.5
1888	3,437,408,459	57.1	9.8
1889	3,622,827,694	59	9.9
1890	4,316,043,982	68.9	10.1
1891	4,506,531,951	70.5	10
1892	3,352,653,458	51.6	8.7
1893	3,300,000,000	49.6	7
1894	4,516,736,000	65.4	4.6

This table exhibits some startling facts. From 1886 to 1889, inclusive, the production of cotton gradually increased from 54.7 to 59 pounds per capita, and during these years the price remained almost stationary. In 1890 and 1891 the production increased about 10 pounds per capita, and the price also increased one-tenth and two-tenths of a cent per pound. Again, in 1892 and 1893, with a great and sudden decrease in production, the price also declined, so that the small crop of 1893, which was 29.6 per cent less per capita, sold for 30 per cent less per pound than the large one produced in 1891. Again, in 1894, with a crop no larger than for 1890 and 1891, cotton sold for 4.6 cents per pound, while in the two former years it was worth 10.

This table controverts the theory of overproduction and bids defiance to every argument advanced on that line. Here are the actual facts: Prices not only declined with a decrease in production, but they actually increased with an increase in production. No argument, however ingenious, can prove that these falling prices are due to overproduction.

FARM ANIMALS.

Report No. 123 of the Department of Agriculture for January and February, 1895, page 5, contains a table giving the number and value of horses, mules, milch cows, oxen and other cattle, sheep, and swine in the United States from 1868 to 1895, inclusive. The aggregate number of farm animals, their total value and average value per head for the three years named, are as follows:

Years.	Number.	Total value.	Value per head.
1893	164,284,573	$2,483,506,681	$15.11
1894	161,783,453	2,170,816,754	13.41
1895	155,555,051	1,819,446,306	11.69

This table shows that from 1893 to 1895 there was a decrease of 5.3 per cent in the number of farm animals and a decline of 22.6 per cent in their value. If overproduction was the cause these figures would be reversed; the price of farm animals would be higher in 1895 than in previous years.

What is true of wheat, corn, cotton, and farm animals is also true of other agricultural products. The best evidence obtainable proves that our population has increased faster than the increase in food products. This is especially true of corn and farm animals, as the foreign market has little or no influence on their price here.

PRODUCTION OF THE WORLD.

No doubt our friends who believe in overproduction are willing to concede the fact that our population has increased faster than the increase in food products; but they reply that the price of those commodities which we export is fixed in the foreign market, where we are compelled to compete with the world, and that the increase in the production of agricultural products since India, South America, and Australia opened their wheat and cotton fields exceeds the increase in the world's population. Although their arguments have often been refuted, yet many able writers still give this point some consideration.

In 1886 the population of the globe, according to Levasseur's table in Mulhall's Dictionary of Statistics, was 1,479,445,230, with an annual increase of about 0.4746 per cent.

WHEAT CROPS OF THE WORLD.

The table below, compiled by Morton Frewen, by striking a mean between the figures published by the Department of Agriculture, from Dornbusch and from the report of the Vienna Congress, with the London price, gives the world's production of wheat for the years named:

Years.	Number of bushels produced.	Bushels per capita.	London price.
1891	2,432,800,000	1.606	$1.25
1892	2,403,200,000	1.575	.87
1893	2,304,800,000	1.506	.76

In 1891 wheat in the London market was worth $1.25 per bushel, and in 1893, with one-tenth of 1 bushel less per capita, it was worth but 76 cents. A decrease of 5.3 per cent in the quantity produced, with a decline of 39.2 per cent in its price, does not accord with the overproduction theory.

COTTON CROPS OF THE WORLD.

The following table gives the world's production of cotton, the number of pounds per capita, and the Liverpool price for the years named. The figures of production from 1890 to 1891, 1891 to 1892, and 1892 to 1893 are taken from the report of the Statistician of the Department of Agriculture for 1893, page 547, and those for 1893 to 1894 and 1894 to 1895 from the World's Almanac, as furnished by Ellison & Co. The price for the first four years is that given by Latham, Alexander & Co., in their report for 1894, page 120, and for the last year from the London market quotations:

Years.	Number of pounds produced.	Pounds per capita.	Price per pound.
			Cents.
1890 to 1891	5,063,200,000	3.3	9.88
1891 to 1892	5,276,000,000	3.4	8.36
1892 to 1893	4,257,600,000	2.8	9.14
1893 to 1894	4,847,076,000	3.1	8.46
1894 to 1895	4,932,000,000	3.2	6.70

This decline in the price of cotton, like that for wheat, can not be attributed to overproduction. Another important factor against this theory is that the percentage of the world's population using wheat and cotton is constantly increasing. As new countries, like the interior of Africa, China, and others, are opened to commerce, cotton more than any other product enters into their trade. No argument, however ingenious, can prove that low prices for agricultural products, either in this country or the world at large, are due to overproduction. We must look for the cause in some other direction.

THE CAUSE.

If overproduction, as we have proven, is not the cause for the decline in the price of agricultural products, what, then, is it? Is the decline in prices due to exorbitant transportation rates? No. They are lower at present than ever before. Is it due to the land question? No. Land values have depreciated with the price of farm products. Is it due to the tariff or the wage question? No. What, then, is it? The real and fundamental cause is due to our financial system—the contraction of our paper currency and the demonetization of silver. At least 90 per cent of the depreciation in the price of farm products is due to the increased purchasing power of the dollar caused by a change in our financial system.

All the money in circulation is always pitted against all the property, and prices spring out of the relation money and property bear toward each other. So long as this relation is undisturbed the general level of prices is maintained; but the moment we increase or decrease the amount of property on the one hand, or the volume of money on the other, we also disturb this relation.

To illustrate: Suppose that the value of all the property in the United States is $65,000,000,000, and the volume of money in circulation, as stated by the Secretary of the Treasury January 1, 1894, is $1,729,018,266. We then have $37.59 worth of property for every dollar in money; that is, the relation or ratio of money to property is 1 to 37.59. Every time we add one dollar to our money volume, or destroy one dollar, we also add or destroy $37.59 of value in the property in order to maintain the proper ratio between the two.

An act of Congress which would destroy one-half our money would squeeze $37.59 worth of property into $18.79 of money, and

an act which would double the volume of money would expand prices so that $37.59 worth of property would then be worth $75.18 in money.

The supply and demand of that one article, money, is as potent in determining the price of products and property as the supply and demand of all other articles combined. An increase or decrease in the supply of any one commodity, say, corn or cotton, affects the price of that particular commodity only, but an increase or decrease in the volume of money affects the price of all commodities alike.

Suppose the supply of every article which enters the channels of commerce should be cornered by a few speculators—that is, suppose there should be a special corner for each article produced. Think of the power these combined corners would have in fixing prices which the people would have to pay.

Again, suppose that over on the opposite side of all these corners we should have one more—a corner on money. Then the power of this one corner in fixing the price of products and property would be as great as that of all other corners combined. Why? Because the demand for money equals the demand for all other articles.

In 1866 the population of the United States was 35,819,281 and our volume of money $1,863,409,216, which gave us a per capita circulation of $52.01.

On March 1, 1895, according to the statement of the Secretary of the Treasury, we had $1,574,534,557 outside of the Treasury vaults, and a population of about 69,000,000, making our per capita circulation at the present time $22.82. Admitting that every dollar reported to be outside the Treasury vaults is in circulation (but everybody knows that it is not), we still have $288,874,659 less money among the people to-day, with a population of 69,000,000, than we had thirty years ago with a population of only 35,819,281.

Since 1866 our population has increased 92 per cent, commerce and trade have doubled, but our volume of money has actually decreased 15 per cent.

For thirty years our demand for money has advanced in one direction, while its supply has receded in another.

SILVER.

Prices in gold-standard countries like the United States and the principal nations of Europe have fallen 45 to 50 per cent since 1873. Prices in silver-standard countries like Mexico, India, China, and Japan have remained stationary since 1873. These are cold facts which no theory can controvert. From this it logically follows if a silver-standard country like Mexico should demonetize silver and establish the gold standard, the general range of prices in that country would gradually fall until they reached a level with those of other gold-standard countries. Again, if a gold-standard country like the United States should remonetize silver, the general range of prices would gradually rise until they reached a level with those of silver-standard countries.

The great benefit to the American farmer from the free coinage of silver is that it will increase the price of agricultural products to the extent of the difference between the gold or commercial price of silver and its mint or coinage price.

To illustrate the point: The price of a bushel of wheat in the Liverpool market for more than a generation has been an ounce of silver. The value of the two has remained in touch for more than a quarter of a century. As the price of silver has gone up or down wheat has followed. If we single out any one year, say 1892, we can estimate what the demonetization of silver has cost the wheat growers since 1873. The average London price for silver in 1892 was 87.1 cents per ounce. In that year an India farmer could ship a bushel of wheat to Liverpool, receive an ounce of silver for it, and have the silver coined into rupees at a ratio of 15 to 1, worth $1.37 in legal-tender money in India. An American farmer could also take a bushel of wheat to Liverpool, receive an ounce of silver for it, bring this silver home to the United States, and sell it for whatever he could get, which was about 86 cents per ounce. Thus the India farmer realized $1.37 per bushel for his wheat delivered in Liverpool, while the American farmer received but 86 cents for his, a difference to the disadvantage of the American farmer of 51 cents per bushel.

But suppose we had had free coinage of silver in this country in 1892 at the ratio of 16 to 1, what then would have been the price of wheat in that year? Then an American wheat grower could have shipped a bushel of wheat to Liverpool, received his ounce of silver for it, brought this silver home, taken it to the mint, and had it coined into full legal-tender standard silver dollars, thus receiving $1.29 instead of 86 cents for his bushel of wheat—a difference of 43 cents per bushel. This is also true of cotton and other products which we export and which come in competition with the products of free-coinage nations.

The decline in the gold price of silver has the effect of giving the wheat and cotton growers in silver-standard countries an export bounty to the extent of the difference between the mint price and the bullion price of silver. The contest between the yellow metal and the white metal involves the question of putting the farmers of this country on an equal footing, in the markets of the world, with those of silver-standard countries.

To illustrate the point: Suppose a wheat grower of the United States and one from a silver-standard country meet in Liverpool, each with 1 bushel of wheat. They sell their wheat for, say, 65 cents per bushel, and receive their pay in gold. The wheat grower from the silver-standard country takes his gold and buys silver bullion worth 65 cents per ounce. On his arrival home he takes it to the mint and has it coined into legal-tender money worth (16 to 1) $1.29. But the wheat grower of the United States returns with his 65 cents in gold, because our Government tells him, "You need not bring any silver home. We will not coin it." Thus our wheat grower would realize 65 cents for his bushel of wheat and the one from the silver-standard country $1.29.

Suppose a cotton planter of the South and one from Mexico should meet in Liverpool, each with 1 bale of cotton? The transaction would result to the disadvantage of our planter just as the wheat transaction resulted to the disadvantage of our wheat grower.

Thus the farmers of the United States, especially the wheat and cotton growers, are only receiving the gold price of silver for their products, while those in silver-standard countries are receiving its mint or coin price for theirs. The demonetization of silver in this country has the same effect as paying an export bounty to the farmers of silver-standard countries.

Our farmers are compelled to cultivate 2 acres, raise 2 bushels of wheat and 2 bales of cotton, while their competitors in silver-standard countries raise but 1 bushel of wheat, 1 bale of cotton, and do only half as much work, and yet receive the same amount of money with which to pay debts and taxes as those who cultivate our soil. How long can our farmers exist under these conditions?

The silver question is of greater importance to the farmers and planters of this country than to any other class. Unless they can be placed upon an equal footing with the planters and farmers of silver-standard countries it is but a question of time when we will have a system of peasantry like that of Europe.

Senator JONES, of Nevada, in his speech in the extra session of Congress of 1893, said:

Every decline, therefore, in the price of silver bullion, so far as our farmers and cotton planters are concerned, is a decline in the price of wheat and cotton at Liverpool, though not a decline in the price of anything that the East Indian people need, or consume, or buy. * * * Every decline in the gold price of silver bullion is a premium—a bounty—given to the producer of wheat and cotton in India over the American farmer and cotton planter in the prices of those commodities in European markets.

Senator JONES also quotes from Mr. Bagehot, for many years the editor of the London Economist, who says:

The necessary effect of a depreciation of silver as against gold is to give a bounty on exports from India and the other silver-using countries to England. An English merchant can now buy many more rupees than he formerly could with the same number of sovereigns, and therefore he can import from India, though prices at Calcutta are not at a level at which it would have paid him to operate if he had not had that novel facility in getting rupees.

Again he quotes from Sir Robert Fowler, a member of Parliament and ex-mayor of London, who in 1886 said:

The effect of the depreciation of silver must finally be the ruin of the wheat and cotton industries of America and be the development of India as the chief wheat and cotton exporter of the world.

Senator JONES continues:

So long, therefore, as India exports wheat, and it has hardly more than commenced, the price of India wheat will fix the price of American wheat until such time as silver is remonetized in the United States. * * * With reference to cotton, an ounce of silver will place 10 pounds of that commodity in Liverpool. However low, therefore, the price of silver bullion may fall, the American planter must, for the price of an ounce of that metal, deliver 10 pounds of raw cotton in Liverpool. Should silver fall to 50 cents an ounce, if he would sell his cotton he must deliver 10 pounds of cotton in Liverpool and pay transportation charges on it, all for 5 cents a pound.

By bringing the price of silver bullion to a parity with gold on the relation established in this country since 1792, our farmers and cotton planters will be relieved of the competition of the East Indian in the markets of Europe.

Let the reader for a moment reflect what the demonetization of silver has cost the American farmer since 1873. The loss sustained by the cotton planters alone for the seventeen years from 1873 to 1889, as stated by Senator JONES, of Nevada, in his speech in the United States Senate, May 12 and 13, 1890, is as follows:

At the price of cotton in 1873 the result of each year would be 2,500,000,000 pounds, at 16.4 cents, $410,000,000.

According to the figures given by the Bureau of Statistics, the average price received each year of the seventeen was 13.1 cents per pound: 2,500,000,000 pounds at 13.1 cents per pound equals $327,000,000, showing a difference of $83,000,000, that being the average for each separate year for seventeen years, or a total sum for the entire period of $1,411,000,000, which represents the loss in debt and tax paying power suffered by the cotton planters by reason of the demonetization of silver.

In regard to the loss sustained by the wheat growers for the same number of years, he continues:

A like computation with regard to wheat will show a loss in debt-paying and tax-paying power of not less than $100,000,000 a year to the farmers of the Northwest by reason of the demonetization of silver—a total of $1,700,000,000 in the article of wheat alone in seventeen years.

Again, in his speech during the extra session of Congress in 1893 he further stated that the loss sustained by the wheat and cotton growers of this country, for the eight years preceding 1893, averaged for wheat $225,000,000, and for cotton $100,000,000 per year, making a total loss of $1,300,000,000 for the four years following 1889. If we add to this amount $700,000,000 for the loss sustained since 1893, and the $3,111,000,000 for the seventeen years previous to 1889, we have the enormous sum of over $5,000,000,000 which the demonetization of silver has cost the American farmer and planter on wheat and cotton.

For twenty years the silver taken out of the American mines has been used as a club to drive the American wheat and cotton out of the markets of the world. It almost seems incredible that the American farmer, intelligent and enterprising as he is, should for twenty years go to the polls and vote for men and parties who have annually legislated over $250,000,000 out of his pocket on wheat and cotton alone.

It is evident that the silver to be taken from the American mines will develop the wheat, cotton, wool, beef, and hide industries of Mexico and South America in the future as it has developed India's industries in the past. Nothing but free and unlimited coinage of silver in this country will prevent South America, Mexico, China, Japan, and other free-coinage nations from developing their agricultural resources at the expense of the farmers of the United States.

This question has often been asked: "If the mints of Mexico, South America, China, and Japan are open to the free and unlimited coinage of silver, and silver is worth $1.29 per ounce, why do the mine owners of the United States sell their silver for 66 cents per ounce instead of shipping it to any of these countries and having it coined?"

Because foreign coins are not a legal tender in this country. Suppose a mine owner should ship 1,000 ounces of silver, worth in the United States 66 cents per ounce, or $660, to Mexico, have it coined at the ratio of 16 to 1, worth $1.29 per ounce, or $1,290 in legal-tender money in that country. Again, suppose he brings this coined silver home to the United States, what will he do with it? He is compelled to sell the Mexican coins for the commercial or gold price of silver, which is 66 cents per ounce. Thus the mine owner will receive as much less for his silver as it cost to ship it to and from Mexico. If Mexican coins were legal-tender money in the United States, then it would be profitable to the owner of silver bullion to ship his silver to Mexico and have it coined.

There is but one way by which the owner of silver bullion may receive a profit on his silver in shipping it to the mints of some silver-standard country, and that is this: Suppose a mine owner takes 1,000 ounces of silver to the mint in Mexico or Japan, has it coined, remains in that country and invests it.

THE REMEDY.

The American farmer can not continue much longer to sell his products below the cost of production, or to live on an income below that provided for paupers, or on earnings less than the wages paid for convicts in our State prisons. To seek a remedy for the conditions which are destroying the yeomanry of our Republic is the imperative duty of the hour. The remedy must not be a temporary expedient that will strike at the effect only, but a radical one that will remove the cause. Ninety per cent of the depreciation in the price of farm products is due to the increased purchasing power of the dollar. To remedy this we must have free-coinage of silver at the ratio of 16 to 1. This will place the American farmer on equal terms in the markets of the world with the farmers of free-coinage nations, and will increase the price of farm products to the extent of the difference between the gold price and mint price of silver. But, much as free coinage would help, that alone will not give permanent relief.

First. Because there is not a sufficient amount of gold and silver on hand for monetary use, nor can the mines supply it.

Second. Because it would still leave the power of money in the hands of individuals and corporations, those who control the products of the mines and issue the paper currency, and our volume of money, at the mercy of the ebb and flow of coin, would produce an inflation every time it comes to our shores and leave a panic whenever it departs.

At present our money is practically controlled by a gold trust. If we add free coinage of silver and let the banks issue the necessary paper money our money volume will still be at the mercy of a few individuals and corporations. The money power will control our volume of money as effectively as it now does, with only this difference, that the two metals will be more difficult to control than the one. Much as free coinage of silver will do toward restoring prices of products and property, this alone will not destroy all the evil that surrounds our present financial system.

If free coinage of silver will not destroy the money trust, what, then, can we do that will? Suppose you undertake to destroy the coal trust, whisky trust, or any other trust, what would be the first thing you would have to do? Think for a moment.

The first thing to do would be to take from the trust the power to control the supply, the power to limit or restrict production. Unless you could do this it would be impossible to destroy the trust. The one essential thing absolutely necessary to the existence of a trust is its ability to control the supply and limit the production of the article in which it deals.

So it is with the money trust. The only effective way to destroy its power is to take from it the authority to issue the paper money, because the right to issue the money also carries with it the ability to control its volume, and to fix the prices at which all products and property shall be sold. To accomplish this the Government must issue the necessary paper money, and in sufficient volume to restore and maintain the general range of prices as they were previous to the demonetization of silver in 1873.

This paper money must be a full legal tender, and not redeemable in coin; otherwise it would be exposed to the avarice of the same trust that dominates our present financial system. If the Government should issue paper money redeemable in coin a syndicate of foreign bankers could get possession of $100,000,000 of paper currency, present it for redemption, and thereby contract the money volume four or five hundred million dollars, which would be followed by a panic, a fall in prices, and general business stagnation.

Mr. Speaker, the liberal extracts I have made from Mr. Taubeneck's most succinct and able treatise, voices the contention of every true reformer. They contrast the true conditions of the past and present in a most striking and authentic manner, and present a lesson that the American people as a whole may with profit carefully consider.

It is the financial piracy of the single gold standard that has wrought this elimination of values through the contraction of our currency and thickly strewn the business highways of our nation with wrecks and disasters.

It is the mailed hand of the gold conspiracy that is now crushing the life out of all industrial enterprises and ruthlessly hurling into the yawning abyss of bankruptcy and ruin all who labor in production. It is those gamblers in gold who stand like the buccaneers of old on every thoroughfare of progress and levy toll upon all who may pass in that direction. The time has come for a change, for a more equitable distribution of the fruits of labor, which if not brought about speedily will be too late.

The condition of the laboring portion of our people is appalling and calls loudly for immediate and wise legislation. It is the statesman and patriot instead of the politician and demagogue that the exigency of the times demand.

Realizing the duties and dangers of the hour, I must enter my protest against an adjournment until some remedial legislation has been accomplished.

Mr. Speaker, the proposition to adjourn this Congress and return to our homes, leaving the finances of the country in their present deplorable condition, can not fail to bring down upon the heads of the responsible majority the condemnation of an outraged people. The members of the People's Party, though small in number and powerless to have measures for the relief of the country reported by the committees of this body, have performed their duty by formulating and introducing measures that would afford the needed relief. The Republican majority, in obedience to the dictates of party leaders, have pursued a policy of do nothing and inaction that marks the decadence of that once aggressive organization. The first session of the Fifty-fourth Congress, so far as this branch is concerned, has distinguished itself by simply dittoing the financial policy of Grover Cleveland and an attempt to facilitate the work of plunging the country deeper into debt in time of profound peace. Mr. Speaker, we are told that our only trouble is lack of revenue, and the only remedy that has been proposed by the Republican majority in this House has been one bill to increase taxation by a horizontal elevation of tariff duties, and another to borrow money by selling bonds. The Republican party claims to be the party of protection to American industry and American labor, and many of my colleagues are no doubt anxious to adjourn that they may hasten to their various homes to make the welkin ring on the hustings in the name of protection.

Mr. Speaker, I am a believer in the principles of protection. I believe it is sound doctrine. I am ready to vote for any and all measures that will elevate the general level of American citizenship, and to vote for any measure for benefiting any particular class provided it is not at the expense of others. I will go further and vote for measures that may for a limited time bear unevenly upon our people if it can be shown that it will ultimately benefit all alike. But, Mr. Speaker, I contend that all attempts to legislate on protective lines without first restoring the bimetallic standard of money will be an inexcusable blunder, and the Republican party stands convicted before the intelligence of mankind by coupling two inconsistent and antagonistic policies, with the result of confusion confounded. It would be just as easy to turn a mill wheel with a stream composed of equal parts of fire and water as it would to enact tariff laws that would protect American

industry and labor until the gold-standard policy of Cleveland and SHERMAN is abandoned. To amplify my meaning upon this point I will now ask the Clerk to read from the speech of Mr. John M. Devine, of Nebraska, at the Lubin conference at the Ebbitt, Washington, D. C., January, 1896.

The Clerk read as follows:

Mr. Chairman, I notice that we have with us Mr. J. M. Devine, of Nebraska. I know we would all be delighted to hear from him.

Mr. DEVINE. Mr. Chairman and gentlemen, the proposition that is before this body for discussion—Mr. Lubin's proposition—is something that is entirely new to me. I knew nothing of the nature of the proposition until I listened to the reading of Mr. Lubin's paper in this room yesterday. Therefore, in what I have to say I wish to be understood as not committing myself to the specific measures proposed by Mr. Lubin to remedy the defects in our protective system, but will briefly consider some of the facts in the case that deserve the attention of all who desire the continuance of a protective policy in this country.

I agree with Professor Gunton that no nation should expose its people to free competition with the people of nations whose social conditions are upon a lower level than its own; that it is the prerogative of government to adopt fiscal policies favorable to the highest development of the industrial and social conditions of its people, and that competition that would tend to degrade and lower their civilization should neither be invited nor permitted. But at this point I desire to ask the professor if a policy can be called "protection," or should be dignified with that name, that results in benefiting a class or a portion of the people only; a policy that does not distribute its benefits and its burdens alike to all of the people. This question admits of very nearly a direct answer, and before proceeding further I would like to have the professor answer it.

Mr. GUNTON. The habit is that if anybody is to be interrogated it is me in this meeting. I will answer the question. I will answer directly now. For the sake of facilitating your speech, I will say this, that class legislation—I lectured on that last Wednesday evening—I took the peculiar position that class legislation is about the only legislation we ever get, and that it is perfectly defensible, provided—for instance, a ten-hour law—it was not for the manufacturers or land owners, it was for the laborers as a class. But whenever you have any legislation, as the abolition of the sweating system that we hope to accomplish very soon in New York, which is purely for them—I believe that you can have legislation for a section or a portion of the community at a time, and that is all there is of class legislation. But it is never justifiable unless it will benefit that portion without injuring any other portion—bringing them up and then lift another bunch up, and then another bunch, and we will get them all up bye and bye.

Mr. SMITH. We are a bunch asking to be lifted up.

Mr. DEVINE. That is a pretty long answer, but I think I understand you to say that there is no warrant in equity for legislation that does not distribute its benefits and impose its burdens upon all alike, ultimately.

Professor GUNTON. Yes; that it is to the general advantage of the whole.

Mr. DEVINE. Well, then, having agreed that a policy does not inure to the general advantage of the whole is indefensible, I invite your attention to the conduct of the political party that sets up the lofty claim of being the champion of protection to American labor and to the business interests of our nation; and also to the conduct of the two great political parties in that section of the country where in the main those special industries are located that have demanded and received the enactment of laws to benefit them in the most direct, specific, and, in some instances, extraordinary manner. In so doing, I am apprehensive that it must appear to the impartial mind that the principle "The good of the whole" has been forgotten, and is no longer considered by them necessary or material. If it can be shown that this principle, "The general benefit of the whole," has been departed from, I expect of this intelligent and honorable body of men recognition of the fact and a verdict that it ought to be corrected. The press of New England and the Middle States, which are the homes of the protected interests, in the main, regardless of political affiliation, have been zealously contending during the past fifteen years that the general prosperity of the country depended upon our borrowing capital from foreign countries. Every investment made in our country by foreign capitalists has been heralded as evidence that our nation was enjoying a great boom.

The statesmen in both Houses of Congress from the aforesaid States, regardless of the political party they represented, have proclaimed with one voice that the prerequisite of national prosperity was such a credit as would enable brokers of New York to float loans on everything American in foreign countries. With them the question of the establishment and continuation of the gold standard was the first question before the American people, outranking in importance even high-tariff schedules. The press and politicians of these States have zealously taught the people that the means necessary to a good credit was that all loans should be made payable in gold, overlooking the fact that the parity between gold and commodities and labor in this country had so changed that 50 cents in gold in 1895 possessed a purchasing power equal to 100 cents in gold in 1873, and that the parity between obligations to pay money and the property necessary to command the money to pay had so changed that it took double the property now to cancel a money debt that it did twenty years ago. The politicians from these States, particularly those of the Republican persuasion, while demanding an American industrial system, by which they mean high-tariff schedules on the products of the factories of their States, have insisted that it would be dishonest for the United States to have a monetary system of its own, to the end that money supply might keep pace with legitimate demand, and thus preserve a parity between money and commodities and maintain alike the equities of debtors and creditors. They have insisted that we must ask the consent of foreign nations, have an international agreement, before we could correct the most glaring imperfections in our monetary system—that of an appreciating money standard, which transfers the property of debtors to creditors without an equivalent therefor.

The one advantage urged to offset this gross injustice to debtors, and the paralysis of the productive energies of our people by the constant fall in prices consequent upon an appreciating money standard, is that we can borrow capital from abroad if we continue to promise payment in gold, and that as evidence of our good faith we must transact all of our domestic business on the gold standard; that it would be dishonest to adopt any other standard without the cooperation of foreign nations.

Good credit on the part of a nation or an individual is a good thing to be used in an emergency, to bridge over a misfortune and avoid sacrifice. But the idea that prosperity consists in borrowing, or that a nation can borrow itself great and rich is as novel as it is absurd in both economics and morals. The Bible teaches that the borrower is the slave of the lender.

Now, Mr. Chairman, the American people, with their enlightened conscience, do not believe that anything is good policy that does not possess the essential quality of honesty. Honesty demands the payment of measure for measure—the dollar of payment as good as was received by the borrower—no worse, no better. But I am afraid that the prosperity of our States that have enjoyed the benefits derived from high tariff schedules has been so much greater than the general prosperity of the whole country that a vast creditor interest has grown up in them, and that this interest has become so powerful and selfish that it has forgotten all about the general good of the whole.

A NEW INDUSTRY FOSTERED.

This new industry of borrowing foreign capital that has been fostered and developed during the past twenty-five years has so changed conditions that the general good of the whole people can no longer be promoted by tariffs against the importation of manufactured goods, and in the absence of an American monetary system that will maintain a parity of values between money and commodities and property and afford some protection to the one-half of all the people who are engaged in agriculture there is no longer any warrant for the agriculturists of the country to concede further legislation in the interest of manufacturers.

The gentlemen present admit that there is no warrant for legislation that benefits only a section of the country, or the people engaged in certain industries, and that nothing can be properly called "protection" that does not distribute its benefits and impose its burdens upon all alike in the end. Now, the manufacturers who demand the enactment of tariff laws to enable them to sell their product for good prices in the American market, free from the competition of foreign countries where labor is cheap and the social condition of the laborers wretched, should be the last of all to lend their aid and support to the fostering and development of this new industry of borrowing foreign capital, because the existence of a foreign debt makes it impossible to maintain tariff schedules that will enhance the price of manufactures and at the same time distribute their benefits to the whole people. Think how inconsistent it is with the good of the whole to foster the creation of a debt that can only be paid through the forced sale of the products of agriculture that constitute our staples for export, while we demand a tariff to increase the price and retard the sale of foreign commodities to enable domestic manufacturers to obtain better prices for their products. Our exports are chiefly the products of agriculture, the principal ones being wheat, cotton, and meat products. Ought not the producers of these products be permitted to buy their supplies under the same market conditions that they are obliged to sell their products?

Professor Gunton has been forced to admit, as all economists admit, that the price of all commodities, a considerable portion of the annual product of which must be exported, is fixed by the price received for that portion which is exported; or, in other words, that the price of the entire product is fixed in the free-trade markets of the world.

OUR INDEBTEDNESS TO FOREIGNERS.

Now, what is our condition as a debtor nation and how does it affect the producers of our staples for export? Conservative estimates place the indebtedness of the people of this country to the people of foreign countries at about $6,000,000,000, and the tribute that the people of this country are obliged to pay to the people of foreign countries annually as interest on loans and other investments above $1,000,000 per day. We owe the people of foreign countries an amount equal to one and one-half times the total value of the gold known to be in existence, and we owe as interest each year on this indebtedness an amount equal to twice the value of the annual product of gold from the mines of the earth. The manufacturer who asks for protection does not expect to pay any portion of the principal or interest on this vast foreign indebtedness with his products. On the contrary, he asks the intervention of government to prevent the manufacturers of similar products in other countries selling their goods in this country by the imposition of duties for enhancing the price in order that he may receive higher prices for his product than foreign goods could be otherwise sold for. How, then, is this debt to be paid? And paid it must be, either in gold or commodities, in the end. We may send bonds abroad and settle our interest account in that way a while longer and enlarge the debt, or we may transfer the titles to property in lieu of sending commodities or gold out of the country.

What is to be the end of all this? Are we not digging the pit deeper into which we must fall? If, starting with no debt and no tribute to pay, we have in less than thirty years piled up a debt representing one and one-half times the total gold money of the world, have an annual tribute to pay equal to double the world's annual gold product, what will be our condition twenty or thirty years hence? If, in order to establish a credit to incur this debt, it was necessary to have a money standard that has appreciated 100 per cent, causing a fall of one-half in general prices, what will be the condition of further credit; what must the fall in prices be in the future?

At the present time, in order to balance our account with foreign nations each year, we are obliged to export products equal to the value of those that we import from other countries and about four hundred millions besides. Upon what condition can we sell $400,000,000 worth of commodities to other countries each year in excess of what we buy of them? In this way, and this only: By offering our commodities in the markets of the world in competition with the products of all other debtor countries at prices sufficiently low to induce buyers to buy of us rather than from any other source. Thus you will see that this borrowing has brought about a condition that has deprived the producers of staples for export of any benefits whatever that may accrue from our protective system, and equity demands that the agriculturists engaged in the production of wheat, cotton, and meats have the privilege of buying whatever they require to supply their wants in the cheapest markets of the world, to offset their being obliged to dispose of their products in the cheapest markets of the world in competition with free-trade countries.

Nor is this all. Being a debtor country, with an annual tribute of more than four hundred millions to pay, only such low prices for staples for export as will force their sale against the competition of other debtor countries can prevent such an export of gold as would involve the country in general ruin.

The monumental imbecility of American manufacturers who demand protection for their products in advocating the gold standard of money can only be excelled by the agriculturists who produce our staples for export giving their further consent to tariff schedules to enhance the price of manufactured goods that they must consume. Protection involving the general good of the whole is incompatible with the gold standard. An honest interpretation of this principle must accord to all producers the right to purchase their supplies under as favorable market conditions as they are forced to sell their products.

FALLING PRICES DECREED BY DEMONETIZATION.

The demonetization of silver was a decree that all money values in the United States and Europe must be so readjusted that property and commodities could be priced in one-half the amount of money as before. The gold in those countries must express the prices of and pass in exchange for twice the amount of property and commodities that it did when silver was its equal partner. It had to be spread thinner to do it. Fifty cents must do the work formerly done by 100. Prices must fall to one-half their former level both here and in Europe. It was no more possible to discard one-half the standard money and maintain prices at the old level than it would be to double the area of a reservoir and maintain the water at the old level, or to detach one horse from a team and not increase the draft upon the other.

When the Atlantic Ocean can be made by law to maintain a higher level in New York Harbor than in that of Liverpool then, and not till then, can the prices formerly sustained by gold and silver be sustained by gold alone in any country by means of tariffs.

Metallic money distributes itself among the nations of the earth in response to price levels, commodities seeking the markets where prices are high and money seeking the markets where prices are low. Each nation's distributive share of the whole stock of metallic money is that portion which they can buy with their products in competition with all other nations, and they can only retain permanently that portion necessary to price the products of their country at home at a point where other nations can not bring into their markets similar products and undersell them.

Under the stimulus of rising prices the productive energies of a nation find full play, and both capital and labor receive their reward; but when falling prices extend over a long period the margin of profits narrows and finally disappears, forcing wages and prices down, lessening consumption, and limiting production to the imperative demands of daily life. Under this condition equities shrink and mortgages fatten, and money lenders alone prosper, but unjustly and at the expense of debtors. With the increase or decrease of money supply prices have ever moved upward or downward, and must continue so to do so long as one grain of gold is as good as another grain of gold. When a ton of new gold is produced from the mines of the earth it takes to itself a share of the preexisting money values and makes the exchange value of every grain of gold in existence a little less in terms of other things, causing an advance of prices. The prosperity that has ever followed an advance in prices brought about by an increased money supply, and the distress that has ever followed a diminishing money supply gave rise to the appreciation in which favorable trade balances are held among commercial nations. Although the balance of trade in favor of a nation means that the people of that nation have produced and parted with to other nations more products than they had received in return, receiving the difference in metallic money, which is neither food nor raiment for its people, yet it is the means of sustaining prices, which is the condition of profitable employment for capital and labor, while the nation that received their products and parted with its money has lost that which would sustain prices and causes the industry of that country to languish.

ORIGIN OF PROTECTION.

The experience of ages, through alternating periods of prosperity and adversity following the ebb and flow of money, taught men to seek to prevent the escape of money from their country. Herein is the foundation of the idea of protection. England at one time prohibited by law the export of coin. France at a later period charged a seigniorage of 8 per cent at her mints, thereby giving coin a value 8 per cent greater than the bullion it contained. Under this law, whenever a coin of France found its way into other nations 8 per cent more profit could be made by selling that coin back to France than by recoining it or selling it elsewhere. This law enabled France to retain her money and maintain a price level 8 per cent higher than outside nations, and to the extent of the seigniorage charged afforded the people of France immunity from the leveling influence of free competition.

A CONTRACT.

How striking is the contrast between the protectionists of France at that time and the protectionists of the United States of our day. Our protectionists have joined hands with the money changers and credit mongers of the world to change the money standard from gold and silver to gold alone, and, with a simplicity that calls for pity, thought they could maintain prices and prosperity through the agency of tariff schedules. A knowledge of the law through which the precious metals distribute themselves among nations and the causes that developed the protective system would have taught them the utter absurdity and folly of falling into the gold-standard trap.

PROTECTION INCOMPATIBLE WITH THE GOLD STANDARD.

In the adjustment of trade relations between nations, when it is sought to enact laws that will inure to the advantage of the people of a particular nation, if the laws through which price levels are determined are left out of account, serious blunders may be made that will defeat the object sought. The effect of the change from bimetallic prices to prices based on gold monometallism is that laws that were protective under bimetallism are no longer protective between countries that have decreed the gold standard, and can not be made such until the adjustment of values to the new standard is completed and prices have reached their lowest level under the changed standard; and a nation that creates a foreign debt in resisting the adjustment of values to the new standard can not maintain an even level of prices with the creditor nations until after the foreign debt is extinguished, and the monumental absurdity of economics is the claim that we can so protect by tariffs that we can have high-priced labor and high-priced products while changing from a lower to a higher valued money standard. Twenty-three years of an effort in this direction—a period marked by labor strikes, lockouts, business failures, and the organization of trusts—gives a net result of prices reduced one-half and a foreign debt of such magnitude that protection by tariffs is an impossibility until prices have reached a point sufficiently low that the nations that have already adopted the gold standard will become the owners of gold that will remain in the channels of circulation after having canceled their foreign debts with their products, and purchased the gold and become its rightful owners.

If the revolution involved in the change from the bimetallic money standard to the single standard of gold was comprehended by our people; that the property of the nations adopting this standard was to be revalued and priced in a scarcer and dearer money; that price levels were doomed to constantly fall until the gold of the world became redistributed and each nation became the owner of such share as it could wring from the others through the most grinding and relentless competition, they would have seen the folly of resistance, and that protective laws would prove as ineffectual to save us as the drumming of tom-toms to frighten away a comet.

THE OWNERS OF THE WORLD'S GOLD.

The general level of prices in all countries that have decreed the gold standard has already fallen one-half, and the gold of the world instead of being redistributed has become more centralized than before. England has become the creditor of the rest of the world in a sum approaching $15,000,000,000. Germany, France, and Holland have also enlarged their holdings of debts against the people of other nations. To those creditor nations not only does all the gold of the world belong, but they have the balance of the world under tribute to them in the form of interest on their obligations to such extent that the debtor nations are doomed to a perpetual and never-ending competitive struggle to obtain the gold to pay the ever-maturing interest account. Think of the position of our country being a debtor in the sum of $6,000,000,000, created in an attempt to resist a revolution in prices inaugurated by our own Government in 1873. To what extent are prices doomed to fall in this country before we can sell enough products abroad to release ourselves from our money obligations to other countries and buy with our products a share of the world's gold which we can hold and call our own? Shall we continue the policy of protection and deceive ourselves with the idea that we can resist the inevitable fall in prices thereby and mortgage ourselves to the gold-owning creditor countries until we have sent abroad in lieu of gold not only all of our railroad bonds and mortgages, our national, State, and municipal indebtedness, but the titles to our lands as well. This is what awaits us if we continue the gold standard. There is no way to avoid this except to abandon protection, put down prices to where we can undersell the world, and buy gold with our products in the free-trade markets of the world with which to cancel our foreign debt. After this has been done we can draw gold to our shores that will remain here, and not before.

No contention is made that the protective feature of tariffs is made more or less operative between nations having a common money standard, because of the standard being bimetallic, or composed of either of the metals singly, but the contention is that the protective feature is inoperative if the standard is appreciating, that our tariff ceased to be protective soon after 1873, on account of the appreciation of gold occasioned by the increased demand, and that in addition to our high war tariff, superseded by the still higher McKinley tariff, and the incurring of a foreign debt of about six billions of dollars, our efforts to resist the inevitable fall in prices proved futile. Prices have fallen one-half and the period has been marked by labor strikes, business failures, the practical annihilation of domestic competition through the organization of trusts and the unprecedented centralization of wealth at the money centers.

PROTECTION DEFINED.

Fundamentally, protection is a policy to so modify and restrain trade with foreign countries having a common money standard that the protected country shall retain not only what would be its distributive share of the total metallic money of the world under free trade, but that its distributive share be made larger and that its domestic price levels may be raised higher than the international free-trade level.

That high tariffs have failed to protect in the United States since 1873 is evidenced by the fact that instead of having more than would be our distributive share of the metallic money of the world under free trade we have none that is our own; that we owe foreign countries more gold than is possessed by all the nations and people of the earth, and that we must abandon the gold standard and restore bimetallism, because the policy that we have pursued since 1873, if continued, will at no distant day force us to part with to foreigners everything in the country of any value, even to the titles to our land.

The ostrich is said to seek safety against impending danger by burying its head in the sand. The intelligence of American manufacturers parallels the instinct of this bird when they seek relief from present conditions and safety for the future through protective tariffs coupled with the gold standard. The policy that we have pursued since 1873, if continued, can only end in repudiation and revolution, or the permanent enslavement of the masses of our people.

CIVILIZATION MENACED BY ASIATIC COMPETITION.

But there is another phase of this question that is still more alarming, because if not checked at once it involves the destruction of the civilization of the Western world. I refer to the revolution in the industrial world resulting from the destruction of the bimetallic money standard and the dividing of the world into two monetary hemispheres—the silver hemisphere of the East and the gold hemisphere of the West.

Under bimetallism all the gold and silver of the world, coined and uncoined, was potentially money at the legal ratio, and whenever exchange on countries coining gold alone or silver alone departed from the coinage ratio sufficient to profitably transport coin to or from countries conferring equal monetary rights on both metals, automatic adjustment took place.

But with the destruction of the bimetallic standard all this was changed. The rapid and constant rise in the price of gold exchange in silver-standard countries soon doubled the price of commodities imported from gold-standard countries. The effect of this was to force the Asiatic countries, where the wages of labor and prices in general have been for centuries and still continue at a lower level than ever known among any other people, to manufacture for themselves. The price of gold exchange having doubled had the same effect in increasing the price of imports from gold-standard countries that an import duty of 100 per cent would have.

While India and Japan under the stimulus thus afforded were developing their cotton mills, until they now supply the Asiatic demand for cotton yarn, England was purchasing the wheat and cotton of India, paying the same price in silver as before 1873, and laying the same down in Liverpool at a cost to them in gold as much below the price of 1873 as silver bullion had fallen below the mint price under free coinage.

It must be borne in mind that the cost of commodities—that is, the material, labor, land rents, and interest on capital—together with the profits, must be reckoned in the money of the country where the goods are produced, and that they are always paid for in current money of the country where they are sold.

If goods are produced in the United States and sold in Japan sufficient silver must be received for them that when exchanged for gold it will cover the cost and the profits; likewise, that if goods are produced in Japan and sold in the United States, they can be sold for just sufficient gold that when exchanged for silver it will cover the cost and the profits.

Under bimetallism it was shown that neither country was benefited nor injured because of the metal comprising the current coin, but it will be readily seen that under existing conditions the advantage is on the side of Japan and against the United States to the extent of the fall in silver exchange below the rate that prevailed prior to demonetization in 1873.

With thousands of years behind us during which the Mongolian nations manifested no disposition toward commercial exploitation, but on the contrary resisted every innovation upon their long-established modes of life—content with selling other nations the few articles of manufacture peculiarly their own and such products as soil and climate gave them a natural monopoly of—there is no good reason for believing that this sleeping giant of the East could have been aroused from his slumbers by conditions less extraordinary than were presented by the exchanges after the manufacturing nations adopted the gold standard.

Agriculture in gold-standard countries suffered first. The wheat and cotton from India in the Liverpool market keeping step with the fall in rupee exchange, soon cut the price of the world's crop in two and destroyed the profits and depreciated the property of the producers in all gold-standard countries.

The only reason why the manufacturers and laborers in all gold-standard countries have not suffered a worse fate than has overtaken the wheat and cotton growers is that the Asiatic nations did not have competing articles to offer.

Silver in the oriental nations continues to purchase raw material and labor as cheaply as in any time in the past. Those overpopulated nations containing one-half of the human family, perpetually on the verge of famine, the frequency and fatalities of which have developed and intensified a universal system of hoarding, constantly trenching upon the coin in circulation, has had for thousands of years and still continues to have a wage rate barely permitting continued existence to the teeming millions of toilers.

Before silver was outlawed in the Western world, 15½ ounces of silver in the Orient paid for commodities that cost an ounce of gold in the Occident, but at the present time it requires 31 ounces of silver to purchase the product of an ounce of gold.

Upon a wage in silver barely sufficient to continue life the alternative to the toilers of Asia was to manufacture for themselves the articles formerly imported from America or Europe or forego their use altogether.

These extraordinary and exasperating conditions awoke the Japanese from the sleep of ages. The recent invasion of our markets by manufactures from Japan is perhaps the most threatening and direful in the chain of calamities resulting from the ill-conceived and totally wicked effort of the world's creditors to plunder and enslave the world through the demonetization of silver.

Upon the gold standard the present rate of exchange gives Japan an advantage over the manufacturing nations of America and Europe equivalent to a protective duty of 100 per cent and an export bounty of the same amount. This is the premium that the devotees of the gold standard in the United States have put upon the destruction of the civilization of the Western world. Who among them will contend that when factories are established in Japan, China, and India, equipped with the latest improved labor-saving machinery, and operated by labor paid from two to three dollars per month, that the era of colleges, schools, and churches is not doomed?

The Financial Legislation of the Republican Party all Favors Monopolies and Wealth.

SPEECH

OF

HON. JOSEPH WHEELER,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, June 11, 1896.

Mr. WHEELER said:

Mr. SPEAKER: Prior to 1861 each State enacted its own banking laws, and pursuant thereto banks were established in all localities where they were needed by the people. There were no general money centers, but each bank vault was the point of issue and redemption, and the best business of the country bank was to loan its money to farmers and others, taking land and other real estate as security. In 1861 the country fell into the hands of the Republican party, and every financial law enacted by them has been in the interest of monopoly and wealth and against the interest of the people.

They enacted what are called the national banking laws. They were framed and dictated by the moneyed men and the bankers of New York, who took special pains to so frame the laws as to give them the monopoly of banking and the substantial control of the money of the United States. By these laws all bankers other than national bankers were prohibited from issuing any currency by the attachment of a penalty of 10 per cent on every dollar issued. This gave the national bankers the monopoly of issuing currency. These men possessed vast amounts of personal property, and in order to give them the monopoly of borrowing from these banks they secured the enactment of a provision which prohibited national banks from loaning money unless it was secured by the kind of property which they had and which the mass of the people did not have. This made it impossible for the great mass of the people of the United States, whose property consisted of land or other real estate, to borrow one dollar from the national banks, which under the law were the only banks of issue allowed to exist. This monopoly, of course, resulted in the Northeastern moneyed men becoming owners of substantially all the money and bonds issued by the Government.

REPUBLICANS LEGISLATE FOR BONDHOLDERS AND CAPITALISTS.

In 1869 the currency of the country was at a discount of 30 or 40 per cent, and all bonds stated upon their face that they were payable in this currency. The bondholders were so powerful that in March, 1869, they induced a Republican Congress to enact a law stating that their currency bonds should be paid in coin. At that time the silver in a silver dollar was worth as much and even more than the gold in a gold dollar, and therefore they did not designate the kind of coin that they were to receive; but, realizing that to reduce the amount of coin would enhance its value, in 1873 they again exercised their influence over Congress and secured the enactment of a law demonetizing silver, which, of course, enhanced the value of gold, and at the same time necessitated the payment of their bonds in that metal.

Having secured the enactment of a law making gold the only money of ultimate redemption, the moneyed classes again came to a Republican Congress in 1874 demanding the enactment of the resumption law, which made it the duty of the Secretary of the Treasury to redeem the legal-tender notes in excess of $300,000,000, and after January 1, 1879, to redeem in coin the legal-tender notes then outstanding.

The consideration by Congress of this and kindred measures caused a political revolution in our country.

The Forty-third Congress, then sitting and seeking to enact this legislation, had a Republican majority of 115, but so obnoxious were this and kindred Republican measures to the people that in November, 1874, they rose in their might and elected the Forty-fourth Congress, with a Democratic majority of 77.

The members of the Forty-third Congress were so well aware of the unpopularity of this measure that they did not dare to fully complete this work until after the election, and the resumption act did not become a law until after the election of November, 1874, the date of the final enactment being January 14, 1875.

One hundred and thirty-six Republicans voted for the bill, and every Democrat in the House voted against it.

EFFECT OF RESUMPTION ACT.

The effect of the resumption act was so disastrous to the country that there was an almost immediate and well-nigh universal demand for its repeal. Property of all kinds fell in value, mortgages were foreclosed, and distress prevailed throughout the land. This was responded to by the Democratic party, and the national Democratic platform adopted on June 28, 1876, which it is understood was written by that great conservative statesman, Samuel J. Tilden, said:

We denounce the resumption clause of the act of 1875, and we here demand its repeal.

This demand was further responded to by the Democratic House of Representatives, which, a month later, August 5, 1876, passed a bill repealing the law; and Congress still further responded to the demand by the passage of an act for the free coinage of silver, and it still further responded by a very nearly unanimous vote upon the following resolution:

Resolved by the Senate (the House of Representatives concurring therein), That all the bonds of the United States issued, or authorized to be issued, under the said acts of Congress hereinbefore recited, are payable, principal and interest, at the option of the Government of the United States, in silver dollars, of the coinage of the United States, containing 412½ grains each of standard silver; and that to restore to its coinage such silver coins as a legal tender in payment of said bonds, principal and interest, is not in violation of the public faith, nor in derogation of the rights of the public creditor.

The Republicans became alarmed, and to save the party from defeat they incorporated the following expression in the Republican platform of the national convention of 1888:

The Republican party is in favor of the use of gold and silver as money.

And to be more emphatic, they denounced the Democratic Administration for what they chose to term—

The efforts of the Democracy to demonetize silver.

Notwithstanding their pledges, the moment the Republicans obtained power they, in obedience to the demands of the moneyed classes, enacted the Sherman law of July 14, 1890, which repealed the silver-coinage law of 1878, and from that time to this the struggle has continued between the moneyed power to maintain the gold standard and the people to restore bimetallism.

It was this same influence which secured the repeal of the purchasing clause of the Sherman Act.

In 1892 the Democratic platform demanded the—

Coinage of both gold and silver without discriminating against either metal.

And the Republicans promised the people—

The use of both gold and silver as standard money.

The Republicans have now become emboldened by their party victories in 1894, and now they for the first time throw off the mask and declare unblushingly for the perpetuation of the single gold standard.

That the honest farmers, laborers, and wage workers in all vocations throughout our land will rebuke this arrogant, unprecedented, and astounding demand of the monopolists, bankers, and millionaires can not admit of doubt.

Banking and Currency.

REMARKS

OF

HON. JAMES S. SHERMAN,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Monday, June 8, 1896.

Mr. SHERMAN said:

Mr. SPEAKER: Under the general leave to print which has been granted by the House I desire to submit certain facts as to banking and currency.

As supplemental thereto I add as appendices the article on "Free trade or protection," being the reply of the Hon. James G. Blaine to the Hon. William E. Gladstone, and published in the North American Review for January, 1890, the copyright of which is in the North American Review and has been very kindly granted me for this purpose by Mr. Lloyd Brice, of the North American Review. Mr. Blaine was for many years possibly our foremost, certainly one of our greatest citizens. He has now gone from us, but his words, his counsels, his opinions will bear weight—a greater weight with each succeeding generation of his fellow-citizens, who recognize in him a typical, intense, and far-sighted American.

As a timely exposition of the views and aims of what we trust is a majority of our citizens, I also add the platform recently adopted at the Republican national convention in St. Louis, Mo.

At that convention one of the most notable though brief expositions of sound American doctrine was delivered by the permanent chairman, Hon. J. M. THURSTON, a Senator from Nebraska, with whose words I conclude.

THE USE OF METAL AND PAPER MONEY.

Metallic money, gold and silver, each has been, ever will be the base for the exchanges of mankind. But as commerce increases substitutes for these in the form of paper, covered or uncovered, have come more and more largely into use. Wholly uncovered or fiat money is the dream of the Greenbackers in the United States and of those of similar views under different names in other countries; but these have never yet succeeded in changing the preference of the peoples of the world for metallic money as the ultimate or redemption money. It is, however, fully established that an issue of paper money, each dollar based on a metallic dollar deposited in a secure place and obtainable on demand, furnishes a most desirable medium for the chief purposes of money.

NATIONAL VS. STATE CURRENCY.

In the early days of the Republic we had a national bank issuing paper money based on the coin reserve provided by law. When this had been legislated out of existence by the Democratic party of Jackson, the country had to fall back on the system of State banks. This policy continued so long as the Democratic party was in power, and until in 1862, when, under the wise management of the Treasury Department in the hands of Salmon P. Chase, the Republican party gave the country the present safe system of national banks. The Democratic party is still in favor of a return to the antiquated and dangerous method of State banks, disregarding the wonderful changes in the conditions of the country since they ceased to exist, and a return of which would cause more disaster, if that be possible, than that caused by their bungling with the tariff.

WHAT STATE BANKING ISSUES MEAN.

It is well for this generation to consider to what the Democratic party desires to return. It will be instructive to study the pen picture shown in the report of the Secretary of the Treasury, Hugh McCullough, made in 1876:

There were scarcely two States in the Union whose systems were alike. In some States banks were chartered with proper restrictions upon their discounts and their circulation; in others without any such restrictions. In some there was individual liability; in others no liability at all, not even in cases of gross mismanagement. In some States the circulation of the banks was secured partially, at least, by mortgages and bonds; in others there was no security except the capital, which was frequently a myth. In some States banking was a monopoly; in others it enjoyed the largest liberty. The consequence was that we had a bank-note circulation frequently worthless and, when solvent, lacking that uniform value which was needed in business transactions between the citizens of the different States. It is enough to say that the circulation of the State banks was entirely unfitted for a country like ours; that by it the people were subjected to enormous losses, and not only in the way of exchanges, but in the inability of a great many of the banks to redeem their notes.

Does this inspire us with a desire to have single States, say Florida, Mississippi, Alabama, and Arkansas, giving the people of these United States a safe circulating medium?

Yet the platform of the Democratic party adopted at Chicago in 1892 says:

We recommend that the prohibitory 10 per cent tax on State-bank issues be repealed.

That is all that is needed to open the flood gates of unlimited paper money by every one of the 45 States. It would even allow Arizona and Alaska an opportunity to come to our rescue. It would be a sight to please the gods of discord and unrest to see the honest farmers and laborers of this country studying the figures and make-up of Democratic "wild-cat" money printed in far-off Alaska, or Utah, Arkansas, or Florida, to see if it was a safe return for their wheat or labor. We would, indeed, have back the good old times when the well-to-do Michigan farmer, en route to Chicago with $1,500 of this precious State money, was put off the train because he did not have the sort of money required by the seemingly heartless corporation which placed little trust in the promises to pay of any man who set up a money shop in his back yard and peddled out his promises to pay with generous hand, but at the time of redemption hied himself where the woodbine twineth.

REPUBLICAN PAPER MONEY.

All whose memories reach back to the fall of Sumter know that this Democratic money was the only substitute for gold or silver until the Republican party came into power in 1861. The first call of the Treasury exhausted the specie, and the banks promptly suspended payments. A national currency was absolutely indispensable to save the nation. In this, as in every crisis, the Republican party met the exigency; legal tender (Treasury notes and greenbacks) were issued to take the place of the disappearing specie; and a system of national banks was devised (the most perfect ever known in this or any other country), with their issues secured by a deposit of national bonds; the often worthless and always unreliable State-bank issues were cleared away by a tax of 10 per cent on their circulation, and, more than all, the revenues necessary for maintaining the national life were provided.

THE NATIONAL BANKS.

Unlike the old Government Bank, these were independent of each other, so they could not combine against the Government or the people. Within safe limits any number of individuals could associate themselves and issue their notes. They were under strict governmental supervision—aye, more, each and every one of the bills issued by them was and ever has been worth 100 cents on the dollar wherever in all this broad land it may have been issued. Who cares or looks to see where the bill thus devised by the Republican party to help obtain funds to preserve the national life was issued unless it be from curiosity? Oregon or Florida, Maine or Texas, it matters not; they pass current in any bank in Chicago, New York, or over the counter of any store in the Union. The farmer of the West, the planter of the South, the laborer wherever he may be, has only to note the figures they represent.

NATIONAL BANKS HELPED RESUMPTION.

When peace was once more restored this same system aided the Government to resume specie payments and to pay off and fund the national debt in bonds drawing less interest. Of course the Democrats opposed every step; that has appeared their main mission in life. Dazed by the popularity of the national currency, it plunged into the vagaries of "greenbackism" and denounced the "resumption act" of 1875.

The Democratic party has never forgiven the national banks for helping to furnish the sinews of war, and in 1892 laid aside all false pretenses and demanded the unconditional repeal of the only hindrance to the flood of State money, the 10 per cent tax on State-bank circulation.

DEMOCRATIC TESTIMONY ON DEMOCRATIC PAPER MONEY.

It is this paper system of extravagant expansion, raising the nominal price of every article far beyond its real value, when compared with the cost of similar articles in countries whose circulation is wisely regulated, which has prevented us from competing in our own markets with foreign manufactures, has produced extravagant importations, and has counteracted the effect of the large incidental protection afforded to our domestic manufactures by the present revenue tariff. But for this the branches of our manufactures composed of raw materials, the product of our own country—such as cotton, iron, and woolen fabrics—would not only have acquired almost exclusive possession of the home market, but would have created for themselves a foreign market throughout the world.—*Message*, December 8, 1857.

When Congress met in December last the business of the country had just been crushed by one of those periodical revulsions which are the inevitable consequence of our unsound and extravagant system of bank credit and inflated currency. With all the elements of national wealth in abundance, our manufactures were suspended, our useful public and private enterprises were arrested, and thousands of laborers were deprived of employment and reduced to want.—*Message*, December 6, 1858.

It will appear from the report of the Secretary of the Treasury that it is extremely doubtful, to say the least, whether we shall be able to pass through the present and the next fiscal year without providing additional revenue. It is now quite evident that the financial necessities of the Government will require a modification of the tariff during your present session for the purpose of increasing the revenue.—*Messages*, December 19, 1859, and December 3, 1860.

It will be observed that while the President (Buchanan) charges to the excessive and insecure State-bank issue the chief cause of the panic, he is compelled to admit that "the revenue tariff" of his party did not produce the requisite revenue, and that the only conservative feature of this tariff was its "incidental protection" to manufactures from "our own raw material." But the chief point here is that no State-bank system can have its "circulation wisely regulated" and properly secured. Competition between numerous States to secure the most bank capital, ignorance of the laws which determine commercial business, laxity of sentiment in regard to the obligations of debt, desire to favor influential private interests, striving after party advantage, and inevitable difference of opinion in different States multiply and vitiate these bank systems. But with the close of the Buchanan Administration a speedy end was brought to this whole business.

And yet even at this late day, and with the present conditions most decidedly opposing such a scheme, they rise up and ask for its restoration.

NATIONAL BANKS AND REFUNDING THE PUBLIC DEBT.

Let us see what the banks did to facilitate the tremendous work of getting our bonds scaled down from high to low rates of interest. As the war was over, the credit of the nation rose so that the Republican party sought to reduce the interest rate. In this work they were greatly aided by the national banks, as is shown by the following extracts:

COMPTROLLER OF THE CURRENCY—1879.

The wisdom of Secretary Chase and the others who, in 1862, advocated the establishment of a national banking system was long since recognized by those who understood the principles which should govern a sound system of currency and banking; but in the light of the extraordinary financial operations of the Government during the present year the wisdom and the economy of the system, both for the Government and the people, are now more apparent than ever.

The refunding of the national debt commenced in 1871, at which time the national banks held nearly four hundred millions of the 5 and 6 per cent bonds, and from that date to the present time they have held more than one-fifth of the interest-bearing debt of the United States. A large portion of the bonds held by them in 1871 bore interest at the rate of 6 per cent. This class of bonds has been greatly reduced, and is now less than one-sixth of all the bonds pledged for circulation, while more than one-third of the amount consists of bonds bearing interest at 4 per cent.

It is certain that if the national banking system had not existed, and United States notes had alone been issued, the refunding operations here described and the consequent large reduction of interest upon the public debt would not have been possible.

NATIONAL BANKS AND RESUMPTION OF SPECIE PAYMENTS.

The same report of the Comptroller says:

The resumption act not only fixed the day of resumption, but authorized the Secretary, in order to prepare and provide therefor, to use any surplus revenues not otherwise appropriated, and to issue, sell, and dispose of, at not less than par in coin, any of the bonds of the United States described in the act of July 14, 1870. Under this act, the Secretary in 1877 sold at par fifteen millions of four-and-a-halfs and twenty-five millions of fours; and in April, 1878, he sold fifty millions of 4½ percents at a premium of 1½ per cent. The coin in the Treasury continually increased, so that on the day of redemption the Secretary held over one hundred and thirty-five millions ($135,382,639) of gold coin and bullion, and, in addition, $32,476,095 in silver coin and bullion, the gold coin alone being nearly equal to 40 per cent of the United States notes then outstanding.

The banks in the cities of New York and Boston strengthened the hands of the Government by their action in October, 1878, an account of which will be found in my report for that year. The assistant treasurer of the United States at New York became a member of the clearing house, thus facilitating the business of the banks with the Government, and the banks agreed to receive United States notes, not only for their ordinary balances, but in payment of the interest upon the public debt and of other coin obligations of the Government. The banks of the country at the date of resumption held more than one-third of the outstanding Treasury notes; but they had so much confidence in the ability of the Secretary to maintain resumption that none were presented by them for redemption.

The people also, who held more than three millions of the issues of the national banks, which issues were based upon the bonds of the nation, preferred such notes to coin itself. There was, therefore, no demand for payment of the notes of the Government, and the gold coin in the Treasury, which amounted to one hundred and thirty-five millions on the day of resumption, increased more than thirty-six millions in the next ten months, the amount held on the 1st day of November, 1879, exceeding one hundred and seventy-one millions.

There are victories of peace quite as great as those of war, and these of refunding and resumption may safely be classed in the latter list. The national banks served a useful purpose in both these instances, and they have never been forgiven therefor by the Democratic party.

PROFITS ON CIRCULATION OF NATIONAL BANKS.

In blind hostility to every act of the Republican party Democracy has charged that the national banks, besides having aided in putting down the rebellion, refunding, and resuming specie payments, not to mention the other fact of having furnished the safest and most convenient paper money ever known in the world, were sucking the blood out of the people by the immense profits they make on their circulation. There is no law or regulation which prohibits Democrats or even Populists, if they have the required capital, from entering the system of national banks. Consequently it would seem that, if their charge were true, the Republican party had been foolish enough to put a powerful weapon into the hands of their enemies.

But they make elaborate charges, only to have them disproved, to the effect that the circulation feature of the national banks is of immense value to them, and as a result a great burden to the people.

AN EXAMPLE.

A Democratic Secretary of the Treasury authorizes the following statement of the matter, which will be found on page 355 of the Report of the Comptroller of the Currency for 1895, Part I:

Deposit of $100,000 of bonds, 4 percents, October 31, 1895:		
Market value, $111,483.70; interest, 4 per cent		$4,000.00
Circulation, 90 per cent ($90,000), at 6 per cent		5,400.00
Total		9,400.00
From this deduct—		
Tax	$900.00	
Annual cost of redemption	45.00	
Express charges	3.00	
Plates	7.50	
Agents' fees	7.00	
Sinking fund	686.60	
Total deductions		1,649.10
Net receipts		7,750.90
Interest on cost of bonds		6,689.02
Profit on circulation		1,061.88
Percentage, 1.062.		

The above is on a 4 per cent bond of 1907. On one of the same rate of interest, but falling due in 1925, one of those which have been recently issued by this Administration to meet the current expenses of the Government, the net profits are stated as being $855.21, or eight hundred and fifty-five one-thousandths of 1 per cent.

LESS THAN 1 PER CENT.

The above figures, which are absolutely correct, show that the maximum profit is only a trifle over 1 per cent, and on the extended 4 percents less than that amount. But there are other provisions of law which national banks must observe which reduce even this small profit. For instance, they must keep on hand at all times 25 per cent of their circulation as a lawful redemption fund. This would require of the above money $22,500 out of the $90,000 not loanable and bringing in no revenue. Then, too, they can not keep all their available money loaned all the time; there is always a loss between the payment of one and the placing of another.

CIRCULATION HAS DECREASED.

The above explains why the actual circulation is so much less than that authorized by law. The following table exhibits this difference from the date of the establishment of the national-bank system up to the end of the year 1895:

Authorized and actual circulation of national banks.

Year. (Last statement of year.)	Authorized circulation.	Actual circulation.	Per cent.	Number of banks.
1863	$6,469,553.70	Not stated.		66
1864	78,104,521.80	$45,260,504.00	.579—	508
1865	353,841,485.40	171,321,903.00	.481—	1,513
1866	373,925,132.10	280,253,818.00	.749—	1,644
1867	378,066,073.50	293,887,941.00	.777—	1,642
1868	378,571,059.90	295,769,489.00	.781+	1,643
1869	383,759,235.90	293,593,645.00	.765—	1,617
1870	391,820,403.60	296,205,446.00	.755+	1,648
1871	414,203,297.40	318,265,481.00	.768—	1,790
1872	434,345,626.80	336,289,285.00	.774—	1,940
1873	441,239,949.90	341,320,256.00	.773—	1,976
1874	446,222,232.90	331,193,159.00	.742—	2,027
1875	454,917,278.50	314,979,451.00	.693—	2,086
1876	447,733,814.40	292,011,575.00	.652—	2,082
1877	429,415,893.90	299,240,475.00	.696+	2,074
1878	418,387,496.40	303,324,733.00	.724+	2,055
1879	409,048,663.50	321,949,154.00	.787+	2,052
1880	412,686,076.50	317,484,496.00	.769—	2,095
1881	419,273,851.50	325,018,161.00	.775—	2,164
1882	436,395,142.80	315,230,925.00	.722—	2,308
1883	460,653,817.50	304,994,131.00	.662—	2,529
1884	471,680,158.50	280,197,043.00	.594—	2,664
1885	476,424,652.50	267,430,837.00	.561—	2,732
1886	495,628,807.50	202,078,287.00	.407+	2,875
1887	522,659,784.978	164,904,094.00	.315+	3,070
1888	534,463,422.561	143,540,296.50	.268+	3,150
1889	556,056,148.203	126,039,541.30	.226+	3,326
1890	592,089,502.50	123,038,785.50	.207+	3,573
1891	609,621,234.30	134,792,873.25	.220+	3,692
1892	620,728,215.75	145,669,499.00	.234+	3,784
1893	613,631,664.00	179,973,150.50	.293—	3,787
1894	599,643,940.50	169,337,071.00	.282—	3,737
1895	591,421,948.785	182,481,610.50	.308—	3,712

NOTE.—The above statement is made from the official report of the Comptroller of the Currency for 1895, Part I, pages 521-541. The column headed "Authorized circulation" is computed at 90 per cent of the actual capital and, while not exact—a few banks being limited to 80 per cent, 75 per cent, and 60 per cent—is substantially accurate. The column headed "Actual circulation" is copied from the official tables, as also the dates and number of banks. The column of percents has been calculated and any possible errors can be detected by a division.

An examination of these figures shows that within three years from their organization national banks were circulating 75 per cent of the full amount allowed them by the law; that they never went higher than 78 per cent, in 1868, and 78.7 per cent, in 1879; that this went down to 65 per cent in 1876, fell steadily from 77½ per cent in 1881 to 20.7 per cent in 1891, and has slightly gained since, reaching 30.8 in 1895. If there were so much money or profit in the circulation of their own notes, we may be sure these national banks would not have failed to avail themselves of the opportunity to the fullest extent.

PROFITS ARE IN DEPOSITS, NOT CIRCULATION.

As has before been shown, the true source of profit in national banks, as indeed in all banks, is in the large amount of individual deposits. To induce these deposits they must command the confidence of the community. A bank is very much like the Texan's pistol. He did not often need it. Indeed, he went many years carrying around, at considerable inconvenience, a dangerous and heavy weapon; but when he did at last need it he needed it badly and at once, and he needed a mighty good one. Like the Irishman who wanted his money until he found the bank had it and would give it to him, we all want to know that the particular money we receive for any transaction is good to-day and will be good at any time in the future.

THE VALUE OF A NAME.

The very fact that a certain institution is called a "national" bank, and is known to be under the regulations of the national banking act and regularly inspected by Government bank examiners who are clothed with authority to promptly take charge when conditions require it, is a strong evidence of soundness and tends to bring to it a larger line of deposits. In this is the chief profit. Many a bank with but small capital has deposits very many times that sum, and on these makes the difference between the small allowance of interest on deposits and per cent charged on loans. That the privilege of issuing their own notes is not generally a source of profit is shown by the figures given.

PROFITS OF NATIONAL BANKS.

There were, September 1, 1895, 3,703 national banks in the United States. Of these, 589 in the New England States earned, for the half year ended September 1, 1895, 2.1 per cent on their capital and surplus; 840 in New York, Pennsylvania, and New Jersey earned 2.97 per cent; 166 in Delaware, Maryland, Virginia, West Virginia, and the District of Columbia, 2.94 per cent; 492 in

the Southern States, 3.18 per cent; 753 in Ohio, Indiana, Illinois, Wisconsin, and Michigan, 2.96 per cent; 556 in Iowa, Minnesota, Missouri, Kansas, and Nebraska, 2.15 per cent; 119 in Colorado, Nevada, California, Oregon, and Arizona, 2.44 per cent; while 188 in the remaining Northwestern States and three Territories earned 1 per cent less than nothing for the time given. Savannah, Ga., 1 per cent: St. Paul, Minn., 0.53 per cent; Nevada, 0.49 per cent; South Dakota, 1.76 per cent; Washington, 1.55 per cent; and Montana, 5.88 per cent, are all minus quantities. In other words, they made nothing; did business for the time given at a net loss. The average earnings in all the United States for this period was 2.6 per cent. (Report of the Comptroller of the Currency, 1895, Part I, pages 420–423.)

PROFITS OF STATE BANKS.

On page 14 of the same report returns from 928 State banks from 24 States for the year ended June 30, 1895, give an average dividend of 7.2 per cent, or considerably above that earned by the national banks. Evidently banking is not the endless picnic which many seem to think; and, more than this, national banks are not making more money than State banks, in spite of the wonderful privilege they enjoy of issuing their own money.

HOW MONEY IS ISSUED.

Let us look into this question of issuing money a little further, so as to discover why it seems so fertile a source of invective on the part of those who oppose the national-bank system. It seems very fascinating to the average mind that one can sign his own bills and have, back of them, the whole credit of the United States. When one comes to look into the conditions they are not all so inviting. Uncle Sam hedges this privilege around pretty thoroughly. He says in substance that whoever pretends to furnish money to his people must give ample guaranty that this money shall be good—good not only now and for a few months, but good for all time; and so long as the United States lasts it will hold an ample fund with which to redeem any of these bills which the bank does not itself take up. It makes no difference whether the bank continues or ceases to exist. If it stops it can not get hold of the bonds which it had to deposit before it was allowed to issue its own paper until lawful money has been deposited to redeem the last of its bills. Uncle Sam's heartless Treasurer retains these bonds or this money regardless of the personnel or politics of the owners. No excuse is accepted, and nothing satisfies except the strict compliance with the letter of the law.

STARTING AND MANAGING A NATIONAL BANK.

But before a bank cashier or president can sit down and sign off his notes he has had to do several things. He has to associate with him four other persons, and they together have to put up money enough to purchase $100,000, par value, of Government bonds. These are still expensive articles to have in the house, even if they have become rather more plenty since the Cleveland Administration acquired the habit of issuing them for running expenses. In the year 1895 this transaction would have required for fours of 1925, $121,752.70. On this outlay he will be able to float 90 per cent of the par value, or $90,000. But he must always keep on hand a reserve of 25 per cent, either in this money or in that of those whom he can induce to deposit in his bank. This calls for $22,500 off, or leaves him a net circulation beyond his own bank of $65,500. His association can not do business in their hats; it must have vaults, and a safe, and a convenient location for its bank, and these things cost good money. He must have a full set of books and a sufficient force of officials and clerks to do the business. In our West and Southwest he must also lay in a fair supply of firearms with which to discourage those who wish to reach wealth by quicker ways than those usually accepted as legitimate. Of late he has to do this in other sections also. He has to pay local taxes, a circulation tax of 1 per cent, cost of redemption, express, plates, agents, and carry one-tenth of the net profits to a sinking fund to be available when needed to make up for bad debts or any other losses. His bank can only charge the legal interest in the State where it is located; a violation forfeits the entire interest. He must furnish reports to the Comptroller when demanded, and from time to time pay the charge fixed by law—$25 and up—to compensate the national-bank examiner who comes to check up his cash and see exactly how he is carrying on the business.

No overdraft can be cashed, not even for his best customer, nor can he loan to any one person more than a certain portion of the capital. No more real estate can be held than is needed for the bank's uses, and if any comes in on debts it must be disposed of within five years.

In short, he is so hedged about with restrictions and limitations that his bank is safe—the safest in the world. It is just what a bank should be and fills a necessary place in every community.

WHAT IS A BANK GOOD FOR?

It is the fashion in these days for certain classes to lay all monetary ills at the door of banks and to declare that we would be better off without any banks at all. Well, we could get along without banks, or without hearts either, for awhile—a very short while! As a general proposition we need a heart for the gathering up, conservation, and redistribution of the blood which nourishes the body. Unless we have some such organ, without this force, either of blood for the individual or of money for the community, we get clogged up, and life, individual and financial, comes to an abrupt stop. The safety of the community lies in having the banks well regulated, secure as places of deposit, furnishing a supply of money to the people which shall have a stable value, and finally to have its own, and the funds of those who have deposited with them, to loan out to those who may need them in the carrying on of any business.

WE HAVE PASSED THE STOCKING PERIOD.

The coffee pot and stocking have ceased to be a safe and useful place for the deposit of the people's money. Even the hiding place under the floor or in the back yard has come to be more honored in the breach than in the observance. Indeed, there are those who declare that such hoarding of money is an offense against good morals as well as unsafe. We are 70,000,000 people, and the simultaneous withdrawal of five or ten or a thousand dollars by a large number of people would have a serious effect on the supply of money for all the people.

The peasants of France still do this, although in smaller proportion each year. The poor people of Mexico, who have no safe banks in which to deposit their little savings and a poor money to save, still dig holes in the ground to hide away their hoards; but the people of these United States are not like either of these. They possess the intelligence to see that such hoarding is not only unsafe and unprofitable for themselves, but against public policy.

GOOD BANKS ENCOURAGE THRIFT AND AID BUSINESS.

The day laborer who saves a few dollars each week can put his money into a secure bank where it earns him a small annual interest and is of service to others who need it for the time being. The farmer need not hide the surplus money from the sale of his crops (indeed, in these good Democratic days he has no surplus; his surplus is a deficit); he can deposit it and use it as his needs require. If he leaves it long enough he can get interest on his balances. The national banking system of the United States is the safest in all the world; it can be enlarged and extended to secure wider benefits to all the people. If necessary, the Government can guarantee the security of the deposits as well as that of the money issued by the banks. The statistics since the establishment of this system by the Republican party in 1863 show that a small tax on all banks would have been ample to cover such a guaranty against loss on deposits.

MODIFICATIONS OF BANKING LAW.

With the changed conditions due to the lapse of time some changes are now needed to make the national-bank system more perfectly in touch with commercial needs.

BANKS WITH $25,000 CAPITAL.

It is possible to safely reduce the limit of capital to $25,000 for smaller towns where so much as $50,000 can not be conveniently raised or used. These should be encouraged, to the end that each community should have its own local banks and be more independent of those from a distance. If owned in whole or in part at home the management would be directly interested in the development of the place, and thus foster all legitimate home enterprises.

CIRCULATION TO PAR VALUE OF BONDS.

At present the limit of circulation is 90 per cent of the par value of the Government bonds deposited. We are not likely to run any risk, even should the Democracy continue in power another four years—and such a catastrophe seems about to be averted by unanimous consent—in allowing the limit to be increased to 100 cents or to the par value of the national bonds deposited. This would tend to encourage the establishment of more national banks and the change from private and State to national banks.

TEMPORARY INCREASE OF CAPITAL.

Much is said about the need of an elastic as well as a safe currency. In times of financial stringency the need for legal-tender money is greater than in good times. It often happens that banks in outlying sections are unable to procure from their metropolitan correspondents the actual money needed. This may be remedied, in part at least, and with no risk of inflation beyond the actual needs of the country, by some such plan as:

1. Any national bank to have the right to increase temporarily its capital and thereby its circulation by remitting to the Treasury or the subtreasury nearest to it Government bonds in any multiple of $1,000 as collateral security and to receive in return by next mail its own unsigned notes in equal amount.

2. While such bonds are thus on deposit for such temporary loan the interest to be forfeited to the Government, and if they are not redeemed within one year, then the permanent capital of the bank to be increased to the amount of the former and additional capital and the bonds turned into the Treasury for sale.

3. If within one year the need for temporary increase of circulation ceases, the bank to be allowed to deposit lawful money and receive the bonds back again, less the interest and such sum as will cover the cost to the Treasury of the transaction.

Among the good results of such a plan would be that any bank holding Government bonds could within a few days get a supply of ready money without being wholly dependent on a distant money center. It would also make the bonds worth more at home, because of this provision, than abroad, and tend to keep them in this country and avoid the drain of interest to foreign countries every three months.

Indeed, it is possible that by this means some of the long-time, high-rate bonds issued by the Cleveland Administration could be refunded into lower rate bonds with this circulation feature as an inducement.

RETIRE ALL SMALL GOLD COINS.

The gold pieces of $2.50, $5, and $10 might be retired and only the twenty-dollar piece left for use. For the few who get a gold piece it would be better to have the coins of convenient and safe size. The ten-dollar piece is too small for either. Then the restriction of pieces of gold coinage would be an economy in coinage to the Treasury, while the fact that gold was only usable for coinage into twenty-dollar pieces would help to equalize the present disparity of values. This would be materially aided by the increased use of silver demanded to take the place of the one and two dollar bills.

THE ENDLESS CHAIN OF SECRETARY CARLISLE.

The threat of the Treasury notes, so graphically portrayed by Mr. Cleveland's Secretary of the Treasury, is due largely to the impecunious condition of the Treasury under the reduced revenues provided by the Wilson-Gorman tariff bill. When the revenues were ample, as under the Republican protective-tariff system, this alleged endless chain did not trouble the country; it did not trouble Secretary Windom; we had enough money left over each year to reduce the principal and interest of the public debt from fifty to an hundred millions. This was done, too, without stinting any proper use of money for the expenses of the Government. No one was then sitting up nights to see how they could stave off the pension payments from day to day so as to keep the expenses down to the meager measure of the receipts under a Democratic tariff. Public works for which money had been appropriated were carried on, not grudgingly, as now, but with the idea that the people believed in having those things done, and well and promptly done. In those days, when there was plenty of money coming into the Treasury from the imposts on foreign goods—when the foreign manufacturer was doing his share to support this Government—we were not troubled, as is Secretary Carlisle now, about the Treasury notes.

STARTING THE ENDLESS CHAIN.

Any man who attempts to run his business between wind and water, between hay and grass, must not be astonished if all the world does not have confidence as to his financial standing. In this case we all knew that these United States were amply able to pay all bills, but in many well-informed quarters there was a very robust opinion that the parties at the head of affairs here were wholly incompetent to perform their duties. It was this opinion and the well-known condition of chronic impecuniosity of the Treasury under the Democrats that have set this endless chain so busily at work to plague and frighten the Secretary. The Republican party had this chain; it was in position, but it did not move; it stood still. It had stood thus so long that people had begun to think it was stuck; that in fact it was rusted fast and could not revolve, until, lo! Democratic impotence came to its own—came to attempt to direct the destinies of this mighty nation—oiled this chain with free trade, hard times, and no cash, when all at once it began rapid revolutions.

Confidence in the engineer, and a full knowledge that sufficient funds are to be provided, will "put this wheel to sleep" again, put it into the same state of innocuous desuetude in which the Democratic party now languishes.

TAXES PAID BY NATIONAL BANKS.

It is often alleged that national banks do not pay their full share of taxes. Money hidden in a stocking or buried in the ground can not well be gotten at for taxation, but the capital, deposits, and circulation of a national bank are all of record; they can not be hidden from the assessor, whether for the Government or for local purposes.

Up to March 3, 1883, they were required to pay a tax on capital and deposits, as well as on circulation. This amounted to—

Tax on capital (to March 3, 1883)	$7,855,887.74
Tax on deposits (to March 3, 1883)	60,940,067.16
Tax on circulation (to June 30, 1895)	77,539,004.86
Total	146,334,959.76

This does not include cost of redemption, of new plates, and examiners' fees.

From 1883 to 1895 the figures show—

Semiannual tax on circulation	$25,285,486.62
Cost of redemption	1,688,523.08
Cost of plates, new banks	199,610.00
Cost of plates, extended banks	197,395.00
Examiners' fees	1,862,415.73
Total	29,233,430.43

GOVERNMENT GUARANTEE OF DEPOSITS.

From 1863 to 1895 only 303 national banks failed—less than 10 per year—a showing never made by any system of banks in the history of the world. Of these every one had on deposit bonds with which to redeem every dollar of their outstanding circulation. The total due to depositors by these banks when they failed amounted to $94,634,062, and of this the receivers appointed by the Government collected $69,686,616, and have already paid over net to these same depositors the sum of $60,314,185. One hundred and forty-nine are still in liquidation, so that the present total uncollected of $34,319,877 will be cut down probably one-half—say half a million per year.

The tax on circulation if left as now would be twice as much as would be required to absolutely guarantee every depositor from loss. If the tax were reduced one-half it would still be ample for this purpose.

With such a guaranty every person who deposited any sum whatever in any national bank would know that besides the solvency of the bank they had the full credit and pledge of the United States that their money would be repaid to them when demanded. Then with national banks in small towns, as would be possible with the capital requirement reduced to $25,000, there would be within the reach of all the people banks in which they could safely deposit their savings and not only receive reasonable interest thereon but keep it in circulation for the benefit of the balance of the people.

APPENDIX A.

FREE TRADE OR PROTECTION?—BLAINE'S REPLY TO GLADSTONE.

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There can be no doubt that Mr. Gladstone is the most distinguished representative of the free-trade school of political economists. His addresses in Parliament on his celebrated budget, when chancellor of the exchequer, in 1853, were declared by Lord John Russell "to contain the ablest exposition of the true principles of finance ever delivered by an English statesman." His illustrious character, his great ability, and his financial experience point to him as the leading defender of free trade applied to the industrial system of Great Britain.

Mr. Gladstone apologizes for his apparent interference with our affairs. He may be assured that apology is superfluous. Americans of all classes hold him in honor; free traders will rejoice in so eminent an advocate, and protectionists, always the representatives of liberality and progress, will be glad to learn his opinions upon a question of such transcendent importance to the past, the present, and the future of the Republic.

Perhaps the most remarkable feature in the argument of Mr. Gladstone, as indeed of every English free trader except John Stuart Mill, is the universality of application which he demands for his theory. In urging its adoption he makes no distinction between countries; he takes no account of geographical position—whether a nation be in the Eastern or the Western hemisphere, whether it be north or south of the Equator; he pays no heed to climate or product or degree of advancement; none to topography—whether the country be as level as the delta of the Nile or as mountainous as the Republic of Bolivia; none to pursuits and employments, whether in the agricultural, manufacturing, or commercial field; none to the wealth or poverty of a people; none to population, whether it be crowded or sparse; none to area, whether it be as limited as a German principality or as extended as a continental empire. Free trade he believes advantageous for England; therefore, without the allowance of any modifying condition, great or small, the English economist declares it to be advantageous for the United States, for Brazil, for Australia; in short, for all countries with which England can establish trade relations. It would be difficult, if not impossible, for Mr. Gladstone to find any principle of administration or any measure of finance so exactly fitted to the varying needs of all countries as he assumes the policy of free trade to be. Surely it is not unfair to maintain that, deducing his results from observation and experience in his own country, he may fall into error and fail to appreciate the financial workings of other countries geographically remote and of vastly greater area.

The American protectionist, let it not be discourteous to urge, is broader in his views than the English free trader. No intelligent protectionist in the United States pretends that every country would alike realize advantage from the adoption of the protective system. Human government is not a machine, and even machines can n t be so perfectly adjusted as to work with equal effectiveness at all times and under all conditions. Great Britain and the United States certainly resemble one another in more ways than either can be said to resemble any other nation in the world; yet when we compare the two on the question at issue the differences are so marked that we almost lose sight of the resemblance. One is an insular monarchy with class government; the other a continental Republic with popular government. One has a large population to the square mile; the other has a small population to the square mile. One was old in a rich and complex civilization before the establishment of the other was even foreseen. One had become the wealthiest nation of the world while the other was yet in the toils and doubts of a frontier life and a primitive civilization. One had extensive manufacturers for almost every field of human need, with the civilized world for its market, while the population of the other was still forced to divide its energies between the hard calling of the sea and the still harder calling of a rude and scantily remunerative agriculture.

The physical differences between the two countries are far more striking than the political and social differences. They are, indeed, almost incalculable. Great Britain is an island less than 90,000 square miles in extent. It

lies in the far north. Its southernmost point is nearly 30 degrees of latitude above the tropics. Its northernmost point is but 9 degrees below the Arctic Circle. Within its area the exchange of natural products is necessarily limited. Its life depends upon its connection with other countries. Its prosperity rests upon its commerce with the world. On the other hand, a single State of the Union is nearly three times as large as Great Britain. Several other States are each quite equal to it in area. The whole Union is well-nigh forty times as large. Alaska excepted, the northernmost point of the Union is but 60 miles south of the southernmost part of Great Britain, and the southernmost point of the Union is but little more than 100 miles from the tropics. Its natural products are more varied, more numerous, and of more valuable character than those of all Europe. To quote one of Mr. Gladstone's phrases, we constitute "not so much a country in ourselves as a world." He tells us that we carry on "the business of domestic exchanges on a scale such as mankind has never seen." Our foreign commerce, very large in itself, is only as 1 to 25 compared to our internal trade. And yet Mr. Gladstone thinks that a policy which is essential to an island in the northern ocean should be adopted as the policy of a country which, even to his own vision, is "a world within itself."

With these fundamental points of difference between the two countries I assume that varied financial and industrial systems, wrought by the experience of each, would be the natural and logical result. Hence I do not join issue with Mr. Gladstone on both of his propositions. He defends free trade in Great Britain. He assails protection in the United States. The first proposition I neither deny nor affirm. Were I to assume that protection is in all countries and under all circumstances the wisest policy I should be guilty of an error similar to that which I think Mr. Gladstone commits. It might be difficult to prove that free trade is not the wisest financial policy for Great Britain. So far from guarding herself against material imported from other countries, her industrial system would wither and die if foreign products were withheld for even a brief period. She is in an especial degree dependent upon the products of other nations. Moreover, she does not feel bound to pay heed to the rate of wages which her labor may receive. That, like the fabrics which her labor creates, must take its chance in the markets of the world.

On many points and in many respects it was far different with Great Britain a hundred years ago. She did not then feel assured that she could bear the competition of Continental nations. She was, therefore, aggressively, even cruelly, protective. She manufactured for herself and for her network of colonies reaching around the globe. Into those colonies no other nation could carry anything. There was no scale of duty upon which other nations could enter a colonial port. What the colonies needed outside of British products could be furnished to them only in British ships. This was not protection! It was prohibition, absolute and remorseless, and it was continued even to the day when Mr. Gladstone entered upon his long and splendid career in Parliament. It was not broken, though in some respects it was relaxed, until in the fullness of time British energy had carried the wealth and the skill of the Kingdom to the point where no competition could be feared.

During the last thirty years of her protective system, and especially during the twenty years from 1826 to 1846, Great Britain increased her material wealth beyond all precedent in the commercial history of the world. Her development of steam power gave to every British workman the arms of Briareus, and the inventive power of her mechanicians increased the amount, the variety, and the value of her fabrics beyond all anticipation. Every year of that period witnessed the addition of millions upon millions of sterling to the reserve capital of the Kingdom; every year witnessed a great addition to the effective machinery whose aggregate power was already the wonder of the world. The onward march of her manufacturing industries, the steady and rapid development of her mercantile marine, absorbed the matchless enterprise and energy of the Kingdom. Finally, with a vast capital accumulated, with a low rate of interest established, and with a manufacturing power unequaled, the British merchants were ready to underbid all rivals in seeking for the trade of the world.

At that moment Great Britain had reason to feel supremely content. She found under her own flag, on the shores of every ocean, a host of consumers whom no man might number. She had Canada, Australia, and India with open ports and free markets for all her fabrics; and, more than all these combined, she found the United States suddenly and seriously lowering her tariff and effectively abolishing protection at the very moment England was declaring for free trade. The traffic of the world seemed prospectively in her control. Could this condition of trade have continued, no estimate of the growth of England's wealth would be possible. Practically it would have had no limit. Could she have retained her control of the markets of the United States as she held it for the four years preceding the outbreak of the civil war, the American people would have grown commercially dependent upon her in a greater degree than in Canada or Australia to-day.

But England was dealing with an intelligence equal to her own. The American people had, by repeated experience, learned that the periods of depression in home manufactures were those in which England most prospered in her commercial relations with the United States, and that these periods of depression had with a single exception, easily explained, followed the enactment by Congress of a free-trade tariff* as certainly as effect follows cause. One of the most suggestive experiments of that kind had its origin in the tariff to which I have just referred, passed in 1846 in apparent harmony with England's newly declared financial policy. At that moment a Southern President (Mr. Polk) and a Southern Secretary of the Treasury (Mr. Robert J. Walker) were far more interested in expanding the area of slave territory than in advancing home manufactures, and were especially eager to make commercial exchanges with Europe on the somewhat difficult basis of cotton at high prices and returning fabrics at low prices.

Under ordinary circumstances the free-trade tariff of 1846 would have promptly fallen under popular reprobation and been doomed to speedy repeal. But it had a singular history, and for a time was generally acquiesced in, even attaining in many sections a certain degree of popularity. Never did any other tariff meet with so many and so great aids of an adventitious character to sustain it as did this enactment of 1846. Our war with Mexico began just as the duties were lowered, and the consequence was the disbursement of more than $100,000,000 in a way that reached all localities and favorably affected all interests. This was a great sum of money for that period, and for the years 1846, 1847, and 1848 it considerably more than doubled the ordinary outlay of the Government. In the middle of this period the Irish famine occurred and called for an immense export of breadstuffs at high prices. The discovery of gold in California the succeeding year flushed the channels of business as never before by rapidly enlarging the circulation of coin in all parts of the country. Before this outpouring of gold had ceased the three great nations of Europe, as precedence was reckoned at that time—England, France, and Russia—entered upon the Crimean war. The export of manufactures from England and France was checked; the breadstuffs of Russia were blockaded and could not reach the markets of the world. An extraordinary stimulus was thus given to all forms of trade in the United States. For ten years, 1846 to 1856, these adventitious aids came in regular succession and exerted their powerful influence upon the prosperity of the country.

*The phrase "free-trade tariff" involves a contradiction of terms. It is used to designate that form of duty which is levied with no intention to protect domestic manufactures.

The withdrawal or termination of these influences by a treaty of peace in Europe and by the surcease of gold from California placed the tariff of 1846 where a real test of its merits or its demerits could be made. It was everywhere asked with apprehension and anxiety, Will this free-trade tariff now develop and sustain the business of the country as firmly and securely as it has been developed and sustained by protection? The answer was made in the ensuing year by a widespread financial panic, which involved the ruin of thousands, including proportionately as many in the South as in the North, leaving the country disordered and distressed in all the avenues of trade. The disastrous results of this tariff upon the permanent industries of the country are described in President Buchanan's well-remembered message, communicated to Congress after the panic: "With unsurpassed plenty in all the elements of national wealth, our manufacturers have suspended, our public works are retarded, our private enterprises of different kinds are abandoned, and thousands of useful laborers are thrown out of employment and reduced to want." This testimony as to the result of a free-trade tariff is all the more forcible from the fact that Mr. Buchanan, as a member of President Polk's Cabinet, had consented to the abandonment of protection, which in his earlier career he had earnestly supported.

If these disasters of 1857, flowing from the free-trade tariff, could have been regarded as exceptional, if they had been without parallel or precedent, they might not have had so deadly a significance. But the American people had twice before passed through a similar experience. On the eve of the war of 1812 Congress guarded the national strength by enacting a highly protective tariff. By its own terms this tariff must end with the war. When the new tariff was to be formed a popular cry arose against "war duties," though the country had prospered under them despite the exhausting effect of the struggle with Great Britain. But the prayer of the people was answered, and the war duties were dropped from the tariff of 1816. The business of the country was speedily prostrated. The people were soon reduced to as great distress as in that melancholy period between the close of the Revolutionary war and the organization of the National Government—1783 to 1789. Colonel Benton's vivid description of the period of depression following the reduction of duties comprises in a few lines a whole chapter of the history of free trade in the United States:

"No price for property; no sales except those of the sheriff and the marshal; no purchasers at execution sales except the creditor or some hoarder of money; no employment for industry; no demand for labor; no sale for the products of the farm; no sound of the hammer except that of the auctioneer knocking down property. Distress was the universal cry of the people; relief the universal demand."

Relief came at last with the enactment of the protective tariff of 1824, to the support of which leading men of both parties patriotically united for the common good. That act, supplemented by the act of 1828, brought genuine prosperity to the country. The credit of passing the two protective acts was not due to one party alone. It was the work of the great men of both parties. Mr. Clay and General Jackson, Mr. Webster and Mr. Van Buren, Gen. William Henry Harrison and Richard M. Johnson, Silas Wright and Louis McLane voted for one or the other of these acts, and several of them voted for both. The cooperation of these eminent men is a great historic tribute to the necessity and value of protection. Plenty and prosperity followed as if by magic the legislation to which they gave their support. We have their concurrent testimony that the seven years preceding the enactment of the protective tariff of 1824 were the most discouraging which the young Republic in its brief life had encountered, and that the seven years which followed its enactment were beyond precedent the most prosperous and happy.

Sectional jealousy and partisan zeal could not endure the great development of manufactures in the North and East which followed the apparently firm establishment of the protective policy. The free-trade leaders of the South believed—at least they persuaded others to believe—that the manufacturing States were prospering at the expense of the planting States. Under the lead of Calhoun South Carolina rebelled, and President Jackson, who had so strikingly shown his faith in the policy of protection, was not able to resist the excitement and resentment which the free traders had created in the cotton States. He stood between hostile policies, represented by his two bitterest personal enemies—Clay for protection; Calhoun for free trade. To support Clay would ruin Jackson politically in the South. He could not sustain Calhoun, for, aside from his opposition to free trade, he had cause for hating him personally. He believed, moreover, that Calhoun was at heart untrue to the Union, and to the Union Jackson was as devoted as Clay. Out of this strange complication came, not unnaturally, the sacrifice of the protective tariff of 1824–1828 and the substitution of the compromise tariff of 1833, which established an ad valorem duty of 20 per cent on all imports and reduced the excess over that by a 10 per cent annual sliding scale for the ensuing ten years. Like all compromises, it gave complete satisfaction to neither party, but it was received with general acquiescence from the belief that it was the best practical solution of the impending difficulties. The impending difficulties were two. One was the portentous movement which involved the possibility of dissolving the Union. The other was the demand for a free-trade tariff as the only measure that could appease the Southern nullifiers. Disunion and free trade from that time became associated in the public mind—a source of apprehension in the North, a source of political power in the South. Calhoun was the master spirit who had given the original impulse both to disunion and free trade. Each in turn strengthened the other in the South, and both perished together in the war of the rebellion.

For a time satisfaction was felt with the tariff adjustment of 1833, because it was regarded as at last a temporary reconciliation between two sections of the Union. Before the sliding scale was ruinously advanced there was great stimulus to manufacturing and to trade which finally assumed the form of dangerous speculation. The years of 1834, 1835, and 1836 were distinguished for all manner of business hazard, and before the fourth year opened the 30 per cent. reduction (three years of 10 per cent. each) on the scale of duties was beginning to influence trade unfavorably. The apprehension of evil soon became general, public confidence was shaken, the panic of 1837 ensued, and business reversals were rapid, general, and devastating.

The trouble increased through 1838, 1839, and 1840, and the party in power, held responsible for the financial disasters, fell under popular condemnation. Mr. Van Buren was defeated, and the elder General Harrison was elevated to the Presidency by an exceptionally large majority of the electoral votes. There was no relief to the people until the protective tariff of 1842 was enacted, and then the beneficent experience of 1824 was repeated on even a more extensive scale. Prosperity, wide and general, was at once restored. But the reinstatement of the Democratic party to power two years later by the election of Mr. Polk to the Presidency, followed by a perverse violation of public pledges on the part of men in important places of administration, led to the repeal of the protective act and the substitution of the tariff of 1846, to which I have already adverted, and whose effects upon the country I have briefly outlined.

Measuring, therefore, from 1812, when a protective tariff was enacted to give strength and stability to the Government in the approaching war with Great Britain, to 1861, when a protective tariff was enacted to give strength and stability to the Government in the impending revolt of the Southern States, we have fifty years of suggestive experience in the history of the Republic. During this long period free-trade tariffs were thrice followed by industrial stagnation, by financial embarrassment, by distress among all

classes dependent for subsistence upon their own labor. Thrice were these burdens removed by the enactment of a protective tariff. Thrice the protective tariff promptly led to industrial activity, to financial ease, to prosperity among the people. And this happy condition lasted in each case, with no diminution of its beneficent influence, until illegitimate political combinations, having their origin in personal and sectional aims, precipitated another era of free trade. A perfectly impartial man, unswerved by the excitement which this question engenders in popular discussion, might safely be asked if the half century's experience, with its three trials of both systems, did not establish the wisdom of protection in the United States. If the inductive method of reasoning may be trusted, we certainly have a logical basis of conclusion in the facts here detailed.

And by what other mode of reasoning can we safely proceed in this field of controversy? The great method of Bacon was by "rigid and pure observation, aided by experiment and fructified by induction." Let us investigate "from effects to causes, and not from causes to effects." Surely it is by a long series of experiments, and by that test only, that any country can establish an industrial system that will best aid in developing its hidden wealth and establishing its permanent prosperity. And each country must act intelligently for itself. Questions of trade can no more be regulated by an exact science than crops can be produced with accurate forecast. The unknown quantities are so many that a problem in trade or agriculture can never have an absolute answer in advance. But Mr. Gladstone, with an apparent confidence in results as unshaken as though he were dealing with the science of numbers, proceeds to demonstrate the advantage of free trade. He is positively certain in advance of the answer which experiment will give, and the inference is that nothing is to be gained by awaiting the experiment. Mr. Gladstone may argue for Great Britain as he will, but for the United States we must insist on being guided by facts and not by theories; we must insist on adhering to the teachings of experiments which "have been carried forward by careful generalization to well-grounded conclusions."

As an offset to the charge that free-trade tariffs have always ended in panics and long periods of financial distress, the advocates of free trade point to the fact that a financial panic of great severity fell upon the country in 1873, when the protective tariff of 1861 was in full force, and that, therefore, panic and distress follow periods of protection as well as periods of free trade. It is true that a financial panic occurred in 1873, and its existence would blunt the force of my argument if there were not an imperatively truthful way of accounting for it as a distinct result from entirely distinct causes. The panic of 1873 was widely different in its true origin from those which I have been exposing. The civil war, which closed in 1865, had sacrificed on both sides a vast amount of property. Reckoning the money directly expended, the value of property destroyed, and the production arrested and prevented, the total is estimated to be nine thousand millions of dollars. The producers of the country had been seriously diminished in number. A half million men had been killed. A million more had been disabled in various degrees. Help was needed in the honorable form of pensions, and the aggregate required for this purpose exceeded all anticipation and has annually absorbed an immense proportion of the national income. The public debt that must be funded reached nearly three thousand millions, demanding at the beginning more than $150,000,000 for annual interest. A great proportion of the debt, when funding was complete, was held in Europe, calling for an enormous export of gold, or its equivalent, to meet the interest.

Besides these burdens upon the people, the country was on a basis of paper money, and all gold payments added a heavy premium to the weight of the obligation. The situation was without parallel. The speculative mania which always accompanies war had swollen private obligations to a perilous extent, and the important question arose of restoring coin payment. On the one hand it was contended that to enforce the measure would create a panic by the shrinkage of prices which would follow; and on the other hand it was urged with equal zeal that to postpone it longer would increase the general distrust among the people as to the real condition of the country, and thus add to the severity of the panic, if one should be precipitated.

Notwithstanding the evil prophecies on both sides, the panic did not come until eight and a half years after the firing of the last gun in the civil war. Nor did it come until after two great calamities in the years immediately preceding had caused the expenditure of more than $200,000,000, suddenly withdrawn from the ordinary channels of business. The rapid and extensive rebuilding in Chicago and Boston after the destructive fires of 1871 and 1872 had a closer connection with the panic of 1873 than is commonly thought. Still further, the six years' depression, from 1873 to 1879, involved individual suffering rather than general distress. The country as a whole never advanced in wealth more rapidly than during that period. The entire experience strengthened the belief that the war for the Union could not have been maintained upon a free-trade basis, and that the panic of 1873 only proved the strength of the safeguard which protection supplies to a people surrounded by such multiform embarrassments as were the people of the United States during the few years immediately following the war. And, strongest of all points, the financial distress was relieved and prosperity restored under protection, whereas the ruincus effects of panics under free trade have never been removed except by a resort to protection.

Does Mr. Gladstone maintain that I am confusing post hoc with propter hoc in these statements? He must show, then, that the United States during the war could have collected a great internal revenue on domestic manufactures and products, when under the system of free trade similar fabrics would daily have reached New York from Europe to be sold at prices far below what the American manufacturer, with the heavy excise then levied, could afford to set upon his goods. And if the Government could collect little from the customs under free trade and nothing from internal products, whence could have been derived the taxes to provide for the payment of interest on public loans, and what would have become of the public credit? Moreover, with free trade, which Mr. Gladstone holds to be always and under all circumstances wiser than protection, we should have been compelled to pay gold coin for European fabrics, while at home and during the tremendous strain of the war legal-tender paper was the universal currency. In other words, when the life of the country depended upon the Government's ability to make its own notes perform the function of money the free-traders' policy would have demanded daily gold for daily bread.

The free trader can not offset the force of the argument by claiming that the laws regulating revenue and trade are, like municipal laws, silent during the shock of arms, because the five closing years—indeed, almost six years—of the decade in which the rebellion occurred were passed in peace, and during those years the ravages of war were in large degree repaired and new wealth rapidly acquired. But I shall not give to Mr. Gladstone or to the American free trader the advantage of seeming to rest the defense of protection upon its marvelous value during the exhaustive period of war. Viewing the country from 1861 to 1889—full twenty-eight years—the longest undisturbed period in which either protection or free trade has been tried in this country, I ask Mr. Gladstone if a parallel can be found to the material advancement of the United States?

Mr. Gladstone admits the wonderful increase of wealth acquired under a protective tariff, but he avers that the results would have been larger under free trade. That, of course, is a speculative opinion, and is entitled to respect according to the knowledge and experience of the man who utters it. Every statement of Mr. Gladstone carries weight, but in this case his opinion runs directly counter to the fifty years of financial experience through which this country has passed with alternate trials of the two systems. Moreover, it is fair to say that Mr. Gladstone does not in his utterance represent European judgment. He speaks only for the free-trade party of Great Britain and their followers on this side of the ocean. The most eminent statesman on the Continent of Europe holds opinions on this subject directly the reverse of those held by the most eminent statesman of Great Britain. We feel assured in America that so far as the question of protection may be affected, either favorably or adversely, by the weight of individual judgment, we may safely leave Mr. Gladstone to be answered by Prince Bismarck.

But better than the opinion of Mr. Gladstone, better than the opinion of Prince Bismarck, are the simple facts of the case of open record in both countries. A brief rehearsal of these facts, with the pertinent comparison which they suggest, will give the best answer to Mr. Gladstone's assumption that the United States would have made more rapid progress under a system of free trade. I take the official figures of the census of the United States, and for the United Kingdom I quote from Mr. Giffen, who is commended by Mr. Gladstone as the best authority in England:

In 1860 the population of the United States was, in round numbers, 31,000,000. At the same time the population of the United Kingdom was, in round numbers, 29,000,000. The wealth of the United States at that time was fourteen thousand millions of dollars; the wealth of the United Kingdom was twenty-nine thousand millions of dollars. The United Kingdom had, therefore, nearly the same population, but more than double the wealth of the United States, with machinery for manufacturing fourfold greater than that of the United States. At the end of twenty years (1880) it appeared that the United States had added nearly thirty thousand millions of dollars to her wealth, while the United Kingdom had added nearly fifteen thousand millions, or about one-half.

During this period of twenty years the United States had incurred the enormous loss of nine thousand millions of dollars by internal war, while the United Kingdom was at peace, enjoyed exceptional prosperity, and made a far greater gain than in any other twenty years of her history—a gain which during four years was in large part due to the calamity which had fallen upon the United States. The United Kingdom had added 6,000,000 to her population during the period of twenty years, while the addition to the United States exceeded 18,000,000.

By the compound ratio of population and wealth in each country, even without making allowance for the great loss incurred by the civil war, it is plainly shown by the statistics here presented that the degree of progress in the United States under protection far exceeded that of the United Kingdom under free trade for the period named. In 1860 the average wealth per capita of the United Kingdom was $1,000, while in the United States it was but $450. In 1880 the United Kingdom had increased her per capita wealth to $1,230, while the United States had increased her per capita wealth to $870. The United Kingdom had in twenty years increased her per capita wealth 23 per cent, while the United States had increased her per capita wealth more than 93 per cent. If allowance should be made for war losses, the ratio of gain in the United States would far exceed 100 per cent. Upon these results, what ground has Mr. Gladstone for his assertion?

With great confidence, Mr. Gladstone proposes to carry the war for free trade into the enemy's country. Perhaps the enemy, who are only modest protectionsts, may embarrass the march of his logic with a few pertinent questions, or at least abate the rate of speed which he proposes for his triumphant movement. I shall not give counter theories. I shall only cite established facts, and allow the facts to establish their own theories:

1. John Edgar Thompson, late president of the Pennsylvania Railroad Company, purchased 100 tons of steel rails in 1862 at a price (freight paid to New York, duty of 45 per cent unpaid) of $103.44, gold coin. (By way of illustrating Mr. Gladstone's claim to superior quality of manufactures under free trade, the railroad company states that many of the rails broke during the first winter's trial.) In 1864 English rails had fallen to $88 per ton in New York, the freight paid and the duty unpaid. English manufacturers held the market for the ensuing six years, though the sales at the high prices were limited. In 1870 Congress laid a specific duty of $28 per ton on steel rails. From that time the home market has been held by our own manufacturers, with a steady annual fall in price as the facilities of production increased, until the past summer and autumn, when steel rails were selling in Pittsburg, Chicago, and London at substantially the same prices. Does any free trader on either side of the ocean honestly believe that American rails could ever have been furnished as cheaply as English rails except by the sturdy competition which the highly protective duty of 1870 enabled the American manufacturers to maintain, against the foreign manufacturers in the first place, and among American manufacturers themselves in the second place? It is not asserted that during the nineteen years since the heavy duty was first established (except during the past few months) American rails have been as cheap in America as English rails have been in England, but it is asserted with perfect confidence that, steadily and invariably, American railroad companies have bought cheaper rails at home than they would have been able to buy in England if the protective duty had not stimulated the manufacture of steel rails in the United States and if the resulting competition had not directly operated upon the English market.*

* In 1870 only 30,000 tons of steel rail were manufactured in the United States. But the product under the increased duty of that year rapidly increased. The relative number of tons produced in England and the United States for a period of twelve years is shown as follows:

Year.	England.	United States.
1877	508,400	385,865
1878	622,390	491,427
1879	520,231	610,682
1880	732,910	852,196
1881	1,023,740	1,187,770
1882	1,235,785	1,284,067
1883	1,097,174	1,148,709
1884	784,968	996,983
1885	706,583	959,471
1886	730,343	1,574,703
1887	1,021,847	2,101,904
1888	979,083	1,386,277
Total in 12 years	9,963,454	12,980,054

For the same period, 1877–1888, inclusive, the following table will show the number of tons of steel ingots produced in the two countries respectively:

Year.	England.	United States.
1877	750,006	500,524
1878	807,527	653,773
1879	834,511	829,439
1880	1,044,382	1,074,202
1881	1,441,719	1,374,247
1882	1,673,649	1,514,687
1883	1,553,380	1,477,345
1884	1,209,676	1,375,531
1885	1,304,127	1,519,430
1886	1,570,520	2,209,190
1887	2,089,403	2,936,063
1888	2,032,794	2,511,161
Total in 12 years	16,401,688	18,035,622

Under the protective duty of 1870 the United States soon manufactured annually a much larger quantity of steel than Great Britain, and reduced the price from $100 per ton in gold to less than $35 per ton in gold.

2. English steel for locomotive tires imported in 1865, duty paid, was 34 cents per pound in gold. The American competition, under a heavy protective duty, had by 1872 reduced the price to 13 cents per pound, duty paid. At the present time (1889) American steel for locomotive tires, of as good quality as the English steel formerly imported, is furnished at 4¼ cents per pound and delivered free of cost at the point where the locomotives are manufactured. The lowering of price was not a voluntary act on the part of the English manufacturer. It was the direct result of American competition under a protective duty—a competition that could not have been successfully inaugurated under free trade.

3. In the year 1860, the last under a free-trade policy, the population of 31,000,000 in the United States bought carpets to the amount of $12,000,000. Nearly half of the total amount was imported. In 1888, with a population estimated at 63,000,000, the aggregate amount paid for carpets was nearly $60,000,000, and of this large sum less than one million was paid for foreign carpets and about half a million for oriental rugs. Does any free trader in England believe that the United States, without a protective tariff, could have attained such control of its own carpet manufacture and trade? It will not be unnoticed in this connection that under a protective tariff the population by reason of better wages was enabled to buy a far greater proportion of carpets than under free trade. Nor must it escape observation that carpets are now furnished to the American buyer under a protective tariff much cheaper than when a nonprotective tariff allowed Europe to send so large a proportion of the total amount used in the United States.

These illustrations might be indefinitely multiplied. In woolens, in cottons, in leather fabrics, in glass, in products of lead, of brass, of copper; indeed, in the whole round of manufactures it will be found that protection has brought down the price from the rate charged by the importers before protection had built up the competing manufacture in America. For many articles we pay less than is paid in Europe. If we pay higher for other things than is paid across the sea to-day, figures plainly indicate that we pay less than we should have been compelled to pay if the protective system had not been adopted; and I beg Mr. Gladstone's attention to the fact that the American people have much more wherewith to pay than they had or could have under free trade.*

Mr. Gladstone boldly contends that "keeping capital at home by protection is dear production, and is a delusion from top to bottom." I take direct issue with him on that proposition. Between 1870 and the present time considerably more than 100,000 miles of railroad have been built in the United States. The steel rail and other metal connected therewith involved so vast a sum of money that it could not have been raised to send out of the country in gold coin. The total cost could not have been less than $500,000,000. We had a large interest to pay abroad on the public debt, and for nine years after 1870 gold was at a premium in the United States. During those years nearly 40,000 miles of railway were constructed, and to import English rail and pay for it with gold bought at a large premium would have been impossible. A very large proportion of the railway enterprises would of necessity have been abandoned if the export of gold to pay the rails had been the condition precedent to their construction. But the manufacture of steel rails at home gave an immense stimulus to business. Tens of thousands of men were paid good wages, and great investments and great enrichments followed the line of the new road and opened to the American people large fields for enterprise not theretofore accessible.

I might ask Mr. Gladstone what he would have done with the labor of the thousands of men engaged in manufacturing rail if it had been judged practicable to buy the rail in England. Fortunately he has given his answer in advance of the question, for he tells us that "in America we produce more cloth and more iron at high prices, instead of more cereals and more cotton at low prices." The grain growers of the West and the cotton growers of the South will observe that Mr. Gladstone holds out to them a cheerful prospect! They "should produce more cereals and more cotton at low prices"! Mr. Gladstone sees that the protective system steadily tends to keep up the price of "cereals and cotton," and he asks that manufactures of "cloth and iron" be abandoned, so that we may raise "more cereals and more cotton at low prices." Mr. Gladstone evidently considers the present prices of cereals and cotton as "high prices."

Protectionists owe many thanks to Mr. Gladstone for his outspoken mode of dealing with this question of free trade. He gives us his conclusions without qualification and without disguise. The American free trader is not so sincere. He is ever presenting half truths and holding back the other half, thus creating false impressions and leading to false conclusions. But Mr. Gladstone is entirely frank. He tells the laborers on protected articles that they would be better engaged in "raising more cereals and more cotton at low prices." Where does Mr. Gladstone suggest a market for the additional grain and cotton to be raised by American mechanics becoming farmers and increasing the production of those great staples? The foreign market is filled with a competing grain supply to such a degree that already the price of wheat is unduly lowered to the Western farmer. The farmer needs a still larger home consumption of his grain, while Mr. Gladstone thinks he needs a still larger home production. The legitimate involvement of Mr. Gladstone's argument is that all mechanical and manufacturing enterprises in America producing articles of higher price than the same produced in Europe should be abandoned, and the laborers so engaged should be turned to the production of "more cereals and more cotton at low prices." The Western farmer's instinct is wiser than Mr. Gladstone's philosophy. The farmer knows that the larger the home market the better are his prices, and that as the home market is narrowed his prices fall.

Mr. Gladstone's pregnant suggestion really exhibits the thought that lies deep in the British mind, that the mechanic arts and manufacturing processes should be left to Great Britain, and the production of raw material should be left to America. It is the old colonial idea of the last century, when the establishment of manufactures on this side of the ocean was regarded with great jealousy by British statesmen and British merchants. Some years before the Revolutionary struggle began Parliament had declared that "the erecting of manufactories in the colonies tends to lessen their dependence on Great Britain." A few years later the British Board of Trade reported to Parliament that "manufactures in the American colonies interfere with profits made by British merchants." The same body petitioned Parliament that "some measures should be provided to prevent the manufacturing of woolen and linen goods in the colonies." Finally Parliament declared that "colonial manufacturing was prejudicial to the trade and manufactures of Great Britain." These outrageous sentiments (the colonists characterized them much more severely) were cherished in the time of the glorious Georges, in the era of Walpole and the elder Pitt.

I do not mean to imply that Mr. Gladstone's words carry with them an approval, even retrospectively, of this course toward the colonies, but there is a remarkable similarity to the old policy in the fundamental idea that causes him in 1889 to suggest that Americans produce "too much cloth and too much iron," and should turn their labor to "low-priced cereals and low-priced cotton." Are we not justified in concluding that Mr. Gladstone's theory of free trade, in all its generalizations and specifications, is fitted exactly to the condition of Great Britain, and that British hostility to American protection finds its deep foundation in the fact, to quote the old phrase, that "it is prejudicial to the trade and manufactures of Great Britain," that "it lessens our dependence upon Great Britain," and that "it interferes with profits made by British merchants"?

Mr. Gladstone makes another statement of great frankness and of great value. Comparing the pursuits in the United States which require no protection with those that are protected, he says: "No adversary will, I think, venture upon saying that the profits are larger in protected than in unprotected industries." This is very true, and Mr. Gladstone may be surprised to hear that the constant objection made by American free traders against the "protected industries," as he terms them, is that the profits derived from them are illegitimately large. Mr. Gladstone sees clearly that as a rule this is not true, and he at once discerns the reason. He says: "The best opinions seem to testify that in your protected trades profits are hard pressed by wages." The free traders of America try by every cunning device to hide this fact. Its admission is fatal to their cause. Not one free-trade organ or leader among them all dares to take his position beside Mr. Gladstone and plainly tell the truth to the American laborer. Not one free-trade organ or leader dares frankly to say to the great body of American workmen that the destruction of protection inevitably and largely reduces their daily wages. I thank Mr. Gladstone for this testimony, at once accurate and acute. It is fair to presume that he intends it to be applied to the unprotected manufacturer in England and to the protected manufacturer in America, both producing the same article. His logic gives, and I have no doubt truly, as large profit to the manufacturer of England, selling at a low price, as to the manufacturer of America, selling at a high price—the difference consisting wholly in the superior wages paid to the American mechanic.

There is another important effect of protective duties which Mr. Gladstone does not include in his frank admission. He sees that the laborers in what he calls the "protected industries" secure high pay, especially as compared with the European school of wages. He perhaps does not see that the effect is to raise the wages of all persons in the United States engaged in what Mr. Gladstone calls the "unprotected industries." Printers, bricklayers, carpenters, and all others of that class are paid as high wages as those of any other trade or calling, but if the wages of all those in the protected classes were suddenly struck down to the English standard, the others must follow. A million men can not be kept at work for half the pay that another million men are receiving in the same country. Both classes must go up or must go down together.

Mr. Gladstone makes another contention, in which, from the American point of view, he leaves out of sight a controlling factor, and hence refers an effect to the wrong cause. Regarding the advance of wages in England he says: "Wages which have been partially and relatively higher under protection have become both generally and absolutely higher, and greatly higher, under free trade." I do not doubt the fact, but I venture to suggest that such advance in wages as there has been in England is referable to another and a palpable cause—namely, the higher wages in the United States, which have constantly tempted British mechanics to emigrate, and which would have tempted many more if the inducement of an advance in wages at home had not been interposed. Especially have wages been high and tempting in the United States since 1861, when the country became firmly protective by the enactment of the Morrill tariff. It will be found, I think, that the advance of wages in England corresponds precisely in time, though

* In spite of these facts President Cleveland made the following statements, which I quote from his free-trade message to Congress in December, 1887:

"Our present tariff laws, as their primary and plain effect, raise the price to consumers of all articles imported and subject to duty by precisely the sum paid by those who purchase for use these imported articles. Many of these things, however, are raised or manufactured in our own country, and the duties now levied upon foreign goods and products are called protection to these home manufactures, because they render it possible for those of our people who are manufacturers to make these taxed articles and sell them for a price equal to that demanded for the imported goods that have paid customs duty. So it happens that, while comparatively a few use the imported articles, millions of our people who never use and never saw any of the foreign product, purchase and use things of the same kind made in this country, and pay therefor nearly or quite the same enhanced price which the duty adds to the imported articles."

I recall this quotation primarily for two reasons: First, Mr. Cleveland stands without a rival at the head of the free-trade party in the United States, and it is instructive to see how exactly he adopts the line of argument used by the English free trader. Second. It is a valuable admission from the head of the free-trade party when he affirms that "comparatively a few of our people use imported articles," and that there are "millions of our people who never use and never saw any of the foreign products." In what words could the complete success of the protective policy in the United States be more fitly expressed?

But when Mr. Cleveland asserted that our people pay for our domestic fabrics "nearly or quite the same enhanced price which the duty adds to the imported articles," he evidently spoke without investigating facts, and accepted as true one of those fallacious statements which have been used in the interest of foreign importers to deceive the people. Mr. Cleveland's argument would have been strengthened if he had given a few examples—nay, if he had given one example—to sustain his charge. As he omitted all illustrations of his position, I venture to select a few which apparently establish the exact reverse of Mr. Cleveland's statement:

India-rubber goods are protected by a duty of 25 per cent; but, instead of those goods being 25 per cent higher in price than the foreign goods, they are, in fact, cheaper. They undersell the English article in Canada and successfully compete with Canada's goods, which are protected by a duty of 20 per cent.

Patent leather is subject to a duty of 20 per cent; but patent leather is not, therefore, 20 per cent higher in the United States than elsewhere. On the contrary, it is cheaper. Five years ago the city government of London advertised for bids for a large amount of patent leather to be used in connection with the uniforms of the police. There were bids from several countries, but the lowest bid was offered by a manufacturer of Newark, N. J. He secured the contract, and furnished the goods at a fair profit.

Steel rails are selling in London for £7 per ton. The duty is $15 per ton. The price, therefore, in the United States ought to be, according to Mr. Cleveland's doctrine, $50 per ton. But in fact the price is but $35 per ton, and during the last summer and autumn was as low as $25 per ton, and large sales were made at $30 per ton.

Boots and shoes are subject to 30 per cent duty. According to Mr. Cleveland they should be 30 per cent higher than the foreign article. As a matter of fact, they are cheaper. American boots and shoes hold the Canadian market against the European manufacture.

Examples of this kind could be shown on almost the whole tariff list where an American manufacture is firmly established. In fact, the whole history of protection has vindicated what Alexander Hamilton said of it when he was at the head of the Treasury: "The internal competition which takes place soon does away with everything like monopoly, and by degrees reduces the price of the article to the minimum of a reasonable profit on the capital employed. This accords with the reason of the thing and with experience." Mr. Hamilton thus effectually answers both Mr. Gladstone and Mr. Cleveland.

not in degree, with the advance in the United States, and the advance in both cases was directly due to the firm establishment of protection in this country as a national policy. But it must not be forgotten that American wages are still from 70 per cent to 100 per cent higher than British wages. If a policy of free trade should be adopted in the United States, the reduction of wages which would follow here would promptly lead to a reduction in England. The operatives of Manchester, Leeds, and Sheffield recognize this fact as clearly as do the proprietors who pay the advanced wages, and more clearly than do certain political economists who think the world of commerce and manufactures can be unerringly directed by a theory evolved in a closet without sufficient data and applied to an inexact science.

The zeal of Mr. Gladstone for free trade reaches its highest point in the declaration that "All protection is morally as well as economically bad." He is right in making this his strongest ground of opposition, if protection is a question of morals. But his assertion leaves him in an attitude of personal inconsistency. There is a protection on sea as well as on land. Indeed, the most palpable and effective form of protection is in the direct payment of public money to a line of steamers that could not be maintained without that form of aid. I do not say that such aid is unwise protection, least of all do I say it is immoral. On the contrary, I think it has often proved the highest commercial wisdom, without in the least infringing upon the domain of morals. Mr. Gladstone, however, commits himself to the principle that "All protection is morally bad." If this has been his belief ever since he became an advocate of free trade, his conscience must have received many and severe wounds, as session after session, while chancellor of the exchequer, he carried through Parliament a bounty—may I not say a direct protection?—of £180,000 to a line of steamers running between England and the United States—a protection that began six years before free trade was proclaimed in English manufactures and continued nearly twenty years after. In the whole period of twenty-five years an aggregate of many millions of dollars was paid out to protect the English line against all competition.

It may be urged that this sum was paid for carrying the Anglo-American mails, but that argument will not avail a free trader, because steamers of other nationalities stood ready to carry the mails at a far cheaper rate. Nay, a few years ago, possibly when Mr. Gladstone was premier of England, public bids were asked to carry the Anglo-Indian mails. A French line offered a lower bid than any English line, but the English Government disregarded the French bid and gave the contract to the Peninsular and Oriental line, owned by a well-known English company. Still later the German Lloyd Company contracted to carry the Anglo-American mails cheaper than any English line offered, and the German company actually began to perform the duty. But Englishmen did not want that kind of free trade, and they broke the contract with the German line and again gave protection to the English ships. Does not this justify the opinion that the English policy of free trade is urged where England can hold the field against rivals, and that when competition leaves her behind she repudiates free trade and substitutes the most pronounced form of protection?

Does Mr. Gladstone's estimate of the immorality of protection apply only to protection on land, or is supremacy on the sea so important to British interests that it is better to throw morals to the wind and resort to whatever degree of protection may be necessary to secure the lead to English ships? The doctrine of improving harbors in the United States by the National Government was for many years severely contested, the strict construction party maintaining that it must be confined to harbors on the seacoast at points where foreign commerce reaches the country. During one of the many discussions over this narrow construction an Ohio member of Congress declared that he "could not think much of a Constitution that would not stand being dipped in fresh water as well as salt." I fear that Mr. Gladstone's code of morals on this question of protection will not secure much respect in other countries so long as it spoils in salt water.

It will not escape Mr. Gladstone's keen observation that British interests in navigation flourish with less rivalry and have increased in greater proportion than any other of the great interests of the United Kingdom. I ask his candid admission that it is the one interest which England has protected steadily and determinedly, regardless of consistency and regardless of expense. Nor will Mr. Gladstone fail to note that navigation is the weakest of the great interests in the United States, because it is the one which the National Government has constantly refused to protect. If since the civil war the United States had spent in protecting her shipping merely the annual interest on the great sum which England has expended to protect her ocean traffic, American fleets would now be rivaling the fleets of England, as they rivaled them before the war, on every sea where the prospect of commerical gain invites the American flag.

The failure of the United States to encourage and establish commercial lines of American ships is in strange contrast with the zealous efforts made to extend lines of railway inside the country, even to the point of anticipating the real needs of many sections. If all the advances to railway companies, together with the outright gifts by towns, cities, counties, States, and nation be added together, the money value would not fall short of a thousand millions of dollars. No effort seems too great for our people when the interior of the country is to be connected with the seaboard. But when the suggestion is made to connect our seaboard with commercial cities of other countries by lines of steamships the public mind is at once disturbed by the cry of "subsidy." We really feel as much afraid of protection at sea as Mr. Gladstone is of protection on land. The positions of the American Congress and the English Parliament on this subject are precisely reversed. England has never been affrighted by the word subsidy, and, while we have stood still in potent fear, she has taken possession of the seas by the judicious, and even the lavish, interposition of pecuniary aid. I have already said that the interest on the amount which England has paid for this object since she began it with great energy fifty years ago would give all the stimulus needed for the rapid expansion of our commerce. Let it be added that if the Government of the United States will for twenty years to come give merely the interest upon the interest at the rate of 5 per cent on the amount which has been a free gift to railroads, every steam line needed on the Atlantic, the Pacific, and the Gulf will spring into existence within two years from the passage of the act. It is but a few years since Congress twice refused to give even $125,000 per annum to secure an admirable line of steamers from New York to the four largest ports of Brazil. And the sum of $125,000 is but the interest upon the interest of the interest at 5 per cent of the gross amount freely given to the construction of railroads within the Union. Is it any wonder that we have lost all prestige on the sea?

The opposition to the policy of extending our foreign commerce by aiding steamship lines with a small sum, just as we have aided internal commerce on railroads with a vast sum, originates with the American free trader. Mr. Gladstone can not fail to see how advantageous the success of this free-trade effort in the United States must prove to Great Britain. The steady argument of the free trader is that if the steamship lines were established, we could not increase our trade, because we produce under our protective tariff nothing that can compete in neutral markets with articles of the like kind from England. How, then, can the free trader explain the fact that a long list of articles manufactured in the United States find ready and large sale in Canada? The Canadian tariff is the same upon English and American goods. Transportation from England to Quebec or Montreal is cheaper than from the manufacturing centers of the United States to the same points. The difference is not great, but it is in favor of the English shipper across the seas, and not the American shipper by railway. It is for the free trader to explain why, if the cost of transportation be made the same, the United States can not compete with England in every country in South America in all the articles of which we sell a larger amount in Canada than England does. I append a note naming the American articles sold in Canada, and the free trader, if candid, will admit that the list is one that is constantly and rapidly increasing.*

Giving heed to the cry of the professional free trader in America, Mr. Gladstone feels sure that, though the protected manufacturers in the United States may flourish and prosper, they do so at the expense of the farmer, who is in every conceivable form, according to the free-trade dictum, the helpless victim of protection. Both Mr. Gladstone and the American free trader have, then, the duty of explaining why the agricultural States of the West have grown in wealth during the long period of protection at a more rapid rate than the manufacturing States of the East. The statement of the free trader can be conclusively answered by referring to the census of the United States for the year 1860 and also for the year 1880:

In 1860 eight manufacturing States of the East (the six of New England, together with New York and Pennsylvania) returned an aggregate wealth of $5,123,000,000. Twenty years afterwards, by the census of 1880, the same States returned an aggregate wealth of $16,228,000,000. The rate of increase for the twenty years was slightly more than 216 per cent.

Let us see how the agricultural States fared during this period. By the census of 1860, 8 agricultural States of the West (Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Nebraska, and Wisconsin) returned an aggregate wealth of $2,271,000,000. Twenty years afterwards, by the census of 1880 (protection all the while in full force), these same States returned an aggregate wealth of $11,268,000,000. The rate of increase for the twenty years was 396 per cent, or 180 per cent greater than the increase in the 8 manufacturing States of the East.

The case will be equally striking if we take the 15 Southern States that were slaveholding in 1860. By the census of that year the aggregate return of their property was $6,792,000,000; but $2,000,000,000 was slave property. Deducting that, the total property amounted to $4,792,000,000. Their aggregate return of wealth by the census of 1880 was $8,633,000,000. The rate of increase for the twenty years was 80 per cent. Consider that during this period 11 States of the South were impoverished by civil war to an extent far greater than any country has been despoiled in the wars of modern Europe; consider that the labor system on which previous wealth had been acquired in the South was entirely broken up; and yet, at the end of twenty years, the Southern States had repaired all their enormous losses and possessed nearly double the wealth they had ever known before. Do not these figures incontestably show that the agricultural sections of the country, West and South, have prospered even beyond the manufacturing sections, East and North? And all this not merely with protection, but because of protection!

As Mr. Gladstone considers protection immoral, he defines its specific offense as "robbery." To have been fully equal to the American standard of free-trade vituperation, Mr. Gladstone should have denounced our manufacturers as "robber barons." This is the current phrase with a class who are perhaps more noisy than numerous. The intention of the phrase is to create popular prejudice against American manufacturers as growing rich at the expense of the people. This accusation is so persistently repeated that its authors evidently regard it as important to their cause. It may perhaps surprise Mr. Gladstone to be told that out of the fifty largest fortunes in the United States—those that have arrested public attention within the the last ten years—certainly not more than one has been derived from protected manufacturing; and this was amassed by a gentleman of the same Scotch blood with Mr. Gladstone himself. The forty-nine other fortunes were acquired from railway and telegraph investments, from real-estate investments, from the import and sale of foreign goods, from banking, from speculations in the stock market, from fortunate mining investments, from patented inventions, and more than one from proprietary medicines.

It is safe to go even further and state that in the one hundred largest fortunes that have been viewed as such in the past ten years not five have been derived from the profits of protected manufactures. Their origin will be found in the fields of investment already referred to. Moreover, the fear of the evil effect of large fortunes is exaggerated. Fortunes rapidly change. With us wealth seldom lasts beyond two generations. There is but one family in the United States recognized as possessing large wealth for four consecutive generations. When Mr. Jefferson struck the blow that broke down the right of primogeniture and destroyed the privilege of entail he swept away the only ground upon which wealth can be secured to one family for a long period. The increase in the number of heirs in successive generations, the rightful assertion of equality among children of the same parents, the ready destruction of wills that depart too far from this principle of right, and, above all, the uncertainty and the accidents of investment, scatter fortunes to the wind and give to them all the uncertainty that betides human existence.

In no event can the growth of large fortunes be laid to the charge of the protective policy. Protection has proved a distributor of great sums of money; not an agency for amassing it in the hands of a few. The records of our saving banks and building associations can be appealed to in support of this statement. The benefit of protection goes first and last to the men who earn their bread in the sweat of their faces. The auspicious and momentous result is that never before in the history of the world has comfort been enjoyed, education acquired, and independence secured by so large a proportion of the total population as in the United States of America.

APPENDIX B.

THE REPUBLICAN PLATFORM.

[Text of the declaration of principles as adopted by the St. Louis convention.]

The Republicans of the United States, assembled by their representatives in national convention, appealing for the popular and historical justification of their claims to the matchless achievements of the thirty years of Repub-

* The following articles of American manufacture are sold in Canada more largely than like articles of English manufacture:

Brass goods, copper goods, cordage, ginghams, bottles, flasks, india-rubber goods, printing ink, ingrain carpets, wood manufactures, twines, tinware, ship rigging, wall paper, writing paper, envelopes, blank books, strawboard paper, boots and shoes, leather and skins, sole leather, leather goods, patent leather, figured oilcloths, grain drills, harrows, harvesters, hoes, forks, mowing machines, scythes, spades, shovels, builders' and cabinetmakers' hardware, house-furnishing hardware, nails, firearms, sewing machines, screws, stoves, axes, jewelry (sterling and plated), silverware, lamps, locomotives, hatchets, hammers, saws, mechanics' tools, organs, pianos, "notions," plain house furniture, especially hotel furniture.

lican rule, earnestly and confidently address themselves to the awakened intelligence, experience, and conscience of their countrymen in the following declaration of facts and principles:

For the first time since the civil war the American people have witnessed the calamitous consequences of full and unrestricted Democratic control of the Government. It has been a record of unparalleled incapacity, dishonor, and disaster. In administrative management it has ruthlessly sacrificed indispensable revenue, entailed an unceasing deficit, eked out ordinary current expenses with borrowed money, piled up the public debt by $262,000,000 in time of peace, forced an adverse balance of trade, kept a perpetual menace hanging over the redemption fund, pawned American credit to alien syndicates, and reversed all the measures and results of successful Republican rule.

In the broad effect of its policy it has precipitated panic, blighted industry and trade with prolonged depression, closed factories, reduced work and wages, halted enterprise, and crippled American production, while stimulating foreign production for the American market. Every consideration of public safety and individual interest demands that the Government shall be rescued from the hands of those who have shown themselves incapable to conduct it without disaster at home and dishonor abroad, and shall be restored to the party which for thirty years administered it with unequaled success and prosperity, and in this connection we heartily indorse the wisdom, patriotism, and the success of the Administration of President Harrison.

TARIFF.

We renew and emphasize our allegiance to the policy of protection as the bulwark of American industrial independence and the foundation of American development and prosperity. This true American policy taxes foreign products and encourages home industry; it puts the burden of revenue on foreign goods; it secures the American market for the American producer; it upholds the American standard of wages for the American workingman; it puts the factory by the side of the farm, and makes the American farmer less dependent on foreign demand and price; it diffuses general thrift, and founds the strength of all on the strength of each. In its reasonable application it is just, fair, and impartial; equally opposed to foreign control and domestic monopoly, to sectional discrimination and individual favoritism.

We denounce the present Democratic tariff as sectional, injurious to the public credit, and destructive to business enterprise. We demand such an equitable tariff on foreign imports which come into competition with American products as will not only furnish adequate revenue for the necessary expenses of the Government, but will protect American labor from degradation to the wage level of other lands. We are not pledged to any particular schedules. The question of rates is a practical question, to be governed by the conditions of the time and of production; the ruling and uncompromising principle is the protection and development of American labor and industry. The country demands a right settlement, and then it wants rest.

RECIPROCITY.

We believe the repeal of the reciprocity arrangements negotiated by the last Republican Administration was a national calamity, and we demand their renewal and extension on such terms as will equalize our trade with other nations, remove the restrictions which now obstruct the sale of American products in the ports of other countries, and secure enlarged markets for the products of our farms, forests, and factories.

Protection and reciprocity are twin measures of Republican policy and go hand in hand. Democratic rule has recklessly struck down both, and both must be reestablished. Protection for what we produce; free admission for the necessaries of life which we do not produce; reciprocity agreements of mutual interests which gain open markets for us in return for our open markets to others. Protection builds up domestic industry and trade, and secures our own market for ourselves; reciprocity builds up foreign trade and finds an outlet for our surplus.

SUGAR.

We condemn the present Administration for not keeping faith with the sugar producers of this country. The Republican party favors such protection as will lead to the production on American soil of all the sugar which the American people use, and for which they pay other countries more than $100,000,000 annually.

WOOL AND WOOLENS.

To all our products—to those of the mine and the fields as well as to those of the shop and the factory—to hemp, to wool, the product of the great industry of sheep husbandry, as well as to the finished woolens of the mill—we promise the most ample protection.

MERCHANT MARINE.

We favor restoring the American policy of discriminating duties for the upbuilding of our merchant marine and the protection of our shipping in the foreign carrying trade, so that American ships—the product of American labor, employed in American shipyards, sailing under the Stars and Stripes, and manned, officered, and owned by Americans—may regain the carrying of our foreign commerce.

FINANCE.

The Republican party is unreservedly for sound money. It caused the enactment of the law providing for the resumption of specie payments in 1879; since then every dollar has been as good as gold.

We are unalterably opposed to every measure calculated to debase our currency or impair the credit of our country. We are, therefore, opposed to the free coinage of silver except by international agreement with the leading commercial nations of the world, which we pledge ourselves to promote, and until such agreement can be obtained the existing gold standard must be preserved. All our silver and paper currency must be maintained at parity with gold, and we favor all measures designed to maintain inviolably the obligations of the United States and all our money, whether coin or paper, at the present standard, the standard of the most enlightened nations of the earth.

PENSIONS.

The veterans of the Union Army deserve and should receive fair treatment and generous recognition. Whenever practicable they should be given the preference in the matter of employment, and they are entitled to the enactment of such laws as are best calculated to secure the fulfillment of the pledges made to them in the dark days of the country's peril. We denounce the practice in the Pension Bureau, so recklessly and unjustly carried on by the present Administration, of reducing pensions and arbitrarily dropping names from the rolls as deserving the severest condemnation of the American people.

FOREIGN RELATIONS.

Our foreign policy should be at all times firm, vigorous, and dignified, and all our interests in the Western Hemisphere carefully watched and guarded. The Hawaiian Islands should be controlled by the United States, and no foreign power should be permitted to interfere with them; the Nicaraguan Canal should be built, owned, and operated by the United States; and by the purchase of the Danish Islands we should secure a proper and much-needed naval station in the West Indies.

ARMENIAN MASSACRES.

The massacres in Armenia have aroused the deep sympathy and just indignation of the American people, and we believe that the United States should exercise all the influence it can properly exert to bring these atrocities to an end. In Turkey American residents have been exposed to the gravest dangers and American property destroyed. There and everywhere American citizens and American property must be absolutely protected at all hazards and at any cost.

MONROE DOCTRINE.

We reassert the Monroe doctrine in its full extent, and we reaffirm the right of the United States to give the doctrine effect by responding to the appeal of any American State for friendly intervention in case of European encroachment. We have not interfered and shall not interfere with the existing possessions of any European power in this hemisphere, but these possessions must not, on any pretext, be extended. We hopefully look forward to the eventual withdrawal of the European powers from this hemisphere, and to the ultimate union of all English-speaking parts of the continent by the free consent of its inhabitants.

CUBA.

From the hour of achieving their own independence the people of the United States have regarded with sympathy the struggles of other American peoples to free themselves from European domination. We watch with deep and abiding interest the heroic battle of the Cuban patriots against cruelty and oppression, and our best hopes go out for the full success of their determined contest for liberty.

The Government of Spain, having lost control of Cuba, and being unable to protect the property or lives of resident American citizens, or to comply with its treaty obligations, we believe that the Government of the United States should actively use its influence and good offices to restore peace and give independence to the island.

THE NAVY.

The peace and security of the Republic and the maintenance of its rightful influence among the nations of the earth demand a naval power commensurate with its position and responsibility. We therefore favor the continued enlargement of the Navy and a complete system of harbor and seacoast defenses.

FOREIGN IMMIGRATION.

For the protection of the quality of our American citizenship and of the wages of our workingmen against the fatal competition of low-priced labor, we demand that the immigration laws be thoroughly enforced, and so extended as to exclude from entrance to the United States those who can neither read nor write.

CIVIL SERVICE.

The civil-service law was placed on the statute book by the Republican party, which has always sustained it, and we renew our repeated declarations that it shall be thoroughly and honestly enforced and extended wherever practicable.

FREE BALLOT.

We demand that every citizen of the United States shall be allowed to cast one free and unrestricted ballot, and that such ballot shall be counted and returned as cast.

LYNCHINGS.

We proclaim our unqualified condemnation of the uncivilized and barbarous practice well known as lynching or killing of human beings suspected or charged with crime, without process of law.

NATIONAL ARBITRATION.

We favor the creation of a national board of arbitration to settle and adjust differences which may arise between employers and employees engaged in interstate commerce.

HOMESTEADS.

We believe in an immediate return to the free-homestead policy of the Republican party, and urge the passage by Congress of a satisfactory free-homestead measure, such as has already passed the House, and is now pending in the Senate.

TERRITORIES.

We favor the admission of the remaining Territories at the earliest practicable date, having due regard to the interests of the people of the Territories and of the United States. All the Federal officers appointed for the Territories should be selected from bona fide residents thereof, and the right of self-government should be accorded as far as practicable.

ALASKA.

We believe the citizens of Alaska should have representation in the Congress of the United States, to the end that needful legislation may be intelligently enacted.

TEMPERANCE.

We sympathize with all wise and legitimate efforts to lessen and prevent the evils of intemperance and promote morality.

RIGHTS OF WOMEN.

The Republican party is mindful of the rights and interests of women. Protection of American industries includes equal opportunities, equal pay for equal work, and protection to the home. We favor the admission of women to wider spheres of usefulness, and welcome their cooperation in rescuing the country from Democratic and Populist mismanagement and misrule.

Such are the principles and policies of the Republican party. By these principles we will abide and these policies we will put into execution. We ask for them the considerate judgment of the American people. Confident alike in the history of our great party and in the justice of our cause, we present our platform and our candidates in the full assurance that the election will bring victory to the Republican party and prosperity to the people of the United States.

APPENDIX C.

CHAIRMAN THURSTON'S ADDRESS.

GENTLEMEN OF THE CONVENTION: The happy memory of your kindness and confidence will abide in my grateful heart forever. My sole ambition is to meet your expectations, and I pledge myself to exercise the important powers

of this high office with absolute justice and impartiality. I bespeak your cordial cooperation and support to the end that our proceedings may be orderly and dignified, as before this have been the deliberations of the supreme council of the Republican party.

Eight years ago I had the distinguished honor to preside over the convention which nominated the last Republican President of the United States. To-day I have the distinguished honor to preside over the convention which is to nominate the next President of the United States. This generation has had its object lesson and the doom of the Democratic party is already announced. The American people will return to the Republican party, because they know that its administration will mean—

The supremacy of the Constitution of the United States.

The maintenance of the law and order.

The protection of every American citizen in his right to live, labor, and to vote.

A vigorous foreign policy.

The enforcement of the Monroe doctrine.

The restoration of our merchant marine.

Safety under the Stars and Stripes on every sea, in every port.

A revenue adequate for all governmental expenditures and the gradual extinguishment of the national debt.

MEANS A SOUND CURRENCY.

A currency as sound as Government and as untarnished as its honor, whose dollars, whether of gold, paper, or silver, shall have equal purchasing and debt-paying power with the best dollars of the civilized world.

A protective tariff which protects, coupled with reciprocity which reciprocates, thereby securing the best markets for American products and opening of American factories to the free coinage of American muscle.

A pension policy just and generous to our living heroes and to the widows and orphans of their dead comrades.

The governmental supervision and control of transportation lines and rates.

The protection of the people from unlawful combination and unjust exaction of aggregated capital and corporated power.

An American welcome to every god-fearing, liberty-loving, Constitution-respecting, lawabiding, labor-seeking, decent man.

The exclusion of all whose birth, whose blood, whose condition, whose practices would menace the permanency of free institutions, endanger the safety of American society, or lessen the opportunities of American labor.

The abolition of sectionalism—every star in the American flag shining for the honor and welfare and happiness of every Commonwealth and all the people. A deathless loyalty to all that is true and American and a patriotism eternal as the stars.

Protection and Bimetallism the Watchwords of Prosperity.

That which has engaged the attention without harmonizing the convictions of such master minds as Aristotle, Plato, Brahe, Copernicus, Locke, Newton, Smith, Bastiat, and Mill is surely a study which none can afford to broach with rashness nor to leave with complacency. When the principles which underlie it are thoroughly understood, money is perhaps the mightiest engine to which man can lend an intelligent guidance. Unheard, unfelt, unseen, it has the power to so distribute the burdens, gratifications, and opportunities of life that each individual shall enjoy that share of them to which his merits or good fortune may fairly entitle him, or, contrariwise, to dispense them with so partial a hand as to violate every principle of justice and perpetuate a succession of social slaveries to the end of time.—*Alexander Del Mar.*

SPEECH

OF

HON. SAMUEL C. HYDE

OF WASHINGTON,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 6, 1896.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of the revenue—

Mr. HYDE said:

Mr. CHAIRMAN: The natural embarrassment with which I first rise to speak in the House of Representatives is much heightened by the momentous importance of the questions involved in the Senate amendment, questions which are now receiving the earnest attention of the first statesmen and financiers of the world, and upon which so many members of long service upon this floor have spoken with profound learning and great eloquence; but I should feel that I had failed in my duty to the people of that young and progressive State which I have the honor in part to represent were I to remain silent.

GOLD AND SILVER UNDER THE CONSTITUTION.

Recognizing the power to coin and regulate the value of money as one of the principal incidents of national sovereignty, the founders of our Government placed in that great organic law, the Constitution of the United States, the following provisions:

The Congress shall have power to coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures. (Article I, section 8, paragraph 5.)

No State shall * * * coin money, emit bills of credit, make anything but gold and silver coin a tender in payment of debts. (Article I, section 10, paragraph 1.)

From these plain provisions it will be seen that gold and silver were made equally the money metals of the American people. The prohibition placed upon the States against making anything except gold and silver coins legal tender puts the two metals upon an equality, and shows clearly that they are to be regarded as the standard money of the Constitution.

Alexander Hamilton, whose genius as a creative statesman, in my opinion, was the greatest America has produced, as was Abraham Lincoln the greatest statesman in executive ability—the great emancipator, the preserver of this nation—the then Secretary of the Treasury, in his report to Congress upon the establishment of a mint in 1791, declared that—

To annul the use of either gold or silver as money is to abridge the quantity of circulating medium, and is liable to all the objections which arise from a comparison of the benefits of a full circulation with the evils of a scanty circulation.

On the whole—

Says Mr. Hamilton—

it seems most advisable not to attach the unit exclusively to either of the metals, because this can not be done effectually without destroying the office and character of one of them as money and reducing it to the situation of mere merchandise.

Thomas Jefferson, in his letter to Hamilton of February, 1792, says:

I will return you the report on the mint, which I have read over with a great deal of satisfaction, and concur with you in thinking that the unit must stand on both metals.

Mr. Chairman, I dislike to weary the House with quotations, but I believe there is no better method in the search for truth than to recur often to foundations and first principles. I will therefore send to the Clerk's desk and ask to have read the statutes of the United States enacted April 2, 1792, under the Constitution, pursuant to the recommendations of these great statesmen, establishing a mint and regulating coinage in the United States.

The Clerk read as follows:

SEC. 9. There shall be from time to time struck and coined at the said mint coins of gold, silver, and copper of the following denominations, values, and descriptions, namely: Eagles, each to be of the value of ten dollars or units, and to contain two hundred and forty-seven grains and four-eighths of a grain of pure or two hundred and seventy grains of standard gold. * * * Dollars or units, each to be of the value of the Spanish milled dollar as the same is now current, and to contain three hundred and seventy-one grains and four-sixteenths part of a grain of pure or four hundred and sixteen grains of standard silver. * * *

SEC. 11. That the proportional value of gold to silver in all coins which shall, by law, be current as money in the United States shall be as 15 to 1, according to the quantity and weight of pure gold or pure silver; that is to say, every 15 pounds weight of pure silver shall be of equal value in all payments with 1 pound weight of pure gold, and so in proportion to any greater or less quantities of the respective metals.

SEC. 14. That it shall be lawful for any person or persons to bring to the said mint gold and silver bullion in order to their being coined: and that the bullion so brought shall be there assayed and coined as speedily as may be after the receipt thereof, and that free of expense to the person or persons by whom the same shall have been brought. * * *

SEC. 16. That all the gold and silver coins which have been struck at and issued from the said mint shall be lawful tender in all payments whatsoever. * * *

Mr. HYDE. These statutes were approved and signed by the immortal George Washington.

Here is a system of true bimetallism, the free and unlimited coinage of both gold and silver with full legal-tender power to coins of both metals. This system was continued for the first eighty-one years of the life of this Republic, until 1873. Gold and silver were freely coined and nothing was heard of "unsound money."

WITH THE ANCIENTS.

Mr. Chairman, I would not have you infer that because I have so specifically pointed out the foundations of our bimetallic system that I would overlook the great fact that gold and silver have been the money metals of the world before these enactments—ever since civilization began—and, since the introduction of paper money, have been the only safe basis for that currency.

And Abraham hearkened unto Ephron; and Abraham weighed to Ephron the silver, which he had named in the audience of the sons of Heth, 400 shekels of silver, current money with the merchant.—Genesis, xxiii, 16.

This was nearly forty centuries ago, and yet the terms used show that silver was then money current in trade.

And Job says:

Yea, the Almighty shall be thy defense, and thou shalt have plenty of silver.

To speak of the mining of the precious metals, gold and silver, in Asia and Europe, and in all nations since the beginning of the world, is but to remind us of the teachings of history. None have summed up this subject with more eloquence than the late James G. Blaine in a speech in Congress. Referring to the purchase of a burial place by Abraham with silver, he said:

This was well-nigh forty centuries ago. Since that time nations have risen and fallen, races have disappeared, dialects and languages have been forgotten, arts have been lost, treasures have perished, continents have been discovered, islands have been sunk in the sea, and through all these changes silver and gold have reigned supreme as the representatives of value, as the media of exchange. The dethronement of each has been attempted in turn, and sometimes the dethronement of both, but always in vain.

[Applause.]

With some slight changes in ratio, all the gold and silver mined in the world, not required in the arts, was received into the mints

and coined as money until 1873. Gentlemen upon this floor have made much of the argument that no great quantity of silver was coined in the United States. There was in fact $143,000,000 coined, $84,000,000 of which was full legal tender. The reason why no more was coined was principally because silver at the ratio adopted, 15 to 1, was undervalued by us; it was at a premium over gold, and was sent abroad to be coined. It went into the great money supplies of the world, which, like all seas, find a common level in the great ocean of the world's money. It brought back to the United States its price in gold, or in the products of other countries, to increase the wealth of our people, and it helped to keep the balance of trade in our favor, the same as if it had been coined at home.

DEMONETIZATION.

No statesman ever thought of destroying one of these money metals. On one occasion Daniel Webster said:

I am certainly of opinion that gold and silver, at rates fixed by Congress, constitute the legal standard of value in this country, and that neither Congress nor any State has authority to establish any other standard, or to displace this standard.

Mr. Blaine, in the speech in Congress just referred to, touching upon this point, says:

I believe gold and silver coin to be the money of the Constitution—indeed, the money of the American people anterior to the Constitution; money which the organic law of the Republic recognized as independent of its own existence. No power was conferred on Congress to declare that either metal should not be money. Congress has, therefore, in my judgment, no more power to demonetize silver than to demonetize gold; no more power to demonetize either than to demonetize both.

In 1816 England demonetized silver. She was already pressing forward as the chief creditor nation of the world; her economists already taught the doctrine that an appreciating value of money made lower prices and therefore encouraged exports.

Somewhat later this policy and principle was explained by Lord Overstone with his usual perspicuity to the secret committee of the House of Lords, as follows:

Monetary distress tends to produce fall of prices; that fall of prices encourages exports and diminishes imports; consequently it tends to promote an influx of bullion. I can quote a fact of rather a striking character which tends to show that a contracting operation upon the circulation tends to cheapen the cost of our manufactured productions and therefore to increase our exports.

Here, sir, is striking proof and admission that free trade and the single gold standard must go together. But the value of silver remained unimpaired. The commercial ratio between the two metals was comparatively steady until the aid of the law of other nations was invoked to destroy the value of silver.

After the close of the Franco-Prussian war Germany recovered of the French people $1,000,000,000 as her war indemnity. Looking across the Channel she saw England, now the chief financial power, with a single gold standard. Hoping to increase the value of her exactions from the French she demanded gold, and in 1873 enacted a law demonetizing silver and adopting the single gold standard.

The United States the same year passed an act demonetizing silver. Mr. Chairman, I shall not weary you with the "crime of '73," but there are a few salient points to which I would like to call the attention of the House. When the United States and Germany thus entered upon the abandonment of the coinage of silver it was not depreciated, but was at a premium of about 3 per cent over gold. The people of the United States were doing business upon the basis of the cheaper metal, and were not alarmed because the dearer metal went abroad. Being at a premium over gold, silver could not have been demonetized on account of overproduction nor because of a depreciation in the commercial value of silver bullion.

The world's production for the preceding year was: Silver, $51,575,000; gold, $106,850,000.

Again, sir, there was no demand on the part of the people of the United States for the demonetization of silver. Veiled under the title of a bill to make appropriations for the mints and to revise the coinage laws, it struck out the silver dollar without the knowledge of the American people generally, and unknown to our greatest statesmen, numbers of whom were at that time members of Congress.

Sir, what leading journals of this country contained editorial discussions of the grave changes made by that bill? Imagine the passage of a bill of such importance in that manner through Congress to-day. It is also true, Mr. Chairman, that there has never been a time since the act of 1873, after the attention of the people of this country was called to the question, when a bill demonetizing silver could have been forced through Congress.

DOES LAW AFFECT BULLION VALUES?

Mr. Chairman, there is one thing I will promise. I will not weary the House with those diagrams covered with zigzag lines, by which it is sought to show the variations between gold and silver, the rise and fall of prices, and so on. To me they appear to need a man to go along to explain their meaning. They distract me, and I think must weary and puzzle many members. But I will ask gentlemen to give attention to a few figures from the table which I hold in my hand and will print in the RECORD. It is taken from the last (1895) report of the Director of the United States Mint, and shows the commercial ratio between gold and silver bullion from 1687 to 1894.

A glance at these figures will show that but three times in a period of more than two hundred years has the value of silver bullion fallen below 16 of silver to 1 of gold.

But, sir, more significant still are the figures for 1874, the first year after the demonetization acts, the ratio being 16.17. Looking back over the figures, we find that the ratio had not gone below 16 to 1 since 1813, a period of sixty years. In 1873 the ratio was 15.92. Demonetization came, and the ratio has steadily declined until in 1894 it was 32.56.

Commercial ratio of silver to gold each year from 1687 to 1894, based upon the price of silver in the London market.

[From 1687 to 1832 the ratios are taken from Dr. A. Soetbeer; from 1833 to 1878 from Pixley and Abell's tables; and from 1879 to 1894 from daily cablegrams from London to the Bureau of the United States Mint.]

Year.	Ratio.	Year.	Ratio.	Year.	Ratio.	Year.	Ratio.	Year.	Ratio.
1687	14.94	1729	14.92	1771	14.66	1813	*16.25	1855	15.38
1688	14.94	1730	14.81	1772	14.52	1814	15.04	1856	15.38
1689	15.02	1731	14.94	1773	14.62	1815	15.26	1857	15.27
1690	15.02	1732	15.09	1774	14.62	1816	15.28	1858	15.38
1691	14.98	1733	15.18	1775	14.72	1817	15.11	1859	15.19
1692	14.92	1734	15.39	1776	14.55	1818	15.35	1860	15.29
1693	14.83	1735	15.41	1777	14.54	1819	15.33	1861	15.50
1694	14.87	1736	15.18	1778	14.68	1820	15.62	1862	15.35
1695	15.02	1737	15.02	1779	14.80	1821	15.95	1863	15.37
1696	15.00	1738	14.91	1780	14.72	1822	15.80	1864	15.37
1697	15.20	1739	14.91	1781	14.78	1823	15.84	1865	15.44
1698	15.07	1740	14.94	1782	14.42	1824	15.82	1866	15.43
1699	14.94	1741	14.92	1783	14.48	1825	15.70	1867	15.57
1700	14.81	1742	14.85	1784	14.70	1826	15.76	1868	15.59
1701	15.07	1743	14.85	1785	14.92	1827	15.74	1869	15.60
1702	15.52	1744	14.87	1786	14.96	1828	15.78	1870	15.57
1703	15.17	1745	14.98	1787	14.92	1829	15.78	1871	15.57
1704	15.22	1746	15.13	1788	14.65	1830	15.82	1872	15.63
1705	15.11	1747	15.26	1789	14.75	1831	15.72	1873	*15.92
1706	15.27	1748	15.11	1790	15.04	1832	15.73	1874	*16.17
1707	15.44	1749	14.80	1791	15.05	1833	15.93	1875	*16.59
1708	15.41	1750	14.55	1792	15.17	1834	15.73	1876	*17.88
1709	15.31	1751	14.39	1793	15.00	1835	15.80	1877	*17.22
1710	15.22	1752	14.54	1794	15.37	1836	15.72	1878	*17.94
1711	15.29	1753	14.54	1795	15.55	1837	15.83	1879	*18.40
1712	15.31	1754	14.48	1796	15.65	1838	15.85	1880	*18.05
1713	15.24	1755	14.68	1797	15.41	1839	15.62	1881	*18.16
1714	15.13	1756	14.94	1798	15.59	1840	15.62	1882	*18.19
1715	15.11	1757	14.87	1799	15.74	1841	15.70	1883	*18.64
1716	15.09	1758	14.85	1800	15.68	1842	15.87	1884	*18.57
1717	15.13	1759	14.15	1801	15.46	1843	15.93	1885	*19.41
1718	15.11	1760	14.14	1802	15.26	1844	15.85	1886	*20.78
1719	15.09	1761	14.54	1803	15.41	1845	15.92	1887	*21.13
1720	15.04	1762	15.27	1804	15.41	1846	15.90	1888	*21.99
1721	15.05	1763	14.99	1805	15.79	1847	15.80	1889	*22.10
1722	15.17	1764	14.70	1806	15.52	1848	15.85	1890	*19.76
1723	15.20	1765	14.83	1807	15.43	1849	15.78	1891	*20.92
1724	15.11	1766	14.80	1808	*16.08	1850	15.70	1892	*23.72
1725	15.11	1767	14.85	1809	15.96	1851	15.46	1893	*26.49
1726	15.15	1768	14.80	1810	15.77	1852	15.59	1894	*32.56
1727	15.24	1769	14.72	1811	15.53	1853	15.33		
1728	15.11	1770	14.62	1812	*16.11	1854	15.33		

And yet, Mr. Chairman, all around me there are gentlemen, on both sides of the House, who maintain that law can not create values, who insist that statutes can have no effect upon the value of either silver or gold. If value were a material thing this would be true, for "man can create nothing; he can only move something." And yet the same gentlemen say they are in favor of an international agreement for the establishment of bimetallism. But this international agreement, to have any force, must be supplemented and sustained by statute laws of the nations who enter into it. If law can not give value to the money metals, why hold an international convention?

A look at the figures of the last twenty-two years, shown in the table just referred to, must satisfy every impartial mind. Coinage creates demand; demand creates value. And it is not alone the fact that we coin the metals, but it is the right to be coined which gives it value. To gentlemen on the other side who argue that legislation can not give value to silver we ask, Why was it that the closing, without notice, of the Indian mint in 1893 caused a fall in the price of silver bullion of 15 cents an ounce in one day? There was no decrease in the cost, no increase in the quantity of silver produced. The law was rescinded and its value fell.

Mr. Chairman, we who follow the legal profession fall so readily into the habit of citing authorities, and these facts are so pertinent and indisputable, that I can not forbear to read to you from great men whose opinions sustain the principle for which we contend.

Our own Francis A. Walker, whose text-book upon Political Economy is a standard in three continents, in his work on Money has written:

The philosophy of money owes little to the cultivation of systematic political economy in modern times.

If this be true, we may safely turn to Aristotle, the master mind of the ancient world. In defining money he says:

Money has value only by the law, and not by nature, inasmuch as a change of agreement among those who use it can depreciate it completely and render it entirely unfit to satisfy any of our wants.

And Cernuschi, the greatest of bimetallists, has written:

Nature produces silver and gold, but does not produce money. It is the legislator who attributes to one of the metals, or the two conjointly, the monetary function. Numisma, money, comes from nomos, law.

Mr. Chairman, we are told that if the mints of the United States were opened to the coinage of gold and silver upon equal terms America would become a "dumping ground" for all the silver in the world. Gentlemen on the other side would have us believe that ships loaded with silver would race across the waters to reach the mints of the United States for coinage. But where is this silver to come from? Remember that all the coined silver in the world is doing duty as money at home, and is circulating at par with gold. In France, Italy, Spain, Belgium, Switzerland, and Russia it has been coined at a ratio of 15½ to 1; in Great Britain at 14.28 to 1; Germany, 13.95; Austria, 13.69. The English silver would lose 7 cents on every dollar's worth at home by conversion into the money of the United States. The Frenchman contemplating the exchange of his silver coin for our gold by converting his silver into our dollars and exchanging these dollars for our gold, must contemplate a minimum sacrifice of $35 on every $1,000 worth of his lawful money at home. Silver is the sole standard and full legal tender in all the oriental nations, and was coined at a ratio higher for silver than our ratio.

Mr. Chairman, one of the clearest statements of the condition and cost of the coined silver in the world which I have found is contained in a recent issue of the New York World, one of the leading journals of this country, which favors the single gold standard. I will send it to the Clerk's desk and ask that it be read. It will be remembered that the value of our coined silver is $1.29 per ounce.

The Clerk read as follows:

Has silver ever sold as high as $1.29 an ounce since the passage of the Sherman silver bill?

CLEBURNE.

That depends upon what you mean by the Sherman silver bill, for there were more than one, and what kind of silver you refer to. Silver vases and silver cups are sold as high as $2.50 an ounce, and silver spoons and the ordinary silver tableware as low as 90 cents an ounce. No silver bullion has been sold as high as $1.29 per ounce since the Sherman purchase act of 1890; but nobody has been able to buy 99.99 per cent of the silver in the market at a less rate than $1.29 to $1.32 per ounce. There are in the world $3,035,100,000 coined at and worth $1.32 per ounce, $605,500,000 coined at $1.29 per ounce, and $853,400,000 coined at about $1.40 per ounce. This comprises all the silver in the world in raw material, outside of manufactures, except a few thousand ounces of bar silver, for which the market price is about 70 cents. No silver in the world can be bought for or has a market value less than $1.29 per ounce except these few thousand ounces which have been shut out of the main use for silver—money.

FIFTY-CENT DOLLARS.

Mr. HYDE. Mr. Chairman, we are told by gentlemen on the other side that upon the adoption of bimetallism we shall immediately go to a silver basis, that the value of all money in the United States will be cut in two, that gold will leave the country, and we shall have nothing but 50-cent dollars. Sir, no such thing as a silver basis, if by that is meant 50-cent dollars, is possible in this country. If every dollar in gold in the United States were swept out of existence to-day, and none to take its place, we would not be upon a silver basis, but upon the basis of all our money—legal-tender, paper money of all kinds, and silver. Our money could not go down to 50 cents on the dollar, and under the worst view of the subject it would be at a small discount only. The eminent financial writer, Matthew Marshall, in a recent issue of the New York Sun, has touched upon this subject intelligently. Both the writer and that great journal favor the single gold standard. He writes:

Our currency other than gold, large as it is, is restricted within definite limits, and its value, as compared with gold would still be greater than that of silver bullion. * * * At this very moment we see how a limited quantity of coin, both here and in Europe, is kept at par with gold coin, and the suspension of gold payments would send it to a discount governed only by the excess of its nominal amount above that fixed by the demand for it as a medium of exchange. In Italy, for example, where gold payments have been suspended for several years, the discount is only about 7 per cent; in Austria it is not even 3 per cent, and in France, when the Bank of France refuses to pay out gold at par, it is seldom as much as 1 per cent. * * * It is an error to imagine that as soon as it occurred gold would at once go to 95 per cent premium and our currency lose one-half of its purchasing power.

Sir, gold is at a premium at this hour; it is not helping to carry on the legitimate business of this country. Heavens! Can a monetary system be imagined which will send gold abroad faster than it goes under the mongrel system which we now have? It will only remain with us when employed as the instrument through which our beloved country is sunk deeper and deeper under the burden of a bonded debt. As soon as these bonds are issued gold will take up its course again for the money centers of Europe. American gold coins are to-day being hoarded in the money chests of European governments as a reserve for their next great wars.

THE BOND ISSUE.

Mr. Chairman, I will digress for a moment to speak of the present bond issue, because it is really part of the question under consideration. On yesterday the Secretary of the Treasury received bids for $100,000,000 in interest-bearing bonds and to-morrow he will accept bids and allot the bonds, and thus, in a time of profound peace, this nation will go $100,000,000 more in debt. And for what purpose? It is not to raise money with which to carry on the Government. On yesterday there was $170,774,876.93 free money in the Treasury available for use. It is to supply gold for the benefit of those who will export it to foreign countries; who will hoard it, hoping for a premium, and this process must be repeated as soon as this voracious crowd can return to the attack upon the Treasury. It must be a long bucket which can be kept full after the bottom has fallen out. It is true this one hundred and seventy millions was not acquired through the legitimate revenues of the Government. It is principally the proceeds of former bond sales, but, being in the Treasury, it is as available for every purpose of the Government as if obtained through the ordinary sources of revenue. When the sale of bonds which took place on yesterday is completed over a hundred millions more will be added to the surplus in the Treasury, so that plainly these bond sales are not to obtain revenue. Both the President and Secretary so declare. The currency in circulation will be contracted another hundred millions. Greenbacks, which so many gentlemen on this floor object to having retired, will be most effectually locked up from circulation, causing sharp contraction in the currency. Neither, sir, can I join with gentlemen who would congratulate the Government upon the favorable terms of this loan. The rate of interest will not be less than 3⅜ per cent per annum. Great Britain pays only 2½ per cent on some of her consols, and they sell in the market at $1.04, and the 3 percents of the Republic of France sell at par. With the $162,000,000 already issued during the present Administration this will make a bonded indebtedness of $262,000,000 to run thirty years. Sir, this debt, with the interest added, when paid will be more than $500,000,000; and worst of all, it appears as if there were no power save the hand of the Almighty to stay these bond issues.

To you, my comrades, who fought the good fight to save the Union, so many of whom have seats in this Chamber, I say how you must feel the humiliation which is now being brought upon this nation. We have fondly believed this generation has given to the world some of the most glorious pages of its history. The greatest war of modern times has been fought out, the Union preserved, the slave made free, the enormous debt of about three billions nearly paid off, and in a few more years, could we have kept on, we could have said to posterity, "We present you with an open book and a fair page." Now we must cross the threshold of the coming century in the chains of a great national debt which must bind the coming generation. And this great wrong must be borne at the behest of those who will profit by our adoption of the free trade and single gold standard system of Great Britain. [Applause.]

Sir, when this bill in its original form, regulating the issue of bonds, was before the House, I voted against it. I will have no part or parcel with Grover Cleveland in this gold-bonding scheme; I wash my hands of the whole business. [Loud applause.]

HAVE WE BIMETALLISM NOW?

Mr. Chairman, there seems to be confusion in the minds of many as to whether we live under the bimetallic system or have a single gold standard. And when we consider our various kinds of current money and the operations of the Treasury under the rulings adopted there we can not wonder that there is doubt in the minds of the people concerning the law upon these most important subjects. Once more, what is bimetallism? Maurice L. Muhleman, deputy assistant treasurer of the United States at New York, in his recent work, Monetary Systems of the World, defines bimetallism as follows:

By *bimetallism*, strictly defined, is meant the free and unlimited coinage of both gold and silver into coins of full debt-paying power. Not the mere use of the double standard, but the actually open mints on the terms above given.

This definition agrees exactly with the system given us by Washington, Hamilton, and Jefferson. A clear understanding of the meaning of terms is the first necessity in the discovery of truth. Gentlemen might as well talk about the "horse marines" or discourse upon "white blackbirds" as to talk about bimetallism with any one of the essentials included in this definition left out. Any other is a bastard affair and not bimetallism.

Under our existing laws we lack but one essential of bimetallism; that is, we have closed the mints to the further coinage of silver. The act of 1873 discontinued the coinage of the silver dollar, and the Revised Statutes of 1873, which came in force in 1874, provided that silver coins should be a legal tender for no more than $5. But specie payments being at that time suspended, the stoppage of the coinage of silver and its demonetization were not felt. The passage of the Bland-Allison Act in 1878 and the Sherman law in

1890 restored the silver dollar to its full legal-tender power. The repeal of the purchasing clause of the Sherman Act, although it stopped the coinage of silver, took away from the silver dollar none of the high attributes of money of final redemption. And so stands the American silver dollar in the eyes of the law to-day.

Mr. Chairman, I will not weary the House by pointing out the different acts providing for the payment of the indebtedness of the United States. It is admitted on all sides that the resumption act and all acts for the payment of the bonded and other obligations of the United States provide for payment in "coin" only, and not in gold. And, sir, here it is that we are lacking in one more and a most important essential of bimetallism. The Secretary of the Treasury construes the word "coin" to mean gold, if the creditor demands it. Instead of holding the option of payment in either coin with the Government, and thus protecting the Treasury, he gives the option to the creditor. This second requisite we lack, namely, that the Government itself shall give its faith, full value and credit to the silver dollar by tendering it in payment of the obligations of the United States whenever the law provides that it may be done and the condition of the Treasury requires it. In this we differ from France.

The law says that silver shall be a legal tender for all debts, public and private. All our outstanding obligations, including the greenbacks, are payable in "coin," yet from the very hour of resumption the Treasury Department has transferred to the holder of United States notes—greenbacks—the option to demand and receive gold in payment. This statement being often questioned, I have been at some pains to procure the testimony of the Secretary of the Treasury, so there can be no doubt about it. That official testified before the Committee on Appropriations of the House of Representatives, during the consideration of the sundry civil appropriation bill for the year 1896, as follows:

Question by Mr. Sibley, a Representative from Pennsylvania:

I would like to ask you what objection there could be to having the option of redeeming either in silver or gold lie with the Treasury instead of with the note holder?

Mr. CARLISLE. If that policy had been adopted at the beginning of resumption—and I am not using this for the purpose of criticising the action of any of my predecessors, or anybody else—but if the policy of reserving to the Government at the beginning of resumption the option of redeeming in gold or silver all its paper presented, I believe it would have worked beneficially, and there would have been no trouble growing out of it; but the Secretaries of the Treasury from the beginning of resumption have pursued the policy of redeeming in gold or silver at the option of the note holders. There is a vast difference between establishing a policy at the beginning and reversing the policy after it has been a long time established.

This testimony of the Secretary removes all doubt concerning the law.

Mr. Chairman, to show to what lengths these ministerial officers of the Government will go, they pursue this policy not only with greenbacks, but with Sherman notes—silver certificates issued under the Sherman law. And the law there expressly provides that the option to redeem such notes in gold or silver coin shall be at the discretion of the Secretary. Sir, no lawyer upon this floor will contend that there is authority for interpreting the statute to give the discretion of the Government to the creditor where it expressly provides that this discretion shall lie with the Secretary.

HOW THIS WORKS.

The distinguished gentleman from Pennsylvania [Mr. BROSIUS], in debate upon this floor a few days ago, said:

In respect to the gold reserve, it may be said that the situation of the Treasury of the United States under our system is singularly unique. I think it is the only place where gold redemption is absolutely compulsory without qualification or limitation. It is the only custodian of gold on the face of the earth that I know of which is without the means of resisting incursions from foreign claimants or domestic speculators or hoarders.

It is these rulings of the Secretaries of the Treasury, Mr. Chairman, which furnish the "endless chain" with which to draw all of our gold out of the Treasury, force these bond issues, and discredit one-half of the metal money of this Government. It is these rulings which leave us standing two steps from full bimetallism instead of one, where we might stand under the law.

It appears to me that we have the same system under the law as the French people. They have full bimetallism, except that free coinage has been discontinued. The Bank of France, which stands in place of the Government, exercises the option of paying in gold or silver. In this manner it is able to regulate the amount of gold and silver retained in the bank, and the amount of coins of each metal in circulation throughout that Republic. Coins of both metals are thus held at a parity and the credit of the bank is maintained.

Sir, the Republican party will never be a party to the creation of "dishonest dollars." The people of the State of Washington honestly differ in opinion as to whether bimetallism in this country may be restored by the enactment of a full bimetallic law at once. But, sir, in my opinion, they do not differ in their desire that full bimetallism shall be established in this country. They differ as to what are safe means to bring it about. Gentlemen on the other side tell us that this full bimetallic law which has been sent to us from the Senate Chamber can not pass at this time; that even were it to pass this House it must fail under the veto of the President. It would be interesting to know how many put away investigation and discussion of this question, lay aside misgivings, and join their forces with the strongest legions. But, sir, no such course as that will answer for me. I shall accept the responsibility. When this question comes to a vote I shall first vote for the amendment to open the mints to coinage of silver produced in the mines of the United States. If this fails, gentlemen on the other side must show that some other measure leading to bimetallism will be offered, some step to relieve us of this terrible pressure for gold, or I shall support the Senate amendment.

Sir, being a new member of this body I shall not set up as a "know-it-all" nor as being able to solve this great problem alone. But let me suggest that if we can not begin by the enactment of this full bimetallic law, the first step to break up these gold raids upon the Treasury, stop the issue of interest-bearing bonds, and restore perfect parity of value between gold and silver, and thus lead to full coinage of both metals, will be for our Secretaries of the Treasury to reserve to the Government the option of paying in either coin, and pay gold and silver in equitable proportions, as is done at the Bank of France. I can not concede that the various statutes and joint resolutions adopted by Congress declaring it to be the policy of the Government to maintain the parity are followed in letter or in spirit by giving all the preference to gold. We can certainly see that the plan is working most disastrously to our people. The hundred millions in bonds issued on yesterday will not be the last. Soon another issue will be called for, and so on.

The Secretary in his testimony says: "If this policy had been adopted in the beginning, I believe it would have worked benecially and there would have been no trouble growing out of it." If, sir, we have already drifted far away from safe moorings, shall we drift farther and farther away until we are lost in the deep sea of financial ruin? No, sir; let us put about before it is forever too late, and make for the haven of law, good faith, sound finance, and bimetallism. [Applause.]

Sir, ninety-five out of every hundred of the people of this country "live and move and have their being" by the fruits of toil. "In the sweat of thy face shalt thou eat bread" is the law of humanity. The plain people do not believe the policy of the Government should be directed entirely in the interests of the income classes and those whose business in life is to deal in money. People honestly differ, as I have said, as to the means by which bimetallism may be reached, but they favor bimetallism, and are strongly opposed to the single gold standard. The chief doubt, sir, it appears to me, lies in the difference between the commercial value of the bullion from which the gold and the silver dollars are made. I have already shown beyond dispute, it seems to me, that this has been caused principally by the enactment of laws directed against silver; but the question is, How shall we recover the lost ground? Adopt this policy of paying all obligations of the Government in the coins of both metals, and it will increase the value of silver and give confidence in that metal. As population increases and business grows and the demand for more money to carry on the business of the country presses, we may take the next step toward full bimetallism by opening the mints to the coinage of the American product.

Mr. Chairman, one argument advanced by the other side I must notice briefly. It is that the Government has no silver coin with which to make payments in silver as well as gold. The argument has no foundation. To make sure, I examined the question in the office of the Treasurer of the United States, Hon. D. N. Morgan, this morning, and had the courteous assistance of that gentleman. No records are kept of the vast sums of money received by the Government through internal revenues, nor at the custom-houses of the United States, except in the city of New York, where the principal part of the revenues from customs is received. There records of the different kinds of money paid to the Government are kept, and the reports show that for the past three years more than one-third of the revenues were paid in silver or silver certificates. There is no question but the same proportion holds good as to internal revenues and collections at other custom-houses. The Government has a great silver revenue, amounting to probably two hundred millions each year. Where received in certificates, all that is necessary is for the Government, which then becomes the owner of the certificates, to replace the certificates with the silver dollars in the Treasury, and by this method become enabled to pay out the silver coin. The coin is a legal tender, the certificates under the Bland-Allison law are not. The creditor may take his choice in silver coin or silver certificates. The right of the Government to take this course, I am informed by the honorable Treasurer, is unquestioned.

"It is hard for an empty bag to stand alone," says Franklin. The Government has a splendid silver revenue, and in the bimetallic system, which I believe will come, it will also have a gold revenue. If the Government must pay gold, it must have a gold revenue other than that derived from the sale of bonds in

time of peace. This was the system of Lincoln and Seward, of Chase and Fessenden.

OUR SILVER DOLLAR TO-DAY.

Mr. Chairman, if gentlemen will bear with me a moment, I would like to speak of the character of the American silver dollar and the important work it is performing to-day in carrying on the business of the people. I know of no subject about which so much misrepresentation is constantly made and concerning which so much misapprehension exists. On yesterday there were $331,462,893 in silver certificates under the Bland-Allison law and $58,334,092 in standard silver in circulation. It is constantly charged that each of these silver dollars and certificates is worth 100 cents only because there is a gold dollar behind it, because the Government will redeem it in gold. The mails come laden with pamphlets written upon this question, where this contention is strenuously argued; magazine and newspaper articles constantly reiterate it. Sir, the assertion is always a flat falsehood or an ignorant mistake.

These silver certificates are redeemable in silver dollars only; the certificate is practically a receipt for silver dollars deposited in the Treasury. Upon demand by the holder they are paid in silver dollars. This dollar is a full legal tender for all debts, public and private, except where otherwise expressly stipulated in the contract. The silver dollar is not redeemable by the Government at all; it redeems itself; it is standard money and rests in no manner whatever upon gold. That there may be no question upon this point, I take the liberty of reading an extract from a letter upon the subject, written by the honorable Secretary of the Treasury to Hon. JOHN W. DANIEL, Senator from Virginia, which has been published. It is as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., October 18, 1894.

SIR: I have the honor to acknowledge the receipt of your letter of the 12th instant, and to inform you, in reply to first, second, and third questions therein contained, that there is no statute or practice of this Department under which any of the standard silver dollars coined by this Government can be converted into gold at the Treasury.

* * * * * * *

Respectfully, yours,

J. G. CARLISLE, *Secretary.*

Hon. JOHN W. DANIEL, *Lynchburg, Va.*

The certificates are no more convertible into gold than the coined dollars.

Here, sir, are nearly $400,000,000 in active circulation throughout the country, carrying the burdens of the people, filling every office of money, except that it can not be used to raid the Treasury of its gold, nor to force the Government to issue bonds to buy gold with which to redeem it. There were at the same time in circulation $137,230,280 of Treasury notes, issued under the Sherman law, making a total of over five hundred millions of silver circulation. These Treasury notes, like the silver dollar, are a full legal tender, and were it not for the rulings of the Secretary of the Treasury, that he will allow the holder of these notes to exercise the option of demanding gold, which I have already referred to, they, like the dollars and certificates under the Bland-Allison law, could not be used to raid the Treasury and force bond issues. Sir, this silver money is the money of the people to-day. Take a check to a bank in the city of Washington for payment and you will receive $90 in silver certificates out of every hundred paid. Ninety dollars out of every hundred paid to members of this House for their salaries day before yesterday, was paid in silver certificates. When we pass appropriation bills in this House for carrying on the operations of the Government—the Army, the Navy, rivers and harbors, coast defenses—we appropriate in dollars, and the silver dollar, and the silver certificate which represents it, are included. The Government tenders it and pays it out in all its vast operations. And right now, national-bank notes (being convertible into greenbacks), Treasury notes, greenbacks, and all other paper money have practically disappeared from circulation, being hoarded with which to draw gold from the Treasury. And yet, sir, we are constantly met with the statement, both in the press and arguments of advocates of the single gold standard, that the silver dollar will not circulate, that the silver lies piled up in the Treasury useless, and, many are made to believe, at a dead loss to the Government. This silver bullion is in circulation the same as the gold bullion of the Bank of England. The gold remains in the vaults of the bank and scarcely ever circulates; the notes of that bank are practically gold certificates. Here we may well ask again, Mr. Chairman, are we upon the gold basis?

Sir, Republicans are wont to refer with much gratification to the era of great prosperity in the United States, extending especially from 1880 to 1892, when it reached its zenith, when the wage earner received more for his toil than ever before in this country; not only that, received a higher wage rate than was ever known under any other Government. This era of prosperity might well be termed the silver age. In 1878, under the Bland-Allison law, we began coining two millions of silver per month and continued it uninterruptedly. In 1890, under the Sherman law, we increased the coinage to four and one-half millions per month, and the prosperous times of 1891 and 1892 followed. But Grover Cleveland took the Presidential chair, and immediately clouds gathered. The President called Congress in special session to repeal the wicked Sherman law. "Confidence" was wanted. Senator SHERMAN said, advocating the repeal, "In ten days from this time the skies will brighten, business will resume its ordinary course, and the clouds that lower upon our house will be in the deep bosom of the ocean buried."

The law was repealed, and, sir, every man, woman, and child knows the condition of this country from that time to this hour. Its memory will last as long as this generation.

But, Mr. Chairman, candor will not allow me to claim that the evils that have fallen upon this country since 1893 are due to the repeal of the Sherman law. But I wish to point out how this prompt repeal shows fully that the hard times were in no wise the result of silver legislation.

Sir, the truth is that for the first time in more than thirty years we have turned our backs upon the American home and American fireside; we have given our splendid markets over to the foreigner, instead of the American producer; we have turned away from the American wage earner and thrown our favors to his foreign competitor. But ah, sir, even now, while we discuss this question, the victorious legions of protection, once led by the immortal Lincoln, are forming, and in November will sweep this country with the greatest victory since 1861. [Loud applause.]

THE FARMER.

Mr. Chairman, agriculture has been fittingly termed "the mother of all industries." The farmer has ever been the bulwark of the Republican party. Of the 70,000,000 people in these United States 35,000,000 are interested directly or indirectly in the tilling of the soil. None should be more quick than Republicans to inquire after the welfare of the farmer. It was the farmer who, rallying from hill and dale, forest and plain, gave us Abraham Lincoln for President in 1861. And so, faithful until 1892, he gave the full measure of his support to Benjamin Harrison, while the manufacturer, caught by the Democratic cry of free raw materials and protection for the finished product, voted for Grover Cleveland. And what is the condition of the farmer to-day? In September a year ago cotton was at a lower price than in thirty years and wheat lower than in three hundred years. There has been little improvement from that day to this. Statistics show that there has been a greater proportion of business failures and that the times have been in all respects worse from the 1st day of January last down to the present hour than at any time during the history of this country.

In 1880 the farmer produced 498,549,868 bushels of wheat. Although the yield was an average one, the prices were below the average of that period; but it brought him $474,201,850. In 1895 the farmer produced 467,102,947 bushels of wheat. Although this was but 31,446,921 bushels less than in 1880, it only brought him $237,938,998, which was $236,262,852 less than in 1880, and yet he has not murmured.

Let us look again at the wretched year 1895 and see what the farmer has done in that year. The total value of all exports of the productions of the United States that year was $793,392,599. Of this sum $553,210,026 was the product of agriculture, or 69.73 per cent. These figures are taken from the United States Statistical Abstract of 1895. Sir, the basis of all business or personal prosperity is what we produce. Is it possible for any people to prosper when the product of labor is below the cost of production? Ask the cotton planter what he has left after marketing his cotton at 5 or 6 cents per pound in New York. Ask the farmer in Pennsylvania, Illinois, or California what he has left after selling his wheat at 50 to 60 cents a bushel in New York.

Sir, I have seen the most beautiful samples of wheat ever grown in the world selling, during the fall of 1895, throughout the great "inland empire" embracing eastern Washington, Oregon, and Idaho, at 30 cents per bushel, and this within 400 miles of the seaboard.

Mr. Chairman, during the past twenty years the farmer has seen, first, the banking interests, second, the railway interests, third, the manufacturing interests all surpass him in the accumulation of wealth and prosperity. He has seen the value of his farm lands constantly decrease, until well-nigh half their value has fallen away; the value of the products of his toil year by year fall off, until at last there is no longer a certainty of market even. Sir, the farmer, first of all to feel the evil effects of unsound money, least prepared of all to withstand the evils of a depreciated currency, has ever stood firm for sound money. But, sir, the time has come when the farmer will cry for "sound property" as well as sound money. There can be no beauties in a financial system which leaves the value of his lands to walk away in a night, which leaves the farmer's crops upon his hands, after all his care and toil of production, worth less than their cost.

Constantly declining values are ruining the farmer, transferring his home to the hands of the mortgagee, compelling him to take the place of tenant instead of owner.

Sir, men tell us money is not scarce; indeed, they say that the banks in New York are full of it. But let the farmer try to get some of it for his own by selling a field, a house, some wheat, cotton, cattle, horses, or any of the products of his labor and he will soon find out whether money is cheap and plentiful or not. Indeed, sir, the farmer is beginning to ask, "Is not the value of money appreciating?" And I ask you in all candor, sir, can we safely adopt a single gold standard before we have carefully consulted the farmer? The farmer has been the sturdy reliance of the Republican party, and whenever he withdraws his support the mission of that party will be ended. [Applause.]

MORE MONEY.

Next to the alphabet—
Says Macaulay—
money is the greatest of labor-saving inventions.

Sir, this country needs more money in circulation. Notwithstanding our rapid growth in population and business, the currency has been contracted a round hundred million dollars during the past year. The per capita decrease in circulation is becoming appreciable in the business world.

Says John Stuart Mill:

That an increase in the quantity of money raises prices and a diminution lowers them is the most elementary proposition in the theory of coinage, and without it we should have no key to any of the others.

So Hume taught in his Essay on Money:

The policy of the good magistrate consists in keeping the money of the nation, if possible, still increasing, because by that means he keeps alive a spirit of industry and increases the stock of labor, in which consist all real power and riches. Accordingly we find that in every kingdom into which money begins to flow in greater abundance than formerly everything takes a new face—labor and industry gain life, the merchant becomes more enterprising, the manufacturer more diligent and skillful, and even the farmer follows his plow with greater alacrity and attention.

Sir, under our present monetary system little new currency is being added to our circulation; gold coinage gives but slight increase. It must be remembered that about one-half of all the gold produced in the United States is required for use in the arts; the mints are closed to silver; the price of United States bonds is so high that national-bank circulation is not profitable, and scarcely anything is being added through that channel, and yet the nation is advancing in growth, business, and population as no other nation has done in ancient or modern times. Why, sir, we take on an added population equal to Canada and all British Columbia every three years. In 1910 we shall have 90,000,000 people. During the coming century we will have 400,000,000.

Mr. Chairman, what has become of the "Baltimore plan" and the "Carlisle plan" for banking currency, of which we have heard so much? Ah, sir, the Egyptian mummies across yonder in the Smithsonian Institution are not more dead than these plans. Who would resurrect the State banks, with their wild-cat money? [Applause.]

I ask you, then, sir, what will be the monetary system of the future? Mr. Chairman, for thirty years the United States Government has given to the people a currency, and never one dollar of this currency has been found bad. Can the Government now, after discharging this duty so long and so satisfactorily, abdicate this important function of government? The people have indicated that they are not ready for it. I believe, sir, that the plan will be a simple one and its execution easy; the money of the future will consist of gold and silver coins and United States notes (greenbacks); the latter redeemable in gold and silver at the option of the Government, to be always issued in sufficient quantities to do the business of the people and prevent cornering of the money market, panics, low prices, and hard times. National banks will be simply banks of loans, deposit, and exchange.

For all this, sir, the people must look to the great Republican party. There is no other hope. The Democratic party, always for free trade, has been broken into fragments by Grover Cleveland and his Wall street allies. The leaders of the Populist party—a party always opposed to protection—already admit that they can not hold together after the next Presidential election. The party of bimetallism must be the party of protection. Protection gives a balance of trade in favor of the United States and enables her to hold her specie at home, while free trade demands the gold standard. I predict, sir, that this will be the policy of the future, and that the people will demand it; it is an American policy. [Applause.]

THE PACIFIC SLOPE.

Down to the end of the year 1894 there had been produced in gold and silver bullion in the United States $3,310,186,769. Sir, this is nearly one-third of all the money metals of the world, and of this vast sum more than $3,000,000,000 was produced in the Pacific Coast States and Territories. This production of the precious metals changed the course of business and commerce in two continents, and raised the United States from a second to a first class power.

Gentlemen on the other side say we have not demonetized silver, but we have demonetized the silver in the mountains; we have turned the miner's pack horse loose to graze; we have tampered with his fuse and dampened his powder; we have paralyzed his arm and chilled his heart. [Applause.]

Why this discrimination in favor of gold and against silver mining? Why the epithet "silver baron"? For every ounce of pure gold the Government gives $20.67 in coin. Sir, there are 20 mines in Colorado where gold is produced at a cost of $1 per ounce, and there is one mine where gold is produced at a cost of 25 cents per ounce, and yet we hear nothing of "gold barons." It must be remembered, Mr. Chairman, that nature often holds the gold and silver ore locked in the same ledge. Remove the profit of mining the silver, and the gold can not be extracted and remains lost to circulation, for which there is such urgent need.

Sir, it is the declared policy of the Republican party to favor and protect all of the industries of the people of the United States. The mining of silver is a great American industry and has been during all of the history of our country. I ask gentlemen of the other side, and I confess with some feeling, if during the year 1896 silver mines were discovered in the "tight little isle" where the British Government has its seat, and 60,000,000 ounces of silver were produced, what would be the policy of that Government toward silver? The answer is too plain. [Applause.] On the other hand, the principal gold-producing district, South Africa, is already securely sealed to English interests. Sir, every principle of patriotism, every law of self-protection, every policy of Americanism demands the adoption of bimetallism by the people of the United States.

Mr. Chairman, I have detained you and the House too long. But I would ask you for a moment to look away to the broad lands of our Western Slope. There, sir, is an empire—there the greatest preserve of undeveloped resources in these United States. It is in its infancy. There is more gold and silver locked in its mountains than in all the money chests of the world. It is a land of grand forests, beautiful valleys, broad seas, and peaceful harbors; of lofty mountains, vast plains, sunny climes, and health-giving breezes. It is awaiting the touch of the genius and the enterprise of those who would unlock its untold wealth. And among the grandest and fairest of all is the young State of Washington.

Mr. Chairman and gentlemen, I thank you for your kind attention. [Loud and long-continued applause.]

Laws Relating to American Seamen.

REMARKS
OF
HON. JOHN MURRAY MITCHELL,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,

Monday, June 8, 1896,

On the bill (H. R. 6399) to amend the laws relating to American seamen.

Mr. MITCHELL said:

Mr. SPEAKER: Owing to the migratory life which a sailor leads, he is at a great disadvantage when compared with every other employee in the way of recommendation.

No manufacturer, merchant, or other employer on land takes an employee without some recommendation. As a rule, the sailors, when a voyage is finished, be it short or long, are paid off and go ashore and are left to their own devices and to the mercy of the land sharks. When a master of a vessel wishes to get a crew, he takes such men as he finds, and, as a rule, they have no certificate to show their previous service. Every employee in every other class of business would dislike to be associated with men of doubtful character and men who cause great trouble and dissension in the line of their own employment; but the risk that they run is nothing compared with that which a good sailor takes when shipping on a vessel with a miscellaneous crew about whom he knows nothing, and about whom the master who shipped them knows little more.

The result is, necessarily, that the good men are frequently disciplined in the most savage manner and on slight pretext by the master of the vessel in order to assure the safety of his life and the lives of others on his ship, as well as the cargo and the ship he has in charge. And the rules which have governed the control of the sailor by the master have been considered necessary in the past, as the ship has been a species of small kingdom.

There is no reason why a ship should not be manned by sailors of universally good character any more than there is reason for a banker employing dishonest or crazy clerks and office boys. The trouble, as far as I have been able to find out, lies in the

method of employment and the lack of any method by which the employer can determine the character of the men he employs, and it seems to me, therefore, in the interest of sailors who are capable of shipping as able-bodied seamen that a bill should be introduced for their benefit which should provide that every custom-house in the United States should be furnished with a book entitled "A registry list," and that every sailor when arriving in a port in the United States should be given the absolute right of going to the custom-house where his ship is in port and having recorded on said "registry list" his record as a seaman. This would enable him to refer anybody in doubt of his capabilities to the custom house or houses in the United States where he had filed a record previously as a sailor.

Every master should be compelled under the law to give such sailor a certificate to the effect that such sailor had been on board his vessel from the time he had shipped to the time of his leaving the same.

I would not make this certificate broader, for the reason that if you required the master to certify to the character of the sailor he might easily avoid giving such a certificate; but the sailor who had a certificate from various sailing masters or from one sailing master that he shipped for a number of months or years on a certain vessel or number of vessels would have a prima facie recommendation. It also enables the shipper or master to inquire into the record of the sailor and discover what his record has been on the vessel or vessels on which he has shipped. A sailor with such a certificate or certificates from various sailing masters would have an advantage over sailors who had no such certificate.

It must be evident to everyone that it could not be detrimental to the character or interests of any able-bodied seaman, as it would be required by a provision in the law to be enacted that a sailor when leaving a ship should be as much entitled to receive the certificate which I have suggested as he would be to get his pay. A sailor with this certificate could then go to any custom-house in any port in which his vessel was at anchor, and by showing his certificate to the custom-house have such custom-house make in its registry list, as suggested above, a record of his experience at sea.

I beg leave to state now that at the next session of Congress I shall introduce a bill for the benefit of seamen in this respect.

I state this now for the purpose of inviting suggestions on this subject from everybody interested in sailors and ships, and in order that the bill may be prepared with regard to the best interest of the sailors, and that it may pass as proposed, with amendments made before it is introduced rather than after. A carefully prepared bill to this effect will, I believe, meet with the entire approval of both branches of Congress and could be made most beneficial to both sailors and masters and owners of ships, and I cordially invite suggestions from everybody interested in this subject, in order that I may have the advantage of the experience of those better posted than I am in these matters and be able to express their views at the next session of Congress.

International Bimetallic Conferences—National Action.

SPEECH

OF

HON. FRANCIS G. NEWLANDS,

OF NEVADA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 6, 1896.

The House having under consideration the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue—

Mr. NEWLANDS said:

Mr. SPEAKER: The gentleman from Maine [Mr. DINGLEY] in opening the debate stated that the free-coinage bill submitted by the Senate for the bond bill passed by the House was not responsive to the action of this House. I submit that this depends upon the point of view. The purpose of the bill passed by the House was, as I understand it, to provide a fund for gold redemption; and that fund is made necessary by the constant export of gold from this country. The real evil, then, is the export of gold; and I submit that any legislation which would have a tendency to check such export meets fully the requirements intended to be met by the bills which passed this House. And what causes that export of gold? The fact that the balance of trade is and has been for a long time against this country. What measures should we take to check that export? First, in my judgment, the tariff wall should be raised a little higher, so as to diminish the importation of foreign goods; and second, legislation should be adopted which will raise the value of the ounce of silver throughout the world, and thus concurrently raise the value of the natural products of this country—wheat, cotton, wool, and other farm products which we export for the payment of our debts abroad. Thus by the diminution of our imports and the increase of the value of our exports the balance of trade would be turned in our favor, and there would be no need of providing a fund for gold redemption by the constant sale of bonds.

MR. DINGLEY FAVORS BIMETALLISM.

I understood the learned gentleman from Maine to say that he would welcome bimetallism; that he would welcome any system which would maintain in this country and throughout the world the concurrent use of both metals at a ratio established by law. The fact that the gentleman favors bimetallism, favors the free and unlimited use of both metals, indicates that he recognizes the evils which arise from the use of one metal alone; that he is opposed to gold monometallism; that he believes that the business of the world is too large to be transacted with gold alone; that the country's business and the world's business require a concurrent use of both these metals—not only the accumulated stock, but the current product of the mines of the world.

We then agree as to the desirability of bimetallism; we both agree that the amount of gold in the world is too limited, and that there is not more than enough of both metals to transact the monetary business of the world.

The only point of difference between us is as to the method of restoring silver. The gentleman insists that it shall be done only by the concurrent action of the powerful nations of the world. I agree with him as to the desirability of such concurrent action; and if it were, in my judgment, probable, I would favor delaying action by this nation alone. But I insist that our experience ever since 1873—the experience of four international conferences—the action of the powerful creditor nations of the world to-day upon this subject—indicate that the concurrence of those nations is impossible. The only question with me is whether we shall submit to conditions which are at present intolerable in a debtor nation, or whether we shall take the chance of leaping in the dark, as the gentleman from Maine terms it. He calls it a leap from light into darkness; I call it a leap from darkness into light.

PROSPECT OF INTERNATIONAL BIMETALLISM.

Now, gentlemen, what is the prospect of international bimetallism? What is the prospect of the concurrence of the leading commercial nations of the world, without whose assent it is claimed that the restoration of bimetallism is impracticable? What are the leading commercial nations? They are the great creditor nations of the world—England, Germany, and France; the latter occupied almost exclusively with domestic concerns, and cutting but little figure in international matters, England and Germany being the principal creditor nations. Look upon the map of the world, and see how small a space those nations occupy. If that map were spread before us to-day in front of the Speaker's desk you could hardly distinguish those countries in the vast space which is covered by other nations of vast population, of vast possibilities, and almost infinite capacity for the absorption of new money.

The American Republic, suffering from the scarcity of gold and yet boastful in her suffering of her resources and power, with a population nearly two-thirds as great as the population of these three countries, rejects the friendly aid of countries having a population of over 1,000,000,000 people and asserts that without the friendly aid of these three countries, having a population of only 120,000,000 people, the gold famine must continue and that silver must be denied its fruitful and energizing use. It becomes important, therefore, to ascertain what the attitude of these countries is to the question after twenty-three years of agitation and four international conferences. And what do we find? That France is friendly to bimetallism, that Germany, once hostile, is progressing toward friendliness, but that both declare positively that they will not act unless England joins. And what does England say? She declares to-day, as she has uniformly during these many years of agitation, her unalterable purpose of adhering to the gold standard.

ENGLAND'S POSITION.

And what arguments can we use to convince these leading commercial nations that it is to their interest to join us in an international adjustment which will restore the use of silver to both? We say that there is too little gold in the world for business purposes; that the disuse of silver has appreciated the value of gold and depreciated the value of all property which is measured in gold. What does Great Britian reply? She says, "We own the gold of the world, and yet you ask us to resist a movement which is rapidly appreciating the value of that very gold. You delude yourselves

with the idea that you own between four and five hundred millions of gold; but that is a mistake. It belongs to us. We temporarily deposited it in your country. We loaned it to you on call or upon long-time bonds, which is substantially the same, because whenever we want to realize on them at any time we can call them in; we can sell them; we can recall our loans and recover our gold.

"We can do just as we did in 1890, at the time of the Barings failure. We wanted gold then and we took $90,000,000 of your gold, and almost bankrupted you. You afterwards threatened war with us on the Venezuelan question. We took our gold away from you again, demoralized your stock markets, threatened your Treasury with bankruptcy and your banks with insolvency, and paralyzed the arm that was raised to strike us. And yet you ask us to abandon the position of strength which we occupy; and why? Because you say that the appreciation of gold has caused a decline in the value of all the products of your country—wheat, cotton, and wool, and all other natural products which you produce in competition with silver-standard countries. Do we sell these things? No. We buy them; and the less the price we have to pay for them the better for us."

We then point to her manufacturing population, which is now suffering from competition with silver-standard countries, whose labor, always cheap, is now doubly so, measured in gold. We point to the land-owning class, the burdens of which in Great Britain have become absolutely intolerable.

A CLASS-GOVERNED COUNTRY.

What is the answer to our suggestion in that regard? That England always was a class-governed country. For centuries it was governed by the landowners. In the early part of this century the manufacturing class, under the aggressive leadership of Cobden, advanced into power, and raising the cry for cheap food for the operatives, repealed the corn laws, which gave protection to domestic farmers, and so the landowning interest became subservient to the manufacturing interest. And how is it to-day with the manufacturing class? Through her commerce England has swept the seas of the world, carried her manufactured products to all nations, taken their gold and heaped it up in her banks and treasure houses, and then loaned out the gold so accumulated to other countries on bond and mortgage, and to-day the capitalistic class, the money-loaning class, the banking class, is the predominating class in England, and it proposes to sacrifice the manufacturing class just as the manufacturing class did the landowning class in years gone by. Some interests must suffer in pursuing a great national policy, and the people of England will stand, as they have heretofore stood, for the interest of the governing class of that country, a class which subordinates every consideration of domestic and economic policy to the desire of maintaining a constantly increasing control over the products of labor throughout the world by a cunningly devised system of credits based on the gold which England mainly owns, and which makes her the controlling power in peace and war, the partner without risk in all enterprise and production, the absorber of wealth, fastening her tentacles upon the energies, the hope, and the vitality of all peoples bound to her by the golden chains of financial dependence.

But what other arguments can we address to these countries? We say that there is not enough money in the world. The answer is: "We have enough for our purposes." We say that the per capita circulation of England and Germany is insufficient—that it is less than that of the United States. They answer: "That is true; but it is sufficient for our purposes, because we are creditor countries. The man who is not in debt needs no reserves. The man who is in debt and has hundreds of obligations that must always be met on demand must keep in bank some necessary fund to meet the requirement of any strain that may arise. So the creditor nations can reduce their reserves to the lowest limit without danger, and thus reduce their per capita circulation, while the debtor nation must always have a larger reserve and a larger per capita circulation to meet the constant calls which will arise. Besides that, if at any time our reserves fall below what is regarded as a safe limit, and our per capita circulation becomes too small, we have an easy remedy. We do not need to coin money, to coin silver, to replace it. All we have to do is to call upon the debtor nations who owe us to pay up and we then immediately raise our reserve and our per capita circulation to the required amount." Was not that so at the time of the Barings failure? There was a state of panic caused by the withdrawals of gold by Russia; and how did England recoup her reserves? By coining more money? Oh, no. She called upon America for $90,000,000. She looked about the world for the nation that was best able to respond to her demand, fixed upon America, and put her, as I said, upon the verge of bankruptcy and recouped her reserve.

BALFOUR AND SALISBURY.

I ask, then, what appeal can we make to those creditor nations that will swerve them from the line they have steadily pursued? You have observed that there is a large bimetallic sentiment in both these countries. That is true. But it is confined to the land-owning and the producing classes, and they are dominated by the creditor class, even more strongly dominated than in this country. We have had the evidence of it in England herself recently. We all hoped for a restoration to power of the Conservative party. Why? Not because we were in sympathy with the general policy of that party, but because we knew it was led by the land-owning class of England, that Lord Salisbury and Balfour were at the head of that party, and we knew from the utterances of Balfour that he was as thorough and enthusiastic a bimetallist as the most pronounced and radical bimetallist in this country. We hoped when that party was restored to power that, whatever its policy might be with reference to the Irish question, and other questions with reference to which our sympathies were against it, its action upon this momentous question, affecting the political economy of the entire world, would be favorable to the interests of this country and of the world. But what do we find? When that party comes into power, it comes with shackles imposed upon it by the banking interests of England.

FRANCE.

And how is it with France? We go to France and we say to her, "You have always been the friend of silver. You organized the Latin Union. You sustained silver for many years. You used the ratio of 15½ to 1, and by the free coinage of silver maintained it upon a parity with gold. You have to-day one-half of your currency in gold and one-half in silver. Stand with us for the restoration of silver."

What is her answer? Her answer is: "It is true that we sustained silver for a number of years, but it was your action in connection with that of Germany that forced us to suspend its use." What was that? In 1873 the United States of America was neither upon a gold nor a silver basis. That is to say, we had suspended specie payments. There was neither gold nor silver in the country. A resumption of specie payments was desirable. In 1875, I think it was, we passed an act declaring that we would resume specie payments. What did specie payment mean at that time? It meant payment in silver and in gold. What was the interest of this country? To maintain both metals so that specie payments could be more easily made.

What was the interest of this country as a producing country? It was the interest of a country that produced more than one-half of the silver of the world—from every aspect, financial and industrial—to sustain silver. And what was our action? When our silver mines were opening up abundantly, when Providence pointed out her riches for our benefit, we declared by law that these mines should be practically closed so far as any benefit that we should receive was concerned. We not only deprived silver of its legal-tender quality, but we also declared by law that not an ounce of silver should be brought to our mints, and we gave notice to the world, "We regard this silver as worthless. We propose to throw it upon you for absorption."

Is it any wonder that the civilized world, as you term it, in Europe was alarmed? Just about that time, Germany having received a large subsidy from France, was able to go upon the gold basis as no other country could go. This large subsidy enabled her to make the turn without danger. So Germany's silver was thrown upon France, and the country to which we now appeal was made the victim of our action. For recollect that the United States of America was the first country to act in the demonetization of silver. My friend from Maine [Mr. DINGLEY] is mistaken when he says that the action of this country followed that of other powers. The only action that Germany took prior to February, 1873, was the restoration of gold, not the demonetization of silver. She was upon a bimetallic basis when we took our action, and she did not go to the gold standard absolutely—though perhaps her action was threatened—until three months later. So this country, the greatest debtor nation, the greatest silver-producing nation in the world, more interested in this subject than any other, led the crusade against silver, and now begs France, the victim of her action, to help her restore it.

What else does France say in answer to our statement that the world has not sufficient money? She says, "That may be so with reference to the rest of the world, but we have enough." The United States has a per capita circulation of $25, and France has a per capita circulation of about $40. France, having no interest in the production of silver, adhered to it loyally prior to and for many years subsequent to our demonetization act of 1873, absorbing it all at a higher price than this country, namely, 15½ to 1. She has to-day a per capita circulation of silver of $12 against our $8. Can she not with great propriety say that it would be more becoming in us to raise our per capita circulation at least to hers by increasing the use of silver before we ask her to join us in increasing the volume of the money of the world?

The mint statistics show that of the $4,000,000,000 of gold coin in the world, one-half is to-day actually located in these three countries, England, Germany, and France, and we all know that the

other half, though scattered around among the rest of the world, is really tied by bond and mortgage to these three countries and can be called back at any time. Do they need more money? No. They have a plethora of money and loan the surplus to other countries. Do they have undeveloped areas to populate and build up? No.

DIFFERENCE IN INTERESTS.

Now, these are the three creditor nations to which the gentleman proposes to appeal, to which we have appealed for twenty years, without results. Has the gentleman any hope? He discloses none—and as he proposes no remedy except with the concurrence of the leading commercial nations, what hope is there for relief from existing intolerable conditions? Does the gentleman recognize the difference between these countries and our own? The nations of Europe, the gold-owning nations of the world, are the gold-using nations of the world. Their communities are all built up, their populations are fixed, there is little need of development in any of these countries, and hence the accumulations of their citizens are invested in the development of other countries, in interest-bearing bonds and securities. As the owners of money, it is their interest to make money more valuable, and the only way they can make it more valuable is by limiting its quantity. The easiest way of limiting its quantity is to destroy the use of one of the money metals and to throw the burden of the world's exchanges upon the other.

Now, then, the creditor classes of these nations were and are the owners of gold, and they succeeded in forming the gold trust when three of the greatest nations of the world—the United States, Germany, and France—had just passed through exhausting wars and had contracted large war debts.

THE GOLD TRUST.

We all recognize that this is the age of combines, corners, and trusts. The effort of the wealth seekers of the world has been to accumulate some product, either natural or manufactured, which mankind universally needs or desires, and then, by limiting the production, to raise the price and clear a profit. Such have been the corners, trusts, and combines relating to sugar, iron, steel, oil, and wheat. All such combines have been successful where, the demand remaining the same, the production was limited. All have been unsuccessful where nature or man's energy has broken the corner by increasing production.

The evidence is indisputable that prior to 1873 the greatest combine trust and corner known to history was organized in Europe. Its purpose was not only to limit the production of metallic money in the future but destroy the efficiency of half the money in the world by taking from silver its legal-tender quality and thus increase the value of the other half in the shape of gold, of which, represented either by cash or by interest-bearing gold obligations, the members of the combine were the owners. The world was to be deprived not only of its annual crop of money from the silver mines, but one-half of its store collected through the ages was to be destroyed.

This combine has been successful. It has moved on year after year, and induced nation after nation to abandon the use of silver. We have been for years suffering under its oppression, and yet we say that the only way to obtain relief from it is to persuade those who are interested in the combine to relax their grasp, to enter into a national conference which will restore silver. How can we expect this, when there is no community of interest between us? The action of France and Germany is dependent upon the action of England; and how does her condition contrast with our own? We think we are a very wealthy nation, and we are—in everything but money. England's wealth consists principally in money; England is a creditor nation; we are a debtor nation. England has money scattered all over the world, loaned out on interest-bearing bonds; we have no money whatever loaned to any other country. We not only utilize all the money which we own, but all we can borrow from other countries. Why should these three countries join us? Their positions are entirely different; they are creditor nations, and the United States is a debtor nation. They are interested in having money dear and products cheap. We rely upon good prices for our products to pay our debts. They have a call on us for all the money we have in our country, and have gained an advantage by our legislation which has largely enhanced the value of their gold.

Was it ever known that a debtor, by a mere conference with his creditor, induced him to forego his advantage? The only way a debtor can reduce his creditor to terms is by going into bankruptcy. Are we prepared to go into bankruptcy and to repudiate our obligations in order to bring about a successful conference with our creditors?

What reason can we give to England for urging her to join us in restoring silver—that it will take from gold its enhanced value? Her answer will be that of her royal commission:

It must be remembered that this country is largely a country of debts payable in gold, and any change which involves a rise in the price of commodities generally—that is to say, a diminution of the purchasing power of gold—would be to her disadvantage.

And yet they tell us that the best way of bringing these three countries to terms is for us to remain upon a gold basis. President Harrison in his annual message declared that he knew no more effectual way of promoting a more favorable sentiment to silver in Europe than by accumulating gold here; that a scarcity of gold in the European reserves would be the most persuasive argument for the use of silver there.

In other words, we are to distress Europe by borrowing more gold of her and borrowing it substantially on call, responsive to any demand that she may make in an emergency. One is at a loss to understand how a debtor can get a creditor under his control by borrowing more money of him. We had some experience of that when the Baring Bros. failed, and during the panic of 1893, and during the Venezuelan difficulty. We begin to realize that so long as we are upon a gold basis we suffer from any financial storm that occurs in the world, and that we can not take any independent action whatever in the way of maintaining the dignity of the country or its power without England's calling for gold and driving us on the shore of insolvency.

INTERNATIONAL UNION WITH DEBTOR NATIONS.

The folly of our position with reference to an international conference has been that we have thought international action unavailing unless the three great creditor nations of the world would consent, and yet their power in raising the value of silver is small as compared with that of the debtor and producing nations. What is our problem? It is to increase the use, and in that way increase the value of silver, so as to restore the old parity. We find that the dislocation between silver and gold has given an advantage to countries that are not upon a gold basis that they are able to produce more cheaply, that their farm products are driving our products out of foreign markets, and that their manufactured products are likely to seriously and disastrously affect the manufacturers of gold-standard nations. We have, therefore, a direct interest in increasing the value of silver. We have the interest of a debtor nation. We have the interest of a silver-producing nation. We have the interest of a nation that relies upon its exported farm products for the payment of its debts. We have a nation whose farm products have been driven down in gold price as silver has fallen, and whose manufactured products are menaced in our home markets by the products of the Orient, whose labor, always phenomenally cheap, is now twice as cheap in terms of gold. We wish to enlarge the use of silver in order to increase its value; and by the use of silver I mean the coinage of the current product of the mines, for the accumulated stock is in actual use in the various countries of the world as money, and will remain so.

Now, to what countries ought we to go to increase the use of silver? To England, France, and Germany, which have a plethora of metallic money—so much so that they all loan their surplus to other countries—or such countries as Russia, Austria, Italy, Spain, Portugal, and the South American countries, all of which have a deficiency of metallic money, and all of which are compelled to keep out large amounts of uncovered paper money because of the scarcity of metallic money? If we wish to increase the use of wheat, would we go to the countries that had their granaries full, or to countries whose granaries were empty? Suppose England, France, and Germany should all open their mints to the free coinage of silver, how long would it remain in those countries? They have an abundance of metallic money. Would not this silver go speedily to other countries? Why not go directly to the countries to which it would ultimately go either by way of loans or in purchases of products and urge them to admit it to coinage?

UNCOVERED PAPER.

The financial history of the world proves that there never has been enough of either gold or silver to satisfy its requirements for money, and so we find, according to our Mint Director's report, that the debtor countries of the world have about two thousand five hundred million dollars of uncovered paper money—paper not backed by silver or gold. Russia has $540,000,000; Austria $204,000,000; Italy $191,000,000. The South American States have $550,000,000, and America has $450,000,000 of uncovered paper money, consisting of greenbacks and national-bank notes. Do not the countries which have this large amount of uncovered paper money outstanding furnish the best market for silver, and would not an international conference with them, resulting in the coinage of silver and the gradual retirement of the uncovered paper money, so increase the use of silver in the world as to increase its value and restore the old equilibrium, and would not we then have throughout the world the soundest kind of money, namely, gold and silver, in the place of the depreciated paper which at present exists? For recollect that not a single debtor nation in the world except the United States has been able to keep its paper at a parity with gold.

The paper of Russia, Austria, Italy, Spain, and South America is all depreciated paper. Russia has $450,000,000 of gold, and Austria $140,000,000. Both are desirous of going upon a gold

basis, and yet neither is able to do so. They are obliged to keep their gold locked up in their war chests, for they know if they should attempt specie resumption their gold would slip out of their boundaries like water out of a sieve. The United States is the only debtor nation that has been able to maintain its paper at a parity with gold, but how does it do it? Simply by grinding out gold bonds to the extent of $250,000,000, and these really represent the premium that has been paid for gold redemption since 1893. Is not the argument conclusive that no producing and debtor nation can possibly keep out uncovered paper money and maintain it at a parity with gold without the issue of bonds and thus constantly increasing its national debt? And would not this very argument, if presented to the debtor nations, induce them to see that it would be to their advantage to increase the metallic base throughout the world, to increase the use of silver, and to substitute silver coin for the depreciated paper which they now have, or for the Government paper which this country has, and which it maintains at a par with gold only by the issuance of gold bonds?

Had this kind of an international conference been called—a conference of the debtor and producing nations of the world as against the creditor nations of the world—there might have been some international results favorable to silver, but the fact is that there never has been an Executive that was favorable even to an international adjustment of this matter. International conference has simply been the club with which to beat down national adjustment of the silver question.

NATIONAL ACTION.

But, gentlemen, are we not exaggerating the difficulties of the task before us? Remember that in order to restore the price of silver throughout the world it is only necessary to absorb the current production of the mines of the world at the price of $1.29 per ounce as against the present price of 67 cents per ounce. The accumulated stock of silver is in actual use as coined money. There is no bullion collected anywhere in the world except here, where it is constructively coined, for silver certificates and Treasury notes have been issued against it and are in circulation as coin.

What, then, is the current production of the mines of the world? It is stated by our Mint Director to be about 150,000,000 ounces, of the actual value of about $100,000,000 and of a coinage value of about $200,000,000. All this product is at present absorbed at the existing price of 67 cents per ounce.

To what extent can this country use silver? At present it uses none of the current product of the mines, but throws its entire production of 50,000,000 ounces, being one-third of the total production, upon the markets of the world. It is clear that we can not get along without maintaining the present per capita of circulation, namely, about $25 per head, counting both the paper and metallic money. Our population is increasing at the rate of 2,000,000 per annum, and we therefore require $50,000,000 per annum of new money to maintain our present per capita. Of course, our banks say they will supply this if we will give them the power, but it will not be given. If the Government can not keep its greenbacks at par with gold without issuing bonds, how can the banks keep their paper money at par without similar loss? For if the greenbacks are retired and the balance of trade remains against us, as it certainly will with the present price of farm products, governed as this price is by the low price of silver, the strain of gold payments would fall upon the banks, and they would be subjected to a double strain—that of their note holders and that of their depositors. They could not possibly maintain gold redemption, and paper money would not be issued or if issued would not be redeemed.

We certainly can not get enough gold, for England, France, and Germany require one-half of the gold of the world for local use, and the rest of the world can only get the other half, and our proportional part is small and constantly diminishing. We are therefore compelled to use silver.

But $25 per capita is not sufficient. We ought to have at least $30 per capita, for we need more money than any other country in the world, as we have a great country to build up and enormous resources to develop. If we should conclude to gradually increase our per capita to $30, which is $10 less than that of France, we would have to coin $70,000,000 per annum for five years.

But the uncovered paper money of this country should also be retired. It consists of greenbacks and national-bank notes, and aggregates, after deducting the $100,000,000 of gold reserve in the Treasury, about $450,000,000. It will take $90,000,000 per annum for five years to take the place of these notes as they are gradually retired. We would thus have the following annual demand for five years at least:

To maintain the present per capita of $25	$50,000,000
To increase the per capita to $30	70,000,000
To take the place of uncovered paper money	90,000,000
Total	210,000,000

Will any man contend that with a present silver production of $200,000,000 coinage value which is entirely absorbed in current uses an increased demand for $210,000,000 of new money will not restore the old value of $1.29 per ounce, and with it restore the value of our farm products and other property which, measured in gold, have depreciated nearly 50 per cent in the last decade? I insist that a demand for even one-third of this amount would restore the old value. Yet we can in this country alone, without inflation of our currency, create a demand equal to the entire present current product of the mines of the world, which product is now entirely absorbed by uses other than our own.

INCREASED PRODUCTION.

But the timid say production will increase as the price advances. No man can, of course, predict what the production will amount to. If the world, struggling through the ages in its search for silver, has been able to accumulate a cube of 66 feet, filling a space only half the size of this Hall, it is safe to say that though search be stimulated effort will not always be attended by reward. The increased output of the mines has always resulted in the advance of civilization and prosperity with the sole exception of the last twenty years, when its beneficent effects have been blocked by unwise legislation.

It should be remembered also that should production unduly increase it would be entirely practical to restrain production either by laws imposing a tax upon it, which would increase its labor cost, or by withdrawing mineral lands from private entry. The existing silver mines in hands of private owners will soon be exhausted, as the deserted mining camps once maintaining large populations testify everywhere in the West. Two-thirds of the silver of the world is produced by the United States and Mexico. These two countries own almost all the mines of the future, and should production be unrestrained, as some, without any good reason, fear, they could unite in a policy which would restore Government monopoly in mines with a view to limiting production. Thus the stores of the future would not be unduly drawn upon for the present, and a calm and equal production of silver commensurate with its use could be established and secured.

But, say our opponents, the existing silver coin of the world would drift to this country. The fear is absurd and I will not waste time in arguing about it. I can only say that if it has any lodgment in the legislative mind it is easy to provide against it by legislation admitting to our mints only the current product of the mines. A system of proof directly from the mine to the mint could be devised which would prevent fraud and which would compel foreign countries to retain the silver they now have in actual use as coin instead of sending it to this country at a loss, as the promulgators of this absurd fear proclaim.

But my time is too limited to permit a thorough consideration of this subject. I can only call the attention of the House to this fact, that whilst the gentlemen from Maine admits the evils of gold monometallism, he claims that bimetallism is impossible without the concurrence of the leading commercial powers. He thus closes the door to hope, for whilst I can conceive of a union of the debtof and producing nations of the world, I can conceive of no union into which the great nations owning all the gold of the world and interested in its appreciation will enter save upon terms that will be practically destructive of bimetallism as we understand it. During all these years had we an Executive who was an earnest and true friend of bimetallism an international adjustment would have been secured through a union of the debtor and producing nations of the world. But as it is, we are asked to suffer until the creditor nations conclude to be generous and to yield an advantage never before secured in the history of the world.

IMMEDIATE ACTION.

Believing, therefore, that our difficulties are entirely due to the appreciation of gold and that such appreciation can only be stopped by restoring its only competitor—silver; that this country is great and powerful enough to create such a use for silver as to restore its old value, and that with the restoration in value of every ounce of silver the value of every unit of property, whether it be a bushel of wheat or a pound of cotton or an acre of farm land, will be restored, I am for the immediate action of this country alone without waiting for the action of any other country. I believe that the best way of preventing the export of gold is to obtain a favorable balance of trade, and I know of only one way of doing that, and that is to restore the value of our exportable products by raising the gold price of silver and thus diminish the efficiency of the silver-standard countries which export in competition with us. Bond bills and bankruptcy bills are recognitions of the serious condition of our affairs. A silver bill presents the only radical cure for the evils of gold exports and the gold famine.

Tariff Reform and Free Coinage.

SPEECH

OF

HON. JOSEPH M. KENDALL,

OF KENTUCKY,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, January 7, 1896,

On the bill (H. R. 2904) to maintain and protect the coin redemption fund and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

Mr. KENDALL said:

Mr. SPEAKER: The fact that our bonded indebtedness has increased recently, in a period of profound peace, indicates to my mind that there is something radically wrong with our systems of finance and taxation, and that the coin redemption fund can be best protected by beginning at the foundation. I purpose addressing myself to these two issues, not with any hope of converting my colleagues here, not with any hope of throwing new light upon these problems, but rather to emphasize my position, which, it seems to me, is the position of the dominant element of the district which sent me here, and who feel a deep solicitude in the result of our legislative labors. Although an ardent member of the political party to which I belong, I am willing to meet those who differ with me on conservative ground, and if necessary to place country before party in the solution of these problems.

The tariff, as a much mooted question, consists of three most important branches: First, a tariff that has for its purpose the protection of monopolies; second, a tariff that has for its principal object the accumulation of the largest amount of moneys for sustaining the Government, economically administered, at the smallest expense to the whole bulk of citizenship, and third, free trade, which would necessitate our obtaining the public revenues by direct taxation. The first-mentioned division means oppression; the second common sense, and the third is impracticable. The tariff has unceasingly been one of the momentous points of difference with which our lawmakers have been compelled to deal, and, excluding eras of extraordinary turmoil, it has at all times engaged the larger portion of attention. Upon it has been, as a concern of consequence, centered the most brilliant intellects of this century. However, limited time as well as information will preclude my tracing minutely the progress made and the policy pursued by other commonwealths and kingdoms in the periods that are past.

I shall be contented with confining myself in a desultory and superficial way to our own country. Here it has been a momentous issue since our earliest period of republican existence. It was the father of the Revolution and the mother that nursed the present Republican party in its infancy. An excise upon tea which they considered exorbitant marked the commencement of that war in the configuration of the Boston tea party. It was the central, pinnacle point in controversy with which our statesmen were compelled to grapple during that long period of our country's history previous to the paramount ascendency exercised upon the public understanding by the vexed question of human servitude that for a time dwarfed all others and in comparison with which all others were forgotten. Calhoun and Webster at distinct times were arrayed upon antagonistic sides, seemingly shifting as if by contract to opposite positions. Webster's oration in opposition to protection is universally pronounced a masterpiece of statesmanly declamation upon this important topic of economic legislation. Henry Clay countenanced what was called the American system, but he sagaciously, sincerely, and conscientiously said that the consideration that impelled him to appeal for the manufacturers was because they were at that time in their infancy. Were he with us to-day we can readily imagine his assaulting the foul fabric with all-prevailing cogency and completely pulling it to pieces as an eagle would a helpless, gorged snake.

Senator SHERMAN apprised the manufacturers of Chicago as long ago as 1880 in a public address that they competed with the cotton market in Manchester, with the iron in Birmingham, and that they sold cutlery in Sheffield cheaper than they could sell it who manufactured a similar article. And yet the hungry protectionists are continually complaining and demanding more. In the name of common sense and common fairness, just meditate on this fact for one moment—that our manufacturers could make cotton goods even then, sixteen years ago, ship them to Manchester, that celebrated city, constituting as it does the center of that far-famed English cotton region, and sell against them in their very teeth; that we could manufacture plows, hoes, reapers, and all the implements of tillage, take them across the broad Atlantic and sell in opposition to Birmingham, and our cutlery to Sheffield and undersell at home those who are the most extensive cutlery makers in the world. Despite all this we are told that the American people are in favor of still higher protection, and that the present Congress will be asked to give it. In the name of this bright day what are we to expect next? The English language is inadequate to characterize the absurd injustice of this demand, and I will not undertake to do so. Ineffaceably was victory imprinted upon the copious folds of our unmarred banner when our political antagonists chose the cause of the manufacturing monopolist and championed that crowning atrocity of party policy which has nearly eliminated our starred ensign from the oceans and seas, and which has, by the vile exploits of partisan legerdemain, poured the residue wealth of the producing class of this country into the pockets of a few pride-swollen protection monopolies.

The interest of the farmer and the manufacturer are inimical in nature and character. The Democratic party, discerning the obvious fact that the farmers of this country constitute an overwhelming majority of her citizens, and consequently that they could combine and not only take away from the manufacturing interests the advantages they now enjoy, but could demand and obtain protection for themselves, and in so doing win tribute instead of rendering it, as they have been doing—comprehending all this, my party desists from simulating the demagogue and asseverates its intention of shielding the agricultural, manufacturing, and mining avocations in, as near as is feasible, an even-handed, conscientious proportion, assessing the heaviest imposts upon luxuries and those commodities which will, without consideration as to class, yield our country's coffers the largest aggregate revenue, believing, as we do, that if the Republic would be equitable to individuals she has but to be sincere with herself. The Republican party's conception of protection, as disclosed by their sickening, saddening legislation in that direction, tends to turn aside toil from its essential and interested channels and promotes interminable dissension between those who covet it upon the one hand and those who refuse to render it upon the other, bearing, as it does, behind its perfidious mask the false-hearted specter of individual injustice.

There is not a single product cultivated by our farmers—and yet we are all citizens of the great Republic—that ever had conferred upon it the overruling vantage ground of ample protection. The vindicators of this balky system bring forward the argument that agriculture is overstrong in this country, and that consequently these other callings ought to be in this way encouraged. In refutation to that chain of reasoning I will simply remark that if a strict revenue duty after this lengthened period is not adequate to develop our manufacturing industries to the level of that preponderating position which farming has always occupied in America until recently and in spite of the discriminating laws against it in comparison with the world, then it is my candid judgment that the wealthy monopolist had best get rid of his immense plants, his majestic mansions, his elegant and superb attendant finery, and with the proceeds purchase a small tract of land and go to farming. Let him try it a while. But, seriously, it is despotically tyrannical, it is inconsistent with the teachings of political economy, and contrary to the foundation principles that underlie our system of free government that the impoverished farmer, either directly or indirectly, should divide his meager earnings with the already overopulent protected manufacturer. The controversy squarely presented to the people is, Whether the farmers of this country must continue forever serfs? Must this mothlike meanness endure that has continued so long? Will this path of iniquity never end? If the farmer would act in accordance with the manner in which he himself has at all times been treated by the lawmakers under corporate control, he would not only take the present protection off to an exact revenue basis, but in many instances he would remove it all and compel them to disgorge, placing it, if possible, upon agricultural productions alone, and in that way force these gentlemen to pay tribute to him for a hundred years.

A revenue tariff of the exact aggregate that will not especially invite and at the same time will not turn aside foreign commodities is all the protection any conscientiously disposed individual ought to countenance or crave, and all that any citizen of common sense and a respectable self-interest ought to concede or suffer. The Democratic organization never did nor never will believe in levying an assessment upon the whole bulk of citizenship for the purpose of bestowing a bounty upon a few bloated monopolies. There is not a patriotic American citizen who possesses an affection for his country's colors and exalts in her touching triumphs but what is willing to pay revenue to support this Government, but there should not be one who is willing to pet and pamper a privileged class who are abler to protect him than he is to protect them. If we have a law protecting the monopolist for the benefit of the workingman, as many argue, we ought at the same time give legislative sanction to a statute compelling him to directly divide the emolument derived with the man who toils the whole day long and for whose sake they feign to desire so much done. If the munificent magnanimity of any class of my fellow-countrymen conferred a bounty upon the business in which I was employed for my own particular profit, I would want it presented to myself, and not to another for me. Some people never grow weary insisting

that there are certain Democrats who vindicate protection. The position of any true Democrat who petitions for protection ought to be, and I presume nearly always is, founded upon the postulate that while others are protected he ought to be also, and the attitude of Democrats with reference to internal improvements and Federal aid to the cause of education by the General Government is based upon the same chain of reasoning.

If this country could realize the accurate construction of the conception of a tariff for revenue with incidental protection the national obligations could be canceled in one-fourth the time without pauperizing one interest while pampering another. When from the wisdom and philosophy of unfathomable events, and when from the honest, ennobling impulses of our leaders and the mistaken motives of our adversaries the tariff question became paramount in importance to all others, the gray-haired fathers who had observed and were conversant with the history of past contests upon important issues that had shaped the political revolutions that had gone before comprehended that this would be our deliverer—that it was the cord that insured an unquestionable, though in all probability remote success. The stars have already began singing upon our streamers for the next national combat, and the glory of tariff reform and the free coinage of silver is blazoning on the sky. From their distant ramparts you will hear the tread of our countless thousands and tremble, for defeat, dejection, and great darkness will encompass your standard and you will flout the air with a white banner. "Unconditional surrender," "tariff reform," and "free coinage" of gold and silver are our demands, and to these they will come when we make the grand, conclusive charge. Let every volunteer polish his helmet, armor, sword, and shield, symbols, we might say, of zeal, assiduity, heroism, and honor, that when the din of party strife has come and gone next November a gallant array of grateful, proud, and happy hearts can cluster around the new-won prize and with calm transport have our chosen President, who believes in these great principles of tariff reform and free coinage, as did Thomas Jefferson and Andrew Jackson in the brave days of old, with new-felt inspiration to America, the waters, and the world, "a revenue tariff" "and the equality of both metals" forever.

The currency question is confessedly the foremost political issue of to-day. As a member of the Banking and Currency Committee of the Fifty-second Congress when the Cate bill was pending I took a firm stand against the repeal of the Sherman Act. We were told that its repeal would be followed by an era of great prosperity. After a long struggle it was repealed, but the promised prosperity did not come. I concurred in the opinion of a majority of Democratic Senators then that the absence of a substitute was a great mistake—I will not say an additional wrong. When it was finally accomplished, not in the Fifty-second Congress but subsequently, I feared that it was a financial abortion, performed by the Administration's doctor, that might cost the Democratic party its life. As a matter of course I do not expect the successor of that Congress, many of the members of which voted for the repeal, to concur with me in this opinion. In the report from the Banking and Currency Committee of the Fifty-second Congress will be found the following:

CIRCULATION OF NATIONAL BANKS—VIEWS OF MR. KENDALL.

Mr. KENDALL, from the Committee on Banking and Currency, submitted the following views:

The fact has been conclusively demonstrated from official figures that the price of wheat and cotton, which constitute our most important exports, have followed the fluctuating price of silver as a logical result, except under abnormal conditions brought about by speculation or short crops, ever since silver was demonetized in 1873.

Without stopping to present additional facts or to discuss other far-reaching propositions of doubtful wisdom and expediency involved in the passage of this bill, the undersigned enters his respectful protest against the repeal of what is commonly known as the purchasing clause of the Sherman Act of July 14, 1890, which authorizes the purchase by the Secretary of the Treasury of 54,000,000 ounces of silver bullion per annum, unaccompanied by an adequate substitute enactment by which silver is, at the same time, rehabilitated to the position of absolute, constitutional parity with gold, at the present ratio, given to it by the fathers and holden for the eighty-one years prior to its clandestine degradation nearly twenty years ago.

JOSEPH M. KENDALL.

Sir, nothing has happened since to change my opinion expressed at that time. It was a blow at one-half of the metallic currency of this country from which it will not soon recover. In that same Congress I submitted some remarks upon this subject, in which I said:

It matters not what political party has the President and Congress, so long as a high protective tariff and a contraction of the currency obtain (both saddled upon the American people by the Republican party) just so long will the poor people of this country continue to complain and suffer.

Subsequent to this speech the following editorial appeared in the Morgan County Messenger, published at West Liberty, Ky., the Gibraltar of Democracy in eastern Kentucky. I will ask the Clerk to read.

The Clerk read as follows:

KENDALL OF KENTUCKY.

Under the above headline the New York Tribune, in about a column, makes an assault on our Congressman's recent speech on the silver question, a portion of which appeared in the Messenger last week. Judging by the extended comment by as notable a journal as the Tribune, the young man has "struck the bull's-eye and rung the bell." The Tribune starts out by trying to consider it "very funny" that Robert Burns or anybody else should feel humiliated by seeing his home taken from him by some foreign landlord. This is not strange when we consider the fact that the men who read and patronize the Tribune have already, as indicated by Mr. KENDALL, taken possession of Kansas, and are to-day covering with the shadow of their mortgages the homes of Kentucky. It will be very funny, indeed, when they own Kentucky as they already possess Kansas, which Mr. KENDALL claims is only a matter of time under our present financial system. This great paper seems to think it also "very funny" that Mr. KENDALL should imagine that the stars in their courses are fighting the battles of the poor, plain people.

The Tribune seems to be unable to appreciate the fact that that class of citizens called "the poor, plain people" by Mr. KENDALL are entitled to any consideration, and the natural inference is that they should be thankful it is no worse with them; and finally it strikes this great editor of the Tribune, the Hon. Whitelaw Reid, the nominee of the Republican party for the Vice-Presidency of the United States, as being very funny that a considerable number of Kentuckians ride on horseback, and compares such persons to the vagrants who sit around on the park benches in New York. This great paper, as a matter of course, refers to Kentucky's course in the civil war of some thirty-odd years ago, and ventures the hope that the people who are being robbed will not call the same kind of a halt as they did then. Continuing further, the Tribune quotes, but does not dispute, Mr. KENDALL's assertion that the Sherman Act of 1873 "was the direst calamity ever inflicted upon the American people by Congress." Mr. KENDALL is right. There is going to be some tall "camping in the saddle" all over this great country, and Kentucky will be in the future, as she has been in the past, the vanguard of the Democratic column. As KENDALL says, the protected robber, the gold bug, the landed aristocrats, and the Tribune will all have to go together—the horns with the hide.

Mr. KENDALL. Sir, in the Presidential election that followed the prophecy of this rural journalist was literally fulfilled. But the legitimate fruits of that great victory won by the people has been lost.

Sir, one of the best solutions of this currency problem to which my attention has been called seems to me to be that offered by Senator JONES of Arkansas, on which I am advised a report will be submitted by him at an early day. I have not the bill before me, but I understand that the bill authorizes and directs the Secretary of the Treasury to receive at any United States mint from any citizen silver bullion of standard fineness, and coin the same into silver dollars of 412½ grains each; the seigniorage on the bullion to belong to the Government and to be the difference between the coinage value and the market price of the bullion on the day the deposit is made, all expenditures for coinage to be paid out of the seigniorage, and the depositors of the bullion to receive standard silver dollars equal in amount to the price of the bullion from the Secretary of the Treasury, certificates to be issued on these coins in the manner now provided by law whenever the coins shall be received into the Treasury.

This is the bill in substance, and while I hesitate to commit myself to its provisions irrevocably, it seems to me to offer a just solution on which all shades of difference can meet and unite. It disposes of the "fifty-cent-dollar" argument, which is about all there is in the gold-standard stock in trade. Under its provisions we would pay the mine owner what his silver was actually worth, and no more. No one could object to this. The United States Government would receive the exact amount of the enhanced value its stamp gave the coin. This seems to me to be reasonable and fair. The other provisions are not material. To my mind there is only one way to maintain the parity between gold and silver, and that is to make them equal under the law. I am as strongly in favor of gold as I am of silver, but gold needs no advocate on this floor. She is able to employ her own advocates. The whole case in a nutshell appears to be this: The East wants gold, the West and South want gold and silver, and candidates for the Presidency whichever will gain the coveted prize. In my judgment, no man who is in favor of the gold standard—who justifies the demonetization act of 1873—will again be elected President.

It would be a calamity indeed. I never worry about this battle of the standards. I know the citizens of this country will in the end even up legislation. I do not believe in any financial scheme which confers upon private individuals the power to issue money. I do not believe it is either wise or just for the Government to become surety for the promissory notes of a bank or any other corporation. It is impossible to make gold, silver, and paper of equal intrinsic value by law, but the stamp of the Government has never failed to make them of equal exchangeable value. It is the volume of money, and not what it is made of, that establishes the price of a commodity. It goes without saying that in many sections of this country there is not enough money in circulation to give the people a decent burial. In all such places the restoration of silver is a vital political issue and at the same time a fundamental Democratic truth. Kentucky's position on this question will be found in the fourth resolution of the platform of the convention which nominated John Young Brown for governor of Kentucky, and he was elected by more than 25,000 majority:

Fourth. Recognizing the fact that the United States is the greatest silver-producing country in the world, and that both gold and silver were equally the money of the Constitution from the beginning of the Republic until the hostile and fraudulent legislation of the Republican party against silver, which unduly contracted the circulating medium of the country, and feeling that the great interests of the people demand more money for use in the channels of trade and commerce, we tender our gratitude to the Democrats in the

last Congress for their nearly unanimous votes in both Houses in favor of the free coinage of silver, and demand its restoration to the position of equality before the law given to it by our fathers.

Such is the voice of Kentucky, spoken in the biggest convention perhaps that ever came together within her borders. Our State has written more platforms for the party of the country than any other. Her voice is the voice of the old simon-pure, unadulterated Democracy, and the voice of true Democracy is the voice of God always and everywhere. In this good year of grace her voice will be potent, and I believe she will stand with Illinois and Georgia rather than with Massachusetts and the national banking associations. Although I deprecate any sectional view of this question, and am more than willing to meet on middle ground these advocates of a gold standard, I am in favor of settling all our factional controversies inside the party lines. The balance of the country must regulate the bondholders and the mine owners, and for one I am willing to unite in a conservative but determined effort to do it. The undertaking to keep this coin redemption fund at $100,000,000 reminds me of those persons in heathen mythology who, we are told, from one cause or another, were sentenced to the continued toil of filling with nectar vessels which had no bottom. We simply demand as a remedy for this hopeless task the gold and silver money invented by Jefferson, when he said:

The mint should stand on both metals—

and of Daniel Webster, who said:

I am certainly of opinion that gold and silver, at rates fixed by Congress, constitute the legal standard of value in this country, and that neither Congress nor any State has authority to establish any other standard or to displace this standard.

This day could be consumed in citing authorities like the above, than whom there are no higher. It fatigues me to hear so much talk about the position of certain prominent members of my party on this question. We believe in majority rule. In his letter of acceptance of the Presidential nomination Mr. Cleveland said that—

The wants of our people arising from the deficiency or imperfect distribution of money circulation ought to be fully and honestly recognized and efficiently remedied.

What has he done in an official capacity to bring about this remedy? In this I heartily concur, and whoever holds different, in my judgment, in the next Presidential election and pledges himself to carry it out may as well hang his harp on the willow.

The country is already crowded with able statesmen whose people have revoked their commissions, and I am afraid that the demand for Federal appointments for these gentlemen will surpass the supply. There is no denying the fact of history that since a very early period of its existence until quite recently the Democratic party has consistently and unbrokenly upheld the principle of free bimetallic coinage, or, in other words, the equality under the law of gold and silver. Before the bimetallic colors, which are the true colors of Democracy, are lost, a disinherited knight will ride from the ranks of the common people and rescue it. In their despair they are looking now as they never looked before for a savior who will cast the money changers out of the public temple and restore the principles which Jefferson taught and Jackson practiced. By sad experience, by the death of many prosperous industries, and the impoverishment of the great bulk of citizenship this country has learned that the Republican party is not the proper doctor to cure our financial troubles. Every thinking, well-read man engaged in business outside the cities west of this capital, knows that the volume of our money ought to be and must be expanded to double the present actual circulation per capita. Reports to the contrary notwithstanding, I believe the masses of the East are in unison with the West and South on this subject of bimetallism.

When you leave the avaricious and polluting shadow of the money centers and their agents, those people are not, I am credibly informed, in favor of a gold standard singly. That sentiment is confined to the bankers, bondholders, and mortgagees of the money centers who are frightened, as well they may be, at the oncoming spokesmen of the middle class clamoring for honest money and more of it. I believe New York State can be carried on a bimetallic platform. Look at Indiana. In that fair State under the leadership of Senator VOORHEES on this issue and this issue almost alone, and always with an increasing majority in her legislatures, have the sovereign people of that State registered their decree in favor of silver equality. Personally, I am neither a repudiator nor an inflationist, but I have always been in favor of making gold and silver dollars so long as we have an ounce of the metal and the molds do not get too hot. It has always been the lack of silver that afflicted my people, and a similar condition elsewhere seems to have almost become an epidemic. It has finally in a few instances reached members of Congress. Recently I have not given that study and reflection to this subject which I would have liked. I have certain theories, as much, perhaps, the result of enthusiasm and observation of conditions as of thought, but they have never reached the dignity of established conviction except that I am firmly persuaded that silver is the money of the people, rich and poor alike; that it is the money of the Constitution and ought to have a free and even fight with gold at the mints, and I am as strongly in favor of the one metal as I am of the other.

Trimmers after Presidential nominations seem to me to be the only gentlemen who are afraid to take the bovine of Wall street by the horns. But these gentlemen might as well understand or remember that the moneyed class does not furnish the President. He hails from another quarter. He must wear the spur and belt of an entirely different order. Upon this question the majority of the American voters have made up their minds and, in my judgment, it is useless to trifle with them any longer. Hereafter the candidate who opposes an extension of the currency by championing less money will secure less votes. No true, patriotic statesman can oppose or evade the issue. I am not one of those gentlemen who hold that "16 to 1" is a God-given ratio. I am not a stickler on this subject of ratios. I have said time and again that I would as soon have it 15½ to 1 as 16 to 1.

There are other questions I would gladly discuss, but time will not permit, and these two questions are the most important. I trust, however, I may be permitted to say that the income tax, although it miscarried in the Supreme Court, will always stand as a monument of Democratic fidelity to the people, and to express the opinion that, in my judgment, there would be fewer millionaires in the United States Senate if they were elected by a direct vote of the people.

Tariff reform and free coinage are the two living Democratic issues—twin stars in the political galaxy of principles—upon which we understand we are agreed to stand or fall together, and our urgings along these two lines will not cease until the wrongs which now exist shall have been adjusted. These are the words which will be inscribed upon every banner that leads the people in the coming contest for the Presidency and the control of the next Congress. I would rather see my party fall upon these two issues by advocating them bravely and openly than to try to win by straddling them. Our constituents are not to be misled by any side issues. These are the two questions you will settle, and, though it may not be done, let us hope that they will be settled decisively and for some time to come.

That your tax system and money system are wrong can not be successfully denied. The man who utters a different opinion is either misled or insincere or both, and will not be followed. The campaign orators may undertake to uphold or defend them, or try to create a stampede in another direction, but they know as well as you do that these two questions must be adjusted in a spirit of fairness in the coming contest, or the days of the political party that shuns it are numbered.

Sir, although the son of a prophet is not necessarily a prophet, and the indications at this time are not propitious, I venture the prediction that the next President of this country will be a Democrat who believes in tariff reform and the equal coinage of gold and silver. I am one of those who hold that everybody is wiser than anybody, and I confidently appeal to that excellent middle class who are at once the safety, the bulwark, and the glory of the old Republic.

State Governments in the South under Republicans.

SPEECH
OF
HON. JOSEPH WHEELER,
OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, June 11, 1896.

Mr. WHEELER said:

Mr. SPEAKER: To forcibly illustrate the great evils which would befall any State of the South in the event of its falling into the hands of persons who control a party which is opposed to the Democratic party, I give below the debts of ten Southern States before the war, and in a parallel column the debts of those same States after they had been subjected to the domination of opponents to the Democratic party during a period of between four and five years. It is as follows:

State.	Before the war.	In July, 1872.
Alabama	$7,945,000	$52,761,917
Arkansas	2,184,179	19,398,000
Florida	370,617	15,797,587
Georgia	2,670,750	42,500,500
Louisiana	11,000,000	40,021,734
Mississippi	None.	1,697,431
North Carolina	12,689,245	34,887,464
South Carolina	4,407,958	22,480,916
Texas	2,000,000	14,930,900
Virginia	33,248,141	47,090,866
Total	76,415,890	291,626,015
Total increase		215,210,125

I desire to call attention to the fact that at that time, 1872—

The total debt of the 10 Southern States was	$291,626,015
And the total debt of the 27 other States was	203,872,522
Making the greater indebtedness of the South than all the rest of the Union	87,753,463

Two years ago some misguided Democrats of the gallant old State of North Carolina were induced to join the Republicans in opposition to the party which had been their defense and bulwark for twenty years.

They were abundantly warned of the probable effect of their action. The Democratic party placed before them the fearful crimes and frauds committed by the Republicans when they had control of that State. The following table which I have prepared shows at a glance, first, that the Republicans taxed the people three times as heavily as the Democrats; second, that the Republicans spent on the legislature eight times as much as the Democrats; third, that Republicans did nothing for the public schools, while the Democrats provided means for the education of all the children of the State:

THE RATE OF TAXATION.

In 1869, Republican, 80 cents on $100.
In 1874, Democratic, 31¼ cents on $100.
In 1875, Democratic, 29½ cents on $100.
In 1881, Democratic, 28 cents on $100.
In 1883, Democratic, 25 cents on $100.
In 1884, Democratic, nothing.

COST OF LEGISLATURE.

Of 1868, Republican	$430,958
Of 1870, Democratic	212,893
Of 1872, Democratic	169,396
Of 1874, Democratic	109,234
Of 1876, Democratic	81,823
Of 1881, Democratic	56,259
Of 1883, Democratic	57,478

EXPENDED FOR COMMON SCHOOLS.

Year ending in 1869, Republican	Nothing.
Year ending in 1870, Republican	$42,862
Year ending in 1877, Democratic	289,213
Year ending in 1878, Democratic	324,287
Year ending in 1880, Democratic	352,882
Year ending in 1881, Democratic	409,656
Year ending in 1882, Democratic	509,736
Year ending in 1883, Democratic	725,000

In 1894 these misguided Democrats by aiding the Republicans placed the opponents of the Democrats in power in North Carolina, and they immediately commenced the criminal profligacy which characterized them when they were in power a quarter of a century ago. In corroboration of this assertion I give an extract from a letter from the Hon. Elias Carr, governor of North Carolina, dated June, 1896, in which he states some of the atrocious actions of these enemies of the people.

Governor Carr states that this fusion party—

1. Increased taxation from 41½ to 43 cents on the $100 worth of property; increased expenses for 1895 over $140,000.
2. It passed an election law that only allows five days for registration.
3. It turned out a one-legged Confederate soldier as doorkeeper and put in a burly, black negro, Abe Middleton by name, in his place.
4. It created over 3,600 new offices in order to fill them with partisans and get control of the county machinery. I think the true number was about 5,000.
5. The statement in regard to the appointment of 100 negro magistrates is practically correct.
6. Its crowning infamy was in refusing to adjourn in honor of Gen. Robert E. Lee, which was a public holiday under the laws of this State, and they did adjourn in honor of the miscegenationist, Fred Douglass.

They grabbed at every little office and did everything in their power to change the laws, and were so ignorant in their management that their own supreme court has in every case except one decided in favor of the incumbent. They sought to turn men out of office who had been elected for four years and only served two. They tried to place the railroad property of the State in the hands of known rascals, and would thereby have confiscated the best interest the State possesses. They put a judge on the bench who was not legally elected. Created a western and eastern court circuit, which was not needed, and under Democratic rule the judges of the superior courts had done work satisfactorily and with dispatch.

The new election law, while professing to be in favor of a free ballot and fair count, places in the hands of the C. S. C. a chance for unlimited fraud.

Yours, very truly,

ELIAS CARR, *Governor.*

When the Republicans controlled Alabama prior to 1874 they attempted to force negroes into the public schools, hotels, and churches, and did everything they could to humiliate and degrade white people. That they would be even more extreme if again intrusted with power, there can be but little doubt. Mr. GOODWYN, their candidate for governor, has already given abundant proof that he would be a willing tool in the hands of the people whom he asked to elect him to office. Mr. GOODWYN was sworn in as a member of Congress on April 22. He almost immediately left Washington, but when he returned he voted with the Republicans and against the Democrats on every occasion on which I find his name in the RECORD.

On May 29, pages 5914 and 5915, he voted with the extreme Republicans and against the Populists and Democrats to put Stokes, a Tillman silver Democrat, out of Congress, and put in an extreme gold-bug Republican.

He voted the same way on the same case on June 1, page 5952.

On June 4, pages 6110 and 6111, GOODWYN voted to unseat Colonel Elliott, son of Bishop Elliott, and a most accomplished and distinguished member of Congress, and put in his place a negro who is an extreme Republican, an earnest gold-standard man, bitterly opposed to silver coinage and to every principle espoused by the Populists or People's Party.

On June 5, pages 6166 and 6167, he voted to unseat a silver Democrat, Lockhart, and put in his place Martin, a goldbug Republican.

On June 9, pages 6329, 6353, and 6354, he voted to unseat a silver Democrat and superb cultured gentleman, Underwood, and put in his place a goldbug Republican, Aldrich.

In most of these cases the Democrat whom he voted to unseat was a silver man, and he voted to put in his place a gold-standard Republican. I feel confident that each of the Democrats he voted to put out was fairly and honestly elected, and the action of the Republican party in unseating these Democrats was partisan and dishonest in the extreme.

This was especially the case with regard to Mr. Underwood, of the Ninth district of Alabama.

Can there be any question as to what would be the course of Mr. GOODWYN if he were elected governor? His bitter feeling against Democrats is shown by his voting with the Republicans and against Democrats at, I think, every opportunity during his short career in Congress. His voting to put a white man out of Congress who was elected by a large majority—a majority of almost 3 to 2—and put in his place a negro who was not elected and who is a supporter of the gold-standard policy and every other atrocious policy which is advocated by the Republican party, should be enough to prevent any honest white man voting for Mr. GOODWYN for governor. I do not think the Populists who nominated Mr. GOODWYN, supposing him to be an advocate of free silver, will support him when they find that almost his entire course in Congress was against silver and in favor of the gold standard, as was indicated by his votes to put out silver men and put gold-standard men in their places.

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